

From: [REDACTED]
To: [REDACTED]
Subject: Housing Element Draft Plan. (HEDP)
Date: Wednesday, April 6, 2022 3:59:49 PM
Attachments: [image574731.png](#)

Ms Sandhir:

I have reviewed the email of the HEDP and have several questions and areas of concern. Firstly, why has the issue of current substantial vacancy rate in existing housing not being discussed or publicized. I have asked numerous officials including your office and the responses all seem to be “I’m not aware of the current figure.” Nice evasion. Is there even any discussion or concerns relating to our declining population and technological changes allowing remote work and population shifts.

Secondly of the five items you wish to address, four relate to subsidized housing in one form or another and the fifth is “education “ of housing issues. There is not one mention of how these changes will affect the quality of life in our city and how the impacted neighborhoods may change. There are many thousands of families whose primary net worth is represented by the value of their home. They have saved for a lifetime to enjoy the amenities of life in San Mateo. To the extent that these changes will affect many of these families, are their concerns not even worth some consideration and discussion?

Many of us hear anecdotally of significant vacancy factors in market rate housing. For rent signs are ubiquitous throughout San Mateo. I believe that an honest discussion of how much housing and affordable housing is truly needed before we blatantly accept an arbitrary mandate from the state . The first obligation of the city council should be to address the legitimate needs and concerns of the residents of San Mateo with the equal fervor that it devotes to implementing the state housing creation mandate.

John Monfredini

[REDACTED]

Sent from my iPad

John Monfredini

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

From: Susan Shankle [REDACTED]
Sent: Wednesday, April 13, 2022 3:08 PM
To: Housing
Subject: Housing Element

Hello,

The plan as written looks good, lots of good suggestions and goals. A few comments:

- What are we doing about water supply? Every new house and apartment is going to have sink taps, showers, dishwashers, toilets, and some with garden hoses. We are in a severe drought, and climate change suggests that might only get worse.
- How can we turn all those empty office buildings into housing? We know about the liabilities and zoning issues. But it's silly to talk about building more buildings when we have so many already in place, some practically new or even unfinished. They all are fitted with plumbing and electricity, and many have full cafeteria facilities. Put your imaginations to work and envision these spaces as potential housing for homeless and low-income San Mateans.
- Re: the homeless, are you working with existing entities that are already expert and experienced in these issues? Such as LifeMoves? <https://www.lifemoves.org/>
- What about rising sea levels? Is it wise to embark on a huge housing plan on sea-level land next to the Bay? Do we want to look like Hong Kong? It's a fabulous city but do we really want to duplicate that?
- Along with all these plans has to be education. We are lucky to have a diverse population of citizens from all over the world. People need to be educated about how to live in a crowded Bayside region: water use, recycling, transportation, parking, conservation, wildlands protection, environmental stewardship, the list goes on. If I was moving to an unfamiliar state or country, I would need to find out what my responsibilities would be, and how I could participate, support and respect the existing environment and animal life. Volunteers would be good for this, and cheap!
- A lot is said about how hard it is to build and do business here because of all the regulations, especially environmental. They exist for a reason. We have clean air and water and a high quality of life, compared to many parts of the world. We want to keep it that way. Don't back down or weaken those protections.

Thank you,
Susan Shankle
30-year San Mateo Resident
Lifetime Bay Area Resident

From: noreply@civicplus.com
Sent: Wednesday, April 6, 2022 11:02 PM
To: Housing
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	Bob
Last Name	Stine
Email Address	
Comment on 2023-2031 Draft Housing Element	What consideration has been given to the additional needs for water that would accrue with the planned additional building of residential units?

Email not displaying correctly? [View it in your browser.](#)

From: Housing <housing@cityofsanmateo.org> on behalf of Housing

Sent on: Wednesday, April 6, 2022 10:45:22 PM

To: [REDACTED] -
[REDACTED]

Subject: FW: Housing Element

From: [REDACTED]

Sent: Wednesday, April 6, 2022 3:39 PM

To: Housing <housing@cityofsanmateo.org>

Subject: Housing Element

I realize that there is some type of state mandate that requires counties to establish more housing in each of our CA counties. What I do not understand is the lack of obvious concern that California has experienced an alarming drought for years. The seriousness of this water shortage has an effect on our water usage. Considering the amount of new homes, this represents a huge increase in the use of water in a myriad amount of ways. Additionally, there seems to be a rational neglect for the demands of food and home supplies, quality schools, and teachers to staff those schools. There are significant shortages now in these areas, and yet, home building continues. I believe this is both irrational and irresponsible.

Without being caustic, I think the myopic vision of these home planners will result in insurmountable, adverse challenges in our future. Surely, someone on your committees realizes this.

Maureen Zane

76 year old resident of San Mateo

Subject: San Mateo's Draft Sixth Cycle Housing Element

From: [REDACTED]

To: [REDACTED]

cc: [REDACTED]

April 20, 2022

To whom it may concern:

The Campaign for Fair Housing Elements is a coalition dedicated to ensuring that every city in California produces a Housing Element which complies with the California Department of Housing and Community Development's requirements. We have reviewed San Mateo's Draft Housing Element as of April 10¹. We previously sent in a letter reviewing San Mateo's Housing Element process and Draft Adequate Sites List as of January 14; this letter is posted at the City's website².

It is discouraging that the city has failed to address the issues previously raised. Furthermore, the city's draft policies do not address the city's constraints, and do not meet HCD's requirements³ that programs include specific action steps, specific timeframes, and specific, measurable outcomes. Lastly, there is evidence that some sites on the inventory list will not be developed.

Previously Identified Issues Still Outstanding

The following issues identified in our previous letter have not been addressed.

- On page H-6 of the draft, the ADU numbers are still overestimated. Pages H-33 through H-34 justify this by stating that "The State now allows jurisdictions to count projected development of accessory dwelling units (ADUs) based on prior years' production averages". However, the state specifically recommends counting trends since 2018, when ADU laws were liberalized.⁴ The city does not provide sufficient explanation to justify exceeding the safe harbor estimates. 480 are estimated; past production justifies an estimate of 344.
- On the same page, the nominal capacity of about 10.9k remains unrealistic. As shown in our February letter, previous production trends indicate a realistic capacity of only 908 units, far short of the realistic capacity needed to achieve the City's RHNA floor of 7,015 units.

¹ <https://www.cityofsanmateo.org/DocumentCenter/View/87532/San-Mateo-2023-2031-Housing-Element--DRAFT>

² <https://www.cityofsanmateo.org/DocumentCenter/View/87035/Additional-Correspondence-as-of-2-11-22>, pages 1-10.

³ <https://www.hcd.ca.gov/community-development/building-blocks/index.shtml>

⁴ Housing Element Site Inventory Guidebook, https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sites_inventory_memo_final06102020.pdf, page 31.

- On page H-28, the city continues to incorrectly average residential project densities *by project*, failing to account for differences in project acreage. The expected density should be 43 du/ac, not 60 du/ac.
- On pages H-28 through H-31, the city uses the same incorrect averaging method for mixed-use developments, on a variety of levels. The expected density of mixed-use projects should be 29 du/ac, not 48 du/ac. (Excluding projects already on the Adequate Sites List, expected density is an alarmingly low 1.7 du/ac!)
- On pages H-40 through H-41, the city makes no mention of surveying property owners to determine whether or not they plan to redevelop their properties. Participating in county-wide listening sessions with builders does not solve this problem.
- In Appendix C⁵, the details of the site inventory are still incorrect. Spot-checking APN 035-466-010, the city is still using *maximum* capacity, rather than *realistic* capacity, to figure site capacity, at least for some sites. Spot-checking APN 032-292-080, the city is still using sites under a half-acre for lower-income RHNA without justification, in violation of HCD's guidelines.
- Also in Appendix C, the site inventory lists 131, 139, and 149 Kingston as "Pending project", despite the relevant project having been withdrawn in August of 2021.⁶ This is not an exhaustive inventory of incorrectly listed sites.

Inadequate "Missing Middle" Program

HCD's "Building Blocks" website states:

Each jurisdiction must identify specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the agencies or officials responsible for implementation, describe the jurisdiction's specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

Section 5.3 (page H-47) of the draft says that one of the programs is:

Support the production of more missing middle housing. (*Policies H1.4, H1.11 and H1.13*)

Policy H1.4 (page H-59) concerns ADU development, policy H1.11 (page H-60) is to adopt an SB 9 ordinance (which would merely adhere to state law), and policy H1.13's targets (same page) read:

⁵ <https://www.cityofsanmateo.org/DocumentCenter/View/87528/APPENDIX-C---Housing-Resources>

⁶ <https://www.cityofsanmateo.org/4004/Monte-Diablo-North-Kingston-SPAR>

Evaluate sites that have potential for Missing Middle development. Research and evaluate policies and code amendments to allow for Missing Middle housing under SB 10 and schedule for City Council consideration.

The research and evaluation of policies to allow for Missing Middle housing should be done now, not later. missingmiddlehousing.org provides useful specifications for missing-middle housing.

For example, consider a front-loaded side-by-side duplex⁷. It's illegal to build in San Mateo's R-2 zone⁸ because of insufficient off-street parking; the design provides two stalls, but San Mateo requires four. (Municipal code §27.64.160.)

Next, consider a front-loaded stacked duplex⁹. It's illegal to build in San Mateo's R-2 zone because of insufficient off-street parking; the design provides two stalls, but San Mateo requires four. (Municipal code §27.64.160.) It's also too narrow; the lot is forty-five feet wide, but San Mateo requires fifty feet. (Municipal code §27.18.040.)

Then consider an alley-loaded townhouse¹⁰. It's illegal to build in San Mateo's R-3 zone (the lowest-density zone which is supposed to support townhouses) because the front setback is insufficient; the design has ten feet, but needs fifteen. (Municipal code §27.22.070.) It's also too small; the parcel size is 2750 square feet, but it needs four or five thousand, depending on which area of the city it's in. (Municipal code §27.22.040.)

Identifying the portions of the city's code which prohibit missing-middle housing—parking mandates and minimum lot sizes—does not require a years-long research process. These are constraints, and the city's programs should focus on removing them.

Affirmatively Furthering Fair Housing

Site Locations

As noted in our previous letter, no sites in the city's inventory fall into the "Highest Resource" TCAC Opportunity Area designation, and it appears that the sites predominantly fall into areas where three or four racial groups mix.

Air Quality Issues

The California Air Resources Board has published an Air Quality and Land Use Handbook¹¹ that considers the risks of poor air quality on sensitive receptors such as homes, daycares, etc, and

⁷ <https://missingmiddlehousing.com/types/duplex-side-by-side#idealized>

⁸ [https://sanmateo.ca.us.open.law/us/ca/cities/san-mateo/code/27.20](https://sanmateo.ca.us/open.law/us/ca/cities/san-mateo/code/27.20) (All zoning laws evaluated as of April 10, 2022.)

⁹ <https://missingmiddlehousing.com/types/duplex-stacked#idealized>

¹⁰ <https://missingmiddlehousing.com/types/townhouse#idealized>

¹¹ <https://ww3.arb.ca.gov/ch/handbook.pdf>

recommends against locating these uses within five hundred feet of a roadway that averages in excess of 100,000 vehicles/day. This standard was cited by the City at least once, as background¹² for a General Plan update in 2009. As far back as 2001, the City identified¹³ Highway 92 (east of Delaware) and Highway 101, as routes exceeding this threshold. Current Caltrans data¹⁴ shows that Highway 92 east of El Camino exceeds 100,000 vehicles per day. Specifically, the Caltrans data shows that Highway 101 daily vehicle counts range from 253,100 to 264,600¹⁵, as it moves through San Mateo city limits. AB 686 and related legislation would discourage locating housing - certainly affordable housing - in areas subject to high air pollution, which is a burden disproportionately borne by disadvantaged communities. A number of sites are within five hundred feet of Highway 101 and Highway 92 east of El Camino, totalling 2,396 units (21.9% of total) and 925 affordable units. Compliance with AB686 suggests the following sites should not be included in the inventory:

Address	APN	Total Units	Affordable Units
1900 S. Norfolk St	035-391-090	245	99
2000 Winward Dr	035-610-030	160	24
1820 Gateway Drive	035-443-030	177	72
1800 Gateway Drive	035-430-060		
1850 NORFOLK ST	035-381-020	332	134
1826 NORFOLK ST	035-381-030		
19 KINGSTON ST	033-191-040	59	24
25 KINGSTON ST	033-191-060		
3 KINGSTON ST	033-191-070		
1017 3RD AVE	033-134-100	32	13
1015 3RD AVE	033-134-110		
245 HUMBOLDT ST	033-134-240		
1900 FASHION ISLAND	035-466-060	461	186
2260 BRIDGEPOINTE PKWY	035-466-070	97	39
2270 BRIDGEPOINTE PKWY	035-466-080	42	17

¹² <https://www.cityofsanmateo.org/DocumentCenter/View/5229/Appendix-C-Air-Quality-Analysis>

¹³ <https://www.cityofsanmateo.org/DocumentCenter/View/5126/7-Mobility-and-Access>

¹⁴ <https://dot.ca.gov/programs/traffic-operations/census/traffic-volumes/2017/route-92-98>

¹⁵ <https://dot.ca.gov/programs/traffic-operations/census/traffic-volumes/2017/route-101>

3012 BRIDGEPOINTE PKWY	035-466-090	82	33
[NO ADDRESS]	035-466-110	89	36
1863 NORFOLK ST	035-383-200	105	53
1670 AMPHLETT BLVD	035-241-240	173	71
1700 AMPHLETT BLVD	035-241-250	122	49
1720 AMPHLETT BLVD	035-241-260	138	56
145 Kingston	033-171-040	35	0
139 Kingston	033-171-050		
131 Kingston	033-171-060		
1218 Monte Diablo	033-171-180		
480 N Bayshore Blvd	033-081-280	47	19

Evidence On Specific Sites

Hillsdale Mall

Hillsdale Mall (41 Hillsdale Boulevard) is identified in the Site Inventory as a 39.91 acre parcel with potential for a total 1,995 units, 808 of which are affordable (40.5%). HCD's Housing Element Sites Inventory Guidebook states that sites larger than 10 acres cannot be considered feasible for affordable housing without one of the following factors¹⁶:

- a) an analysis demonstrating that sites of equivalent size were successfully developed during the prior planning period with an equivalent number of lower income housing units as projected for the site, or
- b) evidence that the site is adequate to accommodate lower income housing such as developer interest, proposed specific-plan development, potential for subdivision, the jurisdiction's role or track record in facilitating lot splits, or other information that can demonstrate feasibility of the site for development. The housing element should include programs promoting, incentivizing, and supporting lot splits and/or large lot development, or
- c) a development affordable to lower income households has been proposed and approved for development on the site.

San Mateo's Housing Element states on page H-31 that "The City has a demonstrated track record of large site development, typically completed in phases, that includes affordable

¹⁶ Housing Element Site Inventory Guidebook, page 17.

residential development. Station Park Green (12 acres), Concar Passage (14.5 acres), and Bay Meadows (175 acres) are examples of approved large development projects that include substantial numbers of affordable units.“ Of these sites, Concar Passage was not completed during the previous planning period; in fact, no site work has even begun. For the two projects that were completed during the prior planning period, each one contains substantially less affordable housing: 97 units for Station Park Green and 98 for Bay Meadows (the portion of the master plan that was actually completed during the last cycle)¹⁷. Furthermore, the City’s report contains no information about the availability of the Hillsdale Mall site, and contains no information about a specific development affordable to lower income households that has been approved for the site. As such, the City has not demonstrated that this site should be considered for affordable housing, and certainly not to the tune of 808 units, or 40% of the total. The estimated affordability of the project is not justified by the analysis provided.

If the City were to reasonably extrapolate from their track record of large site development, they would note that their percentage of affordable units delivered is much lower than 40% - closer to 10%. This would suggest that Hillsdale Mall could more reasonably expect 202 affordable units. They would also note that Station Park Green took 15 years to move from planning to completion, and Bay Meadows took 30 years. Hillsdale could reasonably be expected to land somewhere in between these two durations and so only about a third of the units would reasonably be delivered in the 6th cycle - 67 units.

The Hillsdale Mall site also includes, among the 40 total acres, approximately 11 acres that were recently redeveloped and re-opened in late 2019. Records show the owner obtained a \$240 million dollar construction loan for this work¹⁸. It is not reasonable to assume that this investment would be demolished to make way for housing. HCD’s guidance states¹⁹ that for non-vacant sites, existing uses must be considered:

For example, an analysis might describe an identified site as being developed with a 1960’s strip commercial center with few tenants and expiring leases and, therefore, a good candidate for redevelopment, versus a site containing a newly opened retail center, an active Home Depot, the only grocery store in the city, etc. that is unlikely to be available for residential development within the planning period.

Therefore, this 11-acre portion should be excluded from the site inventory. When the overall site is thus reduced by 27%, the affordable unit count would proportionally drop - from a realistic 67 units delivered in the next cycle down to 49.

1900 S. Norfolk St

The City’s inventory describes this as a 1983 Class-B office building, and assigns it 245 units over 8.18 acres at 30 units per acre (including 99 affordable units). However, a cursory review

¹⁷ Compiled City data through 2020, RHNA annual reporting

¹⁸ <https://pe-insights.com/news/2022/01/05/northwood-investors-paid-257m-to-purchase-an-interest-in-mall-asset/>

¹⁹ Site Inventory Guidebook, page 25.

of the assessor's map reveals that the site is a "U" shape, wrapping around a PG&E substation with another corner carved off. This unconventional shape will reduce its effective density. Moreover, it contains an easement in PG&E's favor running across the site that further encumbers its development. As mentioned above, it is also within 500' of the intersection of Highway 101 and SR-92. These constraints, taken together, make this site unlikely to be developed.

2208 Bridgepoint Parkway

The City's inventory describes this as a vacant restaurant site, and assigns it 5 units over 0.37 acres at 13.5 units per acre. As a small site there are no affordable units. However, this site is not vacant; a restaurant, Lazy Dog Restaurant & Bar, is under construction and is slated to open in early May²⁰. It is unlikely this brand new use will be discontinued in the next 8 years.

2210 Bridgepoint Parkway

The City's inventory describes this as a Hallmark retail store, and assigns it 5 units over 0.33 acres at 15.2 units per acre. As a small site there are no affordable units. This site is currently under construction and will open as a restaurant, California Fish Grill²¹. It is unlikely this brand new use will be discontinued in the next 8 years.

1900 Fashion Island Blvd

This site is owned by Target and it has come to our attention that James Tucker, Senior Director for Real Estate, has submitted a letter indicating that Target has no plans to change the use of their store in San Mateo. They also explained that the owners of the individual sites that comprise Bridgepoint Shopping Center are under an agreement governing the use of the sites. They did not share details, but explained that generally agreements of this type for shopping center do provide owners with site controls as to site design and uses.

71-77 Bovet Road

This site is currently developed as the "Borel Square" shopping center. It is our understanding that the owner is interested in developing but that the tenants do not wish to leave. The owner has offered "buyouts" to the tenants to break their leases but to date they have all refused. We understand the CVS and 24 Hour Fitness have long term (30 year) leases and at least one other tenant has 7 years remaining on their lease with an option to extend for another 10 years at market rate. Given the tenant opposition to discontinuing their uses, it seems unlikely this site will be developed within the next 8 years.

Please address the issues raised our original letter in order to identify enough sites and commit to an appropriate program of rezoning and constraint removal in a manner that is consistent with

²⁰ https://www.smdailyjournal.com/news/local/lazy-dog-restaurant-opening-in-san-mateo/article_7a53bf46-9b7a-11ec-9577-33f27fd5aefd.html

²¹ <https://www.cafishgrill.com/pages/san-mateo>

your duty to affirmatively further fair housing and such that the actual capacity of the Sites Inventory over the next eight years meets or exceeds your RHNA.

The housing crisis is a regional problem, and our cities must work together to solve it. Thank you for your time and consideration,

[REDACTED]

Campaign for Fair Housing Elements

[REDACTED]

Peninsula for Everyone

[REDACTED]

From: Housing
Sent: Friday, April 22, 2022 9:02 AM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, April 21, 2022 9:25 PM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	David
Last Name	Karp
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	Typical developer slop.

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[REDACTED]

From: Housing
Sent: Monday, April 25, 2022 2:55 PM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Sunday, April 24, 2022 9:57 PM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	Kailun
Last Name	Wu
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	<p>Hello San Mateo city planners,</p> <p>A little bit about myself: I first moved here in 2015 and then bought a house in Hillsdale in 2019. I'm married and work full time. I do not speak on behalf of any political organization or government.</p> <p>To me San Mateo is unique. It's connected to SF and South Bay, ocean and redwood forests. Perfect weather all year. Diverse population. The downtown is a rare walkable gem. Strong economy. Most cities in the world would dream of these resources.</p> <p>And yet I know how impossible it is for younger generations to buy a home. I feel it. Everyone in an open house knows it. There's simply not much available within budget on Redfin. I'm deeply worried that the city is becoming too exclusive and rich so I started following the city planning meetings. The new</p>

general plan is very encouraging and I hope we all work together to keep the momentum.

My thoughts on the housing elements:

1. Re-zone for medium density or missing middle wherever possible. We should model after Germany and Netherlands. 4-6 stories will be both dense and not too towering.
2. Re-zone for mixed use blocks. Make homes close to offices and groceries and restaurants and vice versa so that residents don't have to drive (because of the distance). Otherwise people will again reach for cars and cause congestion, making it even harder to up-zone.
3. Encourage the city to connect to the majority of people who aren't in the public hearings. Most people aren't aware of city planning and are too tired from work, from school, from parenting. Yet they are the silent majority who will be impacted.

Every idea is flawed and implementation is flawed too. But stagnation will only make our city more exclusive and unsustainable. Thank you so much for your hard work. San Mateo with more new homes will only match and strengthen our values. The current and future generations will live in what we choose to zone build.

Regards,
Kai

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SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

April 26, 2022

City of San Mateo City Council
330 West 20th Avenue
San Mateo, CA 94403

Subject: **San Mateo 2023-2031 Housing Element - Draft**

Dear Mayor Bonilla and Members of the San Mateo City Council and Planning Commission,

The Sustainable Land Use Committee of the Loma Prieta Chapter of the Sierra Club (SLU) advocates on land use issues in San Mateo and Santa Clara Counties. Thank you for providing the opportunity for SLU to provide input on the Draft San Mateo 2023-2031 Housing Element.

The overall draft Housing Element (HE) is a good start, but more focused and stronger policies and programs are needed to have a reasonable expectation of meeting the RHNA number of 7,015 new housing units, particularly for affordable units.

Reaching the RHNA unit goal will require major changes in the speed of development in San Mateo. In order to reach the goal of 7,015 new units from 2023-2031, the city must add almost 900 new units each year. That is roughly the equivalent of building a new Concar Passage each year¹. This will be infeasible unless a major effort is made to streamline and accelerate housing development. And, of course, it is important that new development also be thoughtfully designed to accomplish all the other General Plan goals of open space, quality of neighborhoods, etc. The HE Housing Plan (p.H-55 to H-74) needs to demonstrate a significant change to current policies and programs in order to realistically be able to reach the goal. This will not be easy, as the new RHNA goals are well above the rate of new housing added over the last few decades². But it must be done if we are to adequately address the housing crisis in the region and leave the city well positioned for future generations to prosper.

The HE rightly points out that the housing problem is a regional one and that each city needs to meet or exceed its goal if the housing crisis, particularly for affordable housing, is to be solved. The lack of affordable housing on the Peninsula is a significant contributor to environmental degradation as workers must commute long distances by car, emitting GHG as well as other pollutants. It also leads to sprawl as more development is done in areas that were open space or agricultural land.

There are specific areas that will need to be retained or expanded to make sure the final HE contains the key actions needed to make significant progress on addressing the enormous lack of affordable housing

¹ **Concar Passage** is the largest housing project approved in recent years and required major time and effort for approval. Developing a project like this each year, will therefore require a major effort above the current processes.

² **The 2015-2022 RHNA** was 3,164 units and with only one year left it has 2,573 units completed. This current RHNA number is less than half the new RHNA number; thus, demonstrating the steep challenge of meeting the new RHNA number of 7,015.

in the Bay Area. Listed below are the most important goals, policies and programs in the draft HE that need to be retained and strengthened in the final HE.

1. The HE aims for a 56% buffer above the RHNA. This is a minimum, but perhaps a higher number should be considered as the ability to actually build out housing has proven, over time, to be very difficult.
2. Increasing affordable housing is emphasized in the draft HE and that is good. But the “buffers” for affordable housing levels are only 14%, 55% and 37%, while the buffer for market rate housing is 87%. The percentage buffer for affordable units should be at least as high as the buffer for market units since affordable units are needed more and are harder to develop. The affordable housing should be more strongly focused on low, very low and extremely low-income housing, as these are where the largest needs are and where the lack of inventory is the largest. The very poor jobs/housing fit³ in the Peninsula can best be addressed with a focus on more affordable housing. As noted in the HE draft⁴, the lack of affordable housing was one of the major concerns expressed by the public.
3. Funding that can be used to support affordable housing is a fundamental need and more must be done to obtain funding. Affordable housing has to be subsidized and a lack of funding will limit the ability to build the needed affordable housing, particularly for low and very low-income units. This could include establishing or increasing: Vacancy Tax, Commercial Linkage Fees, and Transfer Tax. It is particularly important that funding focus on repairing the legacy of discrimination in housing for groups like African Americans. The following policies and programs should be strengthened to accomplish this goal:
 - a. H 1.2 - Utilize Public Funding for Low/Moderate Income Housing
 - b. H 1.3 - Increase Below Market Rate Unit Production through Density Bonus/Community Benefits Programs
 - c. H 1.18 – Fee Schedule Review
 - d. H 3.3 - Evaluate Housing Revenue Sources
 - e. H 5.1.1 - Adjust the City's Below Market Rate (inclusionary) program to provide larger density bonuses, and/or increased city support in exchange for affordable units that address the needs of residents with disproportionate housing needs
 - f. H 5.1.2 - Participate in a regional down payment assistance program with affirmative marketing to households with disproportionate housing needs including persons with disabilities, single parents, and Hispanic households
 - g. H 5.1.3 - Support the design of a regional forgivable loan program for homeowners to construct an ADU that is held affordable for extremely low-income households for 15 years
4. In addition to increased funding for affordable units, the HE should prioritize policies and programs that reduce costs and streamline the processes for affordable units. The following policies and programs should be strengthened to accomplish this need:

³ **Jobs/Housing Fit:** Jobs/housing fit means that the majority of homes within the city are affordable to the majority of employees who work in the city, and conversely, the jobs in the city pay enough to cover the cost of housing in the city. Without an adequate jobs/housing fit, businesses find it difficult to hire and retain lower-income employees.

⁴ **Page H-43**

- a. H 1.6 - Streamline Housing Application Review
- b. H 1.8 - Adopt Objective Design Standards
- c. H 1.9 - Create Minimum Densities for Mixed-Use Residential Projects
- d. H 1.10 - Establish By-Right Housing Designation for Prior Housing Sites
- e. H 1.12 - Encourage Residential Uses within Housing Overlay

5. Almost the entire city, including R1 areas, will need to contribute to the increased housing through such mechanisms as expanded Missing Middle Units (duplex, triplex and fourplex) and ADUs and, possibly, new mechanisms enabling multi-unit housing on properties with a Residential Neighborhood General Plan land use designation, which generally covers single-family neighborhoods. Increased density should be focused within half mile of transit to align with Climate Action Plan goals for greenhouse gas reductions.

The Climate Action Plan requires attention to creating easy pedestrian and bicycle access to reduce greenhouse gas emissions (GHG). Therefore, while it is important to retain this broad opportunity for more housing, since R1 is a major part of the total area of the city, it is important to keep in mind that creating easy pedestrian and bicycle access to amenities and to transit is a critically important goal for the Climate Action Plan.

The “15-minute Neighborhood”^{5 6} concept needs to be included in the General Plan, along with the Housing Element, as it would facilitate creating more housing in R1 neighborhoods while simultaneously reducing GHG. This is a mechanism that would insert community amenities, such as small neighborhood retail nodes, into otherwise auto-dominated areas such as R1 neighborhoods.

Even more priority should be placed on these efforts. The following policies and programs should be strengthened to accomplish this need:

- a. H 1.4 - Incentivize Accessory Dwelling Units Development with streamlined approvals, development subsidies, or low or zero interest loans for construction cost
- b. H1 11 Consider how Opportunity Housing can be useful to create new housing in R1 neighborhoods within 1/2 mile of the transit corridors
- c. H1-13- Encourage Development of Missing Middle Housing especially within a half mile of transit.
- d. Include overlay zoning, in the General Plan, for “15-minute Neighborhoods” allowing insertion of small new neighborhood retail nodes with [Green Streets](#) network⁷ to create walkable bikeable neighborhoods, with the daily amenities, to reduce auto trips and create healthier walkable neighborhoods, convenient for all ages including kids and seniors.

⁵ 15-minute neighborhoods are being created in many cities especially post-COVID.

<https://www.strongtowns.org/journal/2019/9/6/7-rules-for-creating-15-minute-neighborhoods>)

⁶ Embraced by Mayors around the world, Portland and several small US cities have embraced the concept to rebuild their economies while creating healthier cities. https://en.wikipedia.org/wiki/15-minute_city

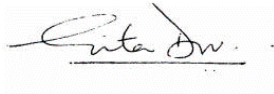
⁷ How to insert a Green Street network into an existing City. Sierra Club Loma Prieta

<https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u4142/Green%20Streets%20Presentation%20-%20201-20-21%20DC.pdf>

5. Climate Change is real. ⁸No mention is made of how housing, particularly new housing, needs to be located so as to be resilient to climate change. Sea levels are predictably going to rise more swiftly in the coming decades, according to the California Ocean Protection Council. ⁹ Wildfires are also predicted to become an increased threat with the continued drought and encroachment into the forested hill areas of our city. The increased risks of sea level rise (SLR) near the Bay and wildfires in the hilly areas needs to be factored into identifying areas for higher density and more affordable housing.

We ask that you consider this information as you finalize the Housing Element for submission to the State. SLU is prepared to help the City in advancing the HE as it is finalized and when it goes into effect.

Respectfully submitted,



Gita Dev, Co-Chair
Sustainable Land Use Committee
Sierra Club Loma Prieta

Cc: James Eggers
Executive Director
Loma Prieta Chapter Sierra Club

Gladwyn d'Souza
Conservation Committee Chair
Loma Prieta Chapter Sierra Club

⁸ **Ocean Protection Council- Sea Level Rise Guidance:** The rate at which sea levels will rise can help inform the planning and implementation timelines of state and local adaptation efforts. Understanding the speed at which sea level is rising can provide context for planning decisions and establish thresholds for action...
https://opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf

[REDACTED]

From: Housing
Sent: Wednesday, April 27, 2022 9:17 AM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, April 26, 2022 11:22 AM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	Larry
Last Name	Garnick
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	I am a single family home owner at [REDACTED] and have been a resident of San Mateo for 30 years. I believe San Mateo is already too congested and the City should not pursue a plan for population or housing growth. The City's proposed growth plans are frightening.

Email not displaying correctly? [View it in your browser.](#)

[REDACTED]

From: Housing
Sent: Wednesday, April 27, 2022 9:16 AM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, April 26, 2022 1:20 PM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	John
Last Name	Tastor
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	It appears that the 25th Avenue corridor between El Camino and Hacienda has been eliminated. The Study Zone did include the First Presbyterian church parking lot on the NW corner of 25th & Hacienda. There is strong interest in our congregation to build approximately 70 low-income Senior Apartments on this parcel as well as 190 West 25th. We would appreciate consideration of these parcels as potential sites for residential development.

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[REDACTED]

From: Housing
Sent: Thursday, April 28, 2022 11:33 AM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form



[REDACTED]
Administrative Tech | Housing
330 W. 20th Ave., San Mateo, CA 94403
650-522-7239 | [REDACTED]

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, April 28, 2022 11:19 AM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	Anonymous
Last Name	Anonymous
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	Hello, I want to show my support for a Housing Element that respects the single family home neighborhoods in the the City of San Mateo. As a long time resident and voter, the collected voice

should be heard. We said yes to measure Y and we do not want our single family neighborhoods zoning changed. I moved to San Mateo to live in a quiet neighborhood and scrounged and saved to realize the dream of owning a home. I feel your Planning Commissioners are not listening to the voice of the community and clearly have their own agenda and are out of touch. It does not go unnoticed that your two newest commissioners are more interested in proceeding on their own agenda than do what is best for all areas of San Mateo. I think the Planning Commission need to listen to real people and stop taking their lead from developers and their own misguided agendas.

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[REDACTED]

From: [REDACTED]
Sent: Thursday, April 28, 2022 3:23 PM
To: [REDACTED]
Subject: Fwd: Planning Commission Regular Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Nicky,
A comment for housing element to add.
Mary

Begin forwarded message:

From: [REDACTED]
Date: April 28, 2022 at 2:15:03 PM PDT
To: [REDACTED]
Subject: FW: Planning Commission Regular Meeting



[REDACTED]
City Clerk | City of San Mateo
330 W. 20th Ave., San Mateo, CA 94403
650-522-7042 | [REDACTED]

From: Chris Conway [REDACTED]
Sent: Thursday, April 28, 2022 10:54 AM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Planning Commission Regular Meeting

My inquiry to the San Mateo City Council is how was the selection of Diana Elrod as San Mateo's consultant in the Planning Commission Regular meeting 04.26.22 determined and who made the selection? I would like to know what this consultant to San Mateo is being paid for work and why a consultant as left leaning as this person (they/them) was selected. It seems they/them is a fellow Columbia University alumnus like one of our very own council people (gender neutral to avoid offending anyone). This person's views can easily be seen by reviewing who they/them advocate for. Also, a request went out for more feedback on Housing Element and development within our city. Why does the city council continue to ask for more feedback when they do not listen to anyone unless they share their same progressive housing policies? It is much too late to try to spin this entire process as anything less than fair, honest and transparent. It is a complete sham to those who actually follow this convoluted procedure and actually know who our council members actually are and what they support. Sad to see what the city council of San Mateo has turned into what it has done to divide our city into sections based on race and wealth. The racial undertones of comments by the city council, contributors and consultants are enough to anger many residents who have lived in and contributed much more to

this city than all of you. Stop ruining San Mateo, you had no part in creating or developing this city to what it is today.

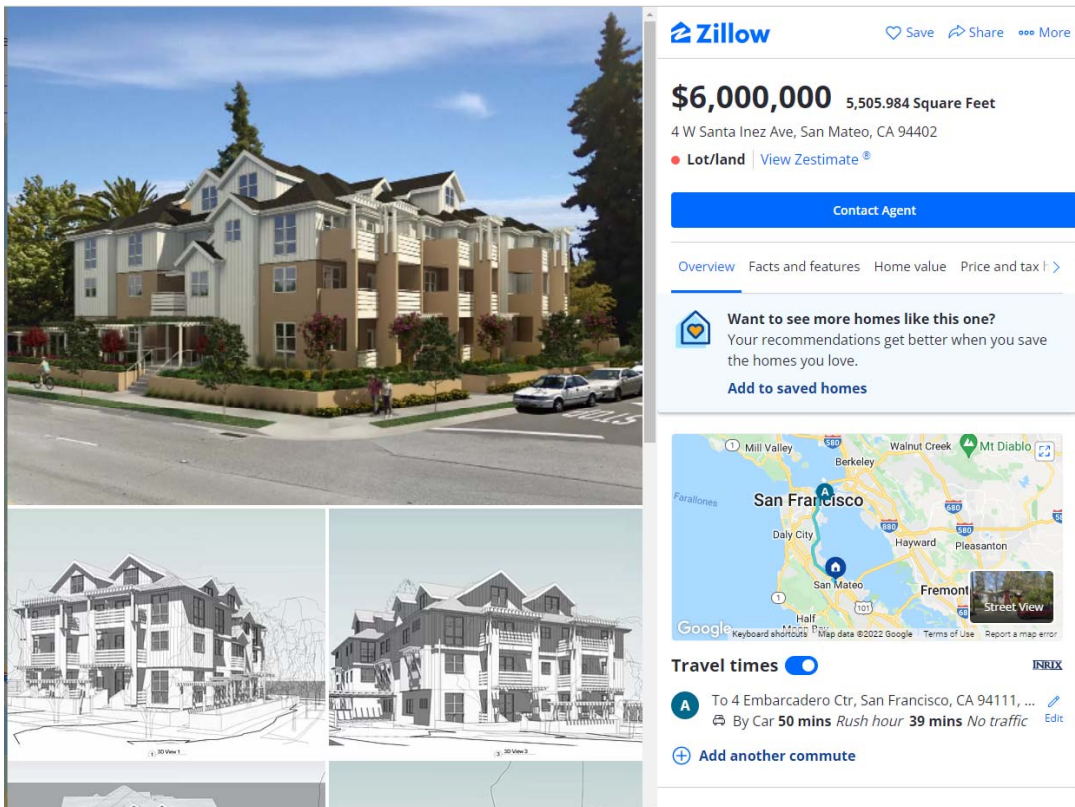
Time to set policy in front of voters instead of behind your screens. End this very undemocratic process of conducting council meetings via Zoom. Face your constituents, or are you too timid to do that.

Chris Conway
San Mateo, Ca.

From: Housing
Sent: Thursday, May 5, 2022 4:02 PM
To: [REDACTED]
Subject: FW: Housing Element Comment

From: Thomas Morgan II [REDACTED]
Sent: Thursday, May 5, 2022 3:18 PM
To: Housing <housing@cityofsanmateo.org>
Subject: Housing Element Comment

The screenshot below is the problem with simply upzoning and the loss of local control, it simply drives up the cost of the land, after shelling out the asking price I am not sure how the new owner will make an already tight project pencil out.



Zillow Save Share More

\$6,000,000 5,505.984 Square Feet

4 W Santa Inez Ave, San Mateo, CA 94402

Lot/land View Zestimate

Contact Agent

Overview Facts and features Home value Price and tax

Want to see more homes like this one?
Your recommendations get better when you save the homes you love.
Add to saved homes

San Francisco

Travel times

To 4 Embarcadero Ctr, San Francisco, CA 94111, ...
By Car 50 mins Rush hour 39 mins No traffic

Add another commute

Thank you,

Thomas Morgan

[REDACTED]

From: Housing
Sent: Thursday, May 5, 2022 4:03 PM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, May 5, 2022 3:15 PM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	Ellen
Last Name	Wang
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	<p>Slow Growth is the key.</p> <p>None of us knows what the future will bring.</p> <p>Take an Objective look at housing from a multi-view approach.</p> <p>California population is decreasing.</p> <p>Coronavirus and technology has provided opportunities for workers to work from anywhere with no need to live near their old job site.</p> <p>Dense housing has a Negative Impact on schools, police, recreation.</p> <p>I do not want to walk by half-vacant high-rise housing or office buildings that block the sun.</p>

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[REDACTED]

From: Housing
Sent: Friday, May 6, 2022 8:27 AM
To: [REDACTED]
Subject: FW: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, May 5, 2022 8:11 PM
To: Housing <housing@cityofsanmateo.org>
Subject: Online Form Submittal: Draft 2023-2031 Housing Element Comment Form

Draft 2023-2031 Housing Element Comment Form

Draft Housing Element Feedback Form

Please share your comments regarding the Draft Housing Element.

Comment period for the draft document is April 6 through May 6, 2022.

First Name	T
Last Name	S
Email Address	[REDACTED]
Comment on 2023-2031 Draft Housing Element	<p>“While some people voiced their interest in up zoning single-family neighborhoods or eliminating them altogether, other homeowners want to protect them and are concerned with the future of investments they have made.”</p> <p>I’d like to better understand who wants to re-zone or—more worrying—eliminate single-family housing here. “Upzoning” is an adorable word for “kicking people out of their homes to cram more people onto the land.” Are these people even San Mateo residents? The “no more housing” ship has sailed, so it’s not with any one’s energy to complain about more building; please, then, focus on sites that can be updated and REALISTICALLY adapted to include more housing. This would, therefore, include locations closer to mass transit.</p> <p>Building on Campus Drive sounds like a nightmare to me, because public transportation is currently miserable in that area, and the 92/West Hillsdale interchange can be horrific</p>

traffic-wise. If building must be done there, then the public transportation issue ALSO has to be addressed.

Email not displaying correctly? [View it in your browser.](#)

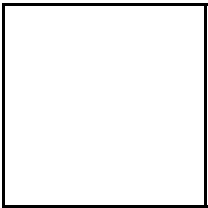
[REDACTED]

From: Housing
Sent: Friday, May 6, 2022 4:58 PM
To: [REDACTED]
Subject: FW: Housing Element
Attachments: Attachment A City of San Mateo Housing Element Comments for Developmental Disabilities 12.21.21.pdf; San Mateo Draft Housing Element Comments.pdf; Attachment B City of San Mateo Housing Element Comments for Developmental Disabilities 2.10.22.pdf

From: Kalisha Webster [REDACTED]
Sent: Friday, May 6, 2022 3:21 PM
To: Housing <housing@cityofsanmateo.org>
Cc: Jan Stokley [REDACTED]
Subject: Housing Element

Please find attached Housing Choices' comments on the City of San Mateo 2023-2031 Housing Element Draft including Attachments A & B. We hope that the city will make meaningful changes to the analysis of housing needs of people with developmental disabilities and Fair Housing Assessment, as well as, further develop policies and programs which will meet the needs of Extremely Low Income households and increase housing accessibility for people with developmental disabilities in the next draft.

Thank you,



We have moved! Please note the new office address!

This e-mail message is intended only for the named recipient(s) above and is covered by the Electronic Communications Privacy Act 18 U.S.C. Section 2510-2521. This e-mail is confidential and may contain information that is privileged or exempt from disclosure under applicable law. If you have received this message in error please immediately notify the sender by return e-mail and delete this e-mail message from your computer.



May 6, 2022

Planning Manager and City Council
City of San Mateo, Planning Division
330 West 20th Avenue
San Mateo, CA 94403

housing@cityofsanmateo.org

Re: Comments on the Draft Housing Element

Thank you for sharing this early draft of the Housing Element with the public. On behalf of San Mateo's more than 800 residents with intellectual and developmental disabilities, Housing Choices is grateful for the opportunity to comment before it is sent to HCD. We also appreciate the work that the City of San Mateo has done to engage with Housing Choices throughout the community engagement process and consider the programs and policies that we have recommended as best practices for inclusion of people of all abilities in the city's future housing plans. However, we have concerns that the assessment of the housing needs of the San Mateo population with developmental disabilities in the draft Housing Element is very superficial and does not provide enough analysis to support meaningful inclusion of people with developmental disabilities in the city's housing plans. We also ask that the city immediately update the obsolete and derogatory language used to describe developmental disabilities as including mild to severe "mental retardation" on page H-A-55 of Appendix A-Needs Analysis and instead use the standard term "intellectual disability".

About Housing Choices

Housing Choices is a housing organization funded by the Golden Gate Regional Center to support people with developmental disabilities to be fully integrated in San Mateo's affordable housing supply. We provide housing navigation services for both individuals and families. We also partner with affordable housing developers to make inclusive housing commitments for people with disabilities in their housing projects. At these projects we provide onsite housing retention services. A San Mateo example of this highly successful model is the new Kiku Crossing where 8 of the 225 units will include a preference for people with developmental disabilities who will benefit from Housing Choices' coordinated supportive services funded by the Golden Gate Regional Center. The Golden Gate Regional Center has contracted with

Housing Choices to provide the San Mateo planning staff and Housing Element consultants with an assessment of the housing needs of people with developmental disabilities, as required by SB 812. In addition, 21 Elements has facilitated Housing Choices' involvement of people with developmental disabilities in the planning process through its Equity Advisory Group.

Incomplete Assessment of Housing Needs of People with Developmental Disabilities

On December 2, 2021, Housing Choices submitted an assessment of the housing needs of San Mateo residents with developmental disabilities (Attachment 1) which followed HCD guidance for a complete analysis of special housing needs groups, including:

- A quantification of the total number of persons and households in the special housing needs group, including tenure (rental or ownership), where possible.
- A quantification and qualitative description of the need (including a description of the potential housing problems faced by the special needs groups), a description of any existing resources or programs, and an assessment of unmet needs.
- Identification of potential program or policy options and resources to address the need

After receiving feedback on our comments from City staff Housing Choices submitted revised comments on February 10, 2022 (Attachment 2).

As discussed below, San Mateo's draft does not incorporate any of the Housing Choices' data and analysis, does not meaningfully discuss the potential housing problems, unmet needs or best practices for inclusion of people with developmental disabilities in integrated and least restrictive housing settings in the community. We believe that the inclusion of these missing elements would demonstrate that the city has a clear understanding of the accessibility needs of people with developmental disabilities and how they differ from other disability types. Furthermore it would help the city to create more meaningful programs and policies to meet the housing needs of residents with developmental disabilities as required by Housing Element law.

Underestimation of the San Mateo Population with Developmental Disabilities

The draft analysis undercounts the population of San Mateo residents with developmental disabilities by using outdated demographic data reported by the Department of Developmental Services (DDS) as of 2020 rather than the more current data from DDS as of September 2021 provided in Housing Choices comments. On page H-A-56 of Appendix A- Needs Analysis, Table 12 states that there are **500 individuals age 18+** and **277 individuals under age 18** with developmental disabilities living in San Mateo based on Department of Developmental Services 2020 data of consumer counts by zip code for a total of 777 San Mateo residents with developmental disabilities. However, based on data reported by DDS by zip code as of September 2021 for zip codes 94401, 94402 and 94403 (provided to us by the City of San Mateo planning staff) there were **531 individuals age 18+** and **304 individuals under age 18** with developmental disabilities living in San Mateo for a total of 835 San Mateo residents with

developmental disabilities. This represents an increase of 58 total residents or 7% of the population.

In contrast, on page H-A-57, Table 13 reports a total population of 784 San Mateo residents with developmental disabilities. This is most likely attributable to an error in the reporting of individuals living in Foster/ Family Homes and Other living arrangements which are both reported by DDS as <11 but in Table 13 are both reported as 10.

Failure to Provide Data Establishing Trends Creating a Greater Need for Housing

As mentioned above, Table 13 does report the population of San Mateo residents with developmental disabilities by residence however, because it fails to report residence type for adults separately from that of children and because it omits a comparison to data reported in the 2015 Housing Element important trends about the changing housing needs of San Mateo residents with developmental disabilities is missing from this analysis. When looking at the residence type of only adults aged 18+ we see that the greatest housing provider for adults with developmental disabilities in the City of San Mateo is licensed care facilities (including Community and Intermediate Care Facilities). As of 2021 50% of all adults with developmental disabilities in the City of San Mateo are housing in licensed care facilities, significantly higher than the 32% of adults across all San Mateo County jurisdictions. Yet, when comparing this data to what was last reported in the 2015 Housing Element we find that despite an overall increase in the total population there has been a net decrease in the number of adults with developmental disabilities transitioning into licensed care facilities or into their own apartment with supportive services during this time period.

The decrease of adults transitioning into licensed care facilities reflects data from DDS, and which was reported in Housing Choices comments to city staff, that San Mateo County has experienced a loss of 5% of its supply of community care facilities, a large number of which are located in the City of San Mateo. Data on increased life spans of people with developmental disabilities, which is also omitted from the Housing Element, compounds the loss of supply by increasing turnover of beds available in the remaining licensed care facilities. Coupled with the decline in adults living in their own apartments with supportive services, this data demonstrates that the city must do more to meet the housing needs of people with developmental disabilities by increasing access to integrated affordable housing to prevent them from falling into homelessness or being displaced after the death of a parental home provider.

Other data which Housing Choices' comments reported on which are vital to an understanding of the barriers to housing access for this special needs population that were omitted from the Housing Element analysis are:

1. Continuing increases in the diagnosis of autism affecting growth of the population of San Mateo residents with developmental disabilities (21% increase from 2013-2021) beyond that of the general population (6% increase from 2010-2020)
2. Decreases in age groups 42-61 despite increases in all other age groups including 62+ which Housing Choices attributes to greater risk of displacement from the home

community among this age group upon the death or infirmity of the parent who was providing housing

Lack of Meaningful Analysis of Strategies to Increase Housing Access for People with Developmental Disabilities

The Housing Element acknowledges the significance of the transition from the family home for an adult with a developmental disability including the increased risk of displacement or homelessness when a parent caregiver passes away or becomes unable to house and care for the adult. There are also basic descriptions of the alternative housing options available to people with developmental disabilities including:

- Living independently in conventional housing
- Group living (including different levels of care and support)

However, there is no further analysis of the housing needs of people with developmental disabilities beyond a single sentence on page H-A-55 which states “Some people with developmental disabilities are unable to work, rely on Supplemental Security Income and live with family members. By not including information, provided by Housing Choices, on best practices for inclusion of people with developmental disabilities in conventional affordable housing, the city is unable to create meaningful strategies to increase housing accessibility for this population needed to decrease the risk of displacement or homelessness when their family home is no longer an option. These best practices to increase accessibility include:

- **Integration in typical affordable housing** in order to affirmatively further fair housing for a group that has historically experienced no alternatives to segregated living and to counter the loss of supply of licensed care facilities
- **Coordination of housing with onsite supportive services** funded by the Golden Gate Regional Center should be encouraged. These fully funded coordinated services are often as essential to a person with a developmental disability as a physically modified unit is to a person with a mobility, vision, or hearing impairment and provide a supported pathway for people with developmental disabilities to apply for and retain an affordable apartment
- **A mix of unit sizes set-aside at inclusive housing properties** would address the needs of those who require live-in aides, want to live with roommates or partners, or have children.
- **Location near public transit** would accommodate the transit-dependency of most adults with developmental disabilities.
- **Deeply affordable housing** is needed, targeting incomes not more than 30% of Area Median Income and taking advantage of Housing Authority Project Based Vouchers or HUD 811 Project Rental Assistance when available to create housing opportunities for those who cannot meet minimum income requirements for units priced at 30% of Area Median Income.

‘Without this complete analysis of the housing needs of people with developmental disabilities any programs or policies aimed at increasing “accessible units” will be discriminatory in nature as they apply only to people with physical disabilities needing physically modified units and not to people of other abilities who may require services to increase housing access. This is most evident on page H-A-54 of Appendix A where accessible units are defined as designed to “offers greater mobility and opportunity for independence” but makes no mention of the supportive services needed by people with other types of disabilities including developmental and mental health disorders. This model of housing combined with supportive services has been shown to be incredibly effective in helping individuals with developmental disabilities find and retain housing, and is equally as important to a person with a developmental disability as the physical design of a building is to a person with a physical disability. This also puts the city at risk of not meeting HCD’s AFFH guidance to promote fair housing choice and access to opportunity to support integration for a historically segregated population. Per HCD guidance, “For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual’s needs as required under federal civil rights law, including equitably provided disability-related services that an individual needs to live in such housing.” HCD defines fair housing choice as:

- Actual choice, which means the existence of realistic housing options
- Protected choice, which means housing that can be accessed without discrimination; and
- Enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed.

Need to Clarify How Programs and Policies Will Increase Housing Access For People with Developmental Disabilities

We want to thank planning staff and the consultant who developed this draft for acknowledging the need for affordable housing to increase housing access for people with disabilities. This is especially important for those whose sole source of income is from disability benefits such as Supplemental Security Income, which in 2022 has a maximum monthly payment of \$1,040, well below minimum income requirements for even the Extremely Low Income housing (30% of AMI) available in San Mateo. The lack of housing priced to be affordable to people of Extremely Low Income does not only affect people with disabilities. According to the draft Housing Element, 12.7% of all San Mateo households fall under the Extremely Low Income limits which represents the second largest lower income group in the city, exceeded only by Low Income households. And Figure 13 on page H-A-25 of Appendix A- Needs Analysis shows that Extremely Low Income renters are the second largest proportion of San Mateo Renters exceeded only by Above Moderate Income.

According to the HCD’s APR dashboard between 2015-2020 San Mateo met less than 15% of its Very Low Income RHNA target (of which half are supposed to ELI). In order to address this shortfall, the 2023-2031 draft housing element identified Policy 5.2.3: “Prioritize city funding proposals for city funded affordable housing that are committed to serving hard to serve residents (e.g., extremely low income, special needs, on site services)”. We strongly encourage

the city to go further in its commitment to meeting the need for more units of Extremely Low Income housing by including proposals for city-owned land and land dedicated to affordable housing under the inclusionary program to this Policy.

Secondly, people with developmental disabilities not only need deeply affordable housing, they also need housing that is coordinated with onsite supportive services funded by the Golden Gate Regional Center. In order to specifically address the housing needs of people with developmental disabilities, San Mateo must clarify their definition of accessible/visitable units as referenced in Policies 5.1.1 and most importantly 5.2.2 Incentivize developers through direct subsidies, fee waivers, and/or density bonuses, to increase accessibility requirements beyond the federal requirement of 5% for subsidized developments. Currently, federal accessibility requirements only address the housing needs of people with physical disabilities. Housing Choices is extremely supportive of Policy 5.2.2 but asks that the city include incentivizing inclusion of units set aside for people with developmental disabilities who will benefit from coordinated on-site supportive services funded by the Golden Gate Regional Center to help them stay stably housed so that we do not continue to see decreases in the number of adults able to transition into their own apartment.

Failure to Follow HCD Guidance for AFFH

Guidance from HCD for AFFH also recommends that jurisdictions complete an intersectional analysis of housing needs for people with disabilities as “there are significant disparities by race within the population with disabilities”. While there is data provided on the housing cost burden of all San Mateo residents by race in the Assessment of Fair Housing there is no intersectional analysis which shows the compounding effects of being a person of color with a disability as compared to a person of color without a disability or a white person with a disability. This is a significant component of Housing Choices’ recommendations for Affirmatively Furthering Fair Housing, and yet is omitted from the city’s draft.

Noncompliance with HCD Guidance for Completing an Assessment of Fair Housing

In response to the passage of AB 686, HCD released the AFFH Data Viewer to support the outreach and engagement jurisdictions are required to complete as part of their Assessment of Fair Housing. HCD explicitly states in their AFFH guidance that the Assessment of Fair Housing should include local data and knowledge defined as “any locally gathered and available information, such as a survey with a reasonable statistical validity or usefulness for identifying contributing factors, policies, and actions.” On page H-D-11 of Appendix D- Affirmatively Furthering Fair Housing Narrative it is stated that a survey was administered to support the Fair Housing Assessment which received 150 responses. In a city with a population of over 100,000 residents this low of a response rate seems to indicate that the city did not complete the type of robust, targeted engagement required by HCD in administering the survey.

Reporting of data from the assessment also does not clearly show demographics of who was surveyed to show the number of residents from special needs groups that are most likely to face

fair housing issues such as BIPOC populations, people with disabilities, female-headed households, the unhoused and others. For instance on page H-D-29 when discussing disparities specific to the disability community it is stated that “Of residents with a disability responding to the residents’ survey, 30% said that their home does not meet the needs of their household member.” However, there is no indication of how many of the 150 respondents indicated having a disability so it is not evident to the reader of this document if 25% is equivalent to 5, 10 or 40 responses. Nor is it clear if only people with physical disabilities were surveyed or this included people with other types of disabilities.

There also appears to be an over reliance on data from the AFFH data viewer in the Fair Housing Assessment. For instance on page H-D-14 there is an explanation of the different agencies to which Fair Housing Complaints can be reported including HUD, DFEH and local enforcement organizations including Project Sentinel, the Legal Aid Society of San Mateo County, and Community Legal Services of East Palo Alto. This section also explains that state Fair Housing Law covers protected classes beyond that of federal Fair Housing Law. Yet, demographics of Fair Housing complaints are only reported for HUD which received only 57 complaints for San Mateo County from 2017-2021. Whereas, data from Project Sentinel shows that they investigated nearly 300 Fair Housing discrimination cases in San Mateo County from 2015-2020. This does not include reports made to any of the other agencies listed. This would indicate that the draft housing element severely underestimates the number of Fair Housing complaints made in San Mateo County and City of San Mateo, and therefore cannot accurately gauge how well the city is doing in addressing Fair Housing issues.

We urge you to review the attached comments we submitted on December 2, 2021 and February 10, 2022 and make changes to the San Mateo Housing Element so that it meaningfully addresses the housing needs of its residents with developmental disabilities.

Sincerely,

Kalisha Webster

Kalisha Webster
Senior Housing Advocate
Email [REDACTED]
Cell [REDACTED]

DEVELOPMENTAL DISABILITIES SUBMISSION FOR CITY OF SAN MATEO HOUSING ELEMENT

Introduction to Developmental Disabilities

People with developmental disabilities have a disability that emerged before age 18, is expected to be lifelong, and is of sufficient severity to require a coordinated program of services and support in order to live successfully in the community. Developmental disabilities include intellectual disability, autism, Down syndrome, epilepsy, cerebral palsy, and other disabling conditions similar in their functional impact to an intellectual disability. Under California's Developmental Disabilities Services Act and the U.S. Supreme Court's 1999 decision in *Olmstead v. L.C.*, people with developmental disabilities are entitled to receive community-based services that allow them to live in the least restrictive community setting. This shift to de-institutionalization has led to the closure of the most restrictive segregated settings and to the requirement that local jurisdictions in their Housing Elements assess and plan specifically for the housing needs of people with developmental disabilities who receive services from the Regional Center in order to live in their home community.

Demographic and Other Trends Affecting the Housing Needs of People with Developmental Disabilities

The City of San Mateo Population with Developmental Disabilities Grew by 12% Since the Last Housing Element and Accounts for 21% of the County's Total Population with Developmental Disabilities. The City of San Mateo is home to 835 people with developmental disabilities (Table ____). This represents an increase of 12% over the 2013 population of 746 reported in the City's 2015 Housing Element and reflects a much higher growth rate than the general population. In addition, the City's population with developmental disabilities accounts for 21% of the total County population with developmental disabilities, although the city's total population is only 14% of the County's total population.

Table ____ Comparison of the 2021 City and County Populations with Developmental Disabilities

Age	City of San Mateo	County of San Mateo	City of San Mateo as % of County
Under age 18	304	1169	26%
18 and older	531	2764	19%
Total	835	3933	21%

Source: The City of San Mateo data is based on zip code level data for zip codes 94401, 94402, and 94403 published by the California Department of Developmental Services as of September 30, 2021. County level data is published by the Department of Developmental Services as of June 30, 2021. Both sources exclude children from birth to the third birthday because approximately 75% of this age group is found not eligible for continuing lifelong services on their third birthday.

Decline in Living Arrangements for Adults with Developmental Disabilities Outside the Family Home. Of the City's total population with developmental disabilities, 531 (64%) are adults and 304 (36%) are

under age 18 (Table ____). Assessing the housing needs of adults with developmental disabilities is of particular importance because as they age the adults will require a residential option outside the family home, whereas the family home is the preferred living option for children with developmental disabilities. In 2021, 505 City of San Mateo residents with developmental disabilities lived in the family home compared to 389 in 2013 as reported in the 2015 to 2023 Housing Element. This 30% increase in reliance on the family home is 2.5 times greater than the City's 12% increase in the developmental disabilities population during that same period. Increased reliance on the family home is primarily explained by overall growth in the population with developmental disabilities coupled with significant declines in opportunities for the City's adults with developmental disabilities to live either in licensed care facilities (11% decline) or in affordable housing with supportive services (11% decline). (Table ____.) As adults with developmental disabilities age, they need opportunities to live outside the family home both because of the aging of their family caregivers and also because many adults with developmental disabilities would like to live in their own apartment with supportive services.

Table ____ Changes in Living Arrangements of Adults with Developmental Disabilities

Living Arrangements	2013 Number	2021 Number	2021 Percent of Total Adults	% Change Since 2013
Total (children & adults) in the Family Home	389	505	--	30%
Adults In the family home	Not reported-- see note	201	38%	--
Own apartment with supportive services	64	52	10%	-11%
Licensed Facilities	294	265	50%	-11%
Other (including homeless)	7	13	2%	.8%
Total Adults	Not reported--see note	531	100%	--

Note: The 2013 data are reported in the 2015 Housing Element, which failed to separately count those under 18 and those 18 and older, making it difficult to estimate changes in the significance of the family home as a residential setting specifically for adults. The 2021 data are published at the zip code level by the California Department of Developmental Services as of September 30, 2021. These data assume that occupants of licensed facilities are 18 and older which is generally true, but if incorrect this assumption would tend to understate, not overstate, the need for other housing options for adults with developmental disabilities.

Increase of Autism Diagnosis Reflected in Increase in Adults in their 20s and 30s. Growth in the City of San Mateo's population with developmental disabilities since the 2015 Housing Element correlates with a significant annual increase in the diagnosis of autism that began in the mid-1980s and did not level out until after 2015. The cumulative impact of this trend is already seen in the growth in the San Mateo County population age 18 to 41 with developmental disabilities and will continue into the future. This trend has significant implications for housing needs among City of San Mateo adults with developmental disabilities during the period of the 2023 to 2031 Housing Element.

Table __ Changes in Age Distribution of Adult Population in San Mateo County

Age	2015 Number	2021 Number	% Change
18 to 31	1023	1189	16%
32 to 41	397	457	15%
41 to 52	382	335	-12%
52 to 61	385	348	-10%
62 plus	327	435	33%
Total adults	2514	2764	10%

Source: County level data is published by the Department of Developmental Services as of June 30, 2021 and as of September 30, 2015.

Longer Life Spans. Between September 2015 and June 2021, the California Department of Developmental Services reports that the number of San Mateo County residents with developmental disabilities age 62 and older grew by 33% (Table __). This is not due to migration of senior citizens with developmental disabilities to San Mateo County, but rather to well-documented gains in life span among people with developmental disabilities. With longer life expectancy, more adults with developmental disabilities will outlive their parents and family members with whom a growing number of City of San Mateo adults with developmental disabilities now live because of the lack of other residential options. Longer life spans will also slow the pace of resident turnover in the county's limited supply of licensed care facilities, which will further reduce opportunities for the growing population of people with developmental disabilities to secure housing outside the family home.

Decline in Licensed Care Facilities. The California Department of Developmental Services reports that between September 2015 and June 2021, San Mateo County lost 5% of its supply of licensed care facilities for people with developmental disabilities (including Community Care Facilities, Intermediate Care Facilities, and Skilled Nursing Facilities), thereby increasing the need for affordable housing options coordinated with supportive services funded by the Regional Center. This trend is mirrored in the 11% decline in the number of City of San Mateo adults able to live in licensed care homes between 2013 and 2021 (Table __). The reduced role of licensed care facilities demonstrates the need for the City's Housing Element to plan for affordable housing that includes people with developmental disabilities so that adults with developmental disabilities are not forced out of the county when they lose the security of their parent's home.

Displacement. The California Department of Developmental Services has documented a 12% decline in the age group 42 to 51 and a 10% decline in the age group 52 to 61 in San Mateo County between September 2015 and June 2021. (Table __). In light of gains in life expectancy, this loss can reasonably be attributed to homelessness or displacement from the county because of the lack of residential living options (either licensed facilities or affordable housing) when an elderly parent caregiver passes away or becomes unable to house and care for the adult. Displacement takes a particular toll on adults with

developmental disabilities who depend on familiarity with transit routes and shopping and services, as well as support from community-based services and informal networks built up over years in living in the City of San Mateo.

Higher Rates of Physical Disabilities. People with developmental disabilities are more likely than the general population to have an accompanying physical disability. Twenty-seven percent (27%) of San Mateo County residents with developmental disabilities have limited mobility, and 13% have a vision or hearing impairment. The need for an accessible unit coupled with the need for coordinated supportive services compounds the housing barriers faced by those with co-occurring intellectual and physical disabilities.

Ineligibility for Many Affordable Rental Units. Some adults with developmental disabilities depend on monthly income of under \$1,000 from the Supplemental Security Income (SSI) program, pricing them out of even the limited number of Extremely Low Income affordable housing units in the City of San Mateo. Those with employment tend to work part-time in the lowest paid jobs and also struggle to income-qualify for many of the affordable housing units for rent in the City of San Mateo.

Transit-Dependent. Most adults with developmental disabilities do not drive or own a car and rely on public transit as a means to integration in the larger community.

Best Practices for Inclusion of People with Developmental Disabilities in Typical Affordable Housing

As demonstrated by a growing number of inclusive affordable housing developments in neighboring jurisdictions, the City of San Mateo can meet the housing needs of people with developmental disabilities by adopting policies and programs to promote their inclusion with coordinated services in typical affordable housing. The following considerations should guide the City of San Mateo in this pursuit:

- **Integration in typical affordable housing** is a priority in order to affirmatively further fair housing for a group that has historically experienced no alternatives to segregated living and also to counter the displacement of adults with developmental disabilities out of San Mateo County.
- **Coordination of housing with onsite supportive services** funded by the Golden Gate Regional Center should be encouraged. These fully funded coordinated services provide a supported pathway for people with developmental disabilities to apply for and retain an affordable apartment and are often as essential to a person with a developmental disability as a physically modified unit is to a person with a mobility, vision, or hearing impairment.
- **A mix of unit sizes** at inclusive housing properties would address the needs of those who require live-in aides, want to live with roommates or partners, or have children.
- **Location near public transit** would accommodate the transit-dependency of most adults with developmental disabilities.
- **Deeply affordable housing is needed**, targeting incomes not more than 30% of Area Median Income and taking advantage of Housing Authority Project Based Vouchers or HUD 811 Project

Rental Assistance when available to create housing opportunities for those who cannot meet minimum income requirements for units priced at 30% of Area Median Income.

Policy and Program Recommendations

The City of San Mateo has a responsibility not simply to assess the housing needs of people with developmental disabilities but also to create policy, zoning, program and other changes that make it more feasible for affordable housing developers to include people with developmental disabilities in their housing in coordination with the supportive services available from the Golden Gate Regional Center. The City's 2015 Housing Element identified a need for housing for an additional 30 to 87 people with developmental disabilities, but the number of adults with developmental disabilities living in their own apartment actually declined by 11% since the last Housing Element, even as the population grew by 12%. The City's lack of progress in meeting the housing needs of people with developmental disabilities since the last Housing Element demonstrates the need for policies and programs that specifically incentivize inclusion of people with developmental disabilities in affordable housing with coordinated services provided by the Golden Gate Regional Center.

- **Establish and monitor a quantitative goal.** Tracking the City's success in housing people with developmental disabilities is essential to determine whether policies and programs are having an effect in overcoming historic patterns of discrimination and exclusion of people with developmental disabilities from affordable housing. A goal of 150 new Extremely Low-Income housing units for City of San Mateo residents with developmental disabilities over the period of the 2023 Housing Element would represent meaningful progress towards the total unmet housing need of this special needs population.

Sample Language: The City of San Mateo shall monitor progress towards a quantitative goal of 150 new Extremely Low Income housing units that are subject to a preference for people with developmental disabilities needing the coordinated services provided by Golden Gate Regional Center to live inclusively in affordable housing.

- **Target City-Owned Land, Land Dedicated to Affordable Housing under the Inclusionary Ordinance and City Housing Funds to Meet City-Specific Priorities.** City-owned land, land dedicated to affordable housing in lieu of providing affordable units under the inclusionary ordinance, and city housing funds are often essential to the development of affordable housing that is financially feasible in high-cost City of San Mateo. In creating guidelines for the scoring of any competitive requests for proposals for these scarce resources, the City should grant additional points to affordable housing projects that address the housing needs of City of San Mateo residents who are most difficult to house under existing state and federal housing finance programs--for example, by prioritizing proposals with a higher number of extremely low income units or that make a percentage of units subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the Golden Gate Regional Center.

Sample Language: In publishing requests for competitive proposals for any city-owned land, land dedicated to affordable housing under the city's inclusionary ordinance or city housing funds, the City of San Mateo shall grant additional points to proposals that address the city's most difficult to achieve housing priorities, by, for example, providing a greater number of extremely low-income units or committing to make a percentage of the units subject to a preference for people with special needs who will benefit from coordinated onsite services, such as people with developmental disabilities who receive services from the Golden Gate Regional Center.

- **Offer Developers a Range of Affordability Options Under the Inclusionary Ordinance.** Most adults with developmental disabilities have incomes too low to satisfy minimum income requirements for the Low Income units currently offered under the city's inclusionary ordinance and are effectively excluded from this housing option. California law (AB 1505, the "Palmer Fix") explicitly allows cities to adopt inclusionary housing ordinances that address a range of income levels from moderate-income to extremely low-income. The City should take advantage of this authority to make its ordinance more responsive to local needs by offering developers of market rate housing a menu of options for including affordable units, for example, by setting a higher percentage of units priced at moderate income and a lower percentage of units set at extremely low income. Such a menu would address a broader range of City of San Mateo housing needs, while giving developers more options for meeting the inclusionary requirement.

Sample Language: The City of San Mateo shall revise its inclusionary housing ordinance to offer developers a menu of options for achieving affordability, adjusting the percentage of units required to be affordable depending on the degree of affordability achieved (moderate-income, low income, very low income, and extremely low income).

- **Reduce Parking Requirements for People with Developmental and Other Disabilities.** Adults with developmental disabilities have reduced parking needs because they rarely have a driver's license or own a car. This may also be true of other categories of people with disabilities. The City should revise its ordinances to limit parking required for affordable units for people with developmental disabilities to .5 space for each affordable studio or 1 bedroom unit and 1 space for an affordable 2 bedroom unit or larger. A similar reduction should be considered for physically accessible units required to be included in affordable housing.

Sample Language: The City shall encourage the inclusion of people with developmental and other disabilities in affordable housing by recognizing their transit dependence and establishing lower parking ratios for units targeted to people with developmental and other disabilities than would otherwise be required for affordable housing.

- **Local Density Bonus Concessions.** The state density bonus law currently provides additional density for housing projects that include at least 10% of the units for disabled veterans, transition-age foster youth, and homeless persons at the very low income level. Above and beyond the density bonus guidelines mandated by state law, the City should add the same incentives when at least 10% of the units are subject to preference for people with

developmental disabilities who will benefit from coordinated onsite services provided by the Golden Gate Regional Center.

Sample Language: In implementing the California density bonus statute, the City shall provide for the same density bonus, incentives, or concessions for housing projects that include at least 10% of the units for people with developmental disabilities at the very low-income level as are available to projects that include at least 10% of the units for disabled veterans, transition-age foster youth, and homeless persons at the very low-income level.

Affirmative Marketing of Physically Accessible Units: Developers are allowed to affirmatively market accessible units to disability-serving organizations in San Mateo County (i.e. Golden Gate Regional Center, Housing Choices Coalition for Person with Developmental Disabilities, Center for Independence of Individuals with Disabilities and others) but rarely take this step. Affirmative marketing is particularly needed by people with developmental disabilities who, because of cognitive, communication and social impairment, may rely on housing navigation services funded by the Golden Gate Regional Center to learn about and apply for affordable housing.

Sample Language: As a condition of the disposition of any city-owned land, land dedicated to affordable housing under the city's inclusionary ordinance, the award of city financing, any density bonus concessions, or land use exceptions or waivers for any affordable housing project, the City shall require that the housing developer implement an affirmative marketing plan for physically accessible units which, among other measures, provides disability-serving organizations adequate prior notice of the availability of the accessible units and a process for supporting people with qualifying disabilities to apply.

- **Extremely Low-Income Accessory Dwelling Units.** As part of a larger plan to increase the supply of Accessory Dwelling Units (ADUs), the City should consider creating a forgivable loan program for homeowners who build ADUs and rent them for at least 15 years at Extremely Low Income rent levels to people with developmental disabilities.

Sample Language: Subject to funding availability, the City shall devise a program of financing for Accessory Dwelling Units subject to rent restrictions for at least 15 years at Extremely Low-Income rent levels to people with developmental disabilities who would benefit from coordinated housing support and other services provided by the Golden Gate Regional Center.

- **Affirmatively Further Fair Housing.** Not only is disability the highest-ranked source of Fair Housing complaints, a growing body of San Mateo County data indicates that Black, Indigenous and other People of Color (BIPOC) with disabilities experience higher rates of housing discrimination and severe rent burden than either BIPOC without disabilities or whites with disabilities. Currently the City of San Mateo offers its residents exceptional employment, educational and social opportunities but the severe shortfall of Extremely Low Income units means that BIPOC--particularly those with disabilities--are too often excluded from enjoying

those community assets. Multiple barriers including high land and construction costs and limited funding make it difficult for developers to produce Extremely Low Income units that will overcome such disparities. Policies that lead to increased production of Extremely Low Income units, as well as city staff dedicated to implementing and overseeing those policies, will Affirmatively Further Fair Housing in the City of San Mateo and decrease displacement and homelessness for the most at-risk City of San Mateo residents.

Sample Language: The City of San Mateo's plans to Affirmatively Further Fair Housing for Black, Indigenous and other People of Color, particularly those with disabilities, shall include policies designed to increase the production of Extremely Low Income units, as well as adequate staff capacity to implement and monitor the impact of these policies.

**DEVELOPMENTAL DISABILITIES SUBMISSION FOR
CITY OF SAN MATEO HOUSING ELEMENT**

Introduction to Developmental Disabilities

People with developmental disabilities have a disability that emerged before age 18, is expected to be lifelong, and is of sufficient severity to require a coordinated program of services and support in order to live successfully in the community. Developmental disabilities include intellectual disability, autism, Down syndrome, epilepsy, cerebral palsy, and other disabling conditions similar in their functional impact to an intellectual disability. Under California’s Developmental Disabilities Services Act and the U.S. Supreme Court’s 1999 decision in *Olmstead v. L.C.*, people with developmental disabilities are entitled to receive community-based services that allow them to live in the least restrictive community setting. This shift to de-institutionalization has led to the closure of the most restrictive segregated settings and to the requirement that local jurisdictions in their Housing Elements assess and plan specifically for the housing needs of people with developmental disabilities who receive services from the Regional Center in order to live in their home community.

Demographic and Other Trends Affecting the Housing Needs of People with Developmental Disabilities

The City of San Mateo Population with Developmental Disabilities Grew by 12% Since the Last Housing Element and Accounts for 21% of the County’s Total Population with Developmental Disabilities. The City of San Mateo is home to 835 people with developmental disabilities (Table ____). This represents an increase of 12% over the 2013 population of 746 reported in the City’s 2015 Housing Element and reflects a much higher growth rate than the general population. In addition, the City’s population with developmental disabilities accounts for 21% of the total County population with developmental disabilities, although the city’s total population is only 14% of the County’s total population.

Table ____ Comparison of the 2021 City and County Populations with Developmental Disabilities

Age	City of San Mateo	County of San Mateo	City of San Mateo as % of County
Under age 18	304	1169	26%
18 and older	531	2764	19%
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Decline in Living Arrangements for Adults with Developmental Disabilities Outside the Family Home.

Of the City's total population with developmental disabilities, 531 (64%) are adults and 304 (36%) are under age 18 (Table ____). Assessing the housing needs of adults with developmental disabilities is of particular importance because as they age the adults will require a residential option outside the family home, whereas the family home is the preferred living option for children with developmental disabilities. In 2021, 505 City of San Mateo residents with developmental disabilities lived in the family home compared to 389 in 2013 as reported in the 2015 to 2023 Housing Element. This 30% increase in reliance on the family home is 2.5 times greater than the City's 12% increase in the developmental disabilities population during that same period. Increased reliance on the family home is primarily explained by overall growth in the population with developmental disabilities coupled with significant declines in opportunities for the City's adults with developmental disabilities to live either in licensed care facilities (10% decline) or in affordable housing with supportive services (19% decline). (Table ____.) As adults with developmental disabilities age, they need opportunities to live outside the family home both because of the aging of their family caregivers and also because many adults with developmental disabilities would like to live in their own apartment with supportive services.

Table ____ Changes in Living Arrangements of Adults with Developmental Disabilities

Living Arrangements	2013 Number	2021 Number	2021 Percent of Total Adults	% Change Since 2013
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Own apartment with supportive services	64	52	10%	-19%
Licensed Facilities	294	265	50%	-10%
Other (including homeless)	7	13	2%	86%
Total Adults	Not reported--see note	531	100%	--

Note: The 2013 data are reported in the 2015 Housing Element, which failed to separately count those under 18 and those 18 and older, making it difficult to estimate changes in the significance of the family home as a residential setting specifically for adults. The 2021 data are published at the zip code level by the California Department of Developmental Services as of September 2021. These data assume that occupants of licensed facilities are 18 and older which is generally true, but if incorrect this assumption would tend to understate the need for other housing options for adults with developmental disabilities.

Increase of Autism Diagnosis Reflected in Increase in Adults in their 20s and 30s. Growth in the City of San Mateo's population with developmental disabilities since the 2015 Housing Element correlates with a significant annual increase in the diagnosis of autism that began in the mid-1980s and did not level out until after 2015. The cumulative impact of this trend is already seen in the growth in the San Mateo County population age 18 to 41 with developmental disabilities and will continue into the future. This

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Total adults	2514	2764	10%

Source: County level data is published by the Department of Developmental Services as of June 30, 2021 and as of September 30, 2015.

Longer Life Spans. Between September 2015 and June 2021, the California Department of Developmental Services reports that the number of San Mateo County residents with developmental disabilities age 62 and older grew by 33% (Table __). This is not due to migration of senior citizens with developmental disabilities to San Mateo County, but rather to well-documented gains in life span among people with developmental disabilities. With longer life expectancy, more adults with developmental disabilities will outlive their parents and family members with whom a growing number of City of San Mateo adults with developmental disabilities now live because of the lack of other residential options. Longer life spans will also slow the pace of resident turnover in the county's limited supply of licensed care facilities, which will further reduce opportunities for the growing population of people with developmental disabilities to secure housing outside the family home.

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Displacement. The California Department of Developmental Services has documented a 12% decline in the age group 42 to 51 and a 10% decline in the age group 52 to 61 in San Mateo County between September 2015 and June 2021. (Table ____). In light of gains in life expectancy, this loss can reasonably be attributed to homelessness or displacement from the county because of the lack of residential living options (either licensed facilities or affordable housing) when a parent caregiver passes away or becomes unable to house and care for the adult. Displacement takes a particular toll on adults with developmental disabilities who depend on familiarity with transit routes and shopping and services, as well as support from community-based services and informal networks built up over years in living in the City of San Mateo.

Higher Rates of Physical Disabilities. People with developmental disabilities are more likely than the general population to have an accompanying physical disability. Twenty-seven percent (27%) of San Mateo County residents with developmental disabilities have limited mobility, and 13% have a vision or hearing impairment. The need for an accessible unit coupled with the need for coordinated supportive services compounds the housing barriers faced by those with co-occurring intellectual and physical disabilities.

Ineligibility for Many Affordable Rental Units. Some adults with developmental disabilities depend on monthly income of under \$1,000 from the Supplemental Security Income (SSI) program, pricing them out of even the limited number of Extremely Low Income affordable housing units in the City of San Mateo. Those with employment tend to work part-time in the lowest paid jobs and also struggle to income-qualify for many of the affordable housing units for rent in the City of San Mateo.

Transit-Dependent. Most adults with developmental disabilities do not drive or own a car and rely on public transit as a means to integration in the larger community.

Best Practices for Inclusion of People with Developmental Disabilities in Typical Affordable Housing

As demonstrated by a growing number of inclusive affordable housing developments in neighboring jurisdictions, the City of San Mateo can meet the housing needs of people with developmental disabilities by adopting policies and programs to promote their inclusion with coordinated services in typical affordable housing. The following considerations should guide the City of San Mateo in this pursuit:

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- **Coordination of housing with onsite supportive services** funded by the Golden Gate Regional Center should be encouraged. These fully funded coordinated services provide a supported pathway for people with developmental disabilities to apply for and retain an affordable

apartment and are often as essential to a person with a developmental disability as a physically modified unit is to a person with a mobility, vision, or hearing impairment.

- **A mix of unit sizes** at inclusive housing properties would address the needs of those who require live-in aides, want to live with roommates or partners, or have children.
- **Location near public transit** would accommodate the transit-dependency of most adults with developmental disabilities.
- **Deeply affordable housing is needed**, targeting incomes not more than 30% of Area Median Income and taking advantage of Housing Authority Project Based Vouchers or HUD 811 Project Rental Assistance when available to create housing opportunities for those who cannot meet minimum income requirements for units priced at 30% of Area Median Income.

Policy and Program Recommendations

The City of San Mateo has a responsibility not simply to assess the housing needs of people with developmental disabilities but also to create policy, zoning, program and other changes that make it more feasible for affordable housing developers to include people with developmental disabilities in their housing in coordination with the supportive services available from the Golden Gate Regional Center. The City's 2015 Housing Element identified a need for housing for an additional 30 to 87 people with developmental disabilities, but the number of adults with developmental disabilities living in their own apartment actually declined by 11% since the last Housing Element, even as the population grew by 12%. The City's lack of progress in meeting the housing needs of people with developmental disabilities since the last Housing Element demonstrates the need for policies and programs that specifically incentivize inclusion of people with developmental disabilities in affordable housing with coordinated services provided by the Golden Gate Regional Center.

- **Establish and monitor a quantitative goal.** Tracking the City's success in housing people with developmental disabilities is essential to determine whether policies and programs are having an effect in overcoming historic patterns of discrimination and exclusion of people with developmental disabilities from affordable housing. Since its last Housing Element, the City of San Mateo facilitated land acquisition and provided city funding for one affordable housing project with a commitment to make 8 of the 225 apartments subject to a preference for people with developmental disabilities (Kiku Crossing). A goal of 100 new Extremely Low-Income housing units for City of San Mateo residents with developmental disabilities over the period of the 2023-2031 Housing Element would represent meaningful progress towards the total unmet housing need of this special needs population.

Sample Language: The City of San Mateo shall monitor progress towards a quantitative goal of 100 new Extremely Low Income housing units that are subject to a preference for people with developmental disabilities needing the coordinated services provided by Golden Gate Regional Center to live inclusively in affordable housing.

- **Target City-Owned Land, Land Dedicated to Affordable Housing under the Inclusionary Ordinance and City Housing Funds to Meet City-Specific Priorities.** City-owned land, land

dedicated to affordable housing in lieu of providing affordable units under the inclusionary ordinance, and city housing funds are often essential to the development of affordable housing that is financially feasible in high-cost City of San Mateo. In creating guidelines for the scoring of any competitive requests for proposals for these scarce resources, the City should grant additional points to affordable housing projects that address the housing needs of City of San Mateo residents who are most difficult to house under existing state and federal housing finance programs--for example, by prioritizing proposals with a higher number of extremely low income units or that make a percentage of units subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the Golden Gate Regional Center.

Sample Language: In publishing requests for competitive proposals for any city-owned land, land dedicated to affordable housing under the city's inclusionary ordinance or city housing funds, the City of San Mateo shall grant additional points to proposals that address the city's most difficult to achieve housing priorities, by, for example, providing a greater number of extremely low-income units or committing to make a percentage of the units subject to a preference for people with special needs who will benefit from coordinated onsite services, such as people with developmental disabilities who receive services from the Golden Gate Regional Center.

- **Offer Developers Additional Alternatives Under the Inclusionary Ordinance.** Most adults with developmental disabilities and other special needs groups on fixed incomes, are unable to satisfy minimum income requirements for the Lower Income units currently required under the city's inclusionary ordinance. California law (AB 1505, the "Palmer Fix") explicitly allows cities to adopt inclusionary housing ordinances that address a range of income levels from moderate-income to extremely low-income. The City should take advantage of this authority to make its ordinance more responsive to local needs by offering developers of market rate housing an alternative means of compliance with the city's BMR program if deeper levels of affordability are targeted, such as by allowing a lower percentage of units to be set aside if they are affordable to Extremely Low Income households. This same alternative can be extended to projects that make a percentage of units subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the Golden Gate Regional Center. Such a menu would address a broader range of City of San Mateo housing needs, while giving developers more options for meeting the inclusionary requirement.

Sample Language: The City of San Mateo shall revise its inclusionary housing ordinance to offer developers an alternative means of compliance with the BMR program, to consider an applicant's request to lower the percentage of set-aside units in projects which include extremely low income units or units for residents requiring specialized services (such as people with developmental disabilities who benefit from services of the Golden Gate Regional Center) in

connection with its review of the planning application for the project and may reject or accept the request in its sole discretion.

- **Reduce Parking Requirements for People with Developmental and Other Disabilities.** Adults with developmental disabilities have reduced parking needs because they rarely have a driver's license or own a car. This may also be true of other categories of people with disabilities. The City should revise its ordinances to limit parking required for affordable units for people with developmental disabilities to .5 space for each affordable studio or 1 bedroom unit and 1 space for an affordable 2 bedroom unit or larger. A similar reduction should be considered for physically accessible units required to be included in affordable housing.

Sample Language: The City shall encourage the inclusion of people with developmental and other disabilities in affordable housing by recognizing their transit dependence and establishing lower parking ratios for units targeted to people with developmental and other disabilities than would otherwise be required for affordable housing.

- **Local Density Bonus Priorities.** The state density bonus law incentivizes the production of housing at the Low and Very Low Income level. But in counties like San Mateo County, with the highest Area Median Income in the state, these incentives reward the targeting of income levels that effectively exclude the many people with disabilities and seniors living on fixed incomes well below the Very Low Income target. The City of San Mateo should create additional local incentives to the state density bonus law to reward the production of more housing for City of San Mateo residents who do not benefit from the Low and Very Low Income units produced under the state density bonus law—for example, projects with a percentage of Extremely Low Income units and/or projects that make a percentage of units subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the Golden Gate Regional Center.

Sample Language: In addition to implementing the California density bonus statute, the City shall provide an additional local density bonus, incentives, or concessions for housing projects that include a percentage of the units for people at the Extremely Low-Income affordability level and/or target special needs populations, such as people with disabilities who will benefit from coordinated onsite services provided by the Golden Gate Regional Center.

Affirmative Marketing of Physically Accessible Units: Developers are allowed to affirmatively market accessible units to disability-serving organizations in San Mateo County (i.e. Golden Gate Regional Center, Housing Choices Coalition for Person with Developmental Disabilities, Center for Independence of Individuals with Disabilities and others) but rarely take this step. Affirmative marketing is particularly needed by people with developmental disabilities who, because of cognitive, communication and social impairment, may rely on housing navigation

services funded by the Golden Gate Regional Center to learn about and apply for affordable housing.

Sample Language: As a condition of the disposition of any city-owned land, land dedicated to affordable housing under the city's inclusionary ordinance, the award of city financing, any density bonus concessions, or land use exceptions or waivers for any affordable housing project, the City shall require that the housing developer implement an affirmative marketing plan for physically accessible units which, among other measures, provides disability-serving organizations adequate prior notice of the availability of the accessible units and a process for supporting people with qualifying disabilities to apply.

- **Extremely Low-Income Accessory Dwelling Units.** As part of a larger plan to increase the supply of Accessory Dwelling Units (ADUs), the City should consider creating a financing program for homeowners who build ADUs and rent them for at least 15 years at Extremely Low Income rent levels or that are subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the Golden Gate Regional Center.

Sample Language: Subject to funding availability, the City shall devise a program of financing for Accessory Dwelling Units subject to rent restrictions for at least 15 years at Extremely Low-Income rent levels and/or target special needs populations, such as people with disabilities who will benefit from coordinated onsite services provided by the Golden Gate Regional Center.

- **Affirmatively Further Fair Housing.** Not only is disability the highest-ranked source of Fair Housing complaints, a growing body of San Mateo County data indicates that Black, Indigenous and other People of Color (BIPOC) with disabilities experience higher rates of housing discrimination and severe rent burden than either BIPOC without disabilities or whites with disabilities. Currently the City of San Mateo offers its residents exceptional employment, educational and social opportunities but the City's severe shortfall of Extremely Low Income units means that BIPOC--particularly those with disabilities--are too often excluded from enjoying those community assets. Multiple barriers including high land and construction costs and limited funding make it difficult for developers to produce Extremely Low Income units that will overcome such disparities. Policies that lead to increased production of Extremely Low Income units, as well as city staff dedicated to implementing and overseeing those policies, will Affirmatively Further Fair Housing in the City of San Mateo and decrease displacement and homelessness for the most at-risk City of San Mateo residents.

Sample Language: The City of San Mateo's plans to Affirmatively Further Fair Housing for Black, Indigenous and other People of Color, particularly those with disabilities, shall include policies designed to increase the production of Extremely Low Income units, as well as adequate staff capacity to implement and monitor the impact of these policies.

[REDACTED]

From: Housing
Sent: Friday, May 6, 2022 4:59 PM
To: [REDACTED] y
Subject: FW: San Mateo Housing Element

From: Jennifer Martinez [REDACTED]
Sent: Friday, May 6, 2022 1:06 PM
To: Housing <housing@cityofsanmateo.org>
Cc: [REDACTED]
Subject: San Mateo Housing Element

May 4, 2022

Dear Mayor Bonilla and San Mateo City Council Members,

Thank you for the opportunity to provide a response to the 2022 Draft Housing Element. My letter focuses on the goal to Affirmatively Further Fair Housing.

State law requires that each community study patterns of racial segregation and concentrated affluence, identify the conditions that have contributed to these patterns, and plan for specific programs that will address these patterns.

First, San Mateo's Housing Element fails to sufficiently study this problem. While the neighborhoods where people of color live have been analyzed, the neighborhoods with high concentrations of white residents have not been studied. By failing to analyze the underlying conditions of these neighborhoods (exclusionary zoning, the history of racial covenants, etc.), the Housing Element also fails to propose policies and programs that will change those conditions and address the racial segregation that *those neighborhoods are also experiencing*. This is an egregious omission that flies in the face of *affirmatively furthering fair housing* to reduce segregation and create equal housing and opportunity access, regardless of race or ability.

Second, without adequate analysis, the Housing Element does not provide adequate solutions - by geography as is required by HCD guidelines - to meet the scale, depth, and nuance of the problem. Many of the proposed programs amount to "more marketing" in low-income neighborhoods. The programs and policy solutions should include approaches that address the underlying conditions of racial segregation, such as

- change the zoning of R-1 neighborhoods to allow for more density,
- pair investment strategies in under-invested areas with stronger anti-displacement measures to ensure low-income residents reap the benefits of neighborhood improvements,
- improve access to reliable, affordable transportation and access to high-quality schools

Third, the minimal AFFH analysis that does exist states that "there is a relative lack of affordable housing opportunities in higher-resourced areas of the city." Yet the Housing Element fails to propose housing sites, let alone affordable housing sites, in the high resource neighborhoods in the city. Again, those neighborhoods are left out of the equation and off the table in terms of being part of the solution to the city's segregation problems.

While much work has been done to create the current Housing Element, it falls short of state guidelines as well as the hopes and aspirations we should have for San Mateo. There is no reason why the burden of the housing crisis we face in our communities should continue to fall on low-income people and people of color,

while the windfall benefits of increased home values accrue to a largely-white, wealthier part of our community. Far from natural segregation, this is the outcome of decades of policies designed to favor some people over others, and we can choose differently. Now is the time to change this pattern of segregation and unequal benefits and burdens and create a different future for the next generations.

Respectfully,

Jennifer Martinez
Resident, San Mateo

[REDACTED]

From: Housing
Sent: Monday, May 9, 2022 8:30 AM
To: [REDACTED]
Subject: FW: Housing Element response by Social Action Ministry
Attachments: SAM_Housing Element Letter_Final.pdf

From: Mike Heagerty <[REDACTED]>
Sent: Friday, May 6, 2022 7:26 PM
To: Housing <housing@cityofsanmateo.org>
Cc: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: Housing Element response by Social Action Ministry

Attached is the Social Action Ministry's response to the draft Housing Element. Thank you for your consideration.

Mike Heagerty
[REDACTED]



April 29, 2022

City Council Members: Rick Bonilla, Mayor; Diane Papan, Deputy Member; Joe Goethals, Council Member; Amourence Lee, Council Member; Eric Rodriguez, Council Member
Planning Manager
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

RE: Draft Housing Element

To whom it may concern,

Thank you for reaching out to the community regarding the Draft Housing Element outlining the process and review for expanding housing within our community over the next eight years. The Social Action Ministry (SAM) group at St. Matthew Catholic Church in San Mateo is concerned about the availability of affordable housing in our community.

SAM encourages our City leaders to focus on affordable housing for those members of our community in the very low- and low-income categories of median income for San Mateo County, identified in the Housing Element, many of whom are working in essential services and/or underemployed. We believe too much of our new housing construction has focused on the highest income earners of our region.

Your draft Housing Element correctly identifies the loss of affordability covenants on developments within the City of San Mateo that could potentially create a loss of affordable units, rather than an increase, during a time when the housing shortage is so acute. We need to push strong planning and allow zoning flexibility to convert under-utilized commercial projects for affordable residential developments. Our community is blessed with diversity from many walks of life, and we do not wish it to be only a home for the elite. Shelter and housing are a human right, and this is the time to focus on those who are the most shelter-insecure in our community as housing pressures become more amplified than anytime in our lives.

We appreciate your efforts and consideration of our position. We look forward to the results of your City Council meeting on May 16, 2022.

Sincerely,

Social Action Ministry
of St. Matthew Catholic Church

All people deserve respect, justice and opportunity

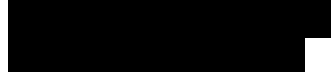


Selected SAM members residing in San Mateo:

María del Carmen Muñoz



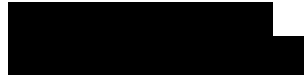
Anne A. Fariss



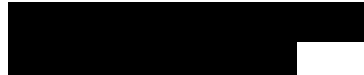
Michael Heagerty



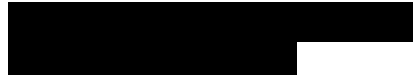
John H. Love II



Vilma Sanchez



Susan Wilbur



All people deserve respect, justice and opportunity

[REDACTED]

From: Housing
Sent: Monday, May 9, 2022 8:31 AM
To: [REDACTED]
Subject: FW: San Mateo draft housing element/Comments from One San Mateo

From: Planning <planning@cityofsanmateo.org>
Sent: Friday, May 6, 2022 5:08 PM
To: Housing <housing@cityofsanmateo.org>; [REDACTED]
[REDACTED]
[REDACTED]
Subject: FW: San Mateo draft housing element/Comments from One San Mateo

From: Eldridge, Karyl [REDACTED] >
Sent: Friday, May 6, 2022 3:28 PM
To: [REDACTED]
[REDACTED]
Cc: Planning <planning@cityofsanmateo.org>; housingelements@hcd.ca.gov; [REDACTED]
[REDACTED]
Subject: San Mateo draft housing element/Comments from One San Mateo

Dear Mayor Bonilla and Members of the San Mateo City Council,

This letter is submitted on behalf of One San Mateo to provide feedback in relation to the draft housing element for the City of San Mateo. One San Mateo is a community group formed in 2017 to work toward creating a city that is responsive to the needs of all. We strive to increase racial and economic equity, primarily through our advocacy for affordable housing and renter protections. We believe that safe and stable housing is fundamental to human dignity and well-being and essential to the health and sustainability of the overall community.

In reviewing the housing element, the core interest of One San Mateo has been to evaluate its effectiveness in upholding the mandates of Affirmatively Furthering Fair Housing. These mandates require cities to work proactively to reverse historical patterns of segregation and foster integrated communities. Our comments are offered from the perspective of these AFFH goals.

HOUSING NEEDS AND THE RISK OF DISPLACEMENT

Misleading metric. Preventing the displacement of existing residents is central to the fulfillment of AFFH, as is made clear by the AFFH guidance memo issued by HCD in April of 2021. As it currently stands, the needs analysis in the draft housing element contains metrics that seriously downplay the risk of displacement in San Mateo. One such metric appears as follows: “According to research from the University of California, Berkeley, 0.0% of households in San Mateo live in neighborhoods that are susceptible to or experiencing displacement ...” Regardless of the source, offering this as a meaningful metric of the displacement threat in San Mateo is extremely misleading. Elsewhere in the needs analysis, the northeast section of San Mateo, particularly the area south of Poplar Avenue, is said to be characterized by high poverty, concentrations of cost burdened households, and overcrowding. The existence of high levels of cost burden and overcrowding are clear predictors of

displacement. Furthermore, the needs analysis reveals that the North Central and downtown neighborhoods are “At Risk of Becoming Exclusive” or “Becoming Exclusive.” Looming exclusion necessarily translates into a threat of displacement. Thus, we maintain that this 0.0% statistic taken from UC Berkeley only serves to cloud the gravity of the displacement threat and underplay the need for aggressive action to prevent it. The credibility of the analysis would be strengthened if this statistic were removed.

Jobs-housing fit. The discussion of the increasing jobs-housing ratio does not go far enough toward exposing the growing pressures on lower-income residents and the displacement risk associated with this. While the rising jobs-housing ratio reflects the growing imbalance between jobs and housing, it does nothing to measure the relationship between affordability levels of the housing and the income levels of San Mateo residents. According to the needs analysis, “83.6% of permits issued in San Mateo were for above moderate-income housing, 6.2% were for moderate-income housing, and 10.1% were for low- or very low-income housing ...” Since many of the new jobs created over this period were low-wage, this signals a growing shortage of housing for residents at the lower end of the income scale. This, in turn, creates a risk of displacement. The needs analysis, particularly its assessment of displacement risk, would be strengthened by introducing a discussion of *jobs-housing fit*, a metric specifically designed to measure the number of low-wage workers within the city and the number of homes that are affordable to them.

MISSING CONSTRAINTS

Measure Y. The April 2021 guidance memo from HCD contains a list of zoning and land use barriers that includes an entry that reads: “Voter initiatives that restrict multi-family developments, rezoning to higher density, height limits, or similar measures that limit housing choices.” In discussing constraints, the draft housing element makes passing mention of Measure Y, the voter initiative that creates a limit on height and density for new buildings in San Mateo through 2030. However, the perfunctory character of this treatment dramatically understates the importance of Measure Y in restricting the development of new homes at all levels of affordability. Three years ago the city council considered an increase in the Below Market Rate (BMR) requirement to 20 percent. The economic consultants hired by the city ultimately concluded that it was infeasible, *given the height and density limits imposed by Measure Y*. This is but one illustration of how Measure Y operates to put a chokehold on the creation of housing, including affordable housing. A far more robust discussion of Measure Y is called for in the consideration of constraints.

R-1 zoning. The guidance memo from HCD states the following: “In addition to identifying and analyzing racially and ethnically concentrated areas of property, an analysis should also consider concentrated areas of affluence ... to guide meaningful goals and actions to address fair housing issues.” In the City of San Mateo, at least 70 percent of the land zoned for housing is R-1, and many of these R-1 neighborhoods are populated primarily by affluent whites. The draft housing element fails to discuss this reality, its causes, and the profound implications of R-1 zoning for segregating the community and perpetuating inequality.

SITES INVENTORY AND R-1 ZONING

One San Mateo’s strongest objection to the draft housing element is the fact that none of the sites are located in the highest opportunity areas. More specifically, we take issue with the fact that the housing plan takes a complete “hands-off” approach to neighborhoods zoned R-1. R-1 zoning is, by its very nature, exclusionary. First introduced in the wake of a 1917 Supreme Court decision that banned explicitly racist zoning, its very intent was to accomplish exclusion by other means. Also, the majority of R-1 neighborhoods in San Mateo were developed with racial covenants in their founding documents, barring all but whites from living within their borders. By protecting these neighborhoods from any meaningful densification, the housing element locks this history into place. It not only fails to reverse historical segregation, it entrenches it. Furthermore, this “hands-off” approach to R-1 is a missed opportunity, a huge and tragic one, since it prevents these neighborhood from unleashing their ability to address the community’s urgent housing need.

POLICIES, PROGRAMS AND AFFH

Funding for those most at risk. The housing element includes a variety of policies giving priority to the lowest income members of the community, including those with special needs. Since these are the residents hardest to serve and most at risk of displacement, this prioritization is important for the achievement of AFFH goals. However, what is urgently needed is funding to create additional numbers of affordable units for these vulnerable populations. Thus the city is urged to include in its action plan the creation of a new funding source for affordable housing, coupled with the prioritization of units for VLI and ELI and for those with special needs.

Remove the Measure Y constraint. Measure Y is a significant barrier in the effort to create new housing, including affordable housing. The housing element should incorporate a commitment by the city to initiate a community process resulting in a new ballot measure to remove this constraint.

Increase the BMR. San Mateo's Below-Market-Rate Program has been a powerful mechanism for generating affordable homes. As previously stated, the city council considered such an increase of the BMR in recent years, but the height-and-density limits of Measure Y (Measure P at the time) were found to render it infeasible. We encourage the city to include in its action plan an increase in the BMR, to be passed by council immediately in the wake of overturning Measure Y.

Transform exclusive neighborhoods into inclusive ones. As indicated above, there is currently no affordable housing located in the highest opportunity areas. This is clearly inconsistent with AFFH goals. The city should make the changes necessary to facilitate the meaningful densification of R-1 neighborhoods, thereby disabling a decades-old enforcer of segregation and enabling the transformation of exclusive neighborhoods into inclusive ones.

Protect tenants from displacement. In the housing element chart for Programs and Policies, Policy H3.4 includes an enumeration of tenant protections to be enacted during Cycle 6, many of which are currently being worked on. However, this list is muddled and insufficiently robust. Considering that this is an 8-year cycle, the list should include policies other than those currently under consideration. We suggest that this entry be revised to include the following:

- Expand tenant protections under AB 1482: Extend just cause provisions to the first year of tenancy, require documentation prior to remodel, expand relocation assistance for all no-fault evictions, provide first right of return for renovation and demolition.
- Create new resources for emergency rental assistance.
- Investigate adoption of a Community Opportunity to Purchase Act.

This last item, referred to as COPA, creates an opening for community nonprofits to purchase multi-family buildings when they first come on the market, providing an opportunity to preserve the affordability of the units and keep the tenants from being displaced.

Rent registry. Policy H3.6 currently reads "Explore rent registry." Elsewhere in the housing element draft, it says that in response to community input, a decision was made to "Adopt a rent registry." Thus the word "Explore" should be changed to "Adopt." Furthermore, the rent registry should also be listed in the AFFH chart, as is the case with Policy H3.4. A rent registry tracks whether existing renter protections are being complied with and functions as a powerful vehicle to prevent displacement.

The creation of this housing element provides an opportunity to chart a course toward a brighter future for San Mateo in which inclusion is at the forefront, disparities are overcome, and the needs of all San Mateo residents are taken into full account. One San Mateo encourages incorporation of the changes described above so that it will fulfill its potential for doing so.

Sincerely,

Karyl Eldridge
Vice Chair of One San Mateo

***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.