



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Harry Freitas  
Jacky Morales-Ferrand

**SUBJECT:** SEE BELOW

**DATE:** March 6, 2017

Approved

DIDSYL

Date

3/16/17

**SUBJECT: ACCEPTANCE OF THE ANNUAL PROGRESS REPORT ON THE IMPLEMENTATION OF THE SAN JOSE GENERAL PLAN HOUSING ELEMENT**

## RECOMMENDATION

Accept the Calendar Year 2016 Annual Progress Report on the Implementation of the San José 2014-23 Housing Element, which includes as an attachment the Fiscal Year 2015-16 Housing Successor to Redevelopment Agency Annual Report, per reporting requirements of Senate Bill 341 Redevelopment.

## OUTCOME

The Council's acceptance of the Annual Progress Report is required prior to submitting the State-mandated report to the California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR). Submittal of the report allows the City to remain eligible for important State funding for housing, community development, transportation, and parks.

## BACKGROUND

The Housing Element is an important State-mandated requirement of the General Plan. The Housing Element establishes comprehensive goals, policies, and programs to meet a jurisdiction's share of Regional Housing Needs Allocation (RHNA). The determination of regional housing need begins with the HCD and California Department of Finance (DOF), which first calculate statewide housing needs based upon population projections and regional population forecasts used in preparing regional transportation plans. The Statewide need is then distributed to regional Councils of Government (COGs) throughout California, who work with cities and counties within their purview to assign each jurisdiction its share of the RHNA. The RHNA itself is divided into five income categories that encompass all levels of housing need. RHNA goals are measured by the number of housing units permitted by a local jurisdiction.

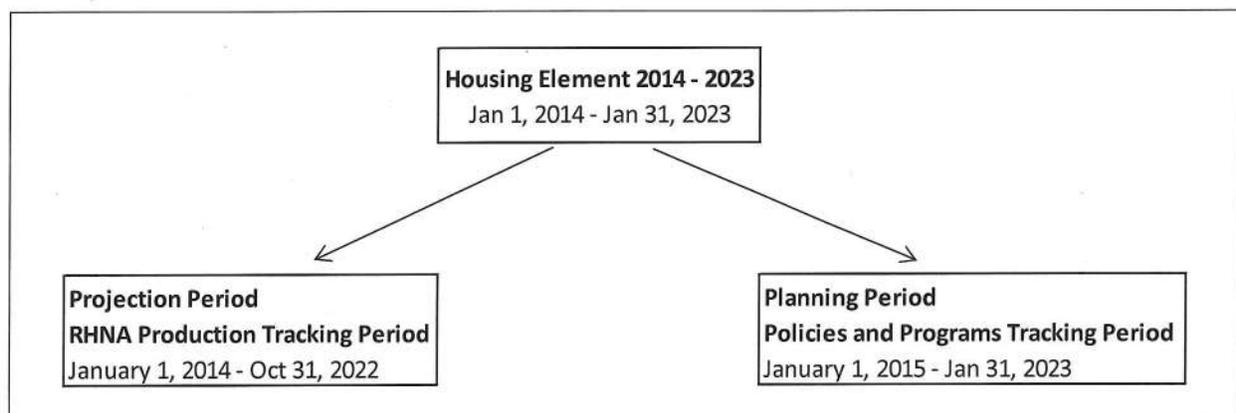
The City of San José is a member of the Association of Bay Area Governments (ABAG), the Bay Area’s COG, which is composed of nine counties and 101 cities. ABAG is responsible for distributing the RHNA to the Bay Area local governments through an allocation methodology that is consistent with development and growth patterns. San José’s RHNA for the current 8.8-year projection period from January 2014 through October 2022 is 35,080 housing units and is equivalent to an annual production rate of 3,986 units. (This is slightly higher than the previous 2007-14 RHNA cycle allocation of 34,721 units.) A large portion of San José’s current RHNA goal (42%) is focused on the categories of Extremely-Low Income (ELI) households, Very-Low (VLI) Income households, and Low Income (LI) households, as defined by HCD and as shown in Figure A below. These categories serve those households with the greatest housing need but are also the hardest to build because of the significant subsidies required to develop these homes.

**Figure A – HCD 2016 Income Limits for Santa Clara County**

Income Level % of AMI	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low Income (30% AMI)	\$23,450	\$26,800	\$30,150	\$33,500	\$36,200	\$38,900	\$41,550	\$44,250
Very Low Income (50% AMI)	\$39,100	\$44,650	\$50,250	\$55,800	\$60,300	\$64,750	\$69,200	\$73,700
Low Income (80% AMI)	\$59,400	\$67,900	\$76,400	\$84,900	\$91,650	\$98,450	\$105,250	\$112,050
Median Income (100% AMI)	\$74,950	\$85,700	\$96,400	\$107,100	\$115,650	\$124,250	\$132,800	\$141,350
Moderate Income (120% AMI)	\$89,950	\$102,800	\$115,650	\$128,500	\$138,800	\$149,050	\$159,350	\$169,600

The City Council adopted the 2014-23 Housing Element on January 27, 2015, and submitted it to HCD for approval on January 30, 2015. HCD certified the Housing Element on April 30, 2015. The Housing Element establishes a comprehensive policy framework to implement San José’s residential strategies and outlines the City’s plan for meeting community housing needs. There are two reporting periods associated with the Housing Element, as shown in Figure B below. While the RHNA goals will be measured against the projection period, the policies and programs will be tracked (starting in 2015) against the planning period from January 1, 2015 to January 31, 2023.

**Figure B – RHNA 2014-23 Reporting Periods**



State law requires jurisdictions to prepare an annual progress report each calendar year to detail the implementation of their Housing Element and to submit it to HCD and OPR. Although charter cities are not required to submit the report, all jurisdictions including charter cities must submit annual reports to qualify for certain State funding programs (such as the Housing Related Parks Program, Infill Infrastructure Grant, One Bay Area Grant and Building Equity and Growth in Neighborhoods (BEGIN) program. Accordingly, San José has consistently provided annual progress reports to the State on the implementation of the mandated Housing Element. The report provides:

- A description the City's accomplishments toward achieving its share of the RHNA, and
- An update on the progress of implementing the Housing Element work plan. Key implementation items include: increase, preserve and improve the supply of affordable housing; invest in activities to end homelessness; promote equitable development; and create healthy, sustainable, communities and neighborhoods.

With the acceptance of a completed annual report by the City Council, the City of San José submits the report to HCD and OPR. It is important to note that certain State funding programs require an adopted and certified Housing Element, while others may also require ongoing Housing Element compliance. Not satisfying these varying requirements may impact the eligibility of the City of San José and/or developers working in San José who apply for such funding. Since 2005, San José has received more than \$134 million in State and regional grants, loans and tax credit benefits that would not have been possible without a certified Housing Element and annual updates.

Staff has also attached the Housing Successor to Redevelopment Agency Annual Report for Fiscal Year 2015-16. This report is now included with the Housing Element Annual Report to satisfy the requirements of Senate Bill 341, which took effect on January 1, 2014. Going forward, this report will be included with the annual housing element progress report to HCD.

## **ANALYSIS**

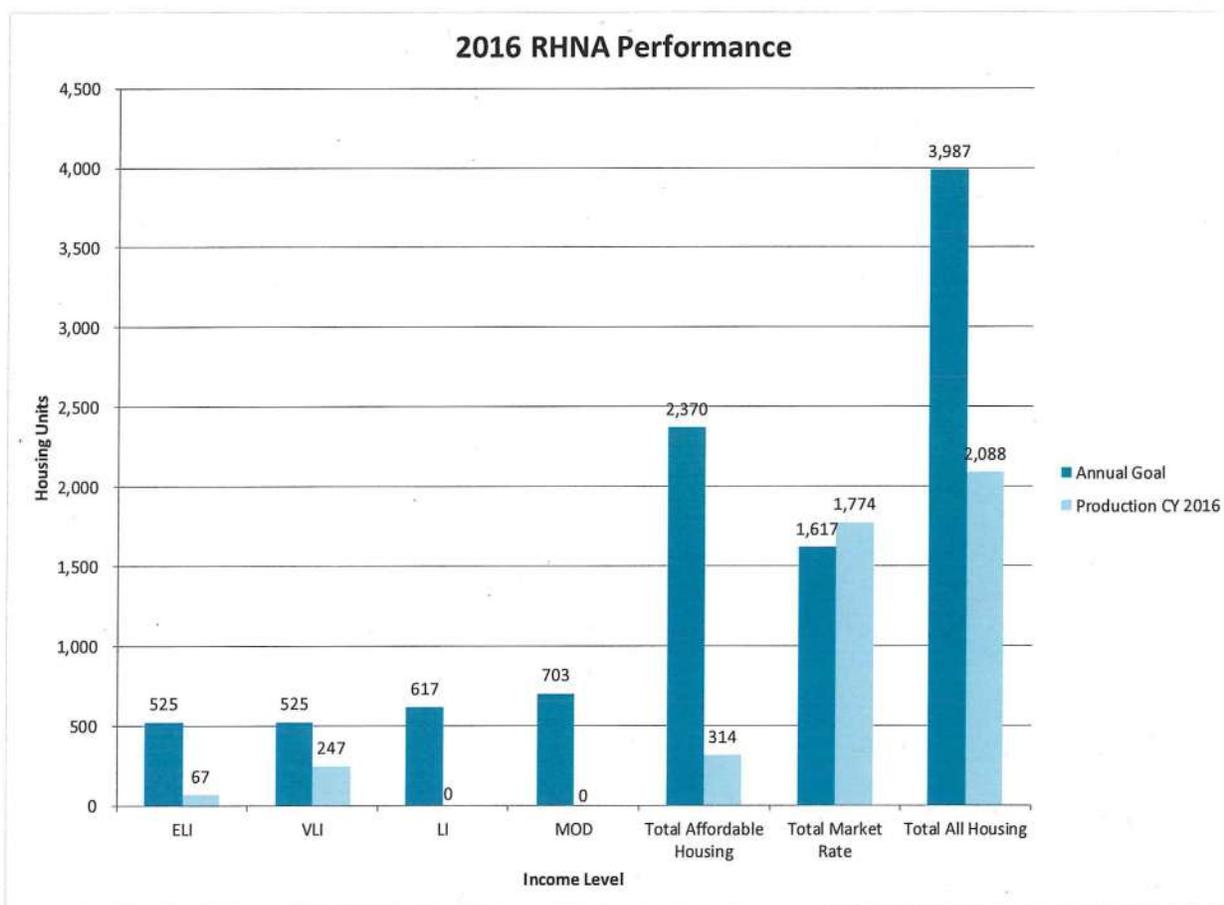
The Envision San José 2040 General Plan (General Plan), which incorporates the HCD-certified Housing Element, includes capacity for 120,000 new housing units through 2040. Within the provisions of this capacity, there is sufficient capacity to meet the requirements of the current Housing Element projection period. In addition, through the "Focused Growth" Major Strategy and other strategies, goals and policies, the General Plan supports compact, mixed-use development; preserving the Urban Growth Boundary; promoting interconnected, sustainable, and complete communities; and promoting environmental stewardship by reducing energy consumption and green-house gas emissions.

In calendar year 2016, the City issued building permits for 2,088 units of new residential construction consisting of 1,774 market-rate and 314 affordable units. Affordable units are those units deemed affordable to Extremely-Low, Very-Low, Low- and Moderate-Income households (as mentioned in Figure A above). The 2,088 units represent 52% of the City's annualized RHNA goal of 3,987 units across all income categories. A closer look at the income categories

shows that the City met 13% of its annualized affordable housing goal of 2,370 units and about 110% of its annualized market-rate goal of 1,617 units (see Figure C below).

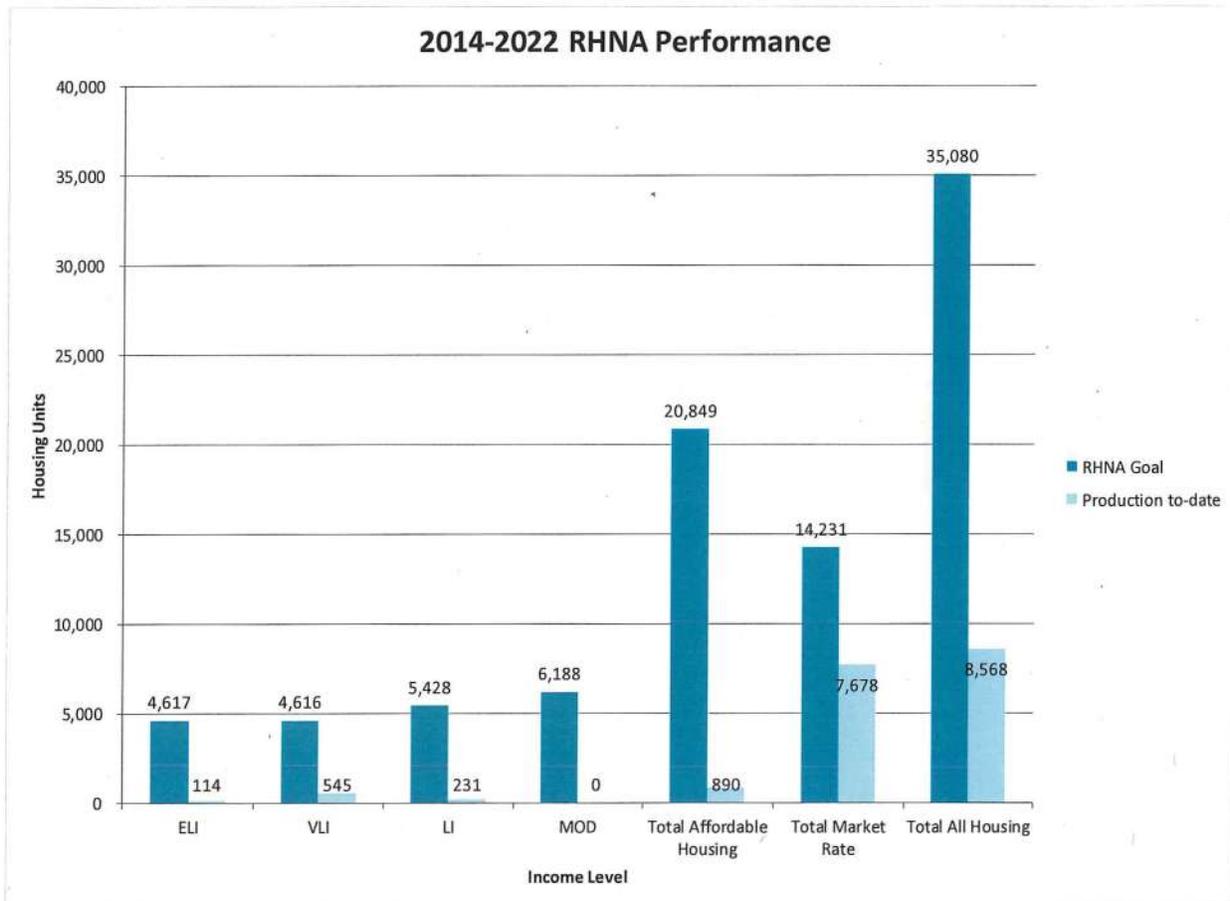
Meeting the RHNA goal will be difficult due to a variety of challenges, particularly in providing affordable housing. In addition to the dissolution of the San José Redevelopment Agency, the depletion of State funding sources for affordable housing and the reductions in federal housing programs also present significant financing hurdles. Other challenges include the price of land in San José and construction costs. As described below in further detail, progress in facilitating affordable housing is being made, however, in the form of new local funding and policy development.

Figure C – CY 2016 RHNA Production Performance



During the first three years of the 8.8-year RHNA projection period, the City has met 24% of its cumulative housing goal, as shown Figure D. By income category, the City has met 4% of its affordable housing goal and 54% of its market rate housing goal.

Figure D – 2014 – 2022 RHNA Production Performance



The San José Metro Area has the second most expensive rental market and the second most expensive homeownership market among the 50 largest metro areas in the Country.<sup>1</sup> Market rents are significantly out of reach for many San José workers including teachers, construction workers, and retail salespersons. Annual rents have increased almost 10% over the past five years<sup>2</sup> and only 19% of homes that are for sale are affordable to a family earning the median income<sup>3</sup>. In addition, a national report found that housing costs continue to rise across the nation and more low- and moderate-working households are renting as opposed to owning their homes.<sup>4</sup>

The loss of the Redevelopment Agency’s 20% Low- and Moderate-Income Housing Fund, cuts in Federal entitlement funding, and state laws that prohibit the use of rental inclusionary ordinances continue to stifle the production of affordable housing in California. However, important strides were made in 2016. In November, Santa Clara County passed a \$950 M bond measure to fund affordable housing. Two other Counties in the Bay Area also passed affordable

<sup>1</sup> National Housing Conference, Paycheck to Paycheck Report for 2016; [www.nhc.org/2016-paycheck-to-paycheck](http://www.nhc.org/2016-paycheck-to-paycheck)

<sup>2</sup> Real Answers Quarterly Statistics 2010 - 2015

<sup>3</sup> National Association of Home Builders (NAHB) Housing Opportunity Index Q3 2016

<sup>4</sup> Ault, Mindy; National Housing Conference, [Housing Landscape 2016](#)

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housing bonds. The City also partnered on two winning applications to the competitive State Affordable Housing and Sustainable Communities Program (AHSC) securing \$27.9 M to help fund 300 new affordable apartments along with greenhouse gas reducing transportation improvements. The City closely monitors the state legislative process and the City Council has taken support positions on several bills relating to funding for affordable housing and changes that would allow the City to implement inclusionary housing for rental developments.

In addition to securing new sources of funding, the City made several important regulatory reforms to facilitate housing production. The City relaxed zoning regulations to encourage the development of legal secondary dwelling units in established single family neighborhoods. The City also approved two important General Plan changes. The first change allows 100% affordable housing development to proceed within an Urban Village ahead of a Growth Horizon or approved Village Plan, if it meets certain criteria. The second change allows 100% affordable housing to be built on commercially designated vacant or underutilized sites  $\leq 1.5$  acres outside of existing Growth Areas, if it meets certain criteria.

These are significant accomplishments, but new affordable housing tools and funding strategies at the Federal and State levels are still needed. The City will continue to participate in efforts that the development of a range of housing types for residents with different income levels and needs.

### **EVALUATION AND FOLLOW-UP**

After Council accepts this annual progress report, staff intends to submit the approved document to HCD and OPR by the State-mandated April 1, 2017, deadline.

### **PUBLIC OUTREACH**

This report will be posted on the City's website for the March 28, 2017 Council Agenda. The individual City programs and projects described in the attachment have had appropriate public outreach pursuant to City Council policy.

### **COORDINATION**

This memorandum was coordinated with the City Attorney's Office and the City Manager's Budget Office.

## **FISCAL/POLICY ALIGNMENT**

The current certified Housing Element aligns with the City's federal Consolidated Plan. In addition, it aligns with the Housing Department's Affordable Housing Investment Plan which prioritizes the majority of \$103 million in funding commitments towards the production of Extremely Low Income (ELI) housing through 2017. The City's emphasis on building ELI housing aligns with the regional "All The Way Home" campaign to end Veteran's homelessness in Santa Clara County as well as the Community Plan to End Homelessness.

Additionally, the Housing Element is consistent with the General Plan's major strategies, goals, policies and actions. In particular, the Housing Element is consistent with the action to increase, preserve and improve San José's affordable housing stock:

### *Major Strategies*

1. Maintain a Greenline/Urban Growth Boundary (Life Amidst Natural Resources);
2. Locate new housing and jobs into Focused Growth areas where existing City infrastructure, facilities, and services are located;
3. Promote the development of Urban Villages, Corridors and Regional Transit Hubs that are mixed-use pedestrian-oriented communities that include a variety of housing types in locations adjacent to transit;
4. Design for a Healthful Community by building "complete" communities where many of one's daily needs can be met by walking or riding a bicycle; and
5. Promote Environmental Stewardship, in part by reducing energy consumption and greenhouse gas emissions by locating housing close to jobs and transit, thereby reducing the miles that San José residents need to drive for commuting to employment;

### *Goals*

1. Goal H-1 Housing – Social Equity and Diversity  
Provide housing throughout our City in a range of residential densities, especially at higher densities, and product types, including rental and for-sale housing, to address the needs of an economically, demographically, and culturally diverse population.
2. Goal H-2 – Affordable Housing  
Preserve and improve San José's existing affordable housing stock and increase its supply such that 15% or more of the new housing stock developed is affordable to low, very low and extremely low income households. Nothing in this language is intended, directly or indirectly, to impose any requirement on any individual housing project to include an amount or percentage of affordable units. Nothing in this language is intended to, directly or indirectly, result in a finding or determination that an individual housing project is inconsistent with the General Plan, if it does not contain any affordable housing units.

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3. Goal H-3 Housing – High Quality Housing and Great Places  
Create and maintain safe and high quality housing that contributes to the creation of great neighborhoods and great places.
4. Goal H-4 Housing - Environmental Sustainability  
Provide housing that minimizes the consumption of natural resources and advances our City's fiscal, climate change, and environmental goals.
5. Goal IP-5.1.7 Affordable Housing: Establish an Urban Village wide goal that, with full build out of the planned housing capacity of the given Village, 25% or more of the units built would be deed restricted affordable housing, with 15% of the units targeting households with income below 30% of Area Median Income. This is a goal, not a requirement to be imposed on individual projects.
6. IP-5.12 Residential projects that are 100% affordable to low (up to 60% AMI), very low (30-50% AMI) and extremely low income (up to 30% AMI), can proceed within an Urban Village ahead of a Growth Horizon, or in a Village in a current Horizon that does not have a Council approved Plan, if the project meets criteria.

### CEQA

Not a Project, File No. PP10-069(a), Annual Report.

/s/

HARRY FREITAS,  
Director of Planning, Building and  
Code Enforcement

/s/

JACKY MORALES-FERRAND  
Director of Housing

For planning related questions, please contact Rosalynn Hughey, Assistant Director at (408) 535-7911. For housing related questions, please contact Adam Marcus at (408) 975-4451.

Attachments: Annual Housing Element Progress Report – January 2016-December 2016  
Housing Successor to Redevelopment Agency Annual Report for FY 2015-16

# Department of Housing and Community Development

## ANNUAL HOUSING ELEMENT PROGRESS REPORT

City or County Name: City of San José

Mailing Address: Department of PBCE, Planning Division  
200 E. Santa Clara Street Tower 3<sup>rd</sup> Floor  
San José, CA 95113

Contact Person: Rosalynn Hughey, Assistant Director

Phone: 408-535-7911

FAX: 408-292-6055

E-mail: [rosalynn.hughey@sanjoseca.gov](mailto:rosalynn.hughey@sanjoseca.gov)

Reporting Period: January 1, 2016 through December 31, 2016

# **Progress Report on the Implementation Of the San José Housing Element Update - Calendar Year 2015**

February 21, 2017

## **A. INTRODUCTION**

### *Purpose*

This report summarizes the City's progress towards meeting its RHNA goals and other housing objectives during the 2016 calendar year as set forth in its Housing Element. Upon City Council acceptance of the report, it will be forwarded to the California Housing and Community Development (HCD) Department and the Governor's Office of Planning and Research (OPR). It is important to note that certain State funding programs require an adopted and certified Housing Element, while others may also require ongoing Housing Element compliance. Not satisfying these varying requirements will impact the eligibility of the City of San José and/or developers working in San José who apply for such funding. Since 2005, San José has received more than \$134 million in State and regional grants, loans and tax credit benefits that would not have been possible without a certified Housing Element and annual update reports.

### *Background*

California State law provides that each governing body prepares an annual report on the status and progress in the implementation of its Housing Element. The City of San José has successfully submitted annual progress reports on the implementation of the Housing Element to the HCD for review and evaluation. By providing this information, the City qualifies for important State housing, community development, transportation, and park funds.

State law also requires that jurisdictions include the Housing Element as one of the mandatory elements of a General Plan. The Housing Element identifies constraints to housing production, as well as establishes policies and programs to mitigate those constraints and to facilitate the production of housing opportunities to meet the needs of all economic segments of the community as determined through the Regional Housing Needs Allocation (RHNA) process. The City Council adopted the 2014 - 2023 Housing Element on January 27, 2015 and submitted it to HCD for approval on January 30, 2015. HCD certified the Housing Element on April 30, 2015.

The Association of Bay Area Governments (ABAG) has been responsible for coordinating with and allocating the regional housing needs among each jurisdiction in the nine-county Bay Area. ABAG has determined that San José's fair share of the regional need for the projection period between January 1, 2014 through October 31, 2022 is 35,080 units across income categories. This is slightly higher than the previous RHNA allocation of 34,721

units for 2007-14. San José's current allocation accounts for about 60% of the total housing allocation for Santa Clara County. These units are distributed among income categories as depicted in Table B and equal an annualized production goal of 3,987 total units (assuming an 8.8 year RHNA cycle). This is higher than the actual annual average of approximately 2,900 units permitted in San José in the past 30 years. Housing permits, however, averaged over 3,600 units annually from 2012 to 2014. The City issued permits for 16,029 units during the 2007-14 RHNA cycle, meeting 46% of its RHNA goal of 34,721 units. The following report will highlight ongoing Federal, State, and Regional challenges to fulfilling statewide RHNA goals, as well as important new policies that will help San José meet these goals.

### *City of San José Envision 2040 General Plan*

The City of San José's Envision 2040 General Plan (General Plan) incorporates the City's current Housing Element and establishes a comprehensive policy framework that supports San José's residential strategies identified in the Housing Element. A central component of the General Plan is the development of new "Urban Villages" at strategic locations throughout the city so that a significant percentage of future housing growth is planned to occur as compact, mixed-use, pedestrian-friendly, and transit-oriented development near jobs. The General Plan reinforces the City's environmental goals, such as preservation of the hillside areas outside of the City's Urban Growth Boundary, so that all new residential development can occur within the City's current Urban Growth Boundary. The General Plan also includes a comprehensive and coordinated set of goals, policies, and implementation actions that link multiple objectives to promote the development of complete, inclusive, and equitable communities with proximity to transit and jobs.

In December 2014, the City adopted a General Plan text amendment in support of affordable housing. The amendment proposed that at least 15% of new affordable housing stock developed in San José be affordable to extremely low, very low and low income households. The language is not considered a mandate to impose affordable restrictions, but rather it expresses a strong need and support for affordable housing in San José.

Additionally, the General Plan establishes a major review every four years (Four-Year Review), which provides an opportunity to evaluate the City's achievement of key goals and make mid-course adjustments to the General Plan. The Four-Year Review entails the reassembly of a community stakeholder Task Force, who reviews and evaluates changes in the planning context and the City's achievement of planned job growth, implementation of the Urban Village concept, environmental goals, and affordable housing needs. The first Four-Year Review process concluded in Fall of 2016. The City Council adopted important new policies to help facilitate the production of new affordable housing and to prevent displacement in San José. Below is a summary of these important changes:

- Establish a short term (2025) Jobs to Employed Resident (J/ER) Goal of 1 to 1;
- Establish an area-wide goal for Urban Village Plans that  $\geq 25\%$  of units built would be affordable;

- One-hundred percent affordable housing projects can proceed within an Urban Village ahead of a Growth Horizon or approved Village Plan, if it meets certain criteria;
- One-hundred percent affordable housing projects are allowed on commercially designated vacant or underutilized sites  $\leq 1.5$  acres outside of existing Growth Areas, if it meets certain criteria;
- Identify, assess, and implement potential tools, policies, and programs to prevent or mitigate displacement of low-income residents

The City is committed to facilitating the production of housing across income categories and to mitigating both governmental and non-governmental constraints that may unduly limit such production. To achieve these objectives, the General Plan includes careful planning for residential land uses at appropriate locations and densities. It seeks to maximize housing opportunities on infill parcels already served by the City in order to utilize existing infrastructure, and at locations served by transit. The General Plan also seeks to provide sufficient housing opportunities for new workers to encourage and support continued economic development, as well as access to housing for lower-income workers in occupations that support driving industries. San José is also planning for demographic and market shifts that indicate greater future demand for more urban forms of housing and neighborhoods.

The City also made important changes in compliance with AB 2299 (Bloom), and SB 1069 (Wieckowski) to its Zoning Code to encourage the development of more secondary dwelling units in single family neighborhoods. Key changes included reducing the minimum lot size and reducing rear setbacks allowing for thousands of R1 and R2 sites to become newly eligible for secondary units.

#### *City of San José's Department of Housing*

The City's Department of Housing partners with the development community and provides gap financing and technical assistance to facilitate the production, rehabilitation, and preservation of affordable units for lower- and moderate-income households. The Housing Department also collaborates with public, private, and non-profit partners to end homelessness, to serve special needs populations, to reduce foreclosures and help families stay in their homes, and to ensure regional fair housing practices.

San José's affordable housing developments are recognized nationally for their quality designs, excellent management, community integration, and innovation. The City has been a recipient of a number of awards including the 2011 Urban Land Institute's Robert C. Larson Workforce Housing Public Policy award. The City was recognized as an exemplary local government that provides ongoing and sustainable support for the production, rehabilitation, or preservation of workforce housing. Additionally, many City sponsored housing developments have received awards from the California Redevelopment Agency (CRA) and the National Association of Housing and Redevelopment Officials (NAHRO), which recognize projects and programs that are outstanding examples of the redevelopment process that have resulted in building better communities.

### Housing Market Conditions

The San José Metro Area is the second most expensive homeownership market in the Country.<sup>1</sup> Median single family home prices in San José rose from \$825,000 in December 2015 to \$863,000 in December 2016. Inventory remains very tight and interest rates continue to remain low, though they are beginning to rise as of October 2015. Assuming the December 2016 fixed mortgage rate of 4.2%, 20% down, a 1.25% property tax rate, and standard utilities and mortgage insurance, the current median single family housing price of \$863,000 (as of December 2016) requires a down payment of \$172,600 and an annual income of \$184,200, which is 2 times San José's median household income of \$91,451.<sup>2</sup> Additionally, saving for a 20% down payment on a median priced home, while paying high rents, as detailed in the next paragraph, puts additional burden on first-time homebuyers.

San José also exhibited continued strength in its rental market in 2016, with average monthly rents for all apartments exceeding \$2,500 for the third quarter of 2016<sup>3</sup>. This represents an annual increase of 0.6% (from Q3 2015). Vacancy rates in 2016 (for rental developments with 50 or more units) fluctuated between 4% – 5%<sup>3</sup>. A vacancy rate of 5% is considered ideal and anything below 5% is considered a tight market. Rents are increasingly beyond the reach of lower-income households and even many middle-class households. The National Low Income Housing Coalition (NLHC) Report, Out of Reach 2016<sup>4</sup>, listed San José as the third most expensive market in the nation to rent a two-bedroom apartment. Using a 30% income standard for housing costs including utilities, a San José worker household would need an income of over \$91,000 to afford the rent of a one-bedroom unit, which is more than a retail salesperson, a construction laborer, or an entry level school teacher typically earns. While the rate of rent increases has recently shown signs of stabilizing in Q3 2016<sup>3</sup>, the cost to rent in San José is at an all-time high<sup>3</sup>. Almost fifty percent of renter households in San José experience a housing burden defined as spending more than thirty percent of their income on housing costs (2009-13 CHAS data, US Census Bureau<sup>5</sup>). This level of housing burden makes it challenging for renters to save for the high downpayment required to purchase a home while paying for other important expenses like healthcare, education and retirement.

San José issued 2,088 residential permits in 2016, which were mostly for market rate rental developments. Permit activity remained similar to 2015 levels, when the City issued 2,020 permits.

The Bay Area's economy has rebounded along with the housing market. This particular recovery has been characterized by job creation in high-skilled, high-wage occupations as

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<sup>1</sup> National Housing Conference, Paycheck to Paycheck Report for 2016;

<sup>2</sup> Census Bureau, American Community Survey, 2015, One-year Estimate

<sup>3</sup> Real Answers Data Market Overview, Q3 2016

<sup>4</sup> [http://nlihc.org/sites/default/files/oor/OOR\\_2015\\_FULL.pdf](http://nlihc.org/sites/default/files/oor/OOR_2015_FULL.pdf)

<sup>5</sup> [https://www.huduser.gov/portal/datasets/cp/CHAS/data\\_querytool\\_chas.html](https://www.huduser.gov/portal/datasets/cp/CHAS/data_querytool_chas.html)

well as in low-skill, low-wage employment, but middle-class jobs have not returned. As low-wage employment increases, income disparity grows and the challenge of housing affordability affects more households and families. Thirty percent of the workforce in Santa Clara County earns above moderate income, ten percent earns moderate income, and fifty-nine percent earns low income.<sup>6</sup>

### *Insufficient Funding for Affordable Housing*

Financial challenges across all levels of government have severely reduced the ability of the public sector to help house lower-income households. The primary challenge for affordable housing in California is that the loss of redevelopment agencies eliminated the largest and most flexible revenue stream for much needed low- and moderate-income housing, and that funding source of about \$40 million a year for the City has not been replaced. The decrease in federal funding for housing and community development has further limited affordable housing production.

San José is currently moving forward to implement its inclusionary housing ordinance following the U.S. Supreme Court's decision not hear an appeal. The Ordinance generally requires that, in market-rate for-sale developments of 20 or more units, 15% of the units be made affordable to and sold to moderate-income households. The Ordinance provides numerous alternative ways that the developer can meet this requirement, including payment of an in-lieu fee and construction of affordable units off-site, among many others. Although the Ordinance contains provisions for inclusionary rental housing, those provisions will take effect only if the appellate court decision *Palmer v. City of Los Angeles* is overturned by a court of competent jurisdiction or if State legislation changes applicable law.

In November 2014, the City of San José established a housing impact fee of \$17.00 per net square foot on new market-rate rental housing developments of three or more units in San José. However, in an effort to minimize negative financial impacts on development projects in the pipeline, the housing impact fee includes a grandfathering exemption for developments if certain conditions are met. Because of this, the Housing Department does not anticipate receiving any revenue from this fee until at least FY 2018-19. Revenue from the housing impact fee will primarily fund development costs for affordable workforce housing for residents earning between 30% and 120% of the Area Median Income.

Staff continues to implement existing affordable housing programs while exploring new tools, funding mechanisms, and partnerships to help support the City's commitment towards facilitating the provision of affordable housing in order to achieve its RHNA goals. With funding commitments for approximately 293 affordable units and an additional 308 units expecting city funding, the City continues to work diligently to ensure that the economic recovery benefits those segments of the society that need the most help. Based on the City's priority to address the homeless crisis, the City issued a Notice of Funding

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<sup>6</sup> Based on median wages by occupation from the California Employment Development Department, May 2015.

Availability (NOFA) in 2016 for loans or conditional grants to fund permanent supportive housing developments. The City is also pursuing various interim housing solutions for the homeless.

Additional Opportunities

The Valley Transportation Authority (VTA) operates light rail and buses in Santa Clara County and is working to develop housing and commercial uses on land adjacent to 14 light rail stations. On March 3, 2016 the VTA board adopted a new Affordable Housing Policy as part of its Joint Development program calling for a system wide portfolio target of 35% affordable housing production at build out and at least 20% of units for individual station areas. This new policy provides an important opportunity to build hundreds of new affordable apartments near high quality transit over the next fifteen years.

**B. ANNUAL BUILDING ACTIVITY SUMMARY FOR VERY LOW-, LOW-, AND MODERATE-INCOME UNITS AND MIXED INCOME MULTIFAMILY PROJECTS (TABLE A, A2)**

Affordable units are those units deemed affordable to Extremely Low, Very Low, Low and Moderate Income households (See Table A). For Calendar Year 2016, the City issued permits for 314 affordable units. While the City exceeded its annualized goal for above-moderate income units, the 314 affordable permits represent just 13% of its annualized affordable housing goal of 2,370 units. This disparity reflects the renewed strength of market-rate housing market and the challenges in the financing and provision of affordable housing. The City currently has approximately 293 units in the pipeline from projects that have received funding commitments but have not yet pulled permits and 308 units awaiting city funding.

**C. ANNUAL BUILDING ACTIVITY SUMMARY FOR ABOVE MODERATE-INCOME UNITS (TABLE A3)**

During calendar year 2016, the City permitted a total of 1,774 above moderate-income units. Most of the developments pulling permits were rental projects, reflecting an extremely strong rental market and rapidly rising rents. New multifamily construction being built in North and South San José, and in Downtown indicate an interest in mixed-use, transit-oriented and higher-density urban living.

**D. REGIONAL HOUSING NEEDS ALLOCATION PROGRESS (TABLE B)**

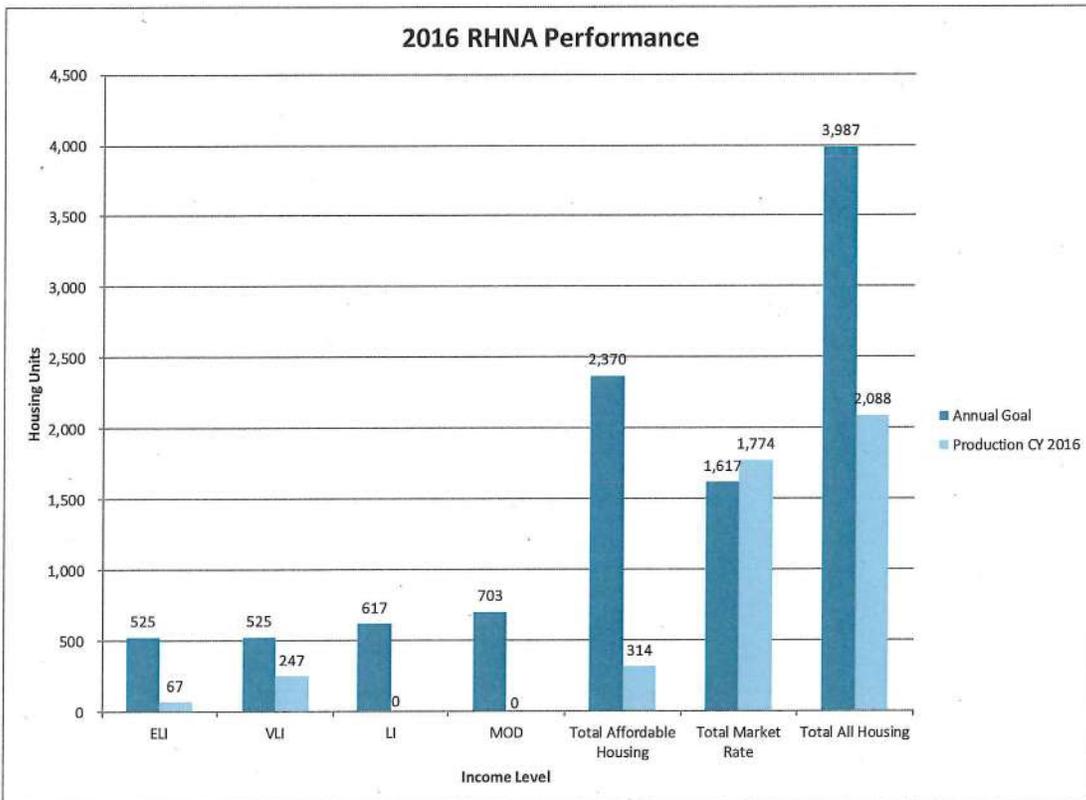
Permit activity has remained relatively unchanged from 2015, which was the second year of the current RHNA cycle. Home prices which approached all-time highs in April 2016 seem to be stabilizing. However, the supply of homes (both foreclosed and regular sales)

remains tight. Interest rates are beginning to rise. If the economy and the job market continue to strengthen, the demand for housing will remain strong. Many first-time home buyers find that prices are already out of their reach. Affordability continues to remain a challenge for low and moderate income households as rents and housing prices remain high.

Table B depicts San José’s progress in achieving its RHNA goals.

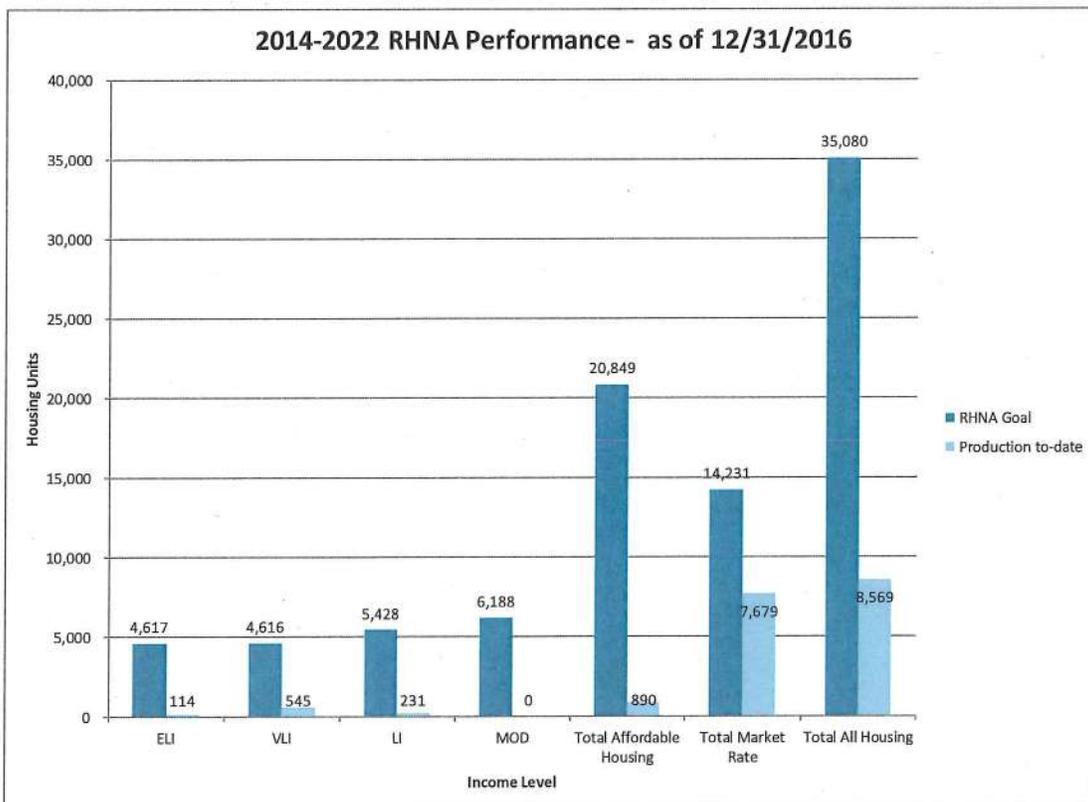
In calendar year 2016, the City issued building permits for 2,088 units composed of 1,774 market-rate and 314 affordable units. This represents 52% of the City’s annualized RHNA goal across all income categories. While the City exceeded its annualized goal for above-moderate income units (110% of RHNA goal), the 314 below-market permits represents just 13% of its affordable housing annualized goal.

In November 2016, the City Council approved a secondary unit ordinance which loosened existing zoning code regulations and incorporated the 2016 changes made to State law. In 2016, the City issued permits for 38 secondary units, almost doubling the permits issued in the previous two years – 17 permits were issued in 2015 and 21 permits were issued in 2014.



In spite of reduced funding for below-market rate units, San José has continued to facilitate the creation of new affordable housing units. There are approximately 293 units with funding commitments and 308 units awaiting city funding. These units provide important housing options to San José’s community and workforce. The City continues to advance affordable housing initiatives to provide access to housing opportunities across incomes and to support economic growth in San José.

2016 marks the third year of the current 8.8 year RHNA production period from January 2014 – October 2022. Over the three years, San José has been able to meet 24% of its total RHNA goal. However, the achievement by income category varies significantly. More specifically, San José has been able to meet 54% of its total market rate goal and 4% of its affordable housing goal.



The City has been proactive in planning for additional housing to meet the needs of existing and future residents. In 2011, the City approved its Envision San José 2040 General Plan, which includes long-term capacity for 120,000 new housing units. A portion of this total capacity is currently activated, that includes sufficient residential capacity to meet the requirements of the current RHNA.

Actual construction of the units in this pipeline will depend on market forces and the subsidies that become available. However, the City has an important role in mitigating constraints to housing production across income levels through the implementation of existing and new housing programs and process improvements. As noted above, the City

has made important strides this year with changes to the Envision San José 2040 General Plan and to the Zoning Code to increase the production of Secondary Dwelling Units. These changes are intended to speed up the production of affordable housing and secondary dwelling units by increasing the potential supply of suitable land. The City will continue to work creatively and collaboratively with internal and external partners to develop strategies and financial tools that address the full spectrum of its housing needs and that drive economic growth.

#### **E. PROGRAM IMPLEMENTATION STATUS (TABLE C)**

Table C provides a complete list and status report on the City's programs to assist low-income renters and homebuyers. Additionally, San José continues to adopt process improvements that streamline housing production and facilitate the creation of affordable housing.

#### **F. HOUSING SUCCESSOR ANNUAL REPORT FY 2015-16**

This section satisfies the annual reporting requirements of SB 341. The City, as the housing successor to the former Redevelopment Agency, is required to report specific housing and financial activity information to HCD.

Attachments:     Annual Housing Element Progress Report Calendar Year 2016 – Housing Element  
                          Implementation Tables A-C.  
                          Housing Successor to Redevelopment Agency Annual Report Fiscal Year 2015-16

# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

(CCR Title 25 §6202 )

Jurisdiction  
Reporting Period

City of San José  
1/1/16 - 12/31/16

**Table A**  
**Annual Building Activity Report Summary - New Construction**  
**Very Low-, Low-, and Mixed-Income Multifamily Projects**

Housing Development Information										Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance and/or Deed Restrictions
1	2	3	4					5	5a	6	7	8
			Affordability by Household Incomes									
Project Identifier (may be APN No, project name or address)	Unit Category	Tenure R=Renter O=Owner	Extremely Low-Income (11)	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total Units per Project	Est # Infill Units	Assistance Program for Each Development	Deed Restricted Units See Instructions	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable.
Laurel Grove		R	23	58			1	82	82			
Park Avenue Seniors		R	10	89			1	100	100			
Second Street Studios		R	34	100			1	135	135			
								0				
								0				
								0				
								0				
(9) Total of Moderate and Above Moderate from Table A3			▶	▶	▶	▶	▶	▶	0			
(10) Total by income units Table A /A3			▶	▶	▶							
			67	247	0	0	3	317	317			

**Table A2**  
**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65883.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.(c)(1)

Activity Type	Affordability by Household Incomes					TOTAL UNITS	(4) Description of Activity Including Housing Element Program Reference
	Extremely Low-Income (11)	Very Low-Income	Low-Income	Moderate-Income			
(1) Rehabilitation Activity						0	
(2) Preservation of Units At-Risk						0	
(3) Acquisition of Units							
(5) Total Units by Income	0	0	0	0		0	

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units**  
**(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Units	5. Mobile Homes	6. Total	7. # of Infill units
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	184	4	1,545	38		1,771	

**Table B**  
**Regional Housing Needs Allocation Progress**  
**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example		2014	2015	2016	2017	2018	2019	2020	2021	2022	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income-Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Extremely low	Deed Restricted	4,617	29	18	67						114	4,503
	Non-deed Restricted										0	
Very-Low	Deed Restricted	4,616	246	52	247						545	4,071
	Non-deed Restricted										0	
Low	Deed Restricted	5,428	231								231	5,197
	Non-deed Restricted										0	
Moderate	Deed Restricted	6,188	0								0	6,188
	Non-deed Restricted										0	
Above-Moderate		14,231	3,954	1,950	1,774						7,678	6,553
Total RHNA by COG. Enter allocation number:		<b>35,080</b>										
Total Units ▶▶▶			<b>4,460</b>	<b>2,020</b>	<b>2,088</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,568</b>	
Remaining Need for RHNA Period ▶▶▶▶▶												<b>26,512</b>

Note: The City of San Jose is not able to track the affordability of non-deed restricted units. Based on economic conditions and the variety of dwelling units in the City, there are likely to be some dwelling units that are not deed-restricted that are affordable to Moderate or Low-Income households.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
	<b>1. Increase, Preserve, and Improve the Supply of Affordable Housing</b>				
	<i>Programs and Funding</i>				
1	Continue Predevelopment Loan and Project Development Loan Programs.	<p>a. Review City's existing Income Allocation Policy and update as necessary to provide a funding framework for income categories.</p> <p>b. Continue to provide predevelopment loans to assist nonprofit housing developers with funds necessary to explore feasibility of proposed affordable multifamily housing.</p> <p>c. Continue to provide land acquisition, construction, and permanent financing for the development of new affordable homes and the acquisition/rehabilitation of existing rental housing for affordable homes pending availability of funds.</p>	Housing	<p>a. 2015-16</p> <p>b. Annual, Ongoing</p> <p>c. Annual, Ongoing</p>	<p>a. In 2016, City staff continued its work partnering with the County of Santa Clara and the County's Housing Authority to focus \$48M in funding, services, and 603 project-based housing vouchers on deeply affordable supportive housing with priority for formerly homeless residents. Of the total funding, \$40M was made available by the Housing Department per its Council-adopted funding plan from November 2015. The joint NOFA/RFP was released in July 2016, and two award-eligible developments in San Jose were identified in September 2016. Staff underwrote the City's two new funding commitments in 2016 and will bring actions to City Council in 2017.</p> <p>b. In 2016, the City Council approved \$900,000 in predevelopment funds to support two developments that will provide 30 new affordable apartments and 100 interim homes for homeless individuals.</p> <p>c. In 2016, staff obtained Council approvals for over \$9 million in loans and grants to support the creation of 265 new affordable homes. The City also issued \$20M in tax-exempt bonds to support rehabilitation and extended affordability for an existing affordable rental complex with 69 family apartments.</p>
2	Maximize revenues from the City's loan portfolio.	a. Maximize City revenues and residual receipts when senior loans mature or are refinanced/restructured.	Housing	Ongoing	a. Residual receipts have increased by 76% between 2011 and 2016 and have averaged \$9.7 million in that period. Organizational capacity to monitor and enhance portfolio revenues has continued to grow with the addition of new staff and systems.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
3	Facilitate affordable housing deals that require no City subsidies.	<p>a. Facilitate mixed income deals.</p> <p>b. Facilitate 9% and 4% tax credit/bond developments.</p>	Housing	Ongoing	Staff met in early 2016 with a major conduit issuer of multifamily housing revenue bonds, CSCDA, to discuss how best to facilitate affordable housing deals using CSCDA-issued bonds that require no City subsidy.
4	Implement the City's Housing Impact Fee Program.	<p>a. Develop and implement the Housing Impact Fee Program by the effective date.</p> <p>b. Utilize the fees generated to finance the development of housing that is affordable to the workforce.</p>	Housing, PBCE	<p>a. 2016</p> <p>b. 2016, Ongoing</p>	<p>a. Implementation of the Affordable Housing Impact Fee (AHIF) Program is successfully underway. Over the past several months, the Housing Department conducted 9 developer outreach meetings and to date, have processed 29 pipeline exemption applications. Finally, the Housing Department has begun the process of working with developer's of new market-rate projects that are subject to the AHIF.</p> <p>b. Due to the exemption period, the Housing Department does not expect revenue from the AHIF until FY 2019-20.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
5	Acquire land for residential development, especially near transit for the development of low and moderate income housing.	<p>a. Utilize resources to acquire land.</p> <p>b. Partner with transit agencies such as VTA and BART to explore and facilitate transit-oriented development (See workplan item #15)</p> <p>c. Explore the creation of a land bank to ensure the creation of affordable housing within Urban Villages.</p> <p>d. Explore partnerships such as Community Land Trusts to facilitate acquisition of land.</p>	Housing	<p>a. 2015, Ongoing, Assess Annually</p> <p>b. 2015, Ongoing, Assess Annually</p> <p>c. 2016-17</p> <p>d. 2016-17</p>	<p>a. The City Council approved commitments of \$3.6 million to acquire two sites that eventually will yield approximately 85 new affordable apartments.</p> <p>b. 340 new restricted affordable apartments in the new Cottle Station neighborhood were completed in 2016, for which Housing Department staff oversaw implementation per the City's Development Agreement. Staff held meetings with property owners to introduce them to the City's 55-year compliance monitoring process.</p> <p>c. N/A</p> <p>d. Housing staff coordinated with a group of students from Stanford's Global Urban Development Program. The students presented case studies and explained different models of CLT in San Francisco, Oakland and other locations. The City will not pursue a CLT at this time as a skilled external partner and a source of capital would need to be identified. In addition land and home values in San Jose make it difficult to establish a CLT at scale as compared to building multifamily housing.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
6	Advance Inclusionary Housing Programs.	<p>a. Continue to defend the Citywide inclusionary housing ordinance in court.</p> <p>b. Continue to implement the City's existing inclusionary housing policy on for-sale projects in former redevelopment areas.</p>	Housing	Ongoing	<p>a. The Inclusionary Housing Ordinance was upheld in the U.S. Supreme court in 2015. However, the City cannot implement the ordinance for rental projects due to the Palmer vs. City of Los Angeles Court decision that found a conflict between inclusionary ordinances and the 1995 Costa Hawkins Act.</p> <p>b. The Housing Department continues the Inclusionary Housing Policy on for-sale projects for certain developments located in Redevelopment Project Areas. During the Calendar year, the Housing Department processed 3 projects that are currently subject to the City's Inclusionary Housing Policy. The projects in question will generate \$6.8 MM in in-lieu revenue most likely in FY 2018-2019.</p>
7	Increase supply of permanent supportive housing for homeless individuals.	a. Explore all opportunities to create homeless apartments with supportive services within the City.	Housing, Santa Clara County, Housing Authority	Ongoing, D3 Assess Annually	a. The City has committed funding and/or supported partnerships for 542 units of supportive housing for homeless individuals; the City, County and Housing Authority meet regularly to coordinate investments and progress.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
8	Preserve existing deed-restricted multifamily rental homes.	<p>a. Develop a funding framework to guide the allocation of resources between the production of new affordable homes or the preservation of existing affordable homes.</p> <p>b. Fund the extension of the affordability restrictions for existing multifamily affordable homes pending funding availability.</p> <p>c. Monitor at-risk units and upon notification outreach with landlord, tenants, and qualified entities to assist with funding preservation of existing homes.</p> <p>d. Explore and establish an outreach and tenant education program.</p>	Housing	<p>a. 2015-16</p> <p>b. Ongoing</p> <p>c. Ongoing</p> <p>d. 2015-16</p>	<p>a. Due to priorities on funding new supportive housing homes, this framework development has been lower priority.</p> <p>b. Staff has extended and strengthened affordability restrictions for approximately 4 developments without funding.</p> <p>c. The City currently monitors its portfolio to identify at-risk projects and evaluates alternatives for extending affordability restrictions through negotiations with the borrower.</p> <p>d. For projects in the portfolio for which an extension of affordability restrictions cannot be negotiated, the City will work with borrowers to ensure that a satisfactory transition plan for existing residents is implemented.</p>
9	Continue parkland fee reduction for new affordable housing development.	a. Continue to charge affordable housing developers a lower rate under the Parkland Dedication Ordinance (PDO) and Park Impact Fee (PIO) for new affordable housing developments.	Housing	Ongoing	a. This fee reduction continues for restricted affordable apartments that serve residents earning 80% of AMI and below.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
10	Shape national, state, regional and local programs, policies and regulations to facilitate affordable housing development.	<p>a. Help shape the National Housing Trust Fund, GSE reform, tax reform and other Federal policies that create funding for affordable housing development.</p> <p>b. Shape cap and trade implementation.</p> <p>c. Shape permanent source to replace lost State bond funding that was depleted.</p>	Housing	<p>a. Ongoing</p> <p>b. 2015-2016</p> <p>c. Ongoing</p>	<p>a. During the 2016 legislative session, the City provided letters of support to protect federal HOME funding, which provides key resources for housing programs, including tenant-based rental assistance through vouchers.</p> <p>b. The City of San Jose successfully partnered with two affordable housing developers on two separate successful Affordable Housing and Sustainable Communities grant awards. The two awards netted \$27.8M in new revenue to fund a total of 296 affordable apartments along with greenhouse gas reducing transportation improvements in the areas adjacent to the affordable housing sites.</p> <p>c. During the 2016 legislative session, the City sponsored AB 2176 which was successfully signed into law and became effective January 1, 2017. This law created a new building code standard for "emergency bridge housing communities" for homeless individuals. The City also supported AB 2502 (Palmer Fix) and SB 879 (2016 Statewide Affordable Housing Bond). Neither AB 2502 nor SB 879 became law.</p>
		d. Support new tools that replace Redevelopment Agency Low/Moderate Income Housing Funds including Infrastructure Financing Districts.	Housing	d. Ongoing	d. During the 2016 legislative session, the City took support positions on multiple State bills that would increase resources for affordable housing, including AB 2817 and SB 873 (provides additional low-income housing tax credits and changes the ownership structure for tax credit investment). AB 2817 was not successful. SB 873 was approved and signed into law.

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
11	Advance regional solutions to address housing needs.	a. Work collaboratively with other City departments, local jurisdictions and working groups such as the Santa Clara CDBG Grants Management Group, Regional Housing Working Group, ABAG/MTC's One Bay Area Plan, Regional Prosperity Plan, Santa Clara Association of Planning Officials, and other initiatives.	Housing	Ongoing	a. Housing 2.0: Funded by the Knight Foundation and in conjunction with Affordable Housing Week 2016, the City of San Jose created Housing 2.0 (H2.0). H2.0 was an assembly of creative doers and thinkers brought together to inspire a re-envisioning of the housing system. Participants were invited to provocative discussions and to engage with panelists, tour new and innovative housing communities, and to see an exhibit of small housing prototypes.
Potential Actions					

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
12	Advance regional solutions to address housing needs.	<p>a. Explore creation of regional body or formal collaboration to make more efficient use of limited resources, maximize the delivery of affordable housing, or respond to homelessness.</p> <p>b. Explore strategies to facilitate a more balanced regional distribution of affordable housing production.</p>	Housing	Ongoing	<p>a. A new, regional mechanism to address housing needs takes significant time and coordination, as well as political feasibility. However, a regional response is a key strategy, as most of the cities in Santa Clara County are jobs-rich and housing-poor, and are not meeting their fair share housing needs. In 2016 the City of San Jose co-sponsored a one day Housing 2.0 symposium which included discussions about regional solutions to the housing crisis. In addition Cities began to grapple with proposed "By-Right" legislation to streamline housing development, but these bills were not passed. Santa Clara County voters approved a \$950 M sales tax bond measure in November. The City will coordinate closely with the County on implementation of this new funding program.</p> <p>b. See item b above.</p>
13	Coordinate and implement housing policies and goals contained in the City's housing plans.	a. Develop a Housing Element, Consolidated Plan and 5-Year Investment Plan with goals and measurable actions that are consistent with each other.	Housing, PBCE	2015	a. The State-mandated Housing Element was certified by HCD in April 2015, and federal Consolidated Plan was submitted in May 2015, and the City's 18-month Housing Investment Plan was provided to the City Council in October 2015.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
14	Coordinate with Valley Transportation Authority (VTA) on transit-oriented development activities.	a. Explore ways to facilitate transit-oriented affordable housing development near BART, Light Rail, and Bus Rapid Transit (BRT) stations, including identification of opportunities to develop parcels owned by either agency with affordable housing.	Housing, PBCE	a. 2015, Ongoing	<p>a. VTA is moving forward with a Request for Proposals to develop TOD at the Tamien Light rail and Caltrain Station. Housing staff continue to monitor VTA's intentions to lease and sell land near light rail stations and near the forthcoming Berryessa BART station. In 2016 VTA adopted their Joint Development policy, which included a 20% affordable housing inclusionary development policy. VTA has submitted seven "signature project" concept plans to the Planning Department for consideration under the Urban Village planning framework.</p> <p>VTA's first BRT line on Alum Rock Avenue will include new station areas and will be complete in 2017. It remains to be seen if BRT will generate demand for dense, mixed use transit-oriented development.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b><i>Housing Planning Tools</i></b>					
15	Develop and Implement Urban Village Plans.	<p>a. Explore various funding mechanisms and programs to help finance infrastructure and amenities for Urban Villages.</p> <p>b. Complete and/or implement Urban Village plans for The Alameda, West San Carlos, South Bascom, and Diridon Station.</p> <p>c. Develop and implement additional Horizon 1 and other Horizon Urban Village Plans as appropriate.</p> <p>d. Annually and as part of the Four Year Major Review of the General Plan evaluate the Urban Village Strategy and modify the Strategy as appropriate and needed, to facilitate its successful implementation, and to evaluate and address constraints.</p>	PBCE Housing OED PW DOT DOF CMO PRNS	<p>a. Ongoing, Assess Annually</p> <p>b. 2015-2016</p> <p>c. 2016-23</p> <p>d. Assess Annually, 2015-16 &amp; 2019-20 (4-year Major Review)</p>	<p>a. The City is currently preparing implementation financing plans for West San Carlos, South Bascom, The Alameda, and Roosevelt Park Urban Village Plans. Also, the City has recently received new grant funds to start working on two, Horizon II Villages, North 1st Street and Berryessa/BART, which will start at the end of 2016 and extend into early 2018.</p> <p>b. The Diridon Station Urban Village Plan and The Alameda Urban Village Plan have been completed and were adopted by the City Council in June 2014 and December 2016, respectively. The West San Carlos Urban Village Plan is anticipated to be adopted by the City Council by the end of 2017. The South Bascom Urban Village plan will be adopted at a later date subject to funding and staff capacity.</p> <p>c. In addition to the Urban Village Plans listed above, the City is working on draft Urban Village Plans for one, Horizon I Village (East Santa Clara) and three, Horizon III Villages (Santana Row/Valley Fair, Winchester, and Stevens Creek Urban Villages, all supported by grant funding.</p> <p>d. The first Four-Year Review process concluded in Fall of 2016. The City Council adopted new policies to help facilitate the production of new affordable housing in Urban Villages including the establishing an area-wide goal for Urban Village Plans that ≥ 25% of units built would be affordable; and that one-hundred percent affordable housing projects can proceed within an Urban Village ahead of a Growth Horizon or approved Village Plan, if it meets certain criteria.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
16	Maximize the City's competitiveness for external infrastructure funding to create complete, high quality living environments.	<p>a. Continue to explore new funding sources for parks, transportation, and other types of infrastructure that favor cities with a demonstrated commitment to building affordable housing.</p> <p>b. Such programs include OBAG, Cap and Trade and other regional, state, and Federal programs.</p>	Housing PRNS PW DOT OED	<p>a. Ongoing</p> <p>b. Ongoing, Assess Annually</p>	<p>a. &amp; b. Since 2011 the City has been awarded over \$134 M in State loans and grants to plan and build parks, transportation infrastructure, affordable housing and more. This total includes \$27.8M awarded to help build two affordable housing developments and sustainable transportation improvements under the Affordable Housing &amp; Sustainable Communities in 2016. 2016 Awards of the Housing Related Parks Program which provides funding for parks near affordable housing developments will be made in 2017. Ongoing eligibility for these grants would not be possible had the City not had a certified Housing Element and regularly submitted Annual Reports to HCD. Staff from Housing, Transportation, Parks, Recreation and Neighborhood Services, Public Works and others continue to coordinate on upcoming AHSC Cap and Trade program applications.</p>

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
17	Work with the private sector to help facilitate the development of affordable homes.	<p>a. Adopt City-wide density bonus ordinance in compliance with updated State law offering specific incentives and concessions to encourage the construction of affordable homes while remaining sufficiently flexible to respond to market conditions across the City.</p> <p>b. Continue to negotiate developer agreements in exchange for "extraordinary benefits" including affordable housing.</p>	PBCE, Housing	<p>a. 2015</p> <p>b. Ongoing</p>	a. City-wide density bonus ordinance incorporating State legislation through effective date of January 2017 is in administrative draft format, and is under review. Targeted for Council hearing by June 2017.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
18	Protect mobile home parks as a source of naturally affordable housing.	a. Explore the efficacy of the existing mobile home conversion requirements and potential updates/responses in order to protect an appropriate supply of mobile homes.	PBCE, Housing	a. 2015-16	a. General Plan text amendments are scheduled for Council hearing in Spring 2017. Zoning Code amendments, and a new City Council Policy to enhance protection of existing mobilehome park residents were approved by Council in February 2016. At that time, Council deferred consideration of proposed General Plan text amendments to enhance goals and policies for protection of mobilehome parks, and directed staff to propose an ordinance for mobilehome park operators that want close mobilehome parks without converting their sites to another use. Staff intends to bring this proposed ordinance with Zoning Code amendments, modifications to Council Policy, and the previously deferred General Plan text amendments to Council in Spring 2017.
19	Facilitate the increase of the supply of legal secondary units.	a. Consider amending the existing secondary unit ordinance to facilitate a larger supply of compact "naturally affordable" homes.  b. Develop and provide informational materials to inform homeowners of the development standards and the process for secondary unit approval and construction.	PBCE, Housing	a. 2015  b. 2015-16	a. The City Council approved a secondary unit ordinance in November 2016. This ordinance loosened existing zoning code regulations and incorporated 2016 changes made to state law.  b. Existing materials have been updated to reflect changes to the regulations.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
20	Continue to ensure that existing redevelopment-assisted housing remains in compliance with long-term restrictions on rents and tenant incomes.	a. Continue to monitor redevelopment assisted homes for compliance with restrictions and other regulations.	Housing	Ongoing	a. The City currently monitors approximately 17,900 units of affordable housing for compliance with affordability restrictions. System capacity to better measure and manage compliance was implemented in CY 2016.
21	Continue to update the City's Zoning Code to facilitate housing at urban densities.	a. Evaluate and revise as appropriate Zoning Code to reduce parking ratios for Emergency Shelters, such as from 1 space for every 4 residents to 1 space for every 10 residents.  b. Evaluate and modify existing or develop new Zoning Code to set appropriate parking ratios for developments in transit-rich or in urban/infill locations.	PBCE	a. 2015-16  b. 2015-17	a. Revisions to the Zoning Code were made in 2016 for parking ratios for Emergency Shelters to allow up to 100% reduction with approval of a Development Permit.  b. Revisions to the Zoning Code were made in 2016 for Secondary Dwelling/Accessory Dwelling unit requirements to allow up to 100% reduction in proximity to transit or car-sharing in urban/infill locations.
22	Assess development application and review process. Consider improvements as needed.	a. Conduct an annual Customer Satisfaction Survey Study to measure satisfaction and to provide insight into how services can be improved.	PBCE	a. Annual Ongoing	a. Based on customer feedback, staff has revised the Department's webpage, simplified applications, and expanded public information hours to make services more user-friendly.

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b>Potential Actions</b>					
23	Facilitate the development of Single Room Occupancy (SRO) buildings.	a. Modernize development standards for Single Room Occupancy (SRO) housing.	PBCE, Housing	a. 2015	a. In process Targeted for Council hearing in 2017.
24	Minimize the impacts of condo-conversions on households.	a. Assess the rate of apartment to condominium conversions and impacts on the rental housing stock to determine if displacement is an issue.  b. If displacement is identified as an issue, explore and establish policies and programs as appropriate to mitigate the potential impact on renters in the event of a condo-conversion.	Housing	a. 2016-17  b. 2017-18	a. Work on this goal has not yet commenced.  b. Work on this goal has not yet commenced.

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b>2. Invest In Activities To End Homelessness</b>					
25	Design, fund, and evaluate outreach, rapid rehousing, and supportive service programs for homeless individuals and families.	a. Continue to fund various nonprofit agencies that provide services to people who are homeless or at risk of becoming homeless. Funding includes but is not limited to programs geared toward preventing and ending homelessness, programs that permanently house homeless households with case management, one-time purchase of capital needs and equipment.	Housing, Santa Clara County, Housing Authority, Destination: Home	a. 2016-2017, Ongoing, Assess Annually	a. The City provided over \$15M in support for outreach, case management, rental subsidies, and other assistance to serve over 1,600 individuals experiencing homelessness.
26	Implement master-lease program to provide transitional housing for homeless people in existing under-occupied hotels.	a. Revise Zoning Code to allow Hotel Supportive Housing as an incidental use to commercial hotels in non-residential zoning districts.  b. Seek funding to begin implementation.	PBCE, Housing	2014	a. Completed in 2014.  b. One site has been identified and funding has been approved. A Conditional Use Permit was also approved to allow for the supportive housing use at the existing hotel site. The City is in the process of identifying additional sites.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
27	Engage in regional homeless coordination, planning efforts, and other initiatives with external partner agencies.	<p>a. In cooperation with the County Destination: Home, and other community partners prepare and implement the new Community Plan to End Homelessness in Santa Clara County that focuses both on chronic homelessness as well as family and youth homelessness.</p> <p>b. Continue work with the County - as the COC applicant - to develop and implement new community-wide standards to ensure compliance for funding associated with the Federal HEARTH Act.</p>	Housing, PBCE, Santa Clara County, Destination: Home	Ongoing	<p>a. City Council supported the passage of County Measure A in November 2016 to add \$950,000,000 of funding locally for affordable housing development, including \$750,000,000 for permanent supportive housing.</p> <p>b. All new service contracts from the City included community-wide standards and metrics as adopted by the CoC. Coordinated assessment was adopted for all chronically homeless clients entering through any City-funded service.</p>
28	Provide an encampment response to abate, prevent, or deter significant encampments that impact the health and safety of the community and homeless individuals.	a. Partner with the Water District and other interested parties to implement a plan to consistently clean up encampments, prevent re-encampments, and responsibly address with the housing needs and belongings of homeless residents.	Housing, PRNS, Police, ESD, Santa Clara Valley Water District	Ongoing	a. The City completed 270 clean-up activities removing approximately 750 tons of debris and hazardous waste from the waterways.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
29	Research and explore potential alternative homeless housing and services options.	<p>a. Examine an array of alternative housing options, including:-tiny homes and other best practice or new housing models.</p> <p>b. Implement overnight safe parking program.</p> <p>c. Implement hotel/motel master leasing and conversion - see goal #26 also</p>	Housing	<p>a. Ongoing</p> <p>b. 2015</p> <p>c. 2015</p>	<p>a. The City supported the passage of a new law AB2176, which is a San Jose specific measure allowing for the creation of interim housing communities.</p> <p>b. The City began an ordinance revision process to allow assembly use facilities to provide temporary overnight shelter through a simplified registration process.</p> <p>c. The City initiated planning for the conversion of twis hotel for the purpose of interim and permanent residential homeless housing.</p>
30	Inform and engage the community around the issue of homelessness and how it impacts the City and its residents.	<p>a. Develop ongoing community outreach through social and print media to provide comprehensive and consistent messaging on current services, outcomes, challenges, and long-term goals.</p>	Housing	Ongoing	<p>a. Staff made presentations at community groups, boards, neighborhood associations, and a variety of other public and private entities on the issues of homelessness and deeply affordable housing.</p>

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b>3. Promote Equitable Development</b>					
31	Facilitate equal access to housing.	<p>a. Update the Assessment of Impediments to Fair Housing.</p> <p>b. Continue to partner with nonprofit organizations to affirmatively further Fair Housing throughout the City.</p> <p>c. Explore opportunities to increase public awareness of and access to fair housing information and resources.</p>	Housing	<p>a. 2015</p> <p>b. Ongoing</p> <p>c. 2015-16</p>	<p>a. The Analysis of Impediments update is anticipated to be completed by Spring 2017.</p> <p>b. In 2016 the City continued to provide CDBG funding to support Fair Housing efforts in San José. In conformance with City policies and best practices the fair housing services were competitively procured to begin a new service funding cycle in July 1, 2016. From January to July of 2016 the existing collaborative of five nonprofit agencies provided a range of fair housing services. From July to the end of December a new consortium of four non-profits began providing fair housing services. During 2016, the two consortiums provided services to 352 individuals and conducted 52 fair housing presentations and 62 fair housing investigations. In addition, partner agencies provided client brief services 148 times and legal representation for clients 89 times. Over 92% of complainants receiving legal services improved the access or availability of housing for their protected category.</p> <p>c. In 2016, the City-funded Fair Housing consortiums provided 52 fair housing presentations to tenants and landlords. Measured by pre and post-training surveys, over 85% of participants reported an increase in familiarity with laws governing fair housing. The City continues to implement its Citizen Participation Plan, to attend community meetings to provide information on housing resources, and to implement its Language Access Plan.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
		d. Review and revise as appropriate Zoning Code definition of Supportive Housing to clarify that Supportive Housing is a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.	Planning Housing	d. 2015	d. The definition of Supportive Housing in the Zoning Code was revised in 2014 and has been reviewed.

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
32	Update the City's dispersion policy to align with the Envision 2040 General Plan.	a. Update the City's existing dispersion policy: 1) to align the location of future affordable housing with residential growth areas identified in the Envision 2040 General Plan; 2) to maximize the access of transit, retail, services, and amenities to affordable housing developments; and 3) to facilitate the development of diverse and complete communities.	Housing	a. 2016	a. Work on this goal has not yet commenced. The City intends to begin this project in fiscal year 2017-2018.

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
33	Protect the affordability of rental homes.	<p>a. Assess the efficacy of the existing rent control ordinance as a tool for preserving the affordability of rental homes and the feasibility of strengthening the program.</p> <p>b. Review Rental Rights and Referral Program to determine opportunities for improvement.</p> <p>c. Secure voluntary agreements for at least 75% of petitions within ordinance-required 30 day period.</p> <p>d. Explore and establish other preservation policies, programs, or tools as appropriate.</p>	Housing	<p>a. 2015-16</p> <p>b. 2015-16</p> <p>c. Ongoing</p> <p>d. Ongoing, Assess Annually</p>	<p>a. Since 2015, the City Council has provided direction to make changes to the existing ARO. In June 2016, an Interim Ordinance was passed reducing the annual allowable rent increase from 8% to 5%, eliminated debt service pass throughs and capital improvement pass throughs and established a Fair Return petition. The Council has directed staff to bring forward an Ellis Act Ordinance (displacement), Tenant Protection Ordinance (retaliatory evictions), and a fully modified ARO. These ordinances will be brought to the City Council for action in 2017.</p> <p>b. See item a above</p> <p>c. In 2016, the City was able to secure voluntary mutual agreements for 79% of the petitions completing the process (excludes pending, withdrawn and ineligible petitions).</p> <p>d. Staff has initiated a preliminary research into potential preservation policies and programs. The City Council will be considering an Ellis Act Ordinance in Spring 2017, providing relocation benefits to displaced tenants living in rent controlled properties.</p>

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b>Potential Actions</b>					
34	Consider proposed policies or ordinances to protect low and moderate income residents in market-rate and deed-restricted affordable housing from displacement.	<p>a. Explore policy requiring tenant relocation benefits so displaced low and moderate income tenants in market-rate housing can find comparable and affordable housing in San Jose.</p> <p>b. Explore other anti-displacement policies or programs, including financing, land use, and acquisition strategies.</p>	Housing	<p>a. 2017-18</p> <p>b. Ongoing</p>	<p>a. Staff conducted research and generated support for the City Council's consideration in Spring 2017 of a new Ellis Act Ordinance. If passed, the Ordinance will provide relocation benefits to tenants if they are displaced from their rent-controlled properties.</p> <p>b. In 2016, staff continued to research best practices on anti-displacement programs and tools. Staff attended a one-day workshop on displacement at the San Francisco Federal Reserve, and is studying literature on gentrification and displacement including a recent report on displacement monitoring published by the University of California, Berkeley. Staff is also studying how the City of San Francisco worked with HUD to implement a neighborhood preference program for newly build affordable housing.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b>4. Create Healthy, Sustainable, Communities and Neighborhoods</b>					
35	Increase the health and resilience of communities	<p>a. Develop partnerships, policies, and programs to increase access to healthy foods and health care resources, especially for lower-income and at-risk communities.</p> <p>b. Explore and establish as appropriate strategies to increase economic opportunities, self-sufficiency, and asset-building for households and communities.</p> <p>c. Explore a "soft story" rehabilitation program to facilitate seismic retrofits of at-risk buildings.</p>	Housing PBCE	<p>a. 2015-17</p> <p>b. Ongoing</p> <p>c. 2015-16</p>	<p>a. In 2016, the City partnered with three Community Based Organizations to provide neighborhood engagement services and leadership development within six targeted neighborhoods. One of the activities being funded through CDBG in 2016 is the Home Grown Talent project which offers lower-income communities education and resources that include food, housing, financial immigration and health resources.</p> <p>b. In 2016 the City selected two nonprofit agencies through its CDBG program to provide services supporting economic opportunities. The first agency conducts outreach to homeless individuals and provides job training and placement. The second agency provides neighborhood engagement and leadership development services which includes economic development resources to residents of lower-income communities. The Housing Department also continues to partner with other City Departments, nonprofits and community leaders to provide a variety of programs and events aimed at linking lower-income residents to job opportunities.</p> <p>c. City staff have conducted initial reasearch to understand how other Cities such as San Francisco and Los Angeles have structured and financed soft story programs. Staff submitted this for consideration under the City Council's policy priority setting process for Fiscal Year 2017/18.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
36	Enhance San Jose's place-based neighborhood strategies.	<p>a. Develop a strategic framework for neighborhood strategies that establishes investment criteria, priorities, goals, and metrics.</p> <p>b. Implement the Community Improvement Program to provide enhanced inspection services to multi-family rental properties to arrest the decline and deterioration of aging housing stock and reduce blighted conditions within lower income neighborhoods within CDBG areas.</p>	Housing PBCE	<p>a. 2015-16</p> <p>b. Ongoing</p>	<p>a. In conjunction with the Place-based Neighborhood Initiative, the Housing Department established guiding principles for neighborhood investment including 1)increasing social capital 2)creating economic resilience and 3)promoting healthy communities. In 2016, the Housing department expanded the targeted neighborhoods to include three new areas adjacent to three major supportive housing developments set to begin construction in 2017-2018.</p> <p>b. The Department Continues to fund enhanced code enforcement inspections in all multi-family apartments in the three current Place-based neighborhoods and other targeted neighborhoods in San Jose. In 2016, Code Enforcement closed out 1,437 cases where correction notices were issued.</p>

**Table C**  
**Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
37	Educate rental property owners on ways to better manage tenants and prevent crime.	a. Organize classes for property owners and managers with instruction provided by a professional property manager, crime prevention specialist, attorney, mediator, and other related experts.	PBCE	Ongoing	<p>a. In November 2015, Code Enforcement initiated a Code Connection Newsletter which offers building safety and code compliance tips to owners and managers. The newsletters are posted on the City's website, and printed newsletters are included in the twice-a-year Residential Occupancy Permit notifications. An electronic version of the newsletter is also sent quarterly to subscribers.</p> <p>b. Code Enforcement offers classes to assist multi-family rental property owners and managers in improving housing conditions using best management practices. Classes are offered in February, March, April, May, September, October and November.</p>

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
38	Continue robust code enforcement.	<p>a. Multiple Housing Inspection Program: this program issues permits of occupancy for all apartments, hotels/motels, guesthouses, residential care facilities, and fraternity/sorority houses. Code Enforcement Inspectors investigate complaints about substandard housing and conduct inspections.</p> <p>b. Vacant Neglected Building Program: this program monitors all identified vacant or neglected buildings so that they remain safe and secure until such time as they are rehabilitated and reoccupied. This proactive program reduces the risk of loitering, illegal occupancy, and fire hazards.</p>	PBCE	Ongoing	<p>a. In January 2015, Code Enforcement implemented a 3-tier service delivery model providing more frequent proactive inspections of buildings with higher risk profiles. Inspections are conducted on a 3-year, 5-year or 6-year inspection cycle. Code Enforcement Inspectors also investigate complaints and ensure that violations are corrected.</p> <p>b. The Vacant Neglected Building Program registers buildings that meet the standards of SJMC 17.38. Staff prepares summary abatements as needed to secure vacant buildings, conducts monthly monitoring site visits and investigates complaints.</p>

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
39	Continue to partner with the Responsible Landlord Engagement Initiative (RLEI).	<p>a. Continue to support the collaboration of landlords, tenants, community leaders, elected officials, service providers and social justice advocates to identify solutions for longstanding issues with crime, safety, nuisance, gang activities, graffiti, abandoned cars, trash and more at residential properties.</p> <p>b. Staff from Rental Rights and Referrals Program will continue to attend RLEI meetings.</p>	NHSSV United Neighborhoods PD PBCE Housing	Ongoing	<p>a. In 2015, the non-profit Housing agency NHSSV ceased operations. The City Housing Department provided financial assistance to facilitate a smooth dissolution and transfer of assets, including City funded loans, loan pools and the RLEI program. Housing Department staff worked with RLEI to revise activity measures and outcomes to accurately measure contract performance and program success. The City's existing grant agreement with RLEI was amended in November 2016 to include the revised performance and outcome measures. The term of the grant agreement ended on December 31, 2016 and the final report is due at the end of January 2017. CDBG funds for public services are currently allocated to other activities and the Housing Department will not be releasing a new Request for Proposals for services such as those provided by RLEI in this fiscal year. In addition, the current RLEI program model does not meet CDBG funding eligibility criteria. Services provided by RLEI are expected to continue at the current level through the end of the fiscal year and RLEI is currently seeking alternative funding for Fiscal Year 17-18.</p>
40	Facilitate residential development that minimizes environmental impacts and operating costs.	<p>a. Monitor availability of funding sources for energy and water efficiency measures.</p> <p>b. Explore alternate bulk energy procurement mechanisms.</p>	Housing	Ongoing	<p>a. Staff has not yet begun work on this item.</p> <p>b. Staff has not yet begun work on this item.</p>

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
41	Maintain the stock of existing owner-occupied homes.	<p>a. Continue to work with nonprofit partners to provide low cost loans for emergency home repairs.</p> <p>b. Continue to provide minor grants and low cost loans for urgent repair needs as funds remain available.</p>	Housing	Ongoing	<p>a. The City continues to close out the pipeline of existing City Administered Housing Rehab Projects. The City anticipates release of a Request for Proposal for an outside agency to implement a Housing Rehab Program.</p> <p>b. In FY 2015-2016 the City contracted with Rebuilding Together Silicon Valley to implement a Minor Repair Grant program. In July 2016 the City extended the program funding and contracted with Habitat for Humanity to also provide minor repair and limited rehab services. While Habitat is ramping up to provide services in 2017. Rebuilding Together provided repairs to 261 lower-income homes in San Jose.</p>
42	Continue to support financial literacy programs for potential homebuyers as funds remain available.	a. Continue to work with nonprofit organizations to educate homebuyers.	Housing	Ongoing	Financial literacy classes for first-time homebuyers are offered through Project Sentinel, which the City funds. In CY 2016, 830 residents attended the classes.
43	Continue to assist low- and moderate-income first-time homebuyers as funds remain available.	a. Originate 5 BEGIN second mortgages per year pending funding availability.	Housing	Ongoing	In CY 2016, the City assisted 36 homebuyers with \$3,710,844 in loans using State funds in the BEGIN and CalHOME programs and revenue derived from the City's Inclusionary Housing program.

**Table C  
Program Implementation Status**

	Goal	Action/Programs	Entity	Time-frame	Program Status (CY 2016)
<b>Potential Actions</b>					
44	Explore providing design guidance for convenient site accessibility for residents, workers, and visitors.	<p>a. Explore utilization of existing accessible homes.</p> <p>b. Explore partnership with organizations that provide outreach to disabled persons.</p> <p>c. Explore ways to encourage site accessibility design in residential development.</p>	Housing PBCE	Ongoing, Assess Annually	<p>a. Staff has not yet begun work on this item</p> <p>b. Staff has not yet begun work on this item</p> <p>c. Not started due to the Department's priority on funding and creating new housing opportunities for homeless households.</p>

**HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY ANNUAL REPORT**

**REGARDING THE**

**LOW AND MODERATE INCOME HOUSING ASSET FUND**

**FOR FISCAL YEAR [2015-16]**

**PURSUANT TO**

**CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f)**

**FOR THE**

**CITY OF SAN JOSÉ**

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f) and is dated as of FEBRUARY 4, 2017. This Report sets forth certain details of the housing activities of the City of San Jose, successor to the former Redevelopment Agency of the City of San Jose during Fiscal Year 2015-16. The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

The following Report is based upon information prepared by Housing Successor staff and information contained within the independent financial audit of the Low and Moderate Income Housing Asset Fund CITY OF SAN JOSÉ COMPREHENSIVE ANNUAL FINANCIAL AUDIT for Fiscal Year 2015-16 as prepared by GRANT THORTON LLP, which Audit is separate from this annual summary Report; further, this Report conforms with and is organized into sections I. through XI., inclusive, pursuant to Section 34176.1(f) of the Dissolution Law:

**I. Loan Repayments:** The amount the city, county or city and county received pursuant to subparagraph (A) of paragraph (3) of subdivision (b) of Section 34191.4.

**II. Amount Deposited into LMIHAF:** This section provides the total amount of funds deposited into the LMIHAF during the Fiscal Year. Any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) must be distinguished from the other amounts deposited.

**III. Ending Balance of LMIHAF:** This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year. Any amounts deposited for items listed on the ROPS must be distinguished from the other amounts deposited.

**IV. Description of Expenditures from LMIHAF:** This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized.

**V. Statutory Value of Assets Owned by Housing Successor:** This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts.

**VI. Description of Transfers:** This section describes transfers, if any, to another housing successor agency made in previous Fiscal Year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.

**VII. Project Descriptions:** This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.

**VIII. Status of Compliance with Section 33334.16:** This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.

**IX. Description of Outstanding Obligations under Section 33413:** This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012 along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency and how the Housing Successor's plans to meet unmet obligations, if any.

**X. Income Test:** This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for five year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. However, reporting of the Income Test is not required until 2019.

**XI. Senior Housing Test:** This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former redevelopment Agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former Redevelopment Agency and its host jurisdiction within the same time period. For this Report the ten-year period reviewed is January 1, 2006 to January 1, 2016.

**XII. Excess Surplus Test:** This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.

### **XIII. Homeownership Units:**

An inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund pursuant to subdivision (f) of Section 33334.3. This inventory shall include all of the following information:

(A) The number of those units.

(B) In the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012, and the reason or reasons for those losses. For all subsequent reports, the number of the units lost to the portfolio in the last fiscal year and the reason for those losses.

(C) Any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.

(D) Whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.

This Report is to be provided to the Housing Successor's governing body by April 1, 2017. In addition, this Report and the former redevelopment agency's pre-dissolution Implementation Plans are to be made available to the public on the City's website <http://www.sanjoseca.gov/index.aspx?nid=1302>.

### **I. Loan Repayment**

The City did not receive any amount pursuant to subparagraph (A) of paragraph (3) of subdivision (b) of Section 34191.4.

### **II. AMOUNT DEPOSITED INTO LMIHAF**

A total of \$52,925,600 of program income from loan repayments was deposited into the LMIHAF during the Fiscal Year. Of the total funds deposited into the LMIHAF, zero dollars were held for items listed on the ROPS.

### **III. ENDING BALANCE OF LMIHAF**

At the close of the Fiscal Year, the ending balance in the LMIHAF was \$91,656,629 of which zero dollars are held for items listed on the ROPS.

**IV. DESCRIPTION OF EXPENDITURES FROM LMIHAF**

The following is a description of expenditures from the LMIHAF by category:

	<b>Fiscal Year</b>
Monitoring & Administration Expenditures	<b>\$8,880,157</b>
Homeless Prevention and Rapid Rehousing Services Expenditures	<b>\$590,571</b>
Housing Development Expenditures	
☑ Expenditures on Low Income Units	\$535,488
☑ Expenditures on Very-Low Income Units	\$5,336,085
☑ Expenditures on Extremely-Low Income Units	<u>\$2,062,367</u>
☑ Total Housing Development Expenditures	<b>\$7,933,940</b>
Total LMIHAF Expenditures in Fiscal Year	<b>\$17,404,668</b>

Senate Bill 341 allows for 5% of the total \$646,542,103 gross value of Housing Successor assets, or \$32,327,105 to be used on monitoring and administrative expenditures. The housing department continues to monitor expenditures from the LMIHAF. Council has approved a \$103.5 million Housing Investment Plan, of which \$21.2 million is committed to fund new projects in the coming fiscal year.

**V. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR IN LMIHAF**

Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer schedule approved by the Department of Finance as listed in such schedule under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purchase price of property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

The following provides the statutory value of assets owned by the Housing Successor.

	<b>As of End of Fiscal Year</b>
Statutory Value of Real Property Owned by Housing Successor	\$35,641,003
Value of Loans and Grants Receivable	\$519,244,471
Total Value of Housing Successor Assets	\$554,885,474

**VI. DESCRIPTION OF TRANSFERS**

The Housing Successor did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year.

**VII. PROJECT DESCRIPTIONS**

The Housing Successor does not receive or hold property tax revenue pursuant to the ROPS.

**VIII. STATUS OF COMPLIANCE WITH SECTION 33334.16**

Section 34176.1 provides that Section 33334.16 does not apply to interests in real property acquired by the Housing Successor on or after February 1, 2012; however, this Report presents a status update on the projects related to such real property.

With respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the Finance Department approved the property as a housing asset in the LMIHAF; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, the Housing Successor must initiate activities consistent with the development of the real property for the purpose for which it was acquired within five years of the date the DOF approved such property as a housing asset. For San José, the date of Finance’s approval was March 14, 2013.

Address of Property	Date of Acquisition	Deadline to Initiate Development Activity	Status of Housing Successor Activity
Playa Almaden (aka Sycamore Terrace)	02/16/96	3/13/2018	Previously-identified developer could not obtain community support for its proposed development. City worked with another public agency on a proposed land transaction in 2016 but the agency did not progress quickly on advancing the proposal. In 2017, the City expects to contract with an affordable housing developer to advance development or will sell the site.
Evans VTA (aka Willow Glen Woods)	12/31/02	3/13/2018	The City issued an RFP in early 2016 for a developer to create an interim housing community on this site. Abode Services was selected and in March 2016, the City awarded predevelopment funds to pursue site design. Abode Services and the City will continue to work on site design and nearby security enhancements to support development in 2017-18.
E side Evans Lane (aka Willow Glen Woods)	06/30/05	3/13/2018	See Evans Lane VTA description.
Vermont House	06/30/09	3/13/2018	In June 2016, City staff closed a Conditional Grant for rehabilitation and a Lease of this City-owned property to Abode Services, an owner and developer of supportive housing. Once rehabilitation completed, Vermont

			House will provide permanent supportive housing for 16 homeless veterans pursuant to its award of VASH vouchers from the Housing Authority of the County of Santa Clara. Abode Services began overseeing property rehabilitation using Grant funds in June 2016. Rehabilitation is expected to complete and units be occupied by mid-2017.
<b>COMPLETED:</b>			
The Haven	06/30/08	3/13/2018	This is currently being managed by a nonprofit agency (LifeMoves, f.k.a. InnVision) as a shelter for fire victims. Income-eligible residents occupy the adjacent apartment.
Japantown Seniors	05/03/10	3/13/2018	Construction on this 75-unit seniors' development completed in late 2015, and it converted to its permanent financing phase in August 2016. All apartments are occupied by income-eligible residents. The City holds the site fee simple and has a groundlease to the development.
Brookwood Terrace	03/01/09	3/13/2018	Construction on this 84-unit family development started in March 2010 and completed in January 2012. The City holds the site fee simple and has a groundlease to the development. The development is in its permanent financing phase and units are occupied by income-eligible residents.
North Fourth Street	05/21/10	3/13/2018	Construction on this 100-unit development started in July 2010 and completed in June 2012. The development includes 35 apartments for developmentally disabled residents. The City owns the site fee simple and has a groundlease to the development. It is in its permanent financing phase and units are occupied by income-eligible residents.
Orvieto Family	03/01/09	3/13/2018	Construction on this 92-unit family development started in September 2010 and completed in August 2012. The City owns the site fee simple and has a groundlease to the development. The development is in its permanent financing phase and its units are occupied by income-eligible residents.

**IX. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413**

Replacement Housing: According to the 2010-14 REDEVELOPMENT AGENCY CITY OF SAN JOSÉ FIVE YEAR Implementation Plan for the former redevelopment agency, no Section 33413(a) replacement housing obligations were transferred to the Housing Successor. The former redevelopment agency's Implementation Plans are posted on the City's website at <http://www.sanjoseca.gov/index.aspx?nid=1302>.

**Inclusionary/Production Housing.** According to the [2010-14 REDEVELOPMENT AGENCY CITY OF SAN JOSÉ FIVE YEAR] Implementation Plan for the former redevelopment agency, no Section 33413(b) inclusionary/production housing obligations were transferred to the Housing Successor. The former redevelopment agency's Implementation Plans are posted on the City's website at <http://www.sanjoseca.gov/index.aspx?nid=1302>.

**X. EXTREMELY-LOW INCOME TEST**

Section 34176.1(a)(3)(B) requires that the Housing Successor must require at least 30% of the LMIHAF to be expended for development of rental housing affordable to and occupied by households earning 30% or less of the AMI. If the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year report, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement. This information is not required to be reported until 2019 for the 2014- 2019 period.

**XI. SENIOR HOUSING TEST**

The Housing Successor is to calculate the percentage of units of deed-restricted rental housing restricted to seniors and assisted by the Housing Successor, the former redevelopment agency and/or the City within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted by the Housing Successor, the former redevelopment agency and/or City within the same time period. If this percentage exceeds 50%, then the Housing Successor cannot expend future funds in the LMIHAF to assist additional senior housing units until the Housing Successor or City assists and construction has commenced on a number of restricted rental units that is equal to 50% of the total amount of deed-restricted rental units.

The following provides the Housing Successor's Senior Housing Test for the 10-year period of 2006-07 through 2015-16:

<b>Senior Housing Test</b>	<b>2006-07 THROUGH 2015-16</b>
# of Assisted Senior Rental Units	882
# of Total Assisted Rental Units	5,742
Senior Housing Percentage	15%

**XII. EXCESS SURPLUS TEST**

Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor’s preceding four Fiscal Years, whichever is greater.

The following provides the Excess Surplus test for the preceding four Fiscal Years:

	<b>FY 2012/13</b>	<b>FY 2013/14</b>	<b>FY 2014/15</b>	<b>FY 2015/16</b>
Beginning Balance	\$35,931,342	\$21,690,915	\$31,022,879	\$54,514,011
Add: Deposits	16,670,472	15,753,640	34,263,818	52,925,600
(Less) Expenditures	(30,910,899)	(6,421,676)	(10,772,686)	(15,782,982)
(Less) Encumbrances	N/A	N/A	N/A	(2,639,106)
Unencumbered Balance	\$21,690,915	\$31,022,879	\$54,514,011	\$89,017,523

The LMIHAF does not have an Excess Surplus. The aggregate amount deposited into the account during the four Fiscal Years is \$119,613,530. The unencumbered amount of \$89,017,523 does not exceed the aggregate amount deposited.

**XIII. HOMEOWNERSHIP UNITS**

The Housing Successor is to provide an inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former redevelopment agency’s investment of moneys from the Low and Moderate Income Housing Fund pursuant to subdivision (f) of Section 33334.3.

A. Number of Homeownership Units as of 6/30/16

Number of Homeownership Units	565
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B. Homeownership Units lost after February 1, 2012

Units Lost	Reason for Loss
213	Loans paid off
21	Loans written off due to foreclosure or short sale

C. \$14,171,684 of single family loan funds were returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund

D. The housing successor has contracted with an outside entity for the management of the single family homeownership loans. The name of the entity is AmeriNational services (ACS).