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**FW: Objection to removal of community comments**

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**From** City Clerk <city.clerk@sanjoseca.gov>

**Date** Wed 12/4/2024 8:36 AM

**To** Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

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**From:** Vien Phan <[REDACTED]>

**Sent:** Wednesday, December 4, 2024 8:28 AM

**To:** PlanningSupportStaff <PlanningSupportStaff@sanjoseca.gov>; Planning Commission 1 <PlanningCom1@sanjoseca.gov>; lanningComCW@sanjoseca.gov; Planning Commission 6 <PlanningCom6@sanjoseca.gov>; Planning Commission 4 <PlanningCom4@sanjoseca.gov>; Planning Commission 8 <PlanningCom8@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; Planning Commission 2 <PlanningCom2@sanjoseca.gov>; Planning Commission 7 <PlanningCom7@sanjoseca.gov>; Planning Commission 10 <PlanningCom10@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; michaelmulcahyd6[REDACTED]

**Subject:** Objection to removal of community comments

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Dear planning support staff, planning commissioners, mayor, and council members,

I write regarding the proposed "Infill Housing Ministerial Approval Ordinance" addendum to the San Jose 2040 General Plan EIR (File No. ER24-250) (the "Initial Study"), including but not limited to: (1) a proposed California Environmental Quality Act ("CEQA") exemption for development applications submitted under this ordinance and (2) no public hearing or public input prior to approval of such development(s). See Initial Study, Sec. 3.1. Eschewing the CEQA requirements and public input for fast tracking private infill housing developments in San Jose is an egregious proposal that poses potential risks to the environment, public health, and discards community discourse.

The basic purpose of CEQA is to objectively disclose the environmental effects of a project to the public, and to ensure that those impacts are mitigated to the greatest extent possible. It is extremely important to remember that these documents are intended to analyze effects. Exemptions are intended for certain activities, including those that would not have a significant impact on the environment. For example, a single-family home requires minimal ground disturbance and can be quickly built, thus the environmental impact is minimal. Private infill housing developments, on the other hand, are not a single-family home, and have a more substantial impact on the environment, including neighboring communities.

The Initial Study asserts that a ministerial exemption of the CEQA review would “streamline the review process for private infill housing development applications” and “help the City meet its goals of building more housing...” Id. at p. 2, Sec. 3.1, 3.2. Critics have blamed CEQA for impeding the development of the additional housing desperately needed to relieve the state’s housing shortage. However, whether CEQA is at all responsible for California’s housing shortage is highly disputed. Researchers and CEQA experts disagree with the premise that CEQA is to blame for California’s lack of affordable housing. See, e.g., Aaron Peskin, Why CEQA Matters, 48hills, Aug. 14, 2022, <https://48hills.org/2022/08/why-ceqa-matters/>. It may be more likely that, because CEQA’s information disclosure process can be costly and time-intensive for development projects that have significant environmental impacts, the Act is unpopular with developers who are eager to tell legislators, including city officials, that CEQA is the root of California’s housing crisis.

The drawbacks of removing CEQA’s safeguards from private infill housing development projects are apparent from the ways in which they juxtapose CEQA’s mission. CEQA requires developers to assess and publicly disclose the environmental and public health impacts of the project and requires developers to mitigate those impacts. The proposed ordinance removes CEQA’s procedural requirements that otherwise force a developer to analyze how, and to what extent, the project will negatively impact environmental resources, the significance of those impacts, consider less-impactful project alternatives, and implement mitigation measures to minimize the environmental damage. Indeed, many environmental advocates view CEQA as one of the state’s most powerful legal tools to prevent destruction of natural habitat and protect public health. The exemption eliminates that tool.

Bypassing the input of neighboring communities that will be directly impacted by private infill housing developments is similarly problematic. Residents who live close to the urban villages will be impacted by such proposed developments and should have an opportunity to have their opinions considered by city officials and the San Jose planning commission. Giving short shrift to the neighbors is simply not being a “good neighbor.”


Sincerely,  
Vien Phan

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**FW: Item 10.3 Support for City Streamlined Review Process for Infill Housing Development**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Fri 12/13/2024 12:11 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (138 KB)  
item103\_support\_letter.pdf;

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**From:** Jake Wilde <[REDACTED]>  
**Sent:** Friday, December 13, 2024 10:57 AM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Item 10.3 Support for City Streamlined Review Process for Infill Housing Development

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Hello,

Please see the attached letter of support for the proposed City Streamlined Review Process for Infill Housing Development.

Thank you,

Jake Wilde  
Manager of Development Projects | Catalyze SV  
[www.CatalyzeSiliconValley.org](http://www.CatalyzeSiliconValley.org)

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# CATALYZE SV

December 2, 2024

Dear San José Planning Commissioners, Mayor, and City Council,

On behalf of Catalyze SV, I write to you today in support of the [proposed streamlined ministerial approval process for infill multifamily housing](#).

Before proceeding with our remarks, we want to recognize and thank city staff for connecting with housing organizations on this policy.

Catalyze SV is a community-based organization composed of members who want to help create vibrant housing opportunities for all Silicon Valley residents amid California's housing crisis.

San José must build 62,200 new homes in the next eight years. This is a monumental undertaking. And one that is sadly not likely achievable within San José's current approval process. Protracted review periods kill housing—a delayed, lengthy, or unclear review process increases risk and turns private developers away from San José.

This is not a new or unknown issue. In 2023, the city took the first steps to address lengthy review timelines by including *Strategy P-7: City Infill Housing Ministerial Approval Ordinance* within the Housing Element update. It is now time to take the next steps and implement Strategy P-7 as a tangible policy.

As previously acknowledged by this Commission and City Council through the approval of the updated Housing Element, there is a clear need for this policy. For our Housing Element and General Plan to mean anything, this Commission and Council must stand by them. We urge the Commission to approve staff's recommendation while also considering the following three issues of *Strategy P-7*:

1. **Community Engagement:** The proposed streamlined review process puts infill projects on a path for ministerial approval. As ministerial permits do not require a public hearing, it would also not be required to facilitate a community meeting. As such, a community meeting could become dispiriting for community members looking to shape the process when they show up to a meeting in which they are merely informed of a project compliant with city regulations and thus slated for ministerial approval. They may ask themselves, "Why did I come tonight then?" When community members gather together and interface with decision-makers, they understandably expect to shape decisions.

The only thing worse than no community engagement is a cloudy, disempowering process that turns community members off from engaging and lowers their faith in government. So, while we accept the elimination of the required community meeting as a crucial component to accelerating housing development, we maintain that community members should still be *informed* of development proposals in their neighborhood and the process for approving them.

# CATALYZE SV

Therefore, we ask the City to develop new ways to provide residents with easily accessible information regarding ongoing development within their communities. These would be alternatives to the community meeting under this streamlined process.

Resources for such information could take the form of:

- a project website,
- a slide deck with key details of the project,
- a pre-recorded video presentation of the project by city staff, and/or
- a web map application allowing community members to explore projects in their neighborhoods.

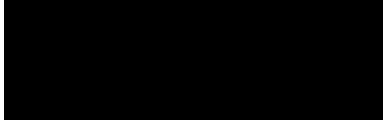
The ultimate goal in providing these resources is to keep residents informed and make the development process as transparent as possible. We anticipate building off this point in our upcoming discussions with the City as it begins reforms to Council Policy 6-30.

2. **Geography:** Under the proposed policy, the number of sites eligible for streamlining is relatively small, roughly 550 acres out of the many thousands San José reserves for residential development. If the City truly wants to meet its housing goals, it should explore expanding ministerial approval for multi-family housing to many more sites. This policy should apply to all sites in growth areas/approved urban villages and all land use designations that allow multifamily housing.
3. **Density:** The proposed policy establishes a minimum density of 40 DU/AC for projects seeking ministerial approval. If this policy encompassed a broader geography, 40 DU/AC would be acceptable. However, as is, the policy targets a limited number of sites within urban villages and identified growth areas. Projects proposed for these sites should, on the whole, be our densest, and the City must incentivize developers to build denser by raising the bar. Lower densities can still go forward, of course, using the current process. A 50 DU/AC minimum is a more suitable density for the inventoried sites. For instance, this could further incentivize a developer to build five stories instead of four (especially if they know they don't have to contend with a community opposition seeking to reduce heights during a community meeting, as suggested in this new policy). Moreover, denser development provides more tax revenue for the City and is a [more cost-effective way](#) of providing ongoing city services. We are asking you, city staff, the Mayor, and the Council to increase the density from 40 DU/AC to 50.

With these considerations in mind, we reassert our support for the proposed ministerial review process and urge the Planning Commission to send it to the City Council for approval.

Sincerely,

# CATALYZE SV



Jake Wilde, Manager of Development Projects, Catalyze SV



Outlook

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**FW: SJ City Council Votes on 12/17/2024 on Elimination of Public Comment on Infill Housing**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:50 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Will Belknap <[REDACTED]>  
**Sent:** Sunday, December 15, 2024 1:53 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>  
**Subject:** Fwd: SJ City Council Votes on 12/17/2024 on Elimination of Public Comment on Infill Housing

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Absolutely do NOT pass this. We need a council and government that listens to the people, not just the developers and financiers.

It's bad enough the state is trying to do this, but the council and local governments are our last line of defense. DO NOT pass this and ignore our voices.

We will pay attention and remember.

Will Belknap

Long time Willow Glen resident.

----- Forwarded Message -----

**Subject:** SJ City Council Votes on 12/17/2024 on Elimination of Public Comment on Infill Housing  
**Date:** Sun, 15 Dec 2024 19:13:25 +0000  
**From:** Families & Homes <[REDACTED]>  
**Reply-To:** [REDACTED]  
**To:** [REDACTED]



## **SJ City Council To Vote on Eliminating Public Comments & Public Environmental Review for Infill Housing Projects**

The City Council will vote on a **streamlined review process for infill housing and multiuse developments citywide including all designated urban villages.**

The proposed approach includes two major changes:

1. **No public hearing or public input** required for infill projects meeting certain requirements.
2. **CEQA ministerial exemption**, which would eliminate public comment on environmental review report requirements.

The City Council will vote on:

**Date:** Tuesday, December 17, 2024  
**Time:** At 1:30 pm or later (no specific time for voting set)  
**Place:** City Council Chambers at City Hall

**Public Comment:** Only In Person and by email to [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov) by 8:00 am on Tuesday, December 17, 2024. In Title State: Agenda Item 10.3

### **Requested Actions**

Attend the council meeting and make public comment. Or write emails to your council members and the City Clerk requesting that public comments and elected official oversight remain in the infill housing permitting process.



Send your email to:

[city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov), [matt.mahan@sanjoseca.gov](mailto:matt.mahan@sanjoseca.gov), [Rosemary.Kamei@sanjoseca.gov](mailto:Rosemary.Kamei@sanjoseca.gov), [Sergio.Jimenez@sanjoseca.gov](mailto:Sergio.Jimenez@sanjoseca.gov), [district3@sanjoseca.gov](mailto:district3@sanjoseca.gov), [David.Cohen@sanjoseca.gov](mailto:David.Cohen@sanjoseca.gov), [peter.ortiz@sanjoseca.gov](mailto:peter.ortiz@sanjoseca.gov), [dev.davis@sanjoseca.gov](mailto:dev.davis@sanjoseca.gov), [bien.doan@sanjoseca.gov](mailto:bien.doan@sanjoseca.gov), [domingo.candelas@sanjoseca.gov](mailto:domingo.candelas@sanjoseca.gov), [pam.foley@sanjoseca.gov](mailto:pam.foley@sanjoseca.gov), [district10@sanjoseca.gov](mailto:district10@sanjoseca.gov)

Items to Comment Upon:

1. This ordinance is being proposed to increase housing infill. Consider a time limit or expiration date of 4 to 5 years to determine if this actually produces more housing. This would require a future council to actually review the impact instead of leaving a bad law in place.
2. Numerous impacted parcels are in District 3. D3 residents have no representative currently on the City Council. Delay the vote until there is a D3 representative.
3. The planning staff had only 1 public meeting on the ordinance. But they met with numerous organizations that support the ordinance. We have obtained the list. If you would like a copy, then send us an email.

## Some Items to Know

1. The state has reduced or eliminated public and elected official's oversight of local housing and zoning decisions with the passage of several bills including SB9, SB35 and others. Now our local officials are using the same techniques to eliminate public comment further.
2. This ordinance eliminates public, Planning Commission, and City Council comment and approval. Our elected officials are abdicating their responsibilities to developers. There is a memo submitted by 5 of the council members to require "one information public meeting" but with no requirement to address comments received.
3. Staff & council memos state that public comment had already been received when urban villages were included in the General Plan and during review cycles. That input, in most cases, is years old or was not specific to any individual development. The public was informed that there would be additional public comment during the actual permitting process. The staff and council are breaking their promises. The Council and staff maintain that extensive public outreach occurred on the housing element and for the proposed ordinance. The state criticized the city's housing element for lack of public outreach.

4. The proposed ordinance maintains some existing “environmental” requirements including noise abatement, dust reduction, etc. All of the items being maintained are good and standard items that have existed for years. This is not a replacement for public comment on an environmental report.

Additional information is available at [Infill Housing Ministerial Approval Ordinance | City of San José](https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/infill-housing-ministerial-approval-ordinance). (<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/infill-housing-ministerial-approval-ordinance>) and [City Council Dec 17 Agenda \(See Item 10.3 & attachments\)](#).

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### **About Families and Homes SJ**

Families and Homes SJ is a 100% volunteer-staffed grassroots coalition of San José residents and organizations joining together to defend the rights of single-family residential neighborhoods within the city of San José. The organization supports the city’s Urban Village housing strategy, which will produce large numbers of affordable and market-rate housing that is both environmentally and fiscally sustainable.

We also support Our Neighborhood Voices (<https://ourneighborhoodvoices.com/>) initiative that would restore the responsibility for land use and zoning to cities and counties where it has historically been. Currently the state continues to expand its “one-size” fits all land use and zoning laws. Please join their mailing list to receive current information.

[Learn More About Families & Homes SJ](#)

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Outlook

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**FW: Agenda Item 10.3, City Streamlined Review Process for Infill Housing Development**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:51 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

1 attachment (182 KB)

12-24 Letter to Council-Support for Ministerial Infill Ordinance.pdf;

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**From:** Alison Cingolani <[REDACTED]>  
**Sent:** Friday, December 13, 2024 6:42 PM  
**To:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** Regina Celestin Williams <[REDACTED]>; Manuel Salazar <[REDACTED]>; Mathew Reed <[REDACTED]>  
**Subject:** RE: Agenda Item 10.3, City Streamlined Review Process for Infill Housing Development

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Dear Mayor Mahan, Vice Mayor Kamei, and Councilmembers Jimenez, Cohen, Ortiz, Davis, Doan, Candelas, Foley, and Casey,

Please find attached SV@Home's letter of support for Agenda Item 10.3, City Streamlined Review Process for Infill Housing Development.

Warm regards,

**Alison Cingolani**

Director of Policy | SV@Home  
[REDACTED] | [REDACTED]



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**Board of Directors**Shiloh Ballard, *Chair*Aubrey Merriman, *Vice Chair*  
*LifeMoves*Andrea Osgood, *Treasurer*  
*Eden Housing*Nevada Merriman, *Secretary*  
*MidPen Housing Corporation*Bob Brownstein  
*Working Partnerships USA*Julie Mahowald  
*Housing Trust Silicon Valley*Candice Gonzalez  
*Sand Hill Property Company*Amie Fishman  
*Non-Profit Housing*  
*Association of Northern CA*Maria Noel Fernandez  
*Working Partnerships USA*Randy Tsuda  
*Alta Housing*Steven Yang  
*Northern CA LIIF*Victor Vasquez  
*SOMOS Mayfair*Javier Gonzalez  
*Google*Pilar Lorenzana  
*Silicon Valley Community*  
*Foundation*Poncho Guevara  
*Sacred Heart Community*  
*Service*Chris Neale  
*The Core Companies*Staff  
Regina Celestin Williams  
*Executive Director***Via email****December 13, 2024****RE: Agenda Item 10.3, City Streamlined Review Process for Infill Housing Development**

Dear Mayor Mahan, Vice Mayor Kamei, and Councilmembers Jimenez, Cohen, Ortiz, Davis, Doan, Candelas, Foley, and Casey,

As an organization dedicated to ensuring every resident of Santa Clara County has access to a safe, stable home they can afford, we at SV@Home believe it is critical to streamline the approval process for residential infill development, especially in locations near transit. We see this Zoning Code update as an important step towards efficiency that will lower the cost of market-rate development. **We support the staff recommendation that the City Council adopt this package of Zoning Code amendments, along with the recommendations in the December 13, 2024 memorandum from the Mayor, Vice Mayor Kamei, and Councilmembers Jimenez, Cohen, and Davis, and SV@Home's recommendations below.**

We have actively engaged with staff in the development of the Infill Housing Ministerial Approval Ordinance since its inception as part of the Housing Element. Our staff has attended community meetings, study sessions, and stakeholder focus groups. We have also shared our perspective through both written and direct exchanges with Planning Department staff. We believe that this ordinance will have the greatest impact towards achieving the City's RHNA goals for market-rate development. And, while San Jose exceeded its market-rate housing goals in the last Housing Element cycle, the RHNA has increased significantly with nearly 38,400 moderate income and above moderate income units planned for in the current Housing Element cycle. The remaining 23,800 affordable homes of the total 62,200 homes that the city must produce will require additional policy strategies.

Based on our conversations with Planning Department staff, we understand this to be the first of several phases of work on the Infill Housing Ordinance with future versions expanding to additional growth areas, which will significantly expand eligibility for the streamlined approval process. We encourage the establishment of a timeline for future phases of the Ordinance.

**We strongly recommend the following modifications to the ordinance:**

- Explicitly state that developments using provisions of applicable state law to waive objective design standards, if otherwise complying with the terms of the ordinance, are eligible for the ministerial approval process.** We are concerned that the language of the proposed ordinance, in section 20.195.080 *Local Ministerial Standards*, states that developments qualifying for the Infill Housing Ministerial Approval Ordinance must "comply with all objective design guidelines." Developers often use waivers available under the state's Density Bonus law to receive exceptions to objective design standards, which can

Date: December 13, 2024

Re: Agenda Item 10.3, City Streamlined Review Process for Infill Housing Development

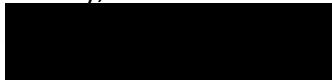
Page 2 of 2

significantly increase development costs. The ability to leverage both local streamlining and the State's cost reduction measures, including waivers of design standards, is a need that has been elevated by our members who are developers of affordable housing. Density Bonus law waivers of objective design standards also enable market rate developers to accommodate more homes and more deeply affordable homes on-site than would otherwise be feasible.

2. **In order to facilitate the development of affordable housing as well as additional market rate housing, we recommend that future versions of the ordinance also include more General Plan land use designations, opening up more qualifying parcels.** Applying the policy to all land use designations that allow multifamily housing would ensure more parcels are eligible, expanding the effectiveness of the ordinance at achieving its stated goals and facilitating the City's RHNA achievement.

We appreciate the work the City has done to prepare the Infill Housing Ministerial Approval Ordinance and look forward to continuing our active engagement as the ordinance is implemented.

Sincerely,



Regina Celestin Williams  
Executive Director

*Silicon Valley @ Home is a nonprofit advocacy organization that supports housing and affordable housing development throughout Santa Clara County. SV@Home works with a broad coalition of strategic partners to address the urgent housing needs of the diverse residents across all our communities. We advocate for solutions including increasing production of homes at all income levels, especially affordable housing; preserving existing affordable housing; and protecting our community's most vulnerable residents from displacement.*



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**FW: Vote on Eliminating Public Comments & Public Environmental Review for Infill Housing Projects**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:50 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Angela Elsey <[REDACTED]>  
**Sent:** Sunday, December 15, 2024 4:24 PM  
**Subject:** Vote on Eliminating Public Comments & Public Environmental Review for Infill Housing Projects

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I am writing to request that public comments and elected official oversight remain in the infill housing permitting process.

1. This ordinance is being proposed to increase housing infill. Consider a time limit or expiration date of 4 to 5 years to determine if this actually produces more housing. This would require a future council to actually review the impact instead of leaving a bad law in place.
2. Numerous impacted parcels are in District 3. D3 residents have no representative currently on the City Council. Delay the vote until there is a D3 representative.
3. The planning staff had only 1 public meeting on the ordinance at which quite a few people were concerned about this issue. But staff met with numerous organizations that support the ordinance.
  1. The state has reduced or eliminated public and elected official's oversight of local housing and zoning decisions with the passage of several bills including SB9, SB35 and others. Now our local officials are using the same techniques to eliminate public comment further.
  2. This ordinance eliminates public, Planning Commission, and City Council comment and approval. Our elected officials are abdicating their responsibilities to developers. There is a memo submitted by 5 of the council members to require "one information public meeting" but with no requirement to address comments received.



3. Staff & council memos state that public comment had already been received when urban villages were included in the General Plan and during review cycles. That input, in most cases, is years old or was not specific to any individual development. The public was informed that there would be additional public comment during the actual permitting process. The staff and council are breaking their promises. The Council and staff maintain that extensive public outreach occurred on the housing element and for the proposed ordinance. The state criticized the city's housing element for lack of public outreach.
4. The proposed ordinance maintains some existing "environmental" requirements including noise abatement, dust reduction, etc. All of the items being maintained are good and standard items that have existed for years. This is not a replacement for public comment on an environmental report.

Angela Elsey

[REDACTED]  
Land line: [REDACTED]  
Cell: [REDACTED]

Life isn't about waiting for the storm to pass.  
It's about learning to dance in the rain.

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**FW: Agenda Item 10.3**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 12:15 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Brenda Dohmen <[REDACTED]>  
**Sent:** Monday, December 16, 2024 11:29 AM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Subject:** Agenda Item 10.3

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We are opposed to this ordinance.

1. This ordinance is being proposed to increase housing infill. Consider a time limit or expiration date of 4 to 5 years to determine if this actually produces more housing. This would require a future council to actually review the impact instead of leaving a bad law in place.
2. Numerous impacted parcels are in District 3. D3 residents have no representative currently on the City Council. Delay the vote until there is a D3 representative.
3. The planning staff had only 1 public meeting on the ordinance. But they met with numerous organizations that support the ordinance. We have obtained the list. If you would like a copy, then send us an email.
- 4.

We are strongly in favor of bringing back local control of zoning. We think the State's decisions on housing legislation and RHNA numbers are all driven by special interests such as CAR, real estate developers, political campaigns, and truly don't have community best interests in mind and are unnecessary. It's not serving the people well.

## Other considerations

1. The state has reduced or eliminated public and elected official's oversight of local housing and zoning decisions with the passage of several bills including SB9, SB35 and others. Now our local officials are using the same techniques to eliminate public comment further.
2. This ordinance eliminates public, Planning Commission, and City Council comment and approval. Our elected officials are abdicating their responsibilities to developers. There is a memo submitted by 5 of the council members to require "one information public meeting" but with no requirement to address comments received.
3. Staff & council memos state that public comment had already been received when urban villages were included in the General Plan and during review cycles. That input, in most cases, is years old or was not specific to any individual development. The public was informed that there would be additional public comment during the actual permitting process. The staff and council are breaking their promises. The Council and staff maintain that extensive public outreach occurred on the housing element and for the proposed ordinance. The state criticized the city's housing element for lack of public outreach.
4. The proposed ordinance maintains some existing "environmental" requirements including noise abatement, dust reduction, etc. All of the items being maintained are good and standard items that have existed for years. This is not a replacement for public comment on an environmental report.
5. Every new resident and new build hurts the environment, we have illegal dumping everywhere, homeless living in our creeks and parks, abandoned vehicles, plastics in our water, medical waste dumping. Every single person creates more waste and pollution, we are over crowded already with poor quality of life, poor education, poor transportation and roads. Basic city services are lacking. We don't need more density here. We are strongly in favor of neighborhood input, public comment for all new builds in our city and state. We need to take back our city and our neighborhoods with more public input not less. There is nothing wrong with preserving our SFH neighborhoods. CEQA streamlining should be avoided and public input should be heard and expanded.

Happy Holidays,  
Brenda Dohmen

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**FW: Agenda Item 10.3 on 12/17/2024**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 2:24 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** jim gailey <[REDACTED]>  
**Sent:** Monday, December 16, 2024 2:11 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Agenda Item 10.3 on 12/17/2024

[**External Email.** Do not open links or attachments from untrusted sources. [Learn more](#)]

You don't often get email from [REDACTED]. [Learn why this is important](#)  
Greetings,

I want to register my strong opposition to shutting out the many thousands of voices of the people in San Jose who are vehemently opposed to developments being ramrodded into their neighborhoods. If this is voted on and passed it would be a high handed take over of our rights as citizens to control what could end up destroying our neighborhoods we live in.

The City Council has no right to become totalitarian and Elitist in voting our right's away,

Jim Gailey

[Sent from Yahoo Mail for iPhone](#)

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**FW: Opposition to rezoning properties as SB35 eligible**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 2:24 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

-----Original Message-----

**From:** Creighton Nolte <[REDACTED]>  
**Sent:** Monday, December 16, 2024 2:10 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Opposition to rezoning properties as SB35 eligible  
**Importance:** High

[External Email. Do not open links or attachments from untrusted sources. Learn more <<https://aka.ms/LearnAboutSenderIdentification>>]

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am protesting the rezoning of any area in the City of San Jose to be rezoned as SB35 eligible for infill housing.

Community Outreach is our right. I have never been informed of this planned zoning change and non of my neighbors have been notified or given the opportunity to express our concerns regarding this matter.

CEQA is vital to our communities. A proposed development at 1371 Kooser Road is immediately adjacent to an existing gas station and placing a residential development next to the gas station is in violation of State restrictions.

Creighton Nolte  
[REDACTED]

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Outlook

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**FW: City Streamlined Review Process for Infill Housing Development**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 3:10 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (177 KB)

South Bay YIMBY Comments re Streamlined Infill Housing .pdf;

---

**From:** Aaron Eckhouse <[REDACTED]>  
**Sent:** Monday, December 16, 2024 2:32 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** Bhattacharjee, Smita <Smita.Bhattacharjee@sanjoseca.gov>; Rocha, Vincent <Vincent.Rocha@sanjoseca.gov>; Lomio, Michael <Michael.Lomio@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; devora.davis@sanjoseca.gov; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Alex Shoor <[REDACTED]>; Alison Cingolani <[REDACTED]>; Ali Sapirman <[REDACTED]>; Elizabeth Conlan <[REDACTED]>  
**Subject:** Re: City Streamlined Review Process for Infill Housing Development

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Hello,

Please see the attached letter from South Bay YIMBY in support of San Jose adopting a streamlined approval process for infill housing.

thank you,

Aaron Eckhouse  
Local and Regional Policy Program Director  
California YIMBY  
[REDACTED]

he/him/his

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# SOUTH BAY YIMBY

South Bay YIMBY is a grassroots group of South Bay residents who seek solutions to our area's housing crisis. As pro-housing activists fighting for more inclusive housing policies and a future of abundant housing in our county, we are pleased to offer comments on San Jose's proposed ordinance for ministerial approval of infill housing. **We urge San Jose to follow through on its commitment to enact this policy**, and make suggestions for how it can be strengthened.

Ministerial approval of housing makes building new homes faster and less risky. Infill housing offers major environmental benefits in enabling lower-carbon living and protecting natural lands from sprawl, so it is appropriate to provide it with a streamlined approval process that avoids lengthy environmental review & potential lawsuits. Ministerial approval is a policy with proven efficacy at the state level (through SB 35) and in other California cities (such as Sacramento). We are excited to see San Jose moving to implement this policy in a timely manner, something South Bay YIMBY identified as a top priority during our review & comment on the city's Housing Element update.

We urge the city to continue moving forward to adopt the ministerial approval policy in a timely way. However, we also wish to identify several improvements we feel are needed. The proposed policy is too limited to fully address permitting delays and uncertainty in San Jose, and will not achieve the desired improvements in processing time and housing production. Fundamentally, **the eligibility standards for both sites and projects are too narrow and will exclude too many new developments**. The ordinance as drafted applies on just 550 acres, less than 1% of the city's land area, simply not enough to accommodate the scope of San Jose's housing needs.

We recommend expanding the policy in the following ways:

1. Expand coverage to include all approved Urban Village or Special Plan Areas and all major transit areas.
2. Expand eligible land use designations to include all which allow multifamily housing.
3. Allow limited waivers of the city's objective design standards for density bonus projects, rather than prohibiting them entirely.
4. In later updates, further loosen site exclusion standards and eligibility requirements to allow for broader use of the ministerial approval program.



In detail, we recommend that San Jose:

**1. Expand coverage areas** to bring more of the city into the ministerial infill ordinance. As proposed, the policy applies only on parcels that are *both* in an approved Urban Village of Special Plan Area *and* within ½ mile of a major transit stop. Instead, we propose that it should cover *all* approved Urban Villages and *all* major transit areas. San Jose has many urban villages that are not entirely within major transit areas, yet it has still identified those locations as appropriate for growth and development. Those areas should allow ministerial approval of housing developments that are consistent with the approved plan and zoning. Similarly, transit-oriented development in San Jose is not and should not be limited exclusively to urban villages. All areas near major transit stops should allow for ministerial approval as a way to facilitate more housing opportunities in the most transportation efficient locations in the city.

**2. Expand eligible land use designations** to make more parcels within the identified growth areas eligible. To include major transit areas outside approved Urban Villages, the city would need to include non-Urban Village land use designations. Even within the boundaries of approved urban villages, the areas the city has identified as most appropriate & desired for growth, the current policy excludes the majority of parcels. This is due to several additional eligibility requirements layered on top, including a limitation to only certain land use designations: Urban Residential, Transit Residential, Urban Village, or Mixed Use Commercial. We would recommend applying the policy on all land use designations that allow multifamily housing.

We would also recommend the city consider loosening the minimum density requirement, especially since the currently eligible land use designations already require minimum densities of 30-50 du/acre. Instead of adding a separate eligibility requirement to the ministerial approval process, the city could require compliance with the minimum density of the site's zoning district.

**3. Allow limited waivers** from the city's design standards to provide more flexibility and better incentives for on-site affordable housing. As proposed, ministerial approval would not be possible for any development seeking any modification to the city's objective design standards. Many developments with on-site Affordable Housing seek waivers & concessions from those standards under state density bonus law. Density bonus law is an important tool for creating Affordable Housing, and waivers & concessions are an important part of how density bonus law works. They offer greater flexibility to design buildings around the specific needs of the site and future residents, and to accommodate more homes and greater affordability than would otherwise be possible. San Jose should not exclude developments from using both density bonus and ministerial approval.

**4. In later updates, further loosen site exclusion standards and eligibility requirements** to allow for broader use of the ministerial approval program. This could include allowing redevelopment of existing rental housing when appropriate renter protection measures are followed. Much of the rental housing stock in California and San Jose is old, and some of it is

approaching the end of its useful life. Replacing small old apartment buildings, which are generally poorly insulated and often full of lead paint and mold, with bigger new buildings built to modern health & safety codes, can be a win-win for both current and future residents – especially since state law requires any existing low cost housing be replaced with dedicated Affordable Housing. This will require robust verification processes by the city to ensure that current residents receive the relocation assistance and right to return which they are entitled to under law.

The first three recommendations should be written into the current ordinance. The fourth would be for consideration in future updates to the program. Given the very limited scope of the current proposal, we would hope to see regular updates and expansions. Ministerial approval should be the norm for infill multifamily housing in San Jose, not an exception. It is an essential part of achieving the city's housing needs and all the benefits that come with that: relief for burdened renters, shorter commutes for essential workers, expanded homeownership opportunities, and a vibrant & inclusive city.

Thank you for your consideration, and thank you to city staff for their ongoing work on this measure,

South Bay YIMBY

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**FW: ALLOW Public Comment on Infill Housing**

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**From:** City Clerk <city.clerk@sanjoseca.gov>  
**Date:** Tue 12/17/2024 8:07 AM  
**To:** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Dan Sell <[REDACTED]>  
**Sent:** Tuesday, December 17, 2024 8:00 AM  
**To:** Tami Sell <[REDACTED]> City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Subject:** Re: ALLOW Public Comment on Infill Housing

[External Email. Do not open links or attachments from untrusted sources. [Learn more](#)]

You don't often get email from [REDACTED]. [Learn why this is important](#)  
Hello Mayor and San Jose City Council Members,

Please ALLOW public comments and have elected official oversight continue with the infill housing permitting process. Do not bypass public comment or environmental review.

To eliminate the option for public comments is NOT right!

These tall multi-family apartment buildings should be only near Lightrail or Caltrain stations. And they should have at least 1 parking stall per unit in every apartment building.

The 7 story apartment complex planned for 1371 Kooser Road is way too tall. The neighborhood schools will be impacted, public services will be affected, and traffic will be a nightmare since light rail is not close by. We already don't have enough police and fire services, and our state's water and electricity are in short supply, so we shouldn't build these monstrous apartment buildings in areas which don't have the resources. Housing quality still matters, even as we build up!

With the census decreasing in San Jose, someone needs to inform Governor Newsom and team to revise and decrease our housing goals.

Abolishing public comment is an attack on Democracy!! Please do the right thing and allow public comment on all topics.

Thank you! Dan Sell, District 10 resident and voter

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, December 17, 2024, 7:57 AM, Tami Sell <[REDACTED]> wrote:

Hello Mayor and San Jose City Council Members,

Please ALLOW public comments and have elected official oversight continue with the infill housing permitting process.

To eliminate the option for public comments is NOT right!

These tall multi-family apartment buildings should be only near Lightrail or Caltrain stations. And they should have at least 1 parking stall per unit in every apartment building.

The 7 story apartment complex planned for 1371 Kooser Road is way too tall. The neighborhood schools will be impacted, public services will be affected, and traffic will be a nightmare since light rail is not close by. We already don't have enough police and fire services, and our state's water and electricity are in short supply, so we shouldn't build these monstrous apartment buildings in areas which don't have the resources. We need to improve quality of life in our city, not make it worse!

With the census decreasing in San Jose, someone needs to inform Governor Newsom and team to revise and decrease our housing goals.

Abolishing public comment is an attack on Democracy!! Please do the right thing and allow public comment on all topics.

Thank you! Tami Sell, District 10 resident and voter

Begin forwarded message:

On Sunday, December 15, 2024, 11:13 AM, Families & Homes <[REDACTED]> wrote:



## SJ City Council To Vote on Eliminating Public Comments & Public Environmental Review for Infill Housing

The City Council will vote on a **streamlined review process for infill housing and multiuse developments citywide including all designated urban villages**.

The proposed approach includes two major changes:

1. **No public hearing or public input** required for infill projects meeting certain requirements.
2. **CEQA ministerial exemption**, which would eliminate public comment on environmental review report requirements.

The City Council will vote on:

**Date:** Tuesday, December 17, 2024  
**Time:** At 1:30 pm or later (no specific time for voting set)  
**Place:** City Council Chambers at City Hall

**Public Comment:** Only In Person and by email to [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov) by **8:00 am on Tuesday, December 17, 2024**. In Title State: Agenda Item 10.0

### Requested Actions

Attend the council meeting and make public comment. Or write emails to your council members and the City Clerk requesting that public comments and elector participation be included in the permitting process.

Send your email to: [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov), [matt.mahan@sanjoseca.gov](mailto:matt.mahan@sanjoseca.gov), [Rosemary.Kamei@sanjoseca.gov](mailto:Rosemary.Kamei@sanjoseca.gov), [Sergio.Jimenez@sanjoseca.gov](mailto:Sergio.Jimenez@sanjoseca.gov), [district3@sanjoseca.gov](mailto:district3@sanjoseca.gov), [David.Cohen@sanjoseca.gov](mailto:David.Cohen@sanjoseca.gov), [peter.ortiz@sanjoseca.gov](mailto:peter.ortiz@sanjoseca.gov), [dev.davis@sanjoseca.gov](mailto:dev.davis@sanjoseca.gov), [bien.doan@sanjoseca.gov](mailto:bien.doan@sanjoseca.gov), [domingo.candelas@sanjoseca.gov](mailto:domingo.candelas@sanjoseca.gov)

Items to Comment Upon:

1. This ordinance is being proposed to increase housing infill. Consider a time limit or expiration date of 4 to 5 years to determine if this actually produces more housing for the council to actually review the impact instead of leaving a bad law in place.
2. Numerous impacted parcels are in District 3. D3 residents have no representative currently on the City Council. Delay the vote until there is a D3 representative on the council.
3. The planning staff had only 1 public meeting on the ordinance. But they met with numerous organizations that support the ordinance. We have obtained a list of those organizations via email.

### Some Items to Know

1. The state has reduced or eliminated public and elected official's oversight of local housing and zoning decisions with the passage of several bills. Our local officials are using the same techniques to eliminate public comment further.
2. This ordinance eliminates public, Planning Commission, and City Council comment and approval. Our elected officials are abdicating their responsibility. A public comment memo submitted by 5 of the council members to require "one information public meeting" but with no requirement to address comments received.
3. Staff & council memos state that public comment had already been received when urban villages were included in the General Plan and during the public comment process. The public was informed that there would be additional public comment during the public comment process. The council are breaking their promises. The Council and staff maintain that extensive public outreach occurred on the housing element and for the public comment process. The city's housing element for lack of public outreach.
4. The proposed ordinance maintains some existing "environmental" requirements including noise abatement, dust reduction, etc. All of the items that have existed for years. This is not a replacement for public comment on an environmental report.

Additional information is available at [Infill Housing Ministerial Approval Ordinance | City of San José](https://www.sanjoseca.gov/your-government/departments-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/infill-housing-ministerial-approval-ordinance). (<https://www.sanjoseca.gov/your-government/departments-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/infill-housing-ministerial-approval-ordinance>) and [City Council Dec 17 / 2024](#)

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### **About Families and Homes SJ**

Families and Homes SJ is a 100% volunteer-staffed grassroots coalition of San José residents and organizations joining together to defend the rights neighborhoods within the city of San José. The organization supports the city's Urban Village housing strategy, which will produce large numbers of e both environmentally and fiscally sustainable.

We also support Our Neighborhood Voices (<https://ourneighborhoodvoices.com/>) initiative that would restore the responsibility for land use and zoning historically been. Currently the state continues to expand its "one-size" fits all land use and zoning laws. Please join their mailing list to receive curre

[Learn More About Families & Homes SJ](#)

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E-Mail Us:

[familiesandhomessj@gmail.com](mailto:familiesandhomessj@gmail.com)

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**FW: Kooser Urban Village Vote**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:15 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Andrea Ator <[REDACTED]>  
**Sent:** Monday, December 16, 2024 9:54 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Kooser Urban Village Vote

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You don't often get email from [REDACTED]. [Learn why this is important](#)  
Hi City Council,

I am writing to you as a constituent of San Jose, my request is that you represent the people by voting against the proposed amendment to remove public input and sequel from urban Village planning.

I feel that this takes away from the community and our voices. I hope that you will support the people of San Jose and allow us to have a say as we want to be part of the process that impacts us directly.

Thank you for listening.

Sincerely,  
Andrea Ator

[Sent from Yahoo Mail for iPhone](#)

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**FW: Agenda Item 10.3**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 12/17/2024 7:33 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** rick ator <[REDACTED]>  
**Sent:** Monday, December 16, 2024 11:43 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Subject:** Agenda Item 10.3

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City Council,

The city council should vote no on this ordinance because:

First, while state laws like SB9 and SB35 have already reduced local control over housing decisions, this ordinance goes even further by eliminating Planning Commission, City Council, and public oversight of developments. The proposed single "information public meeting" has no requirement to address community feedback.

Second, claims that sufficient public input was received during General Plan updates are misleading - that feedback is outdated and wasn't specific to individual projects. The public was promised opportunities to comment during the actual permitting process.

Finally, maintaining basic environmental requirements like noise and dust control is not an adequate substitute for proper environmental review and public comment. The state has already criticized the city's housing element for insufficient public outreach, and this ordinance would further reduce community involvement in development decisions.

Please listen to the residents of San Jose that are all asking you to say no and not the developers and non profits who are paid and benefit from this!

Riccardo Ator

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**FW: PP24-011 City Streamline Review Process - Vote YES on the Ordinance**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 11:13 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Elizabeth Conlan <[REDACTED]>  
**Sent:** Monday, December 16, 2024 11:02 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>  
**Subject:** PP24-011 City Streamline Review Process - Vote YES on the Ordinance

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Dear Mayor Mahan and City Councilmembers:

As a San Jose resident (District 9), renter, and member of South Bay YIMBY, I urge your support for the ordinance on ministerial approval of infill housing. I also urge you to adopt the improvements and recommendations laid out in a letter by South Bay YIMBY.

San Jose consistently ranks as one of the least affordable cities in the country. For those of us who are younger or lower income, finding and keeping an affordable home is a struggle and the prospect of homeownership is depressingly out of reach. I worry that the proposed policy is too limited to address permitting delays and uncertainty in San Jose, and will not achieve the desired improvements in processing time and housing production. Currently, the eligibility standards for both sites and projects are too narrow and will exclude too many new developments. The ordinance as drafted applies on just 550 acres, less than 1% of the city's land area which is not enough to accommodate the scope of San Jose's housing needs.

I support the recommendations to expand the policy in the following ways:

1. Expand coverage to include all approved Urban Village or Special Plan Areas and all major transit areas.
2. Expand eligible land use designations to include all which allow multifamily housing.



3. Allow limited waivers of the city's objective design standards for density bonus projects, rather than prohibiting them entirely.

4. In later updates, further loosen site exclusion standards and eligibility requirements to allow for broader use of the ministerial approval program.

I know that you are well aware of San Jose's affordability crisis and the obstacles to homebuilding. We need ambitious reforms, and we need them now. Please show your support for solving these issues by improving the ordinance on ministerial approval of infill housing.

Thank you,  
Elizabeth Conlan

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**FW: agenda item 10.3. do not eliminate public input**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:33 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** carol herzog <[REDACTED]>  
**Sent:** Monday, December 16, 2024 7:47 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>  
**Subject:** agenda item 10.3. do not eliminate public input

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Please do not eliminate public hearings or public input for infill housing and multiuse developments in San Jose. Please do not eliminate public comments on environmental reviews.

As long term San Jose residents we deserve to have a voice in what happens to our neighborhoods. It is difficult enough to see all the high rises being built way too close to residential neighborhoods. There seems to be no considerations regarding the gridlock that is happening on our roads and the way our neighborhoods are being overheated by all the high rise steel and cement buildings.

Please remember who voted you in and who takes pride in their neighborhood

Sincerely

Carol Herzog

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**FW: Comment for City council vote tomorrow**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:16 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Susan Weitzel <[REDACTED]>  
**Sent:** Monday, December 16, 2024 4:07 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Subject:** Comment for City council vote tomorrow

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Hello. We just heard about this item on the agenda tomorrow via Families & Homes on Nextdoor. It is very short notice. I am sending this to you representing my husband Allen, a 5th generation San Jose resident, myself, a 59-year resident and our two adult sons, born & raised in San Jose and both employees in the tech industry. This is in response to a very disturbing item on your docket for a vote tomorrow that would eliminate public comments as well as public environmental review on infill housing projects.

We are so disheartened to hear that the City Council does not wish to consider the thoughts, concerns, and feelings of the very citizens who voted for them to represent us. How can that be? What is the motive? Our first thought....corporate pressure and some pockets being lined? We certainly hope not! .

There are many issues of serious concern with this plan. The primary concern is that the city is forgiving the safety factor in place of speed in hopes of completing a housing plan that would be created and implemented by a committee that may or may not possess the skill sets to address serious and unseen timely and untimely environmental & safety complications.

The act of constructing buildings and various public use facilities without up to date pre-and post-inspections is clearly unwise. Should any incident occur, and legal action is taken, no doubt the legal counsel for the injured party would wish to depose anyone who had input to the project, regardless of years, date, or times of the involvement. Personal & Environmental Safety is a big deal especially when public money is concerned.

Over the past couple of years due to the unaffordable cost of living here, blight is becoming the norm. Many local businesses are closed and sit shuttered and rotting, droves of people are selling, taking their decades of home equity and leaving San Jose and the State, homelessness and crime has become such a major problem here that we longtime supporters of San Jose can no longer recommend it as a nice place to live. Due to the blatant crime, we are afraid to go out at night and must be ultra cautious even in the daytime. Our lovely area

of Cambrian is becoming crime ridden, ugly with those horrible street barriers to supposedly control speed, (which they are not doing), dirty and unsafe.

The high rises already being built are destroying the home value of those nearby and crowded street parking is really a mess. There is not enough police or fire protection, yet the city continues to want to build massive residential buildings even with no parking in some instances, all while the transit system is completely inadequate. Why not do things in order? Instead of high rises, convert current vacant buildings to provide the homeless some shelter. Next, build an adequate transit system, then, if absolutely needed, build your high rises in those areas where transit will accommodate the workers.

We know something must be done to alleviate the homelessness, but at what expense to those who work hard, pay their taxes and try to be safe? Now hearing that you, our city council, will vote to ignore us and our concerns just tops it all.

The role of our government officials is to listen to their citizens, research all concerns, properly correct them and represent & keep citizens educated & safe. The responsibility for our leaders is not to create immediate or long-term problems.

Sincerely,

Susan and Allen Weitzel

**San Jose Proud? Sadly, no longer.**

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**FW: Commenting for City Streamlined Review Process for Infill Housing Development, Dec 17, 2024**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:15 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** S Tien [REDACTED]  
**Sent:** Monday, December 16, 2024 9:41 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Commenting for City Streamlined Review Process for Infill Housing Development, Dec 17, 2024

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Dear Mayor Mahan and City Council,

I am protesting the rezoning of any area in the city to be rezoned as SB35 eligible for infill housing. Community outreach is our right. CEQA (California Environmental Quality Act) is vital to our communities.

Please don't rezone the Kooser Urban Village as SB 35 plan zone area.

Regards,  
Shuping Tien  
zip code 95118

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**FW: COUNCIL AGENDA: 12/17/2024 FILE: 24-2353 ITEM: 10.3**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:15 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Ruth Callahan <[REDACTED]>  
**Sent:** Monday, December 16, 2024 4:16 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; CAO Main <cao.main@sanjoseca.gov>; Solivan, Erik <Erik.Solivan@sanjoseca.gov>  
**Subject:** COUNCIL AGENDA: 12/17/2024 FILE: 24-2353 ITEM: 10.3

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*"The proposed ordinance is a necessary first step in unlocking thousands of homes in our urban village sites, and we commend staff for bringing this ordinance forward. However, we shouldn't have to wait for years or a redundant planning process to allow more housing.."*

*"An evaluation of potential waivers for certain design guidelines and recommendations for an associated process".*

Our growth areas have already undergone years of outreach and consideration. For instance, the city's current General Plan took four years to develop and underwent two updates in 2016 and 2021 driven by 40 community committee members. Each of these updates included two years of public meetings where community input was considered and collected. Planning for one recent urban village, the Alameda Urban Village, incorporated various stakeholder meetings and three community workshops over a three-year period before adoption in 2016. Similarly, the Housing Element underwent four years of public outreach, with over 100 meetings and stakeholder touch points, which included 4,500 individual participants.

The above paragraph must have been written by someone who didn't live in the city in the years referenced. Here are the facts:

- 40 members included no neighborhood associations. It was a list of developers, real estate agents, mortgage bankers, brokers, termed out politicians, city leaders in the chamber and business leader Carl Gardino.
- Community meetings were messaged to the public as, "Come see the General Plan for the BART extensions to San Jose". All the community meetings were held in D4, D3, and NONE in D7,9,10. (2016)
- The General Plan is over 1000 pages. No one could read or digest it in a 1 hour meeting. The review of the GP in 2016 was to see the plan for Bart to SJ. The reviews of the plan in 2021, were not for input but to tell the citizens that the state had mandated change through two unconstitutional laws (Article 34 California State Constitution) and talked endlessly about Housing First. There was no neighborhood community input; it was all decided by the Othing Institute of UC Berkeley and the Turner Commission.
- Since Covid, the population has diminished by 57% in 2023, in the DMA of San Jose (Santa Clara County) and there has been no revision of the RHNA housing unit needs. Replacing 800,000 residents who migrated out of state in 2023 with 800,000 immigrants is not growth. It is a catastrophic pressure on social services. The strain on the city services is reflected in budget deficits in the coming years. SJDMA's population was -4% in 2024 and projected to be - 5% in 2025. There is a drug and mental illness crisis

causing homelessness. That's the county's accountability, not SJC's responsibility. Revision of the numbers is needed.

- The number of participants is a sum of all the meetings in the past 20 years. This started in 2009 with Chucky Reed. He and Carl Gardino decided to hire a bus and ride through the city stopping at any 4 corners and declaring it an Urban Village development area. That's not real planning.
- NO community meetings were held in Kooser regarding any urban village development of Princeton Plaza Mall. Kooser was not notified in 2020 when SJC rezoned the commercial strip mall, located on Dellwood and Stanwood. ChuckE Cheese, a restaurant parking lot, was rezoned residential development. Not one resident was notified. SJC had Affirmed Housing Preliminary Review of Kooser Development in review since 2018. Lots of time to notify the residents. It was a shameful act and betrayed and violated our trust.
- There has been no housing crisis in California since covid. The city has a large population of unhoused, unemployed drug addicts and mentally ill residents who are here for the free social services. They have no intention of coming inside and behaving with civility. The efforts are futile.
- The voters have not approved a municipal bond measure for housing because there is no community input into the siting of Planned Development Areas.
- The voters will not let you take away our constitutional right to determine how this city is developed. Local control is a constitutional right and we vigorously protest that unelected city staff (most of whom don't even live in this city so they don't care about it) have no support from the people who live here.
- In all the Housing Element meetings - zoom and in person- Morales-Ferrand had a performative statement read decreeing that San Jose was a historically racist city. The housing first policy denied any neighborhood association input. NONE!
- In all Housing Elements community meeting residents were called , "Racist, Elitist, Privilege, Exclusionary and Entitled". How could any homeowner stand up for private property rights in an atmosphere of intimidation and bullying by city staff calling you a racist. Get real. There was no community input into the process. It was HOUSING FIRST or you were publicly ridiculed. Nothing about the process was fair to the neighborhood communities.
- Examples of the city staff's demeaning and deplorable attitude was on full display in a recent D9 Leadership meeting when a council member's staff member accused the president of a neighborhood association of being a liar. This staff member referred to the community leader by her full name and called that leader a liar. The petition, he referred to as being written by the community leader, was not written by that leader. It was not posted, distributed or reviewed by that leader. It was strictly organic from the community. The community pushed back and so you slander the president of the neighborhood association who was asked by the community to forward the results to the city officials. That was the community leader's only involvement. The city's staff's default response, when anyone dares to talk back to Housing First, is to slander their name and call them LIARS! This is so unprofessional and hurtful. But it strikes at the heart of the city staff's determination to impose their professorial indoctrination that the SJC past is the oppressor and now the city is protecting the oppressed without fear by making the single family communities the scapegoat.
- If SJC staff wants real community engagement it would behoove the city to be specific and upfront about the purpose of the engagement. Tell us what the real purpose is. Tell us what you are developing in the immediate area. Have the meeting at the location or near where the development is. If you can manage, stop thinking like bureaucrats and think like a real people. We are a suburban landscape with a downtown core. Stop trying to make us into something we are not and do not want to be. SB9 isn't working. We like the way we are; please stop.
- Kooser Urban Village has never been discussed with our residents and now without any notice to us you will rezone us again without our consent.
- How can there be any meaningful dialogue when the residents are called racist names and slandered when we try to communicate?

Ruth A Callahan

Resident D9 since 1973

Ruth A Callahan

San Jose, CA 95118

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**FW: Opposition to elimination of public comment for infill housing**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:15 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Lindy Hayes [REDACTED]  
**Sent:** Monday, December 16, 2024 9:10 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Opposition to elimination of public comment for infill housing

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I understand that the proposal for elimination of public comment for infill housing will be on the City Council agenda on Tuesday, 17 December 2024.

I am opposed to this proposal. I did attend the Planning Dept. public hearing on Zoom in order to better understand the issue. I do not think it is ever a good idea to completely eliminate public input. There was a previous age when San Jose took little input from its residents, and it became quite ugly. There are good reasons why public input exists now, as cumbersome as it is.

I also think that the proposal is a bit misleading, as it describes "infill housing". That would imply simply filling out what already exists, as opposed to allowing an expansion. The reality is that expansion would be allowed without public comment, and that would cause more problems than it solves.

It is a problem for the current members of the City Council to consider a measure which may severely their successors. The timing of this proposal is off, since it is shortly before new Council members are sworn in. At the very least, defer the matter until the incoming Council members (who may have to face irate residents) are sworn in.

thank you Lindy Hayes

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**FW: Eliminating Public Comments & Public Environmental Review for Infill Housing Projects**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 12/16/2024 10:14 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Rob \* <[REDACTED]>  
**Sent:** Monday, December 16, 2024 5:56 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Subject:** Eliminating Public Comments & Public Environmental Review for Infill Housing Projects

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Regarding "*Eliminating Public Comments & Public Environmental Review for Infill Housing Projects*"

This proposed eliminates public, Planning Commission, and City Council comment and approval.

It appears that the housing developers lobby money may be "influencing" city officials.

Please do not support this change to SJ City review process for building development.

Thanks,  
Rob LaNoce

[REDACTED]

**FW: Public Comment must be allowed for SB 35 ! The CEQA process must have community input!**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 12/17/2024 10:35 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** kristen jordan [REDACTED]  
**Sent:** Tuesday, December 17, 2024 10:24 AM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Subject:** Public Comment must be allowed for SB 35 ! The CEQA process must have community input!

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Dear City Clerk - Public comment must be allowed in this process! These things must be approved by the residents you are impacting! You cannot take away our rights to have input on our neighborhoods!  
Kristen Jordan

The Kooser Urban Village map designated for the new zoning of SB 35 will have the Zoning Changed for the entire area including Almaden Fashion Plaza, Wall Mart plaza, Princeton Plaza Mall & Whole Foods Center zoning them under a streamlined permitting process called Senate Bill 35 which eliminates all community input and CEQA requirements for the future planned development areas designated the Kooser Urban Village. This will allow high rises in excess of the 1371 Kooser Apartments which at this present time is 7 storys high on Dellwood and Stanwood Drive.

(Article 34 California State Constitution requires ALL housing developments to be approved by the residents). This causes destruction of our neighborhood communities and the State legislature is trying to take away our constitutional rights. We will not stand for this! Stop this now!

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**FW: SJ Chamber Support - Item 10.3: City Streamlined Review Process for Infill Housing Development**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 12/17/2024 12:05 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (256 KB)  
SJ Chamber Support Ministerial Housing Ordinance 1217241.pdf;

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**From:** Kat Angelov <[REDACTED]>  
**Sent:** Tuesday, December 17, 2024 11:41 AM  
**To:** District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>  
**Cc:** City Clerk <city.clerk@sanjoseca.gov>; Leah Toeniskoetter <[REDACTED]>  
**Subject:** SJ Chamber Support - Item 10.3: City Streamlined Review Process for Infill Housing Development

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Dear Honorable Mayor and City Councilmembers,

Please find attached the San Jose Chamber of Commerce's letter in support of item 10.3: City Streamlined Review Process for Infill Housing Development. We thank you for the consideration of our comments.

Sincerely,

Kat



**Kat Angelov**

Policy Manager  
San Jose Chamber of Commerce

**IN OFFICE DAYS: TUESDAYS - THURSDAYS**

[REDACTED]  
Mailing Address: PO Box 149, San Jose, CA 95103  
**\*Happy Holidays! Our office will be closed Dec 23 – Jan 3**



**San Jose  
Chamber of Commerce**

December 17, 2024

City of San Jose City Council  
200 E. Santa Clara St.  
San José, CA 95113

**RE: Item 10.3: City Streamlined Review Process for Infill Housing Development**

Dear Mayor Mahan, Vice Mayor Kamei, and Honorable Councilmembers,

The San Jose Chamber of Commerce strongly supports the proposed streamlined review process to accelerate the development of new housing in San Jose's growth areas.

New housing is essential for attracting and retaining businesses, as workers need places to live. This proposal will allow housing projects to move more efficiently through the development process by expediting environmental reviews and reducing delays and costs. Importantly, the identified growth areas align with the 2040 General Plan, urban village plans, and the 2023-2031 Housing Element—all of which have already undergone extensive community engagement and environmental studies.

At a time when new housing starts are lagging in San Jose, this streamlined process is a critical step forward, particularly at a time when there are few new housing starts within San Jose. The Chamber urges your support to advance policies that accelerate housing development and meet the needs of our growing workforce.

Thank you for your consideration.

Sincerely,



Leah Toeniskoetter  
President & CEO, San Jose Chamber of Commerce

**Fw: please don't rezone Kooser**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 12/17/2024 2:46 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor  
San Jose, CA 95113  
Main: 408-535-1260  
Fax: 408-292-6207

How is our service? Your [feedback](#) is appreciated!

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**From:** OLGA VUKCEVICH <[REDACTED]>  
**Sent:** Tuesday, December 17, 2024 2:42 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** please don't rezone Kooser

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Olga Vukceвич  
San Jose, CA 95118

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**Fw: Agenda Item 10.3**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 12/17/2024 2:46 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**Office of the City Clerk | City of San José**  
200 E. Santa Clara St., Tower 14<sup>th</sup> Floor  
San Jose, CA 95113  
Main: 408-535-1260  
Fax: 408-292-6207

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**From:** Vukceвич, Olga <[REDACTED]>  
**Sent:** Tuesday, December 17, 2024 2:39 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Agenda Item 10.3

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Please stop the building of the 7-story high rise on Kooser. You have one right on Blossom Hill and Sanchez, and several more coming. Please opt to put the units in an area that isn't as populated.

If need be I will attend a meeting in person to object this. Please let me know where and when it will be held.

Olga Vukceвич

