



August 22, 2022

State Department of Housing and Community Development  
c/o Land Use and Planning Unit  
2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
[HousingElements@hcd.ca.gov](mailto:HousingElements@hcd.ca.gov)

**Subject: Submittal of the Draft City of Santa Clara 2023-2031 Housing Element**

On behalf of the City of Santa Clara, MIG is submitting the enclosed revised version of Santa Clara's Draft 2023-2031 Housing Element.

AB 215 requires that prior to submittal of the first draft to HCD, the local government must make the draft available for public comment for **30 days** and if any comments were received, take at least **10 business days** to consider and incorporate public comments.

The draft Housing Element was made available to the public on July 1, 2022, with the **30-day** open comment period ending August 1, 2022, with the **10-business day** period ending on August 16, 2022. The City of Santa Clara will continue to receive public comment during the HCD review process.

Based on public comment, the City of Santa Clara made substantive changes to the Housing Plan and will incorporate HCD comments to emphasize the Housing Element analysis into the final iteration of the Housing Plan with the corresponding clarifying edits to the Housing Element as a whole. Our intent is to demonstrate how the included analysis informs the Housing Plan.

**AFFH**

It should be noted that the City of Santa Clara began work on its Fair Housing analysis for the Department of Housing and Urban Development (HUD) in 2019. During that outreach process, extensive local and regional input was gathered (the meetings are noted in Appendix A). This input will be provided as an appendix and integrated more formally into the Housing Plan once the outreach summary is provided by the HUD AFH consultant.

**Minimum Density**

Residential densities for proposed housing projects have been calculated at the required minimum densities per the City of Santa Clara's zoning ordinance. Because recent projects have been realizing much higher densities at build-out this creates a natural buffer, in addition to the calculated buffer included in the Housing Resources analysis.

### **Housing Opportunity Sites**

The housing sites included in the 6<sup>th</sup> Cycle Housing Element are located largely in Specific Plan areas that have been recently adopted to create additional housing in areas previously identified as industrial or office land uses. These are moderate resource areas that are continuously improving as new projects are developed and built-out with neighborhood serving retail and community amenities such as parks, multimodal trails, community rooms (available to the broader community), a community center, and a library.

The City of Santa Clara looks forward to receiving a report of findings pursuant to Government Code Sections 65585(b)(1) and 65585(b)(3). We look forward to working with staff to refine the HCD Draft. Question and comment may be directed to the following contacts:

Edward Samson, Senior Project Manager  
esamson@migcom.com

John Davidson, Principal Planner  
j davidson@santaclaraca.gov

Sincerely,



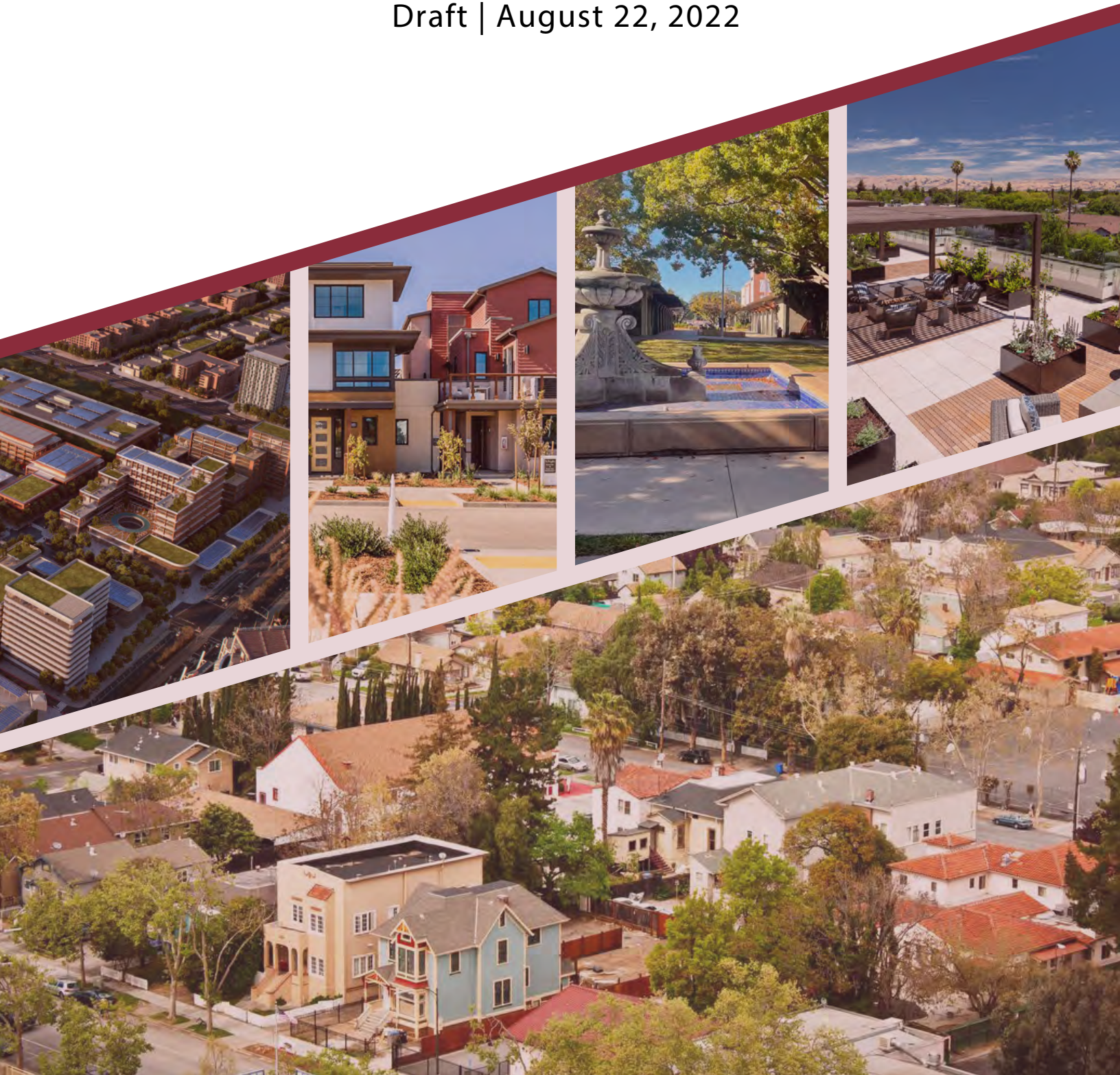
Laura R. Stetson, AICP  
Principal



City of Santa Clara

# 2023-2031 Housing Element

Draft | August 22, 2022







City of Santa Clara

# 2023-2031 Housing Element

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## Acknowledgments

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### PREPARED BY:

MIG, Inc.

City of Santa Clara Housing &  
Community Services Division

City of Santa Clara Planning Division

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# 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.<sup>1</sup> 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

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<sup>1</sup> Census.gov



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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 policies and programs 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 in order 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.

The 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 2015-2022 Housing Element
- A summary of the housing needs assessment
- An assessment of Fair Housing
- A review of constraints to housing development
- A sites analysis including vacant land and underutilized properties appropriate for residential development
- A vision for the City's housing supply

## 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





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AMI – Area Median Income

CDBG – Community Development Block Grant

CEQA – California Environmental Quality Act

CHAS – Comprehensive Housing Affordability Strategy

CHDO – Community Housing Development Organization

DOF – State of California Department of Finance

HCD – State of California Department of Housing and Community Development

HUD – Federal Department of Housing and Urban Development

LIHTC – Low-Income Housing Tax Credit

LMI – Low to Moderate Income

MFI – Median Family Income

MRB – Mortgage Revenue Bonds

RHNA – Regional Housing Needs Allocation

SRO – Single Room Occupancy

TOD – Transit-Oriented Development

### **Relationship to Other General Plan Elements**

Since statutory requirements addressed in this Element overlap with other General Plan elements, 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 other elements. 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 incorporates and 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, develop policies, and find solutions. As such, the public engagement process for Santa Clara utilized a number of channels to solicit input from a variety of stakeholders. These methods involved community meetings, online questionnaires and surveys, stakeholder interviews and meetings, and community pop-ups. Key comments gathered from these outreach methods are summarized (Appendix A: Community Outreach) and a list of outreach efforts are listed below:

- Community Meeting
- Housing Stakeholders Questionnaire and Interviews
- Digital Survey: English, Spanish, Vietnamese, Chinese (Simple)
- Health & Wellness Fair
- Housing Stakeholder Meeting
- Library Pop-ups
- Farmers Market Pop-up (planned)
- Equity Advisory Group Meeting (planned)

## **Public Review Draft Housing Element**

The Draft Housing Element was posted on the City’s website on July 1, 2022. From July 1, 2022, and 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, and TransForm. 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 clarifications on the Housing Resources calculations
- and, other minor edits and clarifications that were less substantive but were provided for readability.



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The Draft Element will remain available on the City's website for additional public review and comment during the HCD review period. As revisions are made to respond to HCD comments, this information will also be posted on the City's website. HCD reviewed the draft Element and provided xx comment letters with requests for revisions. 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. The revised Draft Housing Element was available on the website and at City Hall no less than 10 days prior to each hearing.

# 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.

#### **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.



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**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 as necessary 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. On the one hand, 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.



## 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 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 low income housing alternatives.

**Funding Source:** Departmental Budget

**Responsible Agency:** Planning Division

- Objectives:**
- Promote the construction of accessory dwelling units to diversify the type and size of the City's housing stock.
  - As part of the comprehensive Zoning Ordinance update (to be completed by late 2022/early 2023), reconsider, and revise if appropriate, requirements for accessory dwelling units.
  - Conduct an ongoing promotional program, including mailings to owners of single-family properties with adequate size for accessory living units.
  - Support development of extremely low, very low, and 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.
  - Determine the feasibility of direct funding support for housing for extremely low-income persons with disabilities (including developmental disabilities).
  - 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.

**Timeframe:** Ongoing

**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 household 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.

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.

**Funding Source:** Inclusionary Housing

**Responsible Agency:** Planning Division

**Objectives:**

- Assess changes to the affordable housing ordinance that require deeper affordability for inclusionary rental and ownership projects and modify if feasible.
- Research changes that require provision of "moderate income" units at the lower end range (100% AMI and below) to further distinguish the difference between "moderate income" and market rate.
- Determine the feasibility and marketability of changes to the BMP program that would keep these homes affordable or deed restricted for longer than five years.
- Annually monitor the effectiveness of the Affordable Housing Ordinance in expanding the housing supply and diversity in the community.

**Timeframe:** Ongoing; 2-years for analysis on proposed changes

**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



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low income households, households with persons who have disabilities (including developmental disabilities), and licensed residential care homes.

**Funding Source:** CDBG; HOME

**Responsible Agency:** Planning Division

- Objectives:**
- Encourage and assist in efforts to combine public and private funds in joint housing ventures that maximize affordability.
  - 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.
  - Review residential parking requirements, including unbundling, to make appropriate reductions in parking requirements according to housing type (i.e. reduced parking requirements for units for people with developmental and other disabilities).
  - Analyze parking reforms as part of proposed long-range plans, including transit pass requirements, and particularly how updated parking policies could positively impact housing, transportation, and other goals.
  - As appropriate, collaborate with neighboring jurisdictions to pursue funding opportunities for affordable housing programs.
  - Utilize CDBG and HOME funds in conjunction with other cities' funds to construct shelters and to provide housing services.
  - Preserve naturally occurring affordable housing (NOAH) by exploring incentives that encourage development and investment in lower cost markets or preserving affordability in higher cost markets.
  - Incentivize nonprofit developers to develop units for extremely low, very low- and low-income households by identifying appropriate housing sites or rehabilitation projects and matching developers with funding sources.
  - Review best practices to identify appropriate incentives and policies to support affordable housing development in the City including fee deferral, reduction, or waivers.

**Timeframe:** Ongoing

**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 facilitate the grant administration process.

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

**Responsible Agency:** Housing & Community Services Division

**Objectives:**

- Assist approximately 200 homeowners with rehabilitation assistance, including some extremely low-income households. Review eligibility requirements to include housing for protected classes including persons with disabilities residing in residential care facilities.

- 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.

**Timeframe:** Ongoing

**Relevant Policies:** Policy A-1

#### **Action 5: Preservation of Assisted Rental Housing**

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. Five assisted rental projects in Santa Clara are identified to be at potential low risk of conversion to market rate use in 2028-2031.



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**Funding Source:** Departmental Budget

**Responsible Agency:** Housing & Community Services Division

**Objectives:**

- When funding is available, continue to assist property owners of assisted housing to make periodic capital improvements to the property, to improve energy efficiency and to maintain affordability.
- Continue to monitor at-risk projects by maintaining contact with the property owners annually regarding long-term plans for the projects.
- Establish contact with public and nonprofit agencies interested in purchasing, managing, or financing the acquisition of at-risk units.
- Provide tenant education on Housing Choice Vouchers, rental subsidies and other available assistance through City and County agencies as well as nonprofit organizations.
- Require landlords to notify tenants and the City at least one year in advance of potential conversion to market rate housing. Provide information regarding tenant rights and conversion procedures.

**Timeframe:** Ongoing

**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 & Community Services Division

**Objectives:**

- Annually explore funding sources available at the regional, state, and federal levels to support 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.

- Explore the implementation of a Community Opportunity Purchase Act (COPA) program that would give a qualified nonprofit buyer the right to make a first offer on a residential property covered by the program that is up for sale.

**Timeframe:** Ongoing

**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 the 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

- Objectives:**
- Establish multi-family residential housing inspection and educational programs that are self-funded.
  - Proactively and systematically respond to housing code violations.
  - 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.

**Timeframe:** Ongoing

**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.



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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 Division

**Objectives:**

- Improve the maintenance of student-occupied homes and behavior of the occupants via owner outreach to minimize impacts on neighborhoods surrounding 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.
- Create a commission to advise on CDBG and HOME grant administration for capital projects and community services, and on the City's homelessness response efforts.

**Timeframe:** Ongoing; 2-years for implementation of actions and commission establishment

**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 reconsider, and revise, if appropriate, its provisions for parking, mixed use developments, residential care facilities, employee housing, and SRO housing. The update is expected to be completed in late 2022/early 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

**Objectives:**

- Complete the comprehensive update to the Zoning Ordinance by early 2023.
- 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.

**Timeframe:** Remaining objectives to be completed on an ongoing basis.

**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

**Objectives:**

- 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 no net loss of units identified in the opportunity sites inventory of this Housing Element. If the assumed density is not entitled, a finding





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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 priorities.
- 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.

**Timeframe:** Ongoing

**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

**Objectives:** - 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 both market rate and affordable developments, take actions to adjust fees as appropriate.

**Timeframe:** Conduct impact fee study/analysis in 2023-24 and monitor fees on an ongoing basis

**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:** Division and Housing and Community Services Division

- Objectives:**
- Identify and pursue temporal affordable housing funds available from State, federal, and regional housing programs.
  - Conduct a series of study sessions, within 12-18 months of Housing Element adoption.
  - Work with City Council on identifying steady source of local affordable housing funds.
  - Work with large employers on support for affordable housing.

**Timeframe:** Annually, staff will evaluate Notices of Funding Availability (NOFAs) from State, federal, and regional programs and pursue funding applications as appropriate.

**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

- Objectives:**
- Evaluate programs and policies and provide recommendations to City Council within one year 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.
  - Preserve “at-risk” affordable units through monitoring and partnering, working with nonprofits, and exploring available funding sources to preserve affordability.
  - Require no net loss of residential units during the construction of new housing or rehabilitation of existing housing.
  - Require the replacement of existing affordable units to the same or lower income level as a condition of development.



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- Research best practices in the implementation of relocation ordinances modeled, but not limited to, state guidelines.

**Timeframe:** Ongoing

**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 determined by 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.

- Objectives:**
- Encourage apartment owners to list properties with the Housing Authority for individual Housing Choice Vouchers.
  - Provide mobility counseling and recruit landlords to help Housing Choice Voucher holders find housing options in resource-rich neighborhoods. Increase voucher payment standards in resource-rich neighborhoods.
  - Work to identify properties in resource-rich and gentrifying neighborhoods that could be preserved as affordable housing with project base vouchers.
  - Maintain the City's website with information on Housing Choice Vouchers and keep an updated waitlist accessible online.

**Timeframe:** Ongoing

**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, and Habitat for Humanity.

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.

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 Agencies:** Housing and Community Services Division and HouseKeys

**Objectives:**

- 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 for all levels of household income that meet eligibility criteria.
- Continue to promote homebuyer assistance programs through the Housing Trust Silicon Valley, County of Santa Clara, and Habitat for Humanity.

**Timeframe:** Ongoing



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**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 resolve disputes through counseling, conciliation, and mediation.

**Funding Source:** CDBG

**Responsible Agency:** Housing and Community Services Division

**Objectives:**

- Analyze the feasibility of setting a rent deposit limit.
- 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 and 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.

**Timeframe:** Ongoing

**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

**Responsible Agency:** Housing and Community Services Division

**Objectives:**

- Continue to provide outreach through the Police Department's Community Response Team
- Assist in funding locally administered programs that provide shelter, food, and clothing for those with transitional and supportive housing needs.
- Adopt and implement the City's Homelessness Response Plan in early 2023.
- Participate in regional planning efforts to develop programs to serve the homeless and continue to coordinate on implementation of the Santa Clara County Community Plan to End Homelessness.
- Support the redevelopment of the Bella Vista Inn as transitional housing and then as permanent supportive housing-
- Continue to support housing for at-risk youth.

**Timeframe:** Ongoing



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

	<i>Units to be Constructed (RHNA)</i>	<i>Units to Be Rehabilitated</i>	<i>Units to Be Conserved</i>
Very Low Income	2,872	168	38
Low Income	1,653	96	97
Moderate Income	1,981	0	0
Above Moderate Income	5,126	0	0
<b>Total</b>	<b>11,632</b>	<b>424</b>	<b>135</b>

Source(s): City of Santa Clara, 2022



# Chapter 13.3

## Affirmatively Furthering Fair Housing

### AFFH and the Housing Plan

As part of the AFFH analysis, the City of Santa Clara has identified specific data sets and trends that provide the basis for a focused AFFH strategy in the Housing Plan. The five AFFH focus areas are 1) Access to Opportunity, 2) Displacement Risk, 3) Cost Burden, 4) Targeted Outreach, and 5) Substandard Conditions. The table below defines each issue, followed by a brief discussion of how these issues impact the City, and how and where these issues overlap. These top five issues, among others, will be thoroughly addressed by the Goals, Policies, and Actions of the Housing Plan.

**Table 13.3-1: AFFH Focus Areas**

<i>Issues</i>	<i>Definition</i>
1. Access to Opportunity	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.
2. 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.
3. Cost Burden	Households paying 30 percent or more of their gross income on housing expenses, including rent or mortgage payments and utilities.
4. Targeted Outreach	To residents in areas with concentrations of Low-Moderate- Income (LMI), overcrowding, Housing Choice Vouchers (HCVs), low opportunity areas, lower education scores, high EnviroScreen scores, etc.
5. Substandard Conditions	Housing with incomplete plumbing or kitchen facilities



## Access to Opportunity

In the City of Santa Clara, access to opportunity is a major AFFH issue to be focused on. 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. The regional and local trends regarding access to opportunity are discussed below.

**Regional Trends:** Cities with higher resources, indicating higher employment rates, lower poverty rates, proximity to jobs, high educational proficiency, and limited exposure to environmental health hazards are concentrated in the western part of the County in the cities of 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 concentration of 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:** According to the 2022 TCAC/HCD Opportunity Map (Figure 20), the City of Santa Clara, has a mix of low, moderate, high, and highest resources. The northern part of the city has moderate 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 lower CalEnviroScreen Scores (50 to 74 percent) (Figure 31), lower Healthy Places Index Scores (50 to 75) (Figure 33), higher rates of LMI households (50 to 75 percent) and areas with higher non-White populations (61 to 80 percent). The lower resources in central Santa Clara can largely be attributed to the area being industrial in nature. However, a recently constructed mixed use development, Santa Clara Square, has added housing units and high-quality amenities to the area. Specifically, Santa Clara Square includes up to 1,840 housing units, parks, a new full-service grocery store, restaurants, and neighborhood serving retail. Also in the central area, the recently under construction Gateway Crossings is another mixed-use project with 1,565 residential units, 45,000 sf supporting retail, and 2.1 acres of park.

## Displacement Risk

Displacement Risk is another major concern for the City of Santa Clara. 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 and local displacement risk trends are discussed below.

**Regional Trends:** Sensitive communities in the County lie primarily along the 101 corridor from Sunnyvale to Gilroy and extending 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 industry booms in Silicon Valley, explaining the high percentage of areas in the county identified as sensitive communities.

**Local Trends:** Sensitive communities often overlap with communities with lower access to opportunities. In Santa Clara, however, there is the low possibility of displacement in areas identified in the approved Specific Plans as new investment is realized in areas that are currently non-residential. This potential displacement has been mitigated through the City of Santa Clara's Affordable Housing Ordinance. As most of the City was identified as a sensitive community, and only a few tracts in the south are not identified as sensitive communities, anti-displacement policies and actions are an integral part of the project review process.

## **Cost Burden**

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, and is therefore a priority issue for the City. Regional and local cost burden trends are discussed below:

**Regional Trends:** There are 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 average for all households County-wide is 49.7 percent with 64.2 percent of renters experiencing cost burden versus 38.6 percent of owners.

**Local Trends:** 50.7 percent of all households in Santa Clara experience cost burdens. This rate is much higher for renters than owners (63 and 34.4 percent respectively). Targeted outreach to residents in areas with concentrations of LMI, overcrowding, HCVs, low access to opportunity, high EnviroScreen scores, and displacement risk, cost burden, and substandard conditions should be a priority focus for the City. Outreach would include educational campaigns to residents about programs such as affordable housing lotteries, landlord/tenant mediation services, tenant based rental assistance, the NCIP home repair program, and others.

Targeted outreach should be focused in the areas identified in the other AFFH priority issue sections.

## **Substandard 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.



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Local Trends: In Santa Clara 1.3 percent of households lack complete kitchen facilities and 0.2 percent lack complete plumbing facilities. Again, renter households are more likely to lack complete facilities compared to owner households.

### **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.

### **Analysis Requirements**

AB 686 requires that all housing elements prepared on or after January 1, 2021, assess fair housing through the following components:

An assessment of fair housing within the jurisdiction that includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities; an assessment of contributing factors; and identification and prioritization of fair housing goals and actions.

A sites inventory that accommodates all income levels of the City’s share of the RHNA that also serves the purpose of furthering more integrated and balanced living patterns.

Responsive housing programs that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors identified in the 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 Enforcement 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 13.3-2: Fair Housing Providers in Santa Clara County and Santa Clara**

<i>Provider</i>	<i>Services</i>
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 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 service 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



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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 13.3-3: Number of DFEH Housing Complaints in Santa Clara County (2020)**

<i>Year</i>	<i>Housing</i>	<i>Unruh Civil Rights Act</i>
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 13.3-4: Number of FHEO Filed Cases by Protected Class in Santa Clara County (2015–2020)**

<i>Year</i>	<i>Number of Filed Cases</i>	<i>Disability</i>	<i>Race</i>	<i>National Origin</i>	<i>Sex</i>	<i>Familial Status</i>
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
<b>Total</b>	<b>214</b>	<b>115</b>	<b>46</b>	<b>25</b>	<b>19</b>	<b>38</b>
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>

Table 13.3-5 indicates that the highest number of fair housing complaints are due to discrimination against those with disabilities, followed by income source, race, and national origin.

A summary of ECHO's Fair Housing Complaint Log on fair housing issues, actions taken, services provided, and outcomes can be found in Table 13.3-5 and Table 13.3-6.

[Table 13.3-5 and Table 13.3-6 will be added pending Project Sentinel updated Annual Report 2022.]

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.

### **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,





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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.

### **Fair Housing Education and Outreach**

Fair housing outreach and education is imperative to ensure that those experiencing discrimination know when and how to seek help. Find below a more detailed description of fair housing services provided by local housing, social services, and legal service organizations.

### **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**

Central Santa Clara has generally low socio-economic standards for residents. This area has been historically industrial with very few residential areas. The few residential areas do require a proactive outreach program to connect with residents and market programs and inclusionary housing opportunities available elsewhere in the city.

### **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 the 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 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 13.3-8.

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 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 are Asian residents (36 percent), followed by White, non-Hispanic residents (31.5 percent), and Hispanic or Latino residents (25 percent).



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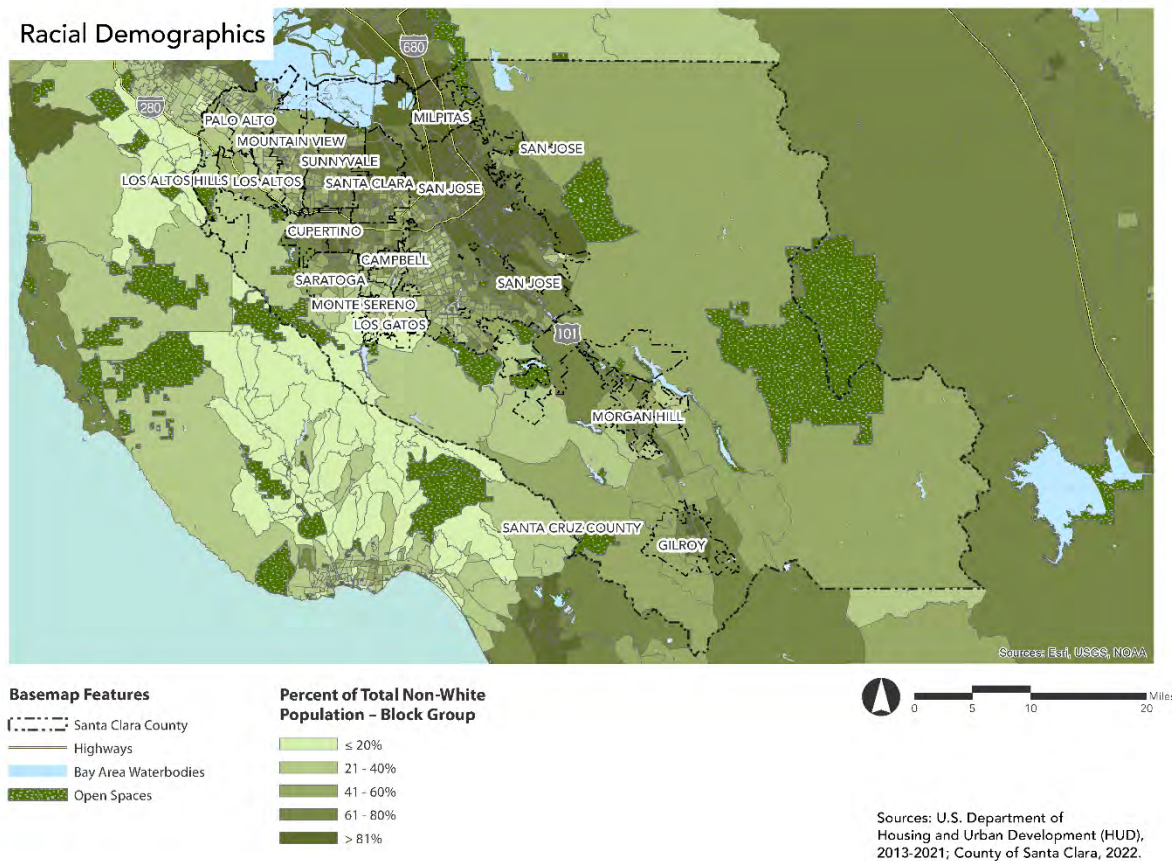
**Table 13.3-7: Racial/Ethnic Dissimilarity Trends (1990–2020)**

<i>Dissimilarity Index</i>	<i>Santa Clara County</i>			
	<i>1990 Trend</i>	<i>2000 Trend</i>	<i>2010 Trend</i>	<i>Current (2020 Census Block Group)</i>
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 13.3-7 – Racial/Ethnic Dissimilarity Trends, Data version: AFFHT006, released July 10th, 2020.

Note: Table 13.3-7 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\\_oppl/affh](https://www.hud.gov/program_offices/fair_housing_equal_oppl/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 respectively. 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 13.3-8: Racial Composition Santa Clara County and Santa Clara (2019)**

	<i>Santa Clara County</i>	<i>Santa Clara</i>
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%



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**Table 13.3-8: Racial Composition Santa Clara County and Santa Clara (2019)**

	<i>Santa Clara County</i>	<i>Santa Clara</i>
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%

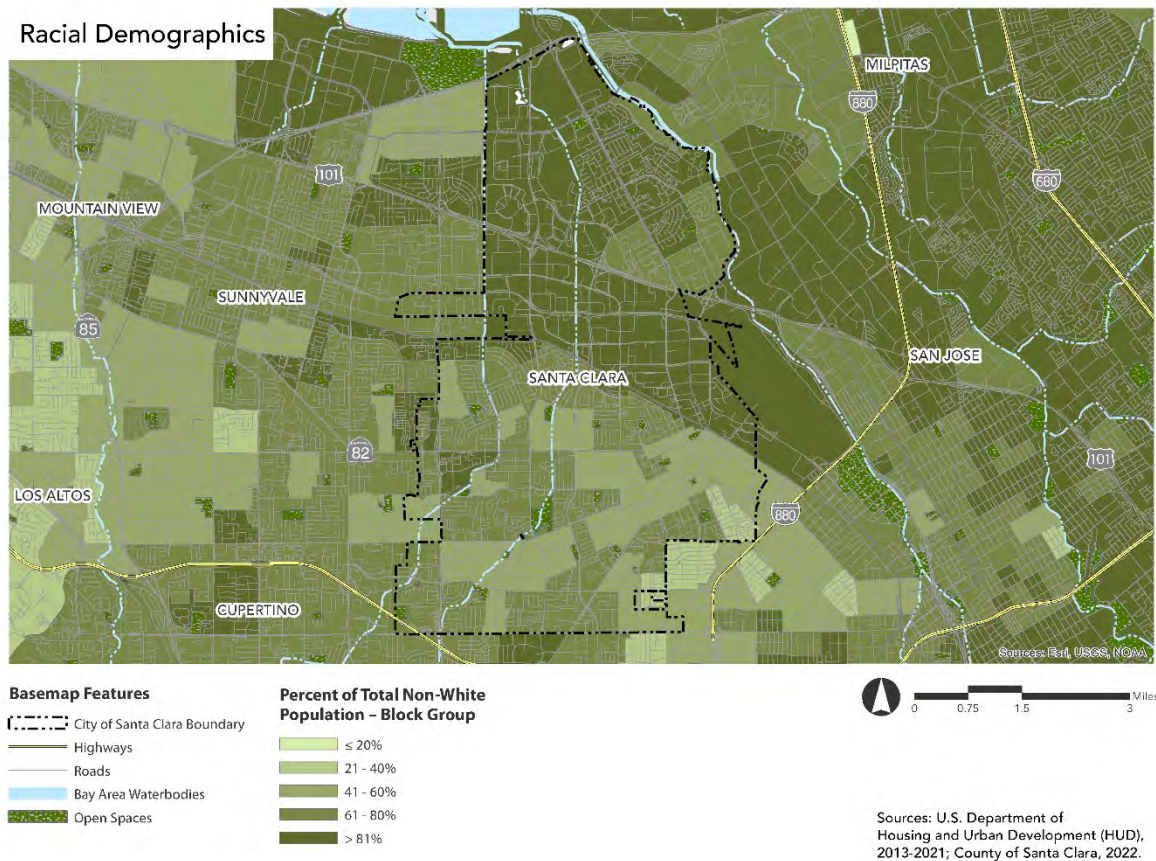
*Source(s): American Community Survey, 2015-2019*

Within Santa Clara there are some major geographic differences in racial demographics within the city. 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 below 20 percent or as high as 61 to 80 percent but these are just small pockets. Overall, according to the 2022 ABAG insolation interactive maps and reports, racial isolation in the City is low for White, non-Hispanic and Black or African American populations, and high for Asian and Hispanic or Latino segments.

These areas with a higher non-White population have overlap with a number of other variables that likely impact and influence one another. Central Santa Clara has areas of higher low to moderate income levels (LMI) (Figure 13.3-10). 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 13.3-19). These lower incomes likely contribute to the higher rates of overpayment by renters in central Santa Clara (40 to 60 percent) (Figure 13.3-36). Central Santa Clara is also identified as a low resource area using the TCAC scoring system (Figure 13.3-21) which takes into account economic, educational, and environmental factors. Lastly, CalEnviroScreen scores in Central Santa Clara are between 50 to 74 percent which is less healthy conditions (Figure 13.3-32).

Santa Clara is to the East of both Sunnyvale and Mountain View and to the West of Milpitas. These cities have similar population numbers so will serve as a comparison point. Directly to the east of Santa Clara is North San Jose which is a part of the city of San Jose which is much larger and will not serve as a comparison for Santa Clara.



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

## 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 (8 percent of Santa Clara County's population) reporting 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



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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, 7 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 Black or African American (7.5 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 a 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**

	<i>Santa Clara County Percent with a Disability</i>	<i>Santa Clara Percent with a Disability</i>
Civilian non-institutionalized population	8%	7%
<b>Race/ Ethnicity</b>		
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 of Latino (of any race)	7.5%	7.7%
<b>Age</b>		
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%
<b>Type</b>		
Hearing difficulty	2.3%	2.1%
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%

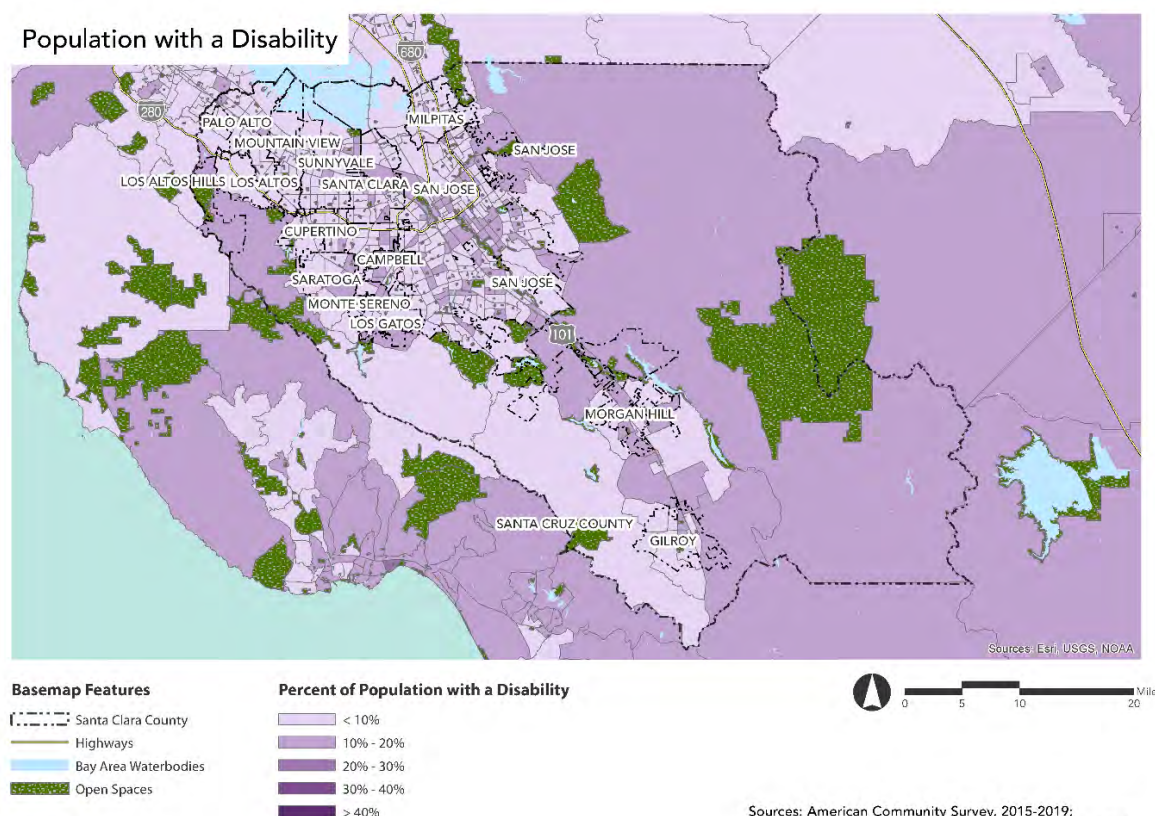
**Table 13.3-9: Populations of Persons with Disabilities– Santa Clara County & Santa Clara**

	<b>Santa Clara County Percent with a Disability</b>	<b>Santa Clara Percent with a Disability</b>
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 patterns 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 Waterfront 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 rise above 20 percent.

**FIGURE 13.3-3: REGIONAL POPULATIONS OF PERSONS WITH DISABILITIES BY TRACT (2019)**





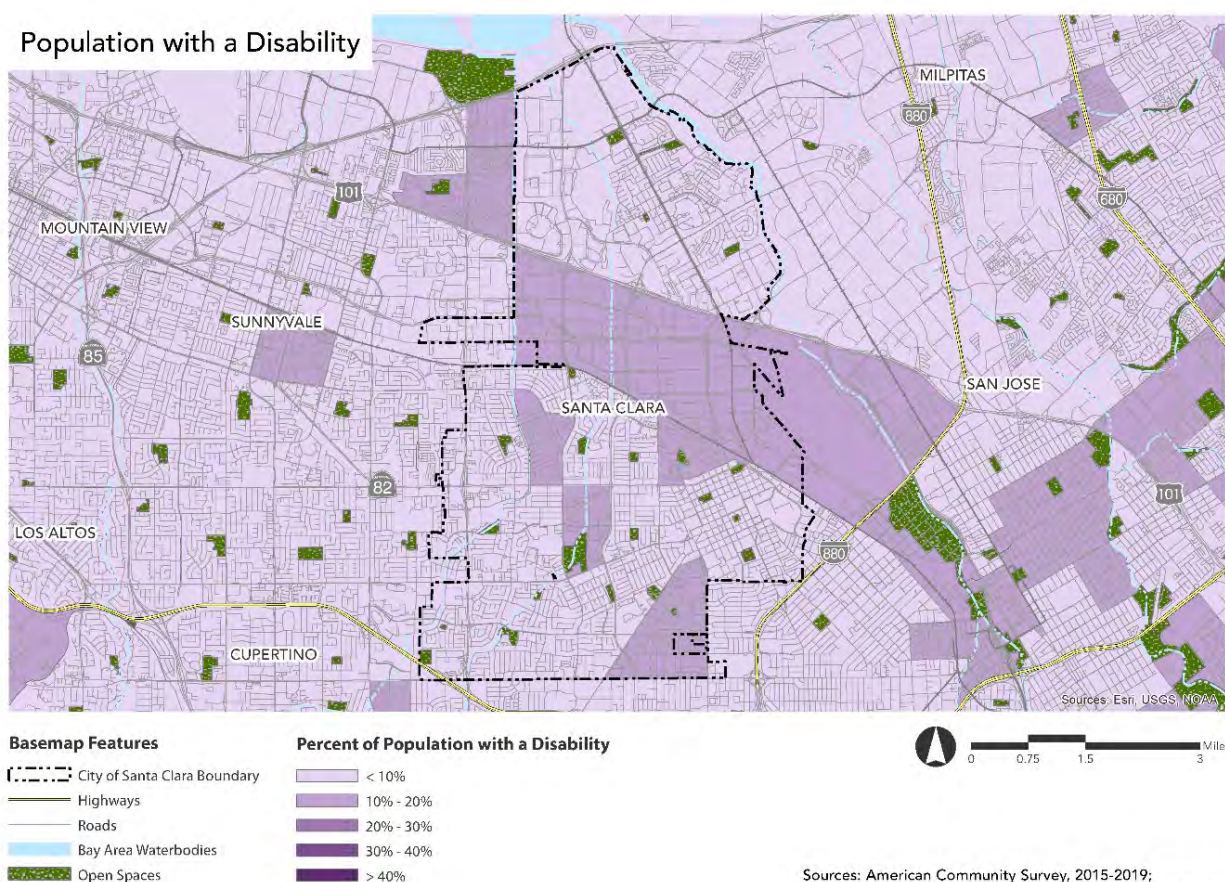


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### Local Trends

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 13.3-10). 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 13.3-4: PERCENT OF POPULATION WITH A DISABILITY – SANTA CLARA (2021)**



## 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, 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. Of particular consideration are female-headed households, who 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, 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 a lower percentage overall, 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 13.3-10. Households with Children in Santa Clara County and Incorporated Cities**

	<b>Santa Clara County</b>	<b>Santa Clara</b>	<b>San Jose</b>	<b>Sunnyvale</b>	<b>Palo Alto</b>	<b>Mountain View</b>
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

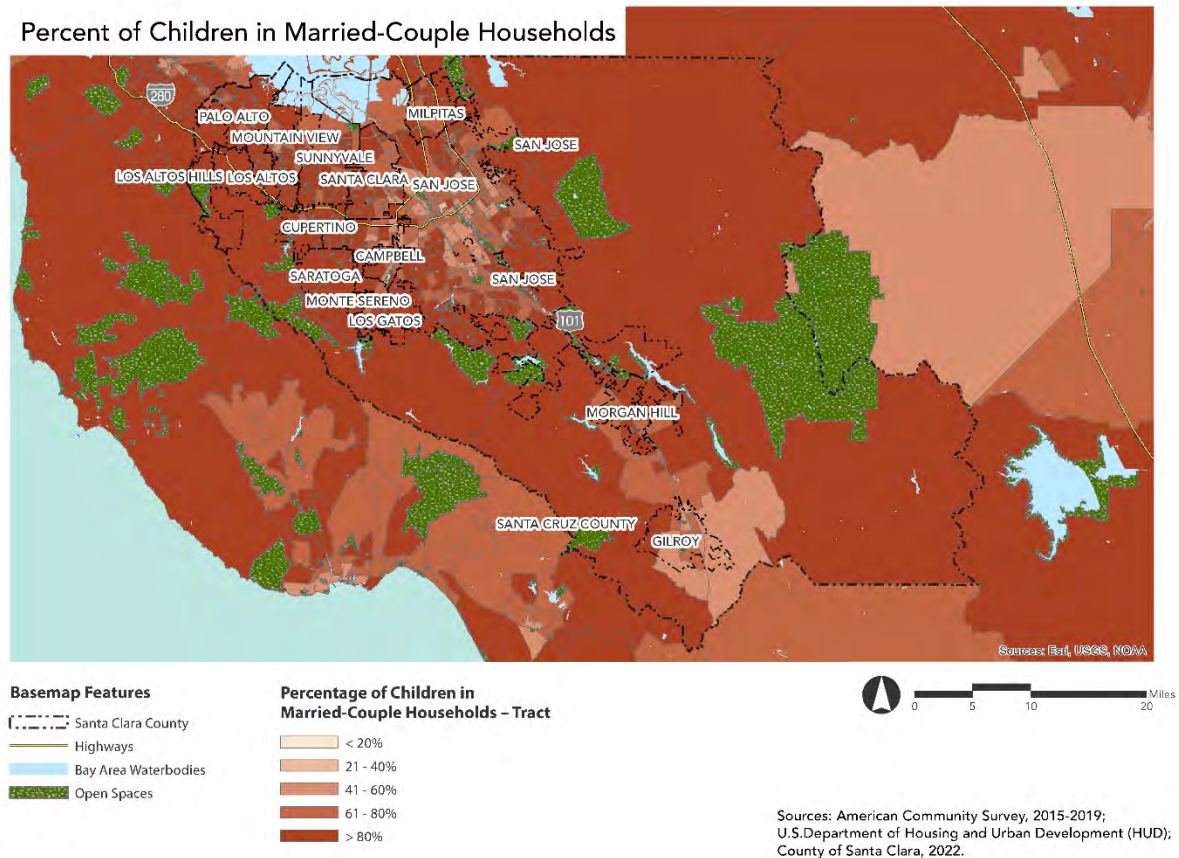
Figure 13.3-5 visualizes the variety of percentages of children in Santa Clara County living in married-couple households. San Jose has the largest variety with some areas showing below 20 percent of married-couple households with children and other areas showing above 80 percent



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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 13.3-5: REGIONAL PERCENTAGE OF CHILDREN IN MARRIED-COUPLE HOUSEHOLDS BY TRACTS (2019)**

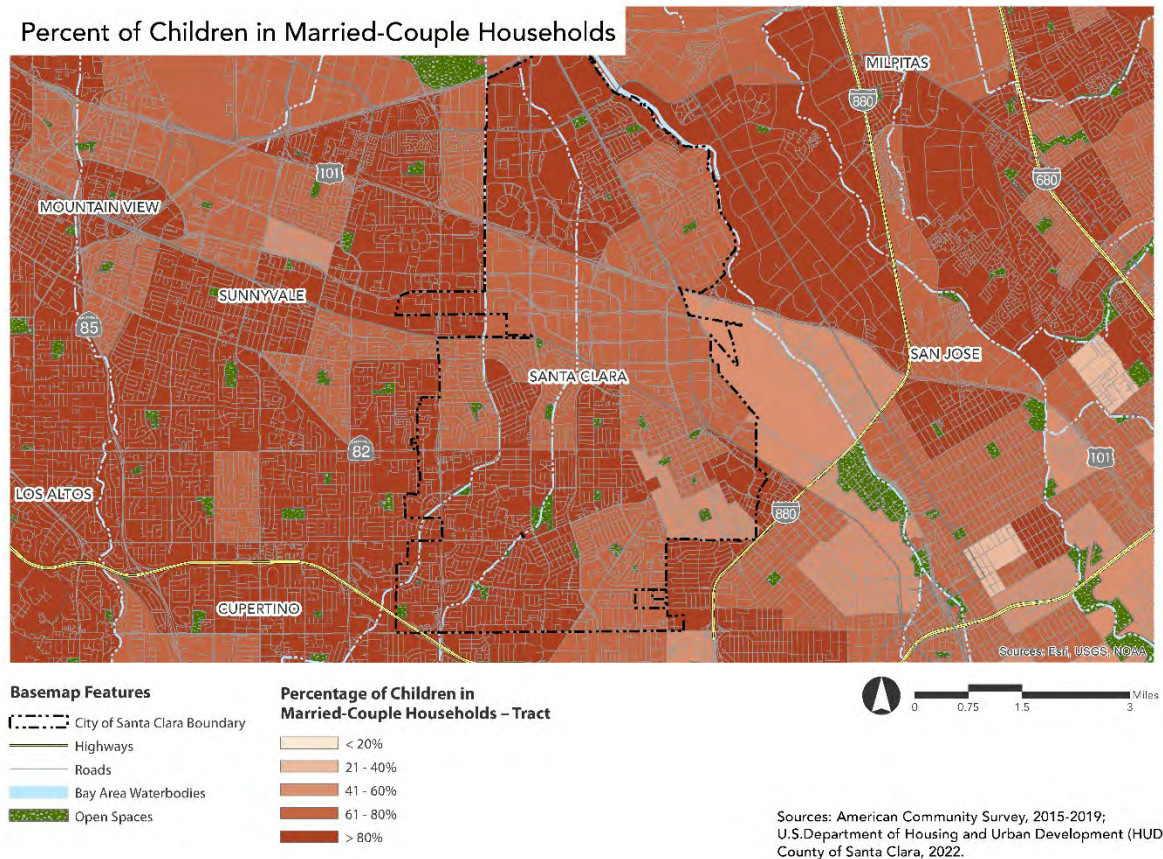


### ***Local Trends***

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 13.3-18) and higher rates of overpayment (40 to 60 percent) (Figure 13.3-35) 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 13.3-6: PERCENT OF CHILDREN IN MARRIED-COUPLE HOUSEHOLDS – SANTA CLARA (2021)**



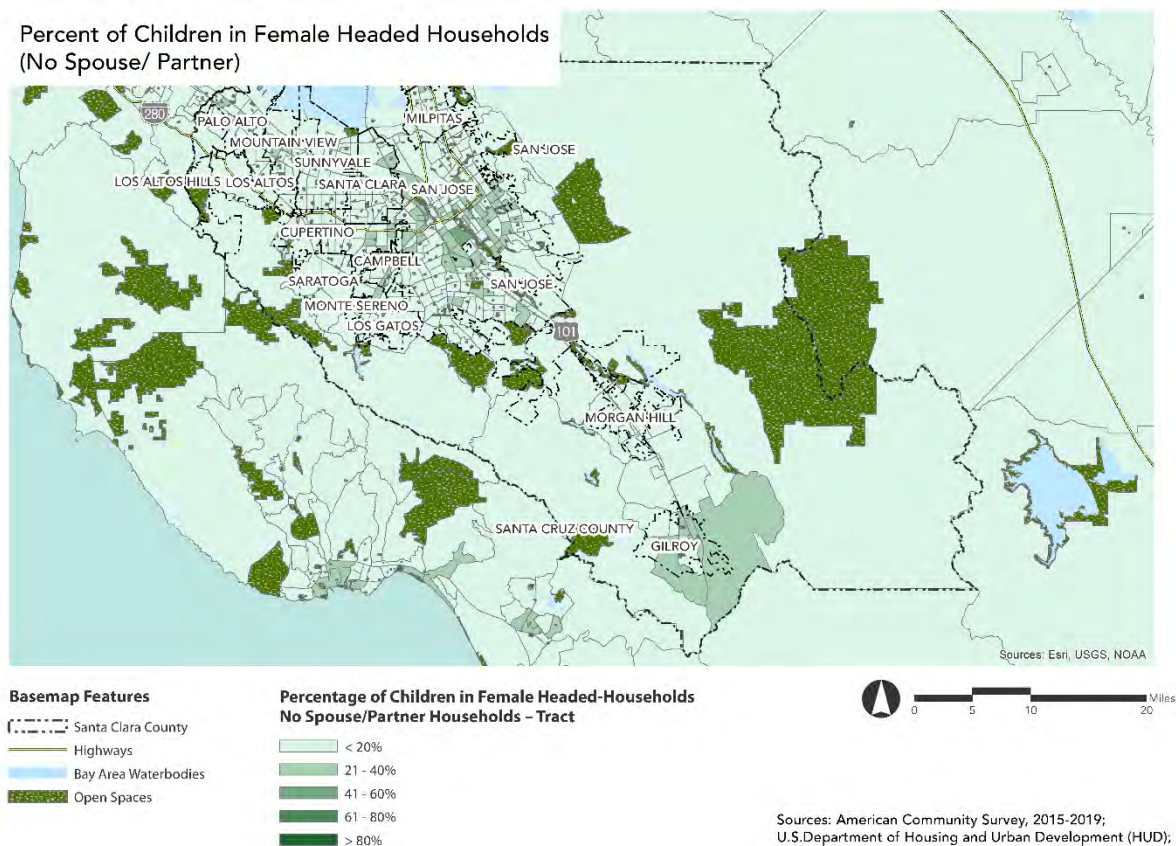
### ***Regional Trends***

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).



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**FIGURE 13.3-7: REGIONAL PERCENT OF CHILDREN IN FEMALE-HEADED HOUSEHOLDS BY TRACT (2019)**

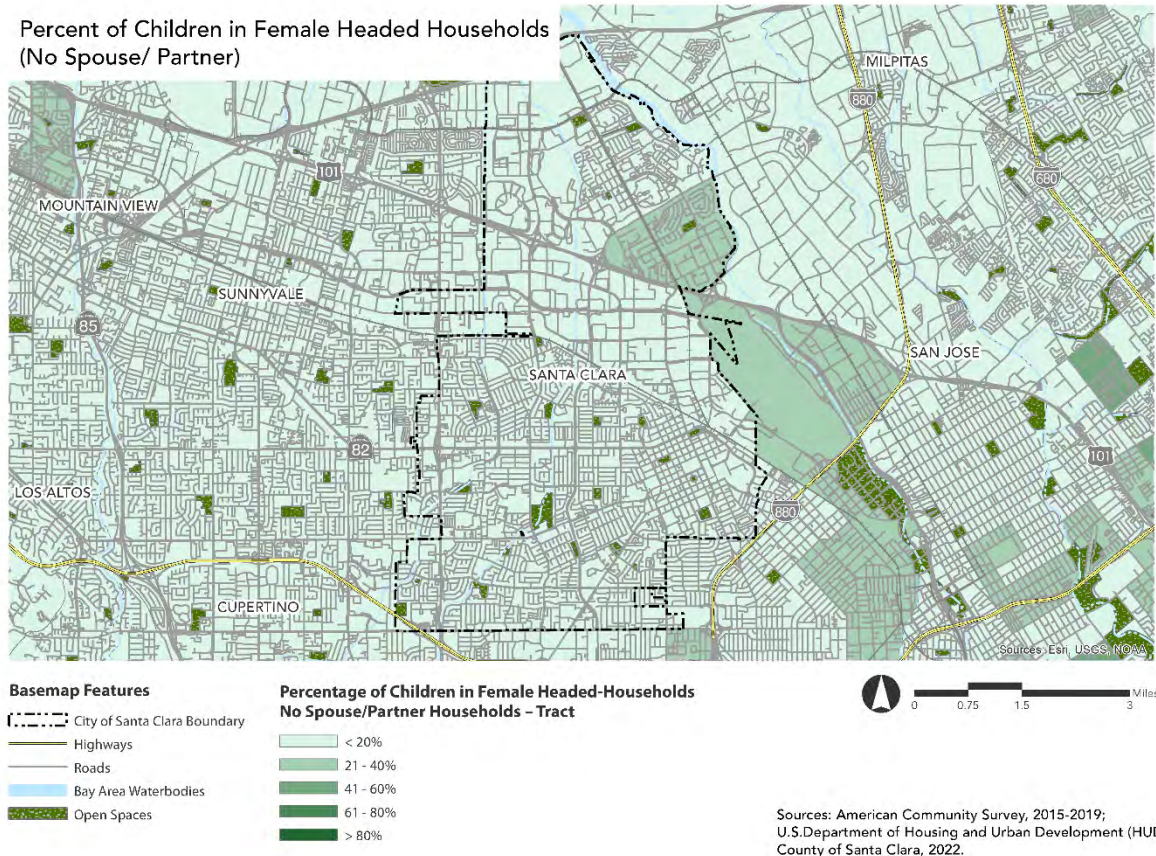


### **Local Trends**

The majority of Santa Clara has below 20 percent of female headed households with children. There is one small section in north east 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 13.3-37). These trends may be explained in part by the higher rate of female headed households which may only be single income households. The nearby city 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 13.3-8: PERCENT OF CHILDREN IN FEMALE HEADED HOUSEHOLDS – SANTA CLARA (2021)**



## 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 income 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 13.3-11 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 renters 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



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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).

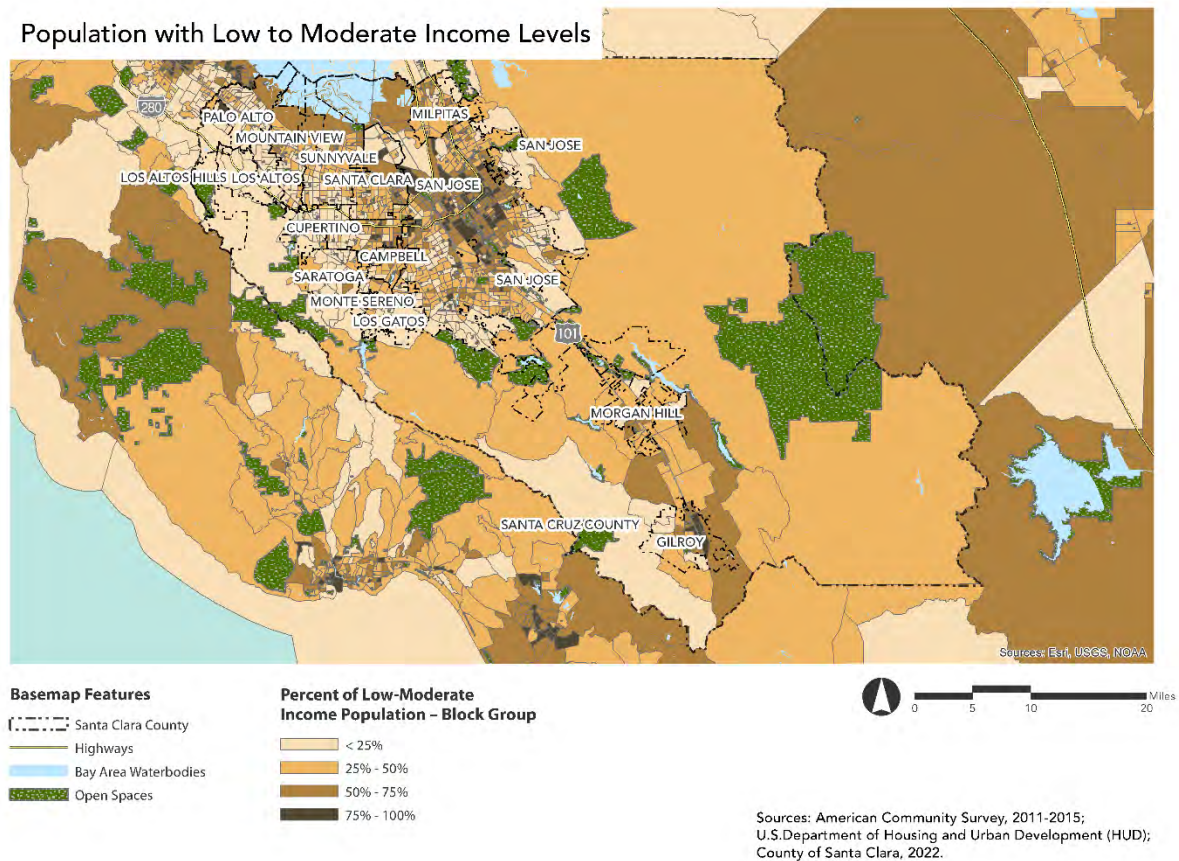
**Table 13.3-11. Santa Clara County & Santa Clara Households by Income Category and Tenure**

<b>Santa Clara County</b>			
<b>Income Category</b>	<b>Owner</b>	<b>Renter</b>	<b>Total</b>
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
<b>Santa Clara</b>			
<b>Income Category</b>	<b>Owner</b>	<b>Renter</b>	<b>Total</b>
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 13.3-9 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 within the City of San Jose where the percentage rises to 50 to 75 percent and 75 to 100 percent. There are a few concentrations in Palo Alto, Santa Clara, Campbell and Gilroy where the LMI population is between 75 to 100 percent as well. 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 13.3-9: REGIONAL CONCENTRATIONS OF LMI HOUSEHOLDS BY TRACT (2015)**



### ***Local Trends***

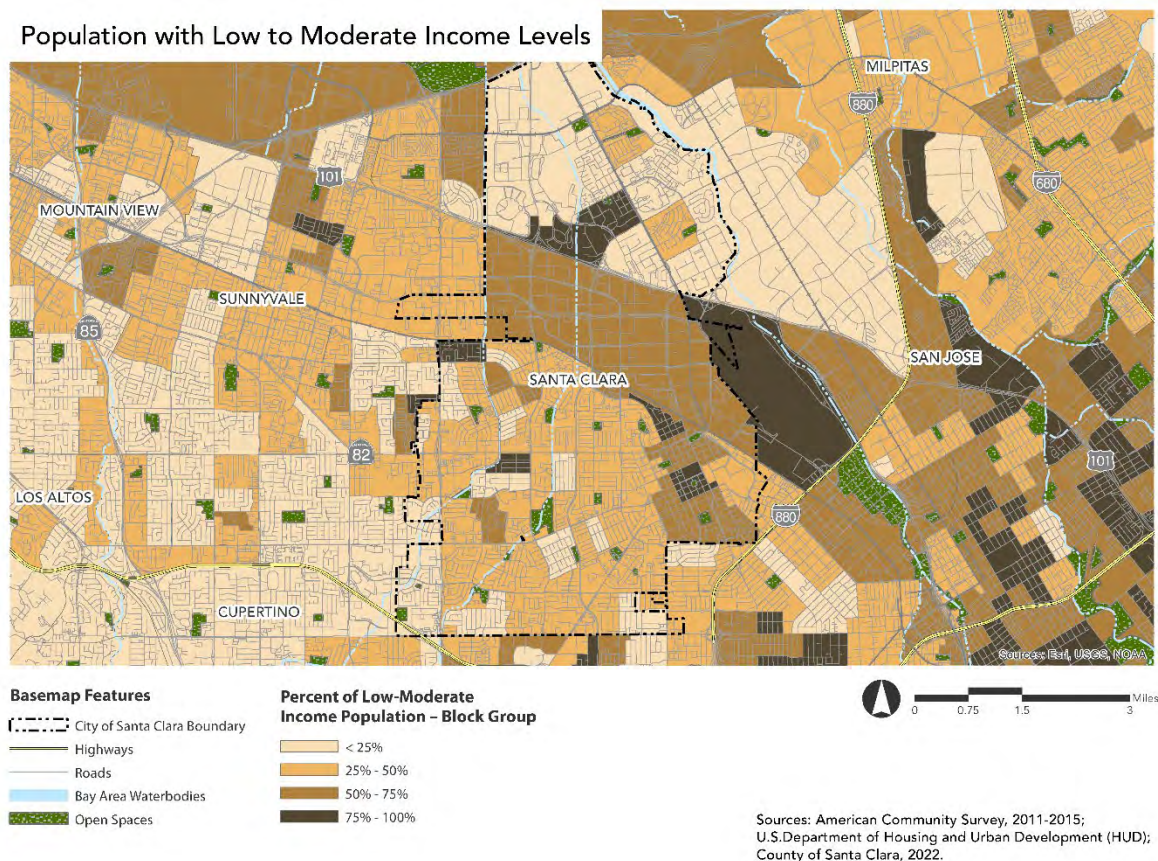
In Santa Clara there are a few concentrations where the LMI populations are between 75 to 100 percent and a large area where the LMI percentage is between 50 to 75 percent. The rest of the city has block groups with LMI populations between 25 to 50 percent and below 25 percent. The largest LMI concentration between 75 to 100 percent is in the northern part of the city, 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 this higher rate of LMI population in central Santa Clara. This area between Highway 101 and the Union Pacific Railroad is predominantly industrial, likely contributing to the higher LMI rates as well. Compared to the nearby cities of Mountain View, Sunnyvale, and Milpitas, Santa Clara has larger geographic areas with higher percentages of LMI populations.





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**FIGURE 13.3-10: POPULATION WITH LOW TO MODERATE INCOME LEVELS –  
SANTA CLARA (2021)**



### Housing Choice Vouchers

Housing Choice Vouchers (HCVs) are a form of HUD rental subsidy issued to a low-income household that promises 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<sup>1</sup>. 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 Urban County, the cities of Santa Clara, Cupertino, Mountain View, Palo Alto, and Sunnyvale, the vast majority of their 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 8 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 5 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 5 percent.

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<sup>1</sup> 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.



## SANTA CLARA HOUSING ELEMENT

**FIGURE 13.3-11: REGIONAL HOUSING HCV CONCENTRATION BY TRACT (2021)**

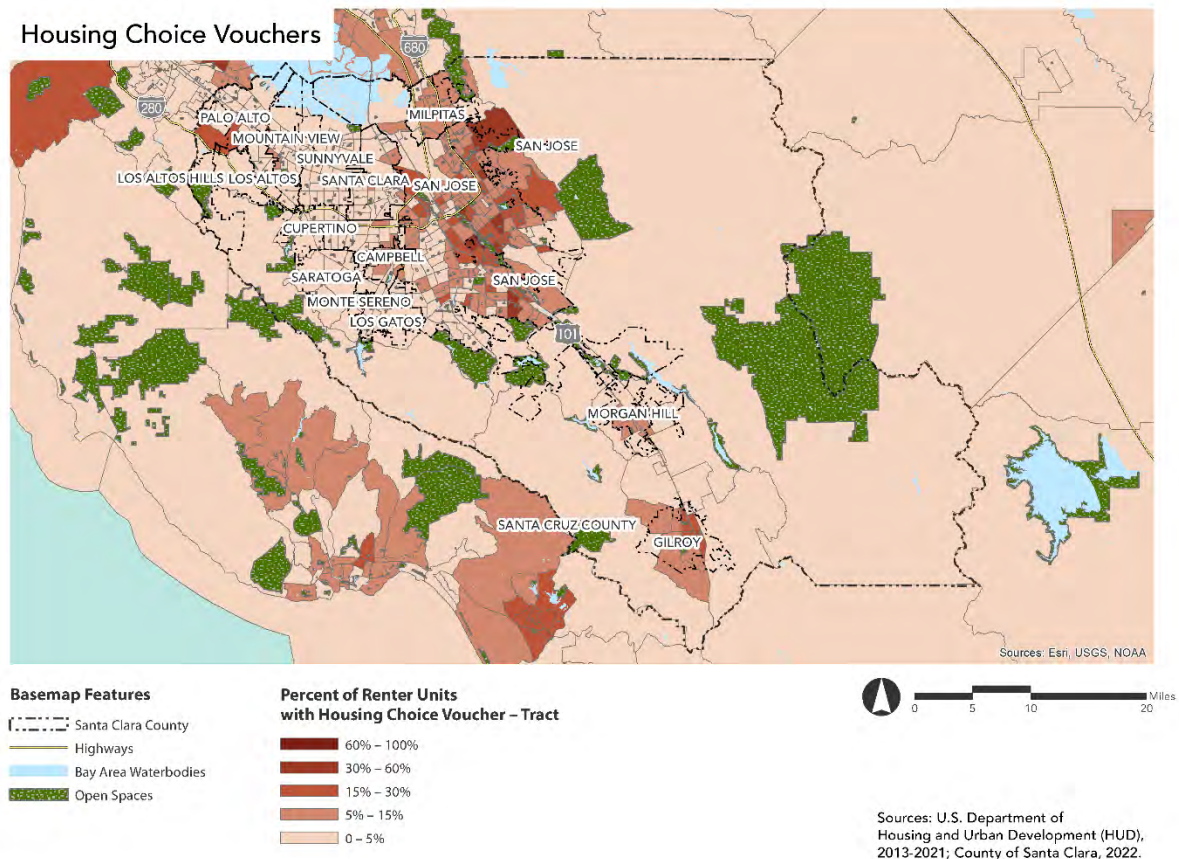


Figure 13.3-12 shows the Location Affordability Index in Santa Clara County. The index was developed by HUD in collaboration with the Department of Transportation under the federal Partnership for Sustainable Communities. One objective of the partnership is to increase public access to data on housing, 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.

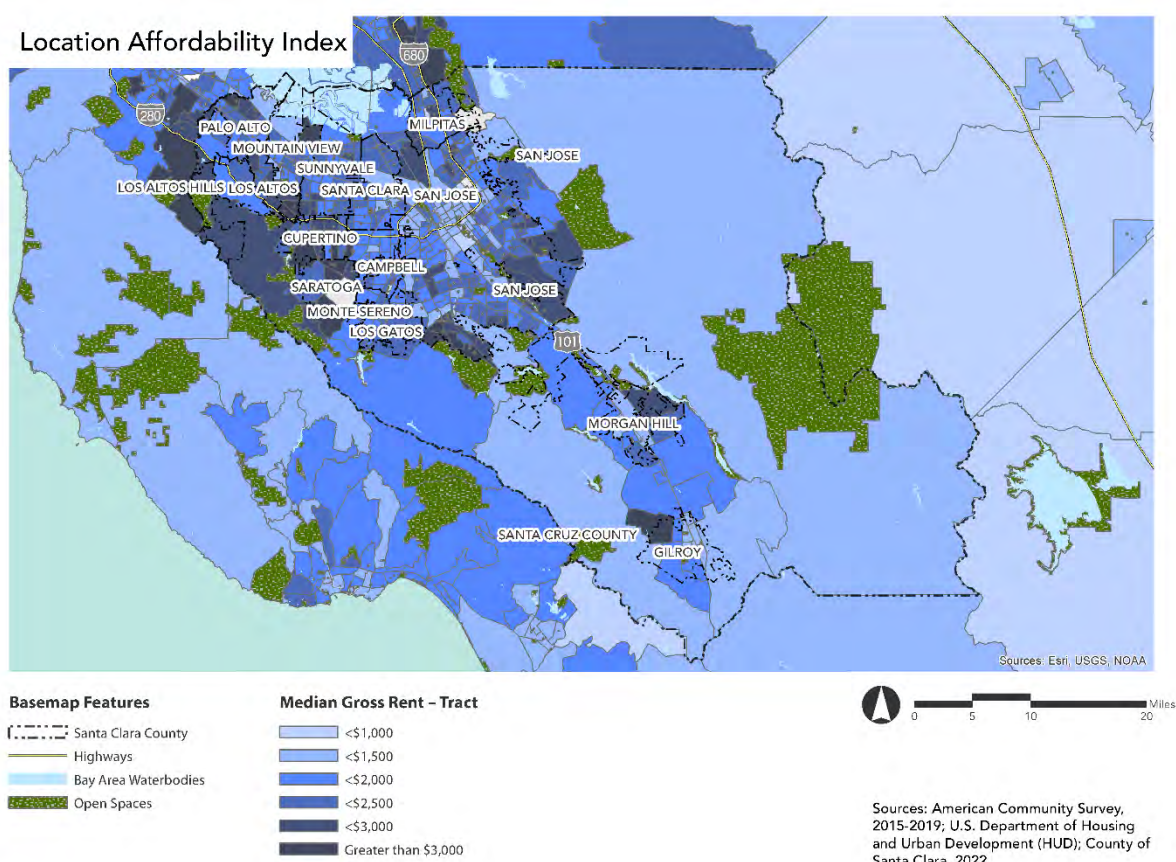
The prevailing standard of affordability in the United States is paying 30 percent or less of a household's income on housing. However, this prevailing standard fails to account for transportation costs, and transportation costs have grown significantly as a proportion of household income since the standard was established. According to the Bureau of Labor Statistics, in the 1930s, American households spent just 8 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 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.<sup>2</sup> And for many working-class and rural households, transportation costs actually 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.

**FIGURE 13.3-12: REGIONAL MEDIAN GROSS RENT/ AFFORDABILITY INDEX BY TRACT (2021)**



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



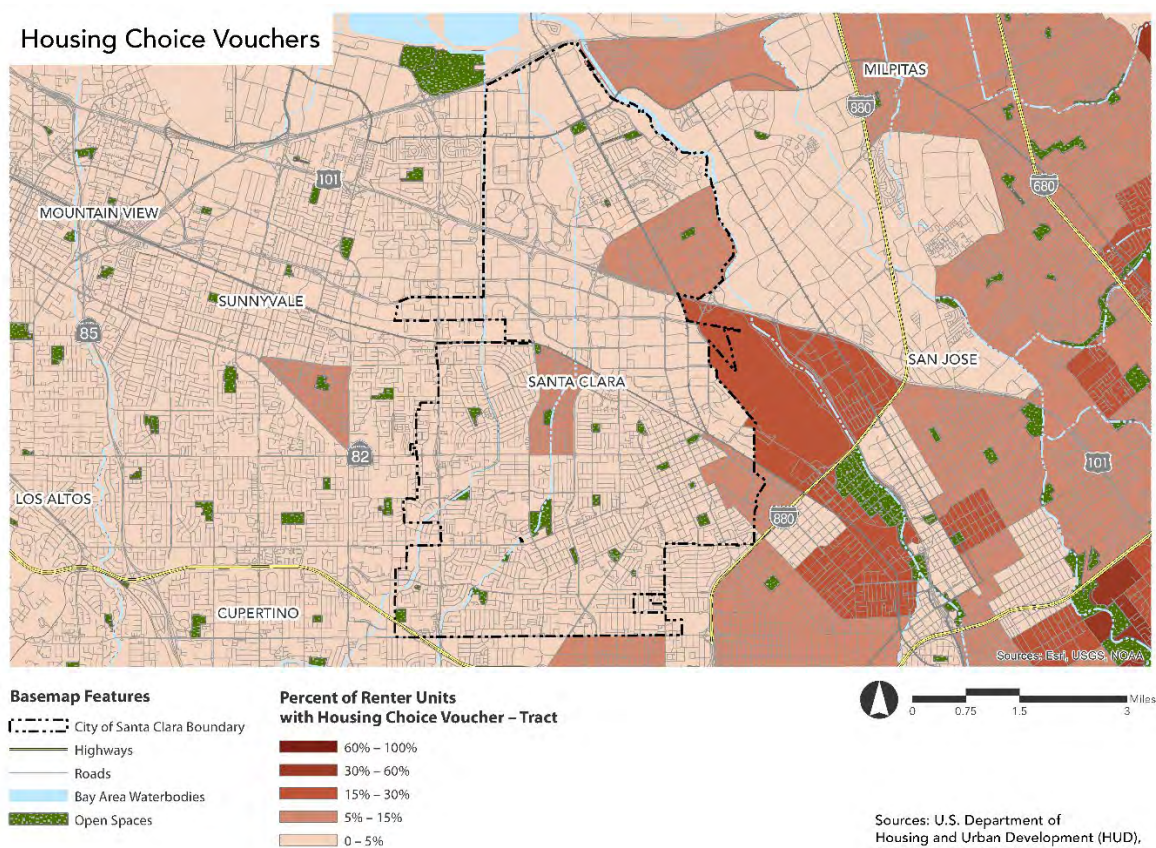
## SANTA CLARA HOUSING ELEMENT

### *Local Trends*

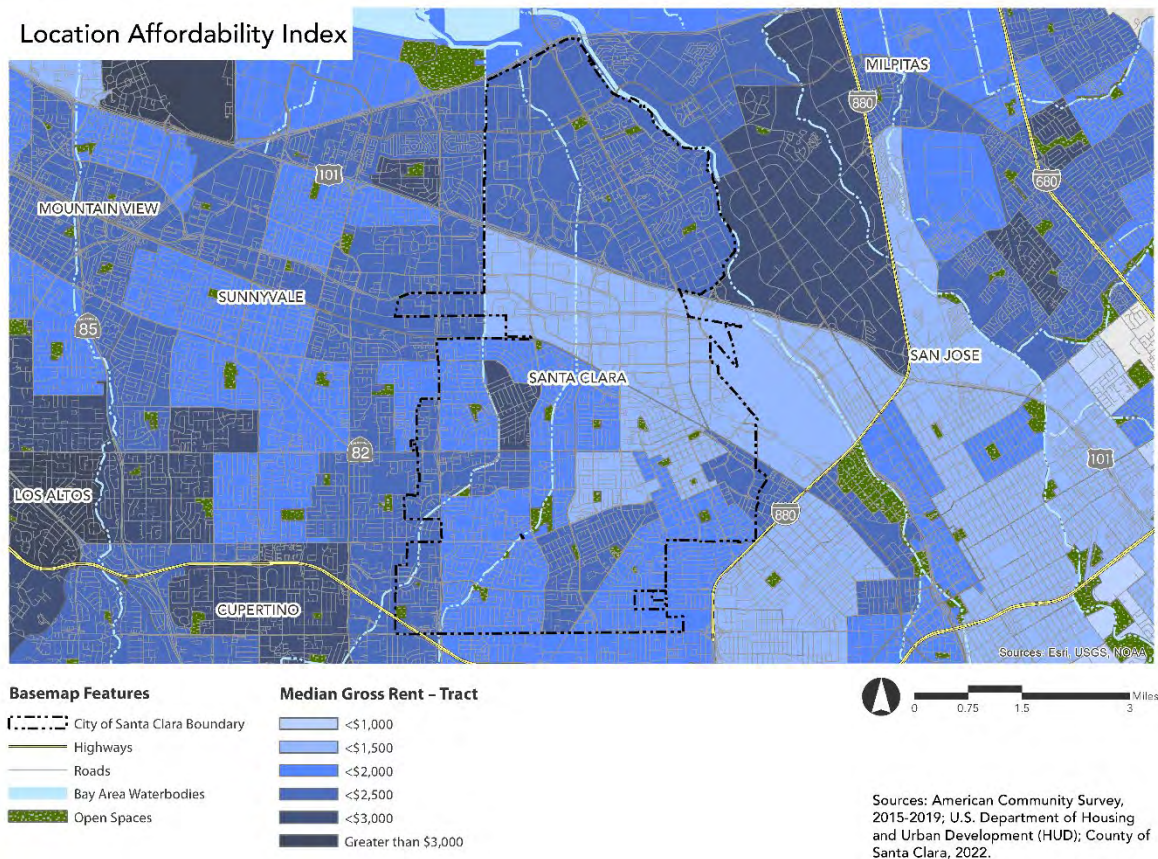
In Santa Clara there are three concentrations of tracts with HCV use between 5 to 15 percent while the rest of the City's HCV use is below 5 percent. There are concentrations of higher HCV use in the northern and southern part of the city. The higher HCV concentration in northern Santa Clara overlaps 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 13.3-13: HOUSING CHOICE VOUCHERS – SANTA CLARA (2021)**





**FIGURE 13.3-14: 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.

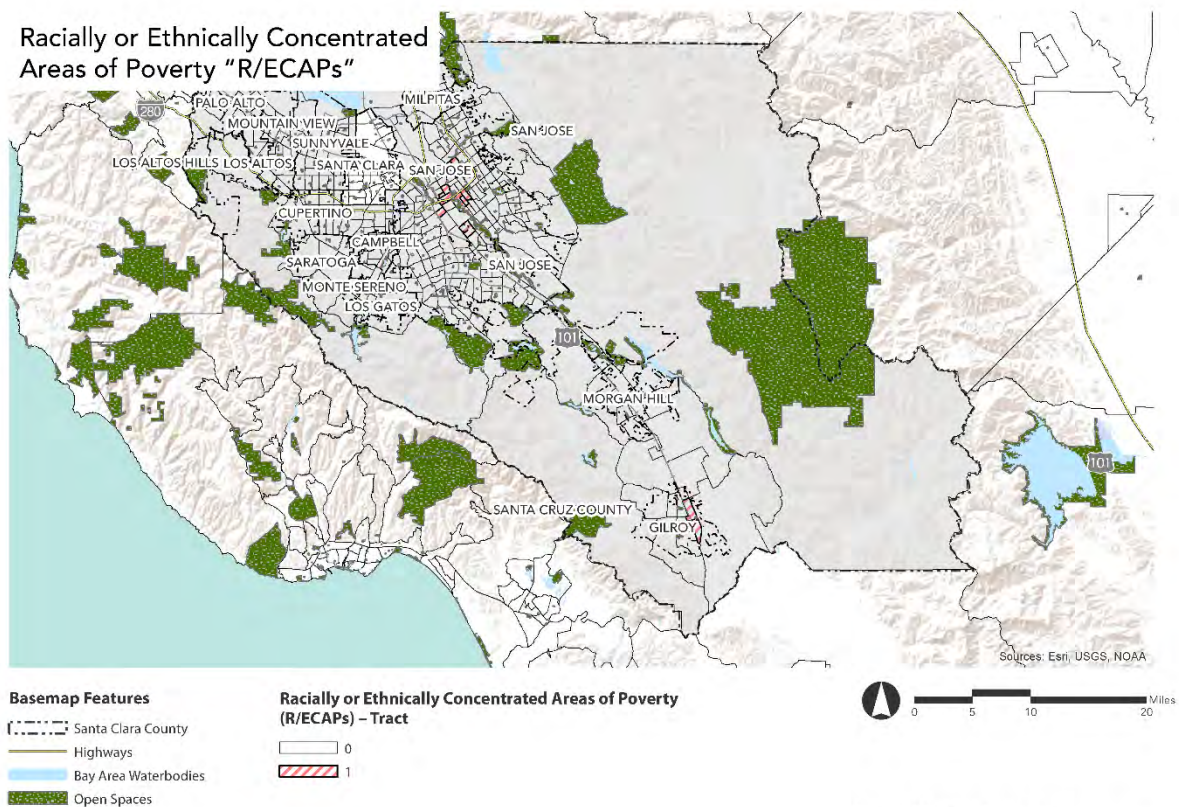


## SANTA CLARA HOUSING ELEMENT

### *Local Trends*

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

**FIGURE 13.3-15: 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 13.3-16: RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY “R/ECAPS” – SANTA CLARA (2021)**



### Racially Concentrated Areas of Affluence (RCAs)

Racially Concentrated Areas of Affluence (RCAs) 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. RCAs are currently not available for mapping on the AFFH Data Viewer. As such, an alternate definition of RCA from the University of Minnesota Humphrey School of Public Affairs is used in this analysis. RCAs 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 13.3-18 there are a number of 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 actually qualifies as an RCA.





## SANTA CLARA HOUSING ELEMENT

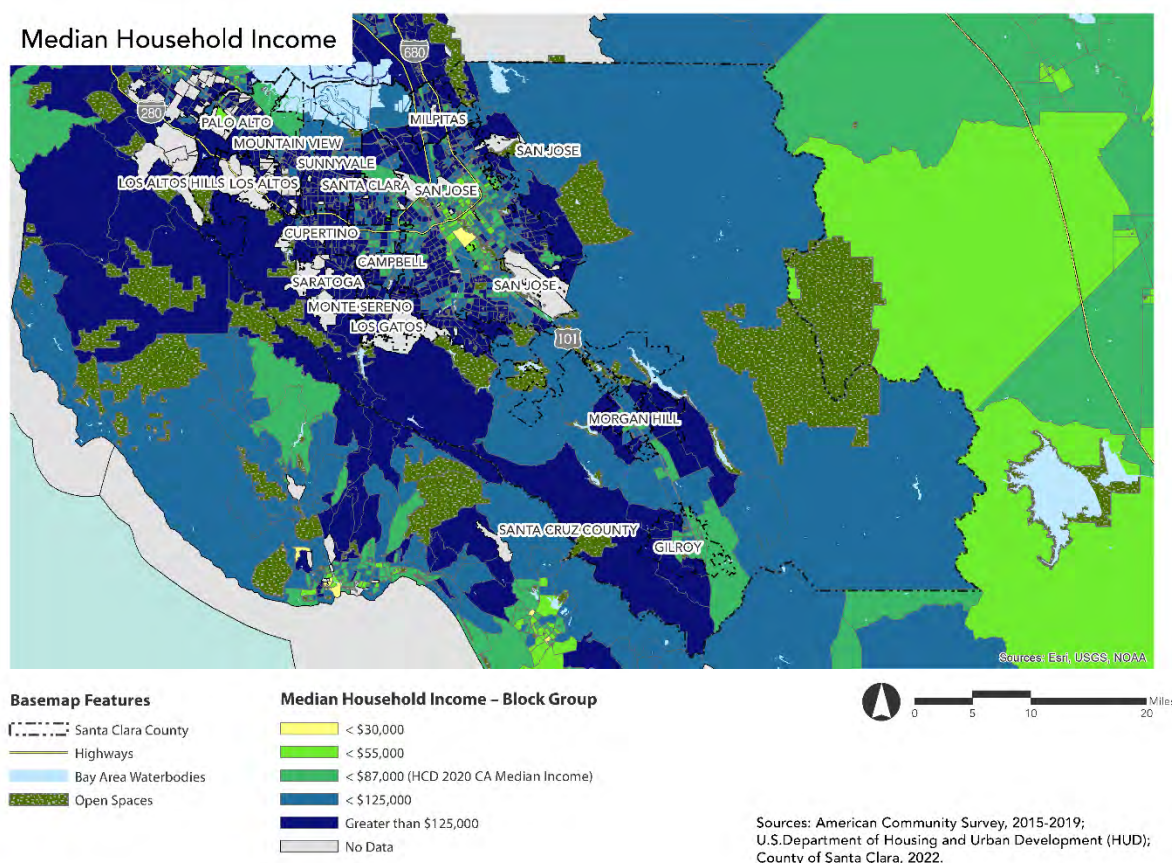
The unincorporated area called Lexington Hills located along the western edge of the County has a White population of 87.4 percent and a median household income of \$166,932 meeting the alternate definition of a RCAA. This unincorporated area is home to approximately 2,500 residents and is 4.7 square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

**Table 13.3-12: 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 13.3-17: REGIONAL MEDIAN INCOME BY BLOCK GROUP (2021)**

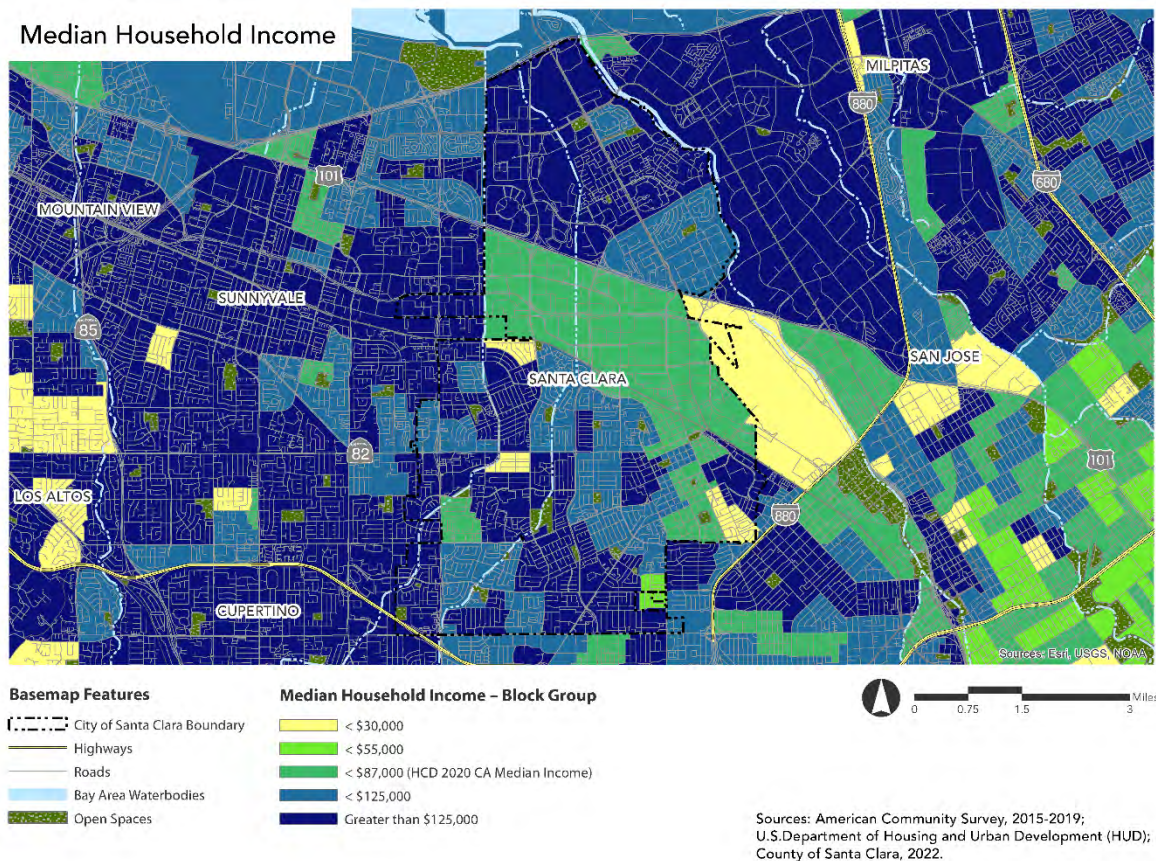


### Local Trends

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 mix with smaller section of median households incomes at \$30,000 while most areas have incomes at \$125,000 and above. Central

Santa Clara stands apart as all homes in these block groups have 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 13.3-18: MEDIAN INCOME – SANTA CLARA (2021)**



## 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





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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 more equitably distribute funding 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 13.3-13 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 13.3-13: Domains and List of Indicators for Opportunity Maps**

<i>Domain</i>	<i>Indicator</i>
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 13.3-20 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 does have areas with both the lowest and highest resource scores.

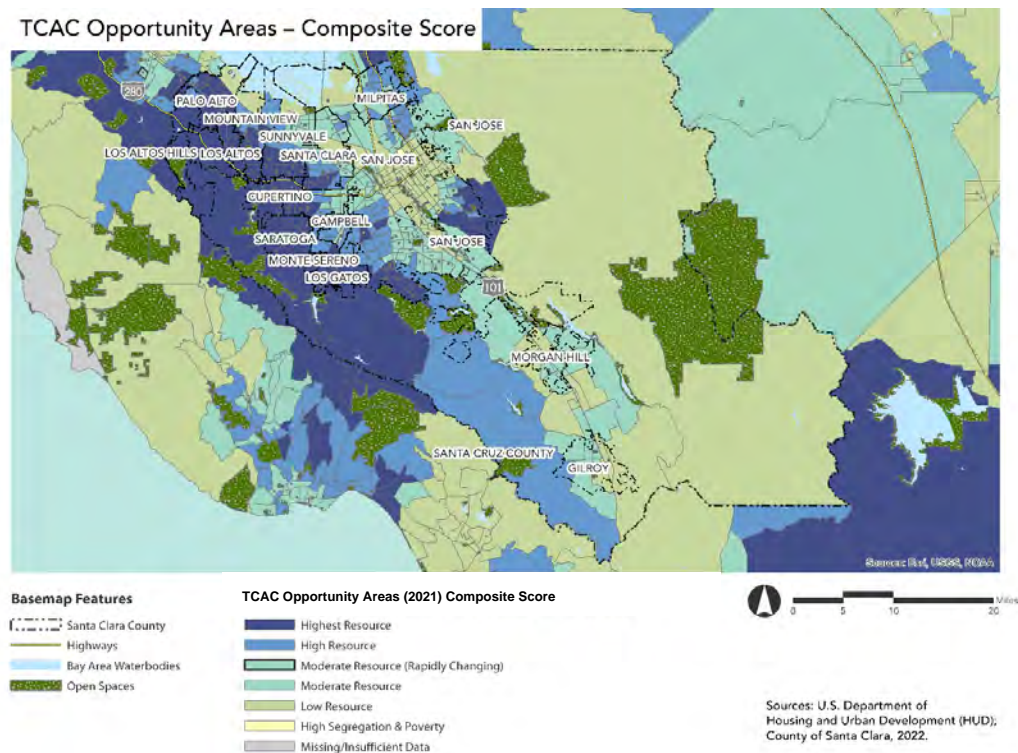
### ***Local Trends***

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 lower CalEnviroScreen Scores (50 to 74 percent) (Figure 13.3-31), lower Healthy Places Index Scores (50 to 75) (Figure 13.3-33), higher rates of LMI households (50 to 75 percent) and areas with higher non-White populations (61 to 80 percent).

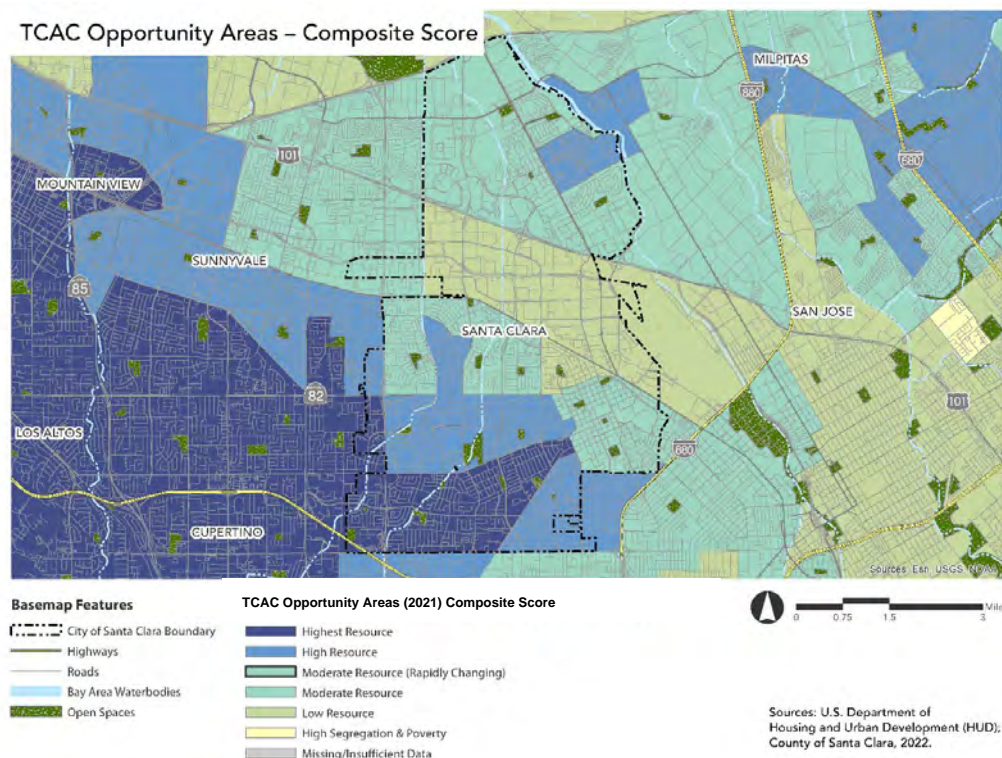


## SANTA CLARA HOUSING ELEMENT

**FIGURE 13.3-19: REGIONAL TCAC COMPOSITE SCORES BY TRACT (2021)**



**FIGURE 13.3-20: TCAC OPPORTUNITY AREAS – COMPOSITE SCORE – SANTA CLARA (2021)**



### *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 13.3-14 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.



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**Table 13.3-14: Opportunity Indices by Race/ Ethnicity – Santa Clara County**

	<i>School Proficiency Index</i>	<i>Labor Market Index</i>	<i>Transit Trip Index</i>	<i>Low Transportation Cost Index</i>	<i>Jobs Proximity Index</i>	<i>Environmental Health Index</i>
<b>Santa Clara County</b>						
<b>Total Population</b>						
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
<b>Population Below Federal Poverty Line</b>						
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 13.3-14; 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 less positive outcomes.

Throughout Santa Clara County there are 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.<sup>3</sup> 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 .25 - .50 which are less positive education scores. The cities on the western side of the County and Milpitas have scores above .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 13.3-14 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 .50 to .75 which is towards the more positive educational outcome scores. The central part of Santa Clara has a score of between .25 to .50 which is towards the less positive education outcome scores. And the southern part of Santa Clara has a mix of scores between .25 to .50, .50 to .75 and above .75. The nearby cities of Mountain View and Milpitas mostly have TCAC education scores above .75 while the city of Sunnyvale has a mix of scores similar to Santa Clara.

According to the National Center for Education data from 2021 there were 23 public schools in Santa Clara (Figure 13.3-24). These public school rankings reflect the TCAC Education scores with

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<sup>3</sup> Ed-data.org

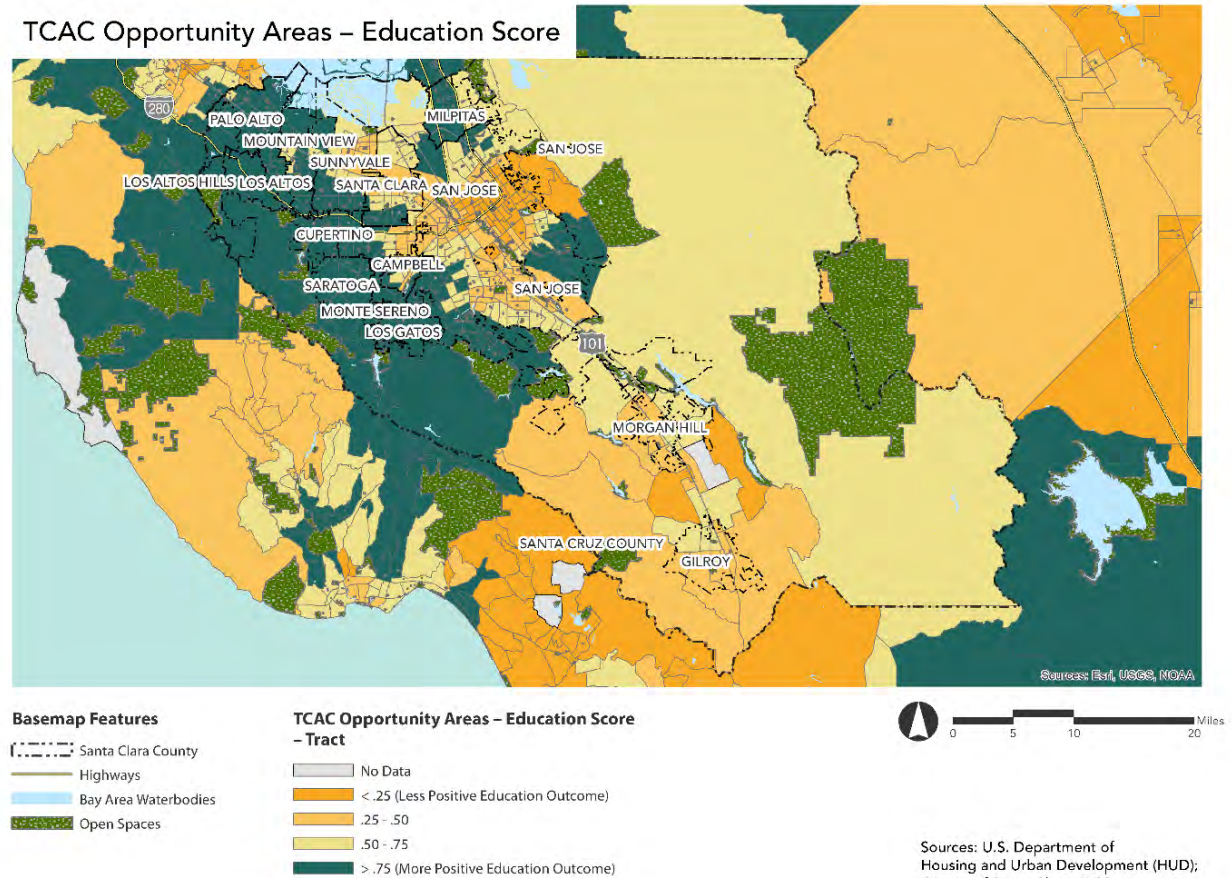




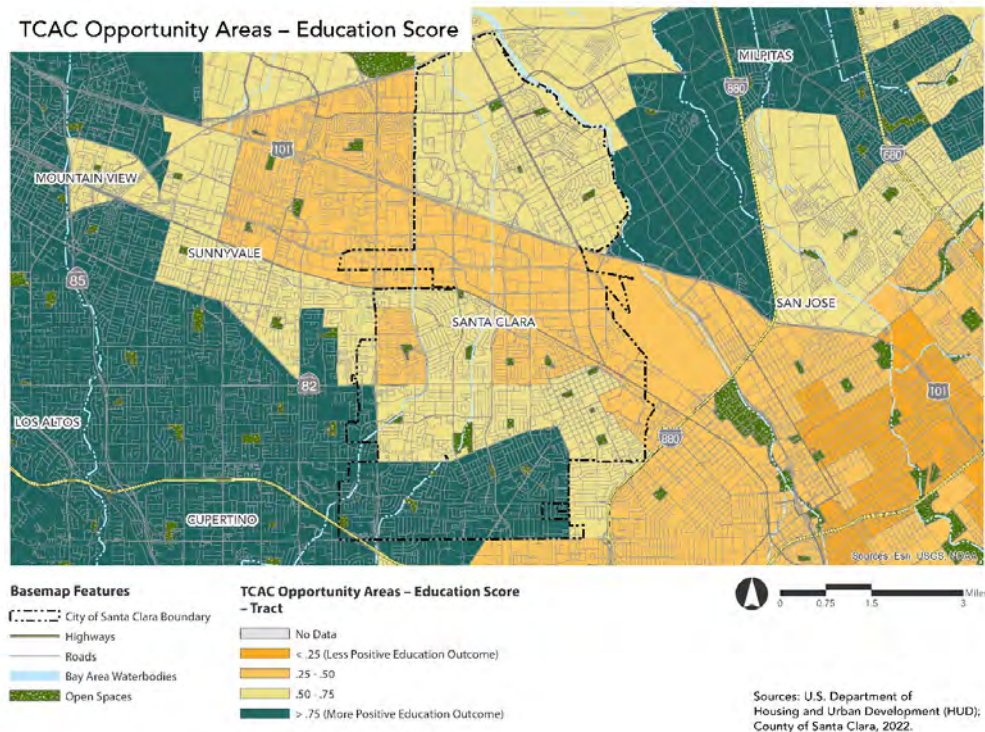
## SANTA CLARA HOUSING ELEMENT

schools in the northern and central 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.

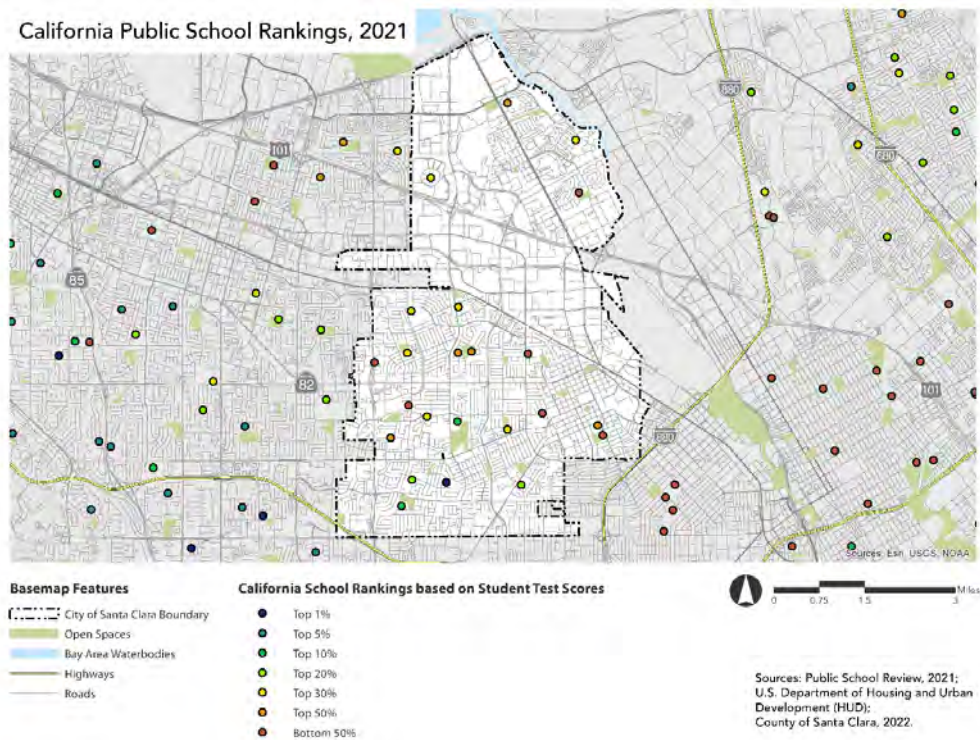
**FIGURE 13.3-21: REGIONAL TCAC EDUCATION SCORES (2021)**



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



**FIGURE 13.3-23: PUBLIC SCHOOL RANKINGS (2021)**







## SANTA CLARA HOUSING ELEMENT

### **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 locate 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 better access to transit and lower costs 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 and 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 out to Richmond and the Green line connects to San Francisco.

**FIGURE 13.3-24: 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](http://alltransit.cnt.org) Santa Clara has a transit performance score of 7 (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.

### **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



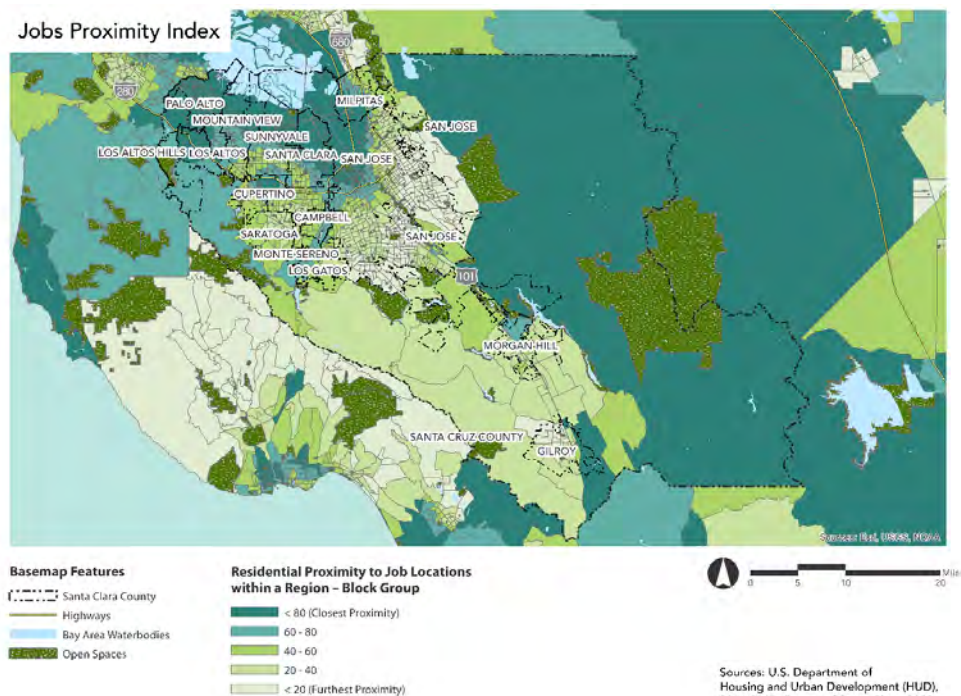
## SANTA CLARA HOUSING ELEMENT

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*

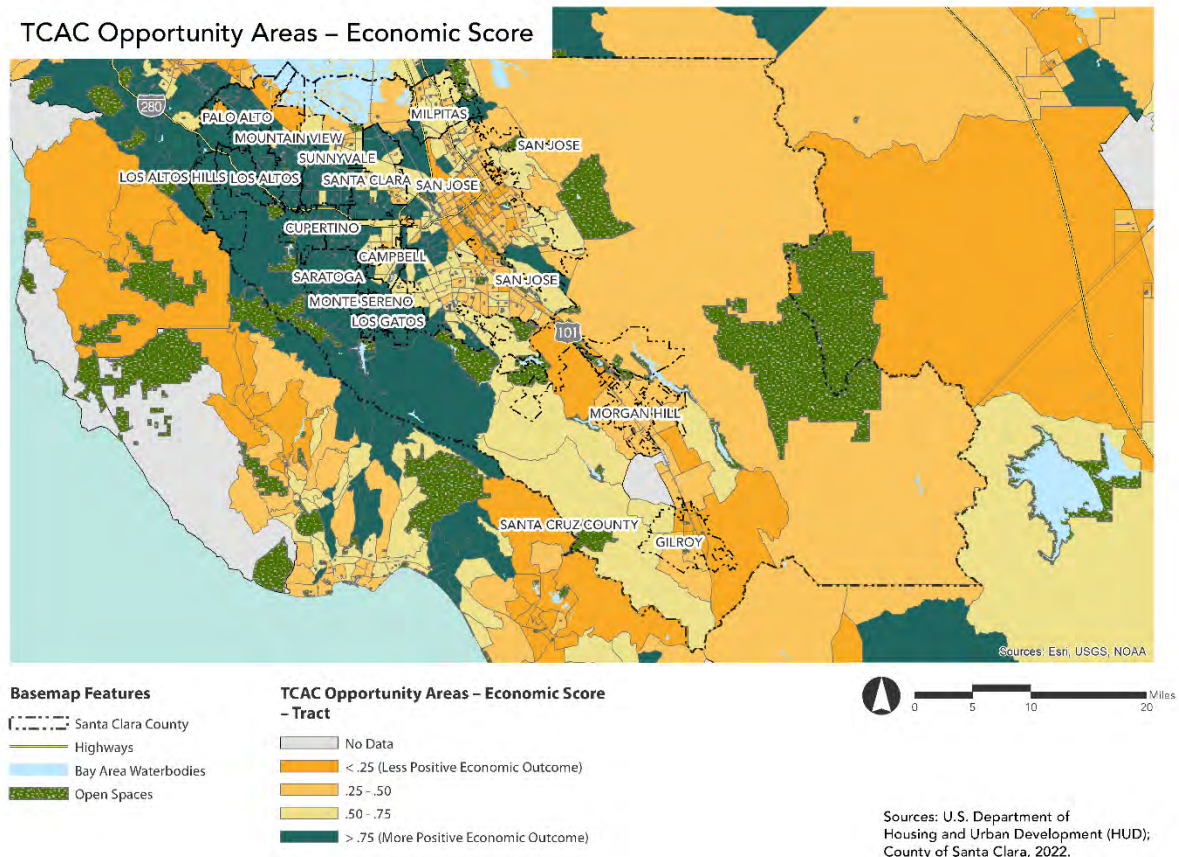
In Santa Clara County, Black Non-Hispanic, White Non-Hispanic, Native American Non-Hispanic, and Asian or Pacific Islander residents all have similar index scores around 50, while Hispanic residents have an index score of 43.19. The map below shows the spatial variability of jobs proximity in Santa Clara 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 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 13.3-25: REGIONAL JOBS PROXIMITY INDEX (2021)**





**FIGURE 13.3-26: 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. While 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 with the central part of the city solidly receiving scores between .50 to .75 which is nearing the more positive economic outcome, and areas in the southern part of the city receiving 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. So, 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 income, 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.



## SANTA CLARA HOUSING ELEMENT

FIGURE 13.3-27: JOBS PROXIMITY INDEX – SANTA CLARA (2021)

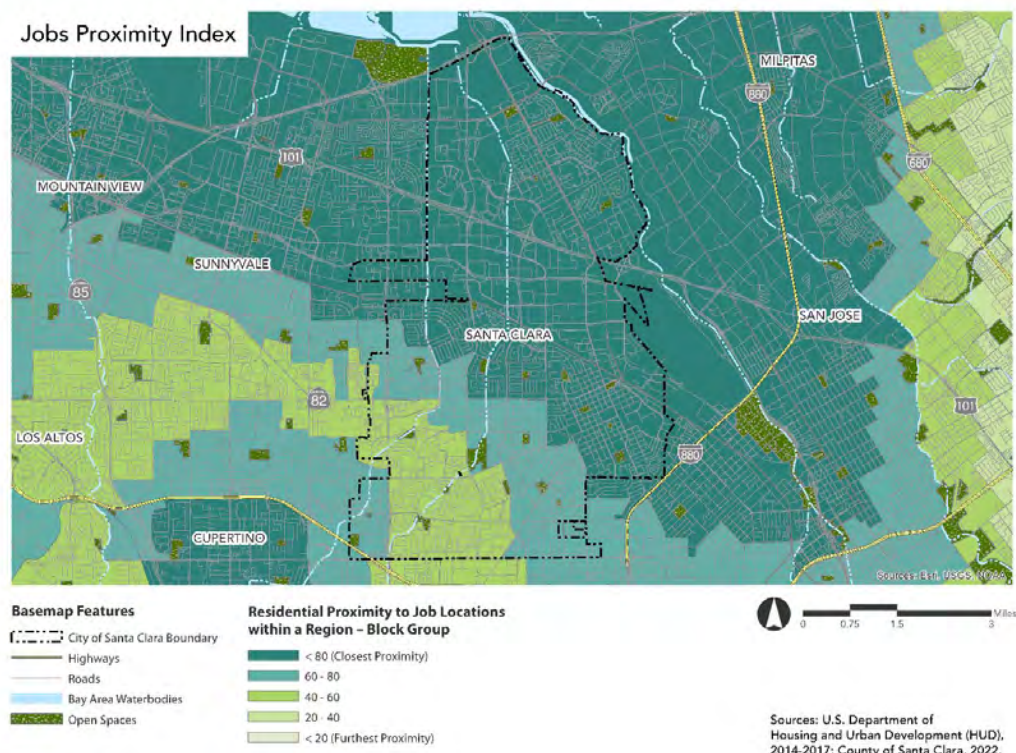
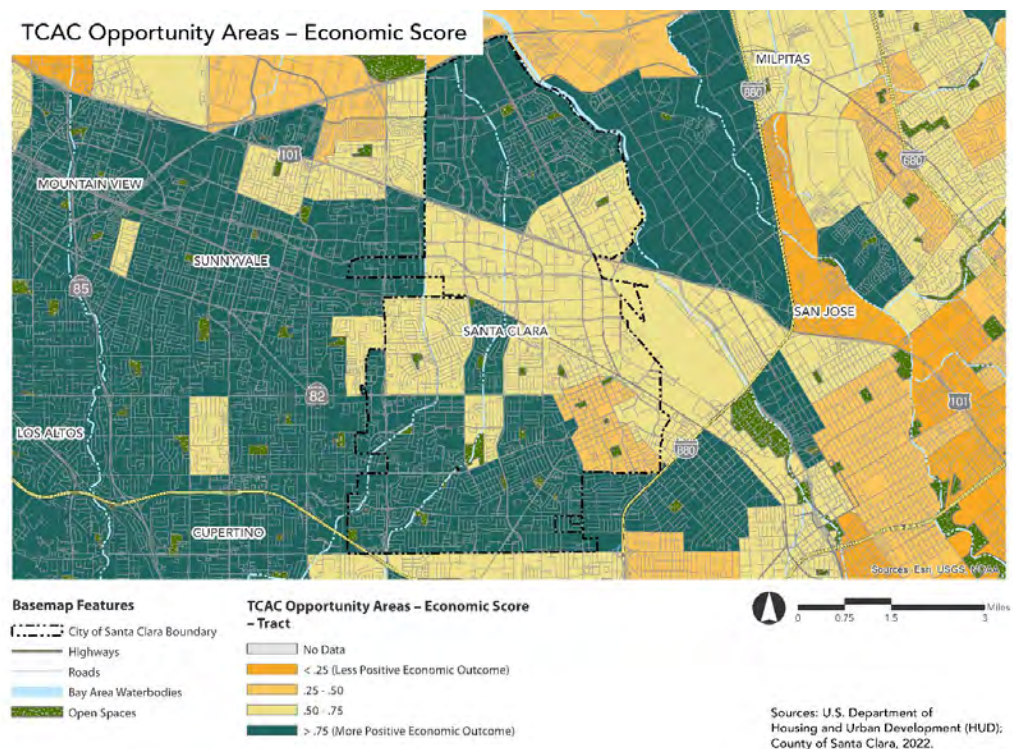


FIGURE 13.3-28: TCAC OPPORTUNITY AREA – ECONOMIC SCORE – SANTA CLARA (2021)





## 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, mid-50s to 60. For populations below the poverty line Native American Non-Hispanic residents have the highest score, 63.36 while other groups have scores in the mid-50's.

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 values on the index indicate higher cumulative environmental impacts on individuals arising from these burdens and population factors.

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.

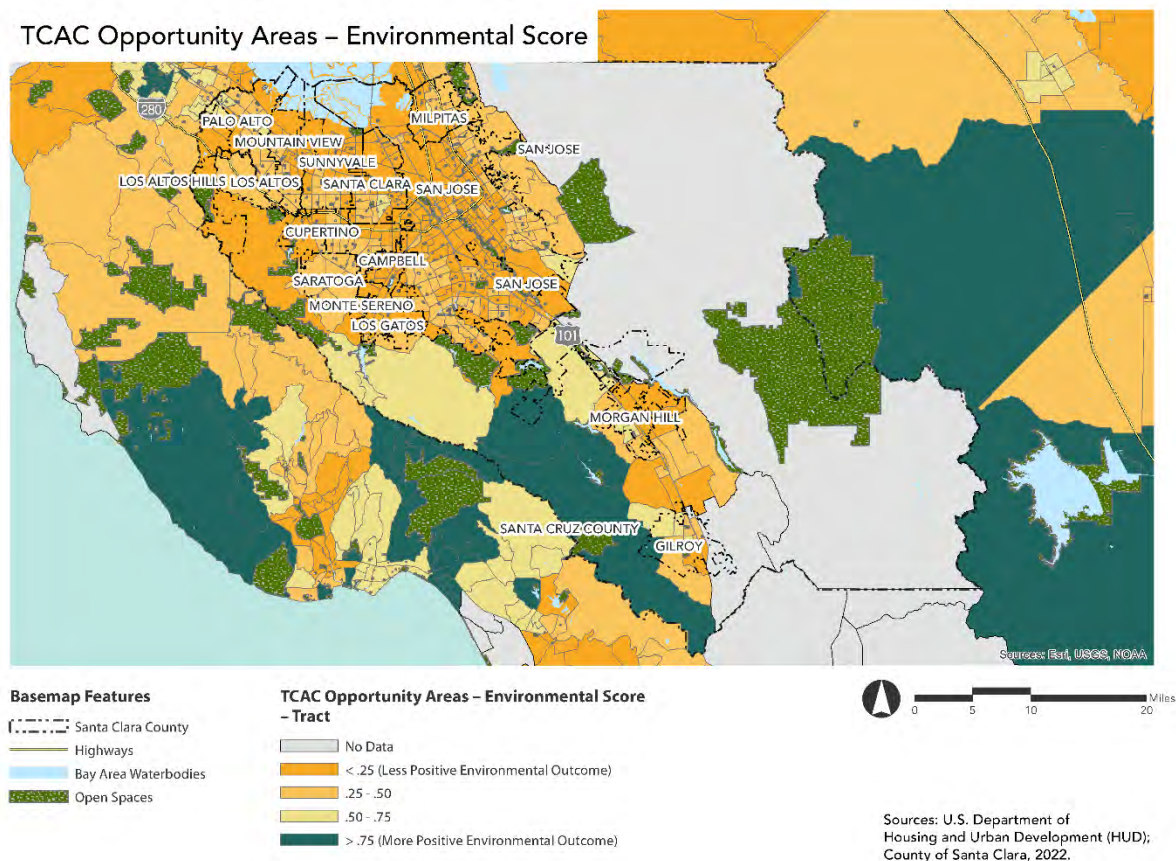
### *Regional Trends*

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 which indicates 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."



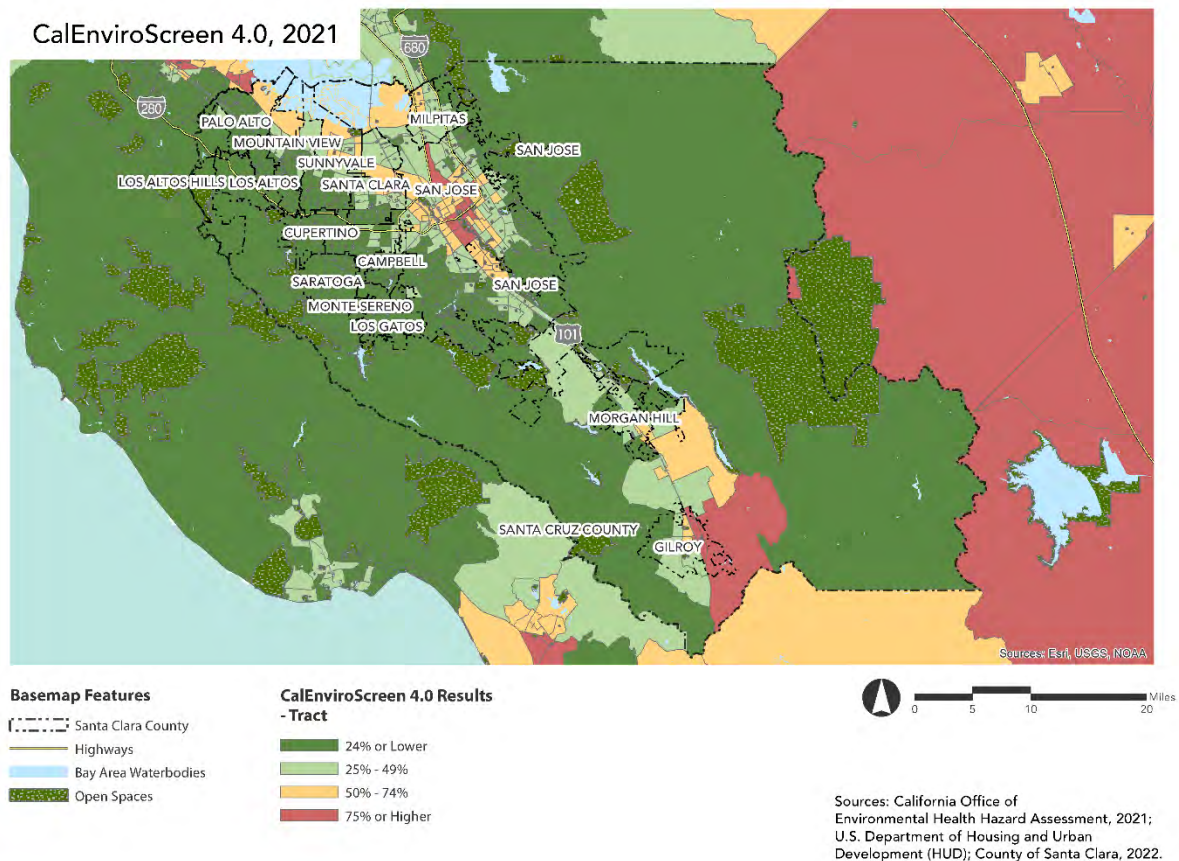
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**FIGURE 13.3-29: REGIONAL TCAC OPPORTUNITY AREAS – ENVIRONMENTAL SCORE (2021)**



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 13.3-30: REGIONAL CALENVIROSCREEN 4.0 (2021)



### Local Trends

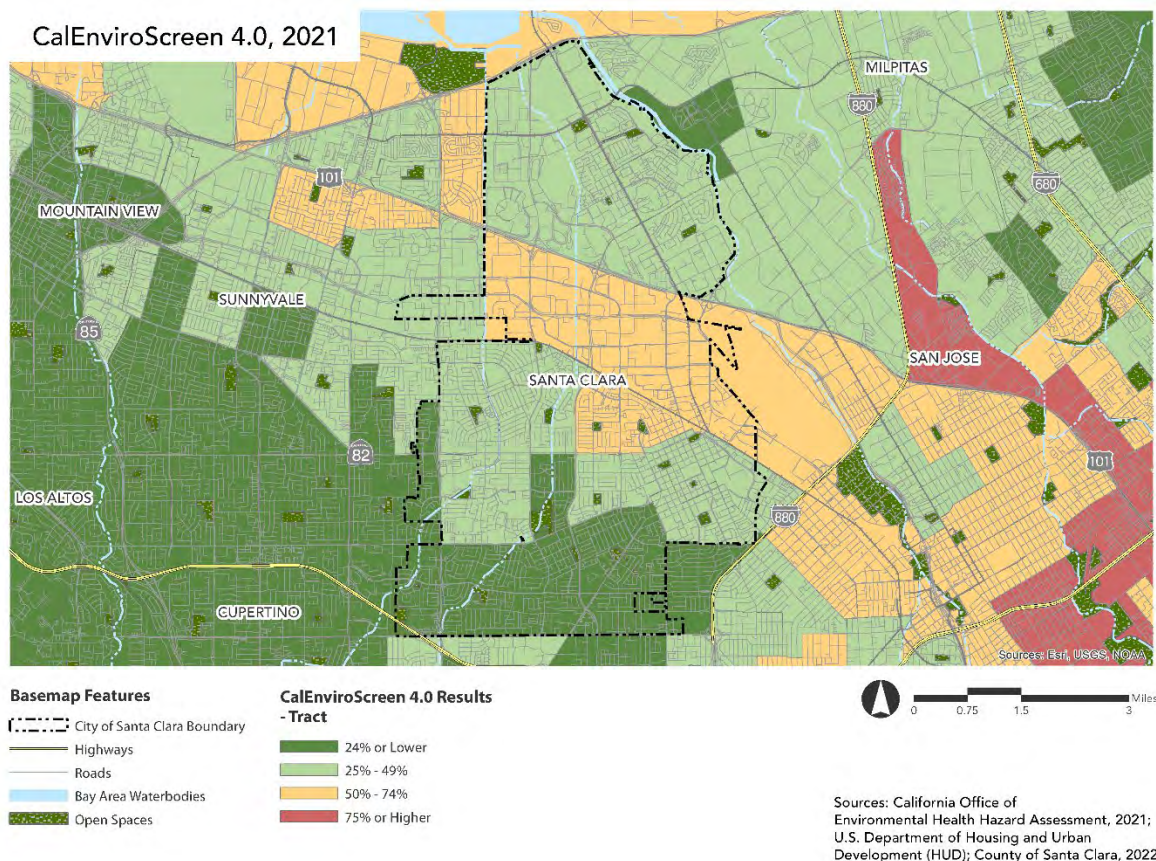
The City of Santa Clara has the most positive CalEnviroScreen scores in the northern and southern parts of the city (25 to 49 percent and below 24 percent) while the central part of the city has scores between 50 to 74 percent. The central part of Santa Clara with less positive environmental scores is 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.





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**FIGURE 13.3-31: CALENVIROSCREEN 4.0 – SANTA CLARA (2021)**



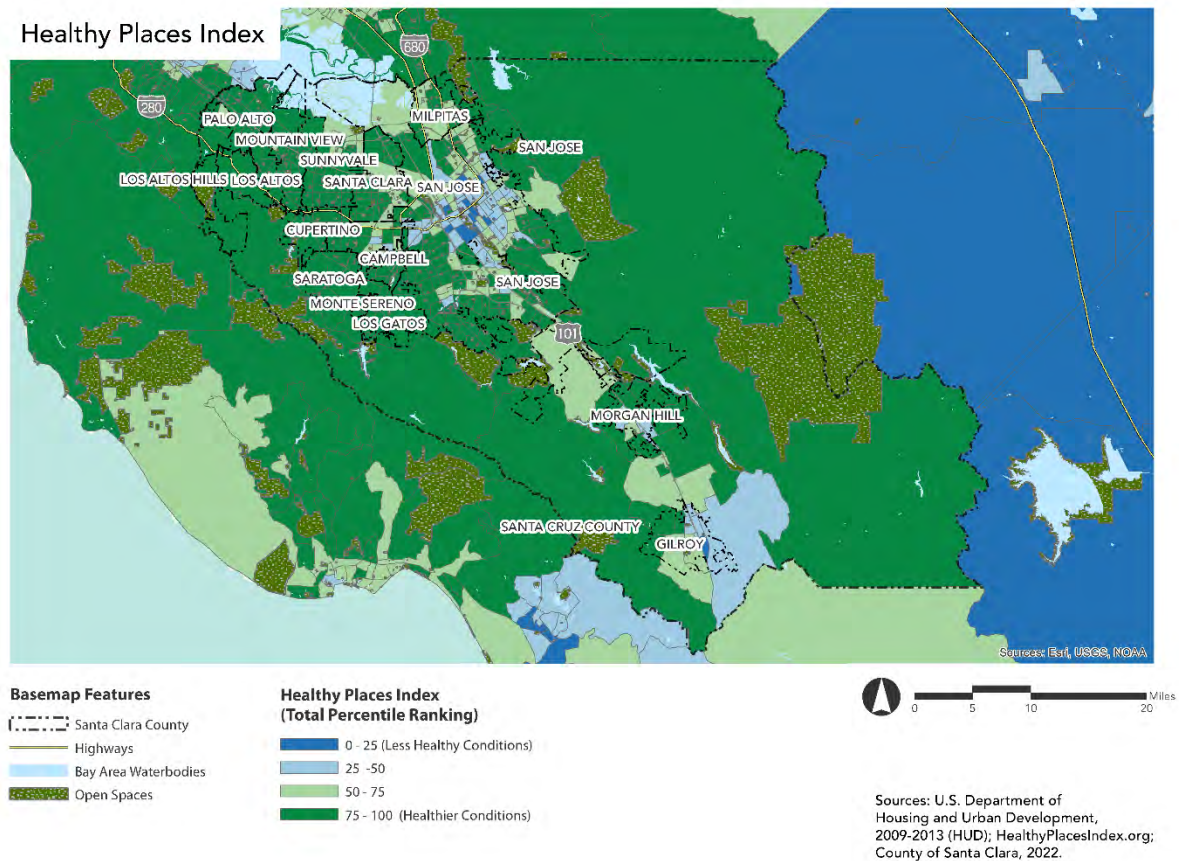
### Health and Recreation

Residents should have the opportunity to live a healthy life and 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 combined 25 community characteristics such as housing, education, economic, and social factors into a single indexed HPI Percentile Score, where lower percentiles indicate lower 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 13.3-32: REGIONAL HEALTHY PLACES INDEX (2021)



### Local Trends

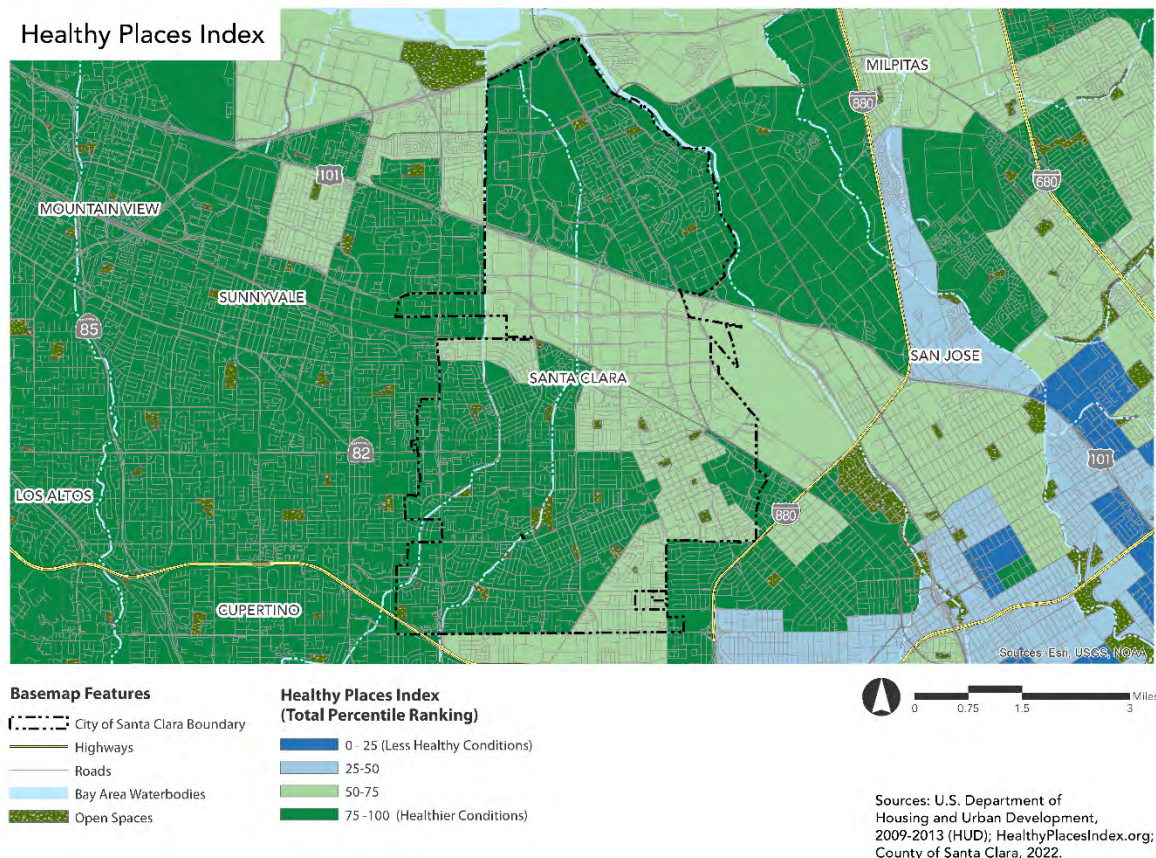
Northern and southern parts of Santa Clara have HPI scores between 75 to 100 while central Santa Clara has scores between 50 to 75, reflecting the CalEnviroScreen scores. Mountain View and Sunnyvale have scores between 75 to 100 while Milpitas has more areas with scores between 50 to 75.





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**FIGURE 13.3-33: HEALTHY PLACES INDEX – SANTA CLARA (2021)**



### 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; 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 13.3-15 lists the demographics of households with housing problems in the County.

**Table 13.3-15: Demographics of Households with Housing Problems in Santa Clara County**

	<i>Total Number of Households</i>	<i>Households with Housing Problems</i>		<i>Households with Severe Housing Problems</i>	
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 13.3-16: Household Type & Size in Santa Clara County**

<i>Household Type</i>	<i>No. of Households with Housing Problems</i>
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**

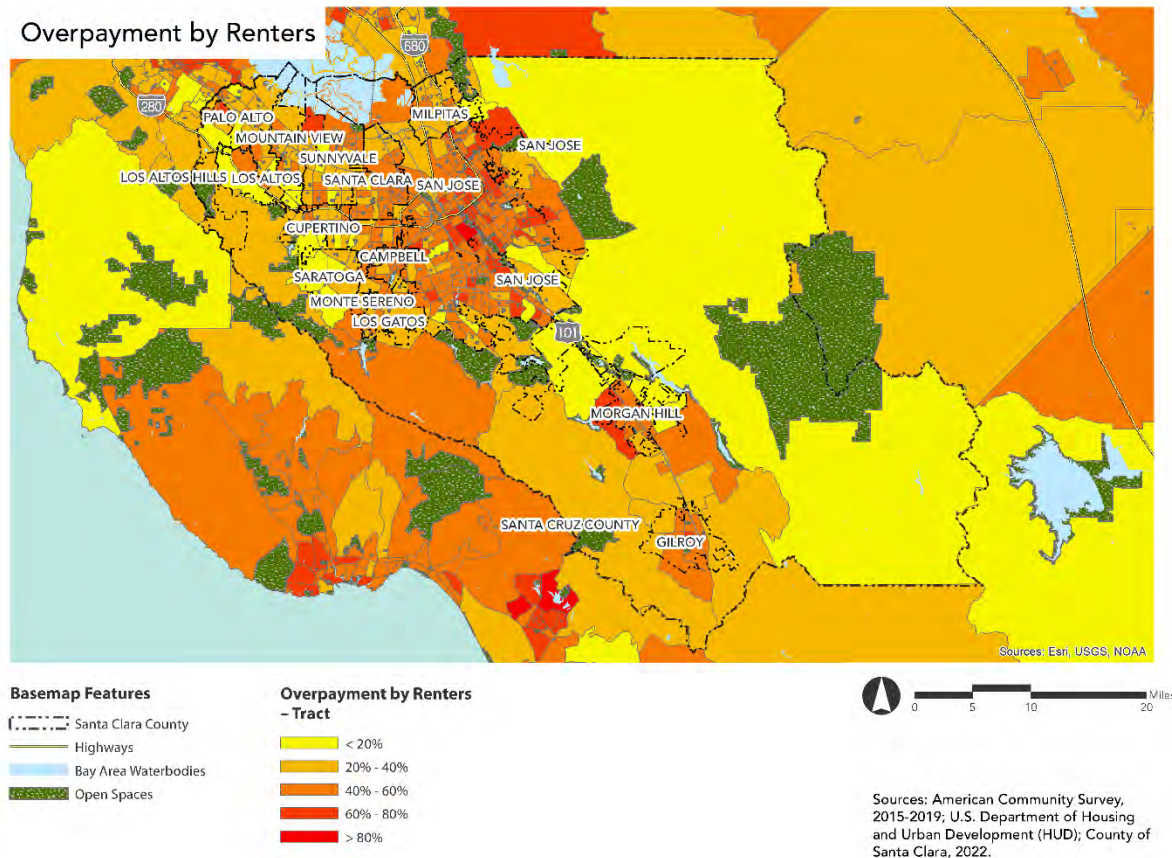
The map below identifies concentrations of cost-burdened renters in Mountain View, San Jose, and Morgan Hill. These cities have areas with renters experiencing overpayment above 80 percent. The rest of the County mostly have rates between 20 to 40 percent, 40 to 60 percent, and



## SANTA CLARA HOUSING ELEMENT

60 to 80 percent. Areas along the eastern part of the county have lower overpayment rates below 20 percent.

**FIGURE 13.3-34: REGIONAL OVERPAYMENT BY RENTERS (2021)**



### Local Trends

As presented in Table 13.3-17, 50.7 percent of all households in Santa Clara experience cost burdens. This rate is much higher for renters than owners (63 and 34.4 percent respectively). The rate of cost burden for all households in the County is slightly lower at 49.7 percent but the trend still stands with 64.2 percent of renters experiencing cost burden versus 38.6 percent of owners.

**Table 13.3-17: Households that Experience Cost Burden by Tenure in Santa Clara County and Santa Clara**

Santa Clara County				
Total Number of Households		Cost burden > 30%	Cost burden > 50%	Percentage of Households that Experience Cost Burden
Owners Only	360,660	98,445	40,910	38.6%
Renters Only	274,865	118,960	57,610	64.2%

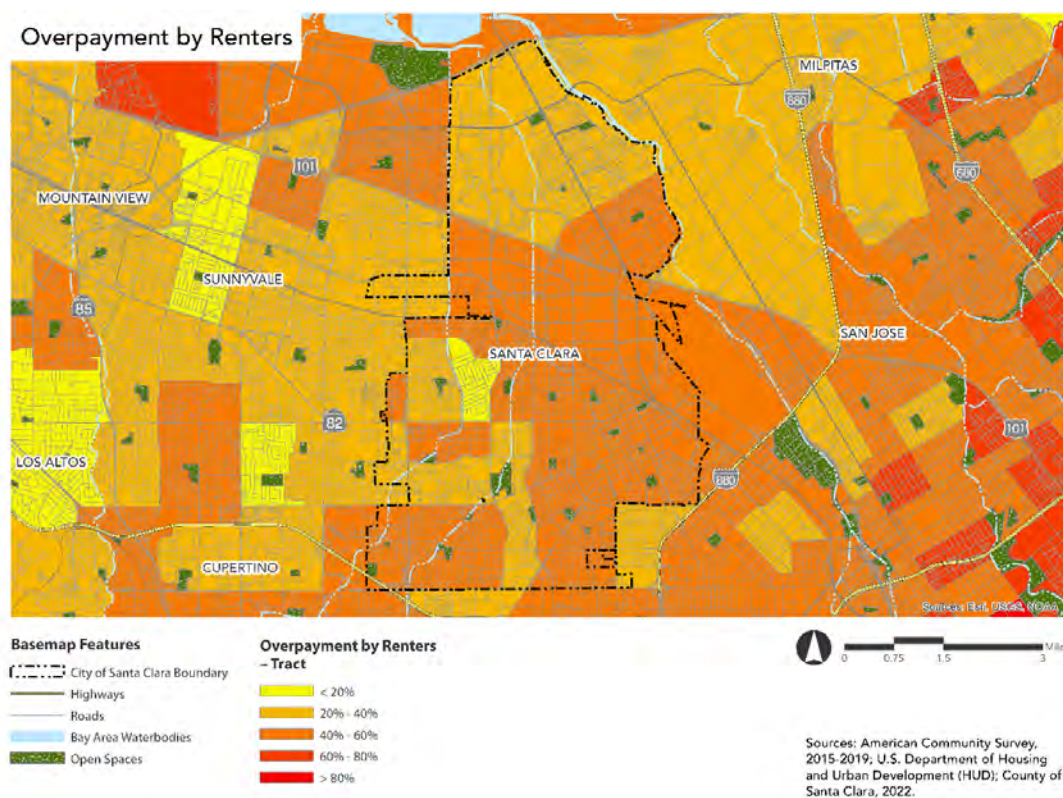


**Table 13.3-17: Households that Experience Cost Burden by Tenure in Santa Clara County and Santa Clara**

All Households	635,525	217,405	98,520	49.7%
<b>Santa Clara</b>				
Total Number of Households		Cost burden > 30%	Cost burden > 50%	Percentage of Households that Experience Cost Burden
Owners Only	18,930	4,615	1,900	34.4%
Renters Only	25,150	10,505	5,365	63%
All Households	44,080	15,125	7,625	50.7%

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

**FIGURE 13.3-35: 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).

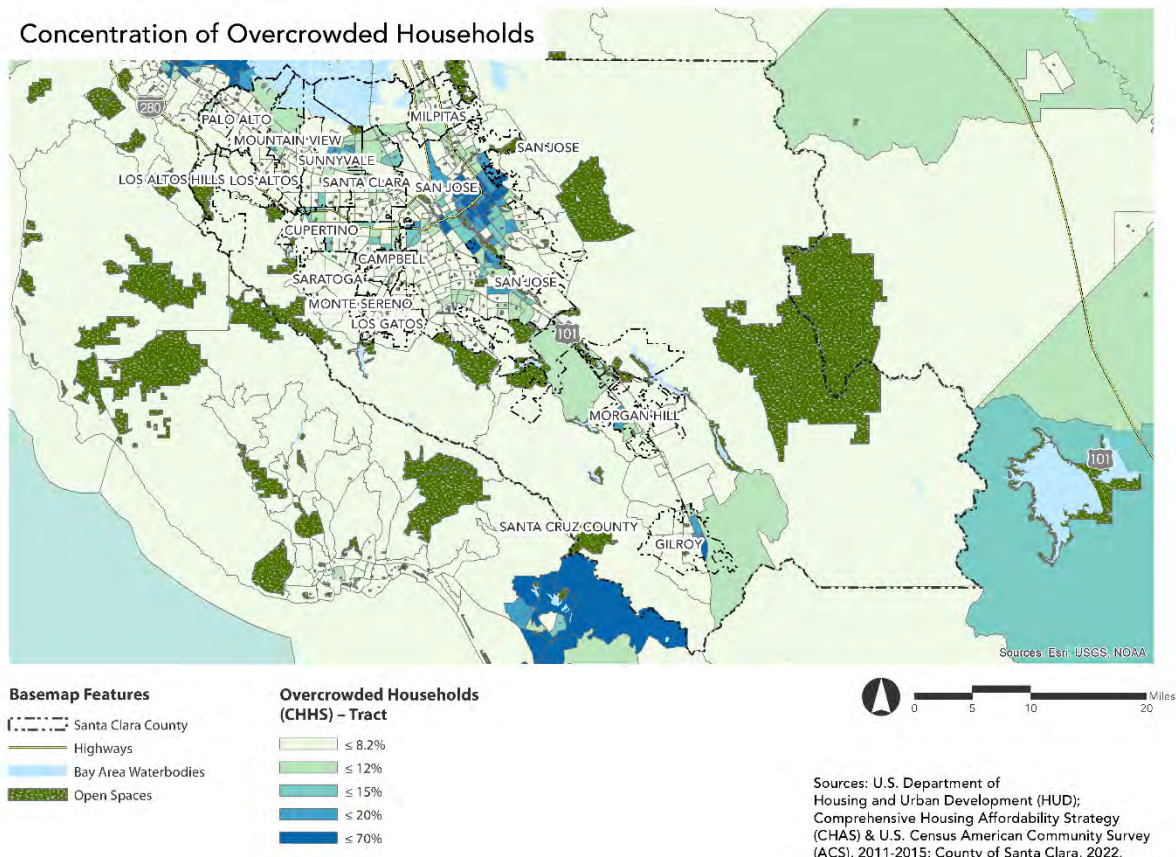


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### *Regional Trends*

Figure 13.3-37 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 13.3-36: REGIONAL OVERCROWDED HOUSEHOLDS BY TRACT (2015)**



### *Local Trends*

According to the 2019 five-year ACS estimates displayed in Table 13.3-18, 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 13.3-18: Overcrowded Households – Santa Clara County and Santa Clara**

	<i>Santa Clara County</i>		<i>Santa Clara</i>	
	<i>Overcrowded (&gt;1.0 persons per room)</i>	<i>Severely Overcrowded (&gt;1.5 persons per room)</i>	<i>Overcrowded (&gt;1.0 persons per room)</i>	<i>Severely Overcrowded (&gt;1.5 persons per room)</i>
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%

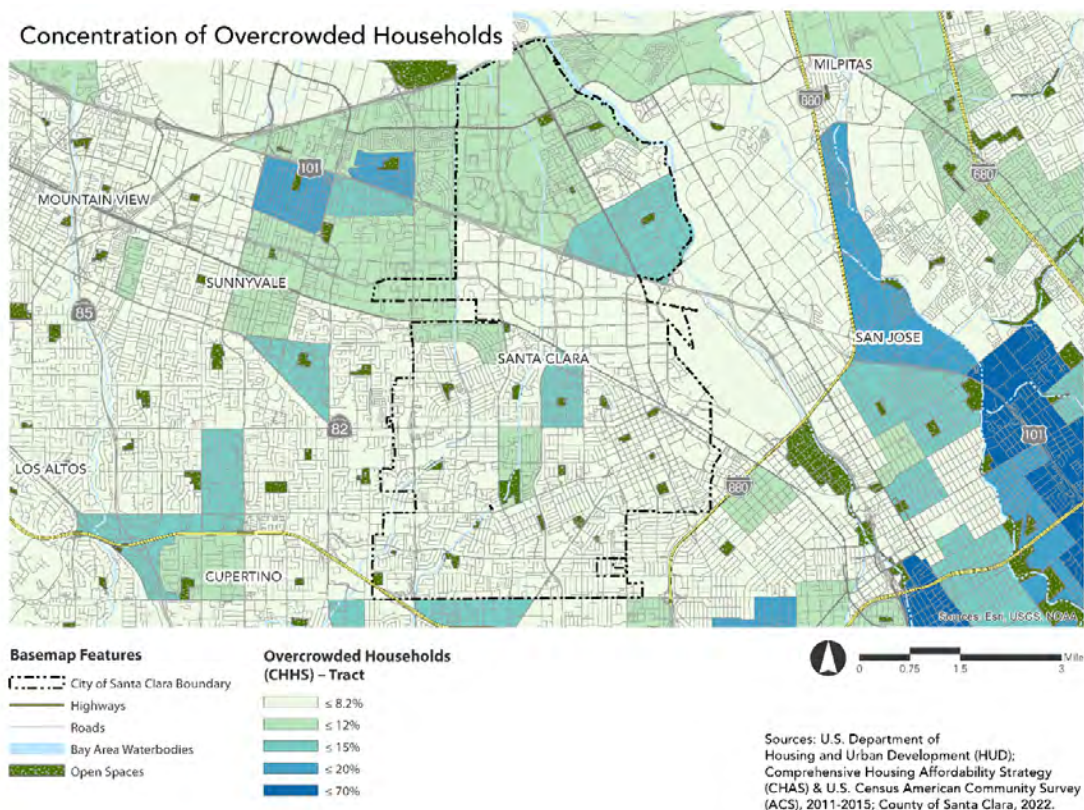
Source(s): American Community Survey, 2015-2019. Table B25014

The map below shows a few areas where overcrowding rates are higher in Santa Clara. The northern part of the city has overcrowding rates of 12 and 15 percent and there are a few small concentrations in the southern part of the city with the same rates. The rest of the city has overcrowding rates below 8.2 percent. The area with overcrowding at 12 percent overlaps with higher rates of non-white residents (61 to 80 percent), higher rates of LMI populations (75 to 100 percent), and higher gross rents (\$2,000). The small section with 15 percent overcrowded households overlaps with higher rates of HCV use (5 to 15 percent). The nearby city of Mountain View has overcrowding rates below 8.2 percent while both Sunnyvale and Milpitas have overcrowding rates at 12 percent and Sunnyvale has a few areas with this rate rises to 20 percent.



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**FIGURE 13.3-37: 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. Again, renter households are more likely to lack complete facilities compared to owner households.

**Table 13.3-19: Substandard Housing Conditions – Santa Clara County and Santa Clara**

	<i>Santa Clara County</i>			<i>Santa Clara</i>		
	<i>Owner</i>	<i>Renter</i>	<i>All HHs</i>	<i>Owner</i>	<i>Renter</i>	<i>All HHs</i>
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*

### **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.

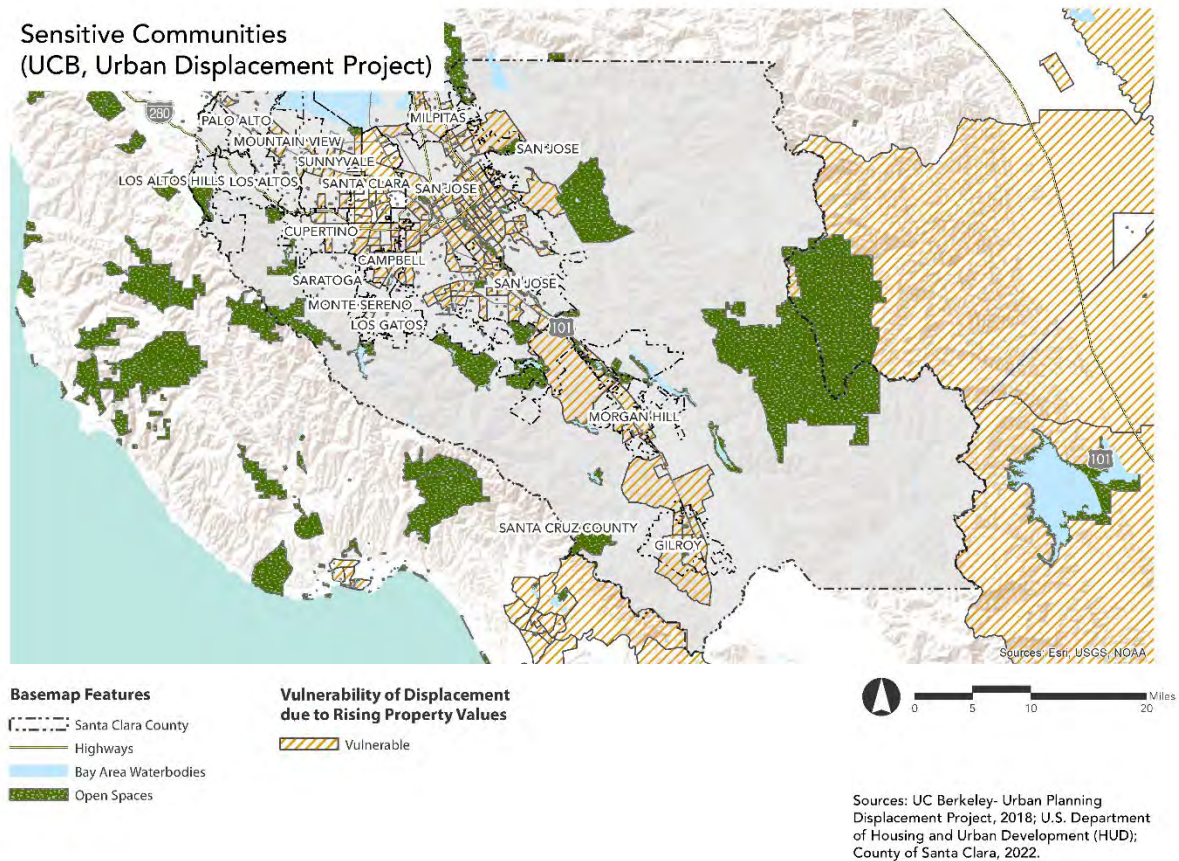
### ***Regional Trends***

Using this methodology, there are a number of areas in Santa Clara county identified as sensitive communities. Sensitive communities primarily lie along the Highway 101 corridor ranging from Sunnyvale to Gilroy and extending 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.



## SANTA CLARA HOUSING ELEMENT

**FIGURE 13.3-38: REGIONAL SENSITIVE COMMUNITIES AT RISK OF  
DISPLACEMENT BY TRACT (2021)**

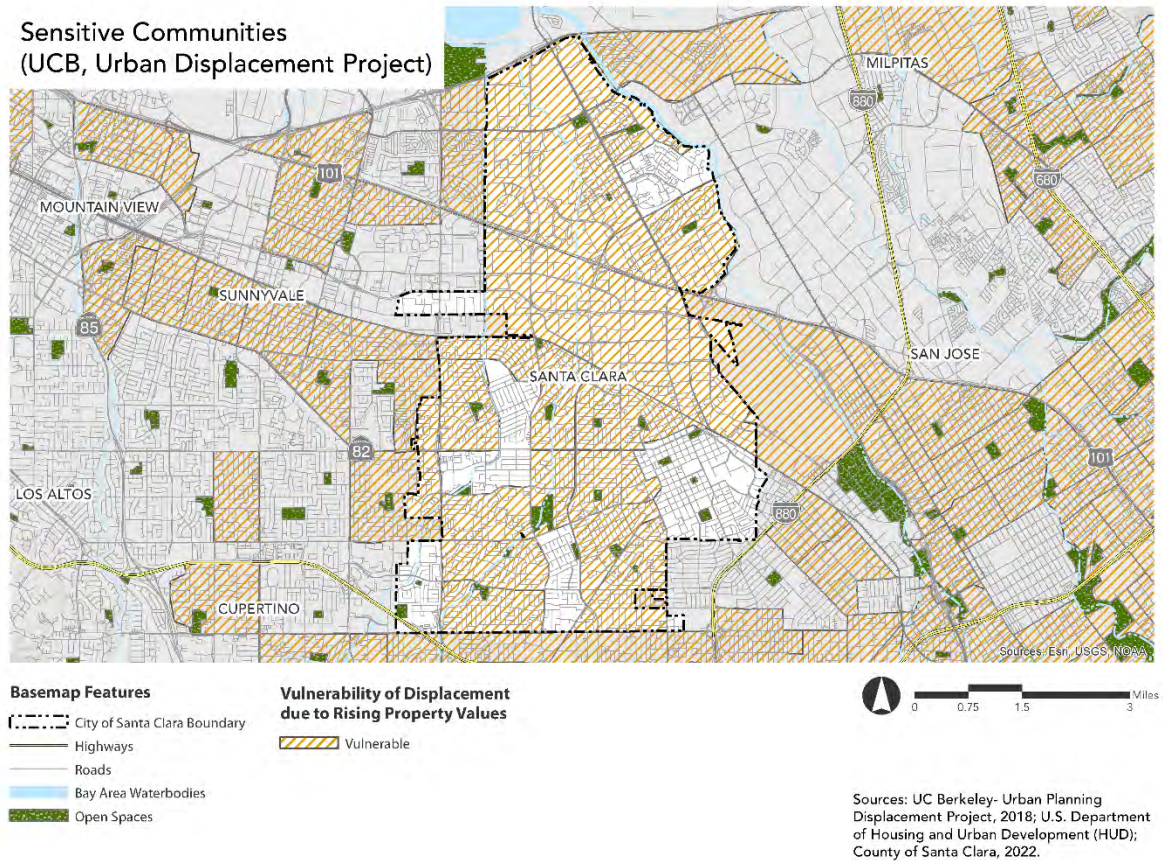


### ***Local Trends***

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, but fewer than Santa Clara.



**FIGURE 13.3-39: SENSITIVE COMMUNITIES (UCB, URBAN DISPLACEMENT PROJECT) – SANTA CLARA (2021)**







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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 31.9 percent (Table 13.4-1).

**Table 13.4-1: Population Growth and Projected Growth**

	2010	2020	2040	% Change	% Change
				2010-2020	2020-2040
<b>Santa Clara</b>	116,468	127,647	159,500	9.6%	25 %
<b>Santa Clara County</b>	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).



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

<i>Demographic Profile</i>	<i>2010</i>	<i>Percentage</i>	<i>2019</i>	<i>Percentage</i>
<b>Age</b>				
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	
<b>Race/Ethnicity</b>				
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	
<b>Employment by Industry</b>				
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%
Other services, except public administration	2,070	4%	2,036	3%
Transportation and warehousing, and utilities	1,582	3%	2,170	3%

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

<i>Demographic Profile</i>	<i>2010</i>	<i>Percentage</i>	<i>2019</i>	<i>Percentage</i>
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





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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**

<i>Household Characteristic</i>	<i>Owner Households</i>	<i>Renter Households</i>	<i>All Households</i>
Number of Households <sup>1</sup>	19,143 (42.8%)	25,526 (57%)	44,669
Median Household Income <sup>1</sup>	\$155,718	\$108,435	\$126,006
<b>Household Income Categories<sup>2</sup></b>			
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
<b>Overpayment</b>			
All Households Overpaying for Housing	1,900 (10%)	5,365 (21%)	7,265 (16.4%)
Lower Income Households Overpaying for Housing (*0-80%) <sup>2</sup>	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



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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.

### **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 13.4-5) 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 13.4-5: Housing Stock Characteristics by Tenure – 2020**

<i>Housing Characteristic</i>	<i>Owner Households</i>	<i>Renter Households</i>	<i>All Households</i>
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	1.2%	7.9%	9%
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, nine percent of housing units are overcrowded. Overcrowding is much more prevalent in renter households (7.9 percent) than owner households (1.2 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 replacement or 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 13.4-6: Fair Market Rents in Santa Clara County**

<i>Year</i>	<i>Efficiency</i>	<i>One-Bedroom</i>	<i>Two-Bedroom</i>	<i>Three-Bedroom</i>	<i>Four-Bedroom</i>
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)

## 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.

**Table 13.4-7: Special Needs Groups**

<i>Special Needs Category</i>	<i>Count</i>	<i>Percent</i>
Persons with Disabilities <sup>1</sup>	8,966	7% of residents
Persons with Developmental Disabilities <sup>2</sup>	3,246	2.7% of residents
Elderly (65+ years) <sup>1</sup>	14,514	11.3% of residents
	3,249 households	7.2% of households
Large Households (5+ members) <sup>1</sup>	1,996 households	4.4% of households
Farmworkers <sup>1</sup>	122	0.2% of labor force
Migrant Worker Student Population	0	0% of labor force
Female Headed Households <sup>1</sup>	3,571 households	7.9% households
Male Headed Households	1,924 households	4.3% households
Married Couple Households	24,719 households	55% households

**Table 13.4-7: Special Needs Groups**

<i>Special Needs Category</i>	<i>Count</i>	<i>Percent</i>
Householder Living Alone	1,624 households	22% households
People Experiencing Homelessness <sup>3</sup>	326	N/A

Source(s):

1. US Census Bureau, *American Community Survey 2015-2019 5-year estimates*
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.

According to the 2019 ACS there are 8,966 residents with a disability 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.

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).

### **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.



## **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).

## **Farmworkers**

Due to the high cost of housing and low wages, migrant farmworkers have difficulty finding affordable, safe, and sanitary housing. There are 122 residents who may work as farmworkers and live in Santa Clara, representing only 0.2 percent of the working population. Maps from the State of California Department of Conservation Farmland Mapping and Monitoring Program show no farmland in Santa Clara. Due to the low number of agricultural workers in the City, the housing needs of migrant and/or farmworker housing need can be met through general affordable housing programs.

## **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 2020, a total of 326 people experienced homelessness in the City of Santa Clara. This was up 20 percent from the 2017 count where 272 people reported experiencing homelessness.

Table 13.4-8 lists seven sites listed in the City where persons in need of emergency shelter can seek shelter and other assistance.

**Table 13.4-8: Emergency Housing Providers in the City of Santa Clara**

<i>Provider</i>	<i>Target Population</i>	<i>Capacity/ Housing Type</i>
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

*Source(s): City of Santa Clara, 2022*

## 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





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(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, five affordable housing properties in Santa Clara are at risk of converting to market rate housing in the next 10 years.

**Table 13.4-9: At-Risk Housing**

<i>Project Name</i>	<i>Address</i>	<i>Total Units</i>	<i>Affordable Units</i>	<i>Funding Source</i>	<i>Date of Affordability End</i>
Benton House*	1885 Benton Street, Santa Clara	5	5	HCD	06/03/28
Clara Vista House*	723 Clara Vista Street, Santa Clara	6	6	HCD	06/03/28
Sobrato Family Living Center I	1509 Agnew Rd, Santa Clara	33	32	Local	05/21/29
Estancia	1650 Hope Dr	450	90	Local	06/23/29
Casa Del Maestro Apartments (Phase I) 2001	3445 Lochinvar Ave, Santa Clara	40	2	Local	10/02/31

*Source(s): At Risk-Housing Report for City of Santa Clara, CHPC 2022*

*\*Not included in total unit count, zoned as single family residences*

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. In Santa Clara, the estimated market value for the 5 affordable units in the at-risk projects is evaluated in Table 13.4-10 below. The current total market value for the Casa del Maestro Apartments, Estancia, and Sobrato Family Living Center is estimated to be \$32,596,728. 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. This organization is already a non-profit and will likely not be selling the properties in the coming years.

**Table 13.4-10: Market Value of At-Risk Projects**

<i>Size of Unit</i>	<i>Total Units</i>
1-Bedroom	40
2-Bedroom	68
3-Bedroom	16
Total	124
Gross Annual Income	\$4,357,584
Operating Costs	\$1,097,911.20
Net Annual Income	\$3,259,672.80
Market Value	\$32,596,728

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

## 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 441,776 new housing units for the 2021-2029 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 13.4-11.



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**Table 13.4-11: Regional Housing Needs Allocation 2023-2031**

<i>Income Group</i>	<i>% of County AMI</i>	<i>Number of Units Allocated</i>	<i>Percent of Total Allocation</i>
Very Low <sup>1</sup>	<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*

# Chapter 13.5

## Constraints Analysis

Many factors can encourage or constrain the development, maintenance, and improvement of the 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 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)**

<i>Land Use Designation</i>	<i>Density/ FAR</i>
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
Neighborhood Mixed Use	Minimum 10 du/acre for sites < 1 acre Minimum 20 du/acre for sites ≥ 1 acre

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

<i>Land Use Designation</i>	<i>Density/ FAR</i>
	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 late 2022/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 density bonus was updated in 2009. 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.

### **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 affordable housing costs.



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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. 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.

### 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**

<i>Residential Use Type</i>	<i>R1-8L</i>	<i>R1-6L</i>	<i>R2-7L</i>	<i>R3-18D</i>	<i>R3-25D</i>	<i>R3-36D</i>	<i>R3-M</i>	<i>R3-RV</i>	<i>MU</i>	<i>TMU</i>	<i>LSAP</i>	<i>TN</i>	<i>PHD</i>
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
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
Minimum Rear Yard (ft.)	20	20	15	15	15	20	15	n/a	20	20	n/a	n/a	n/a

**Table 13.5-2: Residential Development Standards**

<i>Residential Use Type</i>	<i>R1-8L</i>	<i>R1-6L</i>	<i>R2-7L</i>	<i>R3-18D</i>	<i>R3-25D</i>	<i>R3-36D</i>	<i>R3-M</i>	<i>R3-RV</i>	<i>MUI</i>	<i>TMUI</i>	<i>LSAP</i>	<i>TN</i>	<i>PHD</i>
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% <sup>1</sup>	40% <sup>1</sup>	40% <sup>1</sup>	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:

<sup>1</sup> 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.

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 cost 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. In addition, 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 lower income housing in particular.

### **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. Parking requirements in the Mixed Use and Transit-Oriented Mixed Use zones vary by unit size. The City's current parking standards are summarized in Table 13.5-3 below. Parking requirements can be a constraint to development but the development standards relating to parking may be relieved through a Planned Development process, allowing more flexibility on the site. As part of the comprehensive Zoning Ordinance update, the City will review its parking standards and consider reducing requirements.

**Table 13.5-3: Parking Standards**

<i>Housing Type/ Zoning District</i>	<i>Requirements</i>
Single-Family Dwellings (R1-8L, R1-6L, and R2-7L zones)	Two garage or carport parking spaces





**Table 13.5-3: Parking Standards**

<i>Housing Type/ Zoning District</i>	<i>Requirements</i>
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)	At least one garage or carport shall be provided for each dwelling unit, plus one parking space for each dwelling unit
Mobile Home Park	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)

## 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**

	<i>R1-8L</i>	<i>R1-6L</i>	<i>R2-7L</i>	<i>R3-18D</i>	<i>R3-25D</i>	<i>R3-36D</i>	<i>R3-M</i>	<i>R3-RV</i>	<i>MU</i>	<i>TMU</i>	<i>ML</i>	<i>LSAP</i>	<i>TN</i>	<i>PHD</i>
Single-Family Dwellings	P	P	P	P	P	P						P		
Two-Family Dwellings			P	P	P	P						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
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						
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



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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. Since 2018, approximately 170 accessory units have been permitted in the City, for an average of about 42.5 units per year.

### **Manufactured Housing**

Factory-built, modular homes constructed in compliance with the Uniform Building Code (UBC), 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, compiled 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 Ordinance update to be completed in late 2022/early 2023, the City will address the provision of large residential care facilities.

### **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 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.

## **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, which amended Sections 65582, 65583 and 65589.5 of the Government Code, transitional housing that is a residential use and 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.

## **Single-Room Occupancy (SRO) 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 are to be treated as a single-family structure and permitted in the same manner as other dwellings of the





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same type in the same zone. As part of the comprehensive Zoning Ordinance update to be completed in late 2022 / early 2023, the City will amend the Zoning Ordinance to be consistent with these State requirements for employee Housing for Persons with Disabilities

Both the federal Fair Housing Amendment 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.

### **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 (compiled 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).

### **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**

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.

### **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 with regard to 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



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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 planning, engineering, and other fees.

**Table 13.5-5: Planning and Development Fees**

<i>Application</i>	<i>Fee</i>
<b>Planning Fees</b>	
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
<b>Development Impact Fees</b>	
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	\$0.79 to \$3.75 per sq. ft.
Traffic Impact Fee	\$1 per sq. ft. of building area
Park Impact Fee	SF: \$38,068 - \$45,320

**Table 13.5-5: Planning and Development Fees**

<i>Application</i>	<i>Fee</i>
	MF: \$30,659 - \$36,500

Source(s): City of Santa Clara, 2022

Table 13.5-6 compares the planning and development fees of Santa Clara and several other South Bay cities. Generally, Sunnyvale charges the lowest fees in the area while Campbell's fees skew toward the higher end of the spectrum. The City of Santa Clara's fees are moderate for the region.

**Table 13.5-6: Regional Comparison of Planning and Development Total Fees (includes entitlement, building permits, and impact fees) Per Unit**

<i>Jurisdiction</i>	<i>Single Family</i>	<i>Small Multi-Family</i>	<i>Large Multi-Family</i>
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
<b>Santa Clara</b>	<b>\$14,653</b>	<b>\$6,733</b>	<b>TBD</b>
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

Table 13.5-6 provides the actual development fees for recent development projects in Santa Clara. The total fees are moderate and represent only a small portion of total development costs. Because application and building fees are relatively reasonable, they are not considered a significant constraint to the construction of market-rate or affordable housing. The Park Impact Fee Ordinance was adopted in 2014.

## **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 Municipal Code). Off-site improvement requirements are less costly in a fully developed community since infrastructure needed to serve infill development is





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already in place. The financial burden of improvements as the City's infrastructure ages is, however, 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**

<i>Type of Approval/ Permit</i>	<i>Processing Time</i>	<i>Approval Body</i>
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

**Table 13.5-7: Planning and Permit Procedures**

<i>Type of Approval/ Permit</i>	<i>Processing Time</i>	<i>Approval Body</i>
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 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 and summarized below.



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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 Director of Community Development. The Community Development Director or designee takes the following considerations into their decision:

- Off-street parking areas, screening strips and other facilities and improvements must meet the Zoning Ordinance and General Plan intent.
- 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.
- Approval will not adversely impact the health, comfort or general welfare of persons residing or working in the neighborhood.
- The architectural committee may require the applicant to modify buildings, parking areas, landscaping, signs, and other facilities and improvements to meet Zoning Ordinance and General Plan intent and requirements.
- The architectural committee must make a decision within 40 days following filing of the application with the planning division office, except where the applicant consents to an extension. Failure of the committee to render a decision within this period shall be deemed to be a decision of denial.
- 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.

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.

## 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 at 6-12 months.

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 this type of projects, which usually require the preparation of an Environmental Impact Report (EIR). Construction in each development area





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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.

In the neighboring City of Cupertino, multi-family planned development projects take approximate four month to process, assuming no Environmental Impact Reports (EIR) would be required. If an EIR is required however, the timeframe can be extended significantly. In Mountain View, another neighboring jurisdiction, the timeframe to process and review a large-scale development is approximately 6-12 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.

### **Building Codes and Enforcement**

The City currently enforces the 2013 California Building, Residential, Green Building Standards, Electrical, Plumbing, Mechanical Codes and the 2013 California Energy Code. In addition, the City enforces the following code amendments adopted by the City Council:

- 2019 International Building Code
- 2019 International Residential Code
- 2019 Uniform Plumbing Code
- 2019 Uniform Mechanical Code
- 2019 California Electrical Code
- 2019 California Existing Building Code
- 2019 California Energy Code
- 2019 California Green Building Standards Code

These amendments are prudent and necessary based upon the City's climatic, topographical, and geological conditions. Generally, building codes and their enforcement in the City are not a constraint to residential development, as compared to neighboring jurisdictions. New construction is required to meet California Building Code regulations, without substantial supplemental local requirements. All new residential, commercial, or industrial buildings are also required to comply with the mandatory requirements in the 2019 California Green Building Standards Code. Compliance with City of Santa Clara Construction and Demolition Debris Recycling program will meet the construction waste reduction requirement in the Green Building Code. A Green Building residential/Green Building commercial/non-residential checklist is required to be submitted with all new building permit applications.

Existing single-family, duplex, and triplex units are inspected only when an owner seeks a permit for additional construction or 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 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**

Because most new development in the City will be infill, infrastructure is already in place to serve new development.

### **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. The SCVWD's 2020 Urban Water Management Plan has stated that it will be able to provide all water demands for Santa Clara County (including the City of Santa Clara) through 2045.

[Updated with CEQS/IS]

### **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 Water Pollution Control Plant (WPCP).

[Updated with CEQS/IS]



## 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.

[Updated with CEQS/IS]

## 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 expressed by residents 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.

[Updated with CEQS/IS]

## 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.

[Updated with CEQS/IS]

## **Flooding**

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.

[Updated with CEQA/IS]

## **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**

Since 1985, there has been community opposition to residential infill development at higher densities. The primary concern is that most underutilized and vacant sites are located along major transportation corridors and directly adjacent to long-established single-family neighborhoods. These factors, along with the relatively shallow depth of these properties, make the transition between densities challenging. Several substantial medium-and high-density developments





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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. Community resistance has, instead, been based on density as well as 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, as well as ensure adequate parking, could reduce some constraints for the approval of new housing.

### **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 a square foot depending on size and type, with an average of approximately \$200.

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 are also exclusive of the costs of land and soft costs, such as entitlements, financing, etc. 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

Following 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**

<b>Single-Family</b> A new home on an empty lot in an existing neighborhood; no significant grading or other complicating factors	<b>Scenarios</b> <i>Single-Family</i> Small: 2,600 residential sq ft Large: 5,000 residential sq ft *Assuming no parking
<b>Multi-Family</b> A new multi-family project on an empty lot in an existing neighborhood; no significant grading or other complicating factors	<i>Multi-Family</i> 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**

<i>Action/Activity</i>	<i>Fee</i>
<b>PLANNING ENTITLEMENT FEES</b>	
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%)



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**Table 13.5-9: Fee Analysis**

<i>Action/Activity</i>	<i>Fee</i>
Architectural Review <ul style="list-style-type: none"> <li>- Over the Counter</li> <li>- Single Family (that require a Development Review Hearing)</li> <li>- New development - Non-SFR</li> <li>- Design Consultant Review</li> </ul>	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
<b>BUILDING PERMIT FEES</b>	
<b>Single-Family/Duplex/ADU Residential Scaled Permit Fee</b>	
<b>Plan Check</b> <u>Project Size</u> 1 to 250 sq. ft.	\$656.55 +Technology Fee (3.37%)
251 to 1,000 sq. ft. <ul style="list-style-type: none"> <li>- First 250 sq. ft.</li> <li>- Each additional 100 sq. ft. or fraction thereof</li> </ul>	\$656.55 + Technology Fee (3.37%) \$262.62 + Technology Fee (3.37%)
1,001 to 3,000 sq. ft. <ul style="list-style-type: none"> <li>- First 1,000 sq. ft.</li> <li>- Each additional 100 sq. ft. or fraction thereof</li> </ul>	\$2,626.23 + Technology Fee (3.37%) \$131.31 + Technology Fee (3.37%)
3,001 to + <ul style="list-style-type: none"> <li>- First 3,000 sq. ft.</li> <li>- Each additional 100 sq. ft. or fraction thereof</li> </ul>	\$5,252.45 + Technology Fee (3.37%) \$65.66 + Technology Fee (3.37%)
<b>Inspection</b> <u>Project Size</u> 1 to 250 sq. ft.	\$737.10
251 to 1,000 sq. ft. <ul style="list-style-type: none"> <li>- First 250 sq. ft.</li> <li>- Each additional 100 sq. ft. or fraction thereof</li> </ul>	\$737.10 \$226.05
1,001 to 3,000 sq. ft. <ul style="list-style-type: none"> <li>- First 1,000 sq. ft.</li> <li>- Each additional 100 sq. ft. or fraction thereof</li> </ul>	\$2,432.42 \$191.64
3,001 to + <ul style="list-style-type: none"> <li>- First 3,000 sq. ft.</li> <li>- Each additional 100 sq. ft. or fraction thereof</li> </ul>	\$6,265.31 \$95.82

Table 13.5-9: Fee Analysis

Action/Activity	Fee
<b>Commercial/Multi-Family/Industrial Scaled Permit Fee</b>	
<b>Plan Check</b>	
<u>Project Valuation</u>	
\$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%)
<b>Inspection Permit</b>	
\$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%)





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**Table 13.5-9: Fee Analysis**

<i>Action/Activity</i>	<i>Fee</i>
- 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
<b>Plan Review Fees</b>	
Plan Review Fee (including building, mechanical, electrical & plumbing)	75% of building permit fee
Title 24 Energy Conservation Plan Review	20% of building permit fee
<b>3-B Electrical Permit Fees</b>	
Minimum Permit Fee	\$209 + Technology Fee (3.37%)
Permit Issuance	\$87 + Technology Fee (3.37%)
System Fee Schedule	
New Buildings or Alterations	
- Residential (per sq ft.)	\$0.22/sq ft. + Technology Fee (3.37%) \$0.08/sq ft + Technology Fee (3.37%)

**Table 13.5-9: Fee Analysis**

<i>Action/Activity</i>	<i>Fee</i>
- New Garages, Carports and Accessory Buildings (per sq ft.)	
<b>3-C Mechanical Permit - New Buildings</b>	
Residential	\$0.08/sq ft. + Technology Fee (3.37%)
<b>3-C Plumbing Permit - New Buildings</b>	
Residential	\$0.08/sq ft. + Technology Fee (3.37%)
<b>3-G Grading Plan Review Fees</b>	
50 cubic yards or less	No Fee
51 to 100 cubic yards	\$329.00 + Technology Fee (3.37%)
101 to 1,000 cubic yards	\$875.00 + Technology Fee (3.37%)
1,001 to 10,000 cubic yards	\$1,312.00 + Technology Fee (3.37%)
10,001 to 100,000 cubic yards - base	\$2,188.00 + Technology Fee (3.37%)
Each additional 10,000 cubic yards	\$97.00 + Technology Fee (3.37%)
100,001 to 200,000 cubic yards - base	\$3,063.00 + Technology Fee (3.37%)
Each additional 10,000 cubic yards	\$219.00 + Technology Fee (3.37%)
200,001 cubic yards or more - base	\$5,252.00 + Technology Fee (3.37%)
Each additional 10,000 cubic yards	\$110 + Technology Fee (3.37%)
<b>3-H Grading Permit Fees</b>	
100 cubic yards or less	\$441.00 + Technology Fee (3.37%)
101 to 1,000 cubic yards - base	\$441.00 + Technology Fee (3.37%)
Each additional 100 cubic yards - base	\$73.00 + Technology Fee (3.37%)
1,001 to 10,000 cubic yards	\$1,106.00 + Technology Fee (3.37%)
Each additional 1,000 cubic yards	\$49.00 + Technology Fee (3.37%)
10,001 to 100,000 cubic yards - base	\$1,547.00 + Technology Fee (3.37%)
Each additional 10,000 cubic yards	\$196.00 + Technology Fee (3.37%)
100,001 cubic yards or more - base	\$3,316.00 + Technology Fee (3.37%)
Each additional 10,000 cubic yards	\$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**

<i>Action/Activity</i>	<i>Fee</i>
<b>DEVELOPMENT IMPACT FEES</b>	
Affordable Housing Fees For Sale <ul style="list-style-type: none"> <li>- Residential</li> <li>- Single Family Home</li> <li>- Townhome</li> <li>- Condominium</li> </ul>	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
Rental Residential Any tenure type	\$22.22/sq ft
Traffic Impact Fee <ul style="list-style-type: none"> <li>- Multi-family Residential</li> <li>- Single-family Residential</li> </ul>	\$566.27/dwelling unit \$1,274.11/dwelling unit
School Fee	\$4.08/sq ft
Park Fee <ul style="list-style-type: none"> <li>- Multi-family Residential</li> <li>- Single-family Residential</li> </ul>	\$30,659 - \$36,500 \$38,068 - \$45,320
<b>ELECTRIC UTILITY</b>	
Engineering Plan Check Electric, per sheet <ul style="list-style-type: none"> <li>- 1st - 3rd check</li> <li>- 4th and subsequent review</li> </ul>	\$292.48/sheet \$41.63/sheet
Time of Use Meter Installation - Residential	\$298.89/meter
<b>FIRE/STATE MANDATED</b>	
Building Plans <ul style="list-style-type: none"> <li>- 30% of Building Department Fee</li> <li>- Minimum: 3.5 hours</li> </ul>	\$756
Planning Application Review	\$865
Design Review/Consultation	\$216/hour
Miscellaneous Inspections/Plan Reviews	\$216/hour

**Table 13.5-9: Fee Analysis**

<i>Action/Activity</i>	<i>Fee</i>
<b>PUBLIC WORKS</b>	
Sanitary Sewer Outlet (choose the greatest)	
Residential - Single Family	
- Per unit	\$441.07/unit
- Per lot	\$1,658.38/lot
- Per acre	\$7,510.26/acre
Conveyance Fee	\$4,218/dwelling unit
Condo & Planned Unit Development	
- Per unit	\$441.07/unit
- Per acre	\$7,510.26/acre
Conveyance Fee	\$4,218/dwelling unit
Recreation Tax (Bedroom) New Construction Permit	
- First bedroom	\$15
- Each additional	\$5/bedroom
Project Clearance Committee Review:	
- Preliminary application	\$861.44
- Architectural review	\$861.44
Cost Analysis for Development	
- Minor (ADU, SFR, Up to 4 Residential Units)	\$416.31
- Major	\$1,011.95
Engineering Plan Review - Initial Review	
- First three (3) reviews	\$168/sheet
- Fourth and subsequent review	\$34/sheet
<b>WATER/SEWER</b>	
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 they are about \$525 per square foot for a 5,000 square foot home. 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 were \$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 costs in most 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 a bit 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.



# 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 sites for future housing development and evaluation of the ability of these sites to accommodate the City's share of regional housing needs, as determined by the Association of Bay Area Governments (ABAG). Santa Clara is a highly urbanized community that has very little vacant, uncommitted land for new development. Additional residential growth will occur on as limited infill and via redevelopment of properties with development capacity within Specific Plan areas. 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 law requires that every city and county have properties appropriately zoned to accommodate their fair share of regional housing need. To determine whether a jurisdiction has sufficient land to accommodate its share of regional housing needs for all income groups, that jurisdiction must identify "adequate sites." Under State law (California Government Code §65583[c][1]), adequate sites are those with appropriate zoning and development standards to facilitate and encourage the development of a variety of housing types suitable for all income levels.

The share for the ABAG region is known as the Regional Housing Needs Allocation, or RHNA. 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. The California Department of Housing and Community Development (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. ABAG allocated this projected growth to the various cities and unincorporated county areas within the ABAG region, creating the RHNA. Santa Clara's RHNA for the 2023-2031 planning period is 11,632



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housing units, with the units distributed among the four income categories as shown in Table 13.6-1. As illustrated in this chapter, Santa Clara has sufficient capacity under existing land use policy to meet its 2023-2031 RHNA obligations.

**Table 13.6-1 City of Santa Clara RHNA 2023-2031**

<i>Income Group</i>	<i>Income Category (% AMI)</i>	<i>RHNA (Housing Units)</i>	<i>Percentage of Total Housing Units</i>
Very Low	<50%	2,872	25%
Low	50-80%	1,653	14%
Moderate	80-120%	1,981	17%
Above Moderate	>120%	5,126	44%
<b>Total</b>		<b>11,632</b>	<b>100%</b>

*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 considers 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 Housing Element planning period of 2023 to 2031, jurisdictions may count units approved, proposed, or under construction that are anticipated to be complete (have a Certificate of Occupancy) after June 30, 2022.

Proposed and approved residential development projects credited toward the RHNA include a variety of affordable and market rate projects in various stages of the development process. Many of these projects are concentrated within Specific Plan areas and along major thoroughfares. A total of 12,712 units from the following approved and proposed project list are expected to be completed within the planning period.

Approved and proposed projects are credited toward the RHNA based on the affordability and unit count of the development. Combined, these pipeline projects can accommodate 12,712 total units as shown in Table 13.6-2. Although there is a surplus of above moderate units, the City has a remaining RHNA of 1,033 moderate-income units and 3,698 lower-income units to be addressed through ADU projections and site identification.

**Approved Projects**

Approved projects have been reviewed for compliance with applicable Codes and regulations and have received planning entitlement approval. Projects will proceed through the building permit application review, issuance, and construction process within the planning period.

**Projects Under Construction**

These projects are under construction, with anticipated completion and occupancy permits to be finalized after June 30, 2022.

**Pending/Under Review Projects**

Approved projects have been reviewed for compliance with applicable Codes and regulations and have received planning entitlement approval. Projects will proceed through the building permit application review, issuance, and construction process within the planning period.



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Table 13.6-2 Approved and Proposed Projects

Project	Status	Total Units	Affordability Category			
			Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate Above 120% AMI
<b>RHNA</b>		<b>11,632</b>	<b>2,872</b>	<b>1,653</b>	<b>1,981</b>	<b>5,126</b>
Lawrence Expressway (Westlake Urban)	Approved	328	-	-	-	328
Kifer Road (Summerhill)	Under Construction	988	-	10	90	888
Corvin Drive (Toll Brothers)	Under Construction	38	-	-	4	34
2343 Calle Del Mundo (Summerhill)	Approved	347	-	-	42	305
5123 Calle Del Sol (Ensemble)	Approved	503	-	-	60	443
2200 Calle De Luna (Holland)	Approved	580	-	-	70	510
2300 Calle De Luna (Related)	Approved	700	-	-	84	616
2302/2310 Calle Del Mundo (Ensemble)	Approved	150	-	-	18	132
2233 Calle Del Mundo (St. Anton)	Under Construction	196	-	-	24	172
5185 Lafayette (Ensemble)	Approved	271	-	-	33	238
2263 Calle Del Mundo (Ensemble)	Approved	316	-	-	38	278
2101 Tasman Drive (Related)	Proposed	950	-	-	114	836
2354 Calle Del Mundo (Ensemble)	Approved	89	-	-	11	78
2225 Calle de Luna & 2232 Calle del Mundo (Greystar)	Approved	371	-	-	45	326
Sares Regis	Pre-Application <sup>1</sup>	800	40	40	40	680
Pactron/Summerhill	Proposed	300	15	15	15	255
Walnut Hill	Proposed	416	21	21	21	354
3905 Freedom Circle Mixed-Use Project (Greystar)	Approved	1,075	54	54	54	914
950 Monroe Street Mixed-Use Project	Proposed	61	-	4	5	52
Villa Bella Residential Project	Under Construction	56	-	4	4	48
2855 El Camino Real Project	Proposed	88	65	-	-	23
3035 El Camino Real Residential Project	Under Construction	48	-	-	4	44
Clara Gardens - 3550 El Camino Real	Approved	120	120	-	-	-

**Table 13.6-2 Approved and Proposed Projects**

<i>Project</i>	<i>Status</i>	<i>Total Units</i>	<i>Affordability Category</i>			
			<i>Very Low 30-50% AMI</i>	<i>Low 51-80% AMI</i>	<i>Moderate 81-120% AMI</i>	<i>Above Moderate Above 120% AMI</i>
<b>RHNA</b>		<b>11,632</b>	<b>2,872</b>	<b>1,653</b>	<b>1,981</b>	<b>5,126</b>
1530-1540 Pomeroy Avenue	Approved	8	-	-	-	8
The Meridian	Approved	59	-	59	-	-
Gateway Crossings (Hunter/Storm) - Phase 1	Approved	725	-	37	36	652
Gateway Crossings (Hunter/Storm) - Phase 2	Proposed	840	-	42	42	756
Related Santa Clara	Approved	1,680	-	-	70	1,610
2330 Monroe Street Affordable Housing Project (Freebird)	Approved	65	48	16	-	1
Agrihood Mixed-Use Development Project	Approved	361	109	54	18	180
Laguna Clara II Development Project (Equity)	Approved	183	-	-	9	174
<b>Total</b>		<b>12,712</b>	<b>472</b>	<b>356</b>	<b>948</b>	<b>10,936</b>

*Note(s): 1 Anticipated to have an application into the City by December 2022. Source(s): City of Santa Clara, June 2022.*

*Source(s): City of Santa Clara, June 2022.*

**Table 13.6-3 Remaining RHNA – After Approved and Proposed Projects**

	<i>Total Units</i>	<i>Affordability Category</i>			
		<i>Very Low 30-50% AMI</i>	<i>Low 51-80% AMI</i>	<i>Moderate 81-120% AMI</i>	<i>Above Moderate Above 120% AMI</i>
Total RHNA	11,632	2,872	1,653	1,981	5,126
Total Units – Approved and Proposed Projects	12,712	472	356	948	10,936
<b>Remaining RHNA</b>	<b>-</b>	<b>2,400</b>	<b>1,297</b>	<b>1,033</b>	<b>-</b>
<i>(Surplus)</i>	<i>(1,080)</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>(5,810)</i>

*Source(s): City of Santa Clara, June 2022.*





## **Sites Inventory Methodology and Assumptions**

### **Default Density Assumptions**

State law has established “default densities” that are considered sufficient to provide market-based incentives for the development of housing for lower-income households. For jurisdictions such as Santa Clara that have a population greater than 25,000 and are located within a Metropolitan Statistical Area (MSA) with a population of more than two million, the default density is 30 dwelling units per acre (or higher). This default standard applies equally to communities with higher residential property values (such as San Francisco or Cupertino).

The Santa Clara General Plan (adopted in 2010) identifies many areas appropriate for higher density residential and mixed-use development. A discussion of density assumptions and the affordability level of sites is included below.

### **Site Suitability and Lot Consolidation**

Consistent with Housing Element law (Assembly Bill 1397) related to the suitability of small and large sites, the lower-income sites inventory is limited to sites 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 28 parcels included in the sites inventory with a size under 0.5 acres. 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-income category to account for a potential variety of types, sizes, and amenity levels in future higher-density development projects. No sites in the inventory are larger than 10 acres. Although many of the parcels identified as site are adjacent to one another, no lot consolidation is assumed.

### **Realistic Capacity and Development Potential**

AB 1397 outlines criteria for the assessment of non-vacant sites. Sites must not only be suitable for housing but “realistic and demonstrate potential for redevelopment during the planning period”. If non-vacant sites accommodate half or more of the lower-income need, which it does in Santa Clara, the Housing Element must present “substantial evidence” that the existing use does not constitute an impediment for additional residential use on the site. Due to the built-out nature of Santa Clara, all sites identified have existing uses on them.

All sites are within Specific Plan areas and have been 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 adopted Specific Plans were City-led initiatives. All sites within the Specific Plans 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, “ripeness” for redevelopment, and potential for housing production.

To create a more conservative estimate of housing affordability, realistic capacities have been calculated based on minimum densities established per each Specific Plan’s land use designations. Most Specific Plan land use designations do not allow stand-alone nonresidential development. See Table 13.6-7 for details and minimum densities used to calculate realistic capacity. Further discussion regarding development trends and mixed-use developments in Santa Clara follow in site selection sections below. Using the minimum densities enhances the recommended buffer to accommodate the lower-income RHNA.

### **Re-use of Sites**

AB 1397 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 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 are subject to the reuse provisions of AB 1397.

### **Densities Appropriate for Accommodating Lower-Income Housing**

Per Government Code Section 65583.2(c)(3), sites that allow development densities of at least 30 units per acre are credited toward the lower-income RHNA. The 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 as appropriate for accommodating the jurisdiction’s share of regional housing need for lower-income households. All sites included in this inventory, with the exception of four parcels, have density standards of 30 units per acre or higher. Those four parcels, located within the Lawrence Station Area Plan, are credited toward the moderate-income category.

To create a more conservative estimate of affordability for the City, sites that can qualify for 100 percent affordable units based on the allowed density are split among the very low-, low-, and moderate-income categories 50 percent, 25 percent, and 25 percent, respectively.



## 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 pipeline projects, includes accessory dwelling unit (ADU) projections and vacant and underutilized sites within Specific Plan areas zoned for high-density residential and mixed-use development. 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 13.6-3 summarizes the sites inventory.

**Table 13.6-4 Sites to Meet the RHNA**

Site	Capacity	Affordability Category			
		Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate > 120% AMI
<b>RHNA</b>	<b>11,632</b>	<b>2,872</b>	<b>1,653</b>	<b>1,981</b>	<b>5,126</b>
ADU Projections	340	102	102	102	34
Patrick Henry Drive Specific Plan	4,241	2,048	1,028	1,165	-
Lawrence Station Area Plan	1,328	636	320	372	-
Tasman East Specific Plan	694	334	166	194	-
<b>Total</b>	<b>6,603</b>	<b>3,120</b>	<b>1,616</b>	<b>1,833</b>	<b>34</b>

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

**Table 13.6-5 RHNA Surplus**

<i>Site</i>	<i>Total Units/ Capacity</i>	<i>Affordability Category</i>			
		<i>Very Low 30-50% AMI</i>	<i>Low 51-80% AMI</i>	<i>Moderate 81-120% AMI</i>	<i>Above Moderate &gt; 120% AMI</i>
Total Units – Approved and Proposed Projects	12,712	472	356	948	10,936
Total ADU Projections	340	102	102	102	34
Total Capacity – Specific Plan Sites	6,263	3,018	1,514	1,731	-
<b>Total RHNA</b>	<b>11,632</b>	<b>2,872</b>	<b>1,653</b>	<b>1,981</b>	<b>5,126</b>
<b><i>RHNA Surplus</i></b>	<b><i>(7,683)</i></b>	<b><i>(720)</i></b>	<b><i>(319)</i></b>	<b><i>(800)</i></b>	<b><i>(5,844)</i></b>

Source(s): City of Santa Clara, June 2022.

## ADU Projections

Since 2017, the State legislature has passed a series of laws that significantly increase the potential for 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). This represents a 152 percent increase in ADU production in Santa Clara between 2018 and 2021. 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 COVID-19 pandemic and other events of 2020. In 2021, 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.



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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 43 ADUs per year will be constructed throughout the planning period. This reflects the average number of building permits issued for ADUs between 2018 and 2021. Given the anticipated increase in ADUs over the near term, this is a conservative estimate.
- A total of 340 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<sup>1</sup>.

### 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 13.6-4. 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 Focus Area 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

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<sup>1</sup> 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.



self-sufficient, with easy access to retail, services, and public amenities. Focus area 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 Focus Area Plan was adopted in June 2022, while preparation of this sixth cycle Housing Element was well underway. The estimated buildout for that area is not regulatory, and thus was not included in this sites inventory. However, properties within that planning area could become available throughout the planning period to guard against no net loss of affordable housing sites.

**Table 13.6-6 2010-2035 General Plan Focus Areas**

<i>2010-2035 General Plan Focus Area</i>	<i>Related Planning Effort</i>	<i>Status</i>
<b>Existing</b>		
Downtown Focus Area	Downtown Precise Plan	Administrative Draft, May 2022
Santa Clara Station Focus Area	None	
Stevens Creek Boulevard Focus Area	None	
El Camino Real Focus Area	El Camino Real Specific Plan	
Lawrence Station Focus Area	Lawrence Station Area Plan	Adopted, Nov. 2016
Tasman East Focus Area	Tasman East Specific Plan	Adopted, Nov. 2018; Revised, Nov. 2020
Great America Parkway Focus Area	Patrick Henry Drive Specific Plan	Adopted, Mar. 2022
Freedom Circle Focus Area	Freedom Circle Focus Area Plan	Adopted, June 2022
<b>Future</b>		
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.*

### **Development Trends in Santa Clara**

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 approved and constructed projects in Table 13.6-5 show examples of high density development and interest coming in well above the minimum densities. To create a more conservative estimate



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of housing affordability, realistic capacity in this 6<sup>th</sup> cycle sites inventory has been calculated based on minimum densities established per each parcel's Specific Plan land use designation.

**Table 13.6-7 Projects in Specific Plan Areas**

<i>Project Name</i>	<i>Zoning</i>	<i>Density Range (du/ac)</i>	<i>Acres</i>	<i># of Units</i>	<i>Actual Density</i>	<i>Status</i>	<i>Included in 6<sup>th</sup> Cycle</i>	<i>Realistic Capacity (du/ac)</i>
<b>Lawrence Station Area Plan</b>								
2904 Corvin Drive (Corvin Supportive Housing)	Very High Density Residential	51 to 100	1.08	145	134	Recently Constructed and Currently Occupied <sup>2</sup>	No	55
<b>Tasman East Specific Plan</b>								
2233 Calle Del Mundo (St. Anton)	Transit Neighborhood	100 to 350	1.22	196	161	Under Construction <sup>3</sup>	Yes, Pipeline Project	122
2302/2310 Calle Del Mundo (Ensemble)	Transit Neighborhood	60 to 350	0.77	150	195	Approved <sup>4</sup>	Yes, Pipeline Project	46

Source(s): City of Santa Clara, 2022.

### 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, 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 developments, site size and location (near transit, major corridors, and highways), and recent development trends in the immediate area. The inclusion of nonresidential uses within mixed-use developments complements a transit-oriented neighborhood and will not affect the potential capacity on site. These factors demonstrate a very high probability that the identified units will be developed even in zones that currently allow nonresidential uses.

Many parcels included in this sixth cycle sites inventory have zoning that allows nonresidential uses in the form of mixed-use developments, but only one land use designation/zone district allows stand-alone nonresidential development.<sup>5</sup> This land use policy illustrates the City's commitment to incentivizing mixed-use districts and higher-density, transit-oriented residential

<sup>2</sup> Development Plans approved in July 2018.

<sup>3</sup> Development Plans approved in Feb 2020.

<sup>4</sup> Development Plans approved in Jan 2020 and building permit has been recently issued.

<sup>5</sup> 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.

development that addresses many goals: meeting the region's housing needs, putting 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 approved and proposed projects in Table 13.6-2), with 6,336 total units distributed among the four income categories as shown in Table 13.6-3. 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 delay development. Table 13.6-7 provides an overview of this Housing Elements Specific Plan sites and their respective 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.
- No land use designation in the Tasman East Specific Plan or Lawrence Station Area Plan areas allows for stand-alone nonresidential uses.



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- The City has financial resources available to support the development of affordable housing.

### ***Affordability Requirements***

- All developments in the Tasman East Specific Plan and Lawrence Station Area Plan areas adhere 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.
- In recognition of the conversion of employment uses to residential land, the Patrick Henry Specific Plan calls for a higher level of affordability than is required by ordinance. Affordable housing requirements for the Patrick Henry Specific Plan 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).
- 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.

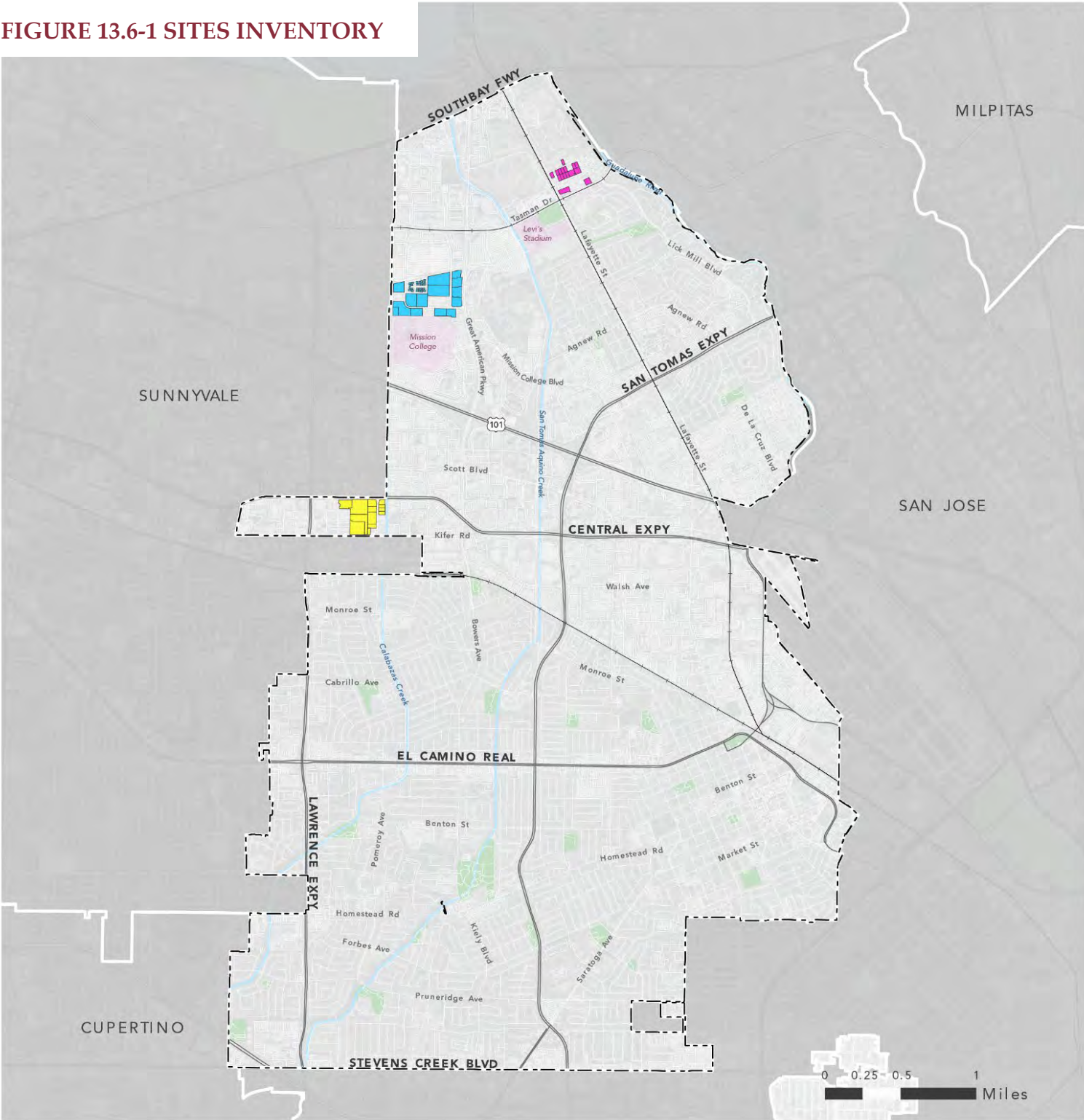
**Table 13.6-8 Specific Plan Sites Overview**

<i>Land Use Designation</i>	<i>Number of Sites/Parcels</i>	<i>Min./Max. Density</i>	<i>Acreage</i>	<i>% of Acreage</i>	<i>Realistic Capacity</i>	<i>% of Realistic Capacity</i>
<b>Patrick Henry Drive Specific Plan</b>						
Very High Density Residential	2	51 to 99	9.6			
Village Residential	26	60 to 149	2.3			
High Density Flex	4	60 to 149	6.7			
Urban Village	6	100 to 149	10.3			
Urban Center	2	120 to 250	19.5			
<i>Patrick Henry Drive Specific Plan Subtotal</i>	<i>40</i>		<i>48.3</i>	<i>55%</i>	<i>4,241</i>	<i>68%</i>
<b>Lawrence Station Area Plan</b>						
Low Density Residential	0	8 to 19	-			
Medium Density Residential	4	20 to 36	2.6			
High Density Residential	2	37 to 50	8.2			
Very High Density Residential	7	51 to 100	19.1			
<i>Lawrence Station Area Plan Subtotal</i>	<i>13</i>		<i>29.9</i>	<i>34%</i>	<i>1,328</i>	<i>21%</i>
<b>Tasman East Specific Plan</b>						
Transit Neighborhood (parcels less than 1 acre)	15	60 to 350	7.5			
Transit Neighborhood (parcels equal to or greater than 1 acre)	2	100 to 350	2.4			
<i>Tasman East Specific Plan Subtotal</i>	<i>17</i>		<i>9.9</i>	<i>11%</i>	<i>694</i>	<i>11%</i>
<b>Total</b>	<b>70</b>		<b>88.1</b>	<b>100%</b>	<b>6,263</b>	<b>100%</b>

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.



FIGURE 13.6-1 SITES INVENTORY



City of Santa Clara  
Sites Inventory

LEGEND

Specific Plan Sites

- Lawrence Station Area Plan Sites
- Patrick Henry Drive Specific Plan Sites
- Tasman East Specific Plan Sites

Basemap Features

- City Boundary
- Major Roads and Highways
- Railways
- Parks and Open Space
- Rivers and Waterbodies
- Major Destinations

Source(s): Esri, County of Santa Clara OpenData 2022,  
City of Santa Clara 2022.

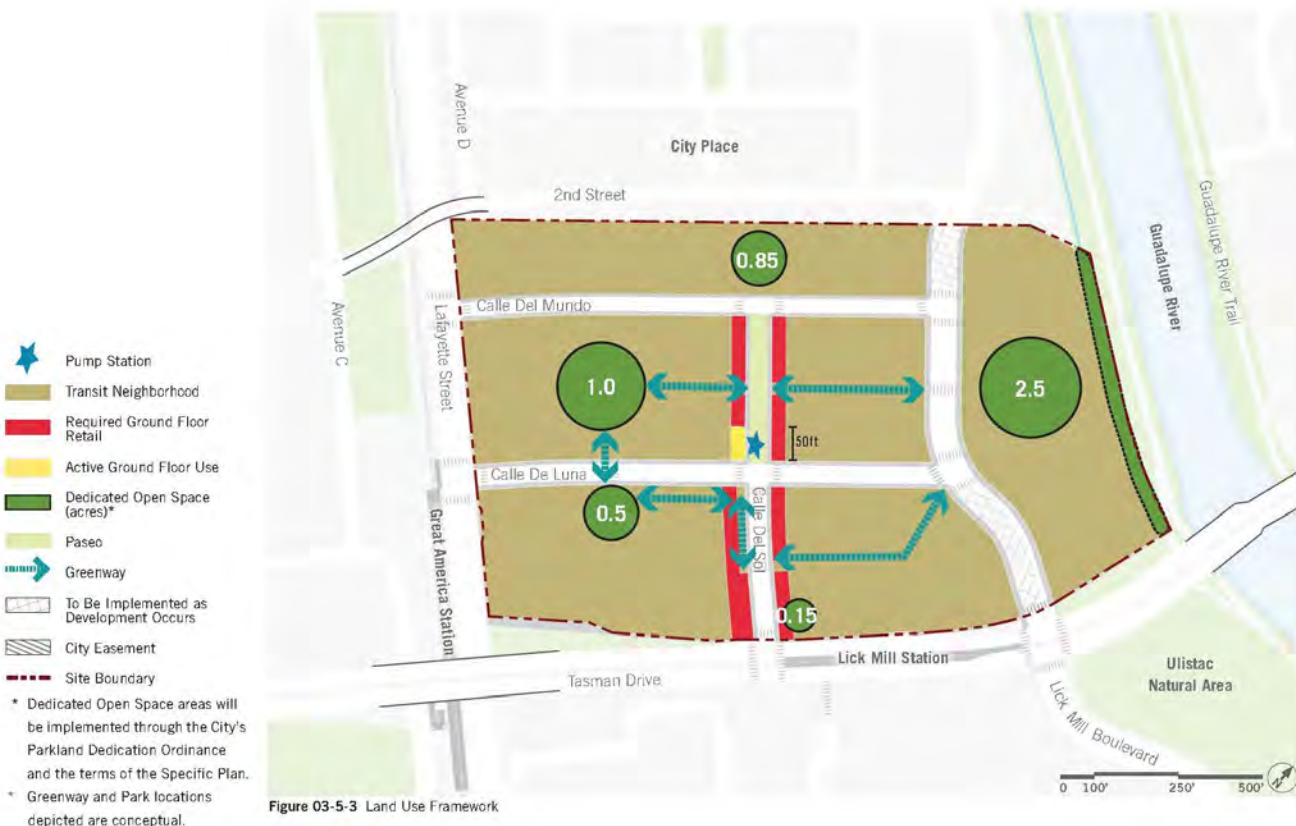
### Tasman East Specific Plan

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 occur by 2038. 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, on 31 acres, have been re-developed from a mix of light industrial and business park uses to a high density residential neighborhood with a mix of uses at the ground floor. Eleven projects within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. The areas' remaining parcels, on 10 acres, have been identified as sites and remain to be re-developed.

Assuming the minimum permitted densities, on a parcel-level, the remaining Tasman East Specific Plan area sites identified in this Housing Element can accommodate a total of 694 units. Table 13.6-7 provides a detailed list of the Tasman East Specific Plan sites, including assumed affordability.

**FIGURE 13.6-2: TASMAN EAST SPECIFIC PLAN LAND USE DIAGRAM**





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**Table 13.6-9 Tasman East Specific Plan Sites**

APN	Zone District	Density (du/ac)	Acreage	Realistic Capacity	Affordability Category			
					Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate Above 120% AMI
RHNA				11,632	2,872	1,653	1,981	5,126
097-46-022	Transit Neighborhood	60 to 350	0.1	5	-	-	5	-
097-05-111	Transit Neighborhood	60 to 350	0.4	23	-	-	23	-
097-46-003	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-004	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-005	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-006	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-007	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-008	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-009	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-010	Transit Neighborhood	60 to 350	0.5	28	14	7	7	-
097-46-025	Transit Neighborhood	60 to 350	0.5	29	15	7	7	-
097-46-026	Transit Neighborhood	60 to 350	0.5	29	15	7	7	-
097-46-001	Transit Neighborhood	60 to 350	0.5	31	15	8	8	-

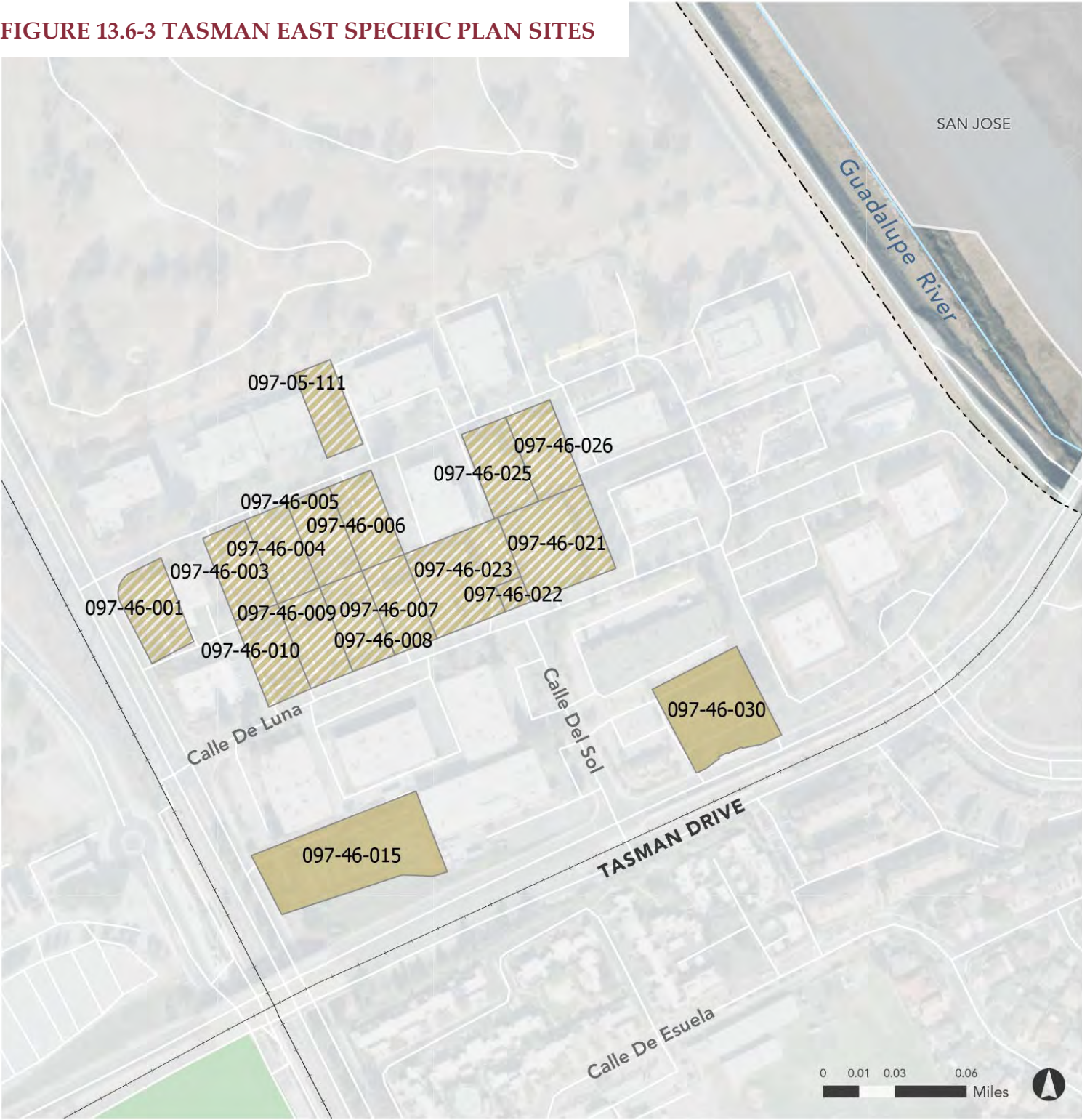
Table 13.6-9 Tasman East Specific Plan Sites

APN	Zone District	Density (du/ac)	Acreage	Realistic Capacity	Affordability Category			
					Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate Above 120% AMI
RHNA				11,632	2,872	1,653	1,981	5,126
097-46-021	Transit Neighborhood	60 to 350	0.9	56	28	14	14	-
097-46-023	Transit Neighborhood	60 to 350	0.9	56	28	14	14	-
097-46-030	Transit Neighborhood	100 to 350	1.0	100	50	25	25	-
097-46-015	Transit Neighborhood	100 to 350	1.4	141	71	35	35	-
Total			9.9	694	334	166	194	-

Source(s): City of Santa Clara, June 2022.



FIGURE 13.6-3 TASMAN EAST SPECIFIC PLAN SITES



## City of Santa Clara

### Tasman East Specific Plan Sites

#### LEGEND

##### Specific Plan Sites

-  Transit Neighborhood  
parcels less than 1 acre  
(60 to 350 du/ac)
-  Transit Neighborhood  
parcels equal to or greater than 1 acre  
(100 to 350 du/ac)

##### Basemap Features

-  City Boundary
-  Major Roads and Highways
-  Railways
-  Parks and Open Space
-  Rivers and Waterbodies
-  Major Destinations

Source(s): Esri, County of Santa Clara OpenData 2022,  
City of Santa Clara 2022.



### 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. Residential uses have replaced the areas original uses: one- and two-story buildings, generally occupied by light industrial (including manufacturing and warehousing uses), office (including R&D and data centers), and various other commercial uses. Originally approved for the development of 3,500 residential units, 13 parcels, on approximately 30 acres, remain to be developed and are included in this Housing Element's site selection.

Assuming the minimum permitted densities, on a parcel-level, the remaining Lawrence Station Area Plan sites identified in this Housing Element can accommodate a total of 1,400 units. Table 13.6-8 provides a detailed list of the Lawrence Station Area Plan sites, including assumed affordability.

**FIGURE 13.6-4: LAWRENCE STATION AREA PLAN LAND USE DIAGRAM**





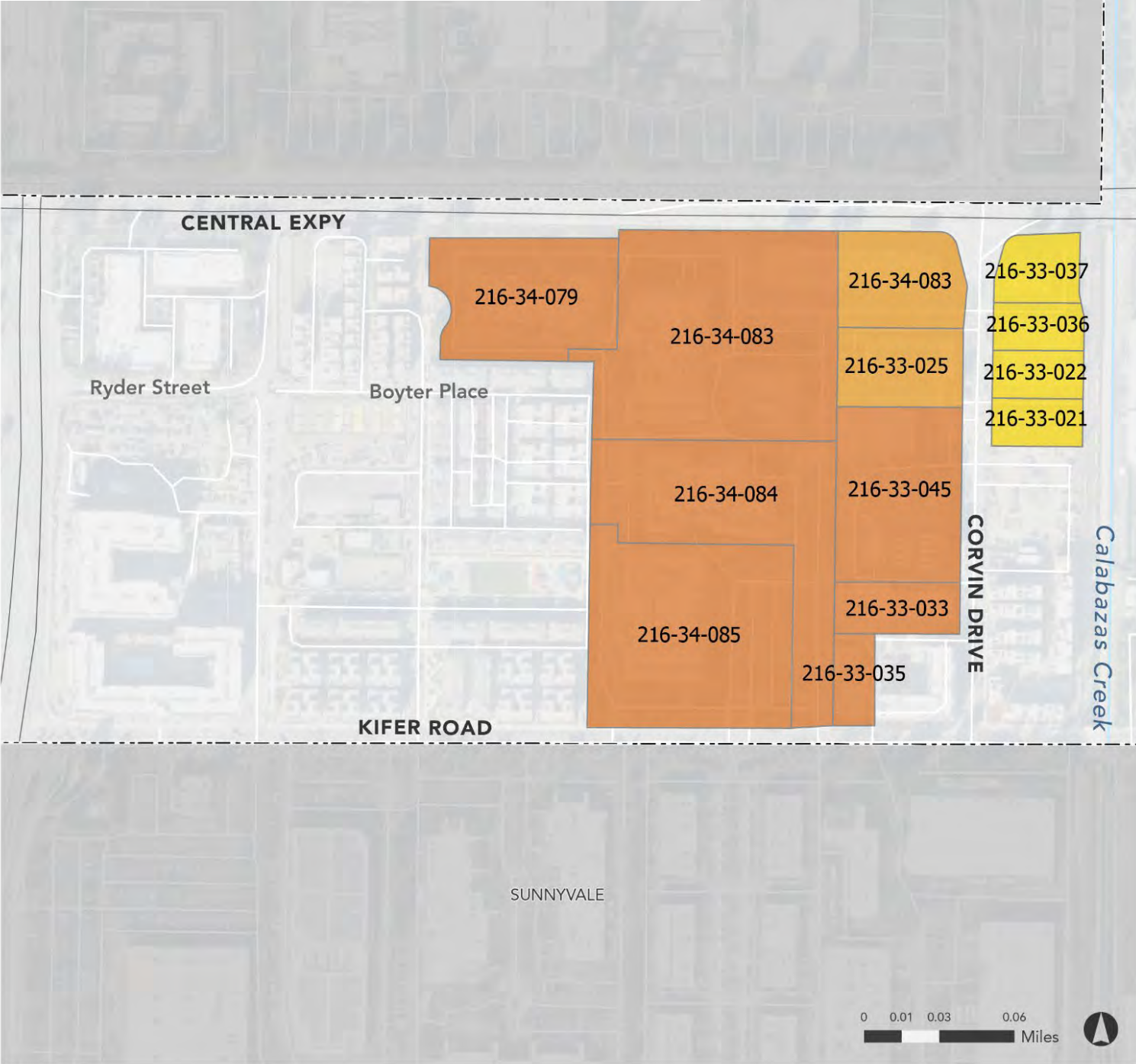
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**Table 13.6-10 Lawrence Station Area Plan Sites**

APN	Zone District	Density (du/ac)	Acreage	Realistic Capacity	Affordability Category			
					Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate Above 120% AMI
RHNA				11,632	2,872	1,653	1,981	5,126
216-33-025	High Density Residential	37 to 50	1.4	51	25	13	13	-
216-34-083	High Density Residential	37 to 50	6.8	252	126	63	63	-
216-33-036	Medium Density Residential	20 to 36	0.6	12	-	-	12	-
216-33-021	Medium Density Residential	20 to 36	0.6	12	-	-	12	-
216-33-022	Medium Density Residential	20 to 36	0.6	12	-	-	12	-
216-33-037	Medium Density Residential	20 to 36	0.8	16	-	-	16	-
216-33-035	Very High Density Residential	51 to 100	0.5	27	13	7	7	-
216-33-033	Very High Density Residential	51 to 100	0.9	46	22	12	12	-
216-34-083	Very High Density Residential	51 to 100	1.7	86	42	22	22	-
216-34-079	Very High Density Residential	51 to 100	3.0	153	77	38	38	-
216-33-045	Very High Density Residential	51 to 100	3.1	157	79	39	39	-
216-34-084	Very High Density Residential	51 to 100	4.5	232	116	58	58	-
216-34-085	Very High Density Residential	51 to 100	5.3	272	136	68	68	-
Total			29.9	1,328	636	320	372	-

Source(s): City of Santa Clara, June 2022.

FIGURE 13.6-5 LAWRENCE STATION AREA PLAN SITES



City of Santa Clara  
Lawrence Station Area Plan Sites

LEGEND

Specific Plan Sites

- Low Density Residential (8 to 19 du/ac)
- Medium Density Residential (20 to 36 du/ac)
- High Density Residential (37 to 50 du/ac)
- Very High Density Residential (51 to 100 du/ac)

Basemap Features

- City Boundary
- Major Roads and Highways
- Railways
- Parks and Open Space
- Rivers and Waterbodies
- Major Destinations

0 0.01 0.03 0.06 Miles



Source(s): Esri, County of Santa Clara OpenData 2022, City of Santa Clara 2022.





### ***Patrick Henry Drive 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 other 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.

Assuming the minimum permitted densities, on a parcel-level, the Patrick Henry Drive Specific Plan sites identified in this Housing Element can accommodate a total of 4,242 units. Table 13.6-9 provides a detailed list of the Lawrence Station Area Plan sites, including assumed affordability.

### ***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, totaling 9.9 acres. Two of those parcels were excluded from the site inventory because they are small sites and publicly owned utility parcels.<sup>6</sup>

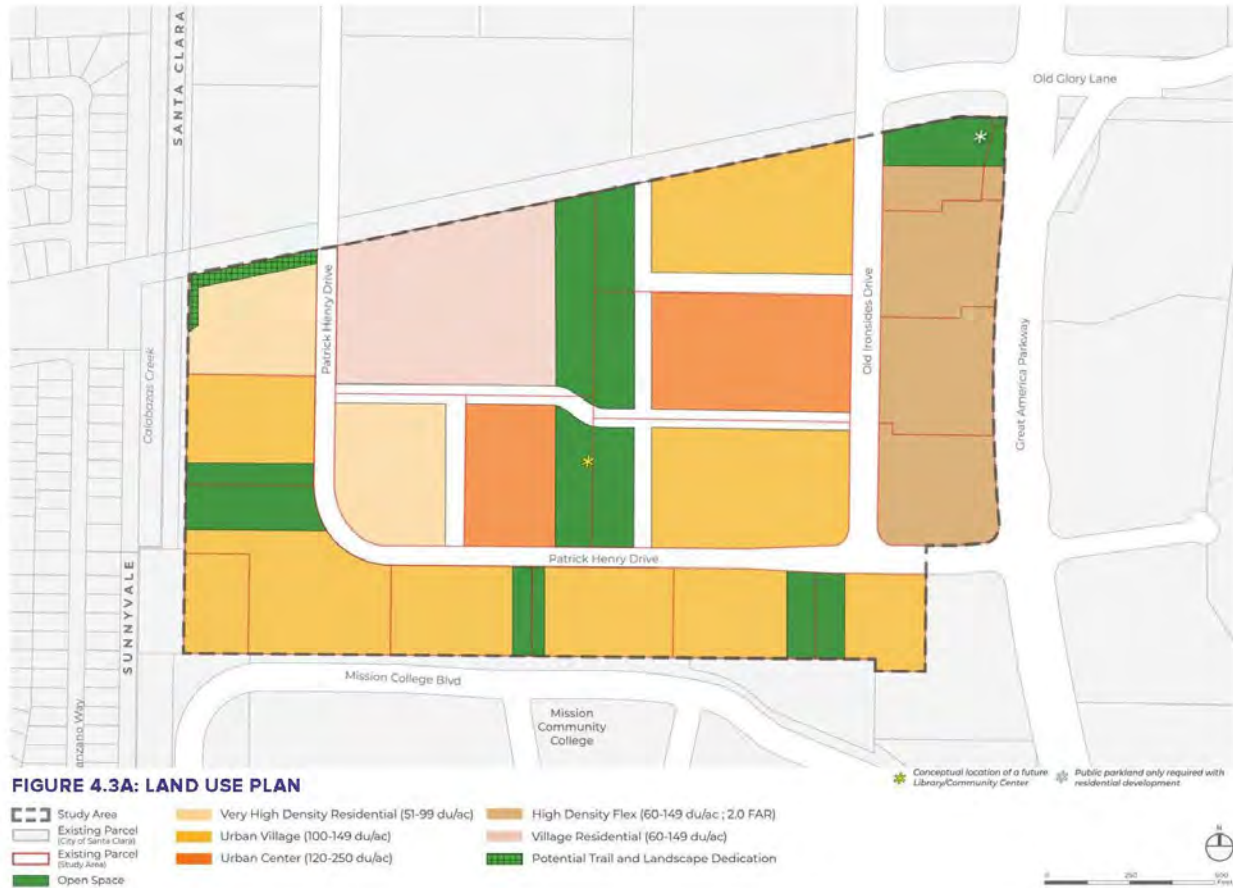
In the event that any of the four High Density Flex sites (totaling 9.6 total acres) develop with nonresidential uses only, the City will quantify at the time of approval the remaining unmet

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<sup>6</sup> Owned by the Santa Clara Valley Transportation Authority (VTA) and the City of Santa Clara. APNs 104-04-130 and 104-04-072, respectively.

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 13.6-6 PATRICK HENRY DRIVE SPECIFIC PLAN LAND USE DIAGRAM**







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**Table 13.6-11 Patrick Henry Drive Specific Plan Sites**

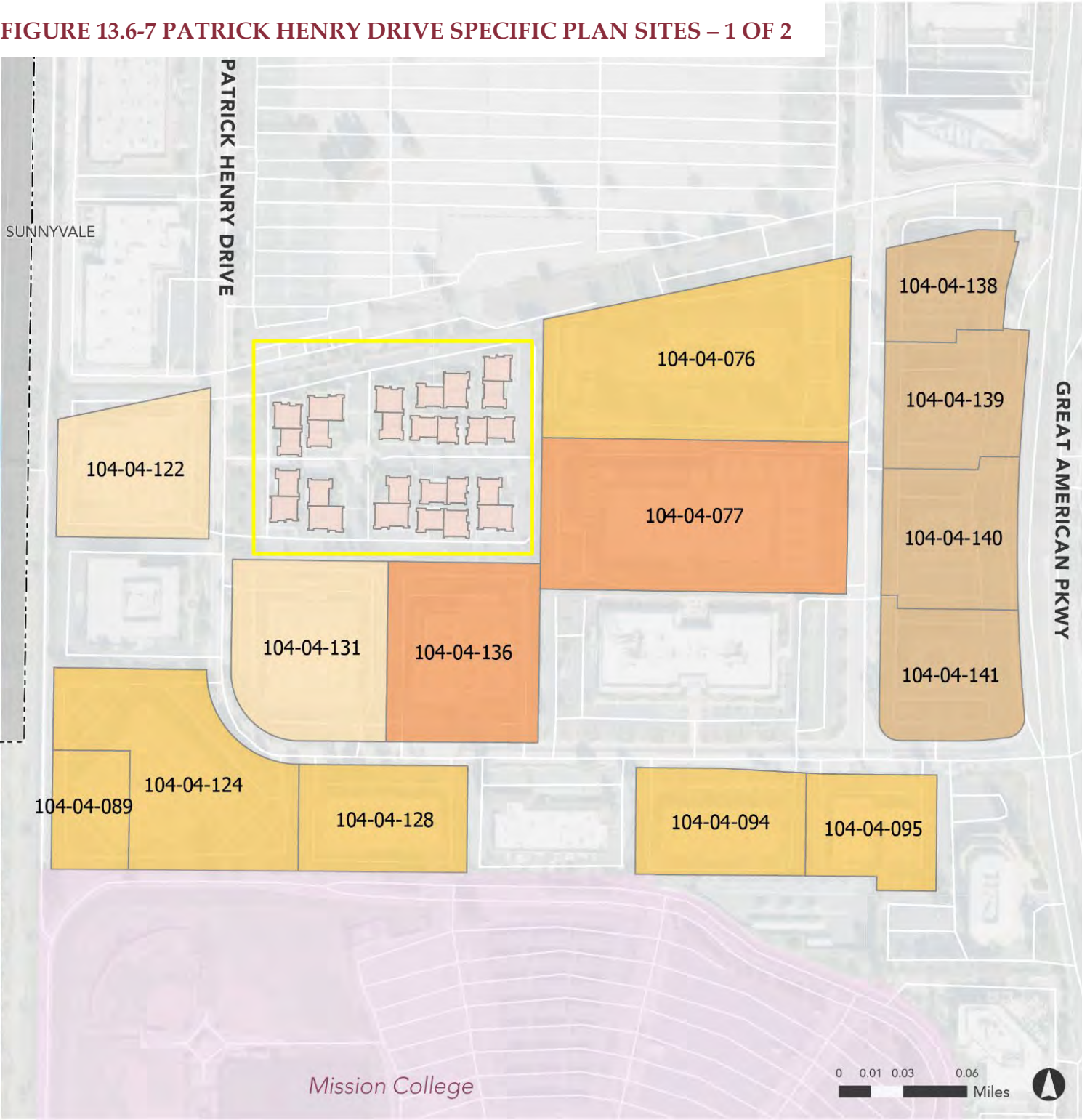
APN	Zone District	Density (du/ac)	Acreage	Total Capacity	Affordability Category			
					Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate Above 120% AMI
RHNA				11,632	2,872	1,653	1,981	5,126
104-04-138	High Density Flex	60 to 149	1.7	104	52	26	26	-
104-04-139	High Density Flex	60 to 149	2.5	152	76	38	38	-
104-04-141	High Density Flex	60 to 149	2.6	156	78	39	39	-
104-04-140	High Density Flex	60 to 149	2.7	162	80	41	41	-
104-04-136	Urban Center	120 to 250	3.8	458	228	115	115	-
104-04-077	Urban Center	120 to 250	6.5	780	390	195	195	-
104-04-089	Urban Village	100 to 149	1.3	129	65	32	32	-
104-04-095	Urban Village	100 to 149	2.0	198	98	50	50	-
104-04-094	Urban Village	100 to 149	2.5	252	126	63	63	-
104-04-128	Urban Village	100 to 149	2.5	252	126	63	63	-
104-04-124	Urban Village	100 to 149	4.7	468	234	117	117	-
104-04-076	Urban Village	100 to 149	6.5	654	326	164	164	-
104-04-122	Very High Density Residential	51 to 99	2.9	146	72	37	37	-
104-04-131	Very High Density Residential	51 to 99	3.8	193	97	48	48	-
104-53-009	Village Residential	60 to 149	0.1	4	-	-	4	-
104-53-010	Village Residential	60 to 149	0.1	4	-	-	4	-
104-53-019	Village Residential	60 to 149	0.1	4	-	-	4	-
104-53-004	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-007	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-008	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-011	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-012	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-013	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-014	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-015	Village Residential	60 to 149	0.1	5	-	-	5	-

Table 13.6-11 Patrick Henry Drive Specific Plan Sites

APN	Zone District	Density (du/ac)	Acreage	Total Capacity	Affordability Category			
					Very Low 30-50% AMI	Low 51-80% AMI	Moderate 81-120% AMI	Above Moderate Above 120% AMI
RHNA				11,632	2,872	1,653	1,981	5,126
104-53-016	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-017	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-018	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-020	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-023	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-001	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-003	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-006	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-022	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-026	Village Residential	60 to 149	0.1	5	-	-	5	-
104-53-002	Village Residential	60 to 149	0.1	7	-	-	7	-
104-53-005	Village Residential	60 to 149	0.1	7	-	-	7	-
104-53-021	Village Residential	60 to 149	0.1	7	-	-	7	-
104-53-024	Village Residential	60 to 149	0.1	7	-	-	7	-
104-53-025	Village Residential	60 to 149	0.1	7			7	-
Total			48.3	4,241	2,048	1,028	1,165	-

Source(s): City of Santa Clara, June 2022.

FIGURE 13.6-7 PATRICK HENRY DRIVE SPECIFIC PLAN SITES – 1 OF 2



City of Santa Clara  
Patrick Henry Drive Specific  
Plan Sites - 1 of 2

- LEGEND**
- Specific Plan Sites
- Very High Density Residential (51 to 99 du/ac)
  - Village Residential (60 to 149 du/ac)
  - High Density Flex (60 to 149 du/ac; 2.0 FAR)
  - Urban Village (100 to 149 du/ac)
  - Urban Center (120 to 250 du/ac)
- Basemap Features
- City Boundary
  - Major Roads and Highways
  - Railways
  - Parks and Open Space
  - Rivers and Waterbodies
  - Major Destinations

Source(s): Esri, County of Santa Clara OpenData 2022, City of Santa Clara 2022.



FIGURE 13.6-8 PATRICK HENRY DRIVE SPECIFIC PLAN SITES – 2 OF 2



# City of Santa Clara

## Patrick Henry Drive Specific Plan Sites - 2 of 2

### LEGEND

#### Specific Plan Sites

-  Very High Density Residential  
(51 to 99 du/ac)
-  Village Residential  
(60 to 149 du/ac)
-  High Density Flex  
(60 to 149 du/ac; 2.0 FAR)
-  Urban Village  
(100 to 149 du/ac)
-  Urban Center  
(120 to 250 du/ac)

#### Basemap Features

-  City Boundary
-  Major Roads and Highways
-  Railways
-  Parks and Open Space
-  Rivers and Waterbodies
-  Major Destinations



Source(s): Esri, County of Santa Clara OpenData 2022,  
City of Santa Clara 2022.



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HOUSING ELEMENT**

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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. 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.

### Goals and Policies

**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.



**Table 13.7-1: Goals and Policies**

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**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.

**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.

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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
Action 1	<u>Neighborhood Conservation Improvement Program (NCIP)</u> . 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	Provide and Promote Low-Income Owner Occupied Rehabilitation Grants and Loans Status: 2018-21: The Housing and Community Services division increased funding for this program over the past three years (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 has been updated and approved by the Loan Committee. The Housing and Community Services division is increasing funding for this program for 2018-2019 to assist more low income homeowners to improve the habitability, use and occupancy of owner-occupied housing. 2015-16: An NCIP Procedural Manual is annually updated and approved by the Loan Committee.	Program has assisted over 1,000 low income households	Continue, as is
Action 2	<u>Preservation of Assisted Rental Housing</u> . 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. 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.	Preserve Assisted Rental Housing at Chateau Apartments 2015 Status: Staff is considering adding a rehabilitation project for the Chateau Apartments to the City's Capital Improvements Plan Budget for FY 2017/2018.	On-going	Continue, with modification based on available funding



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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	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			
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 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	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 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	On-going	Continue, as is

Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
		<p>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.</p> <p>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.</p>		
Action 4	<p><u>Code Enforcement Program.</u></p> <p>Continue the multi-family residential housing inspection and educational programs.</p> <p>Aggressively respond to violations of housing codes.</p> <p>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</p>	<p>Maintain and Expand Inspection and Code Enforcement Status: 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.</p>	On-going	Continue, as is





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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	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			
Action 5	<u>Neighborhood Relations Program.</u> Improve the maintenance of student-occupied homes and behavior of the occupants to minimize impacts on the neighborhood surrounding 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	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 area. Meetings of all parties involved occur at least monthly.	On-going; SCU now requires freshman and sophomore students to live on campus, with some exceptions	Continue, as is
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	Comprehensive Zoning Ordinance Update 2015-21 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	Continue, as is

Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	(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		updated. The City is currently updated the Zoning Ordinance 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.	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



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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	Encourage developments that are transit-based or in close proximity to transit when determining City affordable housing funding decision priorities. 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	Continue, with modification
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.	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	The nexus studies have informed the Zoning Ordinance update	Completed

Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	Policy B-2, Policy B-3, B-5, B-6, B-7, Policy C-3, Policy D-1	is currently doing outreach with stakeholders and the wider community. 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	<p><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.</p> <p>As part of the comprehensive Zoning Ordinance update (to be completed by mid-2016), reconsider, and revise if appropriate, requirements for accessory units.</p> <p>Conduct an ongoing promotional program, including mailings to owners of single-family properties with adequate size for accessory living units.</p> <p>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.</p> <p>Encourage affordable, compatible one- and two-story additions for upgrading single-family homes.</p>	<p>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 A 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.</p> <p>Encourage One- and Two-Story Additions 2015-21 Status: Almost 100% of proposed additions are approved, subject to Architectural Review, where consistent with zoning district standards. Modifications are typically approved for reduced rear yard for single story additions.</p> <p>Expand very low and extremely low-income units by following types of developments 2015-17 Status: SRO units, Senior Housing, Family</p>	This program has been successful in increasing housing types	Continue, as is



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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	<p>Provide increased flexibility for houses built prior to the current zoning requirements.</p> <p>Continue to require the Residential Green Checklist as part of the permit submittals for residential construction.</p> <p>Policy A-3, Policy B-1, Policy B-3, Policy C-1, Policy C-3, Policy C-4, Policy D-1, Policy D-3</p>	<p>Housing, etc. Support can be in the form of City funds to variances based on SROs unique characteristics.</p> <p>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.</p> <p>Accessory Dwelling Units: The City now produces on the order of 50 ADUs/year, doubling the 2014 estimate.</p>		
Action 11	<p><u>Inclusionary Housing Policy.</u></p> <p>Continue to implement the Inclusionary Housing BMP and BMR programs.</p> <p>Annually monitor the effectiveness of the Inclusionary Housing Policy in expanding the housing supply and diversity in the community.</p> <p>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</p>	<p>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.</p>	<p>This policy has been applied successfully to housing development projects</p>	<p>Continue, with modification</p>
Action 12	<p><u>Affordable Housing Incentives.</u></p> <p>Encourage and assist in efforts to combine public and private funds in joint housing ventures.</p> <p>As appropriate, support and/or partner with housing developers in the application for affordable housing funding, such as providing technical data, assistance in identifying</p>	<p>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.</p>	<p>On-going</p>	<p>Continue, as is</p>



<i>Action</i>	<i>Program Title &amp; Objective</i>	<i>Achievements/Results</i>	<i>Evaluation</i>	<i>Recommendation</i>
	<p>available and appropriate sites, expediting review and processing of affordable housing, and providing local match as funding is available.</p> <p>Annually explore funding available at the regional, state, and federal levels for affordable housing development and programs.</p> <p>Continue to work with the Housing Authority of Santa Clara County to expand the Authority's ability to create low and moderate income housing.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Continue to pursue opportunities to acquire and rehabilitate existing multi-</p>			



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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	<p>family structures to be maintained as affordable rental housing.</p> <p>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.</p> <p>Identify situations of overcrowding and educate families of local housing programs.</p> <p>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.</p> <p>Continue to require the Residential Green Checklist as part of the permit submittals for residential construction.</p> <p>Consider, in 2015-2016, other feasible incentives to foster affordable housing development in the City. These may include fee deferral, reduction, or waivers.</p> <p>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</p>			
Action 13	<p><u>Housing Mitigation Fee.</u></p> <p>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.</p>	<p>Requirement of Housing Impact Fee Studies for the largest projects; Development of a Housing Impact Fee Program Status:</p> <p>2017-21: The City has adopted an Affordable Housing Ordinance, consisting of inclusionary on-site requirement for residential projects, impact</p>	On-going	Continue, as is

<i>Action</i>	<i>Program Title &amp; Objective</i>	<i>Achievements/Results</i>	<i>Evaluation</i>	<i>Recommendation</i>
	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	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.		
Action 14	<u>Affordable Housing Funding.</u> 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	Explore additional sources of funding for affordable housing, including a commercial linkage fee Status: 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 creation of both residential and commercial housing impact fees.	On-going	Continue, as is
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	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,		Continue, as is



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<i>Action</i>	<i>Program Title &amp; Objective</i>	<i>Achievements/Results</i>	<i>Evaluation</i>	<i>Recommendation</i>
	<p>programs and policies bi-annually for effectiveness.</p> <p>Policy B-4, Policy B-5, Policy C-1</p>	<p>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.</p> <p>Provide Relocation Assistance to Residents Displaced by Redevelopment 2015-17: With the closure of the RDA, the City is exploring funding streams, including housing linkage fees, for relocation assistance. The City actively encourages developers to provide advance notice and relocation assistance for displaced tenants.</p>		
Action 16	<p><u>Shared Housing.</u></p> <p>Continue to support programs designed to create shared housing arrangements for seniors, families and persons with disabilities (including developmental disabilities).</p> <p>Annually evaluate the need for shared housing services as part of the CDBG annual plan process.</p> <p>Policy B-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-2</p>	<p>Support Shared Living Facilities &amp; Operations 2015-21 Status: The City encourages shared housing arrangements and group living arrangements for special populations who are very low income.</p>	On-going	Continue, as is
Action 17	<p><u>Housing Choice Voucher Program.</u></p> <p>Continue to participate in and promote the Housing Choice Voucher Program.</p> <p>Encourage apartment owners to list properties with the Housing Authority for individual Housing Choice Vouchers.</p>	<p>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.</p>	On-going	Continue, as is

<i>Action</i>	<i>Program Title &amp; Objective</i>	<i>Achievements/Results</i>	<i>Evaluation</i>	<i>Recommendation</i>
	Policy B-1, Policy C-1, Policy C-2, Policy C-3, Policy D-1			
Action 18	<p><u>Homeownership for First-Time Buyers.</u></p> <p>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.</p> <p>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.</p> <p>Encourage program participation among moderate income households, as well as low income households, while interest rates are low.</p> <p>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.</p> <p>Policy B-1, Policy C-2, Policy D-1</p>	<p>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.</p>	On-going	Continue, with modification
Action 19	<p><u>Fair Housing Program.</u></p> <p>Continue to refer tenant-landlord complaints to an agency offering meditation.</p> <p>Provide referral services and promotional support to link those experiencing discrimination in housing with public or</p>	<p>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</p> <p>Provide Referral Services and Support for Discrimination Concerns 2015 Status: Provision of fair housing services by the City is essential to</p>	This has been an important resource that will continue to expand in outreach	Continue, with modification





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Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	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	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.		
Action 20	<u>Homeless Services.</u> Assist in funding locally administered programs that provide shelter, food and clothing for those with transitional and supportive housing needs. Continue to support housing for at-risk youth. Policy B-1, Policy C-2, Policy D-1	Promote and Fund Transitional Housing Programs 2015 Status: The Countywide 10-year Plan to End Chronic Homelessness envisions creation of 3,000 new housing units, most which would be SRO's or 1-bedroom, with support services.	There will be a new regional committee focused on homelessness	Continue, with modification

## Quantified Objectives

Table 13.7-2 summarizes Santa Clara’s quantified objectives for the 2023-2031 Housing Element planning period and the progress the City has made, including progress meeting the City’s fifth cycle RHNA.

**Table 13.7-2: Summary of 2015-2023 Housing Element Quantified Objectives (through 2021 APR)**

Objectives	Income Level					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
Building Permit Objectives (RHNA)						
Goal	-	1050	695	755	1593	4093
Progress	-	289	246	125	4606	5266
Single-Family Rehabilitation Objective						
Goal	-			-	-	
Progress	-			-	-	
At-Risk Housing Units to Preserve						
Goal	-		-	-	-	
Progress	-		-	-	-	

Source(s): City of Santa Clara, 2022



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# Appendix A

## Outreach

The City has undertaken several outreach efforts to garner feedback on the Housing Element. Completed Stakeholder interviews are summarized in Appendix A-1. The City continues to make efforts to connect with Stakeholders, who have already been contacted, shown in Appendix A-2. The City received robust responses and feedback from an online survey, with 1,585 respondents. The results of which are presented in the following section Stakeholder Interview Questions & Key Findings. Also listed below is a listing of several outreach meetings which guided the development of land use decisions on several sites in the Sites Inventory.

### Appendix A-1 Stakeholder Interview Summary

Eight (8) interviews were held via telephone, zoom, and/or email with internal and external community members 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
Housing Choices	Jul 22, 2022
Life Services Alternatives	August 12, 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.*



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- 41 South 11<sup>th</sup> 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



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- 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.

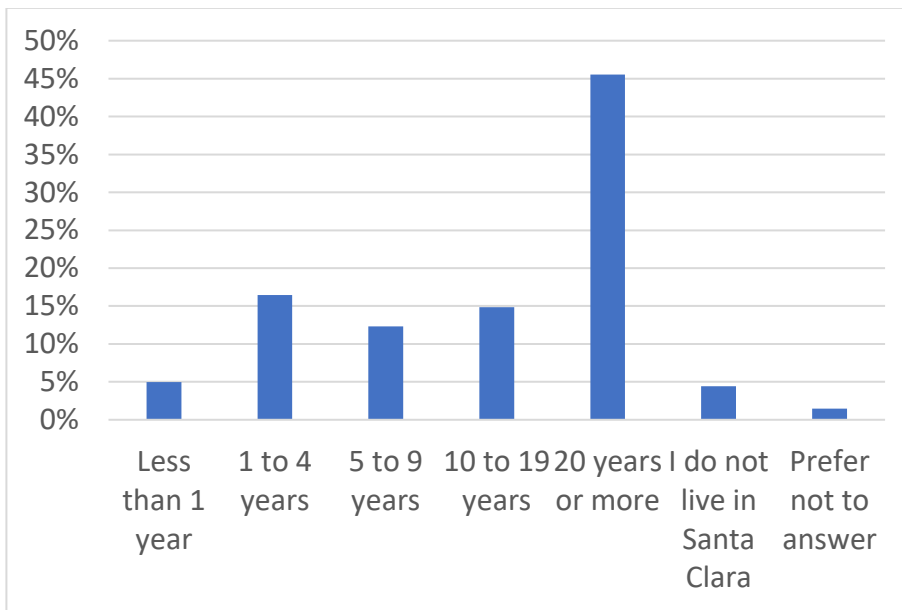
Company/Organization	Groups Served / Sector									
	Elderly/ Seniors	Persons Experiencing Homelessness	Families (large families, female headed families)	Persons with disabilities	Persons with developmental disabilities	Lower income households	Farmworkers	Spanish speaking residents	Affordable Developer	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		

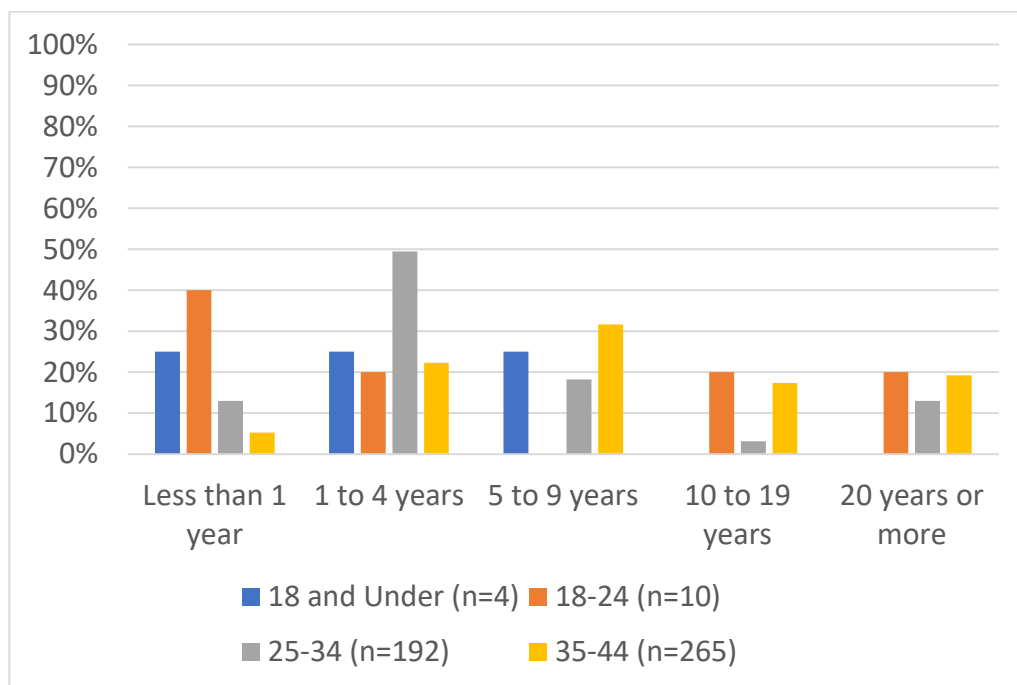


## Appendix A-3: Community Survey Summary

**FIGURE 1: HOW LONG HAVE YOU LIVED IN THE CITY OF SANTA CLARA?  
(QUESTION 1; N=1,585)**



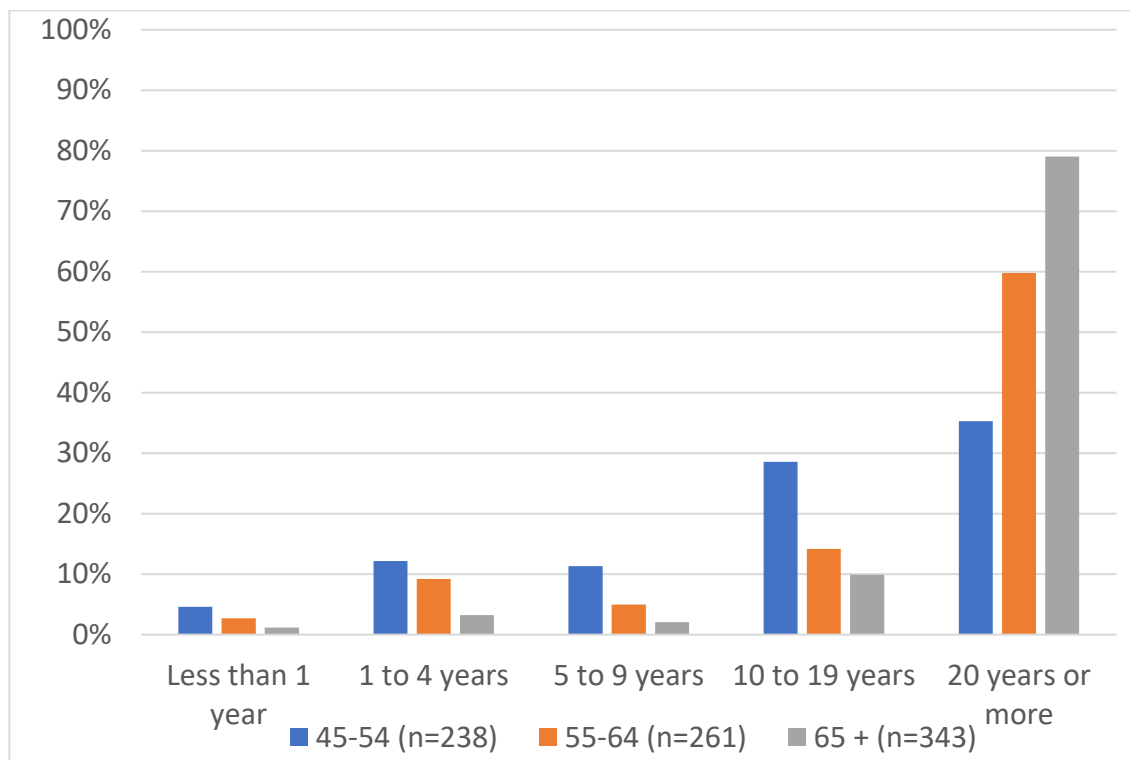
**FIGURE 2: HOW LONG HAVE YOU LIVED IN THE CITY OF SANTA CLARA?  
(QUESTION 1; UNDER 18 – 44 YEARS OLD; N=471)**



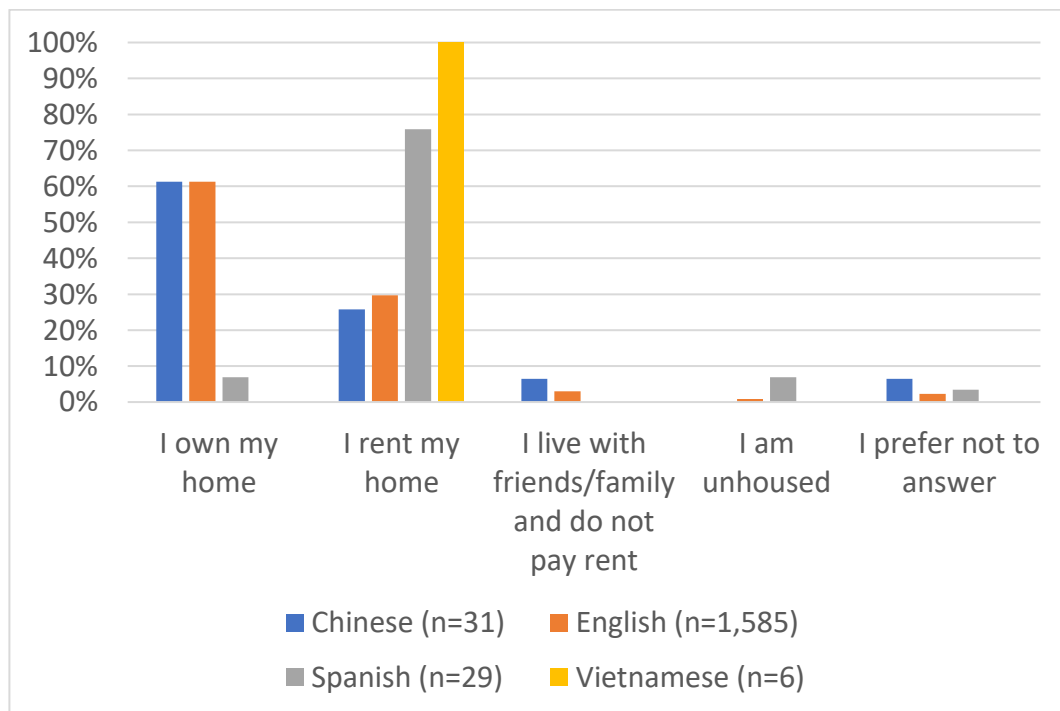




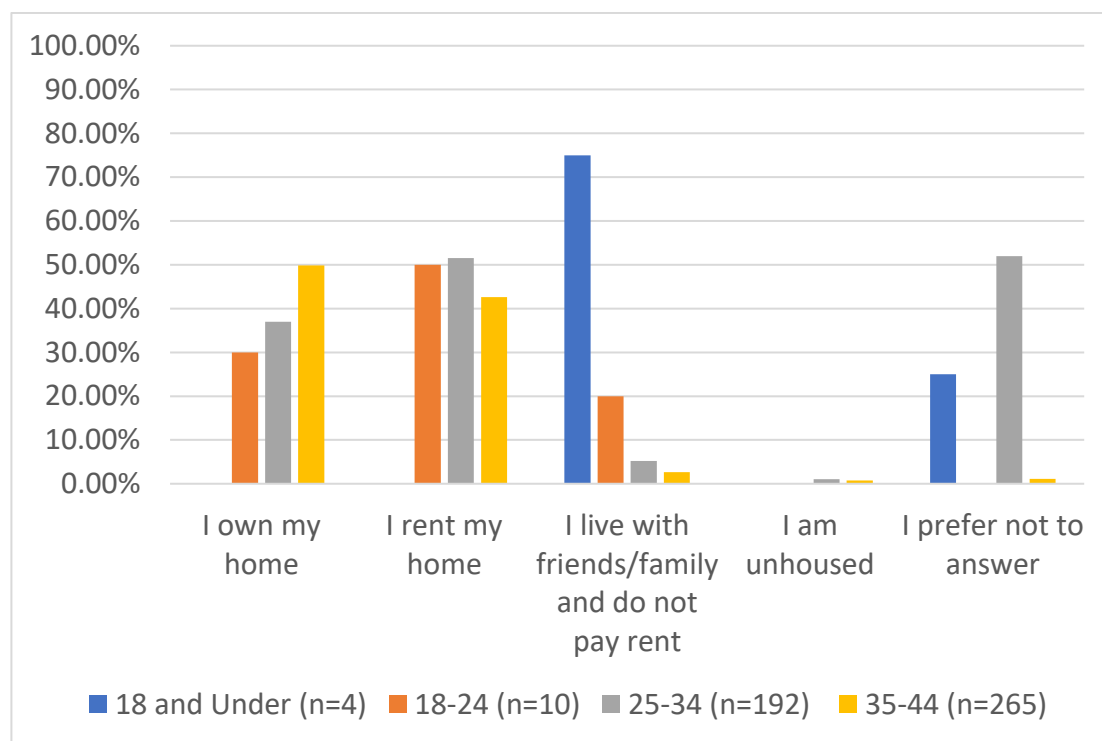
**FIGURE 3: HOW LONG HAVE YOU LIVED IN THE CITY OF SANTA CLARA?  
(QUESTION 1; UNDER 45 YEARS OLD – 65 AND ABOVE; N=842)**



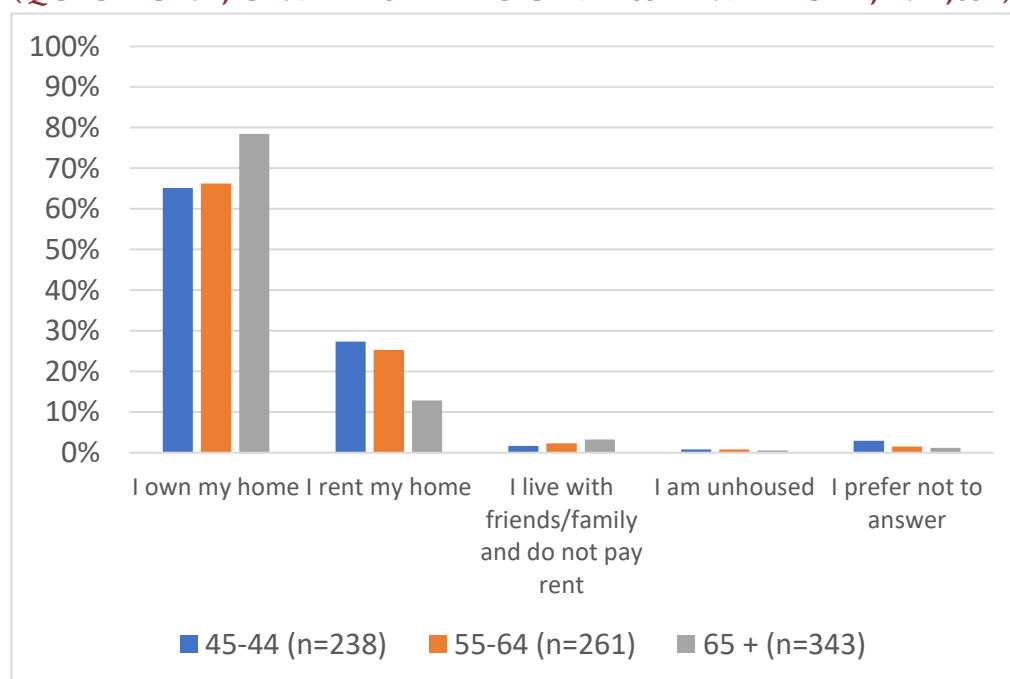
**FIGURE 4: WHAT IS YOUR CURRENT HOUSING SITUATION? (QUESTION 2; N=1,651)**



**FIGURE 5: WHAT IS YOUR CURRENT HOUSING SITUATION BY AGE GROUPING?  
(QUESTION 2; UNDER 18 – 44 YEARS OLD; N=471)**

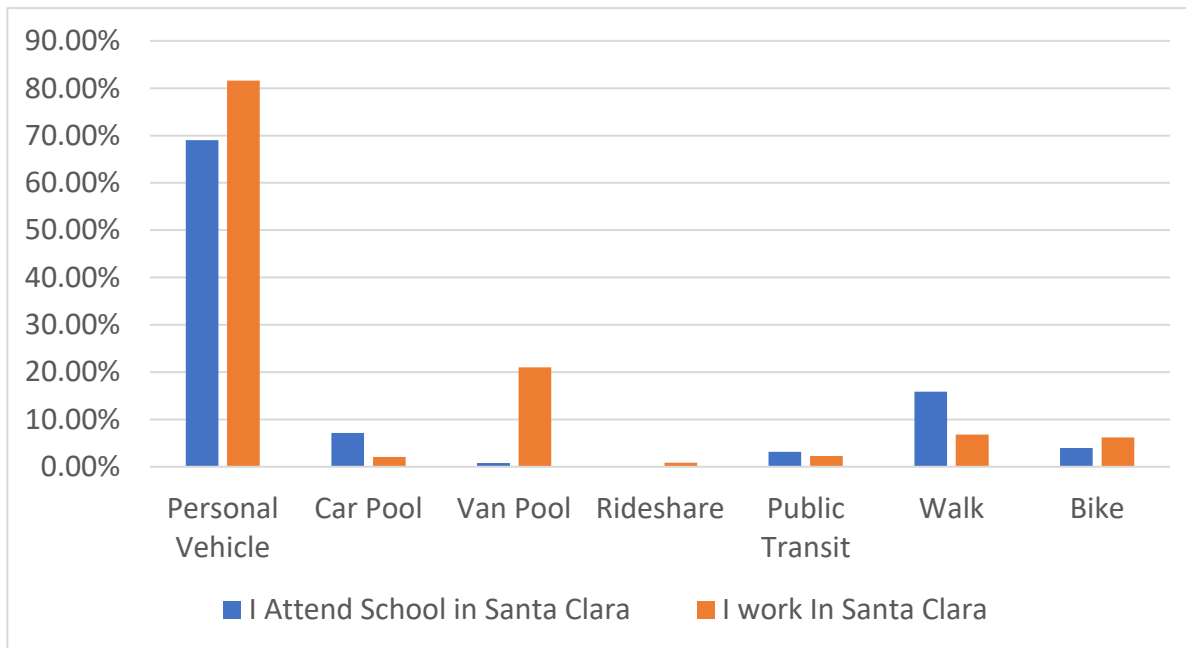
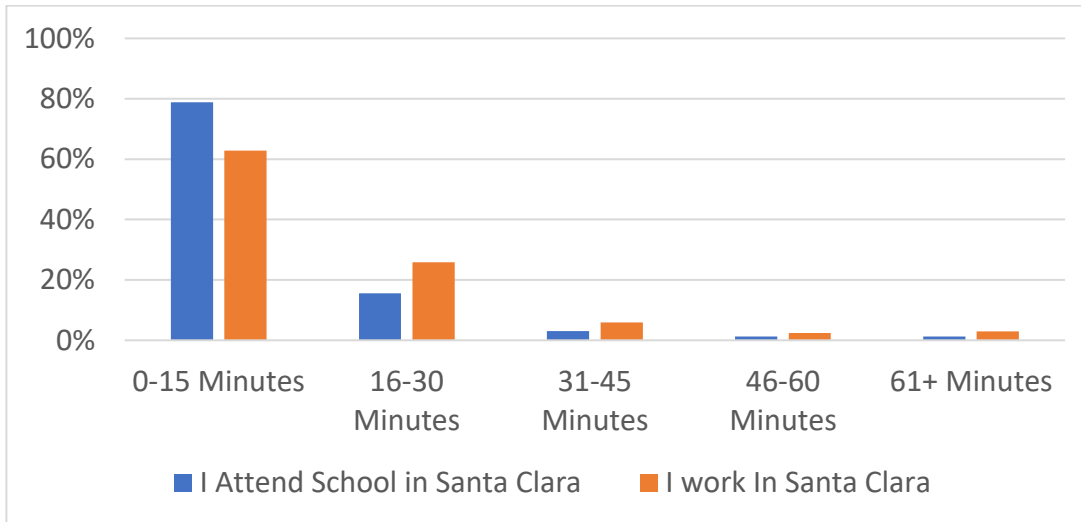


**FIGURE 6: WHAT IS YOUR CURRENT HOUSING SITUATION BY AGE GROUPING?  
(QUESTION 2; UNDER 45 YEARS OLD – 65 AND ABOVE; N=1,651)**

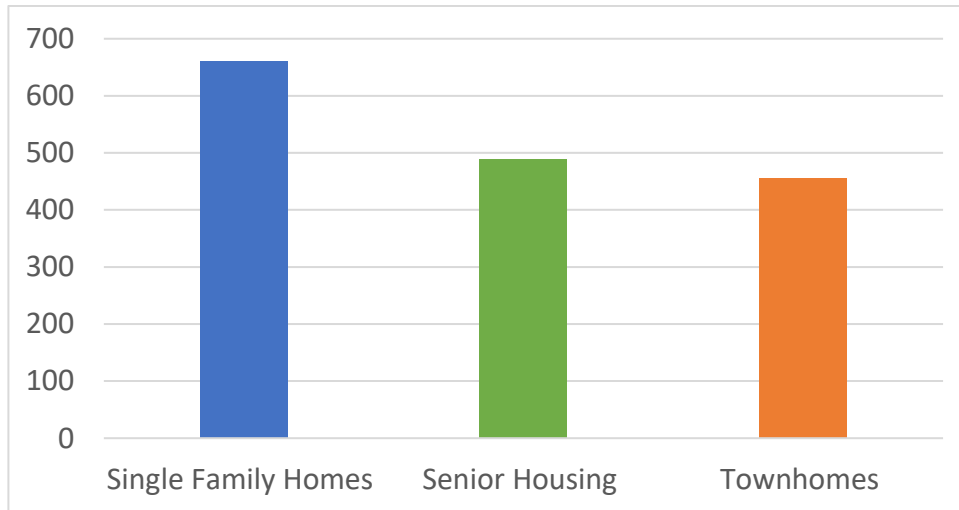




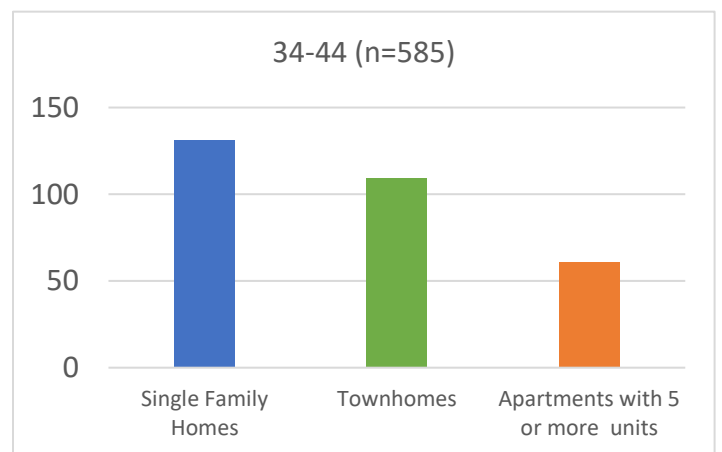
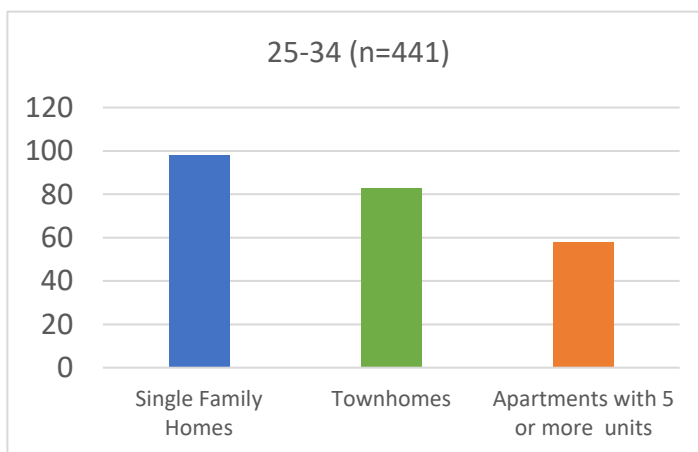
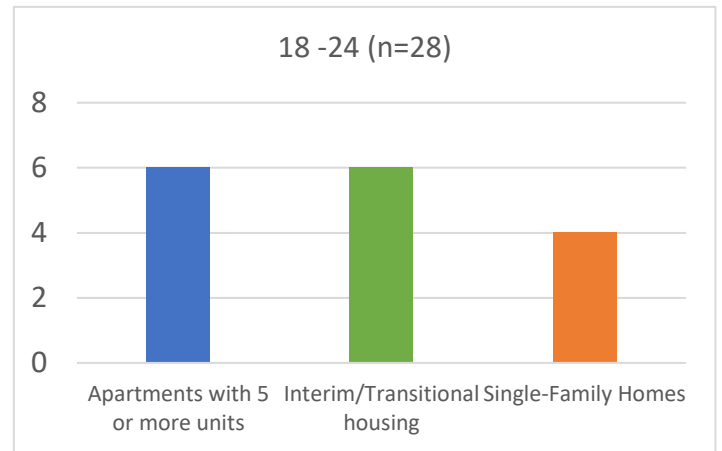
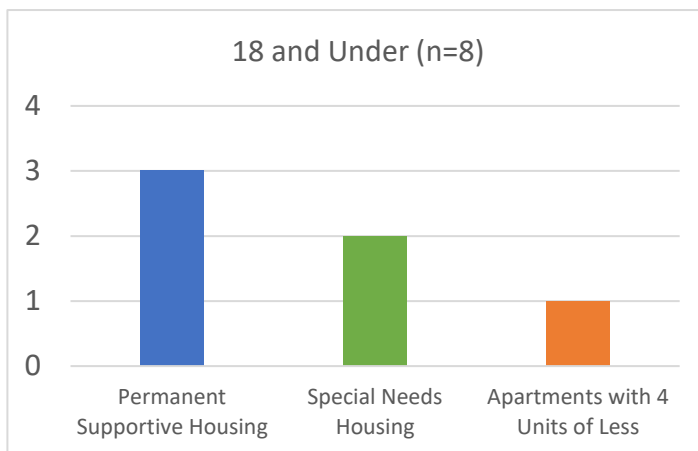
**FIGURE 7: DO YOU WORK AND/OR ATTEND SCHOOL IN SANTA CLARA, AND HOW MUCH TIME DO YOU SPEND TRAVELING AND BY WHICH MODE OF TRANSIT? (QUESTION 3; N=722)**



**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)**

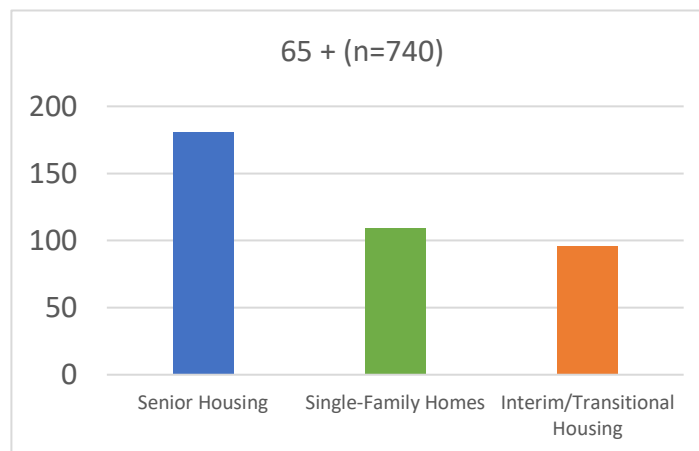
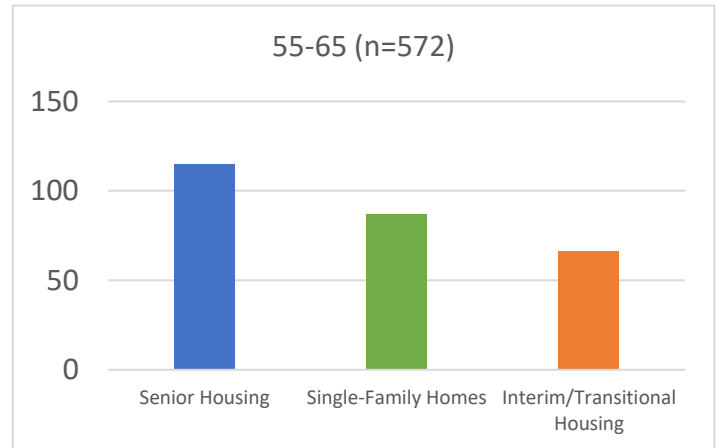
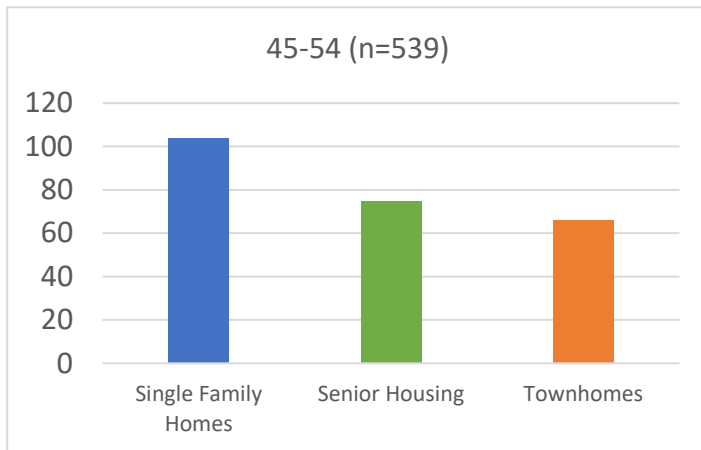


**FIGURE 9: WHAT TYPE OF HOUSING DO YOU THINK SANTA CLARA NEEDS MORE OF (PICK YOUR TOP 3 – ENGLISH SURVEY RESULTS BY AGE GROUPINGS)? (QUESTION 4)**



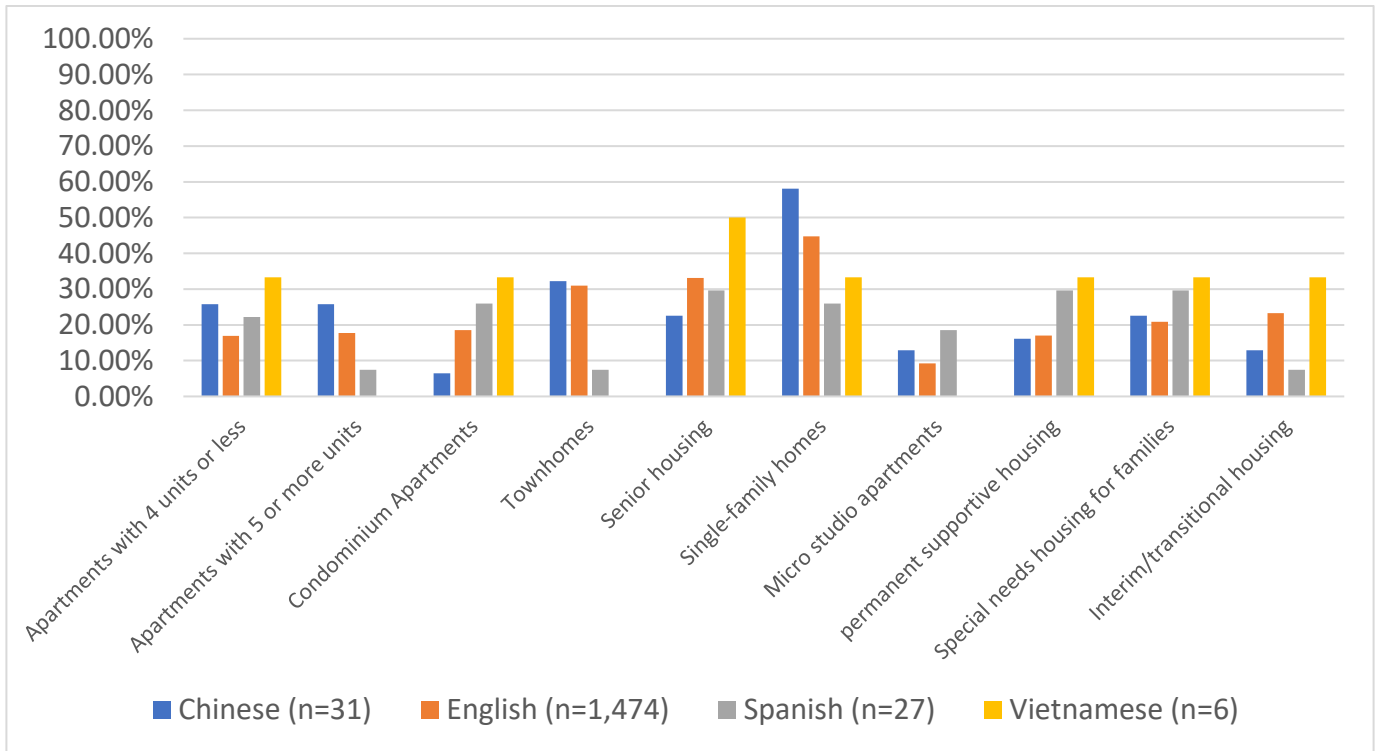


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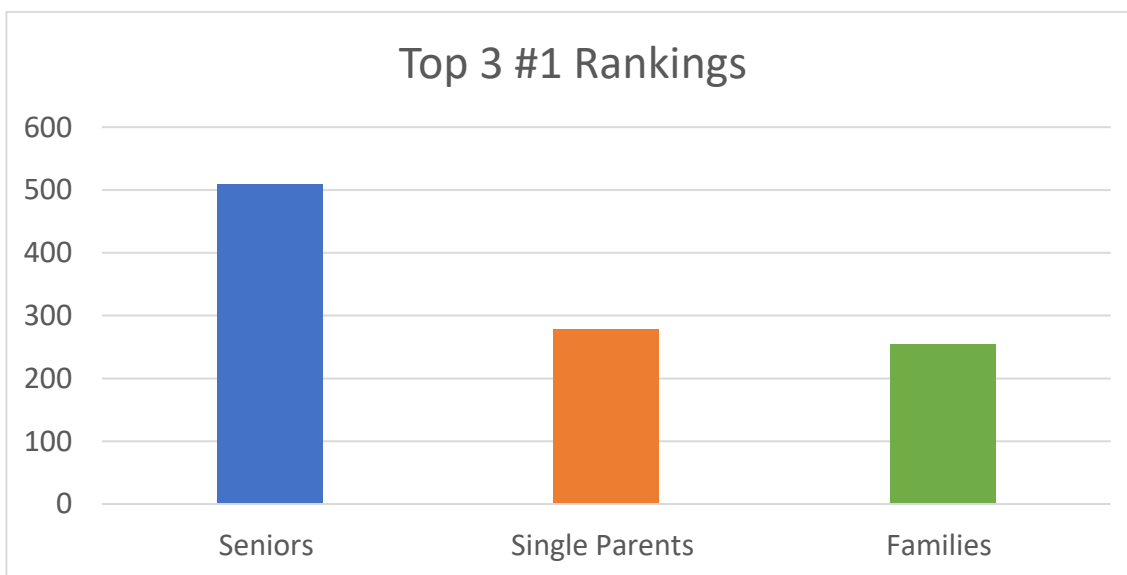




**FIGURE 10: WHAT TYPE OF HOUSING DO YOU THINK SANTA CLARA NEEDS MORE OF (PICK YOUR TOP 3 – ALL LANGUAGES SURVEY RESULTS)? (QUESTION 4; N=1,538)**

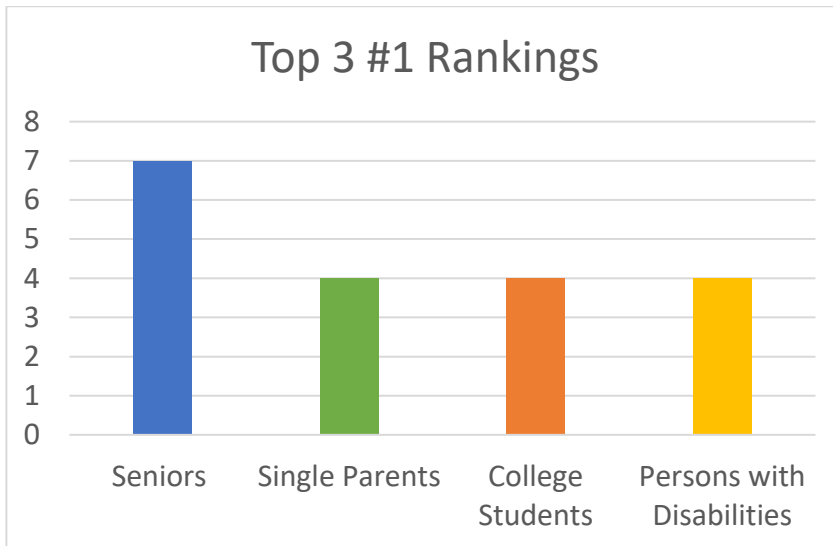


**FIGURE 11: MORE HOUSING IS NEEDED FOR (ENGLISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=1,452)**

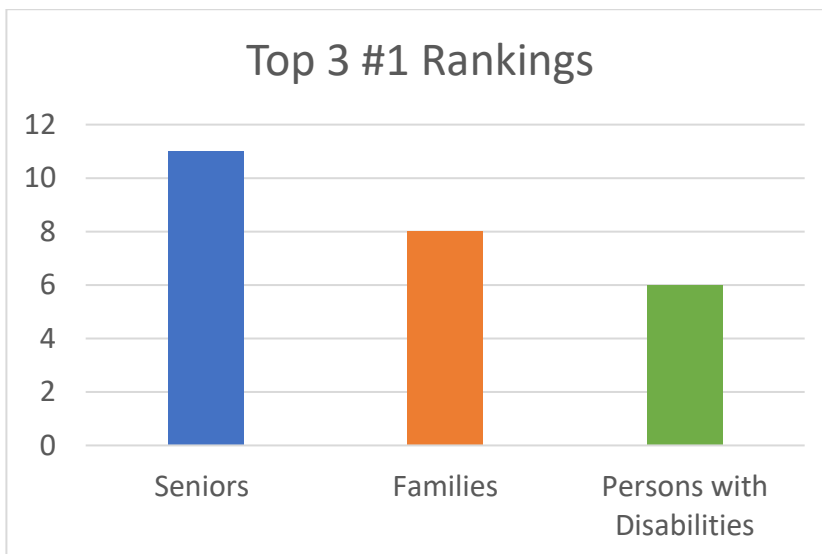




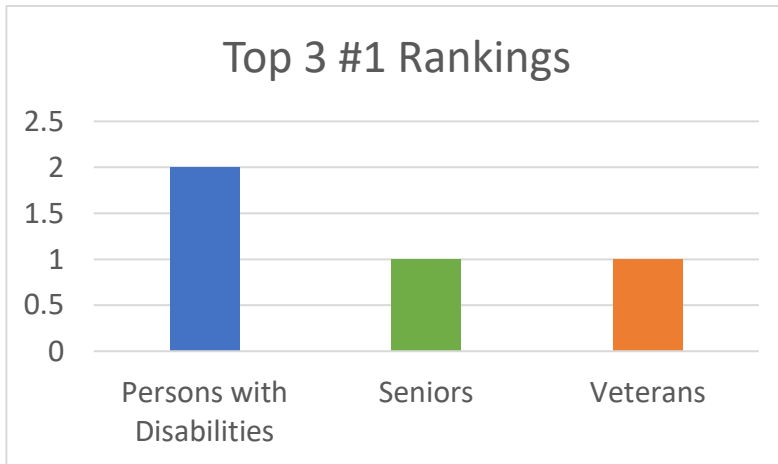
**FIGURE 12: MORE HOUSING IS NEEDED FOR (SPANISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=29)**



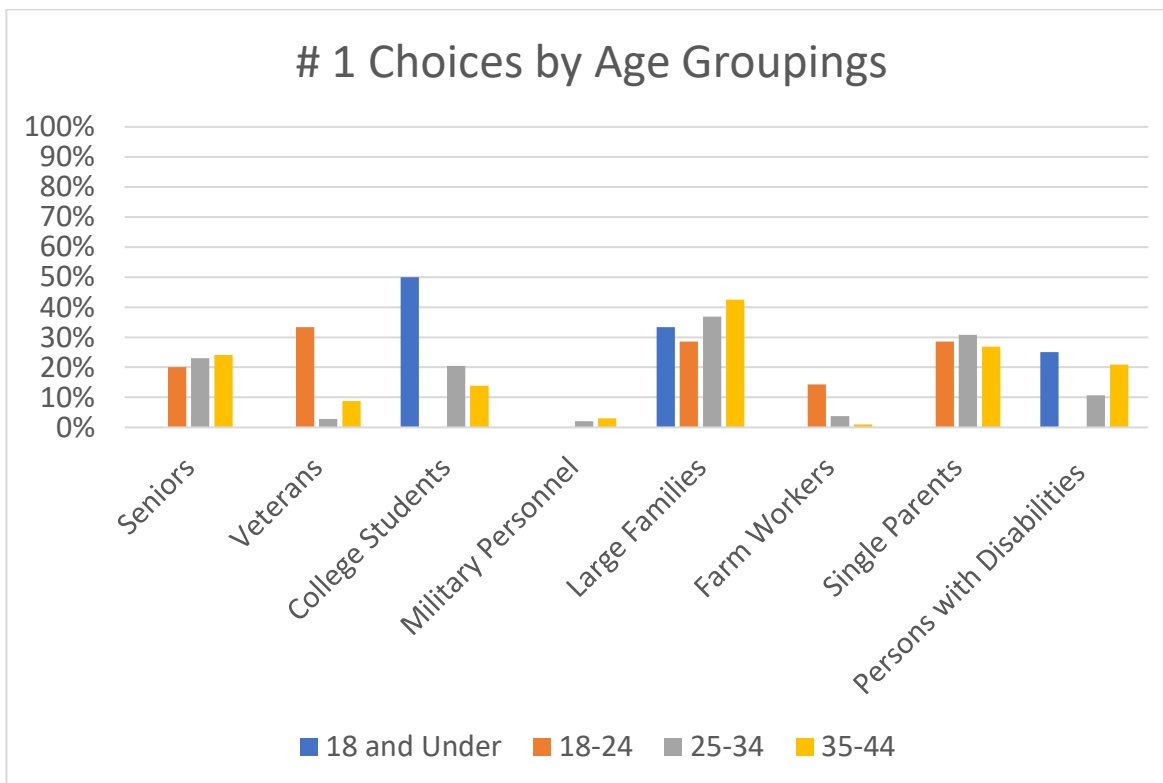
**FIGURE 13: MORE HOUSING IS NEEDED FOR (CHINESE SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=31)**



**FIGURE 14: MORE HOUSING IS NEEDED FOR (VIETNAMESE SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=6)**

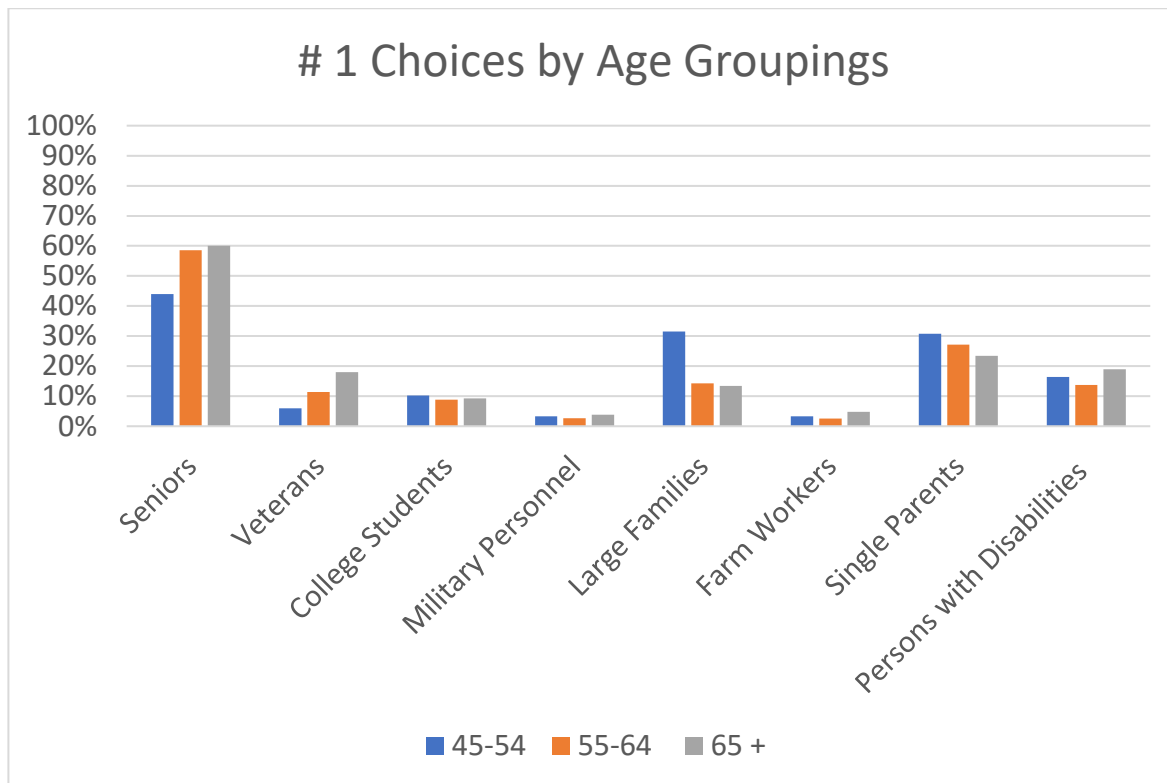


**FIGURE 15: MORE HOUSING IS NEEDED FOR (ENGLISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; BY AGE GROUPINGS 18 AND UNDER 44 YEARS OLD; N=784)**





**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)**



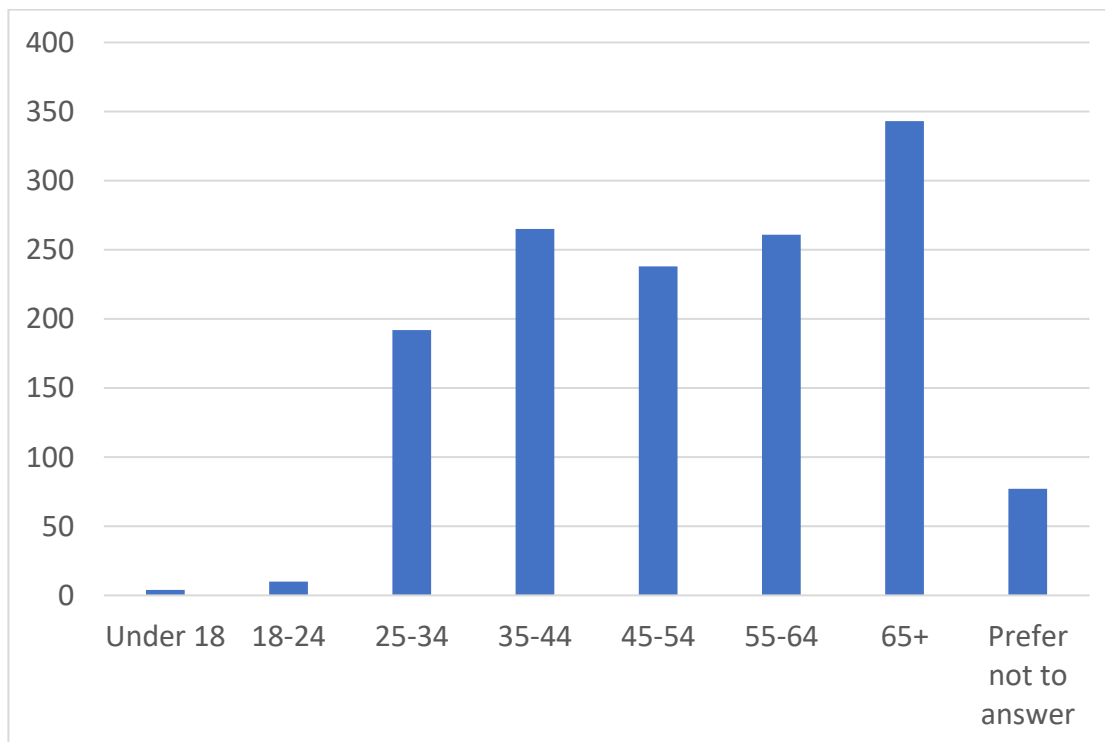
**FIGURE 21: ARE THERE ANY NEIGHBORHOODS IN SANTA CLARA THAT ARE LACKING GOOD ACCESS TO AMENITIES LIKE PARKS, LIBRARIES, GROCERY STORES, SCHOOLS, BIKE LANES, ETC.? (QUESTION 17; N=645)**



**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)**

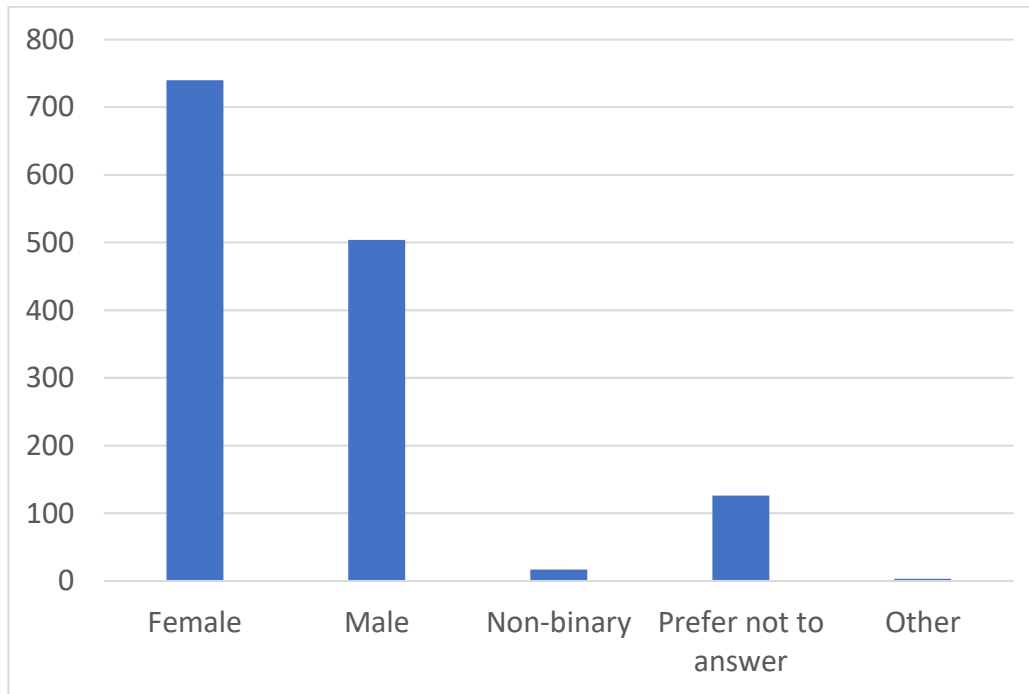


**FIGURE 23: HOW OLD ARE YOU? (QUESTION 18; N=1,390)**

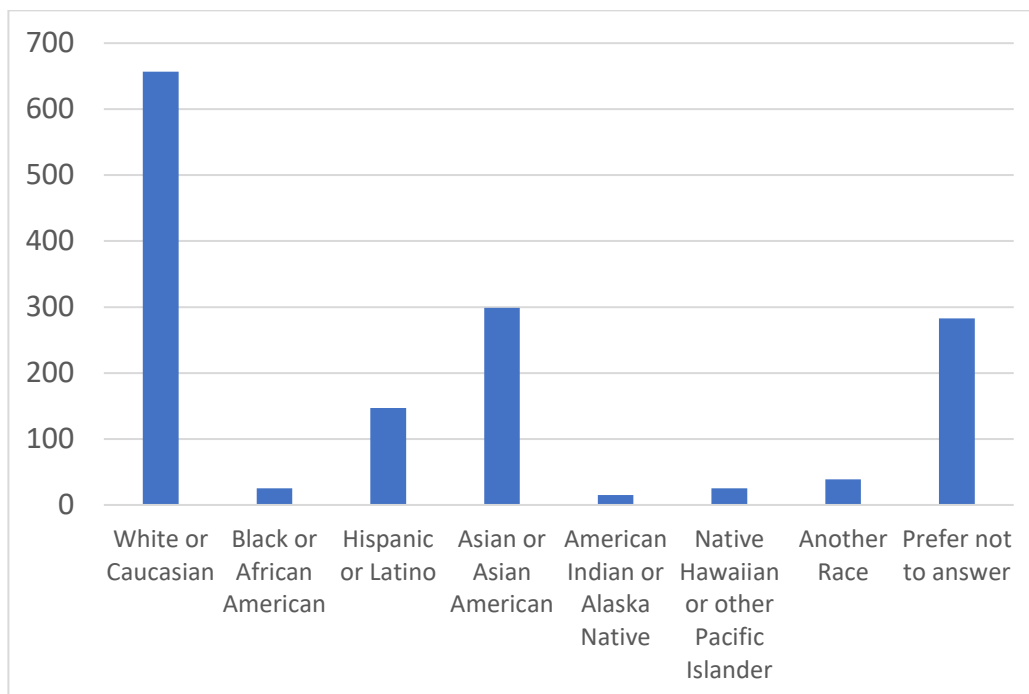




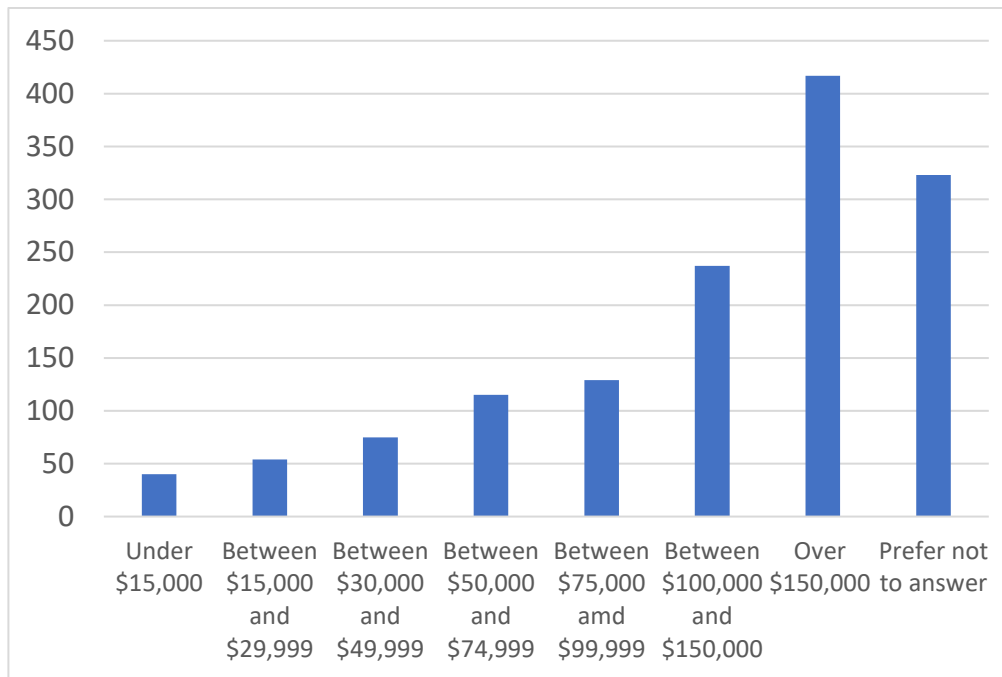
**FIGURE 24: WHAT IS YOUR GENDER? (QUESTION 19; N=1,390)**



**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)**

<include description of process, how and why this work was translated into HE AFH. Look at AFFH chapter>

Regional Assessment of Fair Housing Meetings	
Meetings	Date
<b>Public Community Meetings</b>	
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



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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
<b>Focus Groups</b>	
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
<b>Stakeholder Meetings</b>	
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

## Appendix A-5 Housing Element Specific Outreach

**FIGURE 1: HOUSING ELEMENT SPECIFIC OUTREACH MEETING LIST**

Housing Element Specific Research		
Meetings	Date	Meeting Type/Notes
Stakeholders Meeting re: Affordable Housing Ordinance Potential Amendments	March 12, 2021	
City Council Study Session	April 6, 2021	
Let's Talk Housing Community Mtg	August 30, 2021	25 attendees from CSC
City Council Study Session on Homelessness	November 9, 2021	
Joint CC/PC Study Session 1, Digital Survey	April 19, 2022 May-July 2022	
Homelessness Taskforce	April - October 2022	
Homelessness focus groups		Zoom
Health and Wellness Fair		<ul style="list-style-type: none"> <li>• In Person Meeting</li> <li>• 400 attendees, 50-60 people stopped by booth</li> </ul>
Library Pop-Up Meetings (Central and Northside)	May 20, 2022 June 14th, and 17th, 2022	In Person
Joint CC/PC Study Session 2	July 12, 2022	
Community Meeting	August 1, 2022	Zoom
Community Meeting on Homelessness	August 9, 2022	Zoom
Site visit to community care facility for adults with developmental disabilities	August 12, 2022	In Person
Meeting with regional Equity Advisory Committee	September 29, 2022	



## 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. 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.	18	Positive	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=87#page=18">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=87#page=18</a>	
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).	22	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=98#page=22">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=98#page=22</a>	
7/30/2022	Anne Paulson		22	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=99#page=22">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=99#page=22</a>	

My suggestion is that you write objectives that would actually achieve your goals, and give time deadlines for them.

7/12/2022	Jennifer	Where is Action #4? I see responsible agency and objectives, but no Action listed or Funding Source.	24	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=90#page=24">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=90#page=24</a>
7/30/2022	Anne Paulson	How will you improve the maintenance of student housing, and when?	26	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=100#page=26">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=100#page=26</a>
7/30/2022	Anne Paulson	When?	26	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=101#page=26">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=101#page=26</a>
7/30/2022	Anne Paulson	When? 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.	26	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=102#page=26">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=102#page=26</a>
7/29/2022	Nick Leung		27	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=91#page=27">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=91#page=27</a>



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7/30/2022	Anne Paulson	How?	28	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=103#page=28">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=103#page=28</a>
7/30/2022	Anne Paulson	How?	28	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=104#page=28">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=104#page=28</a>
7/30/2022	Anne Paulson	What is the action here? I don't see any action.	33	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=105#page=33">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=105#page=33</a>
7/29/2022	Nick Leung	If El Camino becomes densified, I'd like to see dedicated BRT. 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.	77	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=92#page=77">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=92#page=77</a>
7/29/2022	Nick Leung		117	Neutral	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=93#page=117">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=93#page=117</a>

7/30/2022	Anne Paulson	<p>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.</p> <p>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?</p>	118	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=96#page=118">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=96#page=118</a>
7/30/2022	Anne Paulson	<p>The Housing Element needs to explain how Santa Clara allows Single Room Occupancy housing.</p> <p>I think this is unfortunate, but it's obvious that this community opposition to densification has created disastrous effects for housing affordability for everyone.</p>	120	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=97#page=120">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=97#page=120</a>
7/29/2022	Nick Leung	<p>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.</p> <p>We should still try.</p>	132	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=94#page=132">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=94#page=132</a>





# SANTA CLARA HOUSING ELEMENT

		(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.			
7/30/2022	Anne Paulson	The document needs to tell us what the fees are for these typical buildings.	134	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=95#page=134">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=95#page=134</a>
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	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=106#page=145">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=106#page=145</a>
7/31/2022	Anne Paulson	Typo 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.	149	Positive	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=107#page=149">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=107#page=149</a>
7/31/2022	Anne Paulson		158	Negative	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=108#page=158">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=108#page=158</a>

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	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=109#page=158">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=109#page=158</a>
7/1/2022	Katherine Lanning	I have great experience in developing business and marketing	173	Positive	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=89#page=173">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=89#page=173</a>
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	<a href="https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=88#page=189">https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=88#page=189</a>



## SANTA CLARA HOUSING ELEMENT

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

8/16/2022 Dana Hooper

## Appendix A-7 Formal Comment Letters

FIGURE 1: FORMAL COMMENT LETTER TRANSFORM



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.**<sup>1</sup> With inflation driving up construction costs since these

<sup>1</sup>

<https://www.shoupdogg.com/wp-content/uploads/sites/10/2016/05/Cutting-the-Cost-of-Parking-Requirements.pdf>

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1



## SANTA CLARA HOUSING ELEMENT

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](#)).



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](mailto:kendrama@transformca.org)



## SANTA CLARA HOUSING ELEMENT

**FIGURE 2: FORMAL COMMENT LETTER SILICON VALLEY AT 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  
Silicon Valley Bicycle Coalition

Bob Brownstein  
Working Partnerships USA

Amie Fishman  
Non-Profit Housing  
Association of Northern CA

Ron Gonzales  
Hispanic Foundation  
of Silicon Valley

Javier Gonzalez  
Google

Poncho Guevara  
Sacred Heart Community  
Service

Janke Jensen  
Habitat for Humanity  
East Bay/Silicon Valley

Janikke Klem

Jan Lindenthal  
MidPen Housing

Jennifer Loving  
Destination: Home

Mary Murtagh  
EAH Housing

Chris Neale  
The Core Companies

Kelly Snider  
Kelly Snider Consulting

Jennifer Van Every  
The Van Every Group

### STAFF

Leslye Corsiglia  
Executive Director



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.

350 W. Julian Street, Building 5, San José, CA 95110  
408.780.8411 • [www.svathome.org](http://www.svathome.org) • [info@siliconvalleyathome.org](mailto:info@siliconvalleyathome.org)

July 1, 2022

RE: **Housing Element – Anti-displacement policies to Affirmatively Further Fair Housing**

Page 2 of 4

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



## SANTA CLARA HOUSING ELEMENT

July 1, 2022

RE: **Housing Element – Anti-displacement policies to Affirmatively Further Fair Housing**

Page 3 of 4

- 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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July 1, 2022

RE: **Housing Element – Anti-displacement policies to Affirmatively Further Fair Housing**

Page 4 of 4

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](mailto:emily@siliconvalleyathome.org).

Thank you for considering anti-displacement and tenant protections solutions to affirmatively further fair housing.

Sincerely,



Mathew Reed  
Policy Director

350 W. Julian Street, Building 5, San José, CA 95110  
408.780.8411 • [www.svathome.org](http://www.svathome.org) • [info@siliconvalleyathome.org](mailto:info@siliconvalleyathome.org)







FIGURE 3: FORMAL COMMENT LETTER 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

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
<b>Under age 18</b>	204	33%	4016	37%
<b>18 and older</b>	408	67%	6737	63%
<b>Total</b>	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



## SANTA CLARA HOUSING ELEMENT

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%
<b>Total Adults</b>	<b>408</b>	<b>100%</b>	<b>6,737</b>	<b>100%</b>

*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:



## SANTA CLARA HOUSING ELEMENT

- **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 and 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.



## SANTA CLARA HOUSING ELEMENT

*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.*