

Affordable Housing on Sites with Assembly Uses

Community Meeting - August 19, 2021

Brent Carvalho, Project Manager, Planner



*Planning, Building and
Code Enforcement*



Agenda

- 6:05 p.m. Introductions
- 6:10 p.m. Project Overview and Background
- 6:30 p.m. Open Discussion
- 7:45 p.m. Wrap up

Affordable housing is . . .

Housing that a household can pay for, while still having money left over for other necessities like food, transportation, and health care. That means that what’s considered “affordable” depends on a household’s income

Income Category	Max Incomes	Average Rent	
		1-Bedroom	2 - Bedroom
Extremely Low-Income (30% AMI)	\$37,900	\$849	\$955
Very Low-Income (50% AMI)	\$63,200	\$1,416	\$1,592
Low-Income (80% AMI)	\$89,750	\$2,266	\$2,548
Moderate-Income (100% AMI)	\$113,300	\$2,832	\$3,185
Moderate-Income (120% AMI)	\$135,900	\$3,399	\$3,822



What is displacement? Who does it impact the most?



Definitions

Displacement is when a household must move out of their home for reasons outside of their control.

Gentrification is when a historically disinvested neighborhood changes through real estate investment & new higher-income residents move in. Gentrification is often associated with displacement.



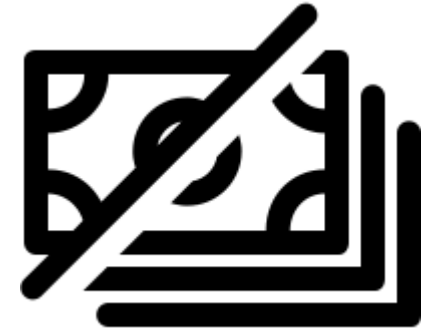
Displacement has negative impacts



Education



**Access to
opportunity**



Family Finances



Mental Health



Segregation



Seniors



3 P's: Production, Preservation, Protection

- 1. Production** of new affordable homes
- 2. Preservation** of existing affordable homes, and
- 3. Protection** of residents in rapidly-changing neighborhoods.



Strategies in Progress

Production of new affordable housing:

- Adopted an Inclusionary Housing Ordinance
- Established a production goal of 10,000 new affordable homes goal in five years
- Passed Measure E, a new funding source for the development and preservation of affordable housing



Strategies in Progress

Preservation of existing affordable housing:

- Adopted affordable housing underwriting standards for long-term ground leases with land owned by the City or County
- Funded limited proactive Enhanced Code Enforcement in Project Hope neighborhoods



Strategies in Progress

Protection of residents in rapidly-changing neighborhoods:

- Updated the Apartment Rent Ordinance
- Established the Tenant Protection Ordinance
- Established the Ellis Act Ordinance
- Established the Housing Equality Payment Ordinance





“I came because I am a worker and I believe every human being has a right to housing and as workers we have the right to let the city know what we need, want, and deserve.”

“San José is our city—I went to public schools here, work here, and want my daughters to grow up and live here too, even though Los Baños might be more affordable.”





Project Objective

- Amend the General Plan and Zoning Ordinance to allow the development of 100% deed restricted Affordable Housing on land that is designated as Public/Quasi-Public, if the site is occupied by Assembly Use and meets other specific criteria.
- Add or update definitions related to Assembly uses
- Other minor edits for conformance and clarity
- [Link to General Plan Map](#)



General Plan

- Envision San Jose 2040, current General Plan adopted in 2011
- Constitution for Development, determines where, when and how development occurs

Zoning Ordinance

- Original Zoning Ordinance adopted in 1929, and amended overtime
- Sets development standards such as building heights and setbacks

100% Deed Restricted Affordable

- This refers to sites where the deed for the property includes language which require all residential units to be sold or rented at specific levels of affordability for a specific period of time. The affordability levels are set either by the state or the funding source.



Assembly Uses

- This is a land use where people can come together for a common purpose.
- Examples of assembly uses are places of worship, private clubs or lodges, and theaters.

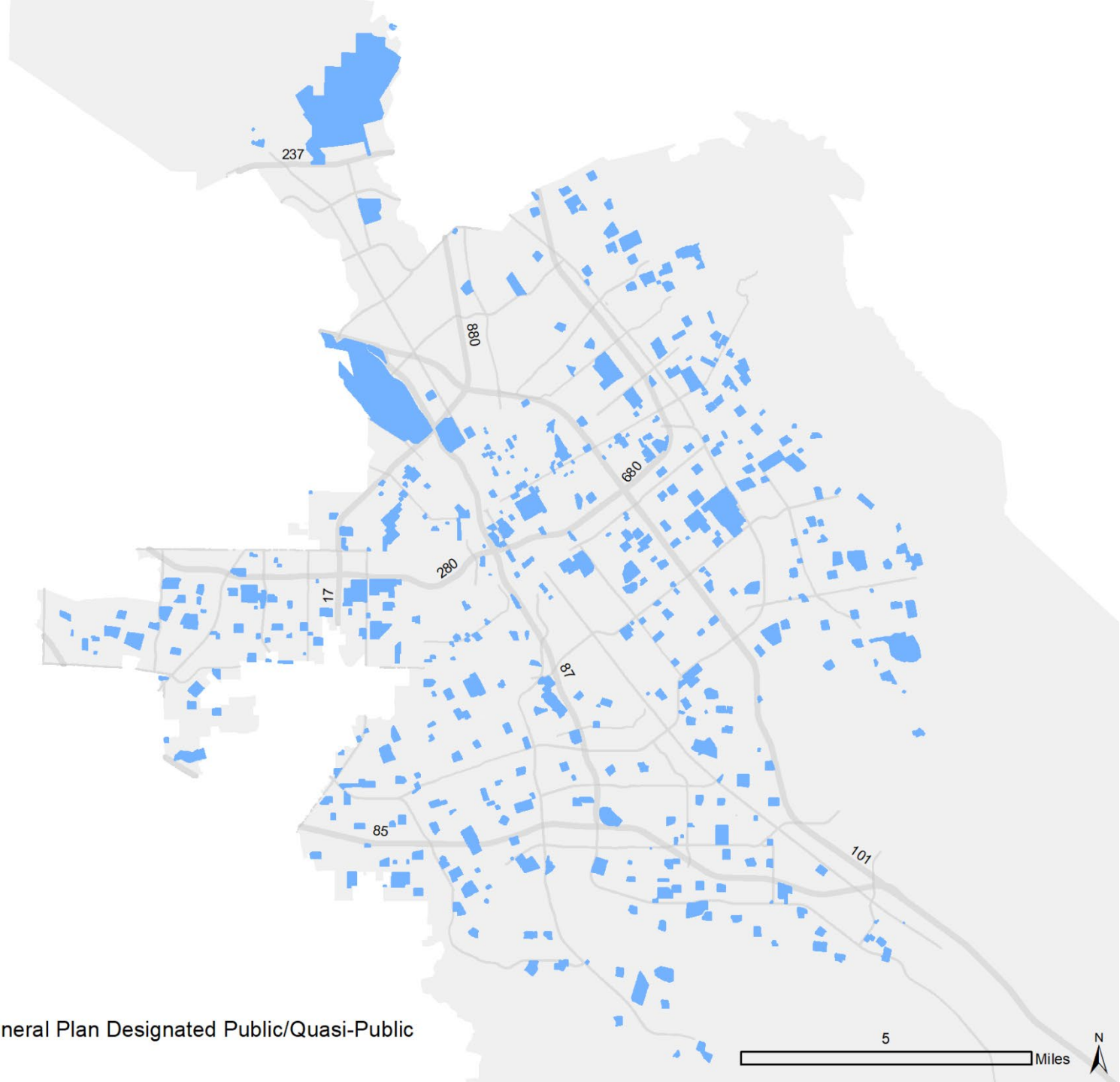
Public/Quasi-Public (PQP)

- This is a land use designation in the [Envision San Jose 2040 General Plan](#). Sites with this designation primarily have a public-serving use and may be operated as a commercial business or as a public service or institution.
- This includes schools, libraries, museums, airports, fire stations, convention centers, governmental offices, and other similar public-oriented or institutional land uses.

PQP Land in San Jose

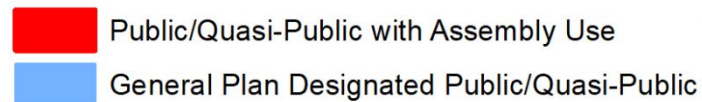
541 sites
designated as PQP

 General Plan Designated Public/Quasi-Public



PQP Land in San Jose

203 Sites
with an Assembly use





Citywide Residential Anti-Displacement Strategy #8

- Amend the General Plan and zoning ordinance to allow deed-restricted affordable housing under the Public Quasi Public (PQP) General Plan land use designation and zoning district, when such residential uses are developed as a secondary use in conjunction with the primary use of the property as an assembly use.



Citywide Residential Anti-Displacement Strategy #8

Issues for staff to develop further if this strategy is pursued include:

1. defining minimum restricted affordability criteria to qualify for this rule;
2. defining terms such as ‘primary use’ and ‘secondary use’ of the property;
3. defining minimum and maximum densities for PQP;
4. tailoring this rule for properties with multiple uses (for instance, childcare spaces as part of religious space or standalone);
5. ensuring on-site parking requirements are adequate to discourage excessive street parking and preserve an adequate community supply of parking if housing is developed on surface parking lots;



Citywide Residential Anti-Displacement Strategy #8

Issues for staff to develop further if this strategy is pursued include (continued):

6. defining a minimum period of time for an organization to own its property, to discourage abuse by developers that could purchase properties and either ‘convey’ in name only to faith organizations, or that could purchase properties and then file for some religious designation to take advantage of the rule;
7. researching alternatives the City could pursue if the sponsoring owner ceases operations during the period of affordability; and,
8. whether land use entitlements could legally dictate that the site would need to be transferred to another nonprofit organization.



Project Timeline:

	Target Date/Month
Focus Group – Assembly Use Sites	August 9, 2021
Focus Group – Affordable Housing Developers	August 12, 2021
First Community Meeting	August 19, 2021
Follow-up Community Meeting (Tentative)	November 2021
Airport Land Use Commission Referral (Tentative)	Fall 2021
Planning Commission (Tentative)	Fall 2021
City Council (Tentative)	Early 2022



Contact Information:

Follow up with any questions or comments

Project Manager: Brent Carvalho

Email: brent.carvalho@sanjoseca.gov

Phone: (408) 535 - 6862

Informational Website: [Affordable Housing on Sites with Assembly Use](#)