

Housing

Affordable Housing Development Siting Policy

November 18, 2019
Item 2

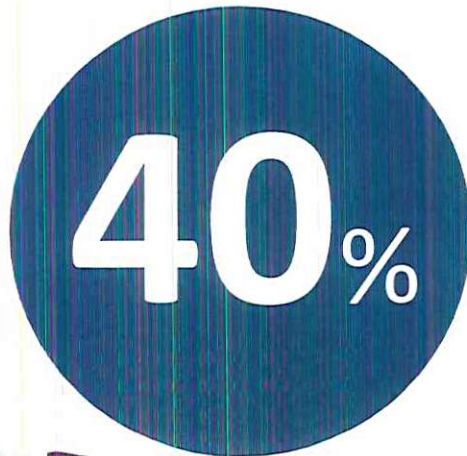
Jacky Morales-Ferrand
Director

Rachel VanderVeen
Deputy Director

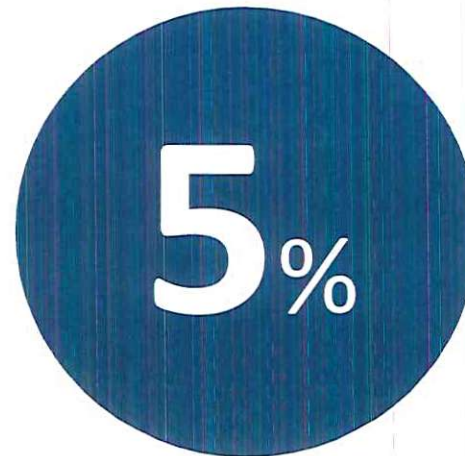
Kristen Clements
Division Manager

Nearly half of San José is low-income

Households
below 80% AMI



% of Homes
affordable



Income Restricted Affordable Housing

Council District	2017 Housing Units*	ELI Units	ELI % of Total Units	Total Affordable Units	Affordable % of Total Units
1	48,594	141	0.3%	1,174	2%
2	31,877	75	0.2%	1,269	4%
3	37,618	615	1.3%	3,821	10%
4	38,188	42	0.1%	1,284	3%
5	30,584	231	0.8%	1,923	6%
6	48,351	497	1.0%	2,999	6%
7	28,816	771	2.7%	3,299	11%
8	29,315	0	0.0%	187	1%
9	41,772	168	0.4%	1,483	4%
10	35,903	0	0.0%	425	1%

Dispersion Policy

- Encourage the development of new affordable housing
- Consider neighborhood factors, if in or next to census tracts where 50% or more of the residents have incomes below low-income
 - 1 person \$72,750 4 person \$103,9000
- Neighborhood Factors: proximity to affordable housing; Council adopted development plans, neighborhood revitalization, income mix



Applicability

Applies

- New affordable housing development; AND
- Funded by the City

Does Not Apply

- Acquisition/Rehabilitation of existing housing
- Affordable housing that is not financed by the City
- Shelters
- Interim homeless solutions



Housing Policy – Focused on HUD units



Cabrini-Green Apartments



Proposed New Affordable Apartments



Fair Housing Concerns



Cite as: 576 U. S. ____ (2015) 1

Opinion of the Court

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES

No. 13 1971

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, ET AL., PETITIONERS v. THE INCLUSIVE COMMUNITIES PROJECT, INC., ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

[June 23, 2015]

JUSTICE KENNEDY delivered the opinion of the Court.

The underlying dispute in this case concerns where housing for low-income persons should be constructed in Dallas, Texas—that is, whether the housing should be built in the inner city or in the suburbs. This dispute comes to the Court on a disparate-impact theory of liability. In contrast to a disparate-treatment case, where a “plaintiff must establish that the defendant had a discriminatory intent or motive,” a plaintiff bringing a disparate-impact claim challenges practices that have a “disproportionately adverse effect on minorities” and are otherwise unjustified by a legitimate rationale. *Ricci v. DeStefano*, 557 U. S. 557, 577 (2009) (internal quotation marks omitted). The question presented for the Court’s determination is whether disparate-impact claims are cognizable under the Fair Housing Act (or FHA), 82 Stat. 81, as amended, 42 U. S. C. §3601 *et seq.*

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Before turning to the question presented, it is necessary



Current Framing

- Increase access to opportunity or high resource areas
- Limit development in fragile neighborhoods
- Flexibility to site affordable housing in fragile neighborhoods to promote community development



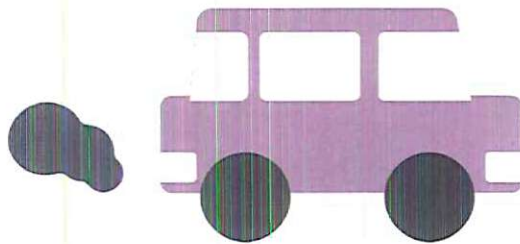
Opportunity Areas



Employment



High School
Graduation Rates



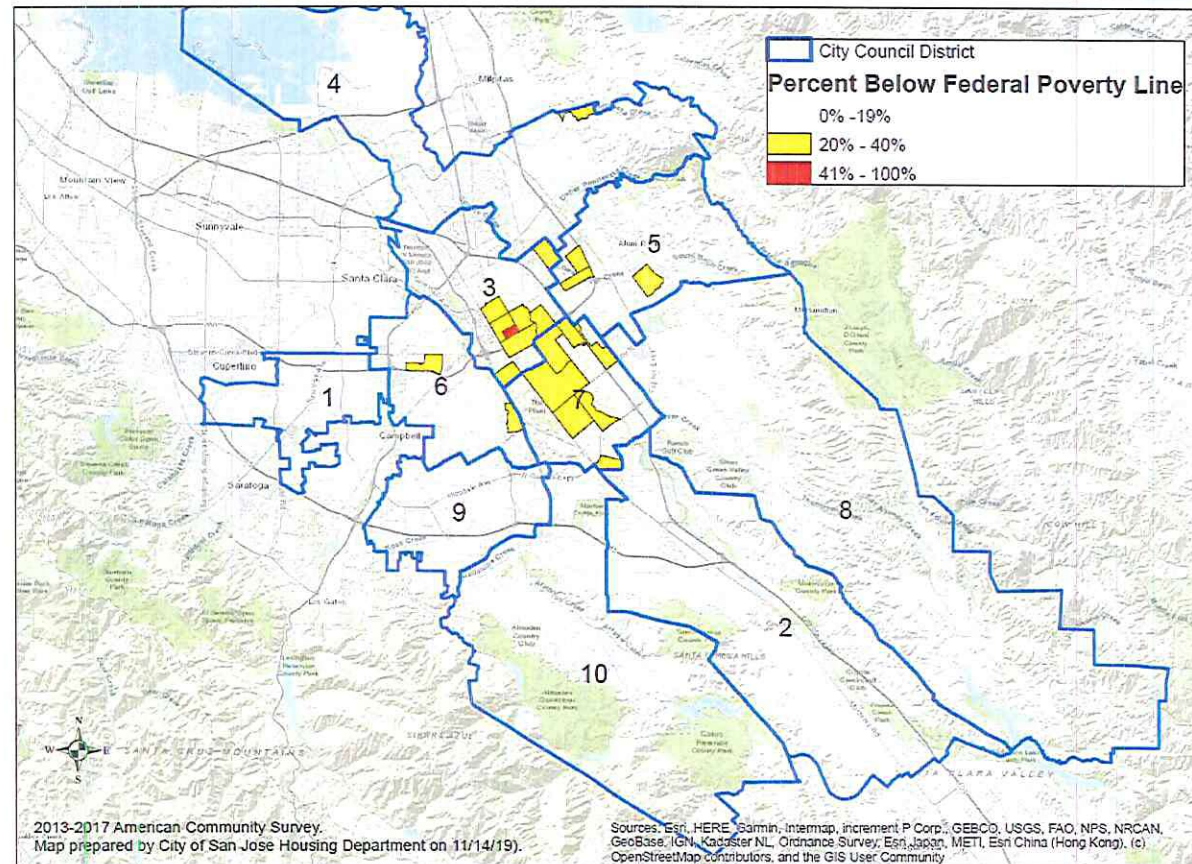
Pollution Indicators



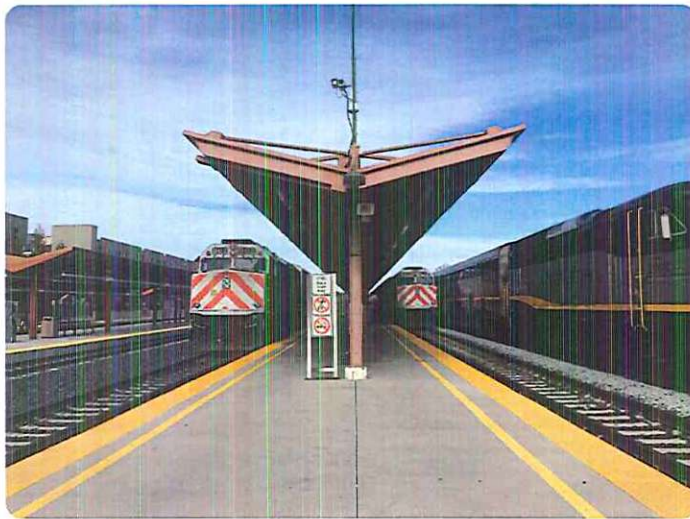
Median Home Value



Percent of Persons Below the Federal Poverty Line



Community Development



San José Diridon Station



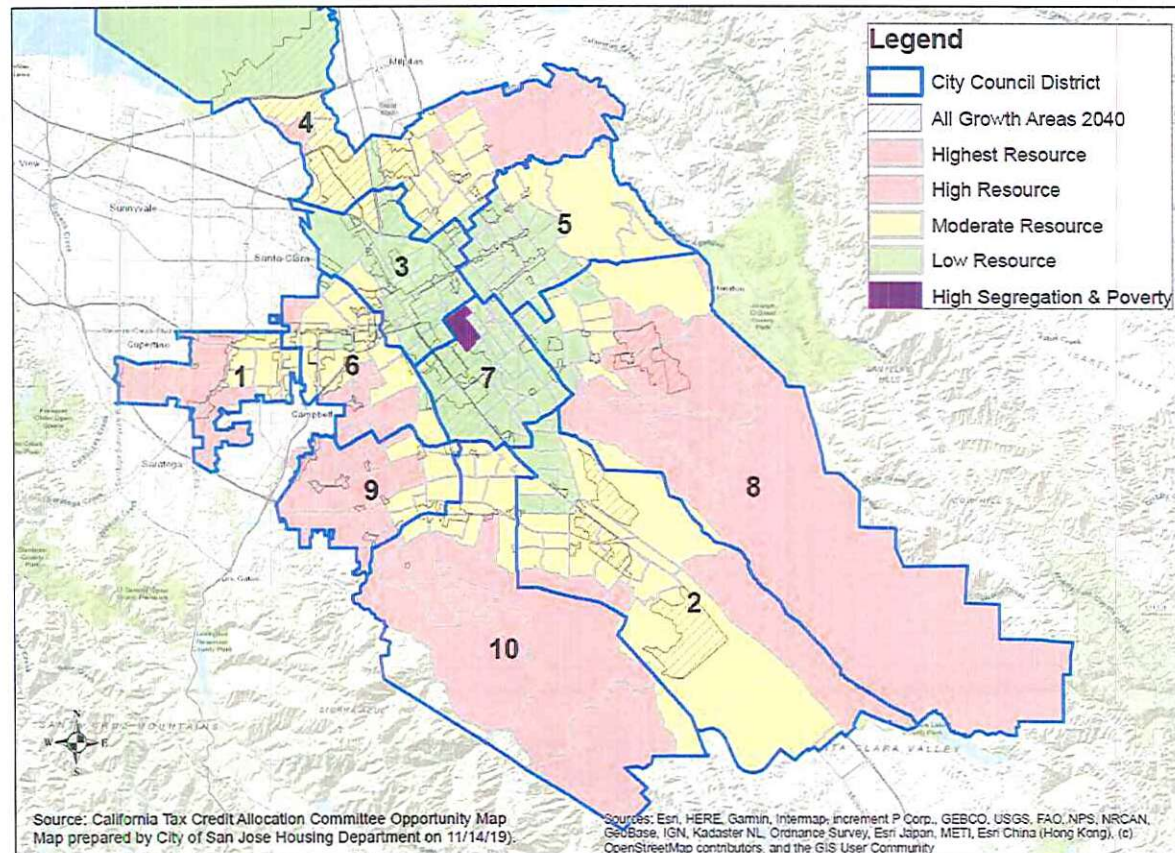
San José BART Station



Additional Factors to Explore

- 🏠 Fair Housing
- 🏠 Land Cost
- 🏠 Low-Income Housing Tax Credit Program
 - Transit
 - Amenities

General Plan Growth Areas & State Areas of Opportunity



11/05/19

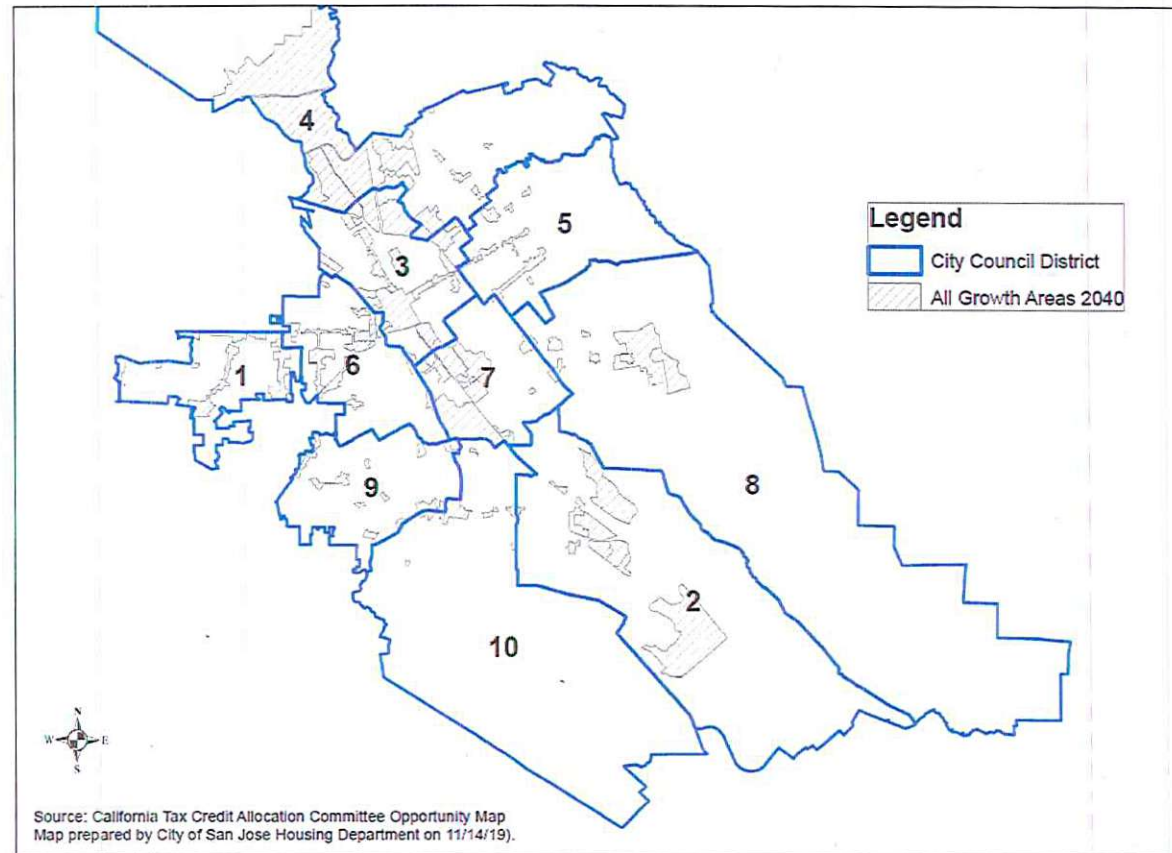
PROVIDING HOUSING FOR ALL

INVESTING IN PEOPLE

BUILDING GREAT PLACES

13

General Plan Growth Areas

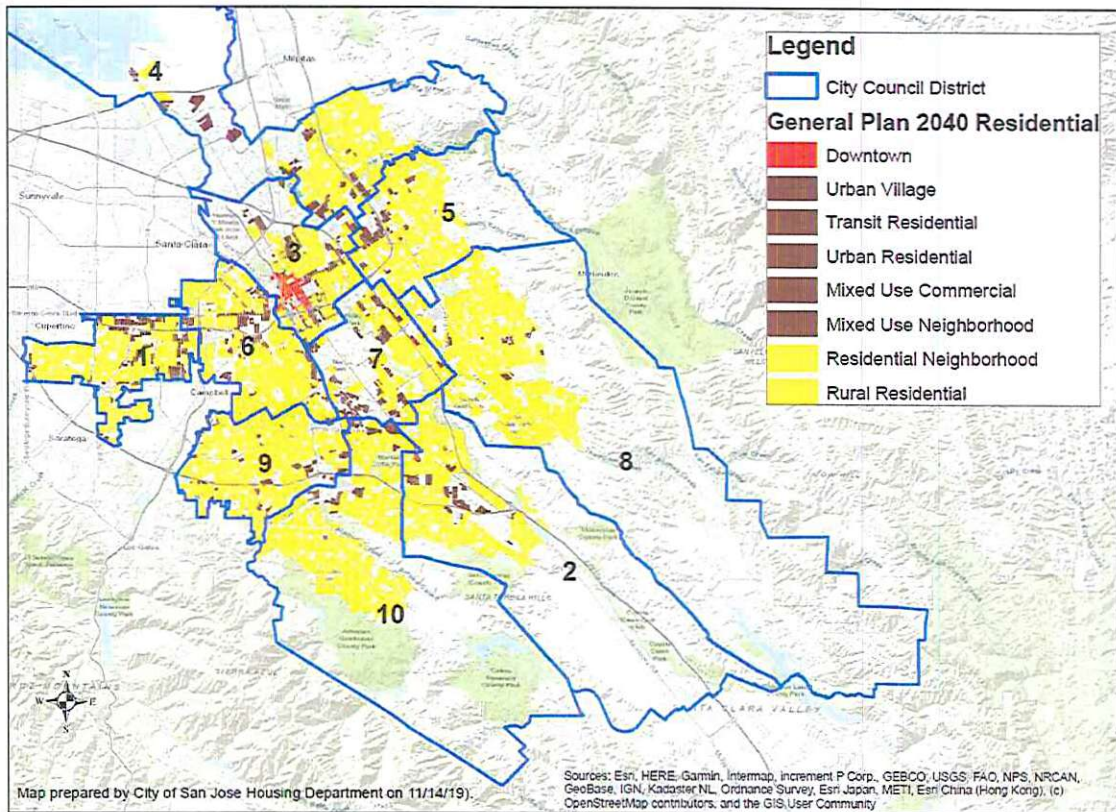


11/05/19

14

Residential Land Use Designations

**94%
Single
Family**



Time line

- 🏠 November – Release RFP
- 🏠 Spring/Summer
 - Outreach
 - Research & Coordination on Fair Housing Study
 - Develop Proposed Siting Plan
- 🏠 Fall – Outreach on Proposed Policy
- 🏠 Before end of 2020 – City Council



Questions

- What types of neighborhoods should we develop affordable housing in? What are the characteristics?
- Are some neighborhoods too fragile to sustain even a small increase in the number of households living in poverty? What are the measurements? Percentage of poverty? Race?
- What factors should we consider for the residents of affordable housing? What income (Very-low or Extremely Low) and what percentage of the development (50%+)
- What other characteristics should we consider to demonstrate that a neighborhood is changing?



