## Santa Clara County Planning Collaborative Monthly Meeting

DECEMBER 8, 2022



### **MEETING AGENDA**

- Welcome & Announcements—12:00-12:10
- Partner Announcements 12:10-12:30
  - ABAG Announcements Manuel Ávalos
  - ABAG AFFH Resources Update Eli Kaplan
  - Symbium Plancheck Program Kate Didech
- 2023 Collaborative Workplan 12:30-12:50
  - Overview of 2023 Workplan: Core Activities and Options
  - Feedback and Discussion
- HE Updates and Workplan: Group Discussions 12:50-1:30

## GENERAL ANNOUNCEMENTS

- Member Contact List Sam Dolgoff
- Grand Nexus Study- Vu-Bang Nguyen
- PLHA Funding Sam Dolgoff
- CBOT Kristy Wang
- Funding Programs & HE Compliance
   Kristy Wang
- 2023 Meetings Abbie Tuning



### MTC-ABAG Announcements

- Time Running Out to Claim Local Housing Grants: ABAG allocated funding for all 109 jurisdictions in the Bay Area to support Housing Elements and planning. Local staff should contact MTC-ABAG staff immediately via HousingTA@bayareametro.gov.
- Webinar: Annual Progress Reports with HCD: New data requirements on SB 9 and student housing that local jurisdictions must include in APRs, due April 1, 2023. On January 19, 2023 at 10 am, MTC-ABAG will host a webinar with HCD staff to explain the new requirements and changes to the APR form. HCD staff will highlight tools to complete the APR forms.
- **Webinar Recording: New State Laws:** The video, slide presentation, legislation summary, and issue chart from last month's 2022 New Housing Laws webinar are now available online.
- Call for Projects for Priority Development Area (PDA) and Priority Production Area (PPA) Planning Grants and Technical
  Assistance. Watch for an announcement with links to the web-based application form, updated grant program guidelines,
  and other resources.
  - \$15 million will be available for PDA Planning Grants.
  - \$2 million will be offered through a PPA Pilot Program.
  - Information Webinar: December 14, 11 am 12 pm. Applications open until February 15, 2023; however, local staff must secure political support (via a resolution or in some circumstances a presentation to the Planning Commission) in order to submit an application, so applicants are strongly encouraged to begin the process as soon as possible. If you have questions, please contact Mark Shorett (mshorett@bayareametro.gov) and Ada Chan (achan@bayareametro.gov).
- Priority Conservation Areas (PCAs) Refresh: Virtual workshop December 8 at 2 pm. Staff will provide an overview the PCA Refresh effort and describe how PCAs can act as a more effective regional policy tool to advance the environmental strategies in Plan Bay Area 2050. Feedback will inform the development of the vision, goals, and objectives for the PCA planning framework. A survey will be released for stakeholder input. Contact Chirag Rabari (crabari@bayareametro.gov) and Cristina Bejarano (cBejarano@wrtdesign.com).
- Mobility Hubs, Parking Management and Transportation Electrification: In December, MTC staff will provide the investment direction for the Mobility Hub (\$33 million) and Parking Management (\$15 million) programs as well as the next steps for defining the Transportation Electrification program to the Joint MTC Planning Committee with the ABAG Administrative Committee. Materials with additional details are available in the agenda packet for the December 9th Joint Committee.
  - Staff anticipate releasing calls for projects for mobility hub planning and/or implementation as well as parking management planning studies.

# MTC-ABAG AFFH Resources Update

ELI KAPLAN, MTC-ABAG



### AFFH Technical Assistance Products



Segregation Reports and Datasets: Editable Word Document and Excel Workbook that provide required data points and can be tailored by each jurisdiction.



AFFH Policies and Programs Toolkit: Assists jurisdictions with establishing AFFH goals, policies, and actions in the Housing Element.



Segregation Reports provide jurisdiction-level data, visualizations, and automated text explanations

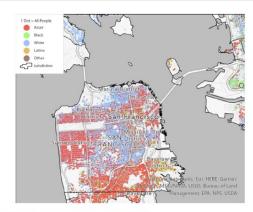


Figure 1: Racial Dot Map of San Francisco (2020)

Universe: Population. Source: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.

Note: The plot shows the racial distribution at the census block level for City of San Francisco and vicinity, Dots in each census block are randomly placed and should not be construed as actual placement of people

There are many ways to quantitatively measure segregation. Each measure captures a different aspect of the ways in which groups are divided within a community. One way to measure segregation is by

- The isolation index compares each neighborhood's composition to the jurisdiction's
- This index ranges from 0 to 1. Higher values indicate that a particular group is more isolated
- Isolation indices indicate the potential for contact between different groups. The index can be interpreted as the experience of the average member of that group. For example, if the isolation index is .65 for Latinx residents in a city, then the average Latinx resident in that city lives in a neighborhood that is 65% Latinx.

Within City of San Francisco the most isolated racial group is white residents. San Francisco's isolation index of 0.484 for white residents means that the average white resident lives in a neighborhood that is 48.4% white. Other racial groups are less isolated, meaning they may be more likely to encounter other racial groups in their neighborhoods. The isolation index values for all racial groups in San Francisco for the years 2000, 2010, and 2020 can be found in Table 1 below. Among all racial groups in this jurisdiction, the Black population's isolation index has changed the most over time, becoming less segregated from other racial groups between 2000 and 2020.



ASSOCIATION OF BAY AREA GOVERNMENTS



The "Bay Area Average" column in this table provides the average isolation index value across Bay Area jurisdictions for different racial groups in 2020. 10 The data in this column can be used as a comparison to provide context for the levels of segregation experienced by racial groups in this jurisdiction. For example, Table 1 indicates the average isolation index value for white residents across all Bay Area jurisdictions is 0.491, meaning that in the average Bay Area jurisdiction a white resident lives in a neighborhood that is 49.1% white.

Table 1: Racial Isolation Index Values for Segregation within San Francisco

	San F	Bay Area Average		
Race	2000	2010	2020	2020
Asian/Pacific Islander	0.427	0.444	0.425	0.245
Black/African American	0.273	0.185	0.143	0.053
Latinx	0.290	0.250	0.223	0.251
White	0.554	0.532	0.484	0.491

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

Figure 2 below shows how racial isolation index values in San Francisco compare to values in other Bay Area jurisdictions. In this chart, each dot represents a Bay Area jurisdiction. For each racial group, the spread of dots represents the range of isolation index values among Bay Area jurisdictions. Additionally, the black line within each racial group notes the isolation index value for that group in City of San Francisco, and each dashed red line represents the Bay Area average for the isolation index for that group. Local staff can use this chart to contextualize how segregation levels for racial groups

<sup>10</sup> This average only includes the 104 jurisdictions that have more than one census tract, which is true for all comparisons of Bay Area jurisdictions' segregation measures in this report. The segregation measures in this report are calculated by comparing the demographics of a jurisdiction's census tracts to the jurisdiction's demographics, and such calculations cannot be made for the five jurisdictions with only one census tract (Brisbane, Calistoga, Portola Valley, Rio Vista, and Yountville).



in their jurisdiction compare to other jurisdictions in the region.







A	В	С	D	E	F	G	Н	1	J	K	L	M	N	0	Р	Q	R	S	Т	U	V	W	X	Υ	Z	AA	A
1																Racial G	roup Data										
Jurisdiction	County																										
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		Populati	Islander	Populati	Islander	Populati	Islander	Populati	Black	Populati	Black	Populati	Black	Populati	Latinx	Populati	Latinx	Populati	Latinx	Populati	White	Populati	White	Populati		Populati	
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	Sonoma	312		296					1.4	116																	
	Sonoma	176		122					0.4	43																	
	Sonoma	2957							1.3	719																	
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	Sonoma	11631		9271					2.1	3660																	
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	Sonoma	339		318		154		66	0.6	48																	
	Sonoma	4518		3231					0.8	1183	0.8																
	Sonoma	797							0.8	191																	
3 Bay Area	Region	2193534	28.2	1686875	23.6	1278515	18.8	435009	5.6	460178	6.4	497205	7.3	189198	24.4	1681800	23.5	1315175	19.4	2783589	35.8	3032903	42.4	3392204	4 50	461523	3

## Segregation Dataset with demographic data and segregation index calculations





AFFH Policies and Programs Toolkit provides 15 strategies across fair housing issue areas



### Affirmatively Furthering Fair Housing (AFFH) Policies And Programs Toolkit

Strategies for Local Jurisdictions to Achieve Housing Element Compliance and Advance Equity September 2022

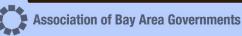




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Each strategy
contains:
-Description
-Key policy issues
to consider
-Examples of
implementing the
strategy in a
Housing Element
-Resources for
adoption and
implementation

#### Strategy 5: Just Cause and Rent Stabilization Ordinances

Just Cause ordinances prohibit landlords from ending a tenancy or evicting a tenant without a specific reason. Often, eligible reasons (such as nonpayment of rent or failure to comply with a lease) are named in the ordinance, and all other non-named reasons are prohibited. Rent Stabilization ordinances are regulations that limit the rate at which property owners can increase rents over a period of time, typically by establishing an annual cap on rent increases (e.g., no more than 4%) or by tying rent increases to an indicator of inflation such as the Consumer Price Index.

In 2019, the California legislature passed <u>AB 1482</u> – a Tenant Protections Act employing both strategies. Though many landlords throughout the state are now subject to this law, jurisdictions can still reinforce and strengthen state tenant protections by further limiting the causes for evictions, further reducing the maximum allowable rent increases, or expanding the types of housing covered by these protections. <u>Plan Bay Area 2050</u>'s housing strategies, for example, call for further strengthening renter protections beyond state law by limiting annual rent increases to the rate of inflation (as opposed to the inflation + 5% rule in state law). Additionally, the protections offered by AB 1482 are set to expire after 2029 — within the current Housing Element cycle planning period — and jurisdictions could choose to further extend these protections or make them permanent.

See the discussion of affordable housing as a fair housing strategy earlier in this document for more information on the connections between protected classes and housing stability.

Protected classes are more vulnerable to rent hikes and evictions, which contribute to patterns of displacement, housing insecurity, and tenant harassment – fair housing issues classified as disproportionate housing needs. Just Cause ordinances protect renters from unreasonable evictions, foreclosure-related evictions, or other arbitrary and discriminatory actions which lead to displacement. Rent Stabilization ordinances also protect renters against displacement from arbitrary or significant rent hikes. <sup>22</sup> These ordinances contribute to affirmatively furthering fair housing, as they shield protected classes and other vulnerable populations from disproportionate housing burdens, arbitrary discrimination, loss of housing, and displacement. These policies are also crucial for enabling effective enforcement of other tenant protections such as habitability requirements, as tenants who request legally required repairs and services from landlords are more likely to face the threat of lease terminations or unsustainable rent increases if a jurisdiction lacks Just Cause and Rent Stabilization policies.

#### Policy Features and Issues to Consider

- Racial disparities in housing tenure: <u>ABAG's Housing Need Data Packets</u> indicate that BIPOC residents represent a disproportionate percentage of low-income households, renters, overcrowded households, and/or housing cost-burdened people in nearly every Bay Area jurisdiction. Accordingly, Just Cause and Rent Stabilization policies can be a critical fair housing tool in many communities across the region.
- Outreach, education, and enforcement: policies to protect low-income tenants from involuntary displacement can be strengthened by anticipating and proactively addressing potential gaps, such as monitoring and enforcement around "no-fault" evictions (such as owner move-in and Ellis Act evictions), requiring meaningful relocation assistance payments to tenants displaced by no-fault

- evictions or habitability issues, and mandatory noticing and culturally competent outreach to tenants about their legal rights.
- The relationship between housing type and fair housing impacts: consider what types of
  housing are largely or disproportionately occupied by protected class tenants (e.g., mobile homes,
  small rental properties such as duplexes and triplexes, etc.) and include those types of units in local
  ordinances
- State law framework (Costa-Hawkins Act): local rent stabilization ordinances must adhere to the
  framework established in state law by the Costa-Hawkins Rental Housing Act. This law establishes
  certain parameters for the policy features of local ordinances, such as prohibiting rent stabilization
  on single-family homes, preventing rent stabilization's application to buildings constructed after
  1995, and allowing landlords to reset rents to market rate after a tenant leaves their unit (known as
  "vacancy decontrol"). Local ordinances retain significant room for policy flexibility to respond to local
  circumstances but must meet Costa-Hawkins's minimum requirements.

#### IT Implementing this AFFH Strategy as Housing Element Policies and Programs

This AFFH strategy could be included in a Housing Element update as specific policies, programs, and/or actions related to adopting or amending just cause or rent stabilization ordinances. Below is an example of a relevant policy from the County of Los Angeles's most recent Housing Element update:

 The County of Los Angeles 2021-2029 Housing Element includes the following program for rent stabilization protections for tenants and mobile home park residents:

Program 45 Rent Stabilization and Mobile Home Rent Stabilization Ordinances: "The Department of Consumer and Business Affairs (DCBA) enforces the County's Rent Stabilization and Mobile Home Rent Stabilization ordinances, which became effective in 2020... At the direction of the Board, these ordinances will be strengthened along with the County's capacity to address gaps in tenant protections for non-rent-stabilized units, enforcement of anti-harassment provisions, relocation assistance, and other emerging issues, including opportunities to further support R/ECAP communities and other communities at risk of displacement."

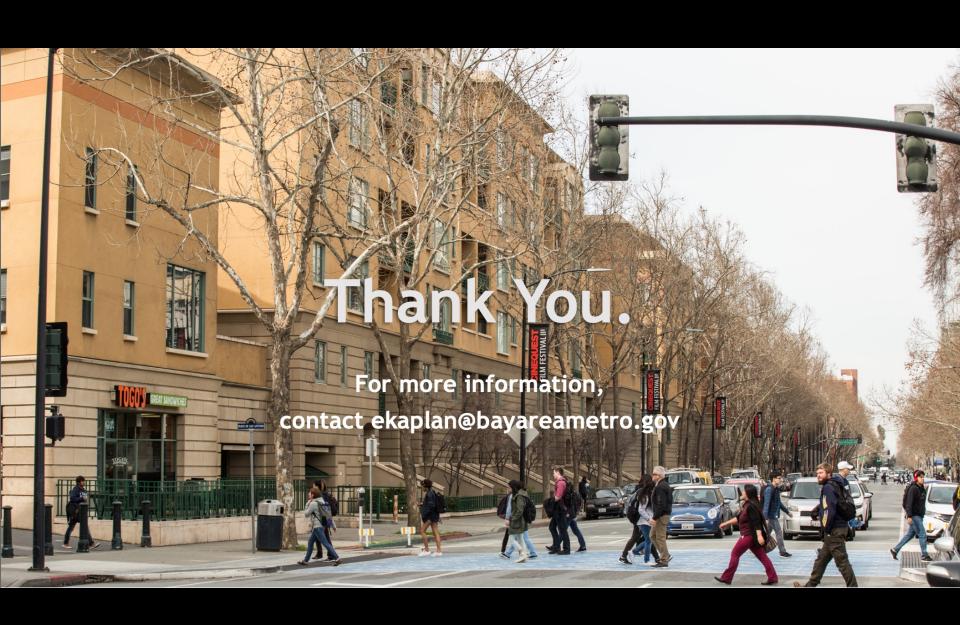
#### Additional Resources

- This guidance authored by the Bay Area Housing Element Advocacy Working Group discusses how local jurisdictions can advance tenant protections through the Housing Element process.
- Tenants Together has assembled a <u>rent control toolkit</u> and <u>interactive map and database</u> of tenant protections is California cities, including summaries for each city that include Just Cause, Rent Control, and Rent Board information.
- Emervville's Just Cause Eviction Ordinance and Mountain View's Community Stabilization and Fair Rent Act are model ordinances. The Mountain View policy demonstrates the strength of a combined Rent Stabilization and Just Cause Ordinance.





<sup>&</sup>lt;sup>22</sup> Chapple, K. et. al. (2022). <u>Housing Market Interventions and Residential Mobility in the San Francisco Bay Area</u>. Federal Reserve Bank of San Francisco.



## Symbium Plancheck Pilot

KATE DIDECH, SYMBIUM



## Symbium Plancheck Pilot

Apply for a free Plancheck license by December 16th at 5pm

Symbium is dedicated to helping homeowners and planners deal with the regulatory aspects of residential construction.

Symbium Background on Plancheck

### **Common Challenges**

Need to streamline residential plan checks

Time-consuming to train new planners

Repetitive feasibility conversations

Planner shopping

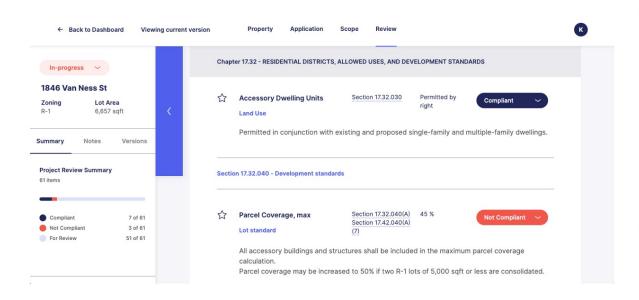
Customers expect to find answers to questions online

Difficult to implement online tools in the past

Symbium Background on Plancheck

### Symbium Plancheck

A platform for streamlining residential site plan review.



Complaw® analysis

Instantly surface applicable planning regulations and forms based on the project scope and location.

Automatically generate comment letters.

Online portal for constituents

Empower constituents to get answers quickly, in the comfort of their own home, and outside of normal business hours, saving staff time.

Minimal staff time required

Symbium's team of planners does the work. City staff is asked only to clear up ambiguities and test the initial configuration.

Symbium Next Steps

### **Next Steps**

To be considered for a free Plancheck license, complete <u>this</u> <u>short, online questionnaire</u> by December 16 at 5 pm.

More information on the pilot can be found on ABAG's website.

Contact Kate Didech at <a href="mailto:kate@symbium.com">kate@symbium.com</a> with any questions.

## 2023 Work Plan

2023 DRAFT WORKPLAN & BUDGET

- We need your feedback!
- Steering Committee Review Dec 20
- Room to adjust to changing needs and priorities as well as potential new funding





### 2023 Budget: Collaboration and HE Assistance

Total REAP Grant Funding	\$300,000
Collaborative Coordination & Monthly Meetings	\$67,680
Resources, Weekly Announcements, & Web Management	\$17,420
Cities Association Web Support and Coordination	\$15,000
Ongoing TA & Collaboration Support	\$32,640
AFFH-Specific Technical Assistance	\$25,000
HCD Comment Responses	\$11,700
Coordination and HE Assistance Total	\$169,440
REAP Grant Remainder for Other Collaborative Programming	\$130,560





# Housing Elements Assistance & Implementation

### Addressing HCD Comments

- Reviewing Comments
- Analysis of Common Comments
- Assisting with Responses
- Ongoing AFFH Assistance

### Programs & Policies: Collaborative Implementation

Programs with wide interest/value: e.g., AFFH Support, ADU Program Projects with targeted value: e.g., Nexus Study, Farmworker Housing

- What other policies and programs are you most interested in collaborating on?
- What kind of TA would be helpful? (best practices, case studies, working groups, etc.)





### 2023 Budget: Collaborative Priorities

- \$130k remaining to support implementation-related activities.
- Highest Priority ADU Program Development
  - Budget could range from \$80k for foundational tools (Website, Guidebook, 'Can I Build?' Tool) up to \$325k for The Full Enchilada
  - High interest in ADU plans gallery and pre-reviewed plans program (\$75k to develop; requires jurisdiction staff time, too)

#### Other Priorities?

 EAG engagement, Farmworker Housing, Grand Nexus Study, and more

### Considerations

- REAP 2.0 funds anticipated in 2023 (not clear \$ amount)
- Potential jurisdiction contributions
- Potential collaboration with San Mateo County



### ADU Program Options

	Estimated Budget	
Option A:	Foundational Products Only	\$73,955
Option B:	Foundational Products + Plans Gallery and Program	\$148,705
Option C:	Option B plus Additional Tools and Outreach	\$227,765
Option D:	All In	\$323,705

### ADU Program Options

Program Option		Est. Budget
Foundational ADU Products	Essential guidance to help homeowners through the ADU process, including Website, Guidebook, and Can I Build Tool.	\$73,955
	Shared ADU Website	\$21,800
	ADU Guidebook (digital and print)	\$43,550
	Can I Build? Homeowner Tool	\$8,605
ADU Plans Gallery + Pre-Reviewed Plans Program	Develop a website to view/search ready-made plans, including pre-reviewed plans	\$74,750
	Plans Gallery	\$23,000
	Pre-reviewed Plans Program (requires jurisdiction staff work)	\$51,750

### ADU Program Options

Program Option		Est. Budget
Additional Program Tools / Resources	Additional public facing products for homeowners and builders.	\$37,450
	Homeowner Education Portal	\$25,700
	Spotlight Stories (1-2 video stories of local ADU projects)	\$11,750
Program Outreach and Promotion	Get the word out to homeowners and builders and encourage use of the tools and program.	\$41,610
	Outreach Plan	\$10,800
	Promotional Materials	\$8,410
	Conduct Outreach	\$22,400
Policy + Program Guidance and Support	ADU Affordability, Amnesty + Process Improvements	\$95,940
	Amnesty Policies and Programs	\$20,700
	Incentives and Finance Strategy (Affordability)	\$24,840
	ADU Development Checklist & Graphic	\$50,400

### 2023 Work Plan Feedback

General Questions and Clarifications

Initial Feedback on Priorities / Program Options

## **Small Group Discussions**

### 2023 Work Plan Feedback

Feedback on core activities and ADU program options?

Other top-level priorities?

Where to focus REAP funds vs. seek other funds / buy-in?

### Comment Letters & HE Certification

Where are you in the process?

What's your plan and timeline for adoption?

What are you getting hung up on?

What can we do to assist you in the process?

## Santa Clara County Planning Collaborative Monthly Meeting

DECEMBER 8, 2022

