



## APPENDIX G

# Public Engagement and Input

The City of Milpitas understands how crucial community input is in identifying and addressing housing needs through its Housing Element Update process. Community members—residents, businesses, visitors, and others alike—offer unique knowledge, perspectives, and experiences navigating housing in the city. Their local knowledge and lived experience are necessary for informing and guiding the production, location, and preservation of housing in the city. The City created and executed a public participation plan to ensure that community members and other stakeholders had a diversity of opportunities to share their opinions and participate at every stage of the Housing Element Update process.

This Appendix provides a detailed overview of the Public Participation plan, process, and outcomes of the 6<sup>th</sup> Cycle of the Housing Element for the City of Milpitas. The findings from each engagement activity informed and shared the development of the Housing Element Update.

# Housing Element State Requirements

The State has made changes in its legislation since the last Housing Element cycle (fifth) to require more deliberate consideration of populations who have historically been excluded from the planning processes and ways to encourage participation. Specifically, Government Code 65583(c)(7) states to: “Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.” The California Department of Housing and Community Development also has guidance regarding Affirmatively Furthering Fair Housing stating that engagement must be “proactively and broadly conducted through a variety of methods to assure access and participation.”

The City of Milpitas reflected these changes in its Public Engagement plan to ensure that it was proactively and broadly reaching and involving all segments of its community in the developing of the Housing Element.

The City had to also accommodate challenges to engagement presented by the ongoing COVID-19 pandemic. The City incorporated the following measures to ensure that engagement was safe while remaining accessible to ensure the greatest level of participation from all segments of the community.

- **Digital Communication Channels.** Leveraged city social medial channels (i.e., NextDoor, Facebook, Twitter), email listservs, electronic/email and printed newsletters, and the project website.
- **In-Person Events.** Held pop-up events to meet people where they were, including in frequented locations across the city such as the Great Mall and the public library.
- **Interpretation, Translation, and Technical Support.** Offered interpretation in Spanish, Vietnamese, and Mandarin and technical support during workshops, and translation of materials, including flyers, infographics, fact sheets, and surveys, to Spanish, Vietnamese, and Chinese simplified, shared digitally and in person at pop-up events.
- **Stakeholder Interviews.** Conducted more in-depth interviews with stakeholders of interest, specifically stakeholders representing advocates for the unhoused, businesses, the City, housing advocates in the nonprofit sector, nonprofit and for-profit developers, residents, and groups working with youth and families (particularly Hispanic/Latinx and Asian/Asian American). These interviews provided an opportunity to reach out in a more targeted way and elevate the voices of those that have not been historically represented in planning processes, such as the Hispanic/Latinx and Asian/Asian American communities, groups working with youth and families, and advocates for the unhoused.

# Community Engagement Goals

The City of Milpitas set goals for its engagement effort to be systematic and inclusive. Its key goals were:

- Engaging a broad range of community stakeholders at key points in the process;
- Using a variety of interactive activities and communication tools to receive public input;
- Keeping the public well-informed throughout the process;
- Building community ownership of the plan; and
- Developing capacity for community leaders.

City staff and consultant team intently listened, informed, and translated the community's and stakeholders' viewpoints and vision, and continually reported back on how the information gathered would be shared and applied.

# Summary of Outreach and Engagement Activities

The table below summarizes the different engagement activities and outreach methods used throughout the Housing Element Update process.

**TABLE G-1: SUMMARY OF OUTREACH AND ENGAGEMENT ACTIVITY BY TYPE OF ACTIVITY**

Method or Activity	Time Period	Purpose	Translation / Interpretation Provided	Participation Metrics
<b>Outreach Methods</b>				
Project website	Ongoing	Provide clear two-way communication and the common thread throughout the engagement process, connecting the community to project updates and deliverables, upcoming events, and meeting summaries.	Google translate embedded	651 total visits and 405 unique visitors between March 6, 2022 and July 10, 2022.
Social media channels	Ongoing	Maintain open lines of communication and provide updates and announcements of upcoming engagement opportunities through posts on NextDoor, Facebook, and Twitter.		Facebook has 4,300 followers, Twitter 1,892, and NextDoor 22,393.
Electronic / email and printed newsletter, and other email lists	Ongoing	Provide updates and announcements of upcoming engagement opportunities through the City's bi-weekly e-newsletter Milpitas Matters and the printed quarterly newsletter Connected, and the Milpitas Chamber of Commerce (twice per week) and Milpitas Office of Economic Development email newsletters and listservs.	<a href="#">Spanish</a> , <a href="#">Vietnamese</a> , <a href="#">Chinese simplified</a>	Milpitas Matters and Connected reach 4,198 and 24,500 community members, respectively. The Milpitas Chamber of Commerce and Milpitas Office of Economic Development email newsletters go out to about 3,000 people and over 4,000 people, respectively. The stakeholder list included close to 300 people.



Flyers	Ongoing	Promote upcoming engagement opportunities (e.g., workshop, survey) both digitally and printed out to place in locations such as the community center, senior center, public library, City Hall permit center, ADU workshops, and 171 units at Sunnyhills apartments.	<a href="#">Spanish</a> , <a href="#">Vietnamese</a> , <a href="#">Chinese</a> <a href="#">simplified</a>	
Direct email / phone communication	Ongoing	Maintain open lines of communication through an email address and phone number dedicated to this project and housing issues overall.		
<b>Engagement Activity</b>				
Stakeholder interviews	Mid-February 2022 - early May 2022	Hear from representatives of community groups, business leaders, advocacy organizations and community leaders early in the engagement process to help identify key housing needs, assets, and opportunities. To ensure that multiple perspectives are represented, focus group meetings will be held with community members that represent a range of socio-demographic backgrounds not traditionally involved in the Housing Element process.		31 representatives from 20 organizations representing seven diverse groups: advocates for the unhoused, businesses, the City, housing advocates in the nonprofit sector, nonprofit and for-profit developers, residents, and groups working with youth and families (particularly Hispanic/Latinx and Asian/Asian American)
City Council and Housing Subcommittee meetings	June 7, 2022, <a href="#">August 22, 2022</a> , <a href="#">September 20, 2022</a>	Gather input and provide direction from key decision-makers. <ul style="list-style-type: none"> <li>• <a href="#">June 2022 – Key issues and opportunities</a></li> <li>• <a href="#">August 2022 – Draft Housing Plan</a></li> <li>• <a href="#">September 2022 – Public Review Draft Housing Element</a></li> </ul>	<a href="#">Vietnamese offered on September 20, 2022 for the Public Draft Housing Element</a>	
<a href="#">Planning Commission</a>	<a href="#">August 31, 2022</a>	<a href="#">Gather input and provide direction from Planning Commission on the Public Review Draft Housing Element.</a>		
Community Development	March 17, 2022, June 16,	The City of Milpitas hosts a Community Development Roundtable		About 10 participants,

Roundtable meetings	2022, and September 16, 2022	every month to connect with key developers. Share updates and gather feedback at key points of the process, including on housing constraints, goals, and programs. Feedback from these meetings was incorporated into the summary of stakeholder interviews.		including city officials and developers.
<b>Phase 1: Housing Assets, Issues, and Opportunities</b>				
Survey #1: Housing assets, issues, and opportunities	March 9, 2022-April 30, 2022	Provide convenient access to the planning process by hosting interactive online surveys where community members can share their thoughts, in this case on housing assets, issues, and opportunities, at their own pace and when it is most convenient for them.	Spanish, Vietnamese, Chinese simplified	62 respondents
Community workshop #1: Housing assets, issues, and opportunities	March 14, 2022	The main purpose of workshops is to have a dedicated space and ample time for in-depth engagement and feedback at crucial stages of the Housing Element Update development, in this case on housing assets, issues, and opportunities.	Spanish, Vietnamese, Mandarin	25 participants
Pop-up event #1: City Earth Day event	April 23, 2022	Meet people at times and popular locations that are most convenient for everyone, in this case, an Earth Day event hosted by the City.	Materials, including survey #1, provided in Spanish, Vietnamese, Chinese simplified	Gathered people's perspectives on housing needs, assets, and opportunities as they stopped by our table to learn about the project.
<b>Phase 2: Housing Locations and Programs</b>				
Survey #2: Housing locations and programs	June 24, 2022 - July 31, 2022	Provide convenient access to the planning process by hosting interactive online surveys where community members can share their thoughts, in this case on housing locations and programs, at their own pace and when it is most convenient for them.		194 respondents
Community workshop #2	June 28, 2022	The main purpose of workshops is to have a dedicated space and ample time for in-depth engagement and feedback at crucial stages of the Housing Element Update development, in this case on housing locations and programs.	Spanish, Vietnamese, Mandarin	23 participants

Pop-up event #2: Great Mall	June 25, 2022	Meet people at times and popular locations that are most convenient for everyone, in this case, the Great Mall.	Materials provided in Spanish, Vietnamese, Chinese simplified	Gathered people’s perspectives on potential new housing locations and on existing housing programs and ideas for new ones as they stopped by our table to learn about the project.
Pop-up event #3: Main Library	July 30, 2022	Meet people at times and popular locations that are most convenient for everyone, in this case, the Main Library.		
Phase 3: Draft Housing Element Review				
Survey #3	August 31 - September 30, 2022	Pending, to be filled in after Phase 3 is completed in September 2022.		
Community workshop #3	September 13, 2022	The main purpose of workshops is to have a dedicated space and ample time for in-depth engagement and feedback at crucial stages of the Housing Element Update development, in this case on prioritizing the housing programs by theme.	<a href="#">Spanish</a> , <a href="#">Vietnamese</a> , <a href="#">Mandarin</a>	48 participants
Pop-up event #4: Great Mall Farmers’ Market	September 18, 2022	Meet people at times and popular locations that are most convenient for everyone, in this case, the Great Mall Farmers’ Market.		Gathered people’s perspectives on housing programs, ways to prioritize them, and ideas for new ones as they stopped by our table to learn about the project.
<a href="#">Seven-day public commenting period</a>	<a href="#">December 30, 2022 - January 6, 2023</a>	<a href="#">After receiving HCD comments on the Housing Element Draft, the team will address HCD’s feedback and release a revise draft for public commenting for a period of seven days from December 30, 2022 to January 6, 2023.</a>		

# Fair Housing Engagement

In addition to the community engagement activities, the Lawyers' Committee for Civil Rights Under Law conducted outreach and engagement related to fair housing issues in Milpitas and the region as a whole.

Over the fall of 2021 and the winter of 2022, the City conducted virtual stakeholder interviews with eight organizations based in Milpitas and the broader Silicon Valley region. The outreach was targeted to organizations representing members of protected classes, including persons with disabilities and communities of color, along with groups working in various aspects of the housing and social services sector. Those groups are listed below. Extensive regional community engagement conducted in the fall of 2019 and the winter of 2020 for the Santa Clara County Regional Assessment of Fair Housing also informed the drafting of this Assessment for the City of Milpitas. In addition to over 30 stakeholder interviews, that outreach process included community meetings and focus groups held across Santa Clara County and extensive engagement with industry groups and trade associations. Over the course of the process of drafting the Assessment of Fair Housing, members of the public have been able to submit input by email. Organizations consulted included:

- Abode HEAT Team
- Health Trust
- India Community Center
- NovaWorks
- PRAGNYA
- Project Sentinel
- Rebuilding Together Silicon Valley
- WeHope

The Assessment of Fair Housing will be updated to include a summary of comments received in the community participation process and the reasons for non-acceptance of any comments after the conclusion of the public review process. Input obtained through the stakeholder engagement and community outreach processes that occur in concert with the development of the Assessment of Fair Housing generally do not take the form of formal public comments.

# Community Engagement Activities

## Stakeholder Interviews

### OUTREACH

Outreach was conducted via direct emailing and calling based on a list over 100 stakeholders of interest. The meetings were all conducted in English and took place from mid-February 2022 to early March 2022.

### PURPOSE

To gain insight into the housing perspectives of a diversity of community members in Milpitas, the Consultant Team conducted a series of stakeholder interviews with participants representing advocates for the unhoused, businesses, the City, housing advocates in the nonprofit sector, nonprofit and for-profit developers, residents, and groups working with youth and families (particularly Hispanic/Latinx and Asian/Asian American). Another key purpose of these interviews was to reach and elevate the voices of those that have not been historically represented in planning processes. These groups include the Hispanic/Latinx and Asian/Asian American communities, groups working with youth and families, and advocates for the unhoused.

### PARTICIPATION

A total of 31 representatives participated in the stakeholder interview process. They were affiliated with 20 organizations, listed below, representing advocates for the unhoused, businesses, the City, housing advocates in the nonprofit sector, nonprofit and for-profit developers, residents, and groups working with youth and families (particularly Hispanic/Latinx and Asian/Asian American). Feedback from meetings with the Community Development Roundtable is also integrated into this summary.

- Abode Services
- Bay Area BIA (Building Industry Association)
- Blach Construction Company
- Charities Housing
- Clear Peak Development
- Core Companies
- Destination Home
- Milpitas Homeless Task Force
- Hope for the Unhoused
- Milpitas City Council (Mayor, Vice Mayor, Councilmember)
- MidPen Housing
- Milpitas Chamber of Commerce
- Milpitas Community Advisory Commission Members
- Milpitas Unified School District
- Project Sentinel
- Sullivan Land Development
- SV@Home
- WeHope Dignity on Wheels
- YIMBY Law

## INTERVIEW QUESTIONNAIRE

Interviewees were asked the following questions over the course of an hour.

### GENERAL QUESTIONS

1. Could you please describe your role in your profession and/or your community, and how it ties to housing work?
2. Are you familiar with a Housing Element?
3. What do you consider to be Milpitas's housing successes?
  - a. In what respect is the right housing available to the diversity of Milpitas residents?
4. What concerns you about housing in Milpitas?
  - a. In what ways are residents' housing needs not being met? Such as, for certain income groups? In certain neighborhoods? For people with special needs?
  - b. What do you think are the greatest barriers or constraints that are preventing those needs from being addressed?
5. Where in the city do you think more or different types of housing should be built? Are there any sites that you think are particularly well-suited for new or additional housing?
6. What type of housing would you say is primarily missing or needed in Milpitas?

### DEVELOPER-SPECIFIC QUESTIONS

1. Have you built below market rate housing? (question for non-profits) Have you built any below market rate inclusionary units? (question for for-profits)
  - a. If not, why not and what did you do instead (in-lieu fees)?
  - b. If so, what local and state policies, incentives, or programs help make it possible?
  - c. Likewise, what policies or barriers make it difficult or infeasible?
2. Have you built housing for seniors or others with special needs (such as persons with disabilities)?
  - a. If not, why not?
  - b. If so, what local and state policies, incentives, or programs help make it possible?
  - c. Likewise, what policies or barriers make it difficult or infeasible?
3. What are the biggest challenges facing your organization to build housing?

### NON-PROFIT DEVELOPER-SPECIFIC QUESTIONS

1. What is your mission and focus?
2. How can the Housing Element help advance your mission?
3. What are the biggest challenges you face when building housing projects in Milpitas?

### REAL ESTATE PROFESSIONAL-SPECIFIC QUESTIONS

1. Who is moving into Milpitas, and why do you think?
  - a. What types of housing are they looking for?
  - b. What do you think influences their choices?
2. Who is leaving Milpitas, and why do you think?
3. What is the trend in commercial leasing and the factors affecting this trend?
  - a. Has COVID impacted this trend?
  - b. If so, to what extent do you think it will be permanent?
4. Do you think there are (or do you know of) any commercial or industrial sites that would be appropriate for mixed use or residential development?
  - c. Which ones, and why?

5. Do you think there are (or do you know of) any opportunities for converting office or industrial to residential?

#### ADVOCACY/COMMUNITY-BASED ORGANIZATION-SPECIFIC QUESTIONS

1. What is your mission and focus?
2. How can the Housing Element help advance your mission?
  - a. What issues or concerns would you like to see addressed?

#### COMMUNITY ENGAGEMENT QUESTIONS

1. How do you get information about what is going on in your community?
  - a. Is there someone you know who does a neighborhood blog, social media page or bulletin board, etc.?
  - b. Who are the community leaders who you pay attention to? Such as, a business association or neighborhood business leader? A political leader? A “community connector”?
2. When you have questions or concerns about your community or the city, who would you bring your concerns and ideas to?
3. How do you typically hear about city projects and events?
4. Of the following, which are your preferred ways of receiving information?
  - a. Mail
  - b. Email
  - c. Phone calls
  - d. Text messages
  - e. Social media – which ones?
  - f. Television ads
  - g. Website ads
  - h. Letters/post cards
  - i. Other (Please specify)
5. We will be hosting meetings during this project. Would you prefer virtual or in-person meetings?
  - a. If in-person, do you have any suggested locations?

#### CLOSING QUESTIONS

1. Do you have any suggestions on who else we should talk to as part of this process? (If appropriate, ask if they know of groups representing or advocating for low-income communities and communities of color.)
2. Are there any other comments, suggestions or concerns you would like to add before we wrap up?

#### SUMMARY

A full summary by stakeholder group can be found on the project website.

#### HOUSING STRENGTHS

##### AFFORDABLE HOUSING

- City has tapped into county bonds and utilized land opportunities to tap into the County’s Measure A.

- Affordable housing ordinance
  - Commercial impact fee included helps with funding.
  - Harder for developers to pay an in-lieu fee instead of building affordable units.

#### NEW DEVELOPMENT

- Planning and approval of new housing development has improved.
- Formal approval of California Circle project with substantial housing designates as affordable for low- and moderate-incomes.
- Planning grant for opportunity zones to increase density in residential areas and introduce residential and mixed use in shopping sites.
- ADUs
  - ADU Monday has been a very successful model.
  - City staff got a \$850k grant for an ADU toolkit that walks planners through the entire process.
  - An online tool will be available for knowing if your location allows for attached or detached ADU, and potential costs depending on square footage.
  - Incentive and legalization programs.

#### CITY SERVICES

- Rent relief program has been a success.

#### LEGISLATION

- SB 35 helped expedite construction.
- SB9 will allow for split lots and duplexes.
- AB 2097 reduces parking, especially on sites close to transit, will allow to build more units.

#### HOUSING WEAKNESSES

##### HOMELESSNESS

- Needs to be addressed more holistically, such as:
  - Trust building through case management
  - Temporary financial assistance
  - Resources for people to clean their records, which is required to get a housing voucher
  - Shelter and soup kitchen, which the city currently does not have
  - Prevention focus
- More funding for nonprofits supporting this population.
- Requires regional collaboration but that also restricts city control (e.g., Home Key is county-funded so cannot have a say who goes into supportive housing).

##### SPECIFIC GROUPS

- Affordable housing needs to be accessible and provide on-site services for those with disabilities.
- Need for assisted living for the senior population.
- Essential workers (e.g., teachers, police, first responders, service industry workers) can no longer afford to live here.

##### HIGH HOUSING COSTS

- The city has lost affordable housing:
  - Rents continue to increase.
  - Few permits are allocated to lower income housing.
  - Some affordable housing has become market-rate.
- Consequences include:
  - Overcrowding



- Younger generations not being able to stay
- Homeownership becoming unattainable
- Lower income people being pushed out
- More people at risk of becoming unhoused
- Relate to other needs that are also rising in cost (e.g., food, clothes, daycare).

#### DEVELOPMENT CONSTRAINTS

- [New development](#) can put a strain on existing infrastructure.
- City staffing shortages delay process.
- Uncertainty is created by community and political objections to affordable housing.
- Nonprofit developers have a hard time developing mixed-use projects. Any serious amount of retail makes it very hard, but around 1,000 square feet of retail can be accommodated.
- Dispersing inclusionary units reduces financial feasibility.
- Other barriers:
  - Fees
  - High land cost
  - Very little subsidy
  - Construction costs (requirements related to labor and wage add to cost and increase complexity of projects.)

#### NEW DEVELOPMENT

- Focused on smaller units which helps increase supply but does not help larger families and other groups with specific needs.
- No extra land to develop.
- Integrate better with other uses and services (e.g., shopping, food, school, transportation).
- Program 2, Replacement Housing, may not necessarily incentivize new development if rents remain at the same price.

#### HOUSING IDEAS AND OPPORTUNITIES

##### ZONING CHANGES

- Allow for homeless and rehab shelters.
- Eliminate barriers to build ADUs, such as allowing garage conversion.
- Legalize Missing Middle Housing.

##### TRANSIT-ORIENTED AND MIXED-USE DEVELOPMENT

- Housing should be integrated in commercial areas.
- Build more densely to also encourage walking and reduce traffic congestion.

##### EDUCATION

- Housing program for landlords to be aware of state laws
- Language access

##### LOOKING ELSEWHERE

- Mountain View's Housing Plan for \$80 million for housing development up to six projects (including supportive housing).
- Fremont has had rent review since 1997 and amended it in 2018 to require landlords to register and pay fees (if five or more units). It helps to track termination of tenancy and the reasons why
- San Jose's affordable housing program.
- Mountain View's program with office hours where housing staff provides counseling and education for people facing rental issues.

- Fremont has collected in lieu fees and built affordable housing elsewhere. The City should consider these fees, as they can accommodate more units using those funds than on-site affordable housing development.

# City Council and Housing Subcommittee

## PURPOSE

The Milpitas City Council and Housing Subcommittee addressed the Housing Element Update during meetings held on June 7<sup>6</sup>, 2022, [August 22, 2022](#), [September 20, 2022-XX](#); ~~[other dates to be added as scheduled in the future]~~. During the City Council meetings, City staff and the consultant team provided information to the City Council and the general public on the Housing Element Update process and requirements. City staff and the consultant team responded to questions and received feedback and direction from the Council. The City Council meetings provided an opportunity for appointed and elected officials and for the general public to comment on the Housing Element Update. City Council meetings were held virtually due to Covid restrictions.

## PARTICIPATION

Members of the City Council are:

- Mayor Rich Tran
- Vice Mayor Carmen Montano
- Councilmember Evelyn Chua
- Councilmember Karina R. Dominguez
- Councilmember Anthony Phan

## SUMMARY

### HOUSING AFFORDABILITY

- The City is lacking affordable housing at all levels. Council will look closely at the level of affordability since they rushed to approve affordable housing without focusing on affordability levels.
- Robson Homes as a case for higher level of affordability

### CONSTRAINTS

- There is a lot of opportunity to redevelop around BART but funding is an issue.
- The City needs to do a self-evaluation on how to expedite application to approval process of new development.
- Housing needs to be balanced with commercial and industrial as the City relies on property taxes to sustain itself.
- Middle-income households are getting pushed out. Housing needs to be linked to jobs and employment opportunities, as well as to first homebuying programs.

### IDEAS AND OPPORTUNITIES

- Look into state-level funding for opportunities to fund affordable housing.
- Take the Inclusionary Housing Ordinance into account when allocating affordable housing and ADUs across the city, including in older neighborhoods.
- Can designate Milpitas as a “pro-housing” city, which requires the Housing Element to address the following to have a favorable score and be considered for HCD funding resources:

- Favorable zoning and land use
- Parking requirement
- Accelerated housing production timeframes
- Documented practice
- ADUs priority permitting
- Impact fee waiver or reductions
- Promoting innovating housing types
- Reducing costs
- Providing financial subsidies
- Pre-approved or prototype plans for missing middle housing
- Partner with job creators through public-private partnerships to develop worker housing.
- Create an inventory of homes that are vacant or empty.
  - Then, charge a fee to help fund housing development elsewhere.
- Create a pilot program to link seniors or students with short-term rental properties.
- Land availability
  - The school district has land that can be developed into housing through partnerships.

# Survey #1

## OUTREACH

The survey was distributed both electronically and at physical locations. In addition to announcing through the City's social media channels and newsletters, the survey was also shared in the Milpitas Chamber of Commerce newsletter, which is sent out twice per week, throughout the month of April. City staff shared it at two ADU workshops on April 30, 2022 and delivered it door-to-door to 171 individual units at Sunnyhills apartments. It was also included as materials during the Earth Day event on April 22, 2022. Finally, it was shared via email with the stakeholder list, all City Commissionaires, members of the Community Development Roundtable, and the Milpitas Unified School District for them to distribute to parents, teachers, administrators, etc.

6TH CYCLE OF THE HOUSING ELEMENT

# Survey #1

## Housing Needs, Issues, & Opportunities

Open from March 9 to April 30



**Tell us about your experiences and goals for housing in Milpitas!**

<https://tinyurl.com/MilpitasHousingElementSurvey1> ←

The City of Milpitas has kicked off the process to update its Housing Element, a part of the City's General Plan that sets the vision and implementation plan for housing for the next eight years. This survey is an opportunity to share your thoughts and ideas about housing with the City, and ensure that this plan is a reflection of community voices and concerns. The survey should take just a few minutes to complete, thank you in advance for your time!

More information about the project is available at:

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

If you would like to receive more information, please contact us here:

[www.milpitashousingelement.com/contact/](http://www.milpitashousingelement.com/contact/)



CHU KỲ THỨ 6 CỦA HOUSING ELEMENT (QUY HOẠCH NHÀ Ở)

# Khảo sát số 1

Nhu cầu, Vấn đề & Cơ hội Nhà ở

Mở từ ngày 9 tháng Ba đến 30 tháng Tư



Hãy cho chúng tôi biết về trải nghiệm và mục tiêu của quý vị đối với nhà ở ở Milpitas!

<https://tinyurl.com/MilpitasHousingElementSurvey1> ←

Thành phố Milpitas đã bắt đầu quy trình cập nhật kế hoạch nhà ở Housing Element. Đây là một phần trong Quy hoạch tổng thể của Thành phố trong đó đặt ra tầm nhìn và kế hoạch thực hiện về nhà ở trong tám năm tới. Khảo sát này là cơ hội để chia sẻ suy nghĩ và ý tưởng của quý vị về nhà ở với Thành phố, và đảm bảo rằng quy hoạch này phản ánh tiếng nói và mối quan tâm của cộng đồng. Chỉ mất vài phút để hoàn thành khảo sát, xin cảm ơn quý vị vì đã dành thời gian tham gia khảo sát này!

Thông tin thêm về dự án có tại:

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Nếu quý vị muốn nhận thêm thông tin, vui lòng liên hệ với chúng tôi tại đây:

[www.milpitashousingelement.com/contact/](http://www.milpitashousingelement.com/contact/)



第 6 周期住房要素 (HOUSING ELEMENT)

# 调查 1

住房需求、问题和机会

3 月 9 日至 4 月 30 日开放



请告诉我们您在米尔皮塔斯市的居住  
体验和目标！

<https://tinyurl.com/MilpitasHousingElementSurvey1> ←

米尔皮塔斯市已经开始更新其住房要素 (Housing Element)，这是该市总体规划的一部分，将为未来 8 年的住房规划制定愿景和实施计划。本次调查将提供机会让您与本城市分享您对住房的想法和看法，并确保该计划反映社区的声音和关切。该调查应该只需几分钟即可完成，提前感谢您的时间！

有关该项目的更多信息，请访问：

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

如果您想了解更多信息，请在这里联系我们：

[www.milpitashousingelement.com/contact/](http://www.milpitashousingelement.com/contact/)





6º CICLO DEL ELEMENTO DE VIVIENDA

# Encuesta #1

Necesidades, asuntos y oportunidades relacionadas a la vivienda en Milpitas

Disponible desde el 9 de marzo al 30 de abril



¡Cuéntenos sus experiencias y metas para la vivienda en Milpitas!

<https://tinyurl.com/MilpitasHousingElementSurvey1> ←

La ciudad de Milpitas ha iniciado el proceso para actualizar su elemento de vivienda, una parte del Plan General de la ciudad que establece la visión y el plan de implementación de vivienda para los próximos ocho años. Esta encuesta es una oportunidad para compartir sus pensamientos e ideas sobre la vivienda con la Ciudad y para garantizar que este plan refleje las voces y preocupaciones de su comunidad. La encuesta debería tomar sólo unos minutos para completar. ¡Gracias de antemano por su tiempo!

Puede encontrar más información sobre el proyecto en:

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Si quisiera recibir más información, por favor contáctenos aquí:

[www.milpitashousingelement.com/contact/](http://www.milpitashousingelement.com/contact/)



## PURPOSE

A survey gives people the opportunity to share their thoughts at their own pace and when it is most convenient for them. The survey provided the team with the opportunity to gain insight into the diverse housing perspectives of Milpitas community members, especially in regard to housing needs and strengths in the City. Survey #1 ran parallel to the workshop #1 and other activities during Phase 1 of engagement. It mirrored the questions and content from workshop #1: housing assets, issues, and opportunities.

## PARTICIPATION AND FORMAT

62 people participated in survey #1. The survey consisted of seven housing-related questions and 11 demographic questions, included below, and was open from March 9, 2022 to April 30, 2022. The survey was announced and distributed in four different languages (English, Spanish, Vietnamese, and Chinese simplified) via the City's social media channels and newsletters, the library, City Hall permit center, senior and community centers, and several email lists.

## SURVEY QUESTIONS

### YOUR EXPERIENCE WITH HOUSING

1. We have all experienced the statewide housing crisis in different ways. What housing challenges have you faced in the last eight years? Please use the space below to share your thoughts.

### HOUSING ISSUES

2. The Housing Element will address housing issues facing the city now and in the future. What are the three (3) most pressing housing challenges Milpitas faces? If other(s), please specify.

### HOUSING SUCCESSES

3. As we begin our work on the Housing Element, it is important to determine what is working well in the City of Milpitas. This can be in terms of geographic or physical location and policy. Which of the following does Milpitas do well (select up to 3)? If other(s), please specify.

### SPECIAL NEEDS GROUPS

4. The Housing Element identifies and designs policy and programs for special needs groups. Are there any specific groups we should target for new housing (select up to 3)? If other(s), please specify.

### TYPES OF NEW HOUSING

5. As part of the Housing Element, the City of Milpitas must identify sites to accommodate about 6,713 new units through 2031. What types of new housing would you like to see (select up to 3)? If other(s), please specify.

### VISION FOR HOUSING

6. In one or several words, what is your vision for housing in Milpitas? Please use the space below to share your thoughts.

7. What is one policy idea that you would like the Housing Element update to explore? Please use the space below to share your thoughts.

## DEMOGRAPHICS

8. Do you live in Milpitas (select one)?
9. Do you rent or own your home (select one)?
10. What best describes your housing?
11. How many years have you lived in Milpitas (select one)?
12. Which of the following are true (select all that apply)?
13. What best describes your annual household income level (select one)?
14. How do you identify (select all that apply)?
15. What gender do you identify with (select all that apply)?
16. What is your age?
17. Do you consider yourself a person with a disability (e.g., hearing, sight, physical, mental)?
18. What neighborhood of Milpitas do you live in?

## SUMMARY

All full summary, with all write-in responses, is available on the project website.

## YOUR EXPERIENCE WITH HOUSING

38 of the 62 participants (61%) provided a response.

### KEY THEMES

#### High Cost of Rent/Housing

- Consequences:
  - Homeownership is out of reach for low-income and working people (e.g., teachers).
  - There is too much competition because there is not enough affordable housing.
  - Younger generations opt out of buying housing and staying in Milpitas because it is expensive. They either have to move out of the city or live with their parents.
  - It is uniquely hard for people with special needs due the extra space and assistance they require.
  - People are being priced out and some are pushed to homelessness.
  - It is keeping people from buying/finding larger homes for their growing families or needs.
- Causes:
  - Limited supply for renting
  - Low inventory of houses for sale

#### Jobs

- Jobs are not paying sufficiently to reasonably afford rent.
- Living wages are needed in addition to housing affordability.

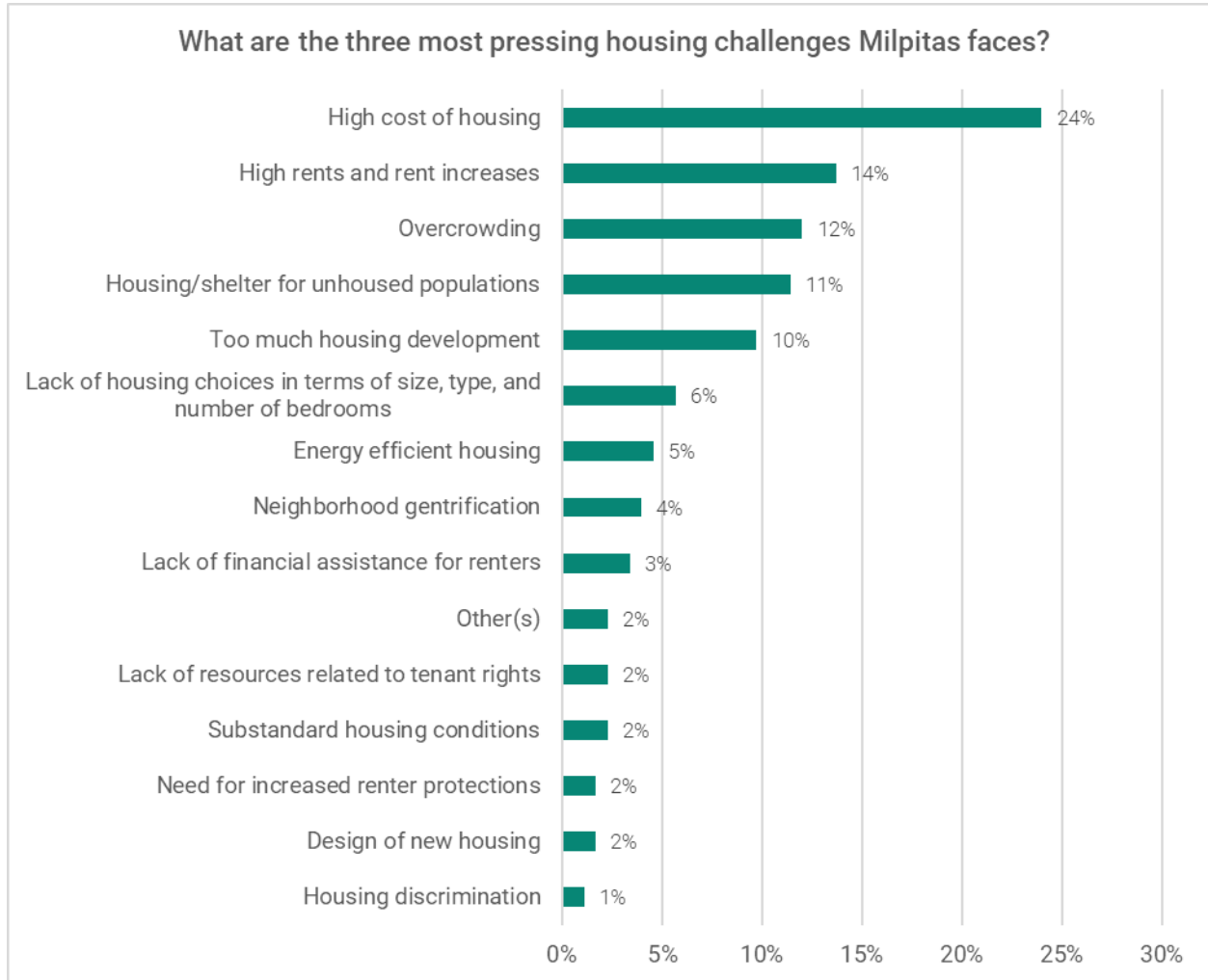
#### Overdevelopment

- Milpitas is small and needs to balance its housing growth.
- It needs to consider water supply.
- Milpitas is losing its small-town feel with the increasing addition of apartments.

- Consequences:
  - As a small city, its infrastructure cannot keep up and is deteriorating.
  - Quality of life, including more traffic and higher commute times, can also go down.
  - There are not enough community facilities and schools for this growing population.
  - Overcrowding

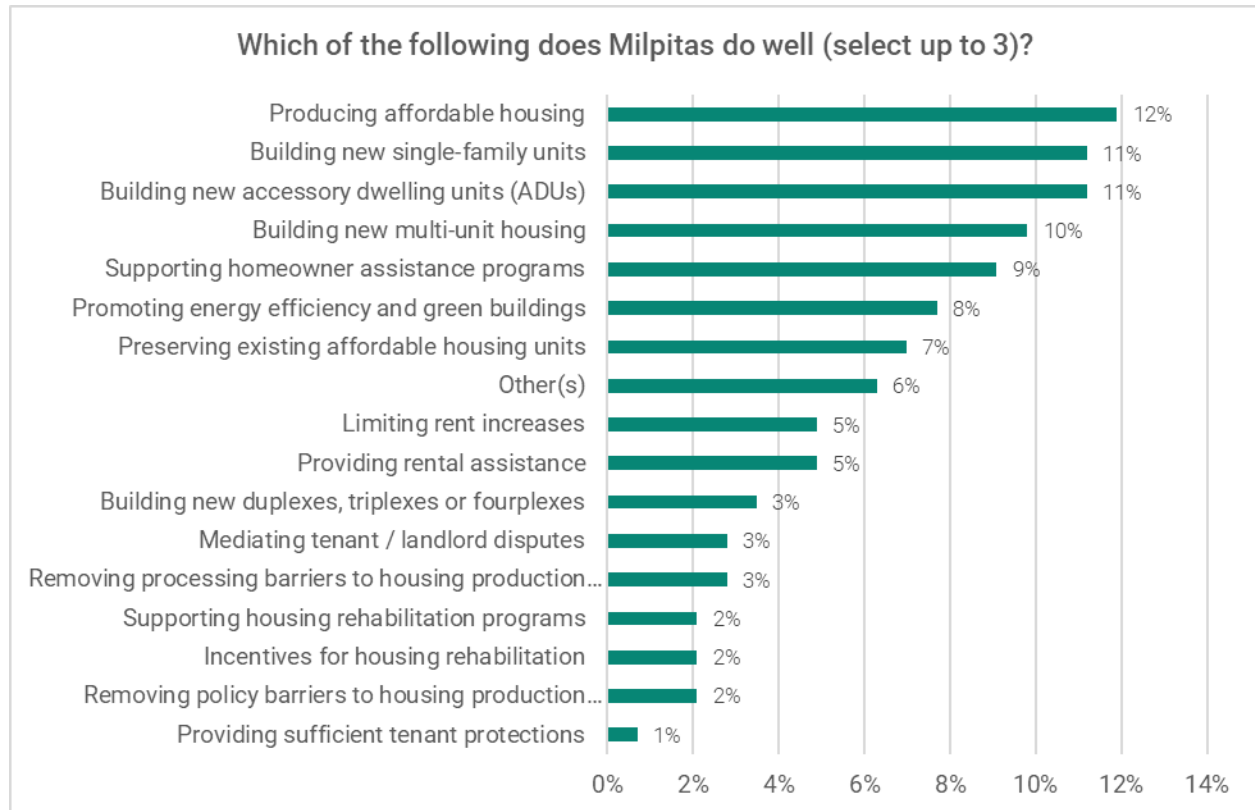
## HOUSING ISSUES

From the listed options, participants selected a total of 175 challenges. There were four write-in responses for the “Other(s)” option. The top three housing challenges were: 1) high cost of housing (24%); 2) high rents and rent increases (14%); and 3) overcrowding (12%).



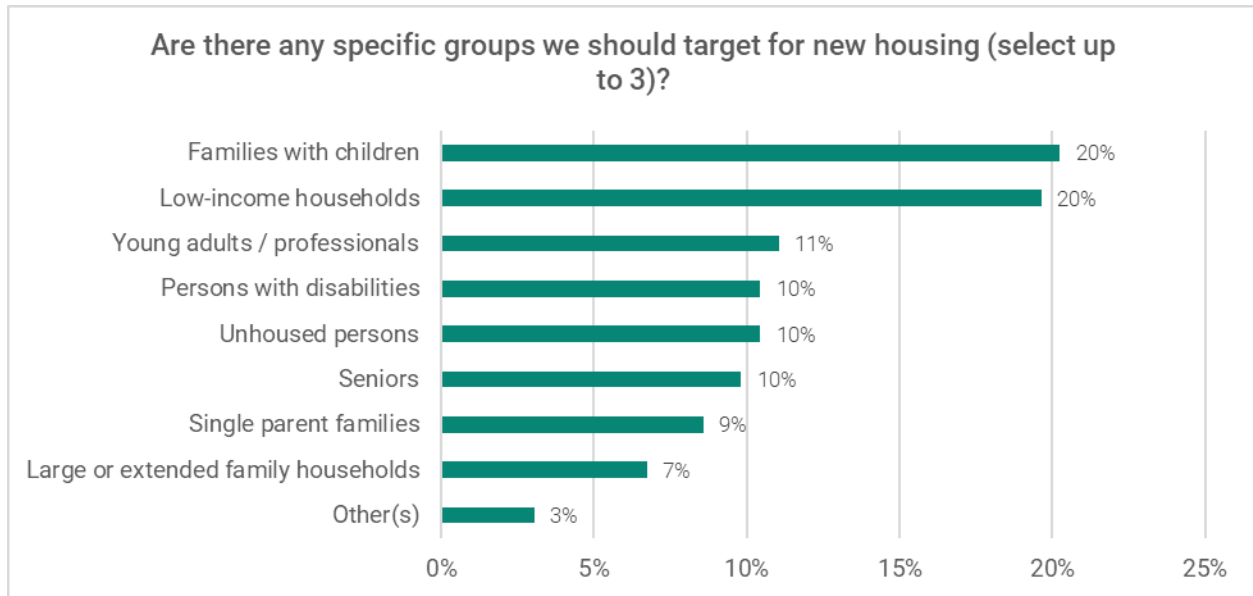
## HOUSING SUCCESSSES

From the listed options, participants selected a total of 143 items that the City does well. There were seven write-in responses for the “Other(s)” option. The top three housing successes were: 1) producing affordable housing (12%); 2) building new single-family units (11%); and 3) building new ADUs (11%).



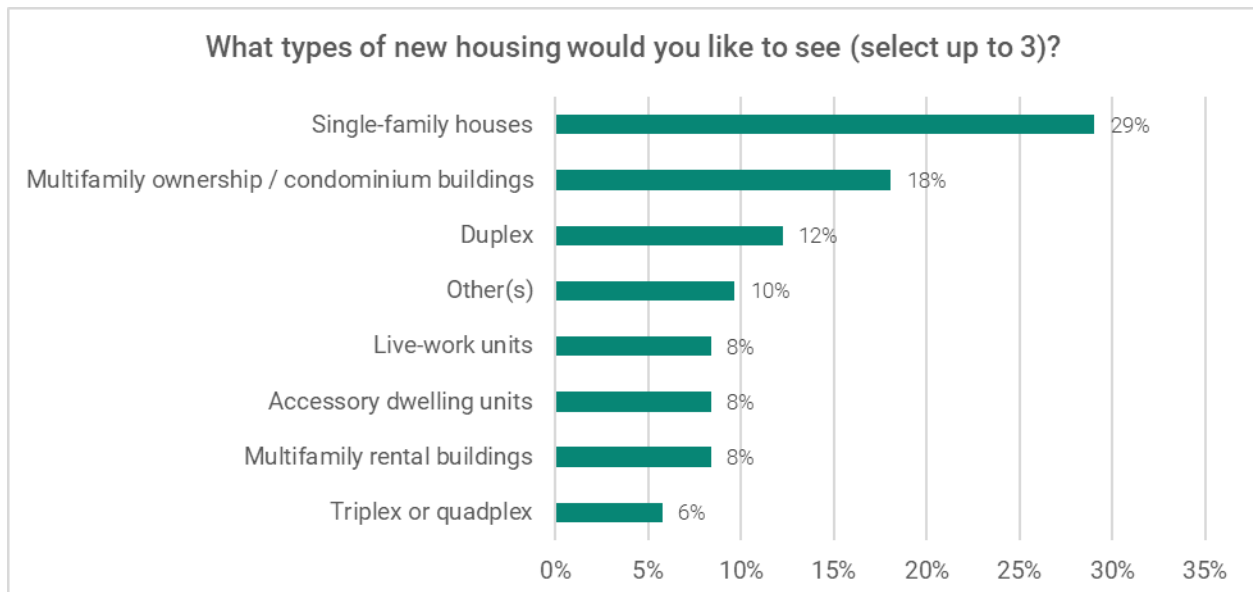
### SPECIAL NEEDS GROUPS

From the listed options, participants selected a total of 163 special needs groups. There were four write-in responses for the “Other(s)” options. The top three specific groups to target were: 1) families with children (20%); 2) low-income households (20%); and 3) young adults/professionals (11%).



### TYPES OF NEW HOUSING

From the listed options, participants selected a total of 155 housing types. There were seven write-in responses for the “Other(s)” option. The top three types of new housing were: 1) single-family houses (29%); 2) multifamily ownership/condominium buildings (18%); and 3) duplex (12%).



## VISION FOR HOUSING

46 of 62 participants (74%) responded to the first question, and 35 (56%) to the second question.

### SUB-QUESTION 1 KEY THEMES

#### Affordable Housing

- For everyone, especially low-income people, young people, the unhoused, working people, and people with disabilities.
- Examples of housing:
  - Retrofitting existing units
  - Tiny homes
  - Single-family
  - Apartments
  - ADUs
  - Community land trust
  - Path to homeownership, especially for first-time buyers
- Affordability also means safe, accessible, long-term/stability, and comfortable.

#### New Development

- Housing production of all types
- Sufficient parking
- Transit-oriented development
- Family friendly housing

#### Overdevelopment

- There is too much new development and it is inaccessible to Milpitas residents and contributing to overcrowding.
- Too much high-density
- Focus instead on improving and expanding infrastructure.
- Follow existing zoning rules.
- Mitigate traffic congestion.

### SUB-QUESTION 2 KEY THEMES

#### Affordability

- Preserved long-term
- Rent control
- Community land trust or community development council
- Prioritizing low-income, young people, seniors, the unhoused, and those between low-income and middle class

#### Homeownership

- Accessible to lower income people
- Streamlined process
- Integrate with job training

#### Homelessness

- Temporary housing



- Safe parking
- Social services

#### Infrastructure

- Special tax to improve it
- Access to public transit
- Consider when adding new housing, or fixed beforehand

#### New Development

- Special tax for new housing
- Zoning to allow for higher density
- ADUs
- Preserving city character (less density)
- Integrated mixed-income communities
- Transit-oriented development
- Attract new business/commercial for balance
- Housing design to be more modern (vs. current homes are old-style)

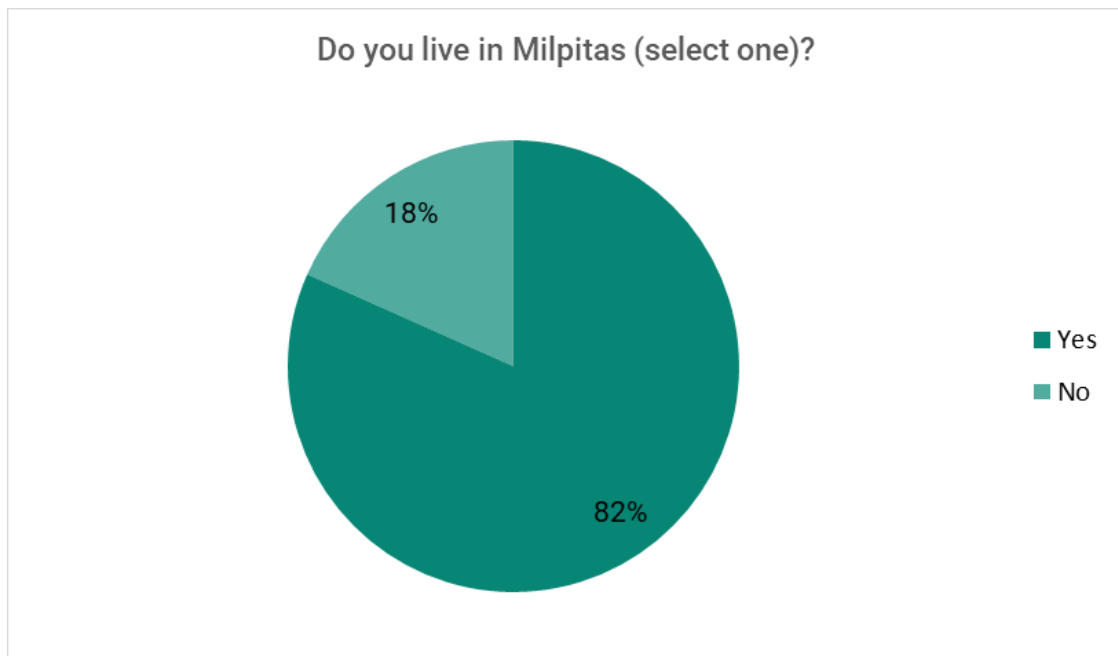
#### Quality of Life

- Not jeopardized by new development
- — Safety

## DEMOGRAPHICS

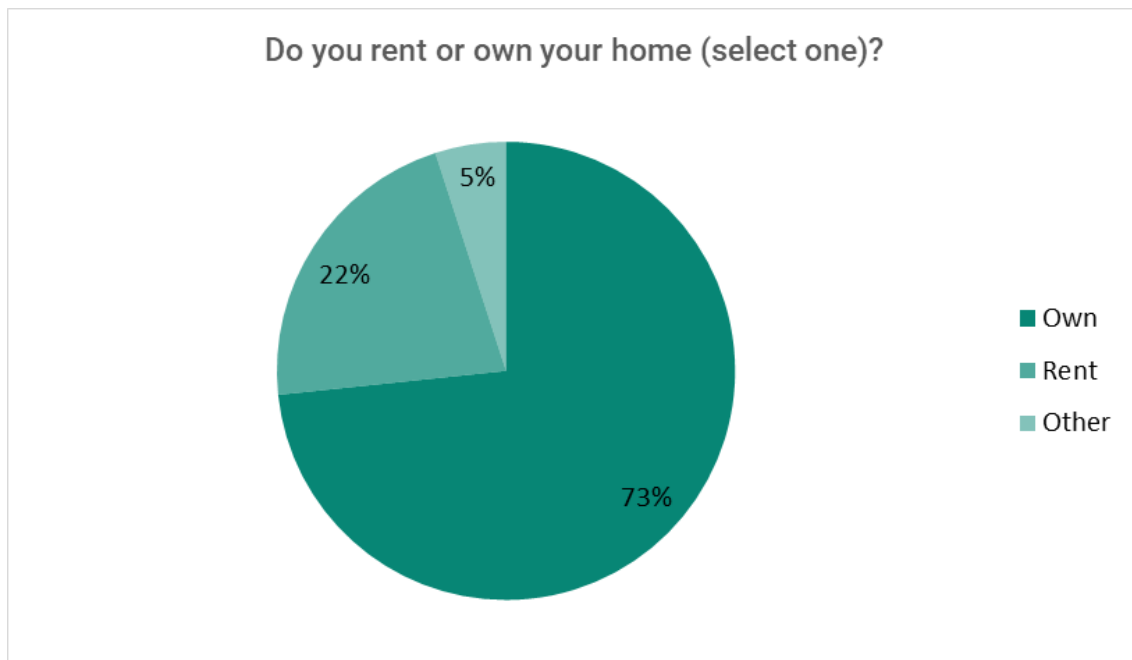
### RESIDENCY

60 participants responded to this question, with the vast majority residing in Milpitas.



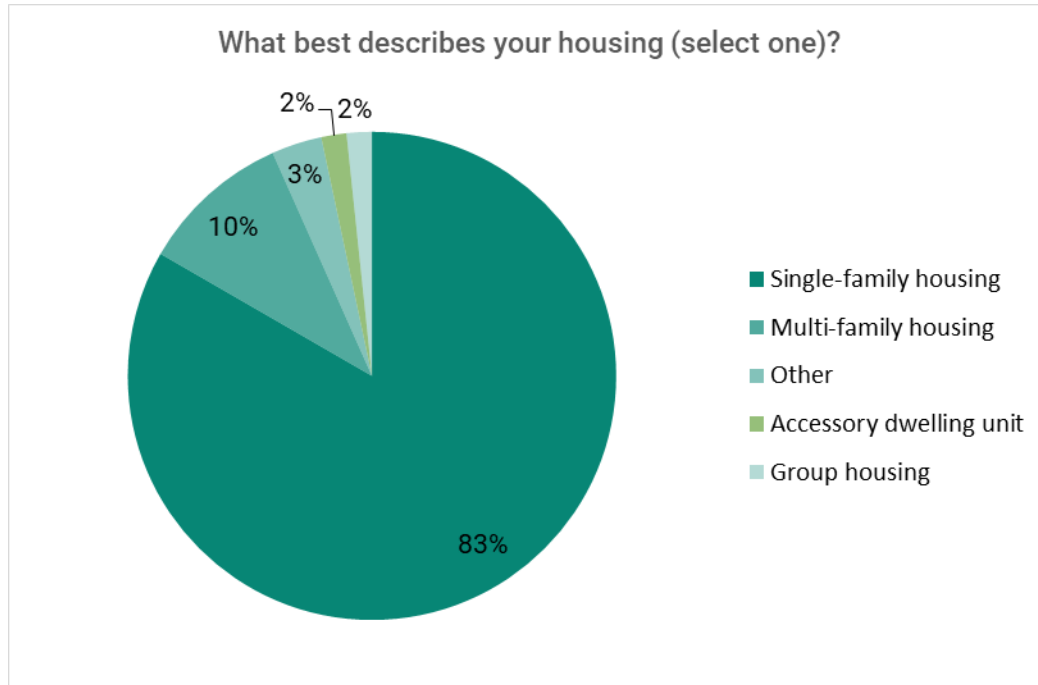
### HOUSING TENURE

60 participants responded to this question, with the vast majority indicating that they are homeowners.



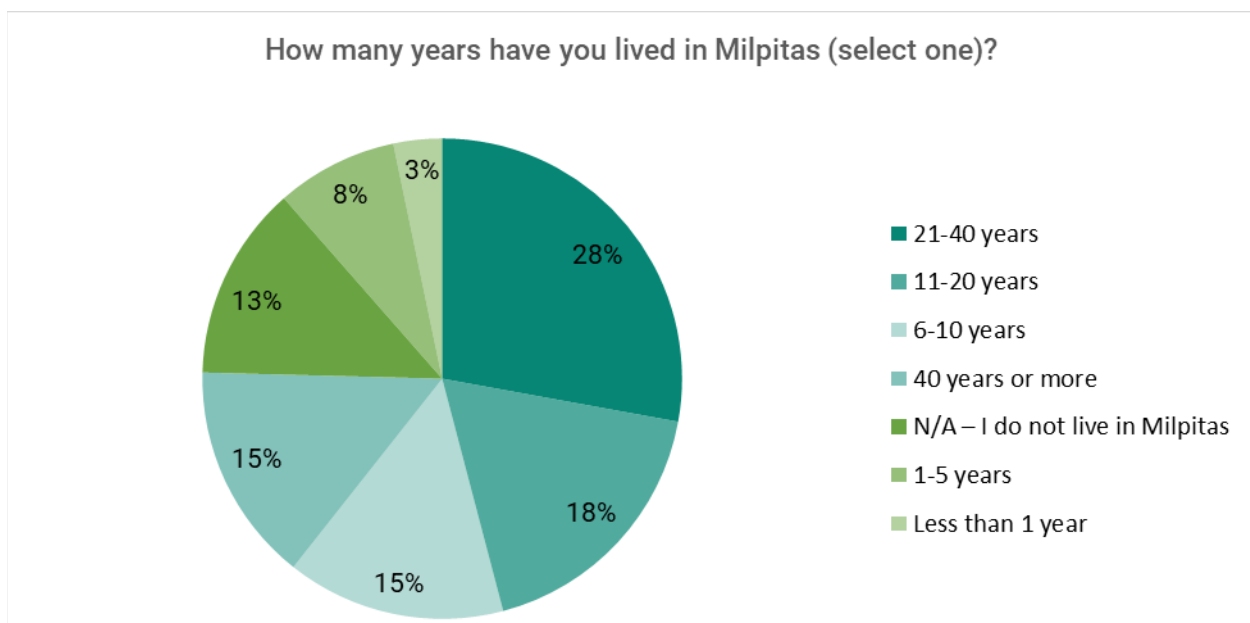
## HOUSING TYPE

60 participants responded to this question, with the vast majority indicating that they live in single-family housing.



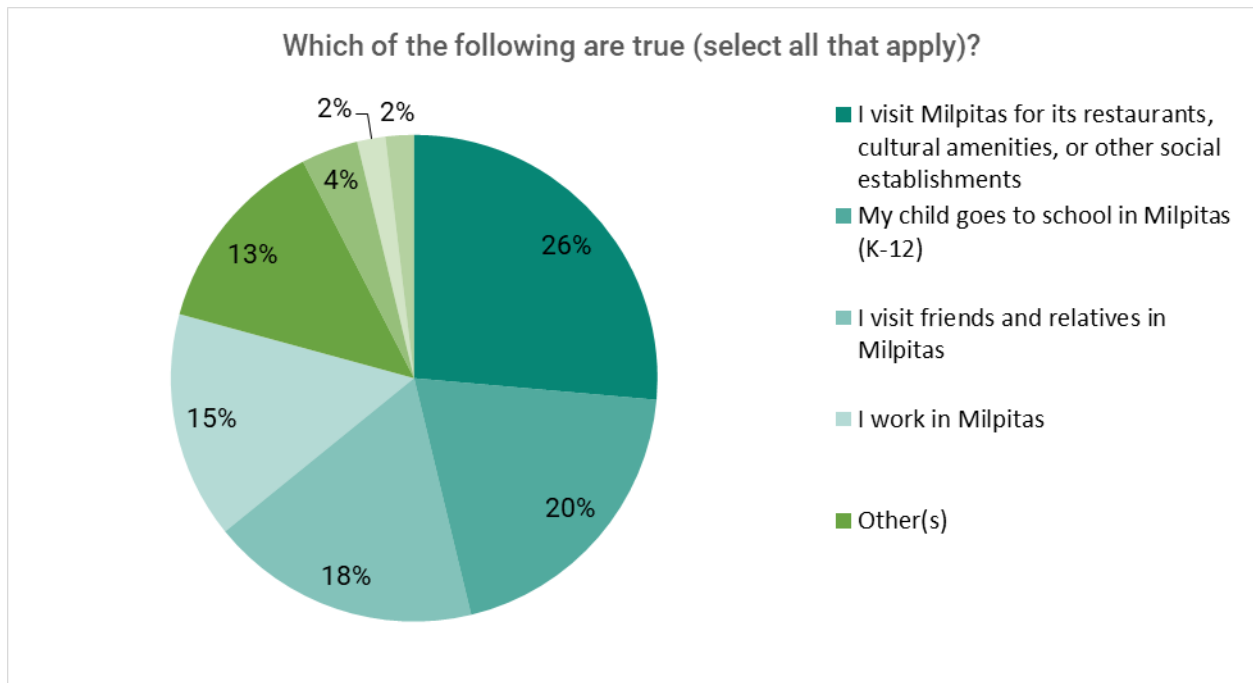
## RESIDENCY DURATION

61 participants responded to this question, with almost a third indicating that they have lived in Milpitas for 21-to-40 years.



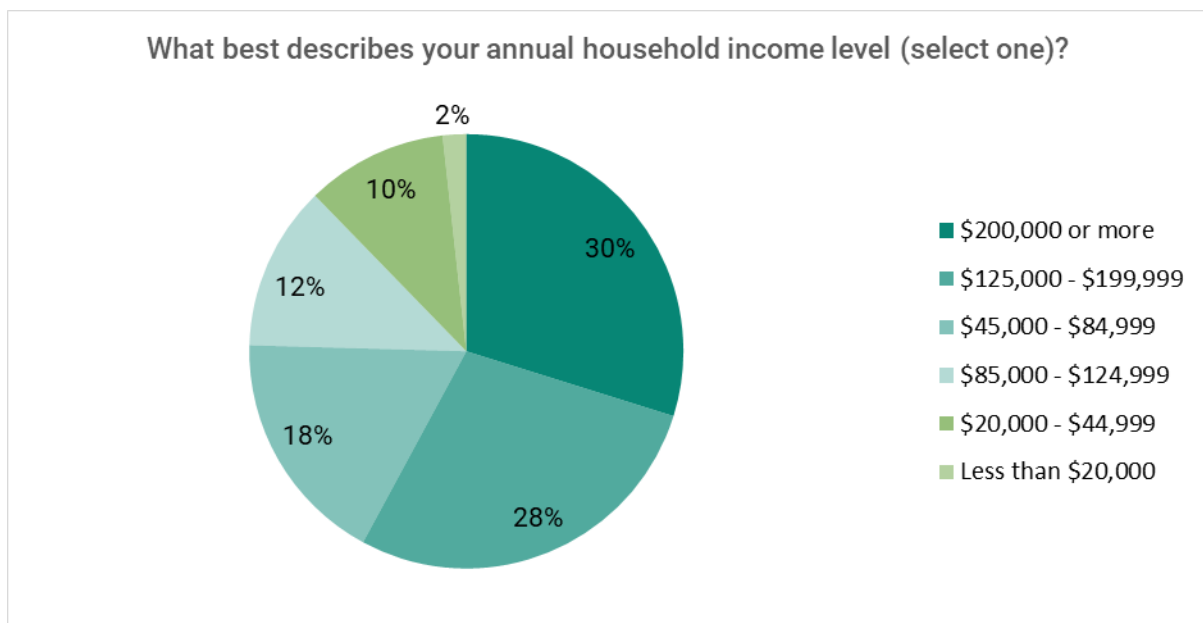
### RELATION TO MILPITAS

Together, participants indicated 106 ways in which they relate to Milpitas. Almost a third of participants said that they visited Milpitas for its restaurants, cultural amenities, or other social establishments. There were 14 write-in responses for the “Other(s)” option.



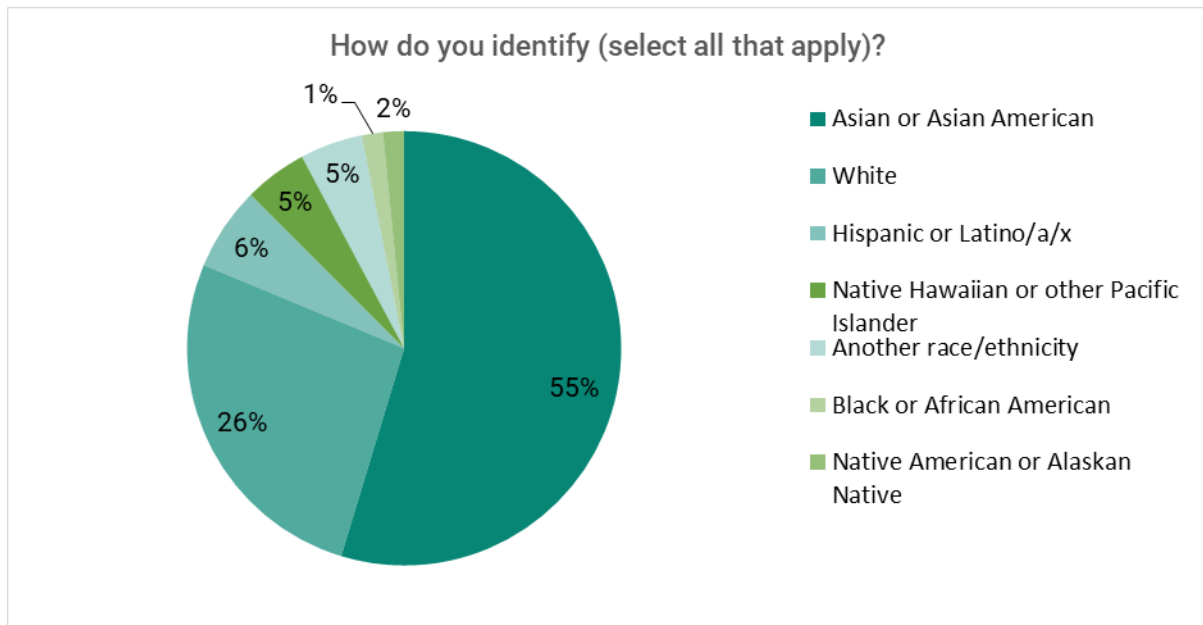
### HOUSEHOLD INCOME

57 participants shared their annual household income, with a third reporting to earn \$200,000 or more and another third between \$125,000 and 199,999.



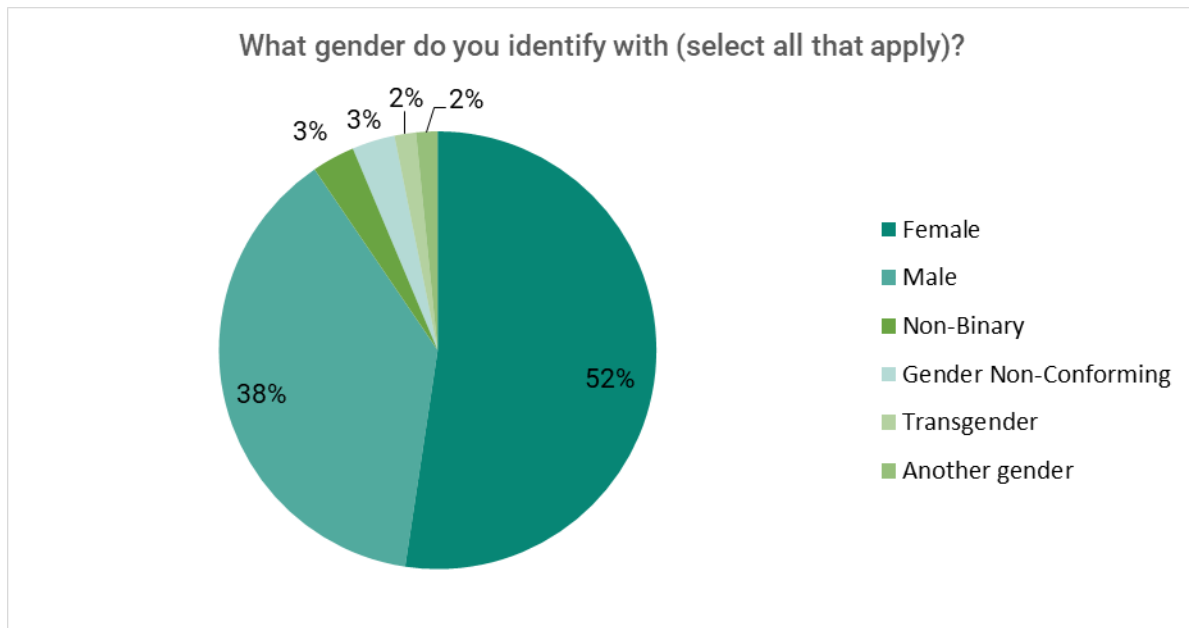
### RACE AND ETHNICITY

Together, there were 64 responses for self-identifying one's race and ethnicity. Participants could select all that applied. Most participants self-identified as Asian or Asian American, and almost a third as white.



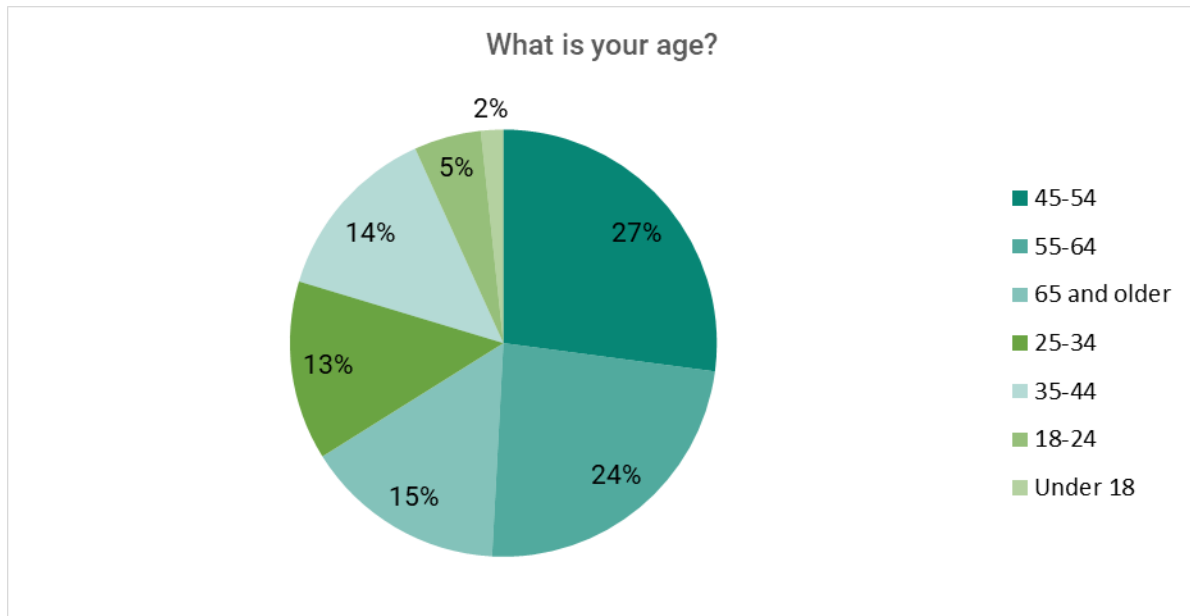
### GENDER

Together, there were 63 responses for self-identifying one's gender. Participants could select all that applied. A majority of participants self-identified as female.



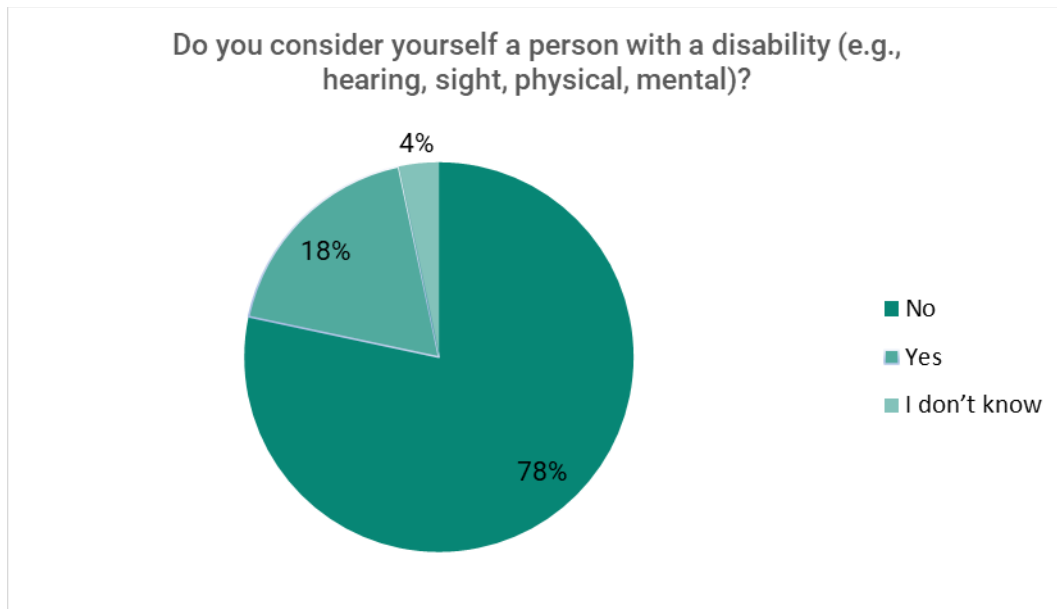
#### AGE

59 participants shared their age, with about a third being 45-to-54 years old and about another third being 55-to-64 years old.



#### DISABILITY

60 participants shared whether they considered to have a disability or not. A vast majority indicated not having one.



# Community Workshop #1

## OUTREACH

Outreach was conducted in several ways. A flyer was produced in English, Spanish, Vietnamese, and Chinese simplified and distributed digitally and printed out in the following outlets and locations: City's social media channels (NextDoor, Facebook, Twitter), City newsletters (Milpitas Matters, Connected), email listservs and email newsletters (Milpitas Chamber of Commerce and Milpitas Office of Economic Development), stakeholder list (close to 300 people), and at the public library and senior and community centers.



# COMMUNITY WORKSHOP #1

## Housing Needs, Issues & Opportunities

**MONDAY, MARCH 14, 6:00 PM**

The meeting will be held virtually on zoom.

Please register using this link:

→ <https://tinyurl.com/MilpitasHousingElementZoom> ←

You will receive a confirmation email with further details for logging in.

### What is a Housing Element?

The Housing Element is part of the City's General Plan. Its purpose is to facilitate the production of a variety of housing types, at different income levels, to accommodate all households and family types. Cities are required by state law to update their Housing Element every eight years, and the City of Milpitas is now updating its Housing Element to plan for the City's projected housing needs during the next eight years between 2023 and 2031. It evaluates the City's housing condition and needs, establishes a strategy to meet housing goals, and identifies opportunities to remove constraints to housing production.

### Why should you get involved?

Community input and involvement is crucial to the success of this process. Residents offer unique knowledge, perspectives, and experiences navigating housing and related issues in the city. You, as a resident, can ensure that this process is equitable and reflects the values, needs and priorities of the community. Through this process, we will aim and achieve a Milpitas where everyone's housing needs are met and where everyone can live and thrive in vibrant places. We are here to listen, learn, and integrate your viewpoints and visions into the process.

For more information, visit:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

For questions, contact:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)

# HỘI THẢO CỘNG ĐỒNG #1

Cơ hội, Vấn đề và Nhu cầu Nhà ở

**THỨ HAI NGÀY 14 THÁNG 3, LÚC 6 GIỜ CHIỀU**

Cuộc họp sẽ được tổ chức trực tuyến trên nền tảng Zoom.

Vui lòng đăng ký ở liên kết này:

→ <https://tinyurl.com/MilpitasHousingElementZoom> ←

Quý vị sẽ nhận được một email xác nhận cùng thông tin chi tiết để đăng nhập.

## Housing Element là gì?

Housing Element là một phần của Chương trình Chung của Thành phố. Mục đích của chương trình là thúc đẩy xây dựng các loại nhà ở đa dạng, với mức thu nhập khác nhau để cung cấp nơi ở cho nhiều hộ gia đình và các loại hình gia đình. Các thành phố được luật tiểu bang yêu cầu cập nhật chương trình Housing Element sau mỗi tám năm, và Thành phố Milpitas hiện đang cập nhật Housing Element để chuẩn bị cho kế hoạch nhu cầu nhà ở của Thành Phố trong tám năm tiếp theo từ 2023 tới 2031. Chương trình đánh giá điều kiện và nhu cầu nhà ở của thành phố, thiết lập chiến lược để đáp ứng mục tiêu nhà ở, đồng thời xác định các cơ hội để xóa bỏ những trở ngại trong xây dựng nhà ở.

## Tại sao quý vị nên tham gia?

Ý kiến và sự tham gia của cộng đồng là điều vô cùng quan trọng cho sự thành công của quy trình này. Công dân sẽ cung cấp những hiểu biết, quan điểm và kinh nghiệm độc đáo, hướng tới các vấn đề về nhà ở và các vấn đề liên quan tại thành phố. Quý vị, với tư cách là một công dân, có thể đảm bảo quy trình này công bằng và phản ánh giá trị, nhu cầu và ưu tiên của cộng đồng. Thông qua quy trình này, chúng tôi sẽ hướng tới và biến Milpitas thành một thành phố nơi nhu cầu nhà ở của mọi người đều được đáp ứng và là nơi mọi người có thể sinh sống và phát triển ở những địa điểm tuyệt vời. Chúng tôi ở đây để lắng nghe, học hỏi và kết hợp các quan điểm và tầm nhìn của quý vị vào trong quy trình.

Để biết thêm thông tin, vui lòng truy cập:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Nếu quý vị có câu hỏi, vui lòng liên hệ:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



# 首场社区研讨会

## 住房需求、问题和机会

**3 月 14 日星期一, 下午 6:00**

该会议将通过 Zoom 于线上举行。

请访问此链接进行注册:

→ <https://tinyurl.com/MilpitasHousingElementZoom> ←

您将收到一封确认电子邮件, 其中包含更多登录详情。

### 什么是住房要素 (Housing Element) ?

住房要素 (Housing Element) 是城市总体规划的一部分, 这个计划旨在促进各种房型的建造, 以满足不同收入阶层群体的住房需求。根据州法律, 各城市必须每八年更新一次住房要素 (Housing Element) 计划; 米尔皮塔斯市 (Milpitas) 目前正在实施更新, 以针对该市未来八年 (2023 年至 2031 年) 的预计住房需求作出规划。在更新过程中, 本计划将会评估城市的住房条件和需求, 制定实现住房目标的战略并确定消除住房建造限制因素的机会。

### 为何需要您参与其中?

社区的投入和参与将极大地促进这个流程的成功。居民们能够提供独特的见解、观点和经验, 帮助解决城市中的住房和相关问题。作为居民, 您可以确保该过程公平公正, 并反映了社区的价值、需求和优先事项。通过这个流程, 我们旨在让米尔皮塔斯市满足每个人的住房需求, 让所有人都能够在充满活力的地方生活和成长。我们将在会议中聆听、学习, 并将您的观点和愿景融入更新过程中。

如需了解更多信息, 请访问:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

如有问题, 请联系:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



# TALLER COMUNITARIO #1

Necesidades, asuntos y oportunidades  
relacionadas a la vivienda en Milpitas

**LUNES, 14 DE MARZO, 6:00 PM**

Este taller será virtual por zoom.

Por favor, regístrese usando el siguiente enlace:

→ <https://tinyurl.com/MilpitasHousingElementZoom> ←

Recibirá un correo electrónico de confirmación con más información sobre cómo conectarse al zoom.

## ¿Qué es un elemento de vivienda?

El elemento de vivienda es parte del Plan General de la ciudad. Su propósito es facilitar la producción de una variedad de tipos de vivienda, a diferentes niveles de ingreso, para todo tipo de hogar y de familia. Las ciudades en California están obligadas por ley estatal a actualizar su elemento de vivienda cada ocho años. La ciudad de Milpitas recién comenzó la actualización de este elemento para planificar sus necesidades de vivienda durante los próximos ocho años entre el 2023 y el 2031. El elemento evalúa las condiciones y necesidades de vivienda en la ciudad, establece una estrategia para cumplir con los objetivos de vivienda e identifica oportunidades para eliminar las restricciones a la producción de vivienda.

## ¿Por qué debería involucrarse?

Este proceso sólo será exitoso con la aportación y participación de la comunidad. Los residentes ofrecen conocimientos, perspectivas y experiencias únicas navegando asuntos relacionados a la vivienda en la ciudad. Usted como residente puede asegurarse que este proceso sea equitativo y que refleje los valores, necesidades y prioridades de la comunidad. Mediante este proceso aspiramos y lograremos un Milpitas donde se satisfagan las necesidades de vivienda de todos sus residentes y donde todos puedan vivir y prosperar en lugares vibrantes. Estamos aquí para escuchar, aprender e integrar sus puntos de vista en este proceso.

Para más información, por favor visite nuestra página web:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Si tiene alguna duda o pregunta, por favor contáctenos a:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



## PURPOSE

The main purpose of workshops is to have a dedicated space and ample time for in-depth engagement and feedback at crucial stages of the Housing Element Update development. For workshop #1, the team sought to share information and receive feedback regarding the City's housing assets, issues, and opportunities. The primary objectives of the meeting were to:

- Provide background on the Housing Element and process;
- Share information about Milpitas that informs the Housing Element;
- Inform and engage the community on the process and purpose of the Housing Element; and
- Receive initial community input on housing assets, issues, and opportunities.

## PARTICIPATION AND FORMAT

25 people who lived, worked, and/or visited Milpitas participated in workshop #1. The workshop was held virtually on Zoom on March 14, 2022 from 6pm-8pm PST. Interpretation was offered in Spanish, Vietnamese, and Mandarin for the entirety of the meeting. The first part of the meeting consisted of a presentation by the consultant team that provided an overview of the purpose of the Housing Element and a description of the update process. Participants then went into breakout rooms to discuss Milpitas's housing strengths, weaknesses, and opportunities in greater detail.

## BREAKOUT ROOM QUESTIONS

During the breakout room discussion portion of the workshop, participants were asked to think about and share their thoughts in response to the following questions.

1. What is working well with housing in Milpitas? What are Milpitas' housing strengths (e.g., programs, types of housing, location of housing, etc.)?
2. What are the issues or challenges with housing in Milpitas?
3. What housing practices, projects, or types have you seen that might work well in Milpitas?

## SUMMARY

### HOUSING STRENGTHS

#### Housing Diversity

- The city has a good mix of housing types across all of its neighborhoods.
- Regional Housing Needs Allocation (RHNA) numbers are being met and exceeded for above-moderate housing.
- The city has some development, such as Sango Court and Sunnyhills, that is 100% affordable. These are particularly important to preserve.
- New housing between Montague and Main Street is conducive to walking and is located closely to a school. Families with kids can easily and safely walk to school.

#### Housing Assistance

- The rent relief program is working well and has a quick turnaround.
- The Extended Stay America conversion program to provide housing for the unhoused population was completed.



- The city has a U.S. Department of Housing and Urban Development (HUD) contract for Sunnyhills which provides housing for low- and very low-income residents.
- The accessory dwelling unit (ADU) policy is allowing for more affordable housing to be built citywide.
- The city has made funds available for people who are struggling to pay for rent or are trying to find housing. The city must ensure that these funds are replenished.
- Senate Bill 9 – a new state law that allows single-family districts to provide duplexes on their lot – represents an opportunity for local residents.

#### New Development and Redevelopment

- Four new developments are underway around the Great Mall, providing more housing options for existing and new residents.
- Transit-oriented development, such as new housing around the BART station, makes the city more appealing for others to visit and move to, and reduces traffic congestion by densifying rather than sprawling and requiring more driving.
  - Overall, participants expressed a need for more housing by transit.
- Main Street Initiative seeks to densify Main Street by adding more residential and mixed-use development.
  - This redevelopment will attract more residents, especially family and young people, to visit the downtown area.
- The Milpitas Metro Specific Plan is making progress on housing and is expected to be a nice area.

#### Infrastructure

- The city has done a good job at ensuring that there is sufficient water supply and sewage treatment as the city brings in new development.
  - These infrastructure projects are planned ahead to be in line with new housing developments.
- New grocery store in the new BART transit area supports residents.
- The school district is catching up with all the new housing in the southern part of the city.

### HOUSING WEAKNESSES

#### High Housing Cost

- The reduced cost for lower income categories in new developments is still high.
- Overall, there are limited housing options for low-income people.
- The City needs to get a better sense of actual prices for Below Market Rate housing and determine whether it is indeed affordable. Overall, this type of housing is still expensive across Santa Clara County.
  - It also has long wait times, about two years.
- Housing prices are increasing at a pace that does not allow the younger generations that grew up in Milpitas to come back and live here if they wished so.
- People should be able to rely on one full-time job to pay for rent.
- People have to live in unsafe overcrowded conditions just to afford a place to live in.

#### Lack of Special Needs Housing

- There is not enough housing for populations with certain needs, such as those on fixed income (the elderly, extremely low-income, those on rental subsidies, and those with disabilities).
  - This type of housing needs to be accessible and have on-site services.

- Unhoused people do not have help with short-term navigation of housing, shelter, safe parking (such as designated areas for their RVs), or safe camping options.

#### Lack of Housing Protection and Funding

- Tenants in single-family homes do not have protection.
- Affordable housing lacks financing and funding. Participants recommended maximizing financing and funding at the local level so that it is more efficiently used.

#### Parking Need

- There is not enough parking for all the new developments near the Great Mall.
- New developments need to be integrating more charging stations for electric vehicles. Housing needs to be aligned with the city's climate goals.
- Parking is complicated when multiple people own cars but live in a one-bedroom that only has one parking space per unit.
  - Participants identified this as a problem regardless of housing type or income.

#### Balancing Housing Growth with Other Needs

- As Milpitas continues to develop new housing, it should balance this growth with other needs, such as preserving neighborhood character and beauty, including views of the hills.
  - Participants mentioned the five-story La Quinta hotel proposal as a precedent for the type of development that is not in line with neighborhood character.
- There needs to be a better understanding of the trends and needs for housing based on job growth expectations in Milpitas.

### HOUSING IDEAS AND OPPORTUNITIES

#### Programs

- Utah has a program for the unhoused that Milpitas should look into. The state has the lowest population of unhoused people in the US.
  - Overall, participants suggested looking at other communities to see how they have tackled this problem.
- The City should have multilingual tenant education and counseling, and proactively outreach to both tenants and landlords so both parties are aware of their legal responsibilities and rights.
- The City should establish a shuttle system that helps residents move around without a car.
  - If it comes often enough, participants said that they could envision parking not being an issue in the future.
  - It would be a good fit for high-density areas such as apartment complexes.
  - Santa Clara offers a precedent for a shuttle system.
  - A hub-and-spoke model shuttle system is expected for Milpitas sometime in 2022.
- Vancouver has a program that limits ownership of housing stock to residents and other specific people so as to avoid absentee landlords and vacant housing.
- San Jose provides an example of a permanent affordable housing program.
- Implement commercial linkage fee programs that incentivize commercial business developers to build housing at the extreme low-income level instead of opting out and contributing to funds that often remain unused for affordable housing production.

## Legislation and Other City Measures

- Assemblymember Alex Lee has proposed new legislation to enable communities to create publicly-owned housing. Communities need to band together to provide the resources for everyone in the community to thrive.
- Cities across Santa Clara County (San Jose, Palo Alto, Sunnyvale, Mountain View, etc.) have begun creating inclusive housing for people with developmental disabilities by asking affordable housing developers to include a certain number of units for this population who would benefit from on-site supportive services (provided and funded by San Andreas Regional Center).
  - It is good that BART has been extended to Milpitas, since this population tends to be transit-dependent.
- The City needs to streamline permit applications, such as pre-approving ADUs.
- The City should put a rent registry in place to track increasing rents.
- Create a vacancy tax to incentivize unused property to be sold.
- Create an affordable housing overlay zone that exceeds density bonuses from what the state offers.
  - Pair with incentives for developers to build affordable housing at a higher density level.
- The City could have an ordinance to allow opportunities for tenants to purchase, which would be less costly than constantly subsidizing market-rate housing.
  - Community land trusts ensure long-term affordability, compared to a HUD contract that eventually expires.
- San Jose has a transfer tax that Milpitas should look into to strengthen its affordable housing fund.

## Other

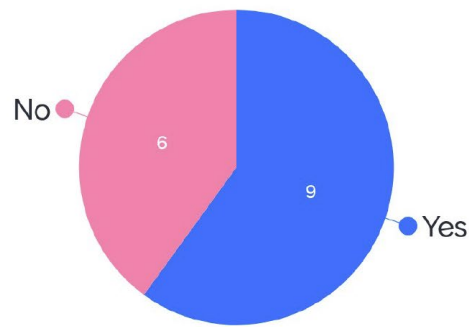
- Encourage collaboration between local governments and a community land trust as a mechanism to develop affordable housing in higher opportunity areas.
- Build a mix of townhouses and smaller units that would be amenable to young people and young families.
  - It would help them establish themselves by keeping housing costs low, as well as be able to live independently.
- The City can be more proactive about requiring to affirmatively furthering affordable housing. However, it must ensure that it is done equitably and that affordable housing is not concentrated in one or a few areas of the city.
  - Participants noted that integrating different income levels strengthens the community.



PARTICIPATION POLLING RESULTS

# Do you live in Milpitas?

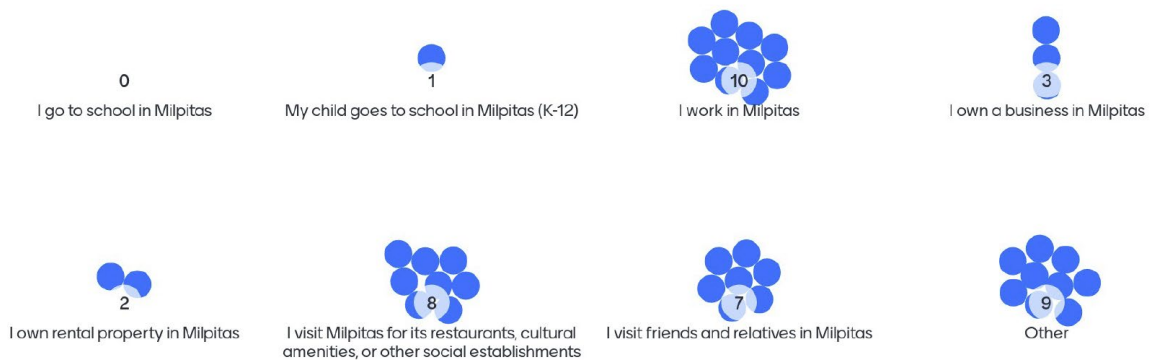
Mentimeter



15

# Which of the following are true (select all that apply)?

Mentimeter



15

## What neighborhood do you live in Milpitas?

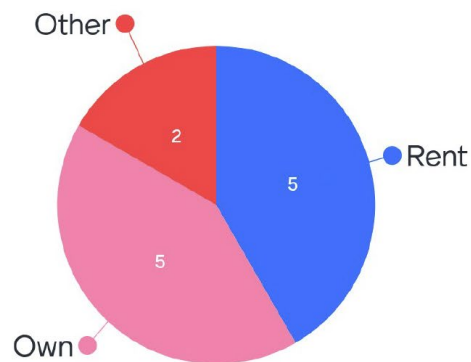
Mentimeter

Not a resident in Milpitas	Sunnyhills	Do not live in Milpitas
N/A	Parktown	Parktown
Evans Road and Michael Street (NE Milpitas)	North of Jacklin between Hillview and Escuela	

8

## Do you own or rent your residence?

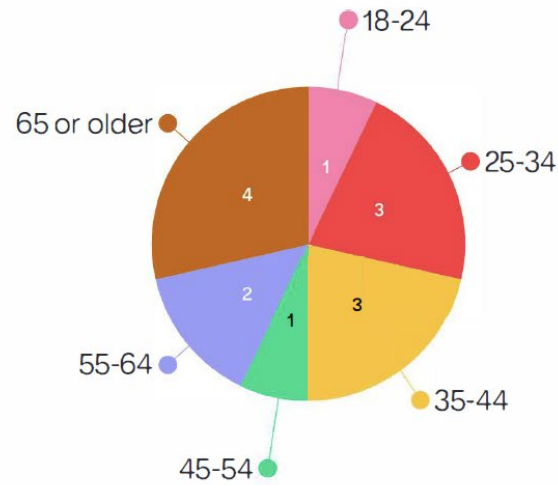
Mentimeter



12

## What is your age?

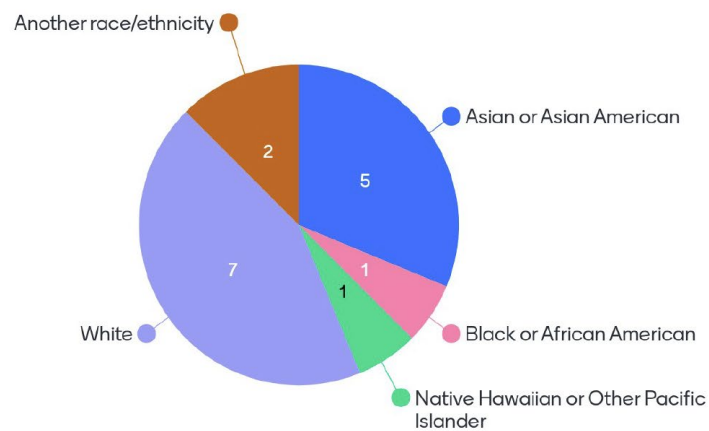
Mentimeter



14

## How do you identify? (Select all that apply)

Mentimeter



13

## We have all experienced the statewide housing crisis in different ways. What housing challenges have you faced in the last 8 years?

Mentimeter

Finding an affordable place to rent.	Caring for my mother and assuring she has housing	High cost of housing
High rent/lack of affordable housing	Unable to move out of my family's home	Not affordable to buy or rent. If renting, will never afford to buy. 2022 is the hardest with low number of homes for sale.
Cost of living affecting colleagues and friends	I was almost evicted from my apartments when the owner wanted to end his HUD contract and demolish the property	Housing affordability, rising rents, unable to afford homeownership.



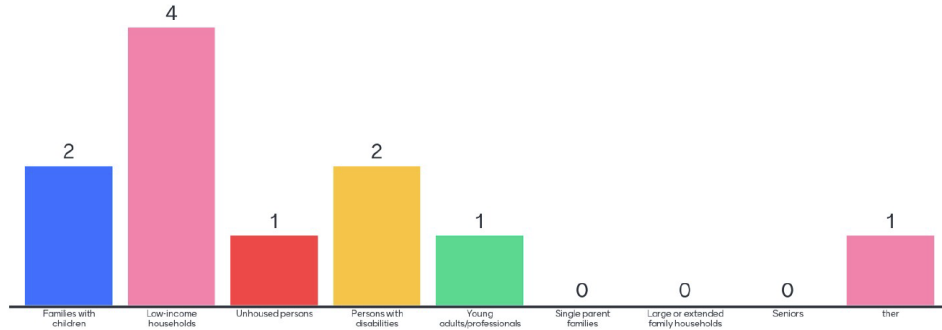
## We have all experienced the statewide housing crisis in different ways. What housing challenges have you faced in the last 8 years?

Mentimeter

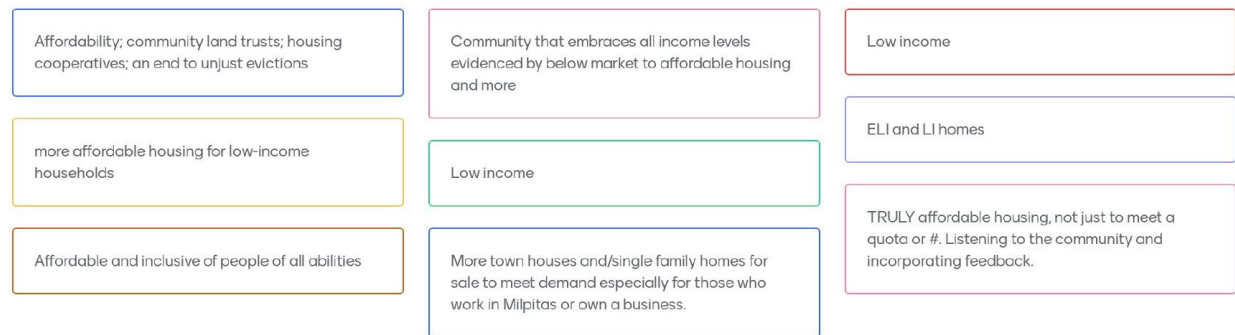
Having owned my home, I have not experienced housing challenges personally. However, my daughter had to move from the Bay Area to be able to afford housing. My grandchildren are likely screwed unless we implement a big, bold solution.	Trying to help others stay housed in Milpitas as their housing becomes unaffordable or their landlord takes their home off the rental market. Personally my oldest son chose not to move back to Milpitas due to costs.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



The HE identifies and designs policy and programs for specific groups. Are there specific groups we should target for new housing (select up to 3)?



In one or several words, what is your vision for housing in Milpitas?



## In one or several words, what is your vision for housing in Milpitas?

Mentimeter

Attractive, safe housing remains/becomes available at all income levels.

Community advisory cmtes

More single family and town houses housing with parkinggg

More affordable single family and townhouse housing that are built for families that need a yard. Not necessarily more apartments. Parking is very important.

13

## What is one policy idea that you would like the HE update to explore?

Mentimeter

Tenant protections and development of affordable housing

Low income

publicly controlled / owned housing

Affordable housing for city and school workforce so we can attract and retain people dedicated to our community

Community advisory cmtes.

Provide support for the Unhoused and low income families

Tenant protections, increase commercial linkage fees.

tenant protections: rent control, just cause evictions policies

Prioritize public land for affordable homes

14

## What is one policy idea that you would like the HE update to explore?

 Mentimeter

Working with those who have and are in affordable housing to design

Prioritizing city housing funds or city-owned land for projects which include Extremely Low Income Housing

REnter protections, supportive housing for unhoused, navigation center for unhoused,

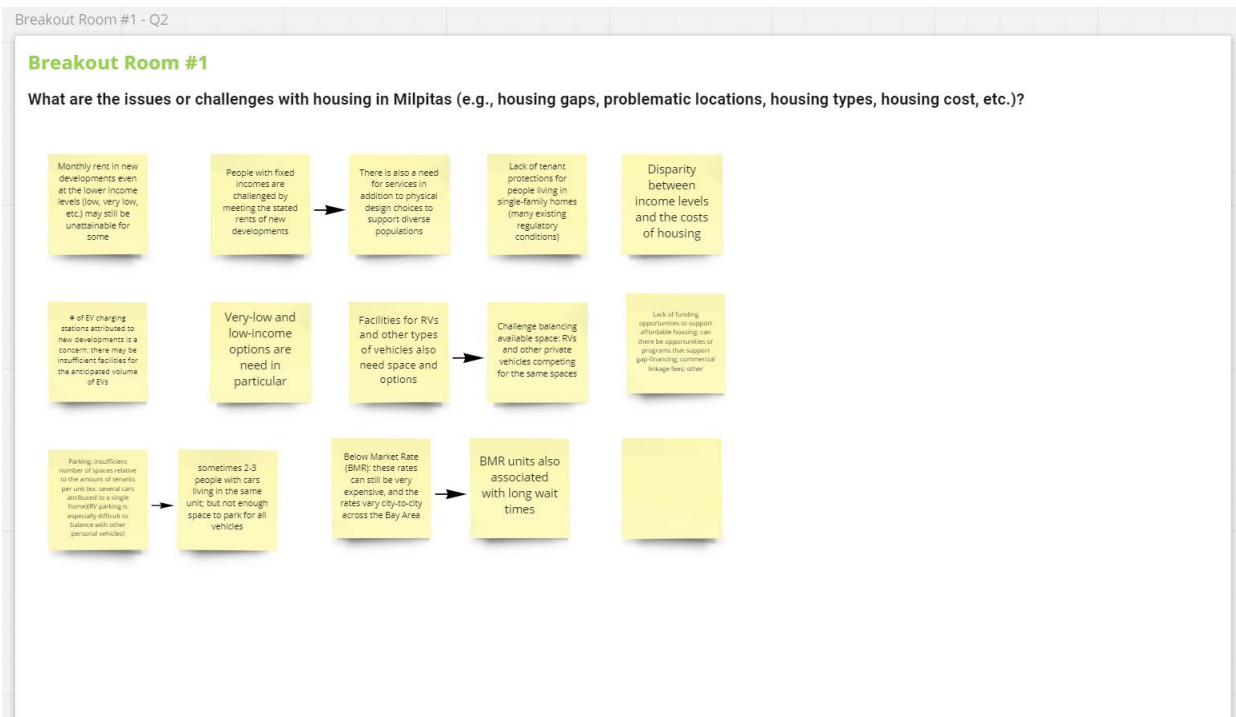
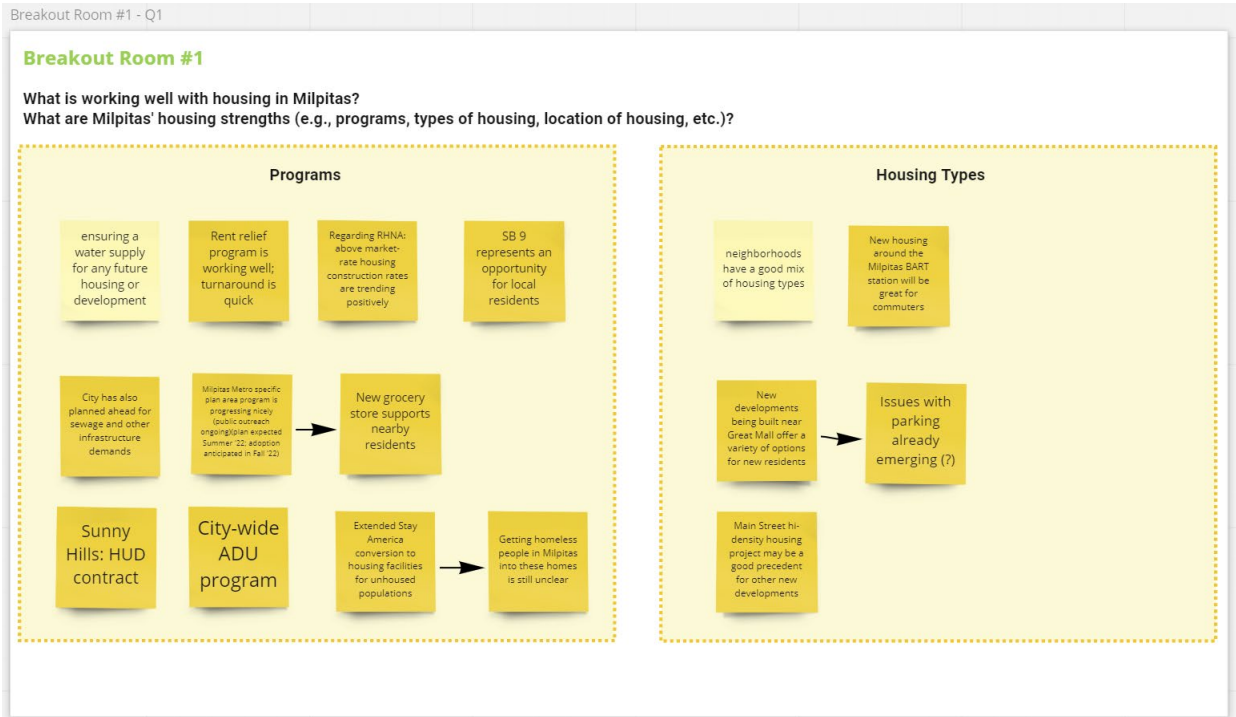
Building height limits

Explore the public-owned housing option being promoted by Assemblymember Alex Lee. Explore the impact on housing costs of a Personal Rapid Transit (PRT) system such as shown at [MilpitasPRT.com](http://MilpitasPRT.com)



## BREAKOUT ROOM RESULTS

### BREAKOUT ROOM #1





Breakout Room #1 - Q3

### Breakout Room #1

What housing practices, projects, or types have you seen that might work well in Milpitas?

Utah: <https://www.usich.gov/homelessness-statistics/ut/>

Proposed legislation publicly-owned housing (using Austria as a precedent) the public provide housing rather than relying on the private market?

Inclusion housing opportunities for people with disabilities: requiring a minimum number of on-site units, in addition to provision of services to that city. San Jose Area Regional Center to provide transit information (e.g., M, M, Morgan Hill have existing programs)

Multilingual tenant education and support: providing tenants with education and information, proactive outreach to both tenants and landlords to ensure that both parties are aware of their legal responsibilities and their rights.

Developer collaboration: between local governments and community land trusts as a mechanism to develop affordable housing in higher opportunity areas.

a new development in East Palo Alto just for affordable permanent housing. Ground floor is composed of garages and a few small shared spaces for the residents, very access. <https://www.sfbay.com/bayarea/index.ssf.html?cid=123456789>

Provision of shuttles that come frequently enough to remove reliance on personal vehicles (i.e. ensuring parking spaces, especially compensated for people carrying groceries, are not located too far from other transit stops)

Shuttles aligned with highly-populated areas such as apartment complexes

City of Santa Clara offers a shuttle precedent

Hub-and-spoke model shuttle system, expected for Milpitas sometime in 2022

Would City consider a program limiting housing ownership of existing available housing opportunities? (landlord/property)

This shortage of entry opportunity to streamline permit applications such as pre-approved ADU is a direct form-based permitting, affordable housing strategy that offer streamlining as an incentive

Greater emphasis on Milpitas existing ADU program (specific in local interest)

a rent registry to help track rising rents and to assist with communication with landlords and tenants about rights and responsibilities

a roommate matching program - we used to have one to help residents on fixed income stay housed and help others find housing

Reduced parking and commercial requirements, especially for affordable developments

## BREAKOUT ROOM #2

Breakout Room #2 - Q1

### Breakout Room #2

What is working well with housing in Milpitas? What are Milpitas' housing strengths (e.g., programs, types of housing, location of housing, etc.)?

#### Programs

City has made funds available for people struggling to pay rent. Update on the status of funds (whether they were replenished?)

#### Housing Types

More affordable housing and preservation of existing affordable housing

Future of kids who are currently in High School: Rising housing prices cause concern if they will be able to afford home. Need mix of townhomes and smaller units for young professionals and young families that are also affordable

Affordable to people with minimum wage, with 1 full-time job

Prevent overcrowding by offering more affordable homes and greater choice

## Breakout Room #2

What is working well with housing in Milpitas? What are Milpitas' housing strengths (e.g., programs, types of housing, location of housing, etc.)?

### General Notes

Housing near Montague and Main working well (last 5 years). Families walk kids to school. Families with combined income of \$100k. Mostly above moderate income category of housing.

More housing in the Metro Plan/ BART area. Need more housing near transit. Higher density developments to contain growth, preserve hills. Sango Court is 100% affordable. Wish more housing is affordable.

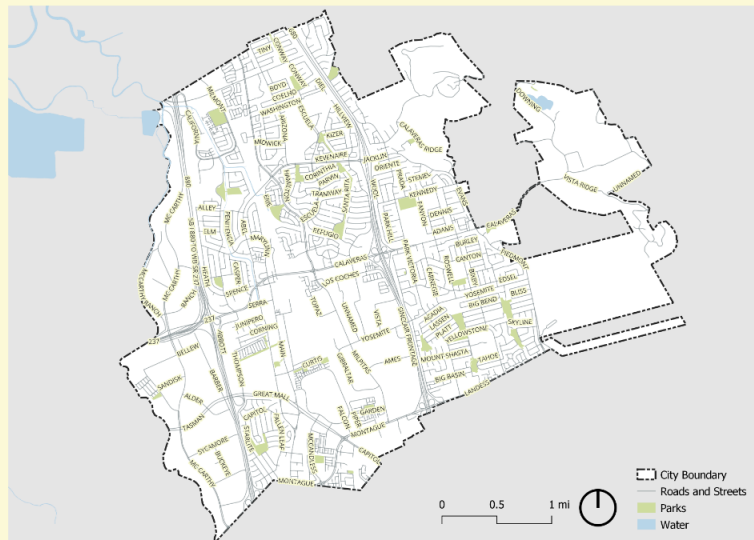
Other areas in the City??  
Bus stops?

Upcoming housing near California Circle (75 units of affordable housing)

Preservation of existing affordable housing complexes (Sunnyhills, Sango Court)

Need a downtown that's conducive to families and young people (more mixed-use)

### Housing Locations



## Breakout Room #2

What are the issues or challenges with housing in Milpitas (e.g., housing gaps, problematic locations, housing types, housing cost, etc.)?

Preserving character and beauty of residential neighborhoods including views of the hills.

Accommodate needs of a wide variety of people, esp near transit

Ensure there are enough jobs and assess current needs and trends for housing

More program-related:  
- Increase commercial developers to build low income  
- A vacancy tax on underutilized land/homes  
- Housing overlay zone to allow a higher density bonus  
- Linkage fees to provide more affordable housing

5 story La Quinta hotel proposal- disruptive to community character

Breakout Room #2 - Q3

### Breakout Room #2

What housing practices, projects, or types have you seen that might work well in Milpitas?

Affordable housing spread throughout the city, not concentrated in some locations

Integrating different income levels makes a stronger community

Explore/encourage Community Land Trusts-limited equity coops (subsidized once) that are affordable in the long-term  
Community Opportunity to Purchase, Tenant Opportunity to Purchase (allows home ownership)



# Survey #2

## OUTREACH

The survey was distributed both electronically and at physical locations. In addition to announcing through the City’s social media channels and newsletters, the survey was also shared in the Milpitas Chamber of Commerce newsletter, which is sent out twice per week, throughout the month of July. It was also included as materials during the Great Mall and Main Library pop-up events and the second workshop. Finally, it was shared via email with the stakeholder list, all City Commissionaires, members of the Community Development Roundtable, and the Milpitas Unified School District for them to distribute to parents, teachers, administrators, etc.

6TH CYCLE OF THE HOUSING ELEMENT

# Survey #2

## Housing Sites Inventory and Housing Programs

Open from June 24 to July 31



**Tell us about your experiences and  
goals for housing in Milpitas!**

<https://bit.ly/MilpitasHESurvey2> ←

The City of Milpitas is in the process of updating its Housing Element, a part of the City's General Plan that sets the vision and implementation plan for housing for the next eight years. This survey is an opportunity to share your thoughts and ideas about housing with the City, and ensure that this plan is a reflection of community voices and concerns. The survey should take just a few minutes to complete.

Thank you in advance for your time!

More information about the project is  
available at:

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

If you would like to receive more information,  
please contact us here:

[www.milpitashousingelement.com/contact/](http://www.milpitashousingelement.com/contact/)



## PURPOSE

A survey gives people the opportunity to share their thoughts at their own pace and when it is most convenient for them. The survey provided the team with the opportunity to gain insight into the diverse housing perspectives of Milpitas community members, especially in regard to locations and programs in the City. Survey #2 ran parallel to the workshop #2 and other activities during Phase 2 of engagement. It mirrored the questions and content from workshop #2: housing locations and programs.

## PARTICIPATION AND FORMAT

194 people participated in survey #2. The survey consisted of six housing-related questions and 11 demographic questions, included below, and was open from March 24, 2022 to July 31, 2022. The survey was announced and distributed via the City's social media channels and newsletters, main library, pop-up event, workshop, City Hall permit center, senior and community centers, and several email lists.

## SURVEY QUESTIONS

### HOUSING LOCATION

The City created a sites inventory to identify adequate sites where new housing could be built to accommodate and meet regional housing needs. The sites inventory is based on analysis of three components: 1) the 2021 General Plan's land use vision for the city, 2) proposed or approved housing projects, 3) and opportunity sites on vacant or underutilized sites.

1. Based on the sites inventory map below—where the more intense the color (the more blue) the higher the capacity for new housing—do the potential areas for new housing make sense?
2. Could you please explain in a few words why or why not?
3. Which neighborhoods/areas in the City provide the best opportunity for new housing? Please select up to three (3). Please use the map with numbered neighborhoods for reference.

### HOUSING PROGRAMS AND POLICIES

The City administers a wide variety of programs to support housing production, housing affordability, housing improvements, fair housing, and more. This section asks questions about your experiences with the existing programs and opportunities to prioritize future programs.

4. Existing City Programs:
  - a. Have you heard of this City Program?
  - b. If yes, do you think the program is working well?
5. Which of these programs within each of the topics above should be more immediate, short-term priorities for the City? Please select up to three (3).
6. What are other ideas for housing policies or programs that the City should explore in its Housing Element? Examples of program or policy ideas could be: 1) Producing more housing, 2) Creating and preserving affordable housing, and 3) Promoting fair and equitable access to housing.

### DEMOGRAPHICS

7. Do you live in Milpitas (select one)?
8. Do you rent or own your home (select one)?

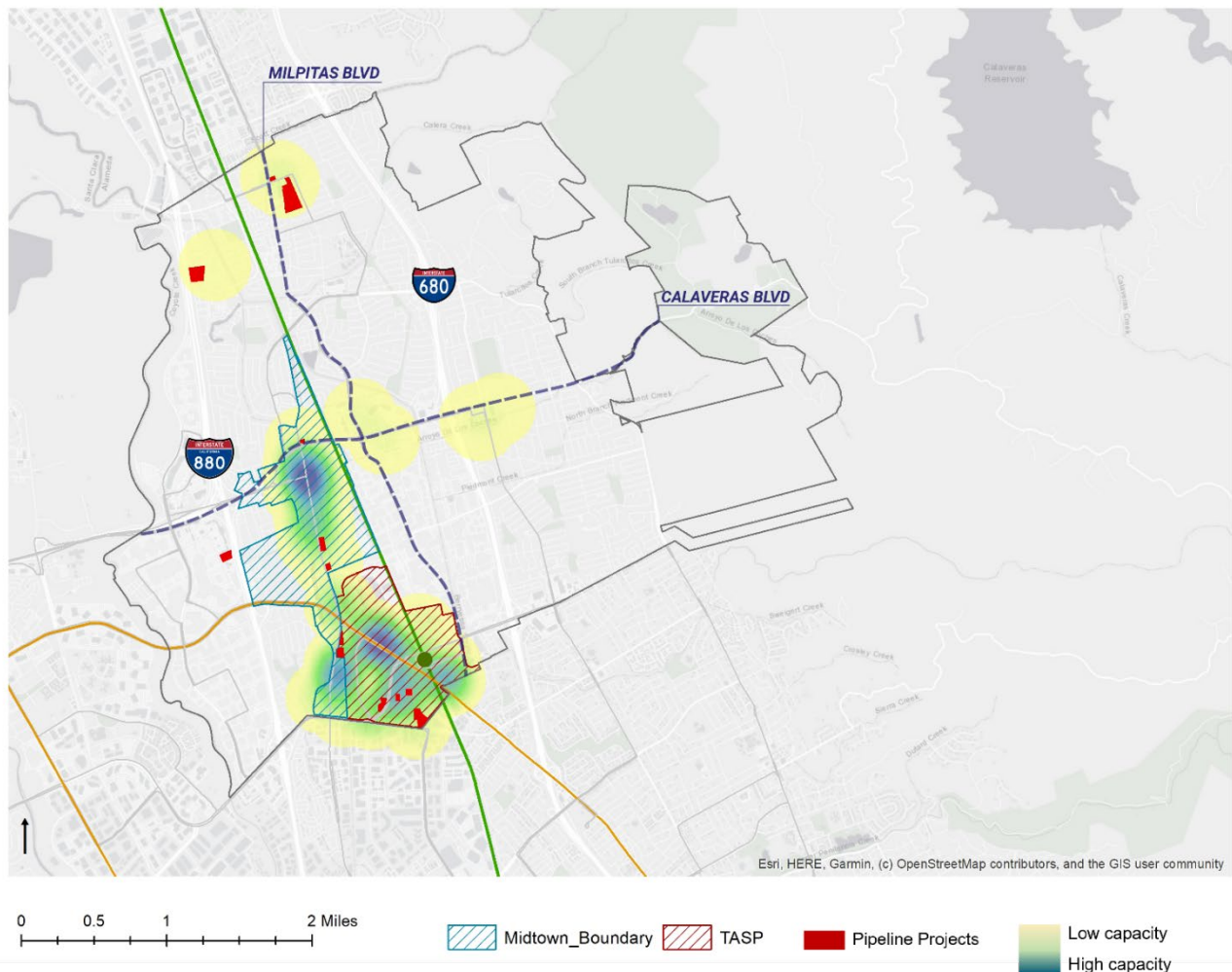
9. What best describes your housing (select one)?
10. How many years have you lived in Milpitas (select one)?
11. Which of the following are true (select all that apply)?
12. What best describes your annual household income level (select one)?
13. How do you identify (select all that apply)?
14. What gender do you identify with (select all that apply)?
15. What is your age?
16. Do you consider yourself a person with a disability (e.g., hearing, sight, physical, mental)?
17. What neighborhood of Milpitas do you live in?

## SUMMARY

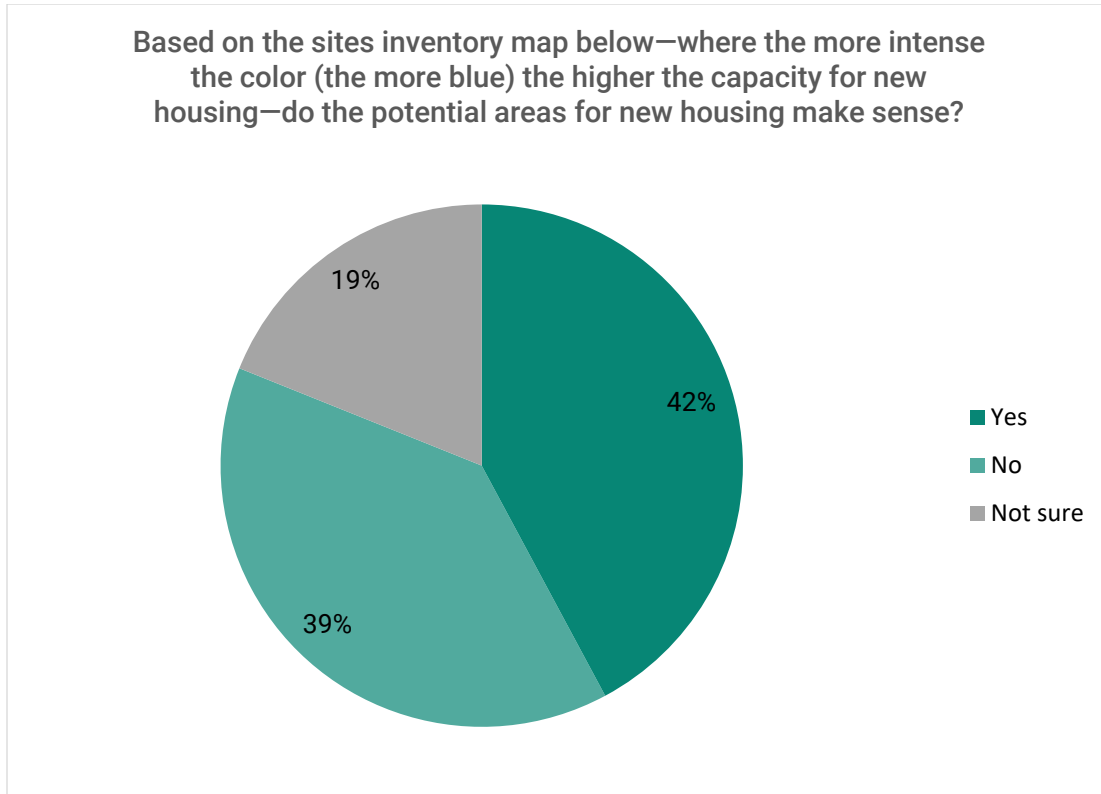
All full summary, with all write-in responses, is available on the project website.

### HOUSING LOCATION – QUESTION 1

Participants were asked to respond to the following question: *Based on the sites inventory map (Figure 1) –where the more intense the color (the more blue) the higher the capacity for new housing—do the potential areas for new housing make sense?*



185 of the 194 respondents (95%) provided a response. Respondents were almost equally split in their responses. 42% said that the potential areas for new housing in the sites inventory map made sense, while 39% disagreed that they did.



## HOUSING LOCATION – QUESTION 2

Participants were then asked the follow up question: *Could you please explain in a few words why or why not?*

123 of the 194 (63%) responded answered this question. The key themes that arose from the responses were the following.

### KEY THEMES

#### Quality of Life

- In considering new housing, must also consider the quality of life as a factor.
- New developments will bring more revenue to the City.
- The southern part of the City, including the Pines neighborhood, has experienced the largest increase in high density housing projects, which has lowered the quality of life for residents in that area.

#### Specific Areas

- Disagreement with yellow areas with pipeline projects.
- Southernmost part of the map is a bit congested with multifamily housing already.



- Develop close to the shopping mall.
- Do not concentrate all the housing and overburden the area west of Milpitas Blvd where there already is a lot of traffic and parking issues.
- It does not make sense to build in the Hills over a fault line and where wildlife would be negatively impacted.
- The blue areas are saturated with housing, and it does not make sense to build more in highly populated areas.
- Need more housing near Piedmont Hillside homes.
- The area that runs along Montague where the old Johnson & Johnson buildings were is already overcrowded and congested.

#### Revitalizing Underutilized or Vacant Areas

- Area by Calaveras Blvd and Abel St has so much underutilized or vacant lots.
- The best way to revitalize Main St is to welcome new housing and higher density housing within walking distance of places that meet their needs, rather than parking lots occupying that space.
- There are underused and vacant lots east of 680 and Park Victoria that are not marked on the map.
- There is one undeveloped lot west of McCarthy Blvd and south of 237 that could be considered.

#### Connection to Transportation

- New housing should be accessible by major streets and freeways.
- New housing is critical along commute routes such as the 237 and Calaveras Gateway.
- New housing should be close to the Warm Springs and San Jose BART stations to the north and south of the City, respectively, as well as the light rail.

#### Mixed Use Development

- High-capacity areas are where commercial businesses already exist. Assign greater mixed use zoning, such as office and retail on the ground level and housing on multiple levels above, to increase opportunities for housing.
- Consider converting parking lots to mixed use.
- In general, it is good to see more housing being proposed near retail.

#### Affordability

- Some of the sites are luxury apartments when more low-income housing is what is needed.

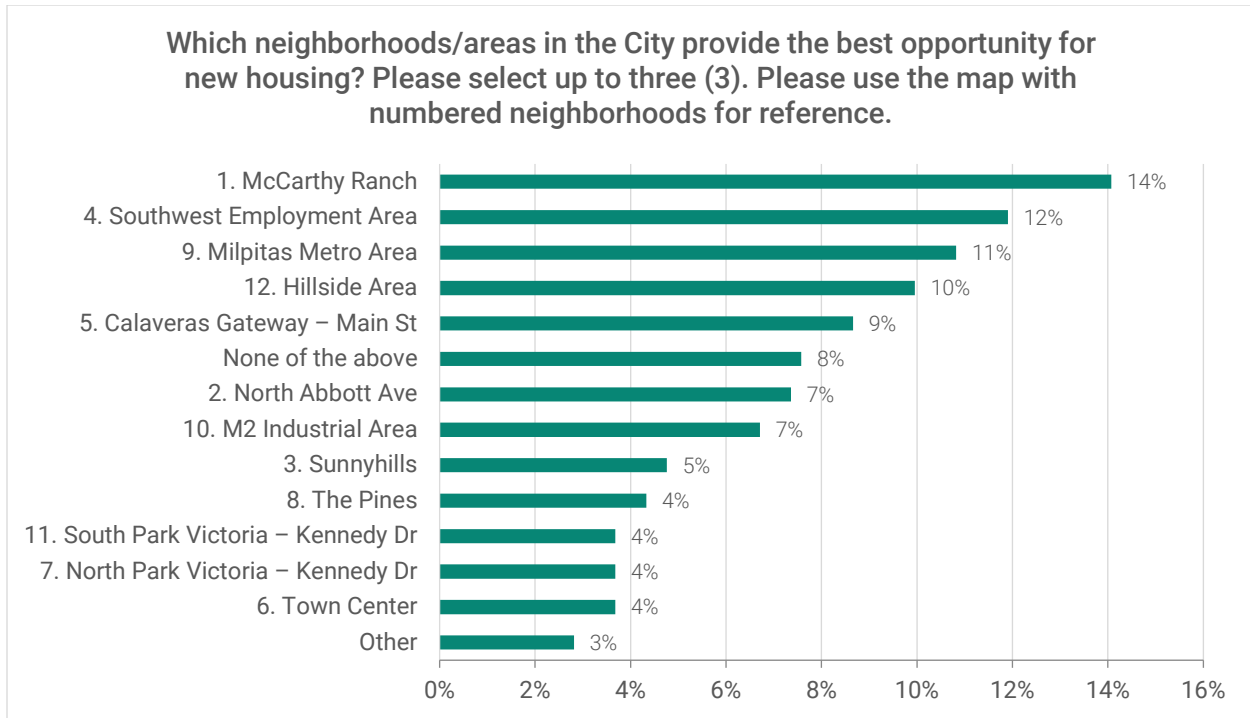
#### Land Use Balance

- The City also needs to attract more businesses so it can generate more sales tax. Balance new housing development with other uses, especially commercial, as well.
- It is important to have a proper Midtown/Main St, so cannot just be housing there.
- The City also needs open space which it already lacks.

### HOUSING LOCATION – QUESTION 3

The third question in the Housing Location section was: *Which neighborhoods/areas in the City provide the best opportunity for new housing? Please select up to three (3). Please use the map (Figure 2) with the numbered neighborhoods for reference.*

191 of the 194 respondents (98%) answered this question, which had a total of 462 selections of neighborhoods/areas. The top three neighborhoods with the most votes were McCarthy Ranch (14%), Southwest Employment Area (12%), and Milpitas Metro Area (11%). The percentages were calculated using the 462 total selections as the denominator.



#### HOUSING PROGRAMS AND POLICIES – QUESTION 4

The first question participants had to respond to in this section was two-part. First, the question asked whether respondents had heard about each of the existing housing programs that the City has. Second, if they responded with a “Yes”, the follow-up question asked if they thought that the program was working well.

130 of the 194 respondents (67%) answered this two-part question.

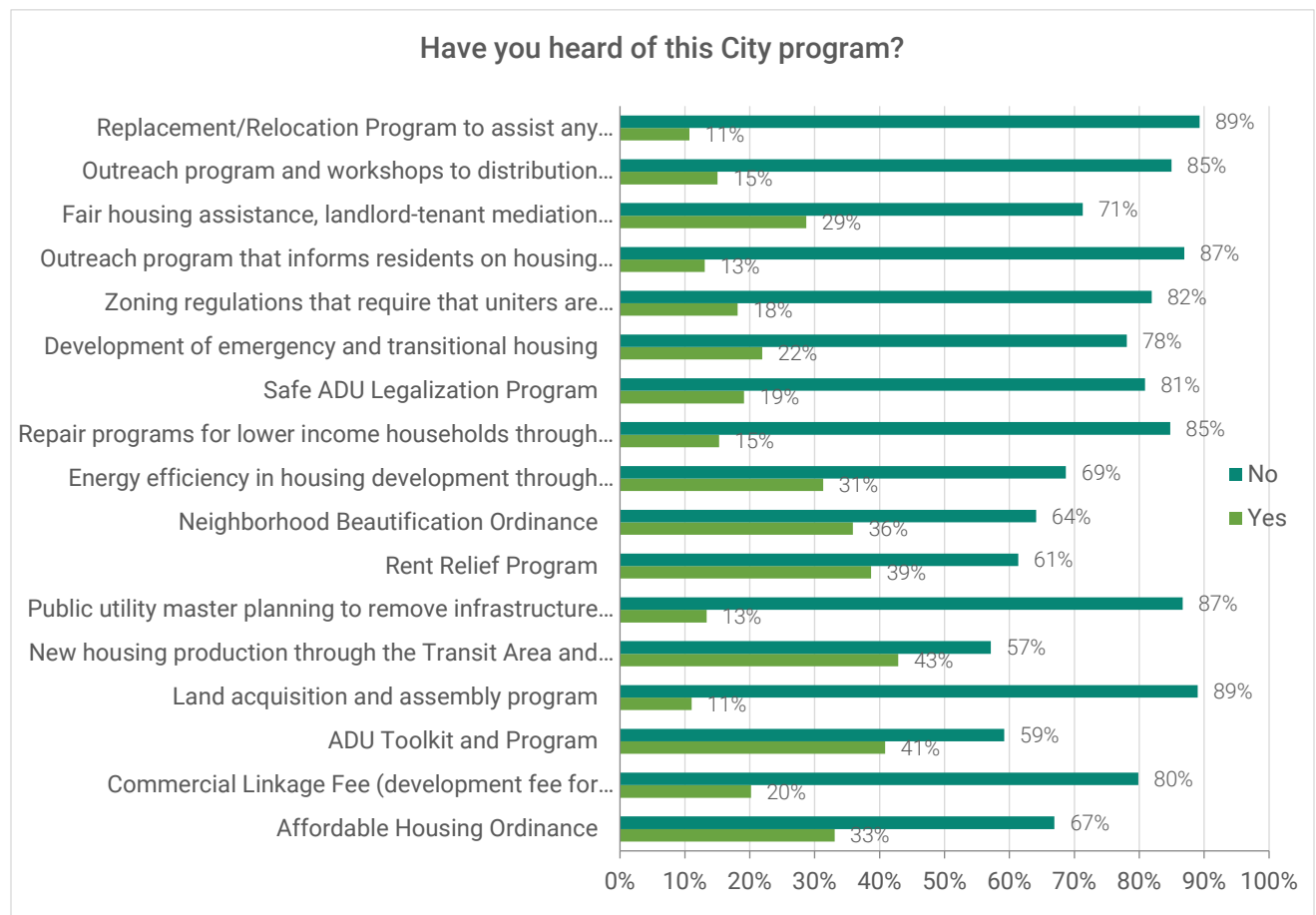
The existing housing programs listed were:

- Replacement/Relocation Program to assist any households displaced by code enforcement activities
- Outreach program and workshops to distribution information about fair housing through Project Sentinel
- Fair housing assistance, landlord-tenant mediation services, and mortgage default counseling through Project Sentinel
- Outreach program that informs residents on housing and services available for persons with developmental disabilities through the San Andreas Regional Center
- Zoning regulations that require that uniters are accessible to individuals with disabilities
- Development of emergency and transitional housing
- Safe ADU Legalization Program
- Repair programs for lower income households through Rebuilding Together
- Energy efficiency in housing development through Green Building Regulations

- Neighborhood Beautification Ordinance
- Rent Relief Program
- Public utility master planning to remove infrastructure constraints
- New housing production through the Transit Area and Midtown Specific Plans
- Land acquisition and assembly program
- ADU Toolkit and Program
- Commercial Linkage Fee (development fee for affordable housing production)
- Affordable Housing Ordinance

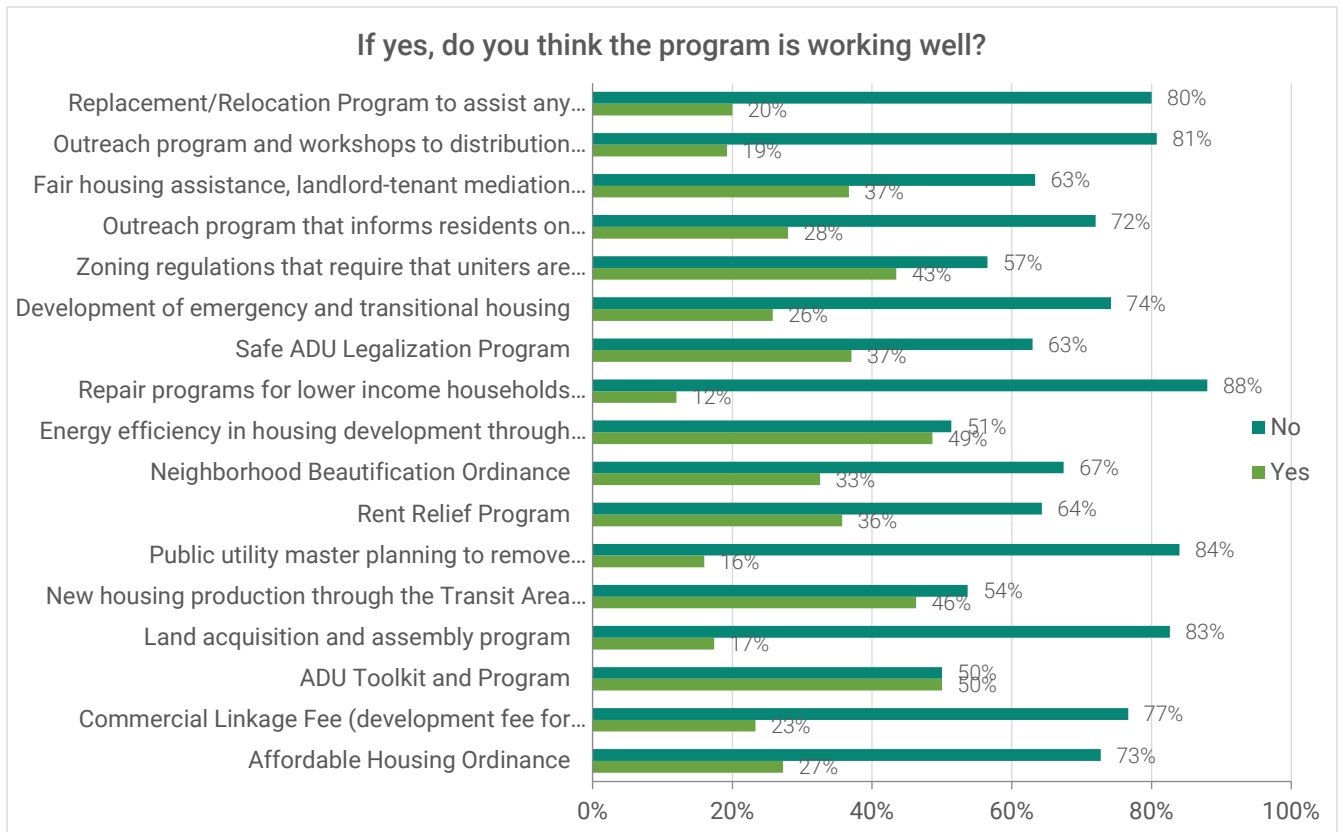
Of these, respondents indicated that the following three were the existing housing programs that they had heard the most about: New housing production through the Transit Area and Midtown Specific Plans (43%), ADU Toolkit and Program (41%), and Rent Relief Program (39%).

On the other hand, the programs that they had least heard about were: Replacement/Relocation Program to assist any households displaced by code enforcement activities (89%), Land acquisition and assembly program (89%), Outreach program that informs residents on housing and services available for persons with developmental disabilities through the San Andreas Regional Center (87%), and Public utility master planning to remove infrastructure constraints (87%).



For the follow up question, respondents shared that the following programs were working the best: ADU Toolkit Program (50%), Energy efficiency in housing development through Green Building Regulations (49%), and New housing production through the Transit Area and Midtown Specific Plans (46%).

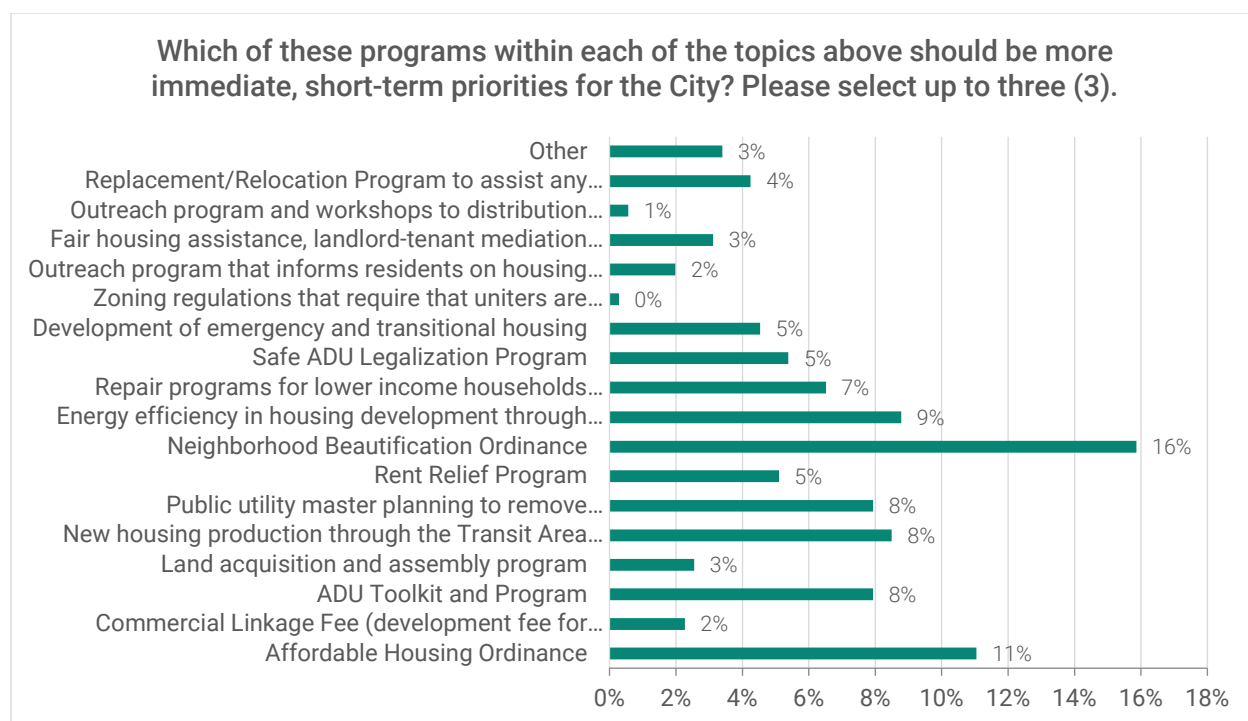
On the other hand, they indicate the following as working the least well: Repair programs for lower income households through Rebuilding Together (88%), Public utility master planning to remove infrastructure constraints (84%), and Land acquisition and assembly program (83%).



## HOUSING PROGRAMS AND POLICIES – QUESTION 5

The second question in this section also asked about the existing housing programs: *Which of these programs within each of the topics above should be more immediate, short-term priorities for the City? Please select up to three (3).*

134 of the 194 participants (69%) responded, selecting a total of 353 short-term priorities. The top short-term priorities indicated by respondents were: Neighborhood Beautification Ordinance (16%), Affordable Housing Ordinance (11%), and Energy efficiency in housing development through Green Building Regulations (9%).



## HOUSING PROGRAMS AND POLICIES – QUESTION 6

The third and last question of this section asked respondents the following: *What are other ideas for housing policies or programs that the City should explore in its Housing Element? Examples of program or policy ideas could be: 1) Producing more housing, 2) Creating and preserving affordable housing, and 3) Promoting fair and equitable access to housing.*

### KEY THEMES

#### Open Space Integration

- Include areas of natural beauty where people can relax and enjoy.

#### Neighborhood Character

- Preserve neighborhood character.
- Consider removing the Neighborhood Beautification Ordinance.
- Consider cultural elements to make the areas with housing more vibrant.

#### New Development Requirements

- The City can require new development to provide certain services in order to develop in the City.

#### Affordable Housing

- Create more housing for low-income and middle-income households, and to special groups such as essential workers (e.g., teachers).
- Preserve affordable housing.
- Promote equitable access to affordable housing, especially for those that have lived in the City for a long time.

#### Social Services

- Provide more relief for the unhoused and more fair access to housing.

#### New Development Locations

- Build in vacant land and revitalize Calaveras Gateway and Main St with more development.
- Produce more housing in higher densities near public transit.
- Housing near high-quality transit infrastructure should be denser than the current 4-7 story buildings that are allowed.
- Industrial areas in the TASP area can be converted to housing with a mix of other uses such as retail and parks.

#### Home-Specific

- Allow for home expansion and ADU for more living spaces.
  - Provide guidance and shorten delay on approvals.
- New homeowner assistance program that helps families with children and college graduates buy homes.
- Assistance with purchasing such as down payment loans at low interest rates.

#### Education

- Educate the population about the dire need for additional housing. There is a misconception that more housing will raise rent for existing community members when research indicates otherwise.

#### Funding

- Fund housing programs by invited more businesses to the community that can provide sales taxes for the City to improve.

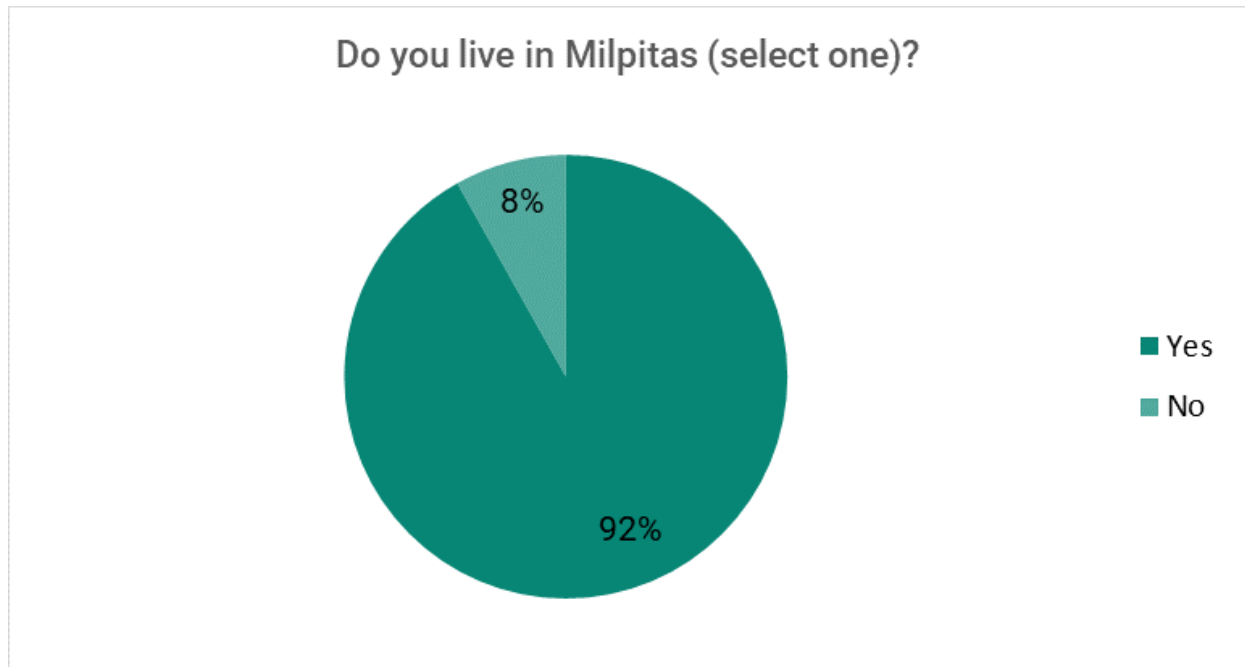
#### Connection to Other Issues

- Housing programs should account for other top concerns: schools, infrastructure support, grocery stores, environmental and energy conservation (e.g., drought), shopping, and walkable and attractive streets.
- More housing requires more public safety enforcement.
- Require to increase infrastructure for higher capacity when approving and adding new development.
- Ensure that the City retains existing commercial and industrial zoned areas.
- Complete a traffic master plan along with a housing plan.
- Eliminate parking requirements.

## DEMOGRAPHICS

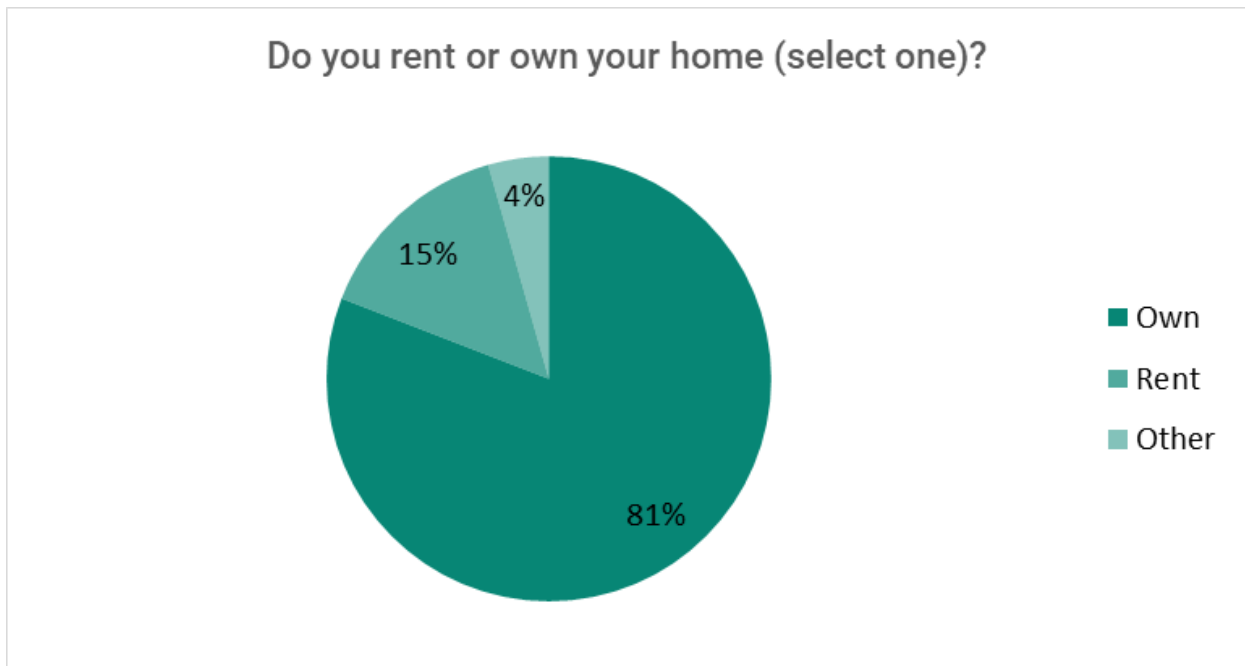
### RESIDENCY

135 participants responded to this question, with the vast majority residing in Milpitas.



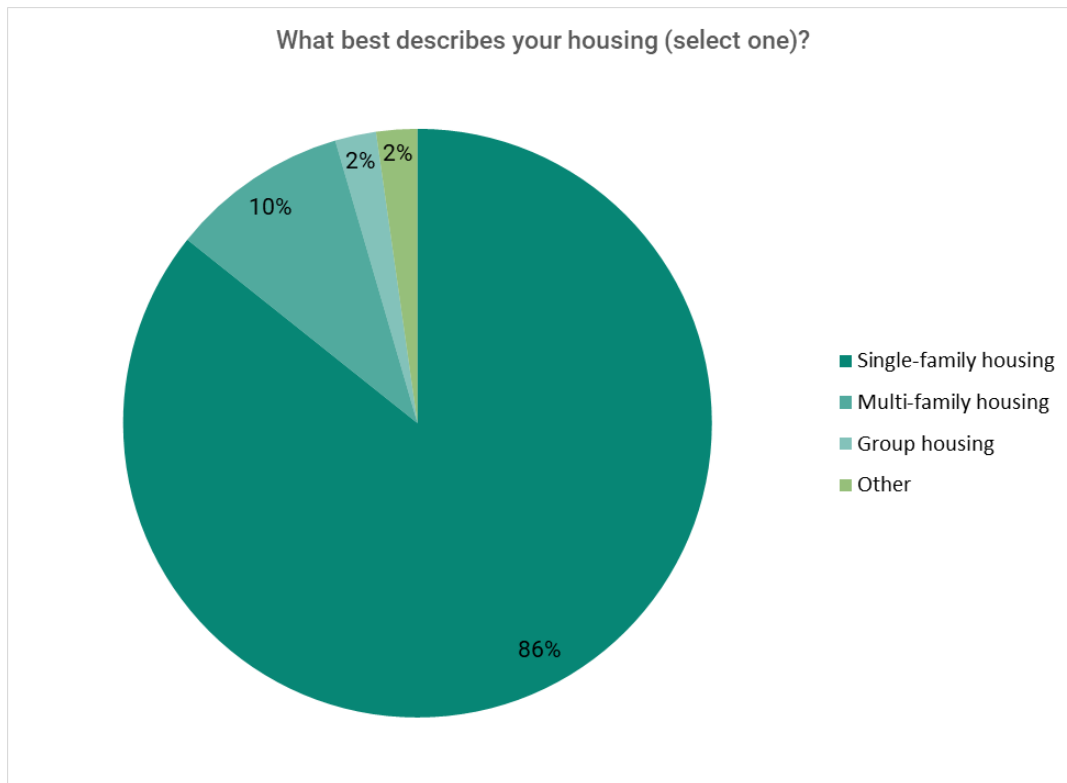
### HOUSING TENURE

130 participants responded to this question, with the majority indicating that they are homeowners.



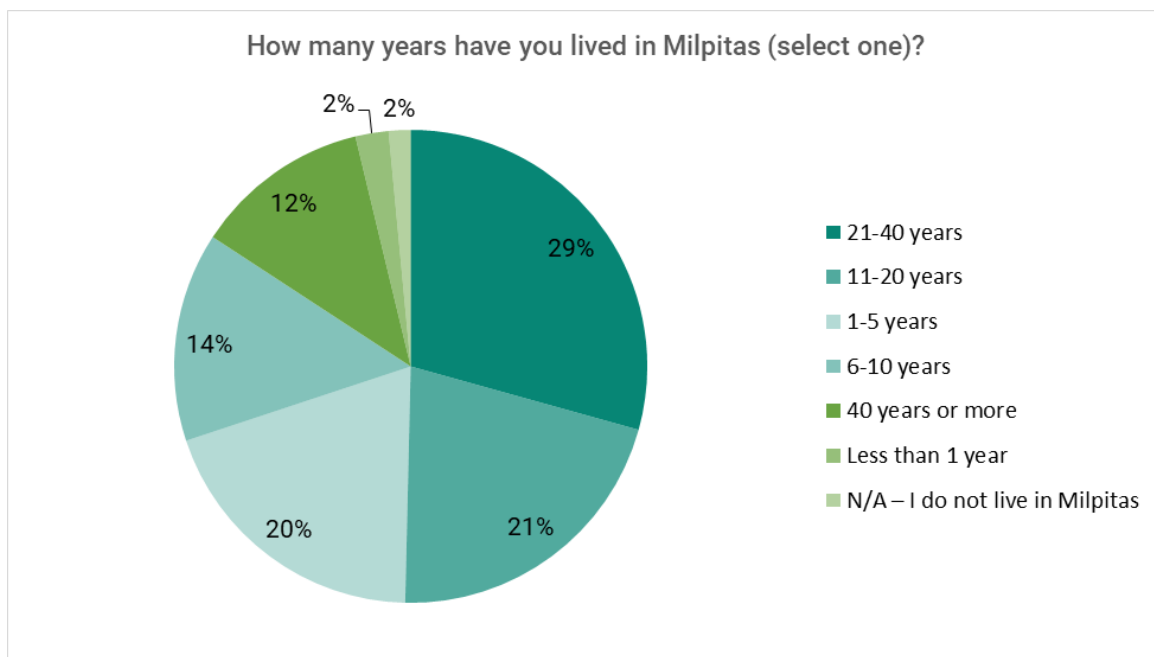
## HOUSING TYPE

130 participants responded to this question, with the vast majority indicating that they live in single-family housing.



## RESIDENCY DURATION

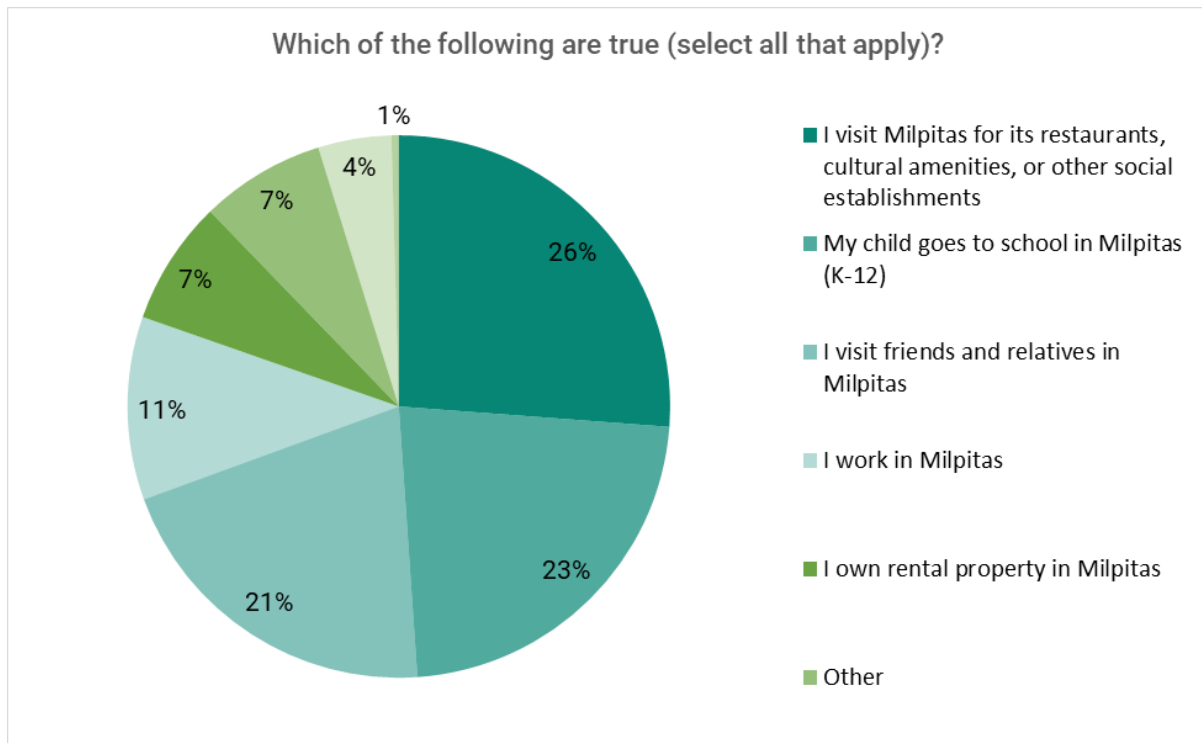
133 participants responded to this question, with almost a third indicating that they have lived in Milpitas for 21-to-40 years.





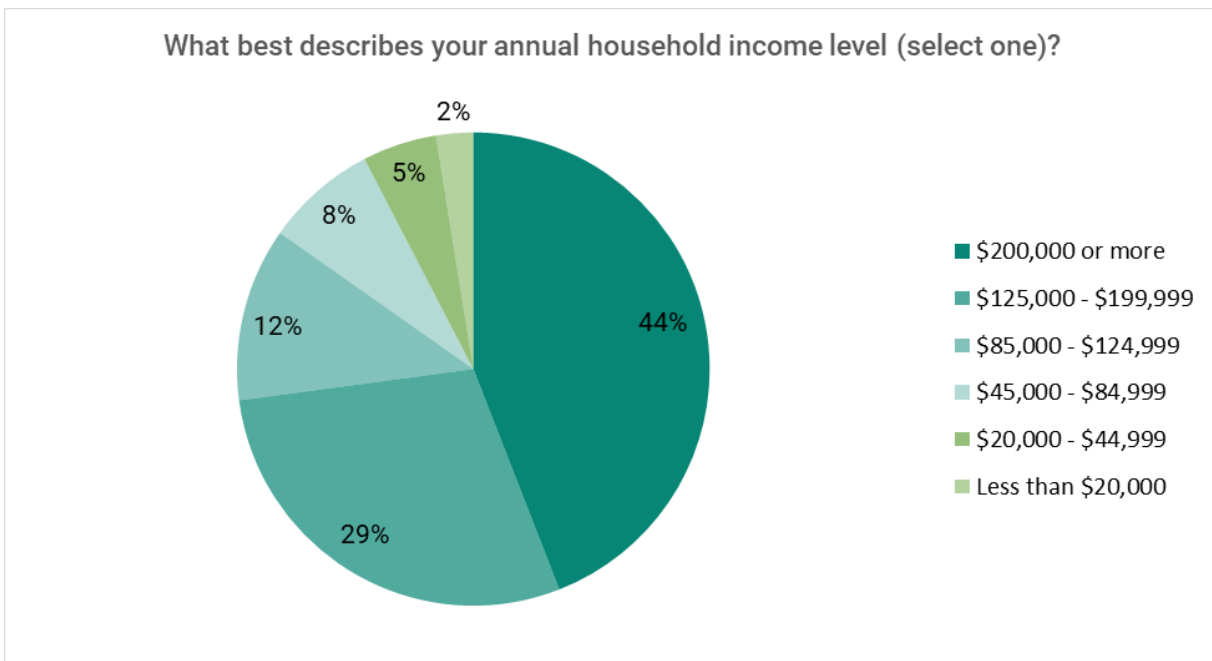
### RELATION TO MILPITAS

Together, 108 participants indicated 229 ways in which they relate to Milpitas. Almost a third of participants said that they visited Milpitas for its restaurants, cultural amenities, or other social establishments.



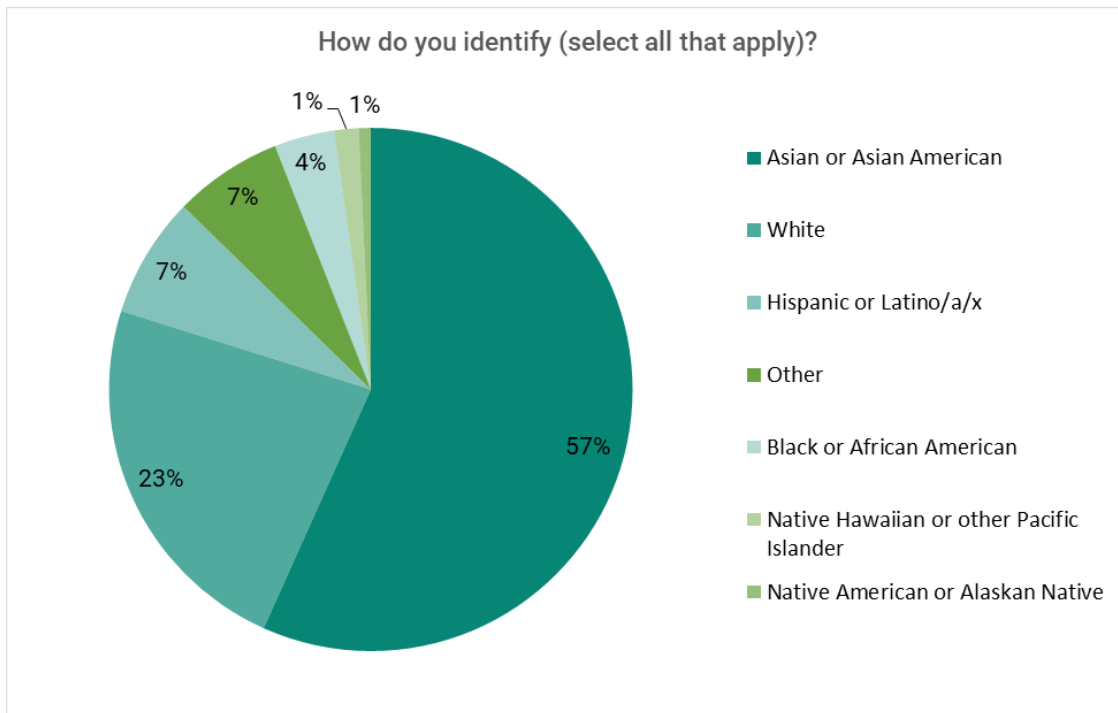
### HOUSEHOLD INCOME

118 participants shared their annual household income, with a over 40% reporting to earn \$200,000 or more and another third between \$125,000 and 199,999.



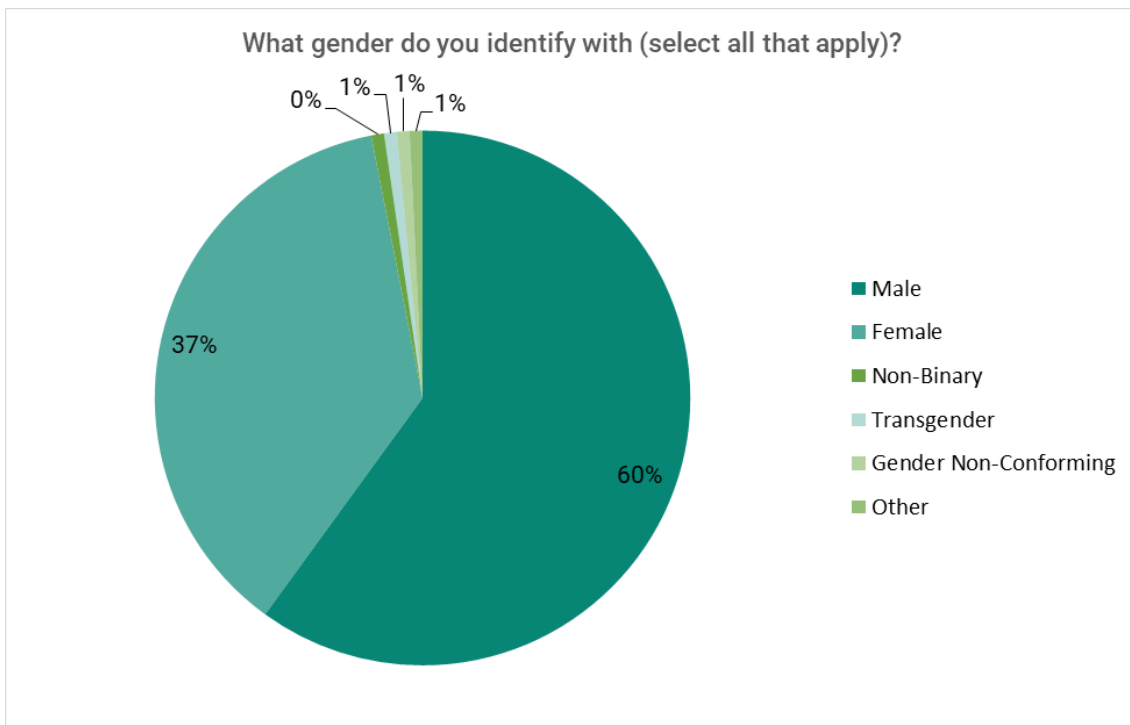
## RACE/ETHNICITY

Together, there were 116 responses for self-identifying one's race and ethnicity. Participants could select all that applied. Most participants self-identified as Asian or Asian American, and another 23% as white.



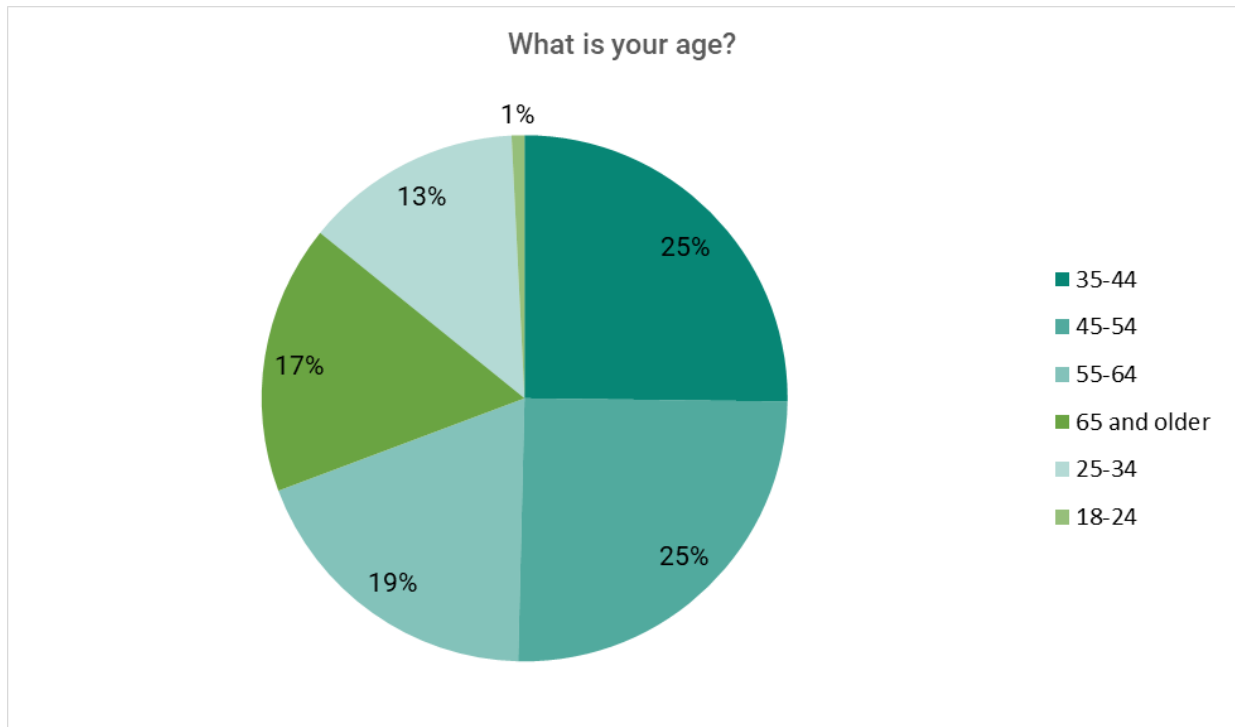
## GENDER

Together, there were 125 responses for self-identifying one's gender. Participants could select all that applied. A majority of participants self-identified as male, and almost 40% as female.



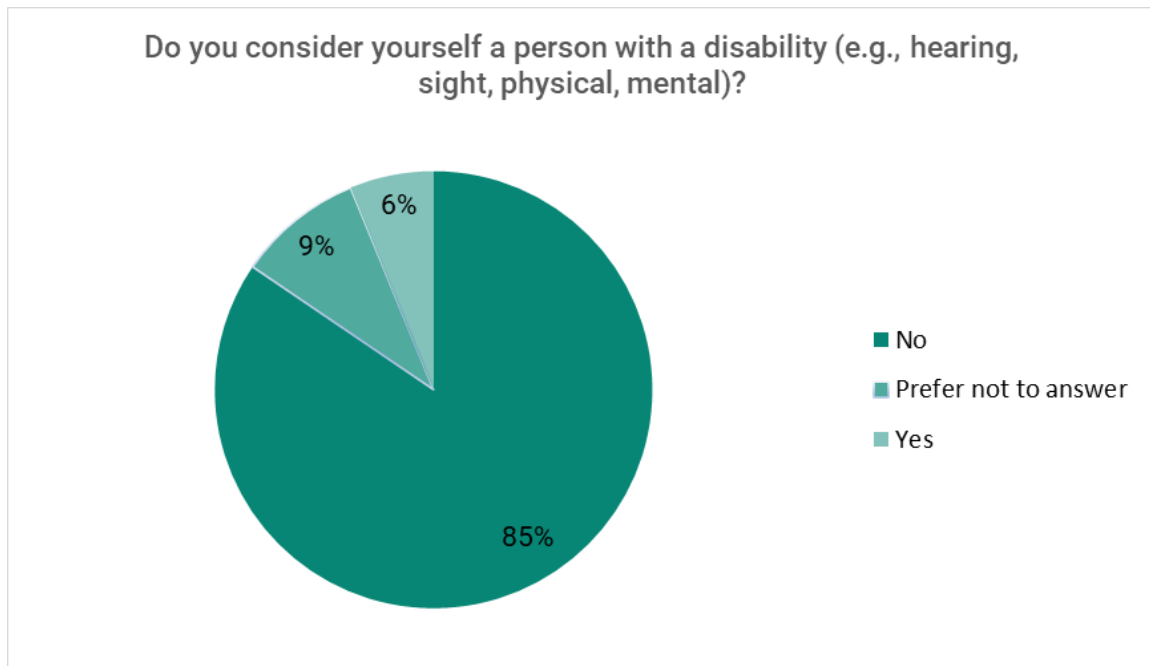
## AGE

127 participants shared their age, with half being 35-to-44 years old and 45-to-54 years old.



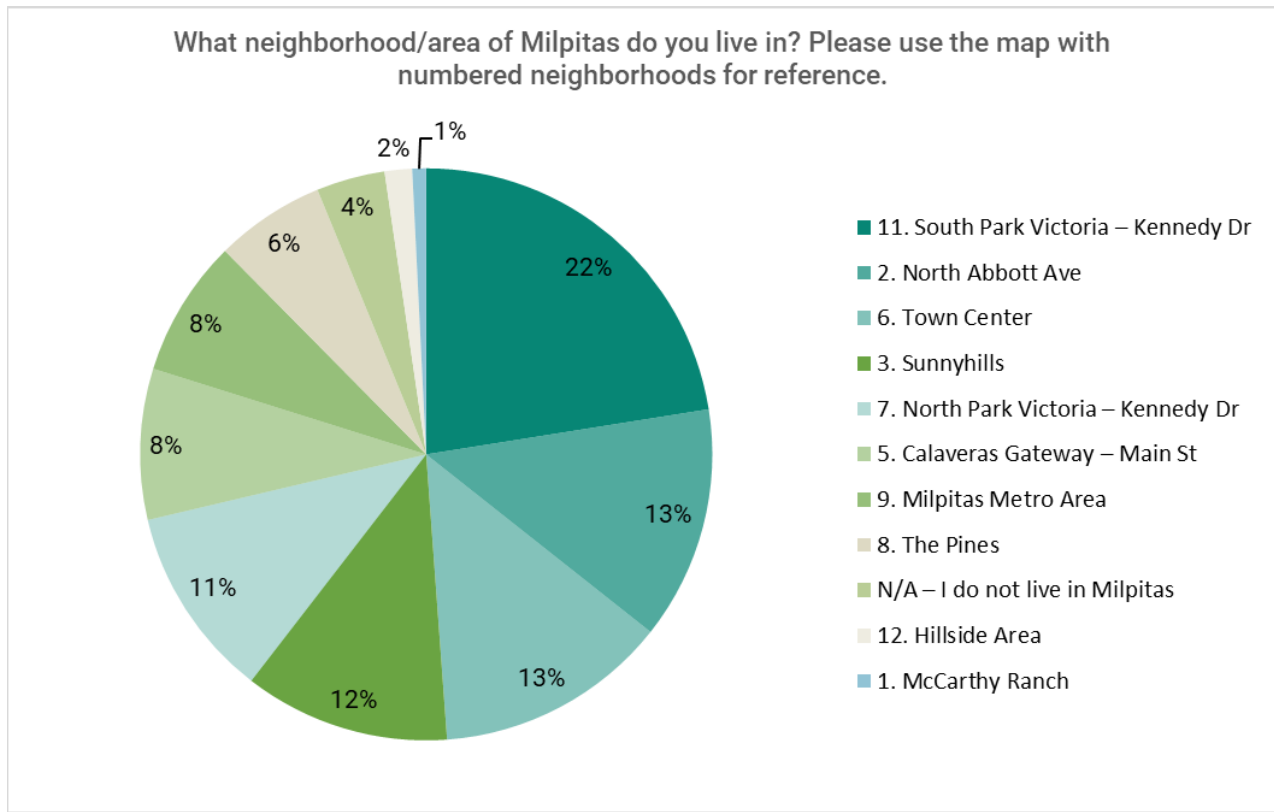
## DISABILITY

129 participants shared whether they considered to have a disability or not. A majority indicated not having one.



## RESIDENCY

The graph below indicates where respondents reside in the City.



# Community Workshop #2

## OUTREACH

Outreach was conducted in several ways. A flyer was produced in English, Spanish, Vietnamese, and Chinese simplified and distributed digitally and printed out in the following outlets and locations: City's social media channels (NextDoor, Facebook, Twitter), City newsletters (Milpitas Matters, Connected), email listservs and email newsletters (Milpitas Chamber of Commerce), City Hall permit center, stakeholder list (close to 300 people), and at the public library and senior and community centers.

# COMMUNITY WORKSHOP #2

## Housing Sites Inventory and Housing Programs

**Tuesday, June 28, 6:00PM**

The meeting will be held virtually on zoom.

Please register using this link:

→ <https://bit.ly/MilpitasHousingElementZoom2> ←

You will receive a confirmation email with further details for logging in.

### What's this about?

Come join us to learn more about the City's Housing Element! The Housing Element is part of the City's General Plan. Its purpose is to facilitate the production of a variety of housing types, at different income levels, to accommodate all households and family types. Cities are required by state law to update their Housing Element every eight years, and the City of Milpitas is now updating its Housing Element to plan for the City's projected housing needs during the next eight years between 2023 and 2031.

**In this workshop, you'll get to learn about and provide your thoughts and ideas on:**

- Potential new housing locations
- Existing housing programs
- Proposed new housing programs

For more information, visit:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

For questions, contact:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



# HỘI THẢO CỘNG ĐỒNG #2

Các Chương trình Nhà ở và Kiểm kê Cơ sở Nhà ở

**6 giờ chiều, thứ Ba, 28 tháng 6**

Cuộc họp sẽ được tổ chức trực tuyến trên nền tảng Zoom.

Vui lòng đăng ký ở liên kết này:

→ <https://bit.ly/MilpitasHousingElementZoom2> ←

Quý vị sẽ nhận được một email xác nhận cùng thông tin chi tiết để đăng nhập.

## Hội thảo về chủ đề gì?

Hãy tham gia cùng chúng tôi để tìm hiểu thêm về chương trình Housing Element của Thành phố! Housing Element là một phần Quy hoạch chung của Thành phố. Mục đích của chương trình là thúc đẩy xây dựng các loại nhà ở đa dạng, với mức thu nhập khác nhau để cung cấp nơi ở cho nhiều hộ gia đình và các loại hình gia đình. Các thành phố được luật tiểu bang yêu cầu cập nhật chương trình Housing Element sau mỗi tám năm, và Thành phố Milpitas hiện đang cập nhật Housing Element để chuẩn bị cho kế hoạch nhu cầu nhà ở của Thành Phố trong tám năm tiếp theo từ 2023 tới 2031.

**Trong hội thảo này, quý vị sẽ được tìm hiểu và đưa ra ý kiến và quan điểm về:**

- Địa điểm có khả năng được sử dụng để xây nhà ở
- Các chương trình nhà ở hiện tại
- Các chương trình nhà ở mới được đề xuất

Để biết thêm thông tin, xin truy cập:

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Nếu quý vị có câu hỏi, vui lòng liên hệ:

[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)





# 社区 第二场研讨会

住房用地清单和住房计划

6 月 28 日, 星期二, 下午 6:00

该会议将通过 Zoom 于线上举行。

请访问此链接进行注册:

→ <https://bit.ly/MilpitasHousingElementZoom2> ←  
您将收到一封确认电子邮件, 其中包含更多登录详情。

## 这场研讨会与什么有关?

欢迎加入我们, 了解更多有关城市住房要素 (Housing Element) 的资讯! 住房要素 (Housing Element) 是城市总体规划的一部分, 这个计划旨在促进建造各种房型, 以满足不同收入阶层群体的住房需求。根据州法律, 各城市必须每八年更新一次住房要素 (Housing Element) 计划; 米尔皮塔斯市 (Milpitas) 目前正在更新此计划, 以针对该市未来八年 (2023 年至 2031 年) 的预计住房需求作出规划。

在这场研讨会中, 您将了解到以下内容,  
并可以就这些内容提出想法和见解:

- 潜在的新住房位置
- 现有的住房计划
- 拟议的新住房计划

如需了解更多信息, 请访问:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

如有问题, 请联系:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)





# TALLER COMUNITARIO #2

Inventario de sitios de vivienda y programas de vivienda

**martes, 28 de junio, 6:00 PM**

Este taller será virtual por zoom.

Por favor, regístrese usando el siguiente enlace:

→ <https://bit.ly/MilpitasHousingElementZoom2> ←

Recibirá un correo electrónico de confirmación con más información sobre cómo conectarse al zoom.

## ¿De qué se trata el elemento de vivienda?

¡Únase al taller para aprender más sobre el elemento de vivienda de la ciudad! El elemento de vivienda es parte del Plan General de la ciudad. Su propósito es facilitar la producción de una variedad de tipos de vivienda, a diferentes niveles de ingreso, para todo tipo de hogar y de familia. Las ciudades en California están obligadas por ley estatal a actualizar su elemento de vivienda cada ocho años. La ciudad de Milpitas recién comenzó la actualización de este elemento para planificar sus necesidades de vivienda durante los próximos ocho años entre el 2023 y el 2031.

### En este taller, aprenderá y podrá aportar sus pensamientos e ideas sobre:

- Posibles nuevas ubicaciones de vivienda
- Programas de vivienda existentes
- Nuevos programas de vivienda propuestos

Para más información, por favor visite nuestra página web:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Si tiene alguna duda o pregunta, por favor contáctenos a:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



## PURPOSE

The main purpose of workshops is to have a dedicated space and ample time for in-depth engagement and feedback at crucial stages of the Housing Element Update development. For workshop #2, the team sought to share information and receive feedback regarding the City's housing locations and programs. The primary objectives of the meeting were to:

- Provide background on the Housing Element and process;
- Share our community engagement strategy;
- Review initial needs and constraints findings;
- Review RHNA requirement and Sites Inventory methodology; and
- Gather community ideas about housing locations and programs to address needs and constraints.

## PARTICIPATION AND FORMAT

23 people who lived, worked, and/or visited Milpitas participated in workshop #2. The workshop was held virtually on Zoom on June 28, 2022 from 6pm-8pm PST. Interpretation was offered in Spanish, Vietnamese, and Mandarin for the entirety of the meeting. The first part of the meeting consisted of a presentation by the consultant team that provided background information on the Housing Element, findings from community engagement to date, and from identified housing needs, constraints, and sites. Participants then went into breakout rooms to discuss Milpitas's potential new housing locations and existing and new housing programs in greater detail.

## BREAKOUT ROOM QUESTIONS

During the breakout room discussion portion of the workshop, participants were asked to think about and share their thoughts in response to the following questions.

### PART 1 – SITES INVENTORY AND HOUSING LOCATION

1. Do the potential housing locations in the sites inventory map look about right to you?
2. Where else should housing sites be located?

### PART 2 – HOUSING PROGRAMS AND POLICIES

3. What types of programs and policies should the city implement to address its needs and achieve its housing goals?
4. Which of these programs should be short-term priorities for the City?

## SUMMARY

### PART 1 – SITES INVENTORY AND HOUSING LOCATION

#### LOCATION AMENITIES

- Participants noted the following as things to have near new housing:
  - Transportation (most votes)
  - Commercial areas with shops and grocery stores (second most votes)
  - Parks
  - Community services and medical facilities
  - Jobs
  - Schools

- Industry
- Participants noted the following as things to keep away from new housing:
  - Hillside (most votes)
  - Landfill (second most votes)
- Freeway and busy/noisy intersections
- Other notes:
  - There were several comments stating that the City should consider all locations possibilities unconditionally due to the high need for more housing.
  - A few others stated the opposite, raising concerns over the City's capacity to house more people and the consequences on traffic particularly.

#### AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

- The current sites inventory map concentrates housing in high-density and commercial zones.
  - Some expressed concerns with housing being concentrated in high-density near the Great Mall and BART areas.
- Housing should be distributed across communities, especially those that are high opportunity areas with access to amenities, rather than concentrated in a few select areas of the City.
- Open parts of the City that were previously closed to certain groups.
- Provide a variety of housing and do not isolate people by race and class.
- Consider high resource areas that don't have high-density housing built or proposed to be built yet.

#### ACCESSORY DWELLING UNITS (ADUS)

- Encourage ADUs by subsidizing homeowners and providing other types of financial incentives.
  - Homeowners are getting older and such, may need government support.
- There was support for more ADUs and making them 100% accessible to all groups.

#### HOUSING TYPE

- Two different types of dwelling to consider when assessing housing needs, each with their benefits and drawbacks: multifamily versus single-family
  - Consider the amenities based on type (e.g., yard, community center).
- Regarding height, the City should be aware that an ordinance that prevents height in certain neighborhoods may result in lower income people being unable to purchase.

#### INFRASTRUCTURE

- Electric Vehicles (EV):
  - Ensure that there is coordination with locating EV charging stations in new housing to reduce car dependence/community.
  - Plan locations in an equitable way.
  - Could be addressed through programs, such as incentives and building codes.

#### SENIOR HOUSING

- Create standards since it is different than other types of housing.
- Requires proper inspections and financial support.

#### MIXED-USE DEVELOPMENT

- Integrate compatible land uses by building housing on top of shops near Town Center, along Main Street, and other commercial areas.
  - Some commercial owners are interested in developing mixed use, especially since these areas tend to have good transit access and are walkable.
- Example in Milpitas:
  - The Trader Joe's parking garage is a good example of this type of development.

- Encourage more of this type of development. Supermarkets are a great place for redevelopment in a mixed-use way.
- Example elsewhere:
  - Denmark has housing that has been integrated into the upper floors of small shops.

#### LOCATION SUGGESTIONS

- Consider potential sites in the east side of the city which is currently single-family housing.
- There are great development opportunities with good transit accessibility in the north part of the city.
- The area across from the golden arches and behind Lyon and Dixon is vacant and underutilized.

## PART 2 – HOUSING PROGRAMS AND POLICIES

#### DIVERSE HOUSING PRODUCTION

- Planning:
  - Adopt revised Metro Specific Plan and Gateway-Main Street Specific Plan, which are underway.
  - Adopt a Housing Overlay Zone for more affordable units.
  - There were concerns raised about projects that can be approved without parking.
- Infrastructure:
  - Milpitas is still considered a small suburb. As such, need to study how many more people it can support and its impact on social and physical infrastructure (e.g., traffic, public safety, fire department, schools).
  - The General Plan's Environmental Impact Report can be a good resource for assessing infrastructure needs.
  - Infrastructure and utilities should be in place before or concurrently with new development.
  - Transportation:
    - Provide services such as a shuttle and other modes for first/last mile issues, especially for units with lower parking ratios.
    - The City needs right of way for bikes and better sidewalks.
- Senate Bill 9/Lot consolidation:
  - Consider switching single-family housing to more dense housing if homeowners are interested.
  - Consolidating lots can help distribute new housing development in residential areas.
- Types of housing development:
  - Infill housing
  - Mid-size housing development
  - Small houses
  - Housing with integrated EV charging station

#### HOUSING AFFORDABILITY

- Participants mentioned the following as program ideas and policies for expanding and preserving affordable housing:
  - Permanent affordable housing program that does not allow in lieu fees
  - Legislation and other city measures:
    - Vacancy tax
    - Transfer tax
    - Red tag ordinances
    - Mortgage subsidy
- Other forms of housing development:
  - Community land trust

- Public or cooperative housing
- Public/city-owned land for affordable housing
- Deeply affordable housing with integrated supportive services for community members most in need (disabled, unhoused, seniors, extremely low-income, etc.)
- Rent-related:
  - Create a rent registry/inventory to track prices, which can be subsidized through a fee on landlords, and a rent review board.
  - The rent relief program: Although it is well-run and successful, it can be better managed and aligned with county services and resources.
  - Increase rental protection.
  - Address ongoing challenges with rising rents faced by the lowest income households.
- Expansion of first-time homebuyers' program
- Jobs with higher wages

#### SPECIAL NEEDS

- Provide incentives for developing housing for people with developmental disabilities.
- Dedicate funds to supportive housing development.
- Provide shuttle service for people living in special needs housing.
- ADUs should be accessible to seniors and individuals with disabilities so that they can age in place.
- Consider rent reduction for 24-hour caregivers.
- Ensure that senior housing is safe and meets high standards.
- Provide temporary housing for unhoused residents.

#### FAIR HOUSING

- Education and outreach:
  - Wage discrimination
  - Reasonable accommodation
  - Affirmative marketing to people with disability serving organizations
- Keep in mind that many populations in most need of housing are also transit-dependent.

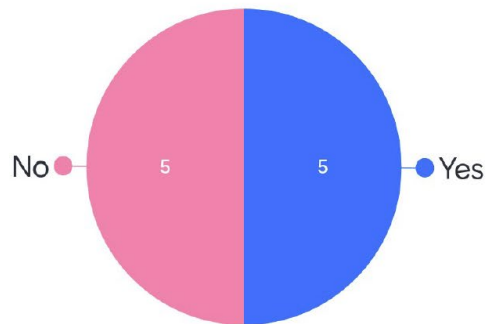
#### HOUSING PRESERVATION

- Education and outreach:
  - Tenant education and counseling
- Proactively engage with state laws and tap into state programs regarding housing preservation.
- Preserve mobile homes and make them accessible.

PARTICIPATION POLLING RESULTS

# Do you live in Milpitas?

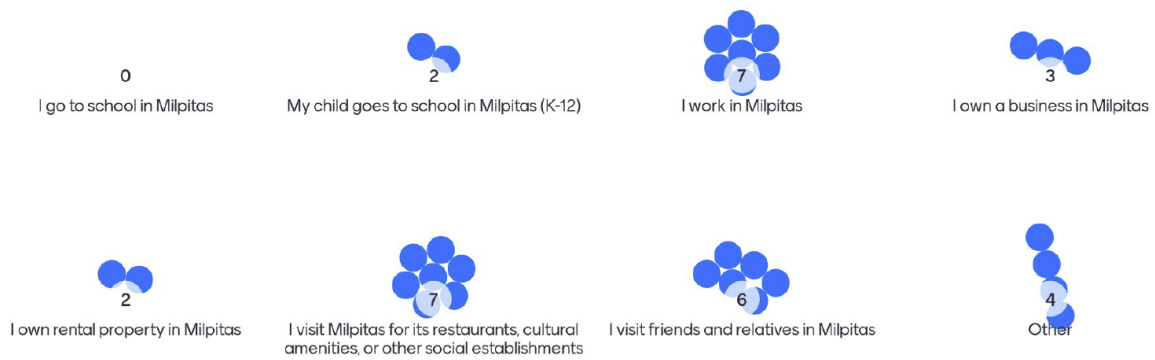
Mentimeter



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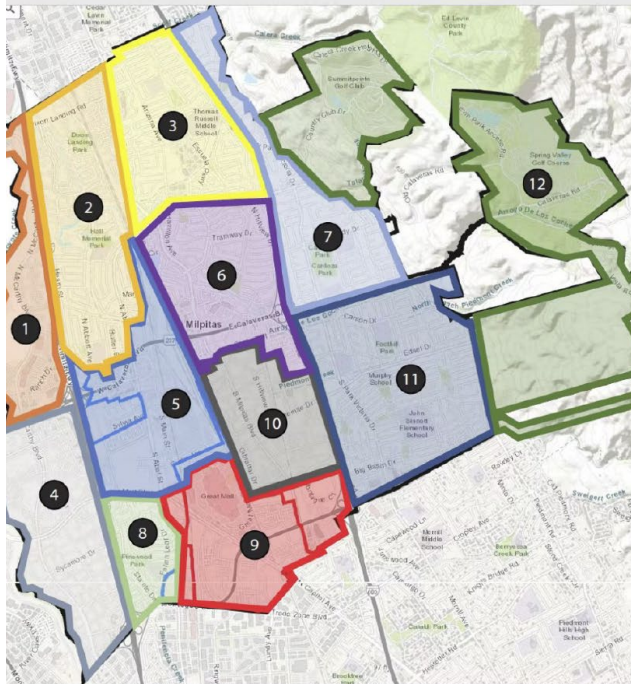
## Which of the following are true (select all that apply)?

Mentimeter



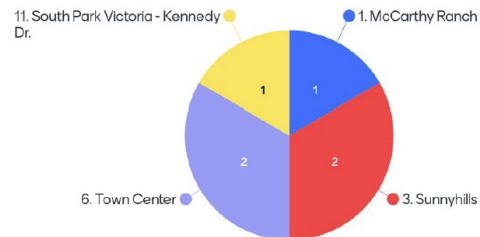
11





# What part of the city do you live in?

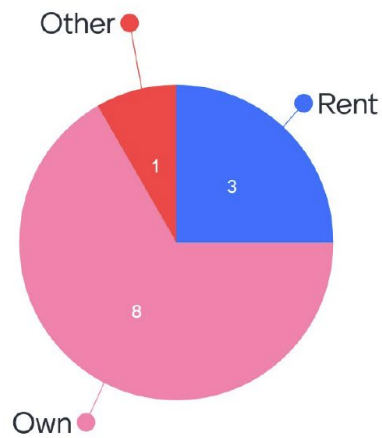
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6

# Do you own or rent your residence?

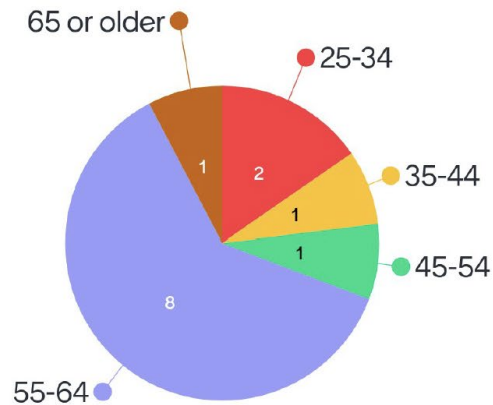
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12

## What is your age?

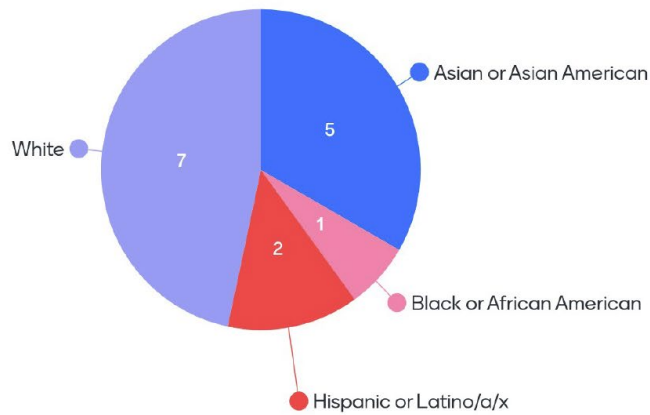
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13

## How do you identify? (Select all that apply)

Mentimeter

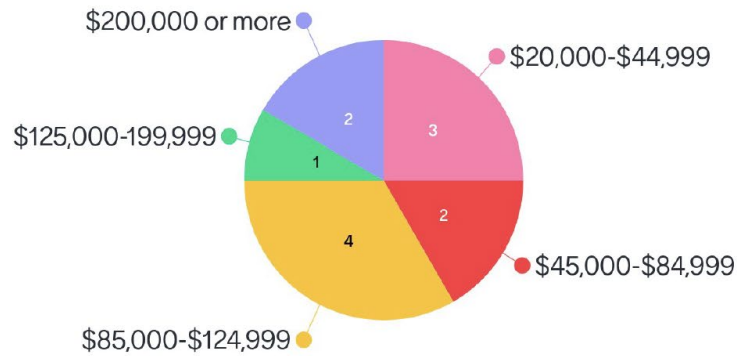


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# What best describes your annual household income level?

Mentimeter



12

# New housing should be near...

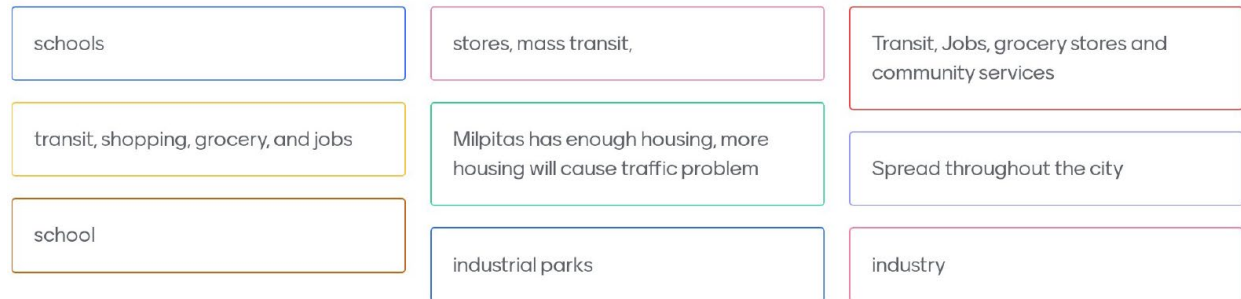
Mentimeter



11

## New housing should be near...

Mentimeter



## New housing should be near...

Mentimeter



## New housing should be kept away from...

Mentimeter

hillsides	doesnt mean anything	??! More housing as needed, so this address does not make sense!
We need to explore all possibilites	Landfill, freeways.	Not too close to freeways if possible.
The hills	landfill, freeways other areas with poor air quality	noisy areas such as highway intersections,



## New housing should be kept away from...

Mentimeter

housing needs to go in wherever possible unconditionally	public land and affordable home
----------------------------------------------------------	---------------------------------



## What are other ideas for housing policies or programs that the City should explore in its Housing Element?

Mentimeter

Community Land Trusts, invest in the community instead of subsidizing corporate landlords	Internal and external options for someone to own and operate a business outside of their home	Public land for affordable homes
red tag ordinances	an inventory of rental units and a rent review board. Other communities charge a small fee to landlords to support the cost of such an inventory	Incentivizing deeply affordable housing for most vulnerable members of the community needing supportive services (disabled, unhoused, seniors, ELI etc)
Affordable housing overly zone	Infill housing, mid-size housing development, small homes, mortgage subsidy	Dedicating city-owned land for affordable housing



## What are other ideas for housing policies or programs that the City should explore in its Housing Element?

Mentimeter

Assistance to help folks navigate the housing arena.	Affordable housing ordinance - don't allow for in-lieu fees	public or cooperative housing,
temporary housing for unhoused residents	plan for transition to EV - who will pay - etc	Affordable Housing Overlay Zone
Senior housing - What safeguards and standards are expected and will they be inspected and enforced		

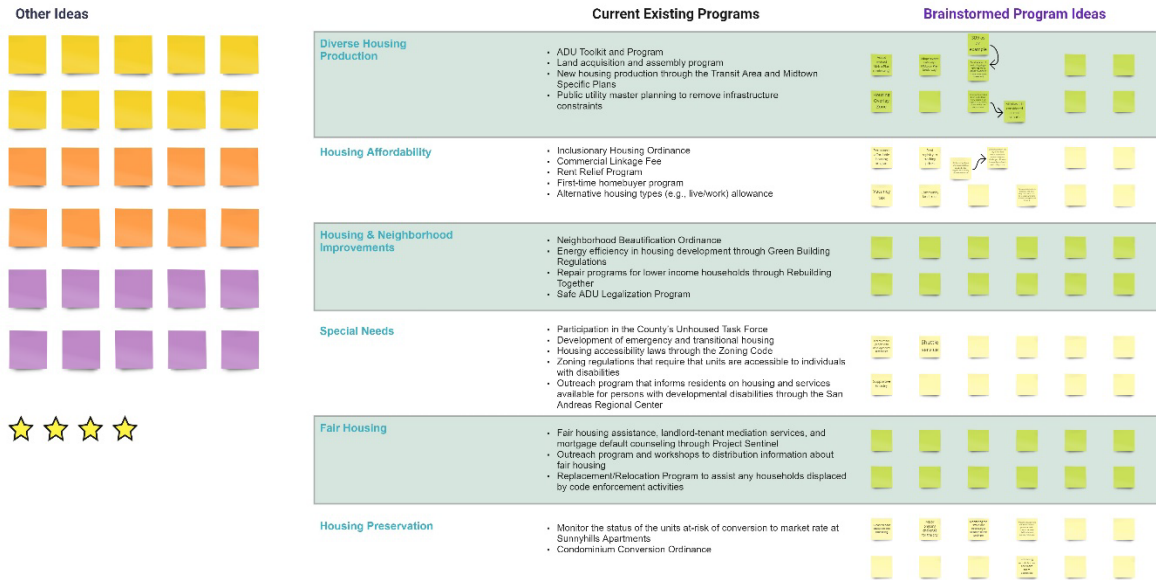


## BREAKOUT ROOM RESULTS

### BREAKOUT ROOM #1

#### Part 2: Housing Programs & Policies

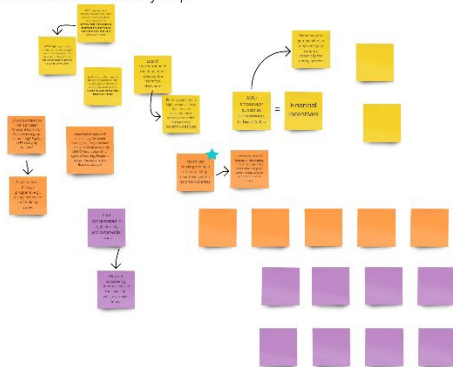
What types of programs and policies should the city implement to address its needs and achieve its housing goals? Which should the city prioritize?



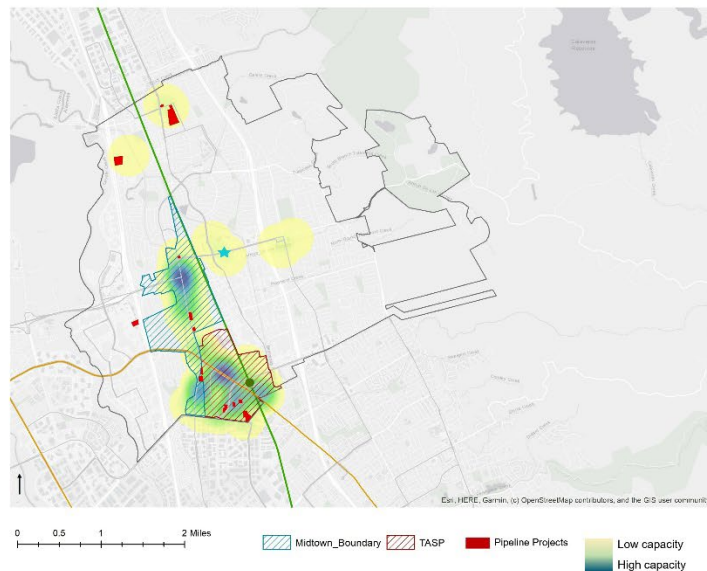
#### Part 1: Sites Inventory & Housing Location

Based on the sites inventory map and your own knowledge of and experience with housing in Milpitas, do the potential housing locations in the sites inventory map look about right to you? Where else should housing be located in the city?

\*We have included a reference to the General Plan's land use map to confirm consistency between housing designation in this map and potential sites as indicated in the sites inventory map.



Sites Inventory Map

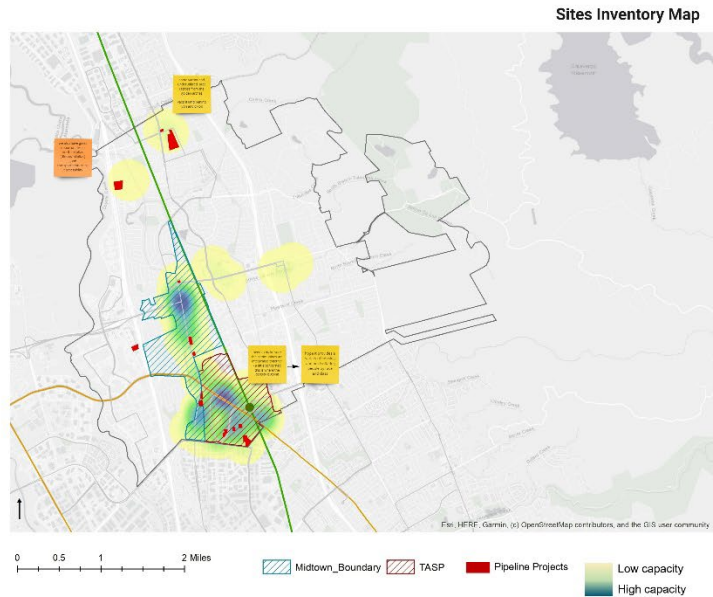
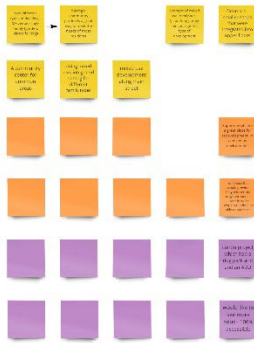


## BREAKOUT ROOM #2

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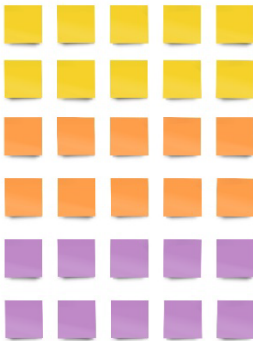
\*We have included a reference to the General Plan's land use map to confirm consistency between housing designation in this map and potential sites as indicated in the sites inventory map.



### Part 2: Housing Programs & Policies

What types of programs and policies should the city implement to address its needs and achieve its housing goals? Which should the city prioritize?

#### Other Ideas



#### Current Existing Programs

<b>Diverse Housing Production</b>	<ul style="list-style-type: none"> <li>ADU Toolkit and Program</li> <li>Land acquisition and assembly program</li> <li>New housing production through the Transit Area and Midtown Specific Plans</li> <li>Public utility master planning to remove infrastructure constraints</li> </ul>	<b>Brainstormed Program Ideas</b>
<b>Housing Affordability</b>	<ul style="list-style-type: none"> <li>Inclusionary Housing Ordinance</li> <li>Commercial Linkage Fee</li> <li>Rent Relief Program</li> <li>First-time homebuyer program</li> <li>Alternative housing types (e.g., live/work) allowance</li> </ul>	
<b>Housing &amp; Neighborhood Improvements</b>	<ul style="list-style-type: none"> <li>Neighborhood Beautification Ordinance</li> <li>Energy efficiency in housing development through Green Building Regulations</li> <li>Repair programs for lower income households through Rebuilding Together</li> <li>Safe ADU Legalization Program</li> </ul>	
<b>Special Needs</b>	<ul style="list-style-type: none"> <li>Participation in the County's Unhoused Task Force</li> <li>Development of emergency and transitional housing</li> <li>Housing accessibility laws through the Zoning Code</li> <li>Zoning regulations that require that units are accessible to individuals with disabilities</li> <li>Outreach program that informs residents on housing and services available for persons with developmental disabilities through the San Andreas Regional Center</li> </ul>	
<b>Fair Housing</b>	<ul style="list-style-type: none"> <li>Fair housing assistance, landlord-tenant mediation services, and mortgage default counseling through Project Sentinel</li> <li>Outreach program and workshops to distribution information about fair housing</li> <li>Replacement/Relocation Program to assist any households displaced by code enforcement activities</li> </ul>	
<b>Housing Preservation</b>	<ul style="list-style-type: none"> <li>Monitor the status of the units at-risk of conversion to market rate at Sunnyvale Apartments</li> <li>Condominium Conversion Ordinance</li> </ul>	

## **Survey #3**

### **OUTREACH**

The survey was distributed electronically and physically at pop-up events. In addition to announcing through the City's social media channels and newsletters, the survey was also shared in the Milpitas Chamber of Commerce newsletter, which is sent out twice per week, and the Milpitas Office of Economic Development, which is sent out once per week, throughout the month of September. It was also included as materials during the Farmers' Market pop-up event and the third workshop. Finally, it was shared via email with the stakeholder list, all City Commissionaires, and members of the Community Development Roundtable.



6TH CYCLE OF THE HOUSING ELEMENT

# Housing Survey #3

## Draft Housing Element Review

Open from August 31 to September 30



**Tell us about your experiences and goals for housing in Milpitas!**

<https://bit.ly/MilpitasHESurvey3> ←

The City of Milpitas is in the final stages of updating its Housing Element, a part of the City's General Plan that sets the vision and implementation plan for housing for the next eight years. This survey is an opportunity to share your thoughts and ideas about housing with the City, and ensure that this plan is a reflection of community voices and concerns. The survey should take just a few minutes to complete.

Thank you in advance for your time!

More information about the project is available at:

[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

If you would like to receive more information, please contact us here:

[www.milpitashousingelement.com/contact/](http://www.milpitashousingelement.com/contact/)





## PURPOSE

A survey gives people the opportunity to share their thoughts at their own pace and when it is most convenient for them. The survey provided the team with the opportunity to gain insight into the diverse housing perspectives of Milpitas community members, especially regarding how to prioritize housing programs in the City. Survey #3 ran parallel to the workshop #3 and other activities during Phase 3 of engagement. It mirrored the questions and content from workshop #3.

## PARTICIPATION AND FORMAT

~~12~~Twelve people participated in survey #3. The survey consisted of four questions for each of the five housing program themes and ~~eleven~~14 demographic questions, included below, and was open from August 29, 2022 to September 30, 2022. The survey was announced and distributed via the City's social media channels and newsletters, a pop-up event and workshop, senior and community centers, and several email lists.

## SURVEY QUESTIONS

### HOUSING PROGRAM THEMES

The City administers a wide variety of programs to support housing production, housing affordability, housing improvements, fair housing, and more. This section asks questions about existing and proposed programs organized under five themes: 1) Housing Production; 2) Housing Preservation; 3) Housing Diversity & Affordability; 4); Fair Housing; and 5) Housing for Special Needs Populations.

1. Which one of these programs under Theme X is most important to you?
2. Are there any program ideas under Theme X that are missing?
3. Which Neighborhood areas should programs under Theme X target?
4. Which special needs groups should programs under Theme X target?

### DEMOGRAPHICS

5. Do you live in Milpitas (select one)?
6. Do you rent or own your home (select one)?
7. What best describes your housing (select one)?
8. How many years have you lived in Milpitas (select one)?
9. Which of the following are true (select all that apply)?
10. What best describes your annual household income level (select one)?
11. How do you identify (select all that apply)?
12. What gender do you identify with (select all that apply)?
13. What is your age?
14. Do you consider yourself a person with a disability (e.g., hearing, sight, physical, mental)?
15. What neighborhood of Milpitas do you live in?

## SUMMARY

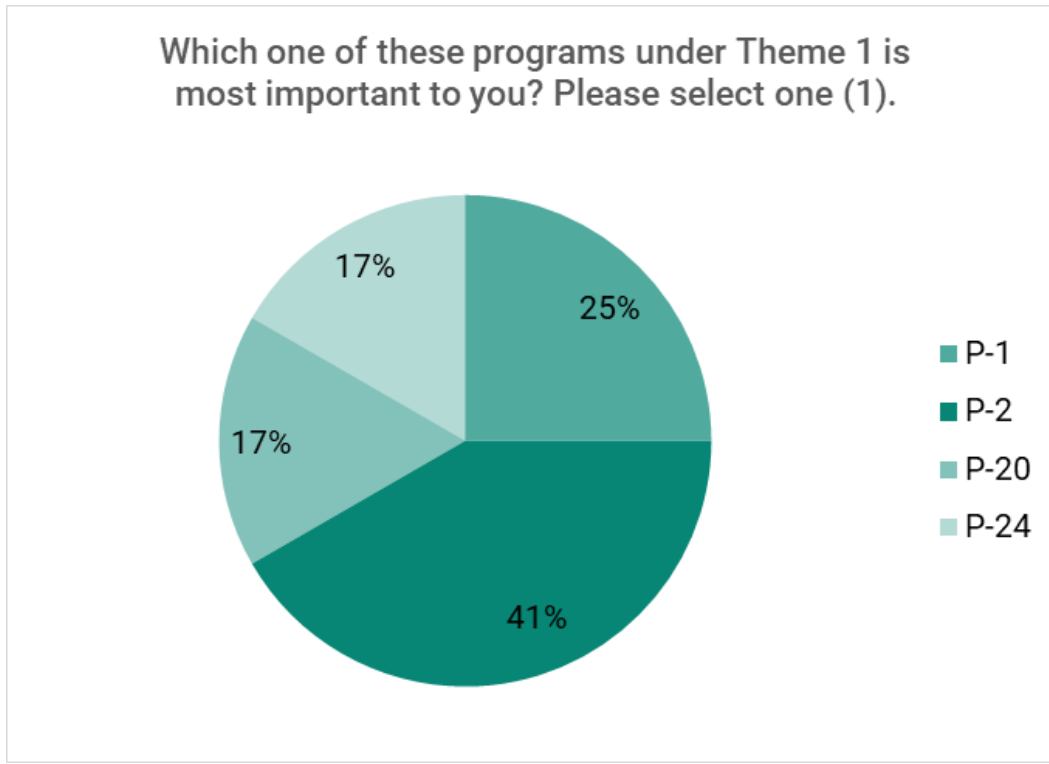
[All full summary, with all write-in responses, is available on the project website.](#)

### HOUSING PROGRAM THEME 1: HOUSING PRODUCTION

<u>Program</u>	<u>Description</u>
<a href="#">P-1 Adequate Sites for RHNA and Monitoring of No Net Loss</a>	<a href="#">Monitor a housing sites inventory and ensure that these sites are available for the City to meet its housing needs.</a>
<a href="#">P-2 Replacement Housing</a>	<a href="#">To ensure affordable housing is not lost, require replacing units that were removed from the market as part of any development of a non-vacant site, and making the units affordable to the same or lower income level as before.</a>
<a href="#">P-3 Lot Consolidation</a>	<a href="#">Develop tools to encourage lot consolidation, meaning creating larger lots that allow for higher density development.</a>
<a href="#">P-4 Accessory Dwelling Units (ADU)</a>	<a href="#">Continue incentives for ADU production (e.g., granny flats or in-law units) and the Safe ADU Legalization program to help residents to improve the safety of an ADU.</a>
<a href="#">P-20 Specific Plans</a>	<a href="#">Adopt and implement the Metro Specific Plan and the Gateway-Main Street Specific Plan, which are plans that propose medium and higher-density housing in transit-rich areas.</a>
<a href="#">P-24 Missing Middle Housing</a>	<a href="#">Promote missing middle housing types, such as duplexes, to meet housing needs and create more walkable neighborhoods.</a>

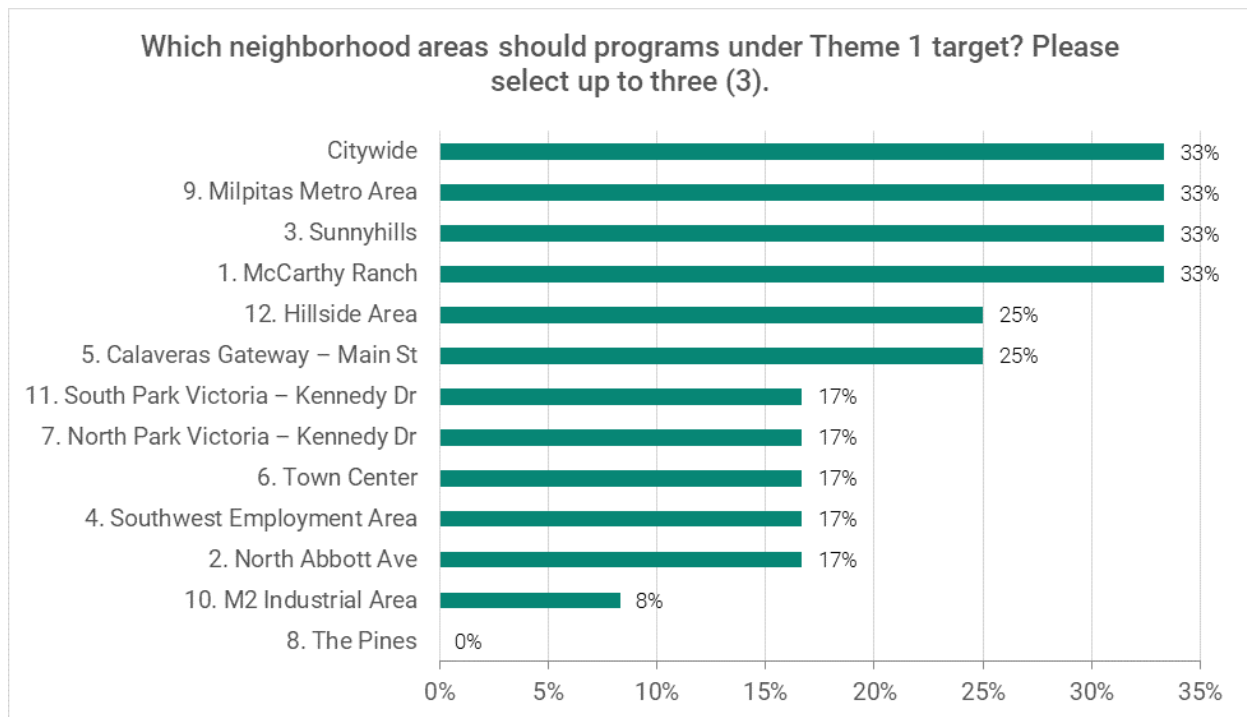
### PROGRAM PRIORITIZATION

[Twelve~~12~~ respondents provided a response. 41% selected Program 2, Replacement Housing, as their top priority.](#)



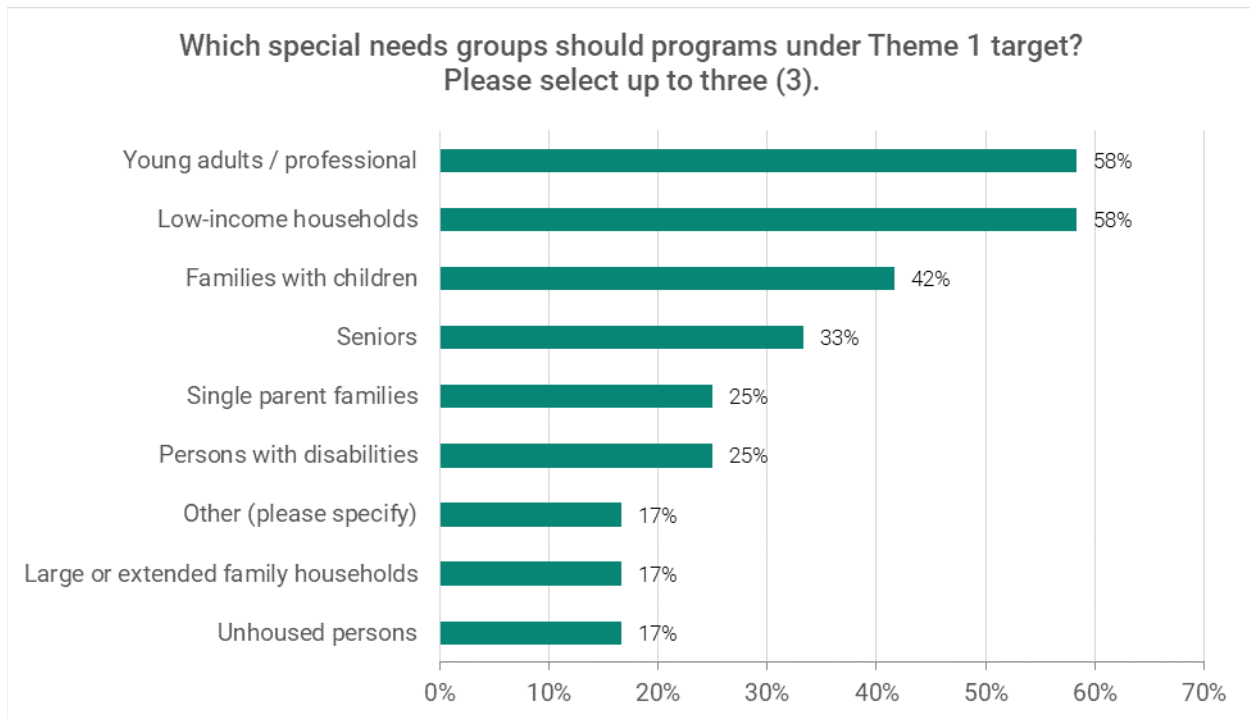
#### NEIGHBORHOOD PRIORITIZATION

The neighborhood areas identified as top priorities for implementing Theme 1 programs were: citywide, Milpitas Metro Area, Sunnyhills, and McCarthy Ranch.



### GROUP PRIORITIZATION

The special groups identified as top priorities for Theme 1 programs were: young adults/professionals and low-income households.

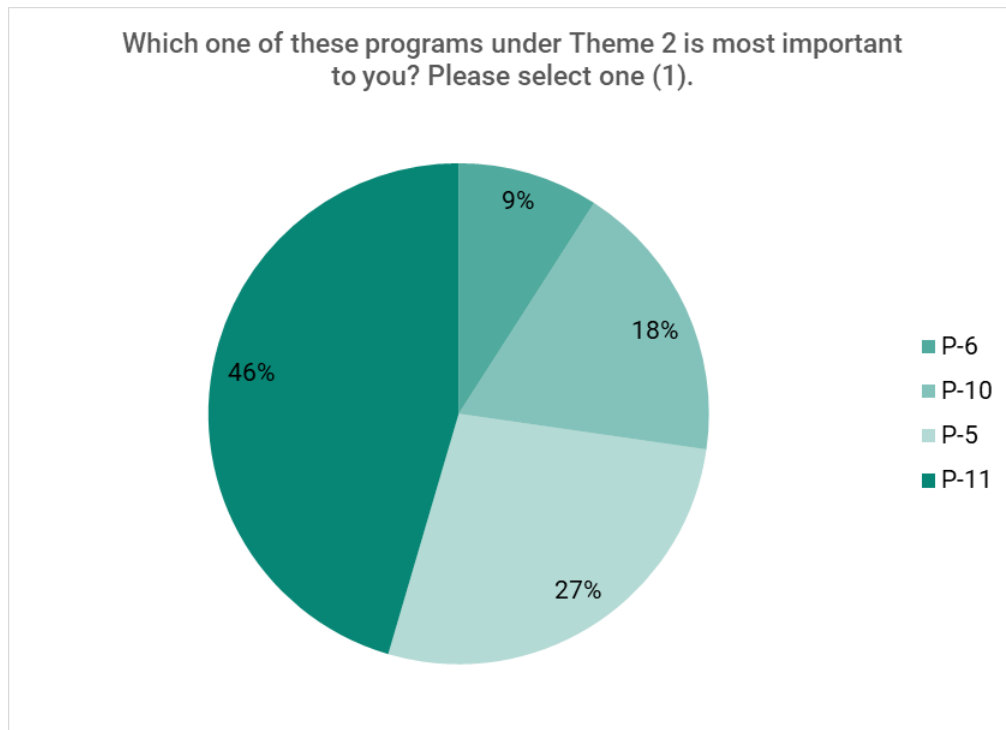


### HOUSING PROGRAM THEME 2: HOUSING PRESERVATION

Program	Description
<a href="#">P-5 Neighborhood Preservation and Code Enforcement</a>	<a href="#">Enhance neighborhood conditions through its Code Enforcement Program, including the Neighborhood Beautification Ordinance (NBO), which establishes guidelines for the overall maintenance and preservation of neighborhoods citywide. Refer income-eligible households to the City's Housing Rehabilitation Program for assistance with code corrections and offer relocation assistance if displaced by code enforcement activities.</a>
<a href="#">P-6 Housing Rehabilitation</a>	<a href="#">Provide safety, accessibility, and mobility repairs to mobile and single-family homes owned by very low- and low-income households.</a>
<a href="#">P-10 Place-Based Strategies for Neighborhood Improvements</a>	<a href="#">Focus resources to rehabilitate and/or replace infrastructure and housing-related amenities in older or under-resourced neighborhoods.</a>
<a href="#">P-11 Preservation of At-Risk Home</a>	<a href="#">Preserve affordable housing units that are at risk of losing their affordability status.</a>

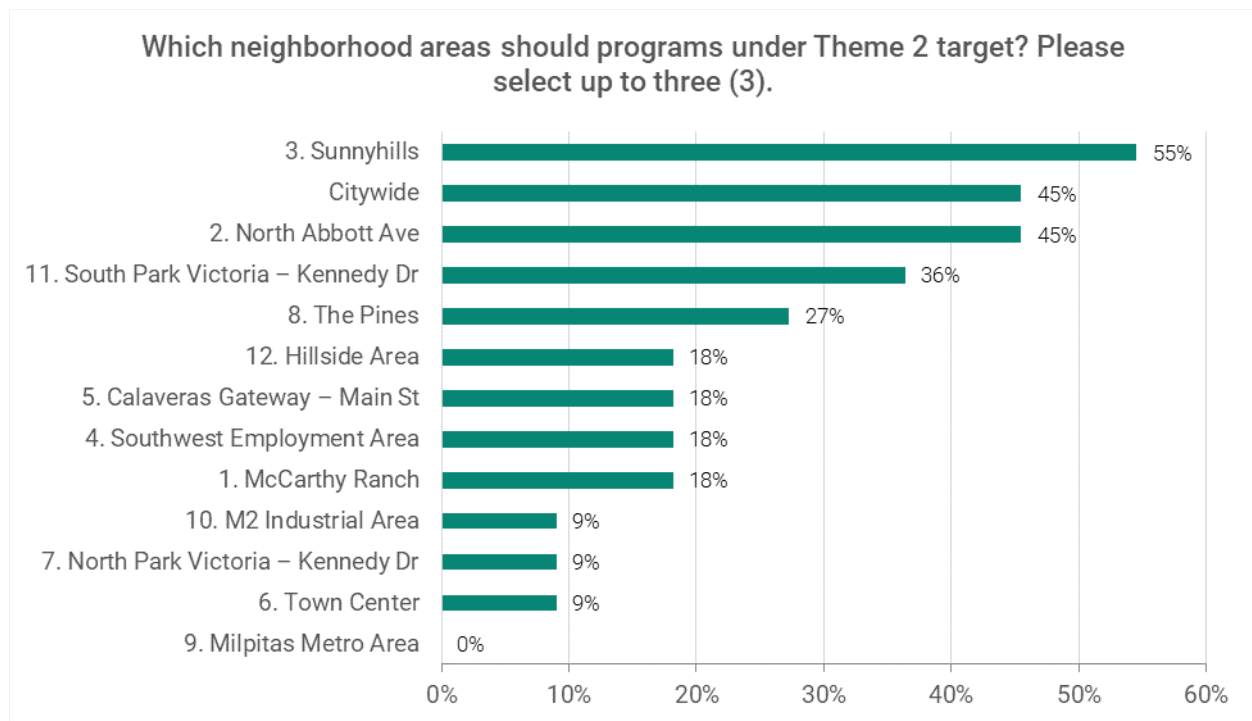
#### PROGRAM PRIORITIZATION

Eleven ~~11~~ respondents provided a response. 41% selected Program 11, Preservation of At-Risk Home, as their top priority.



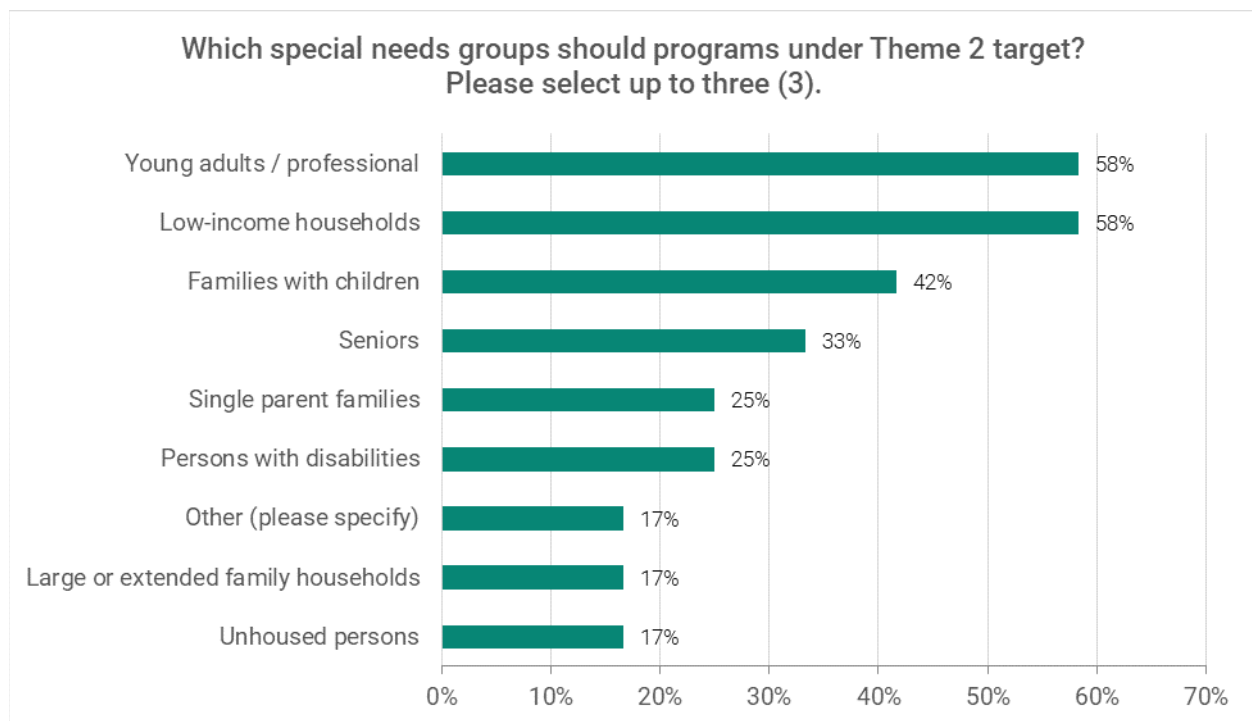
#### NEIGHBORHOOD PRIORITIZATION

The neighborhood areas identified as top priorities for implementing Theme 2 programs were: Sunnyhills, Citywide, and North Abbott Ave.



#### GROUP PRIORITIZATION

The special groups identified as top priorities for Theme 2 programs were: young adults/professionals and low-income households.

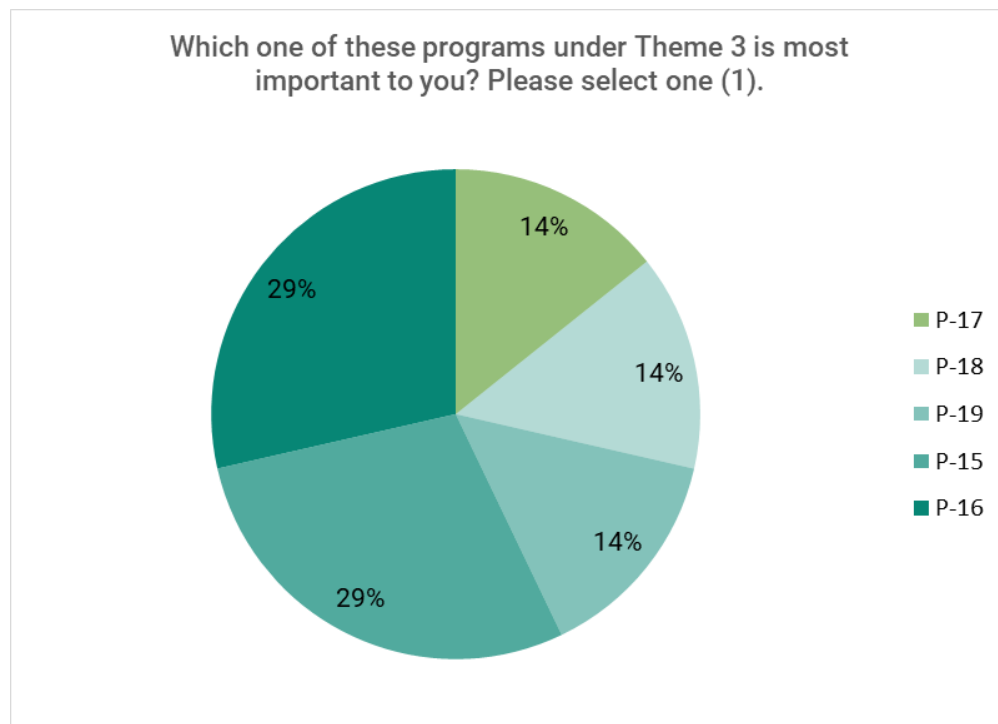


## HOUSING PROGRAM THEME 3: HOUSING DIVERSITY &amp; AFFORDABILITY

<u>Program</u>	<u>Description</u>
<u>P-12 Short-Term Rentals (STR)</u>	<u>Expand monitoring and enforcement efforts on STRs, which limit the housing types that can be rented as STRs.</u>
<u>P-15 Housing Opportunity Zones (HOZ)</u>	<u>Adopt the HOZ to incentivize affordable housing beyond the requirements of the City's Affordable Housing Ordinance.</u>
<u>P-16 Affordable Housing Development</u>	<u>Facilitate the development of affordable housing through incentive programs, such as density bonuses and reduced or waived fees.</u>
<u>P-17 Affordable Housing Ordinance (AHO)</u>	<u>Regularly review and amend the AHO requirements to ensure the AHO remains effective in producing affordable housing and reflects changing market conditions.</u>
<u>P-18 Non-Residential Affordable Housing Impact Fee</u>	<u>Annually update the non-residential affordable housing impact fee to reflect the cost of development. The fee is collected in a dedicated trust fund used to finance affordable housing.</u>
<u>P-19 Below Market Rate (BMR) Housing</u>	<u>Assist very-low, low- and moderate-income households in becoming homeowners.</u>

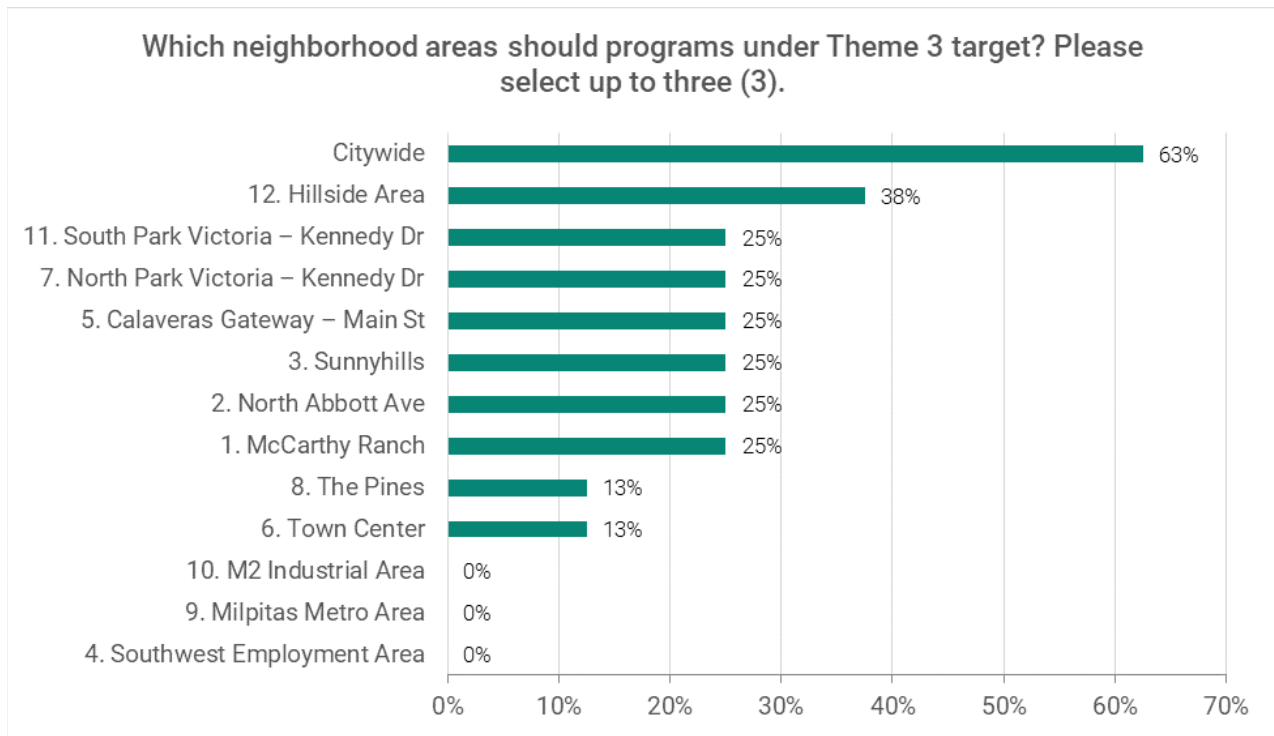
## PROGRAM PRIORITIZATION

Seven respondents provided a response. 29% selected for both Programs 15, Housing Opportunity Zones, and 16, Affordable Housing Development, as their top priority.



### NEIGHBORHOOD PRIORITIZATION

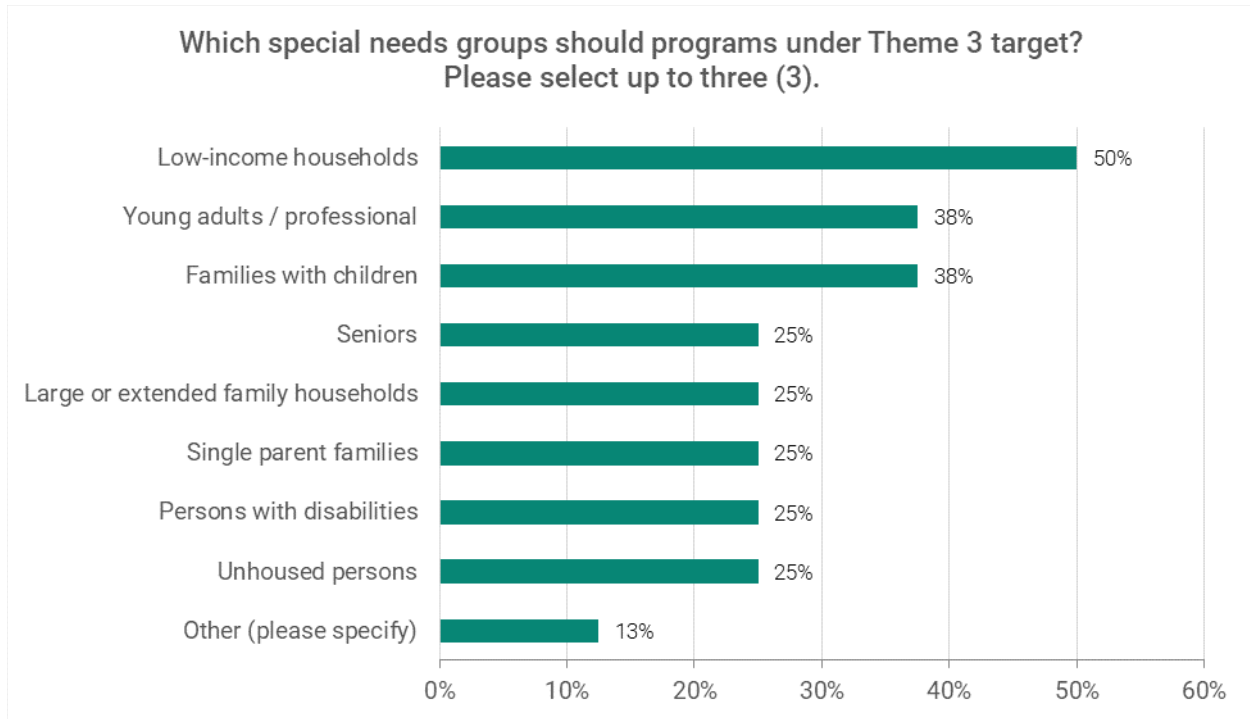
The neighborhood areas identified as top priorities for implementing Theme 3 programs were: citywide and Hillside Area.



### GROUP PRIORITIZATION

The special groups identified as top priorities for Theme 3 programs were: low-income households, young adults/professionals, and families with children.





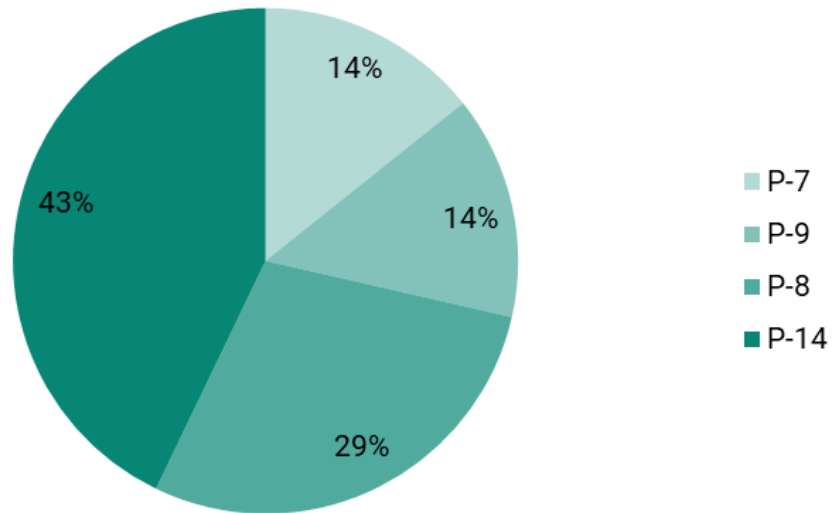
#### HOUSING PROGRAM THEME 4: FAIR HOUSING

<u>Program</u>	<u>Description</u>
<u>P-7 Tenant Assistance and Fair Housing Services</u>	<u>Utilize the services of Project Sentinel (or similar group) to provide fair housing outreach and assistance.</u>
<u>P-8 Fair Housing Enforcement</u>	<u>Use proactive fair housing enforcement, outreach and education to reduce the prevalence of housing discrimination.</u>
<u>P-9 Anti-Displacement</u>	<u>Supplement California Tenant Protection Act with additional local anti-displacement measures, such as a rent stabilization program and right to counsel in eviction proceedings.</u>
<u>P-13 Mobile Home Rent Control</u>	<u>Implement Rent Control Ordinance to preserve the affordability and rights of mobile homes.</u>
<u>P-14 Rent Review Ordinance</u>	<u>Help resolve rent increase disputes, prohibit discrimination based on a tenant's source of income, and prohibit landlord retaliation.</u>

#### PROGRAM PRIORITIZATION

Seven~~7~~ respondents provided a response. 43% selected Program 14, Rent Review Ordinance, as their top priority.

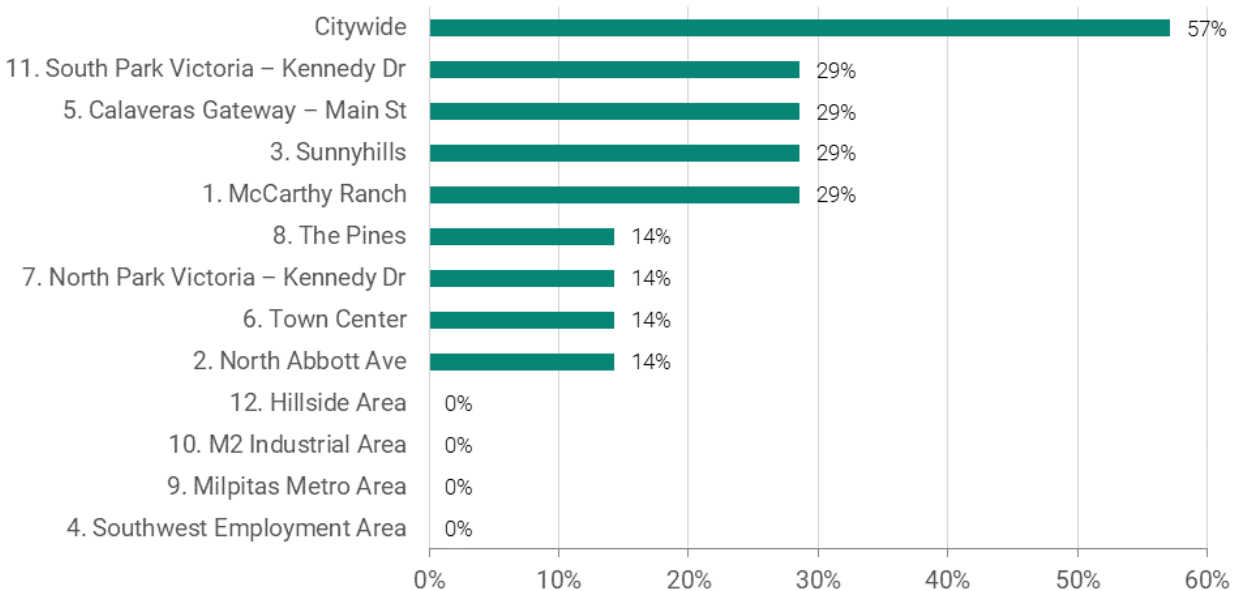
Which one of these programs under Theme 4 is most important to you? Please select one (1).



#### NEIGHBORHOOD PRIORITIZATION

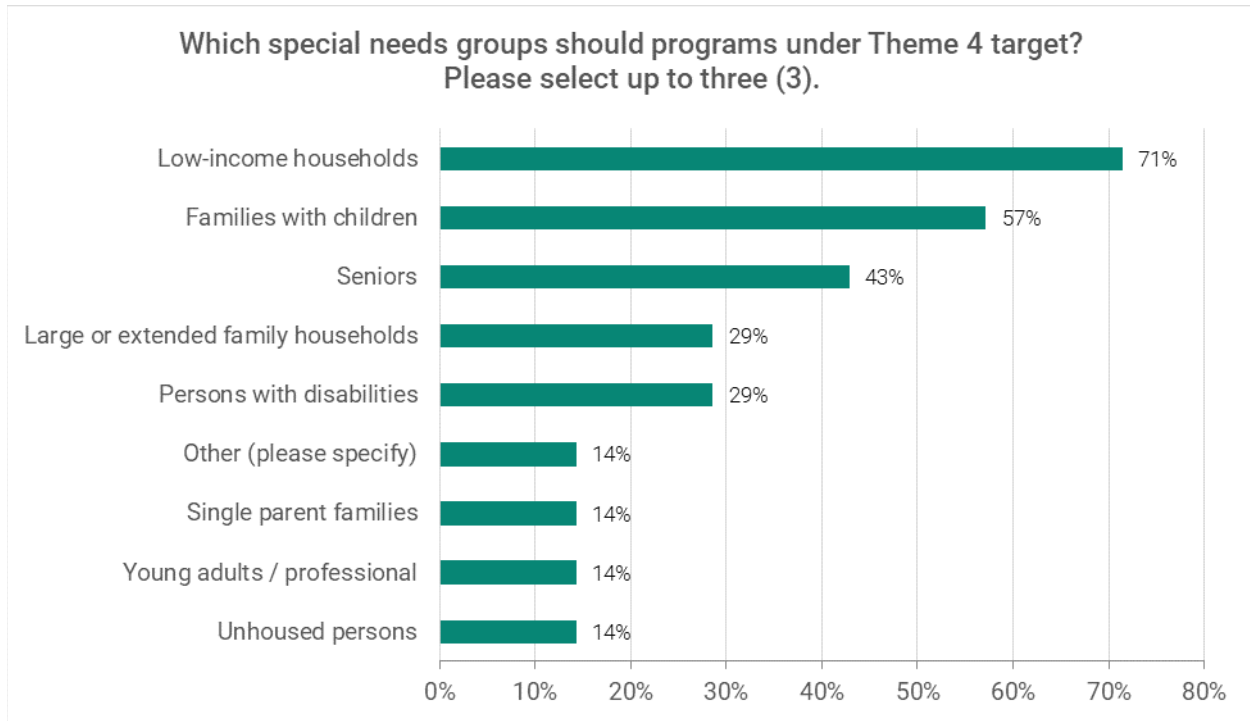
The neighborhood areas identified as top priorities for implementing Theme 4 programs was citywide.

Which neighborhood areas should programs under Theme 4 target? Please select up to three (3).



**GROUP PRIORITIZATION**

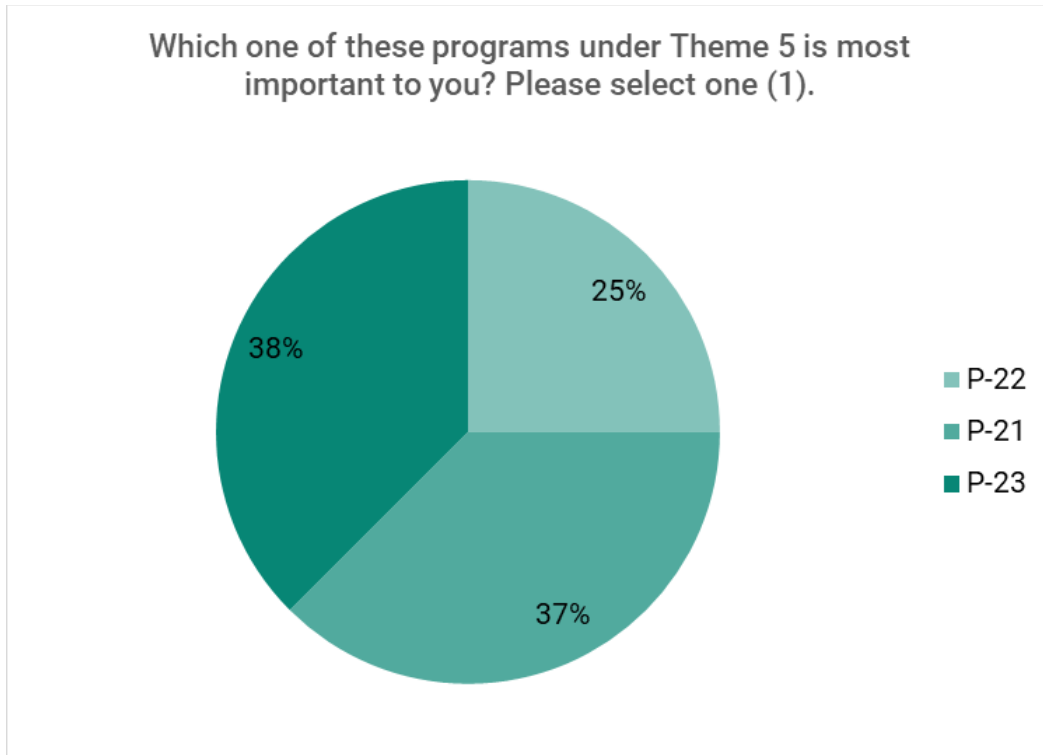
The special groups identified as top priorities for Theme 4 programs were: low-income households and families with children.

**HOUSING PROGRAM THEME 5: HOUSING FOR SPECIAL NEEDS POPULATION**

<b>Program</b>	<b>Description</b>
<a href="#">P-21 Zoning and Building Code Amendments</a>	<a href="#">Amend the Zoning Code to comply with the latest State laws relating to special needs populations, and reduce regulatory barriers to all types of residential development.</a>
<a href="#">P-22 Supportive Housing for Persons with Disabilities</a>	<a href="#">Collaborate with the County to identify sites and resources for supportive housing, which combines affordable housing with services such as health care.</a>
<a href="#">P-23 Large Units for Families with Children in Multifamily Housing</a>	<a href="#">Identify possible zoning incentives for multifamily developments that include units with three or more bedrooms to support large families with children who face high rates of housing cost burden and overcrowding.</a>

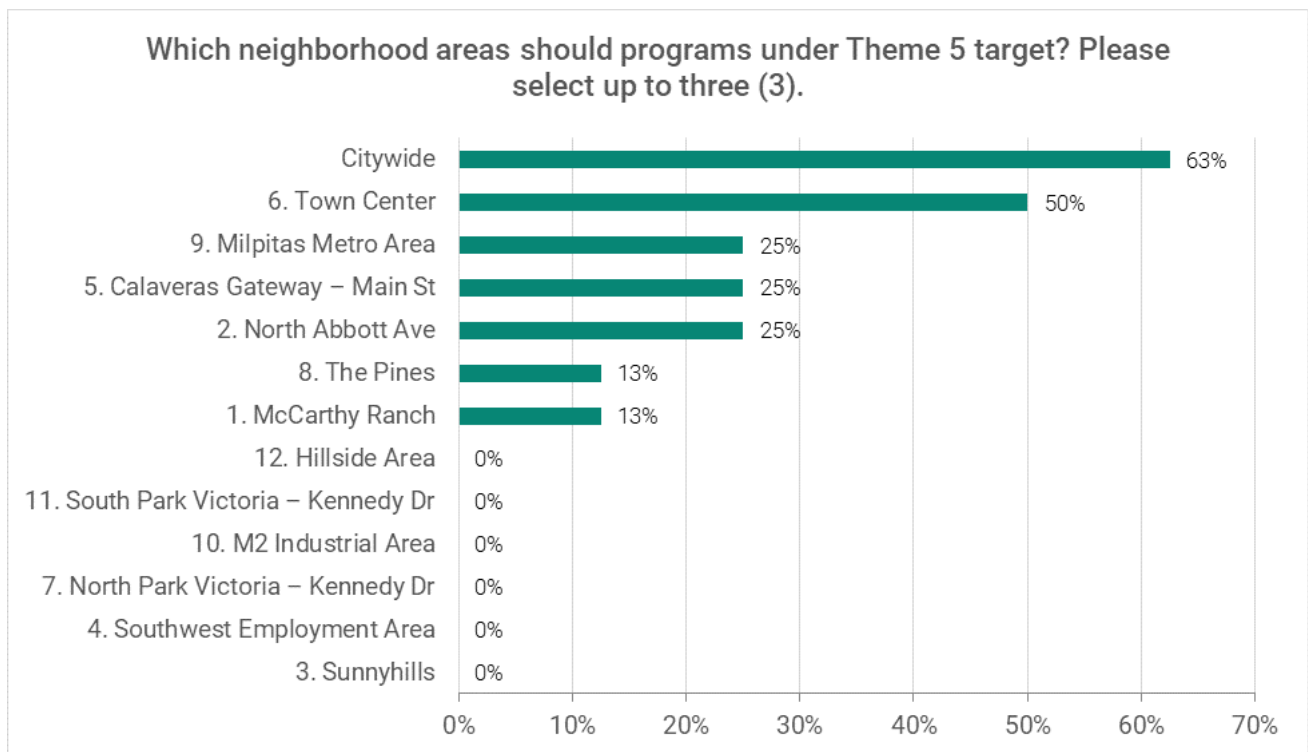
**PROGRAM PRIORITIZATION**

Eight respondents provided a response. 43% selected Program 23, Large Units for Families with Children in Multifamily Housing, as their top priority.



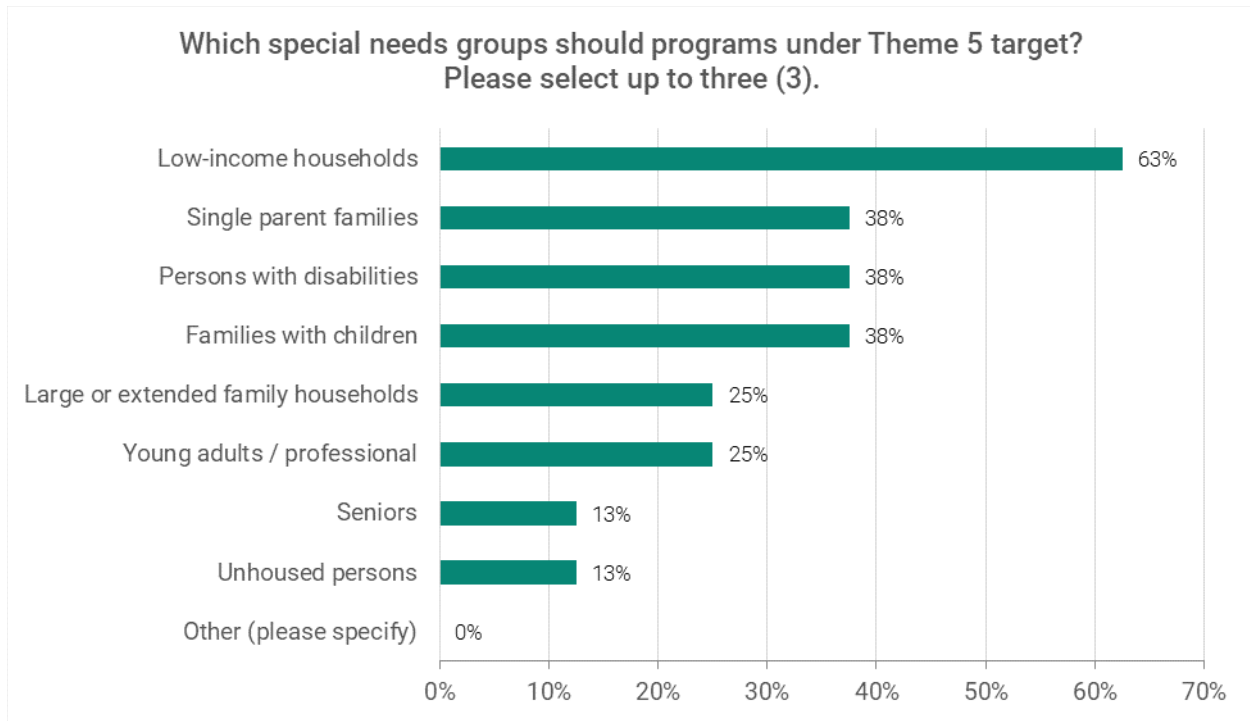
#### NEIGHBORHOOD PRIORITIZATION

The neighborhood areas identified as top priorities for implementing Theme 5 programs were citywide and Town Center.

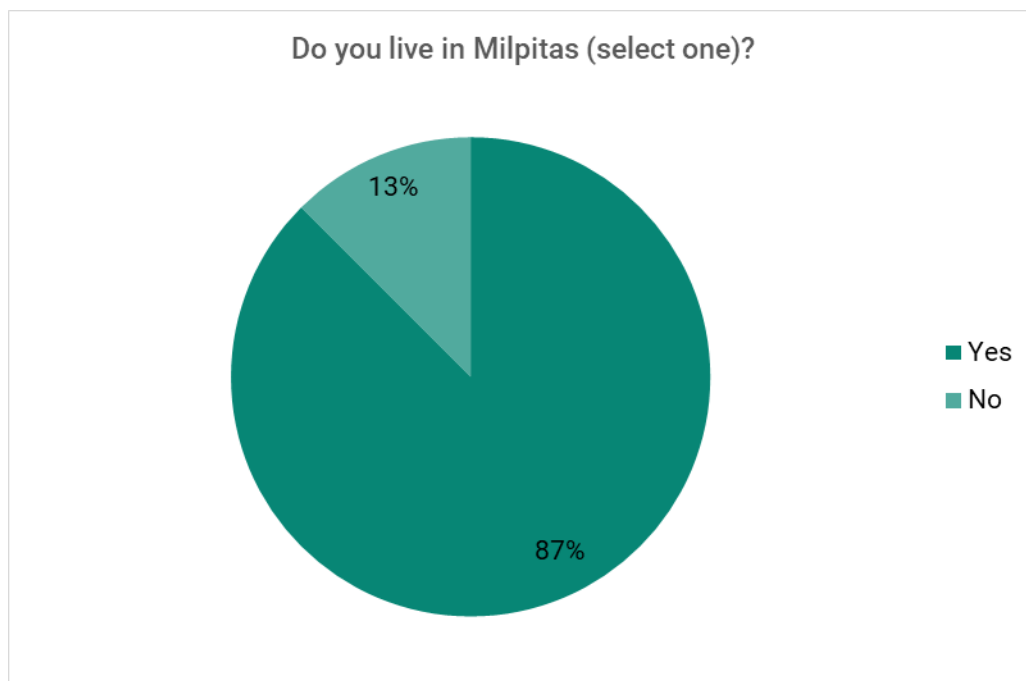


**GROUP PRIORITIZATION**

The special group identified as top priorities for Theme 5 programs was low-income households.

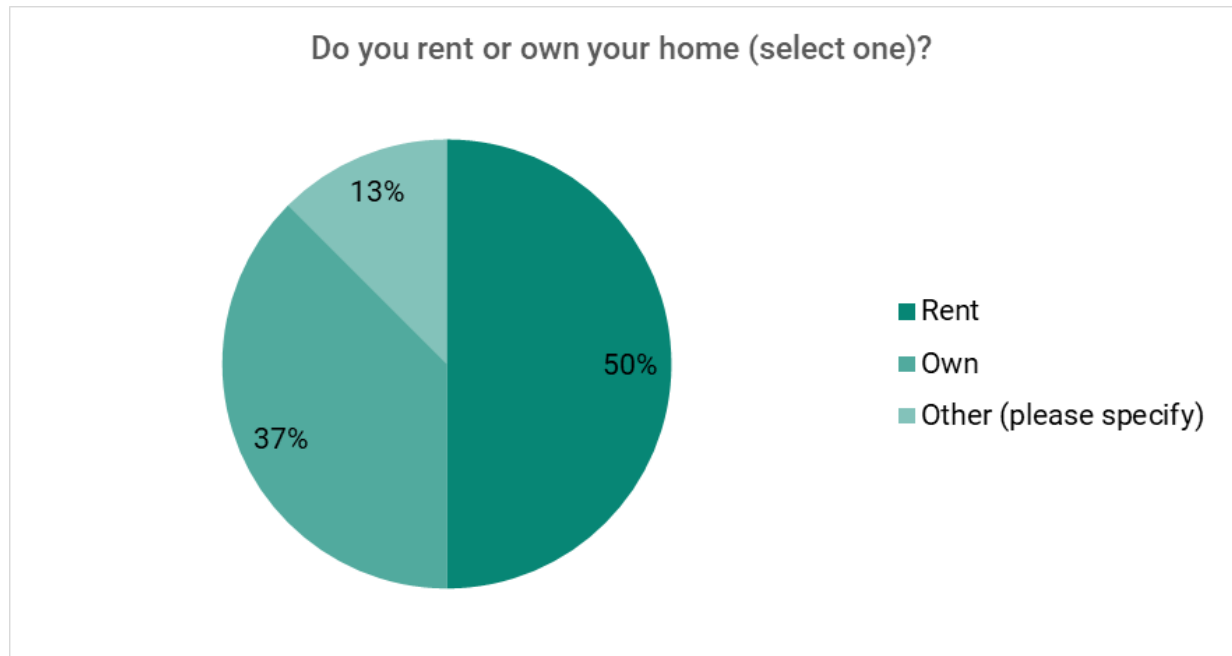
**DEMOGRAPHICS****RESIDENCY**

Eight participants responded to this question, with the vast majority residing in Milpitas.



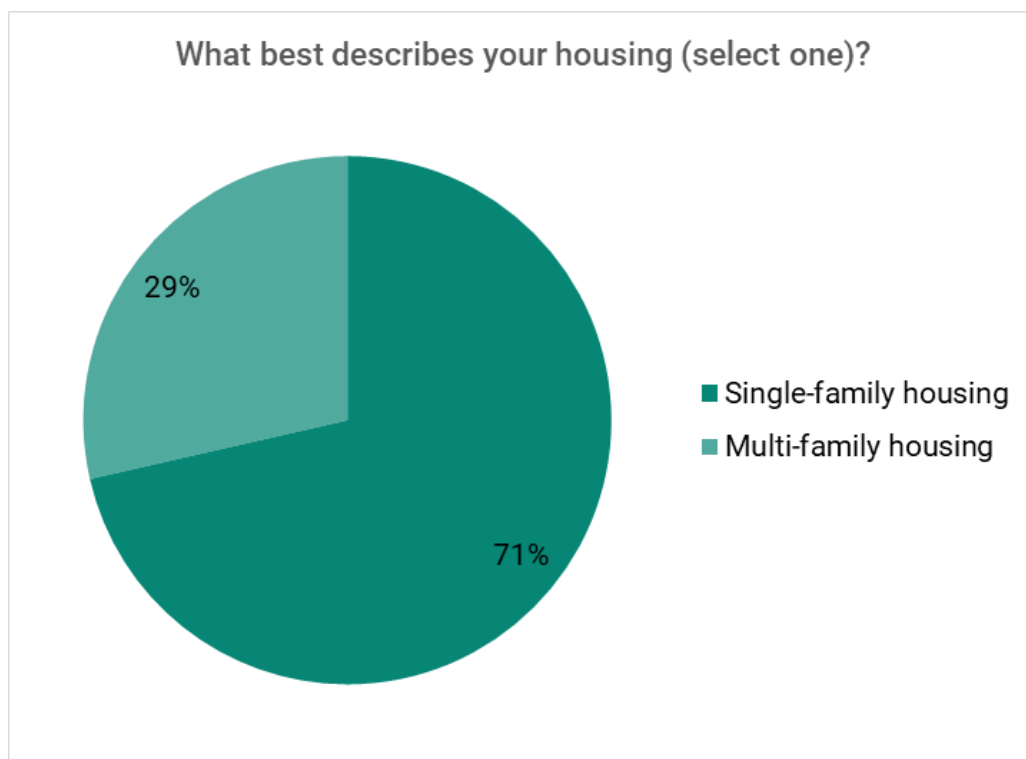
#### HOUSING TENURE

Eight participants responded to this question, with half indicating that they are renters.



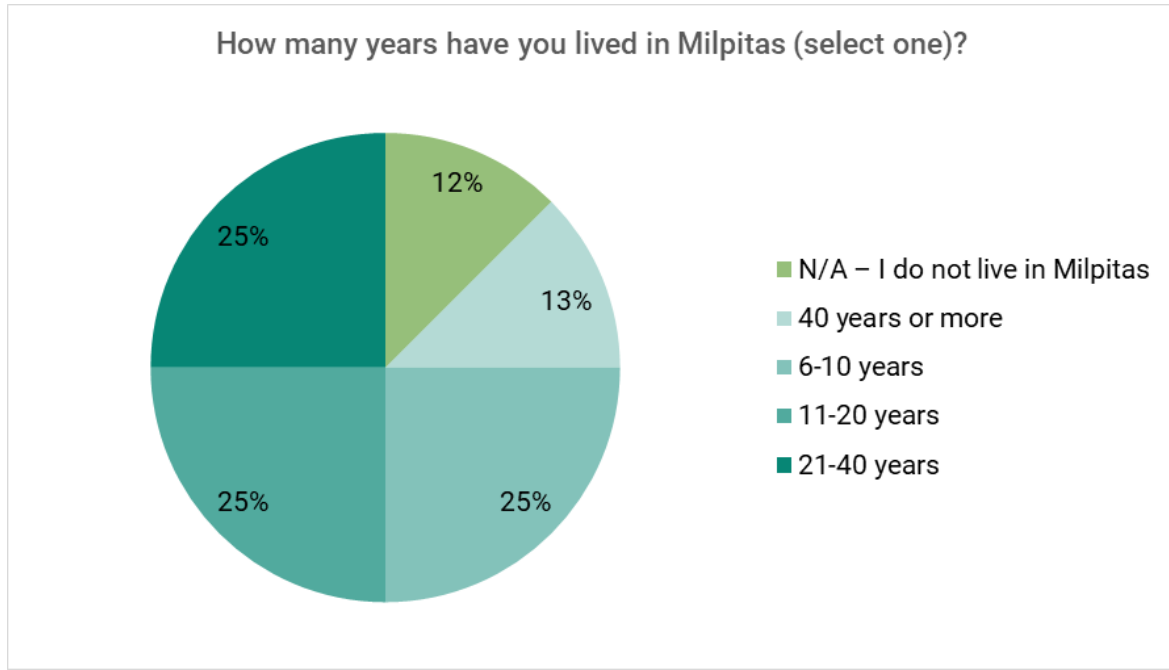
#### HOUSING TYPE

Seven participants responded to this question, with the vast majority indicating that they live in single-family housing.



#### RESIDENCY DURATION

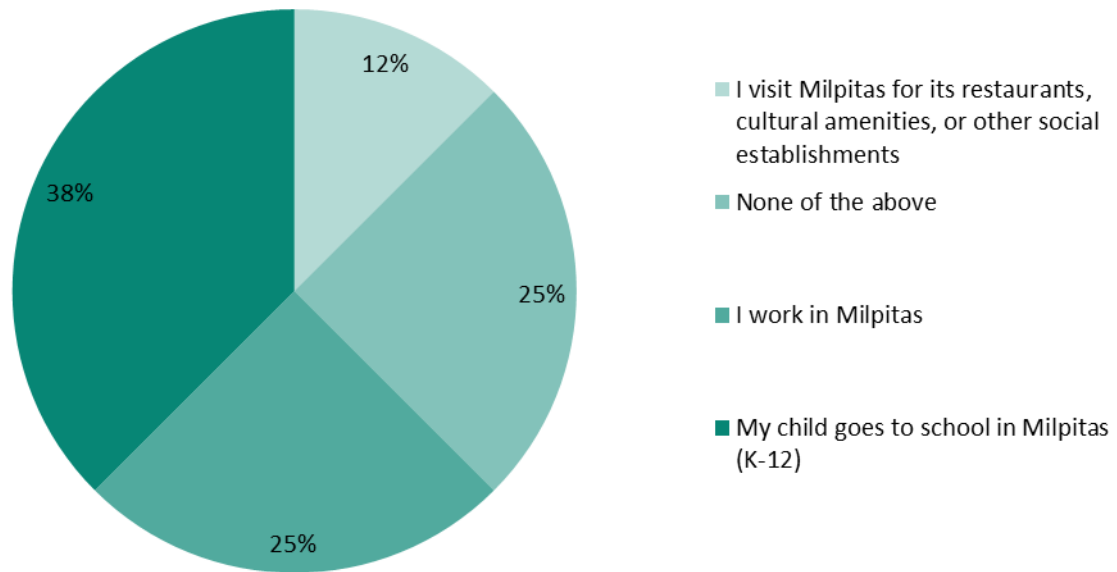
Eight participants responded to this question, with a quarter indicating that they have lived in Milpitas for both 21-to-40 years and 11-20 years.



#### RELATION TO MILPITAS

Eight participants responded to this question. Over a third of participants said that their child goes to school in Milpitas.

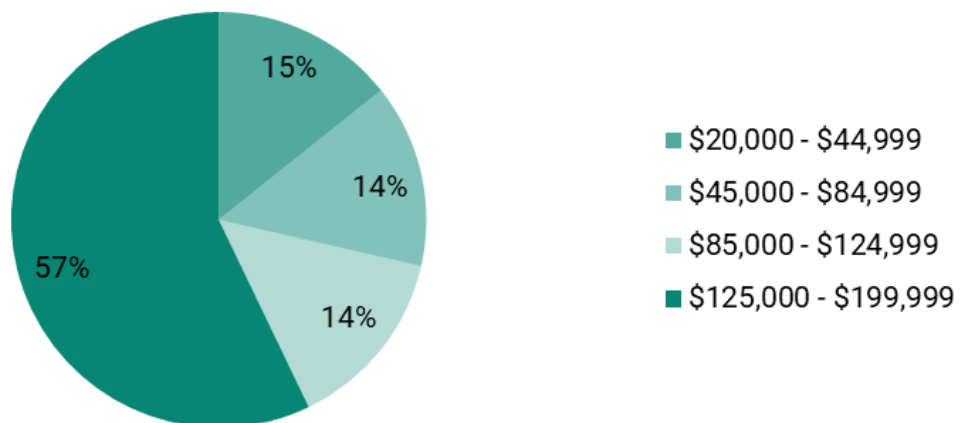
Which of the following are true (select all that apply)?



#### HOUSEHOLD INCOME

SevenZ participants shared their annual household income, with 57% reporting to earn \$125,000-\$199,000.

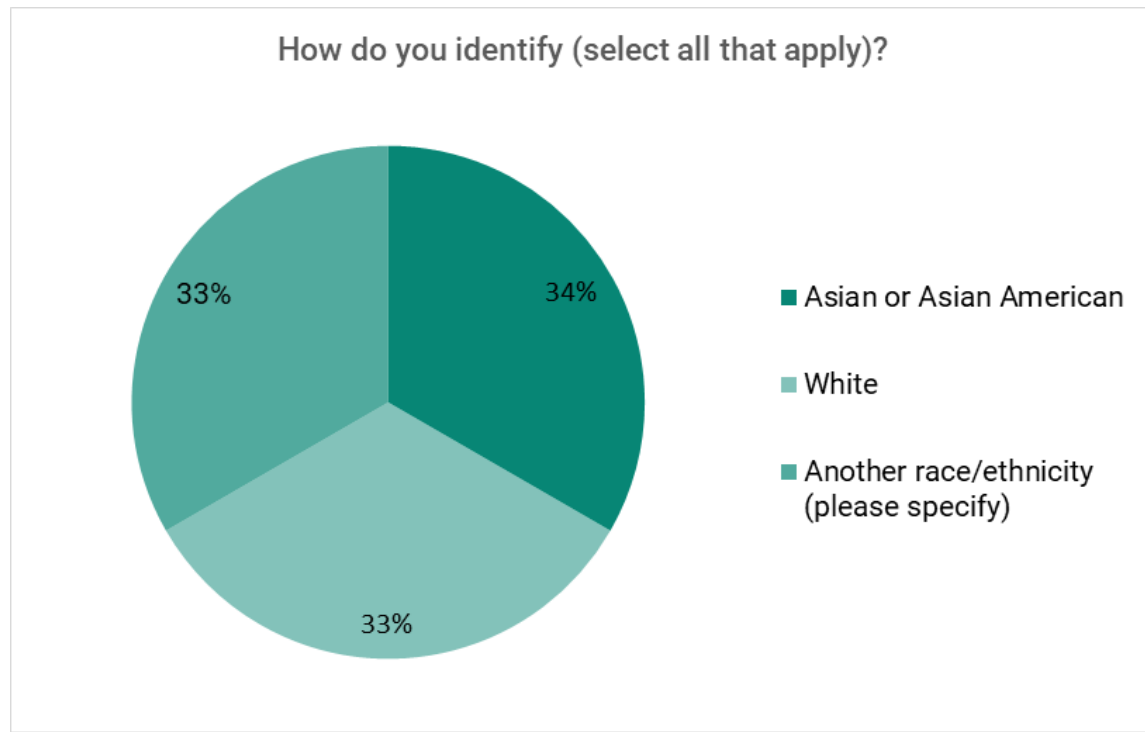
What best describes your annual household income level (select one)?



#### RACE/ETHNICITY

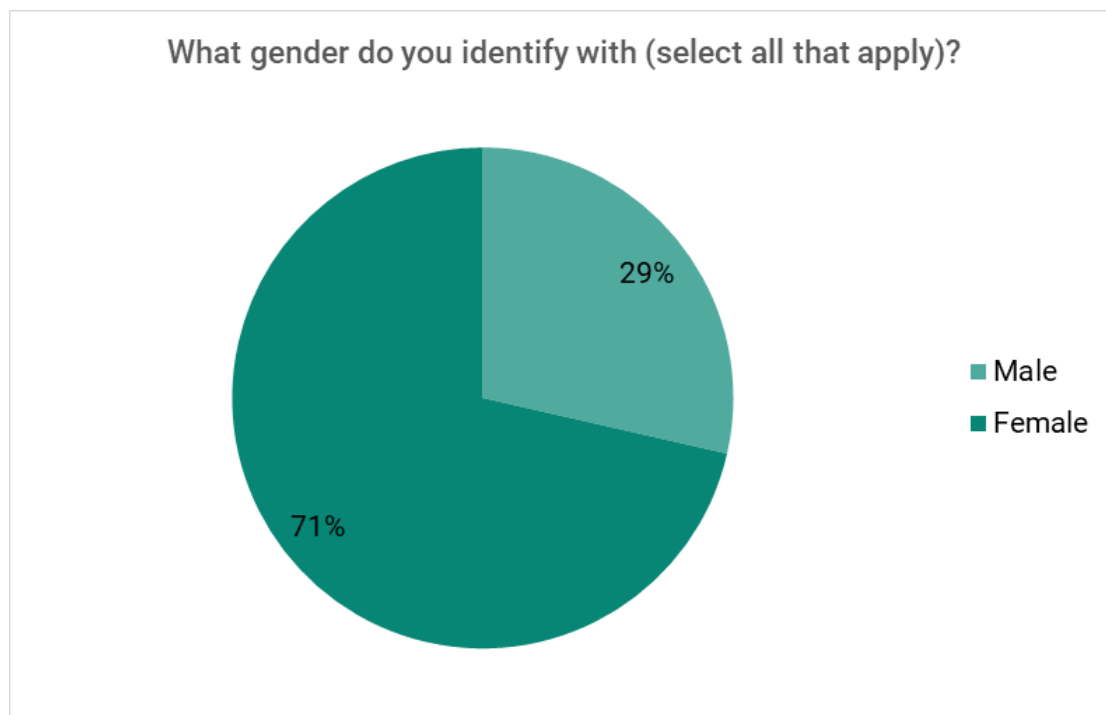
SevenZ participants shared how they self-identify. Participants could select all that applied. About a third self-identified for each Asian or Asian American, white, and another race/ethnicity.





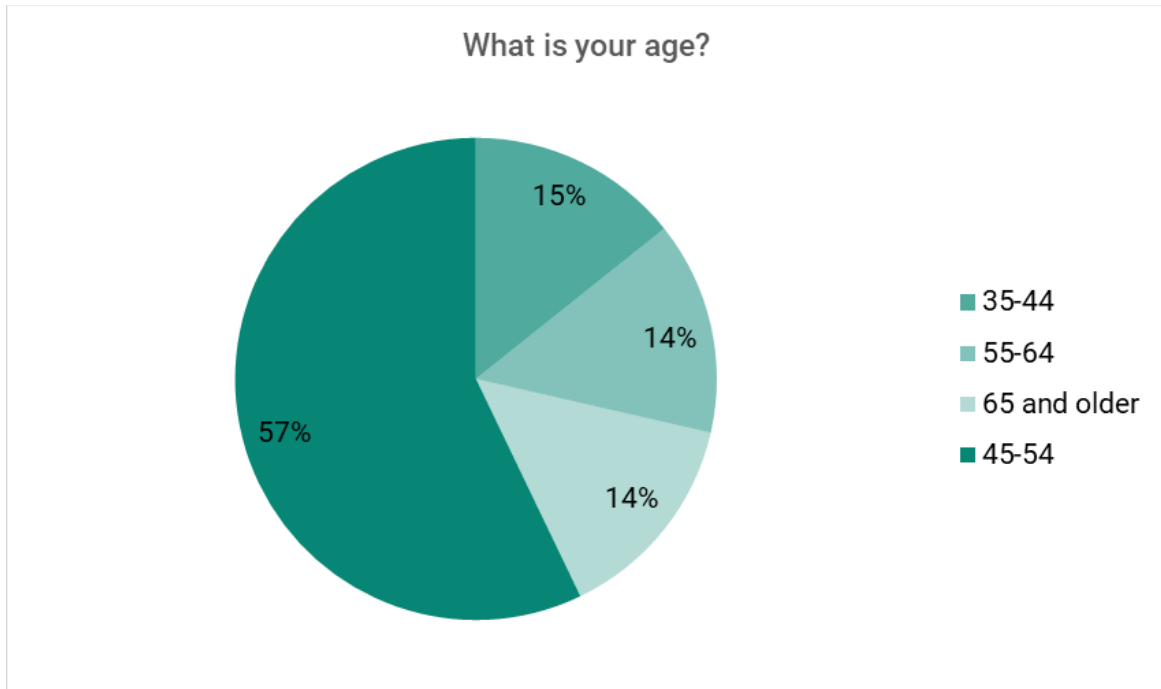
#### GENDER

Seven participants shared their gender. Participants could select all that applied. A vast majority of participants self-identified as female.



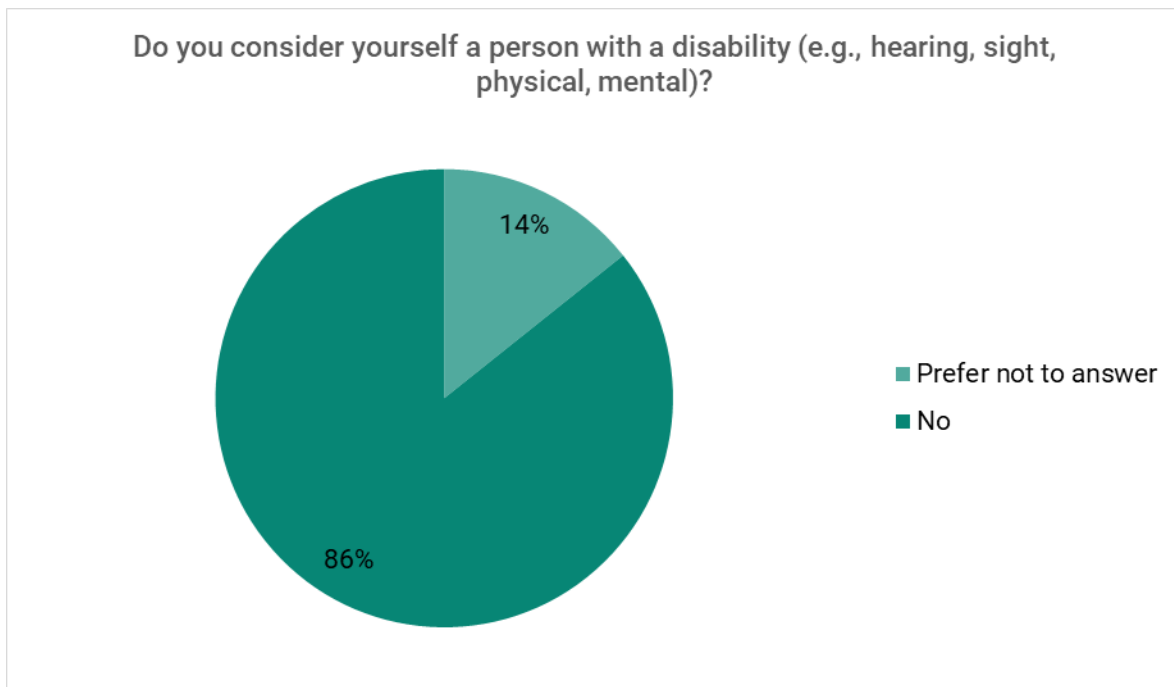
#### AGE

Seven participants shared their age, with over half being 45-54 years old.



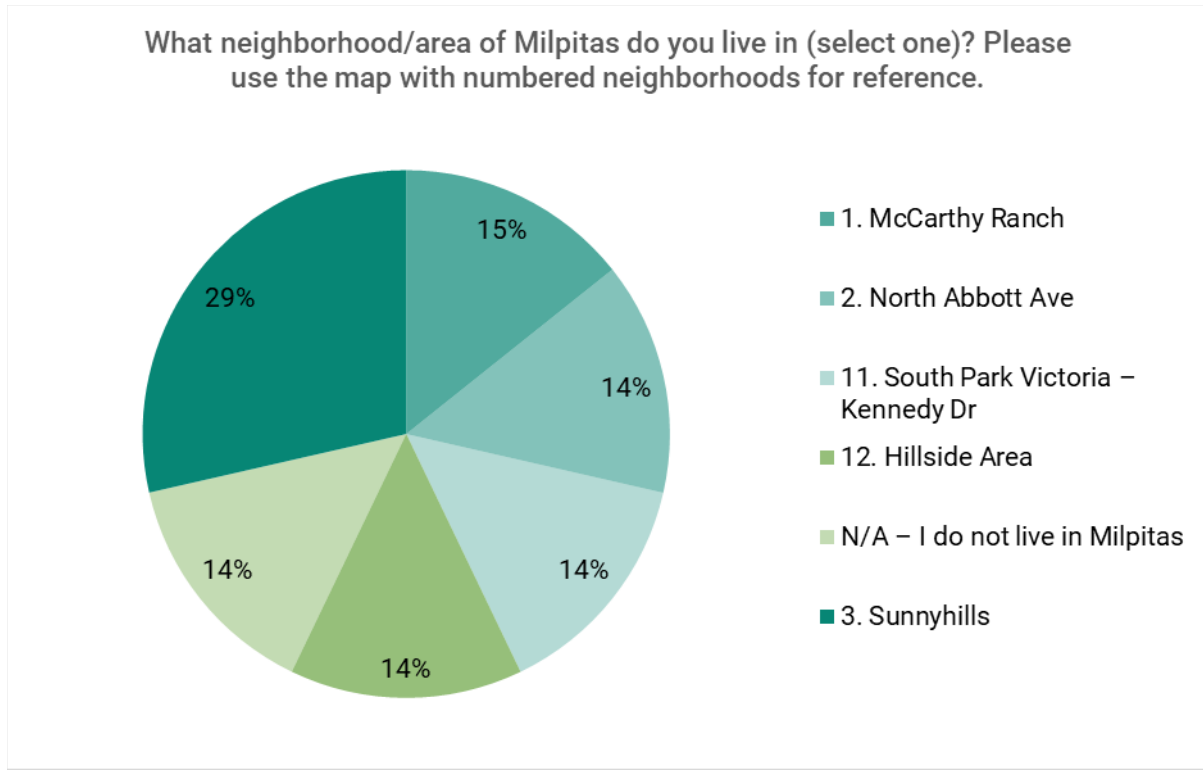
#### DISABILITY

Seven participants shared whether they considered to have a disability or not. No one indicated having one.



#### RESIDENCY

The graph below indicates where respondents reside in the City.



## Community Workshop #3

### OUTREACH

Outreach was conducted in several ways. A flyer was produced in English, Spanish, Vietnamese, and Chinese simplified and distributed digitally and printed out in the following outlets and locations: City's social media channels (NextDoor, Facebook, Twitter), City newsletters (Milpitas Matters, Connected), email listservs and email newsletters (Milpitas Chamber of Commerce and Milpitas Office of Economic Development), stakeholder list (over 200 people), and at the public library and senior and community centers.

# HOUSING COMMUNITY WORKSHOP #3

## Draft Housing Element Review

**Tuesday, September 13, 6:00PM**

The meeting will be held virtually on zoom.

Please register using this link:

→ <https://bit.ly/MilpitasHEWorkshop3> ←

You will receive a confirmation email with further details for logging in.

### What's this about?

Come join us to learn more about the City's Housing Element! The Housing Element is part of the City's General Plan. Its purpose is to facilitate the production of a variety of housing types, at different income levels, to accommodate all households and family types. Cities are required by state law to update their Housing Element every eight years, and the City of Milpitas is now updating its Housing Element to plan for the City's projected housing needs during the next eight years between 2023 and 2031.

**In this workshop, you'll get to learn about, review, and provide your feedback on:**

- Public draft of the Housing Element
- Prioritization of housing programs

For more information, visit:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

For questions, contact:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



# HỘI THẢO CỘNG ĐỒNG SỐ 3 VỀ NHÀ Ở

Đánh giá Bản dự thảo Housing Element

**Thứ Ba, ngày 13 tháng 9, 6:00 chiều**  
Cuộc họp sẽ được tổ chức trực tuyến trên nền tảng Zoom.

Vui lòng đăng ký ở liên kết này:

→ <https://bit.ly/MilpitasHEWorkshop3> ←

Quý vị sẽ nhận được một email xác nhận cùng thông tin chi tiết để đăng nhập.

## Hội thảo về chủ đề gì?

Hãy tham gia cùng chúng tôi để tìm hiểu thêm về chương trình Housing Element của Thành phố! Housing Element là một phần Quy hoạch Chung của Thành phố. Mục đích của chương trình là thúc đẩy xây dựng các loại nhà ở đa dạng, với các mức thu nhập khác nhau để cung cấp nơi ở cho nhiều hộ gia đình và các loại hình gia đình. Các thành phố được luật tiểu bang yêu cầu cập nhật chương trình Housing Element sau mỗi tám năm, và Thành phố Milpitas hiện đang cập nhật Housing Element để chuẩn bị cho kế hoạch nhu cầu nhà ở của Thành phố trong tám năm tiếp theo từ 2023 tới 2031.

**Trong hội thảo này, quý vị sẽ được tìm hiểu, đánh giá, và đưa ra ý kiến về:**

- Dự thảo công khai về Housing Element
- Các chương trình ưu tiên về nhà ở

Để biết thêm thông tin, xin truy cập:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Nếu quý vị có câu hỏi, vui lòng liên hệ:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)





# 第三场住房 社区研讨会

## 住房要素草案审查

9 月 13 日, 星期二, 下午 6:00

该会议将通过 Zoom 于线上举行。

请访问此链接进行注册:

→ <https://bit.ly/MilpitasHEWorkshop3> ←

您将收到一封确认电子邮件, 其中包含更多登录详情。

### 计划简介:

欢迎加入我们, 了解更多有关城市住房要素 (Housing Element) 的资讯! 住房要素 (Housing Element) 是城市总体规划的一部分, 这个计划旨在促进建造各种房型, 以满足不同收入阶层群体的住房需求。根据州法律, 各城市必须每八年更新一次住房要素 (Housing Element) 计划; 米尔皮塔斯市 (Milpitas) 目前正在更新此计划, 以针对该市未来八年 (2023 年至 2031 年) 的预计住房需求作出规划。

在这场研讨会中, 您将了解和审查以下内容, 并可以就这些内容提出想法和见解:

- 住房要素公开草案
- 住房计划优先事项

如需了解更多信息, 请访问:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

如有问题, 请联系:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



# TALLER COMUNITARIO SOBRE VIVIENDA #3

Revisión del borrador del elemento de vivienda

**martes, 13 de septiembre, 6:00 PM**

Este taller será virtual por zoom.

Por favor, regístrese usando el siguiente enlace:

→ <https://bit.ly/MilpitasHEWorkshop3> ←

Recibirá un correo electrónico de confirmación con más información sobre cómo conectarse al zoom.

## ¿De qué se trata el elemento de vivienda?

¡Únase al taller para aprender más sobre el elemento de vivienda de la ciudad! El elemento de vivienda es parte del Plan General de la ciudad. Su propósito es facilitar la producción de una variedad de tipos de vivienda, a diferentes niveles de ingreso, para todo tipo de hogar y de familia. Las ciudades en California están obligadas por ley estatal a actualizar su elemento de vivienda cada ocho años. La ciudad de Milpitas recién comenzó la actualización de este elemento para planificar sus necesidades de vivienda durante los próximos ocho años entre el 2023 y el 2031.

**En este taller, aprenderá, revisará y dará su opinión sobre lo siguiente:**

- Borrador público del elemento de vivienda
- Priorización de los programas de vivienda

Para más información, por favor visite nuestra página web:  
[www.milpitashousingelement.com](http://www.milpitashousingelement.com)

Si tiene alguna duda o pregunta, por favor contáctenos a:  
[HousingElement@ci.milpitas.ca.gov](mailto:HousingElement@ci.milpitas.ca.gov)



## PURPOSE

The main purpose of workshops is to have a dedicated space and ample time for in-depth engagement and feedback at crucial stages of the Housing Element Update development. For workshop #3, the team sought to share information and receive feedback regarding the City's housing assets, issues, and opportunities. The primary objectives of the meeting were to:

- Provide background on the Housing Element and process;
- Share highlights from community engagement findings;
- Review the Public Draft Housing Element, including the housing goals and programs and the sites inventory; and
- Receive community feedback on the Public Draft Housing Element.

## PARTICIPATION AND FORMAT

48 people who lived, worked, and/or visited Milpitas participated in workshop #3. The workshop was held virtually on Zoom on September 13, 2022 from 6pm-8pm PST. Interpretation was offered in Spanish, Vietnamese, and Mandarin for the entirety of the meeting. The first part of the meeting consisted of a presentation by the consultant team that provided background information on the Housing Element, findings from community engagement to date, and an overview of the main housing programs and the sites inventory. The second part of the meeting consisted of a virtual open house, where participants could visit six different rooms, one on the sites inventory and five on the five housing program themes. Below is a summary of this discussion.

## OPEN HOUSE DISCUSSION QUESTIONS

During the open house portion of the workshop, participants were asked to think about and share their thoughts in response to the following questions.

### SITES INVENTORY

1. What are your thoughts on these sites?
2. Do any surprise you?

### HOUSING PROGRAMS BY THEME

1. Where and who should these programs prioritize?
2. Are there any program ideas missing?
3. In your opinion, which program is top priority to meet the City's housing needs?

## SUMMARY

### SITES INVENTORY

#### TRAFFIC CONSIDERATIONS

- Consider how traffic will be impacted where new housing is being proposed, such as in CA Circle.

#### PRIORITIES

- In these proposed housing locations, the City should prioritize fair housing and teacher housing particularly in City- and County owned land (such as parking lots).



## CONSTRAINTS

- The cost of housing construction is not going down.

## BALANCE

- Housing needs to be balanced with the new jobs that would come with more people moving in, and those jobs lead to more office space required to be developed.

## FINANCING

- Specific Plans could increase commercial linkage fees in commercial development areas to build Below Market Rate Units.

## HOUSING PROGRAMS AND POLICIES

### HOUSING PRODUCTION

#### Affordability

- Overall, the City needs to build new housing of all types. Prices continue to be outrageous even when it's moderate-income housing.

#### Limitations

- Area Median Income doesn't fully capture people's reality when it comes to what they can afford for housing. Need to keep this in mind as the City develops housing for different income levels.

#### ADUs

- The City should be creative in how it influences homeowners to make ADUs for low- and moderate-income people. It can look to San Mateo as an example, which ensured that a certain number of ADUs were built and made available for three income levels (very low, low, and moderate).
- The permitting process should consider asking and keeping track of the affordability status of an ADU.

#### Missing Middle Housing

- Build more as it will help balance the high-density projects already happening in Milpitas.

### HOUSING PRESERVATION

- Rehabilitation:
  - In the past, this program has largely benefited homeowners, but it should also consider older multifamily units that are in much need of repair.
  - It should also assist Sunnyhills residents and others that have mold and single pane windows, among other things, that need improvements.
- Funding:
  - Could the State and Federal climate bills and funding sources provide energy efficiency and renewable energy upgrades?
- Preservation of At-Risk Home:
  - Sunnyhills residents continue to be concerned about the contract renewal and losing the affordability status protection and becoming market rate.
  - Some residents have asked for the City to purchase this area through eminent domain and pass it to a nonprofit to manage.

## HOUSING DIVERSITY & AFFORDABILITY

- Financial Assistance:
  - Some expressed hesitancy in only assisting very low- and low-income people in becoming homeowners. Needs to be balanced.
- Approach:
  - In-lieu fees may provide more units than inclusionary zoning and could leverage and maximize opportunities to help more households.

## FAIR HOUSING

- Mobile Homes:
  - People wanted to better understand how mobile home rent control related to zoning for mobile home parks.
- Displacement:
  - Concerns were raised related to displacement when redeveloping older commercial corridors, such as Dempsey Rd.
  - Displacement may have also occurred as a result of landlord-driven eviction during Covid despite Emergency Rental Assistance Program funds.
- Rent Review Ordinance:
  - It is missing teeth; only voluntary follow-through.

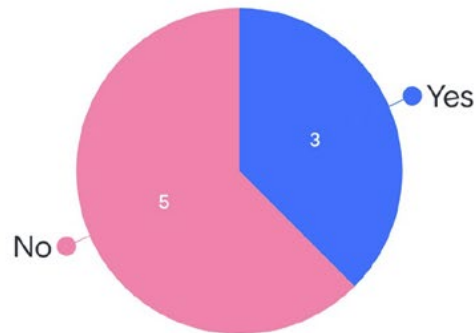
## HOUSING FOR SPECIAL NEEDS POPULATION

- Large Units:
  - The City needs to prioritize these units specifically for families.
- Supportive Housing:
  - Collaboration:
    - Collaborate with the Office of Supportive Housing to find funding sources beyond Measure A, and with San Andreas Regional Center, to provide more housing opportunities for people with disabilities.
  - Accessibility:
    - This housing type needs door and stair modifications for greater accessibility.
  - Balance:
    - Equally important to building more housing for special needs population is ensuring that the facilities are also serving a purpose, such as access to open space.

## PARTICIPATION POLLING RESULTS

### Do you live in Milpitas?

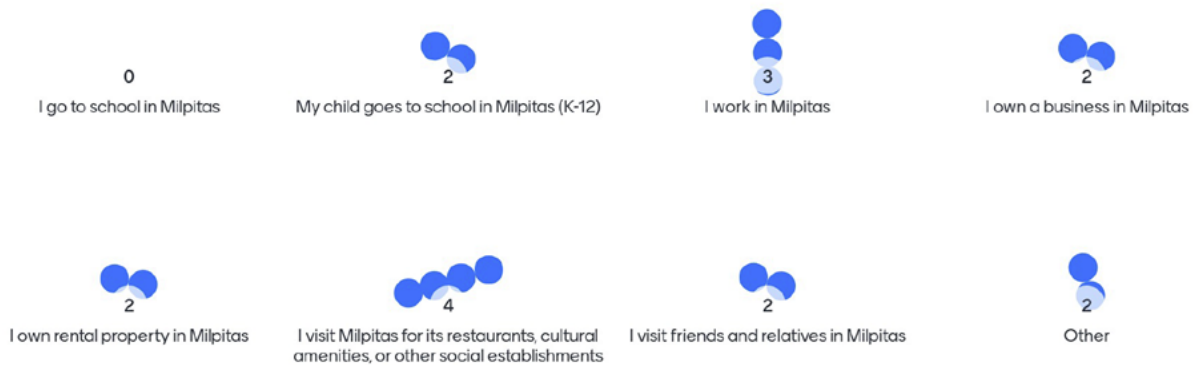
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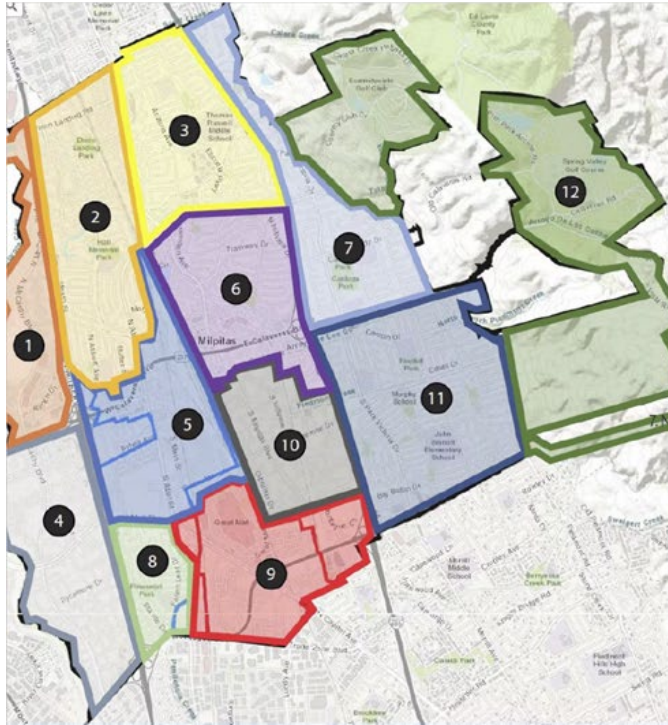
8

### Which of the following are true (select all that apply)?

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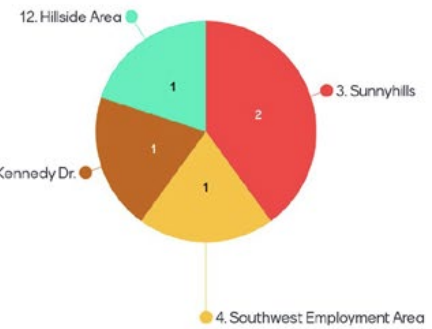


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What part of the city do you live in?

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5

Do you own or rent your residence?

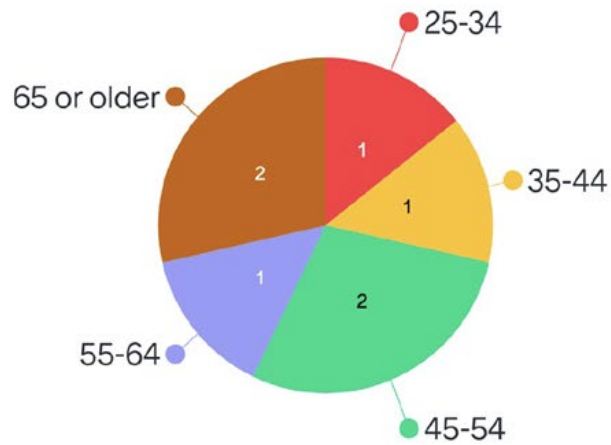
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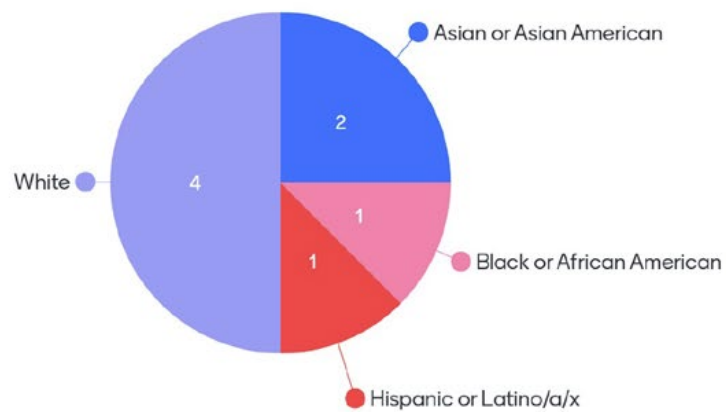
## What is your age?

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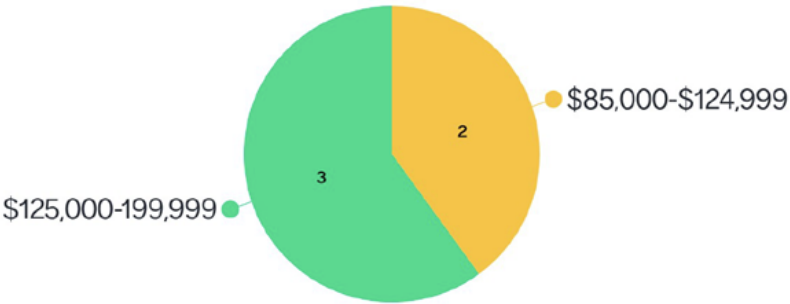
## How do you identify? (Select all that apply)

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# What best describes your annual household income level?

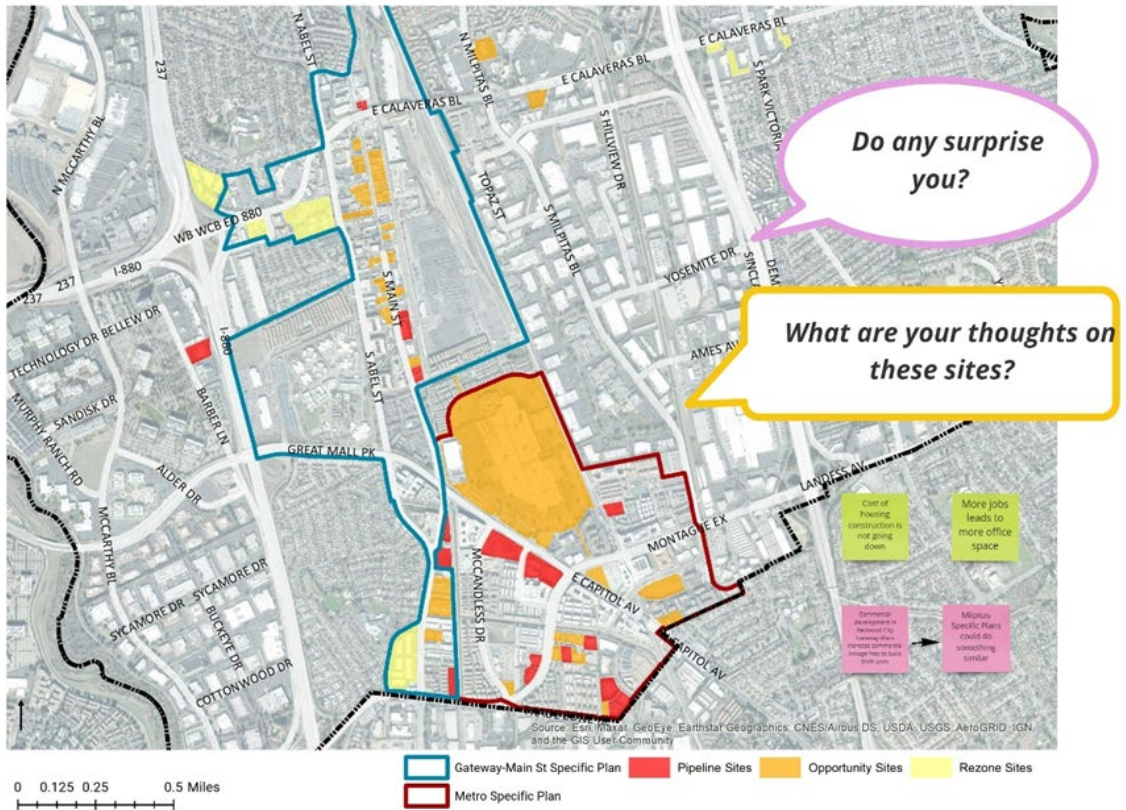
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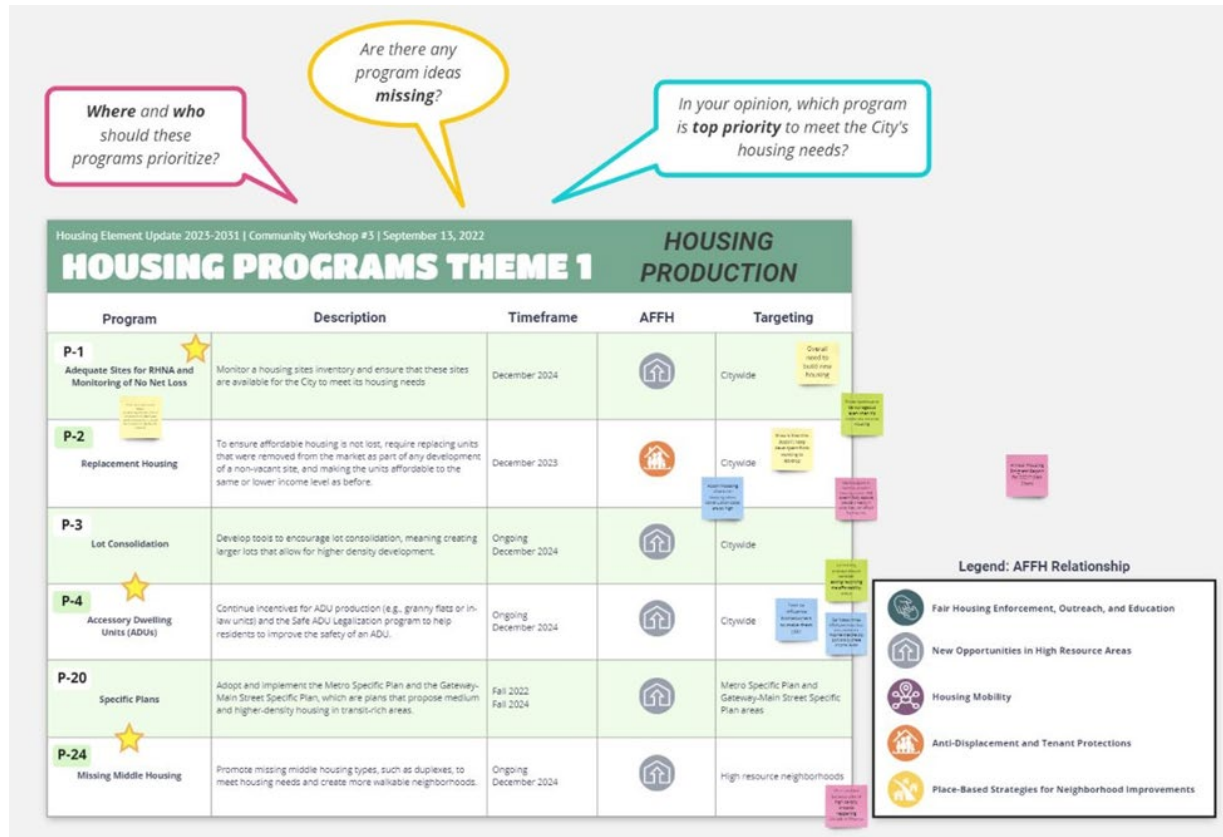


# SITES INVENTORY MAP – SOUTH

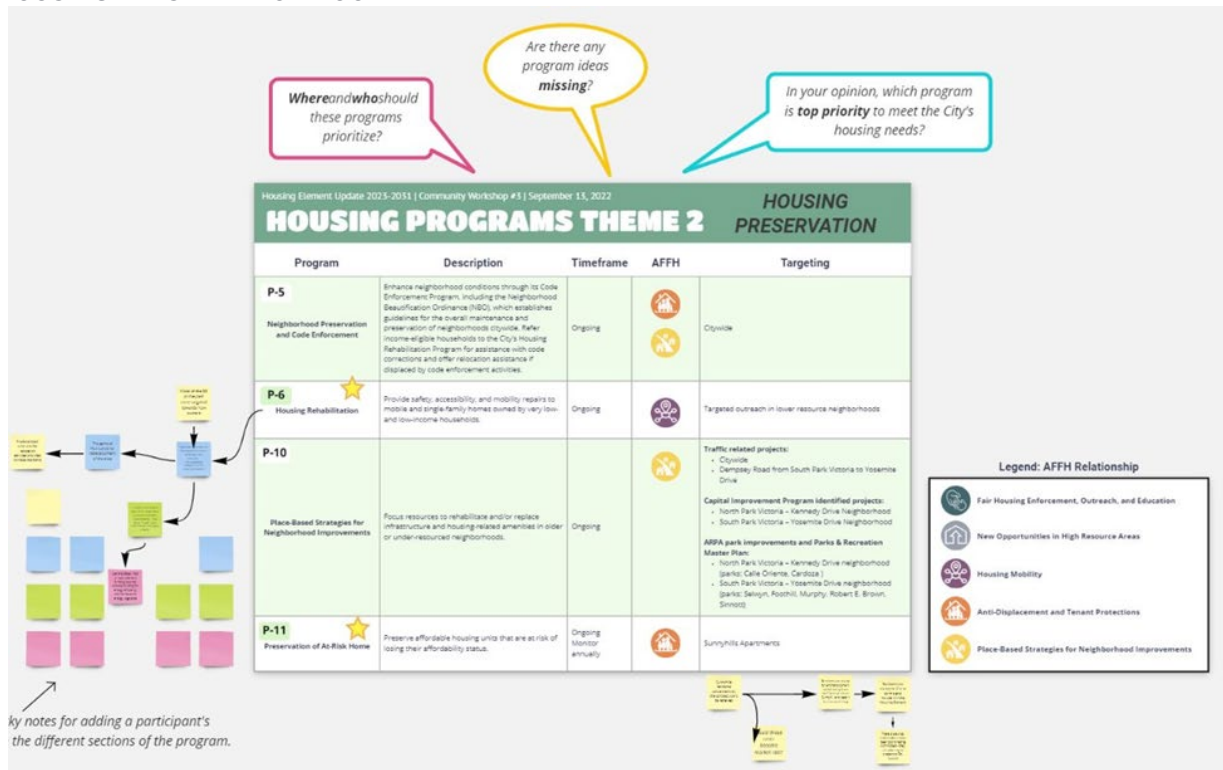


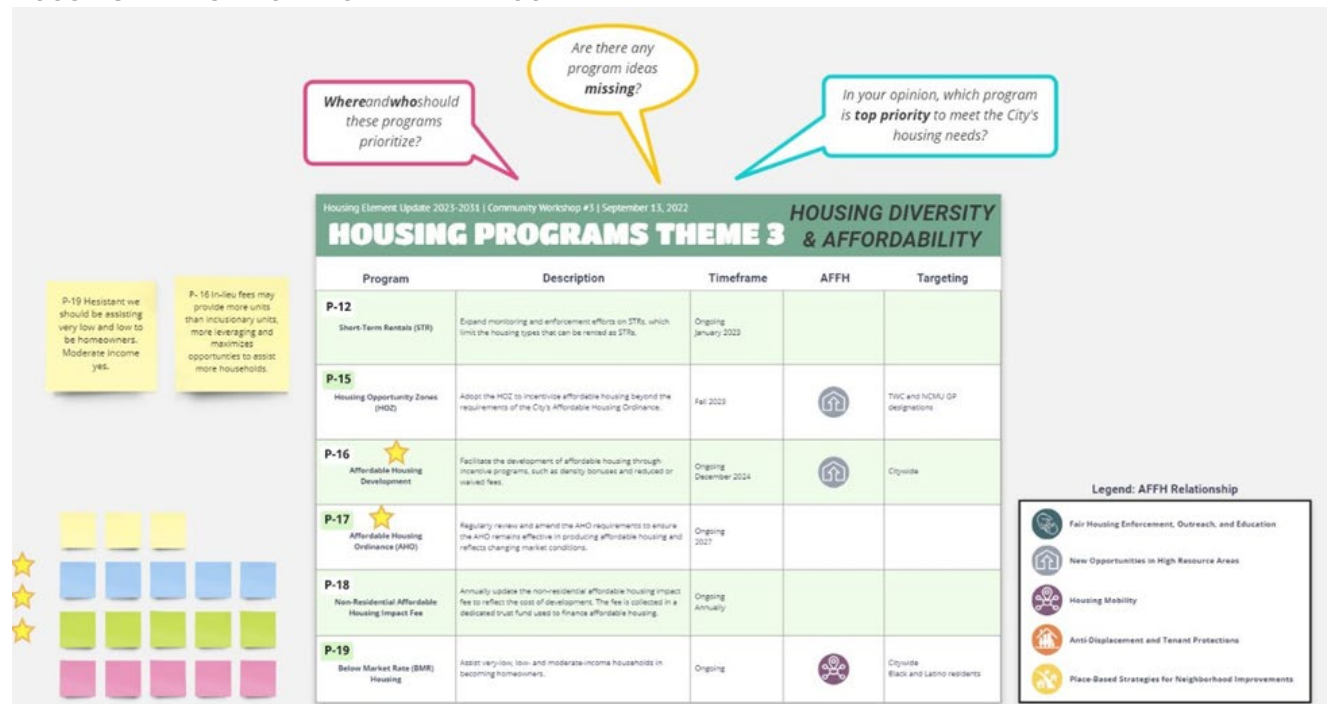


## HOUSING PRODUCTION ROOM



## HOUSING PRESERVATION ROOM








# HOUSING FOR SPECIAL NEEDS POPULATION ROOM

**Where and who**  
should these  
programs prioritize?






Are there any  
program ideas  
missing?

In your opinion, which program  
is **top priority** to meet the City's  
housing needs?

Housing Element Update 2023-2031 | Community Workshop #3 | September 13, 2022
**HOUSING FOR SPECIAL  
NEEDS POPULATION**

Program	Description	Timeframe	AFFH	Targeting
<b>P-21</b>				
<b>Zoning and Building Code Amendments</b>	Amend the Zoning Code to comply with the latest State laws relating to special needs populations, and reduce regulatory barriers to all types of residential development.	December 2024		Citywide
<b>P-22</b> ★ ★ <b>Supportive Housing for Persons with Disabilities</b>	Collaborate with the County to identify sites and resources for supportive housing, which combines affordable housing with services such as health care.  <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> <div style="border: 1px solid black; padding: 2px;">Develop and implement a plan to increase the number of affordable housing units for persons with disabilities</div> <div style="border: 1px solid black; padding: 2px;">Develop and implement a plan to increase the number of affordable housing units for persons with disabilities</div> <div style="border: 1px solid black; padding: 2px;">Develop and implement a plan to increase the number of affordable housing units for persons with disabilities</div> <div style="border: 1px solid black; padding: 2px;">Develop and implement a plan to increase the number of affordable housing units for persons with disabilities</div> <div style="border: 1px solid black; padding: 2px;">Develop and implement a plan to increase the number of affordable housing units for persons with disabilities</div> </div>	2024		Citywide
<b>P-23</b> ★ <b>Large Units for Families with Children in Multifamily Housing</b>	Identify possible zoning incentives for multifamily developments that include units with three or more bedrooms to support large families with children who face high rates of housing cost burden and overcrowding.	2025		Citywide

**Legend: AFFH Relationship**

-  Fair Housing Enforcement, Outreach, and Education
-  New Opportunities in High Resource Areas
-  Housing Mobility
-  Anti-Displacement and Tenant Protections
-  Place-Based Strategies for Neighborhood Improvements

# Comment Letters

Once the Public Draft Housing Element was completed, it was made open for public review for a period of 30 days. The comment period closed on September 30, 2020, and the team reviewed and incorporated changes responding to these letters. The comment period provided the opportunity for community members to review a full draft and see how community input was integrated into the policy and technical analysis.

The team received letters from the following organizations:

- Building Industry Association of the Bay Area
- Carpenters Local Union 405
- Housing Choices
- Law Foundation of Silicon Valley
- San Francisco Foundation
- Silicon Valley at Home
- YIMBY Law

The above letters are attached.

## Themes from Comment Letters

### FAVORABLE LAND USE AND ZONING

- Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas.
- Allow or encourage missing middle housing in single-family neighborhoods.

### DEVELOPING AFFORDABLE HOUSING

- Provide incentives for affordable housing development.
- Provide incentives for affordable ADUs.
- Create or review/update inclusionary housing (including in-lieu fees) and commercial linkage fee requirements.
- Generate new or dedicate existing revenue for affordable housing.
- Increase Inclusionary Zoning mandates i.e., accelerating/increasing VLI/LI requirements for new housing projects.

### ACCELERATING PRODUCTION TIMEFRAMES

- Analyze City's permitting and approvals processes in order to identify and resolve any shortfalls.
- Streamline development approvals and environmental review process for multifamily housing
- Streamline permitting process for multifamily housing.

### REDUCING CONSTRUCTION AND DEVELOPMENT COSTS

- Ensure local requirements are not making development more expensive without requisite benefits.
- Actively support the use of modular and factory-built construction methods.

- Adopt planning waivers and fee deferments for 100% affordable housing projects.

#### PROTECTING EXISTING TENANTS

- Adopt or update rent stabilization and rent control policies.
- Adopt or update just cause eviction policies.
- Establish a Rental Survey Program to collect basic information on rental housing – changes to tenancies, changes to rents, and other data.
- Adopt a Tenant Relocation Assistance Program that would require the property owner to provide assistance to the tenant to help them relocate to another home.
- Adopt other anti-displacement policies like Anti Rent-Gouging Policy, Right to Counsel, Tenant/Community Opportunity to Purchase (TOPA/COPA), Tenant Resource Center and other such policies

#### AFFIRMATIVELY FURTHERING FAIR HOUSING

- Provide more lower-income sites throughout the entire city in order to avoid concentrations of poverty and maximize AFFH guidelines.
- Discuss other contributing factors, including the local and regional historical origins and current policies and practices leading to patterns of segregation and displacement in the city.
- Housing for persons with developmental disabilities
  - Adopt policies for deeply affordable (extremely low-income) housing for people with developmental disabilities and for integration in typical affordable housing.
  - Coordinate and complement housing with onsite supportive services.
  - Encourage mix of unit sizes to address needs of those who require live-in aides, want to live with roommates or partners, or have children.
  - Prioritize locations near public transit to accommodate the transit-dependency of most adults with developmental disabilities.

#### FAIR OUTREACH AND ENFORCEMENT

- Increase Multi-lingual engagement with city services and housing opportunities.
- Extend robust outreach to all stakeholder communities specifically enumerated in HCD's guidance, which include independent living centers and community service organizations that serve ethnic/linguistic minorities.
- Coordinate with the School district to determine relationship between new housing and enrollment trends, funding sources.

#### HOSING PROGRAMS AND GOALS

- Identify specific timelines for the programs and goals.
- Establish and monitor a quantitative goal for programs.
- Tiny Homes: Establish possible implementation timeframes, including a review process for tiny home specific regulations; and funding sources for the implementation as a result of the study.

# How Community Conversation Shaped the Plan

Engagement during Phases 1 and 2 shaped the narrative, future housing needs, and Housing Plan for the City. Input received during the Public Review period (Phase 3) was integrated directly into the Housing Element before the document was submitted to HCD for review. The following summarizes both general changes to the element, as well as specific changes to the policies and programs. Table 1 summarizes specific changes to the Housing Programs.

## CHAPTER 2: OUR CONVERSATION

- Added summary of community engagement activities.
- Added Phase 3 engagement summary.

## CHAPTER 3: OUR STORY

- In the Past Accomplishments section, added references to City's current efforts related to the unhoused population.
- Added discussion of pipeline project that will increase affordable housing production in the 6<sup>th</sup> Cycle
- Updated Housing Constraints section, linking constraints to the City's housing programs.

## CHAPTER 4: OUR FUTURE HOUSING NEEDS

- Updated income limits table with 2022 data.
- Clarified pipeline projects related to affordable housing production and added analysis of on-site affordable housing production for projects entitled after the ordinance was adopted
- Added narrative about City's programs to encourage housing outside the Metro and Gateway-Main Street Specific Plan areas.

## CHAPTER 5: OUR HOUSING PLAN

- Made minor edits and additions to the housing policies and programs (see below).
- Ensured housing programs had a completion date.
- Clarified difference between ongoing and new programs.
- Called out quantified metrics for housing programs.
- Added Community Input section to the housing programs.

The following summarizes specific changes to Milpitas's Housing Plan's policies.

- Added communications with property owners and developers who exhibited interest in redeveloping their properties (HE 1.6)
- Refined policy on school coordination (HE 1.7)
- Revised policy to continually review and right-size development fees on housing development. Adjust or defer City fees for affordable housing development (HE 3.1)
- Refined policy on HOZ land use balancing commercial and residential uses (HE 3.3)
- Refined adaptive reuse policy (HE 3.7)



- Added policy to advocate for legislative change and funding/financing initiatives (HE 3.8)
- Added policy to streamline housing permitting and procedures consistent with State laws (e.g., AB 2234) and the City's Service Delivery Study (HE 3.9)
- Revised policy about updating Affordable Housing Ordinance (HE 4.5)
- Refined policies associated with supportive housing and care (HE 4.8, 4.10, 7.1, 7.5, 7.8)
- Added policy about financial assistance programs, such as the Rent Relief Program and Milpitas Assistance Program (HE 7.2)
- Added Community Development Block Grant (CDBG) policy related to use of funds for affordable housing (HE 4.12)
- Added policy related to surplus land (HE 4.13)
- Added to policy to proactively monitor and enforce the City's Short-Term Rental ordinance (HE 4.14)
- Added feasibility study and implementation for tiny homes study (HE 8.6).....

**SUMMARY OF KEY REVISIONS TO THE HOUSING PROGRAMS BASED ON COMMUNITY CONVERSATION ABOUT THE PUBLIC DRAFT HOUSING ELEMENT**

<b><u>Program</u></b>	<b><u>Program Revision</u></b>
<u>Program 1: Adequate Sites</u>	<ul style="list-style-type: none"> <li>• <u>Added actions related to engaging property owners and developers who exhibited interest in redeveloping their properties. Identify steps and/or actions to transform interest into affordable housing production</u></li> </ul>
<u>Program 4: ADUs</u>	<ul style="list-style-type: none"> <li>• <u>Added provision targeting funding/incentives for persons with disabilities and their caregivers</u></li> </ul>
<u>Program 6: Housing Rehabilitation</u>	<ul style="list-style-type: none"> <li>• <u>Added ongoing Milpitas Assistance Program</u></li> </ul>
<u>Program 7: Tenant Assistance and Fair Housing</u>	<ul style="list-style-type: none"> <li>• <u>Added ongoing coordination with the San Andreas Regional Center (SARC)</u></li> </ul>
<u>Program 9: Anti-Displacement</u>	<ul style="list-style-type: none"> <li>• <u>Added regular survey on rental assistance program and anti-displacement activities</u></li> <li>• <u>Refined date for program implementation</u></li> <li>• <u>Refined anti-displacement program list</u></li> </ul>
<u>Program 15: HOZ</u>	<ul style="list-style-type: none"> <li>• <u>Added incentives for persons with disabilities</u></li> </ul>
<u>Program 16: Affordable Housing Development</u>	<ul style="list-style-type: none"> <li>• <u>Added language about County funding and incentives for persons with disabilities</u></li> <li>• <u>Added action for Enhance Infrastructure Financing District (EIFD)</u></li> </ul>
<u>Program 21: Zoning Ordinance and Building Code Amendments</u>	<ul style="list-style-type: none"> <li>• <u>Added Tiny Homes study</u></li> <li>• <u>Updated to reflect 2019 Service Delivery Fee Study and AB 2234 (post-entitlement permitting)</u></li> </ul>
<u>Program 22: Supportive Housing for Persons with Disabilities</u>	<ul style="list-style-type: none"> <li>• <u>Added ongoing coordination with the SARC</u></li> <li>• <u>Added incentive actions for supportive housing and units for persons with disabilities</u></li> </ul>





psausedo@biabayarea.org

July 1, 2022

City of Milpitas  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
**Transmitted Electronically**

Dear Sir/Madam,

RE: 6<sup>th</sup> Cycle Housing Element: Constraints Section

The Building Industry Association of the Bay Area (BIA) respectfully submits the comments contained herein regarding Morgan Hill's draft Housing Element. Inclusive in each city's DRAFT Housing element is a requirement to include a chapter that provides a comprehensive listing and honest review of government and private sector constraints that may inhibit a city's ability to achieve buildout of its Housing Element.

Per HCD's Construction by Income Building Activity Annual Report, Milpitas permitted 228 residential units in 2021 (VLI: 101 d/u, LI: 20 d/u, Mod: 13 d/u, Mkt: 95 d/u). ABAG's 6<sup>th</sup> cycle RHNA allocation (2023 – 2031) for Milpitas is 6,713 total units (VLI: 1,685, LI: 970, MOD: 1,131 and MR: 2,927). Considering the ongoing housing crisis, it is recommended that Milpitas thoroughly analyze all government-imposed constraints along with non-government constraints that add to the cost and/or inhibit the city's ability to permit and produce new housing of all income levels in order to initiate and facilitate the best permitting outcomes for the 6<sup>th</sup> cycle Housing Element.

BIA recommends the Constraints Section of the city's Housing Element provide, at a minimum, a listing and analysis of the following:

**GOVERNMENT IMPOSED CONSTRAINTS:**

**Development Regulations:**

- Parking
- FAR
- Height and/or Density Ranges
- Moratoriums on conversion of non-residential zoned land
- Requiring Commercial Square Footage within Mixed-Use projects

**Mitigation Fees**

- Increased Park Dedication Fees
- Increase Affordable Housing Fees

**Inclusionary Housing (IZ)**

- Increasing IZ mandates i.e., accelerating/increasing VLI/LI requirements for new housing projects
- Amenity/Community Benefit Plans (Public Art, PoPo's, Childcare centers)
- Requiring "above & beyond" dedication requirements for Parks, Roads/Transportation, etc.

**Environmental Constraints**

- Fault Zones
- Historic Buildings/Neighborhoods

**New Taxes**

- CFD's for Schools, Infrastructure or Services
- New/Increased/Extended Parcel Taxes
- Any/All New Taxes on Housing
- Revenue "Neutral" conditions (requiring new housing pay 100% for city services)

**Mandated Labor Requirements**

- Project Labor Agreements
- Prevailing Wage Requirements
- "Local" Construction Workforce Requirements
- Union Apprenticeship Requirements
- "Local" Business Sourcing Requirement

**Citizen Concerns:**

- Nimbyism/Neighborhood Opposition
- CEQA Lawsuits solely to stop/delay housing projects

**Permit Processing Time**

Long permitting processing times or permit processes that have a high degree of uncertainty i.e., discretionary reviews or processes with multiple public meetings, increase the cost of housing development for developers by (1) increasing carrying costs waiting for permits or (2) increasing the chance that a project will be rejected following a lengthy processing period.

**NON-GOVERNMENT CONSTRAINTS****Land & Housing Development/Construction Costs**

- Land (average cost per multi-family unit approaches \$100,000 throughout Bay Area)
- Hard Costs (materials & labor)
- Soft Costs (architects, consultants, govt fees, financing)
- Supply-chain and inflationary costs of materials

BIA appreciates this opportunity to provide comment and recommendation on the City's 6<sup>th</sup> Cycle Housing Element and looks forward to working with the City of Milpitas to positively address the region's on-going housing crisis.

Respectfully,



Patricia E. Sausedo, Director  
BIA Bay Area South Bay Government Affairs



# ***CARPENTERS LOCAL UNION 405***

***SERVING SANTA CLARA & SAN BENITO COUNTIES***

10/11/2022

City of Milpitas

Attn: Ned Thomas, Planning Director

455 E Calaveras Blvd, Milpitas, CA

Santa Clara, 95035

Via Email: [ntthomas@milpitas.gov](mailto:ntthomas@milpitas.gov)

Re: City of Milpitas Draft Housing Element Update

Dear Ned Thomas,

Please accept these comments on the above-referenced Housing Element Update on behalf of the members of Carpenters Local 405, which represents working men and women in the City of Milpitas. We appreciate the opportunity and look forward to working together on this important endeavor.

To meet the urgent need for housing units outlined in the State's Regional Housing Needs Allocation (RHNA), as well as the policy goals outlined in the City of Milpitas Housing Element and larger General Plan, it is vital that the City of Milpitas support efforts to build the local construction workforce. Local 405 has long been at the forefront of training the next generation of construction workers, opening pathways to the industry for diverse and traditionally underserved populations, and embracing new technologies and delivery methods to expedite the construction of much-needed housing.

Without an intervention, the City of Milpitas is not likely to reach its RHNA housing allocation. The City needs to build 6,713 housing units<sup>1</sup> over the next 8 years. The current Draft Housing Element has higher Moderate, Low, and Very Low-Income housing unit allocations than the 5th Cycle Goals, all of which were not met. Critically, since 2015, only 24.2% of Very Low-Income, 3.5% of Low-Income, and 2.3% of Moderate-Income housing goals were met.<sup>2</sup> These issues raise concerns for the City's ability to meet affordable housing goals: a top concern for various City stakeholders, including community members.

There are practical solutions to address housing shortages in the City of Milpitas by utilizing high-road labor. To support the policy goals of the Housing Element, Local 405 is requesting that the City add local hire and apprenticeship requirements to the final Housing Element for all residential construction projects larger than 10 units. The standards Local 405 is proposing in

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<sup>1</sup> Page 44: Draft City of Milpitas 2023-2031 Housing Element

<sup>2</sup> Page 29: Draft City of Milpitas 2023-2031 Housing Element (TABLE 1: HOUSING UNIT CONSTRUCTION COMPARED TO RHNA DURING THE 5<sup>TH</sup> CYCLE)

this comment letter would help to ensure greater benefits for the broader community, help ensure that construction labor needs are met, and guarantee that new residential development projects within the City are making needed investments in the region's skilled construction industry workforce.

**The City Should Bar Issuance of Building Permits Unless Each Future Residential Development of 10 units or Above has a Viable Apprenticeship Program and Local Hiring Requirements**

The Carpenters propose the following additions to the Municipal Code of the City of Milpitas. for any residential project larger than 10 units

Permitting requirements in the Municipal Code of the City of Milpitas.

A person, firm, corporation, or other entity applying for a building permit under the relevant section of the Municipal Code of the City of Milpitas, California shall be required to comply with the apprenticeship, healthcare, and local hire requirements of the Housing Element and General Plan. Failure to comply with the requirements set forth in this section shall be deemed a violation of this article.

**Apprenticeship:**

For every apprenticeable craft, each general contractor and each subcontractor (at every tier for the project) will sign a certified statement under penalty of perjury that it participates in a Joint Apprenticeship Program Approved by the State of California, Division of Apprenticeship Standards **OR** in an apprenticeship program approved by the State of California Division of Apprenticeship Standards that has a graduation rate of 50% or higher and has graduated at least thirty (30) apprentices each consecutive year for the five (5) years immediately preceding submission of the pre-qualification documents. The contractor or subcontractor will also maintain at least the ratio of apprentices required by California Labor Code section 1777.5.

**Local Hire Policy:**

Contractor will be required to provide documentation that the contractor will hire a minimum of twenty-five percent (25%) of staff for any job classification with more than four (4) employees employed whose primary residence, which is not a post office box, is, and has been, within Santa Clara county within 180 days of the expected date of issuance of the Notice to Proceed for the project.

Addressing the housing shortage through a commitment to quality residential construction labor standards can have wide-reaching positive outcomes for the City of Milpitas. The housing infrastructure in the City has not kept up with increased employment opportunities. For both



high and low-wage workers, there are more jobs than homes available within Milpitas.<sup>3</sup> Since December 2021, median home prices soared by nearly 20%,<sup>4</sup> further straining the housing market for buyers. As Milpitas continues to see an influx of new residents,<sup>5</sup> a lack of diverse and affordable housing prevents workers from being able to live and work in the City. Supporting local construction workers and apprenticeship programs can bridge the gap between projected economic opportunities and suitable housing options in the City of Milpitas.

Local 405 has implemented many programs that will enable the City to meet the General Plan and Housing Element goals. These programs include a robust Joint Apprenticeship Training Committee, vigorous utilization of apprentices in the City of Milpitas, healthcare coverage for all members and their families, and innovation within the construction industry.

Joint Apprenticeship Training Committees (JATC's), such as the Carpenters Training Committee for Northern California (CTCNC), are a proven method of career training built around a strong partnership between employers, training programs and the government. This tripartite system is financially beneficial not only for the apprentice, but is a major benefit for the employer and the overall economy of the City of Milpitas. The CTCNC monitors current market conditions and adjusts the workflow of apprentices to meet the needs of the community, heading off any shortage of skilled workers. History has demonstrated that strong utilization of apprentices throughout the private sector helped California builders produce millions of units of housing.

CTCNC recruitment strategies include robust diversity and inclusionary outreach programs, such as pre-apprenticeship, with proven results in representative workplaces and strong local economies. It is imperative that our underserved populations have supportive and effective pathways to viable construction careers, while ensuring that employers are able to find and develop the best and brightest talent needed to thrive in a competitive economy.

Employer-paid health insurance plans for our members and their families provides preventative services to stay healthy and prevent serious illness. Timely care reduces the fiscal burden for our members and their families, and significantly reduces the utilization of safety-net programs administered by the City of Milpitas and Santa Clara County.

Embracing new technologies and delivery systems will have a significant impact on the construction industry, particularly the residential sector. Increasing housing delivery methods reduces project durations and provides City of Milpitas residents housing sooner. Local 405 is at the forefront of ensuring that new construction technologies deliver those benefits while also creating work opportunities for those already in the trades as well as those looking to begin a construction career.

Local 405 is in a unique position to address many of the key ideas outline in the City of Milpitas Housing Element Update. By investing in the training and utilization of apprentices, performing

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<sup>3</sup> Page 31: Draft City of Milpitas 2023-2031 Housing Element

<sup>4</sup> Page 33: Draft City of Milpitas 2023-2031 Housing Element

<sup>5</sup> Page 30: Draft City of Milpitas 2023-2031 Housing Element

outreach to ensure that the workforce closely mirrors the demographics of our local community, providing employer-paid healthcare for our members and their families, and promoting innovation in the residential construction sector, Local 405 is prepared to assist in closing the affordability gap in the City of Milpitas and the Bay Area. We look forward to engaging City staff and elected leaders as the Housing Element moves forward and working cooperatively to bridge the needs of the City with the skills and tools of Local 405.

Thank you for your time and consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sam Munoz", is written over the printed name.

Sam Munoz  
Senior Field Representative  
Carpenters Local 405

CC:

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## **DEVELOPMENTAL DISABILITIES COMMENTS FOR MILPITAS HOUSING ELEMENT**

### **Introduction to Developmental Disabilities**

California state law defines developmental disabilities as a disabling condition that emerged before age 18, is expected to be lifelong, and is a substantial disability attributable to major impairment of cognitive and/or social functioning. A substantial disability is defined as “significant functional limitations...in three or more of the following areas of major life activity, as appropriate to the person's age: Receptive and expressive language; Learning; Self-care; Mobility; Self-direction; Capacity for independent living; and/or Economic self-sufficiency”. Developmental disabilities include intellectual disability, autism, Down syndrome, epilepsy, cerebral palsy, and other disabling conditions similar in their functional impact to an intellectual disability. A developmental disability by definition does not include conditions that are solely physical, psychiatric or learning disabilities (Section 4512 of the Welfare and Institutions Code and Section 54000-54002 of the Code of Regulations). Under California’s Lanterman Developmental Disabilities Services Act and the U.S. Supreme Court’s 1999 decision in *Olmstead v. L.C.*, people with developmental disabilities are entitled to receive community-based services that allow them to live in the least restrictive community setting of their choosing. In California these services are accessed through the state’s 21 Regional Centers and funded by the Department of Developmental Disabilities. This shift to de-institutionalization has led to the closure of the most restrictive segregated settings and to the requirement, under SB 812, that local jurisdictions in their Housing Elements assess and plan specifically for the housing needs of people with developmental disabilities who receive supportive services from the Regional Center in order to live in their home community.

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

**Lower Proportion of Adults with Developmental Disabilities in the City of Milpitas.** The City of Milpitas is home to 455 people with developmental disabilities (Table \_\_\_\_). The table below shows that Milpitas has a lower concentration of adults with developmental disabilities than other jurisdictions in Santa Clara County as only 58% of Milpitas residents with developmental disabilities are 18 and older as compared to 63% of Santa Clara County residents with developmental disabilities being 18 and older.

Instead, a higher proportion of Milpitas' residents with developmental disabilities are under age 18 (42% vs. 37%).

**Table \_\_\_\_ Milpitas and Santa Clara County Population with Developmental Disabilities**

<b>Age</b>	<b>City of Milpitas</b>	<b>City of Milpitas % of total</b>	<b>Santa Clara County</b>	<b>Santa Clara County % of total</b>
<b>Under age 18</b>	189	42%	4016	37%
<b>18 and older</b>	266	58%	6737	63%
<b>Total</b>	455	100%	10753	100%

*Note: The City of Milpitas population with developmental disabilities was provided by San Andreas Regional Center as of November 2021. The Santa Clara County population with developmental disabilities is based on county-level data published by the Department of Developmental Services as of June 2021.*

**Living Arrangements of City of Milpitas Adults with Developmental Disabilities.** Assessing the housing needs of adults with developmental disabilities is of particular importance because as they age the adults will require a residential option outside the family home, whereas the family home is the preferred living option for children with developmental disabilities. As of November 2021, San Andreas Regional Center (SARC) reported that the family home is the most prevalent living arrangement for Milpitas' adults with developmental disabilities, with 73% of adults continuing to live in the family home as compared to only 65% of Santa Clara County adults with developmental disabilities. Only 3% of Milpitas adults with developmental disabilities have successfully transitioned to living in their own apartment, significantly lower than the 11% of Santa Clara County adults with developmental disabilities that have transitioned into independent living. This is most likely due to a lack of deeply affordable housing within the City, as discussed below availability of Extremely Low Income (30% AMI) housing is needed for adults with developmental disabilities to live independently. As of 2021, 23% of Milpitas adults were reported to be living in licensed care facilities, which corresponds with data from the County. However, as discussed below, opportunities for adults to live in a licensed care facility are declining throughout the County. This decline is fueling the need for Milpitas to increase opportunities for adults with developmental disabilities to live in affordable housing with supportive services in order to decrease risk of homelessness or displacement when a parent or family member is no longer able to provide housing.



**Table \_\_\_\_ Living Arrangements of Adults with Developmental Disabilities in Milpitas Compared to Santa Clara County**

<b>Adult Living Arrangements</b>	<b>Milpitas</b>	<b>Milpitas Percent of Total</b>	<b>Santa Clara County</b>	<b>County Percent of Total</b>
In the family home	193	73%	4,362	65%
Own apartment with supportive services	9	3%	756	11%
Licensed Facilities	60	23%	1,525	23%
Other (including homeless)	4	2%	94	1%
<b>Total Adults</b>	<b>266</b>	<b>100%</b>	<b>6,737</b>	<b>100%</b>

*Note: The Milpitas population with developmental disabilities was provided by San Andreas Regional Center as of November 2021. The Santa Clara County population with developmental disabilities is based on county-level data published by the Department of Developmental Services as of June 2021.*

**Decline in Licensed Care Facilities in Santa Clara County.** The Department of Developmental Services reports that between September 2015 and June 2021, 5% fewer people with developmental disabilities were able to be housed in licensed care facilities (including Community Care Facilities, Intermediate Care Facilities, and Skilled Nursing Facilities) in Santa Clara County, even as the adult population in need of residential options outside the family home grew. This trend increases the need for affordable housing options coordinated with supportive services funded by the San Andreas Regional Center. The County's reduced supply of licensed care facilities increases the likelihood that Milpitas adults with developmental disabilities will be forced out of the county when their parents are no longer able to house them--unless there is a significant improvement in access to affordable housing.

**Increase of Autism Diagnosis Reflected in Increase in Adults in their 20s and 30s.** Growth in the Santa Clara County adult population with developmental disabilities correlates with a well-documented annual increase in the diagnosis of autism that began in the mid-1980s and did not level out until after 2015. The cumulative impact of this trend is already seen in the growth of the Santa Clara County population age 18 to 41 with developmental disabilities and will continue into the future. This trend has significant implications for housing needs among Milpitas adults with developmental disabilities during the period of the 2023-2031 Housing Element, as the population can be expected to continue to grow at a faster rate than the general population.

**Longer Life Spans.** Between September 2015 and June 2021, the Department of Developmental Services reports that the number of Santa Clara County residents with developmental disabilities age 62 and older grew by 35% (Table \_\_\_\_). This increase is generally attributable to well-documented gains in life span, rather than to migration of seniors with developmental disabilities into Santa Clara County. Longer life spans mean that more adults with developmental disabilities will outlive their parents and family members who are by far the single largest source of housing for people with developmental

disabilities in Milpitas. Because older adults currently occupying a licensed facility in Santa Clara County are living longer, this reduced rate of occupant turnover, coupled with closing facilities, will make it more difficult for middle-aged and senior adults who have been living with aging parents in Milpitas to transition to licensed care when their parents pass away.

**Table \_\_ Changes in Age Distribution of Adult Population in Santa Clara County**

Age	2015 Number	2021 Number	% Change
18 to 31	2,767	3,515	27%
32 to 41	891	1,212	36%
42 to 51	833	705	-15%
52 to 61	702	744	6%
62 plus	416	561	35%
Total adults	5,609	6,737	20%

*Source: Department of Developmental Services Quarterly Report by County.*

**Displacement.** Notwithstanding 20% growth in Santa Clara County’s total population of adults with developmental disabilities, the Department of Developmental Services has documented a 15% decline in the age group 42 to 51 in Santa Clara County between September 2015 and June 2021 (Table \_\_). In light of gains in life expectancy, this loss can reasonably be attributed to displacement from the county because of the lack of residential living options (either licensed facilities or affordable housing) when an elderly family caregiver passes away or becomes unable to house and care for the adult. Displacement takes a particular toll on adults with developmental disabilities who depend on familiarity with transit routes and shopping and services, as well as support from community-based services and informal networks built up over years of living in Milpitas.

**Higher Rates of Physical Disabilities.** People with developmental disabilities are more likely than the general population to have an accompanying physical disability. Almost 20% of Santa Clara County residents with developmental disabilities have limited mobility, and 15% have a vision or hearing impairment. The need for an accessible unit coupled with the need for coordinated supportive services compounds the housing barriers faced by those with both cognitive and physical disabilities.

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

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

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

The City of Milpitas can meet the housing needs of people with developmental disabilities by adopting policies and programs to continue promoting their inclusion with coordinated services in typical affordable housing. The following considerations should guide the City of Milpitas in this pursuit:

- **Integration in typical affordable housing** is a priority in order to affirmatively further fair housing for a group that has historically experienced no alternatives to segregated living and also to counter the displacement of adults with developmental disabilities out of the City of Milpitas.
- **Coordination of housing with onsite supportive services** funded by the San Andreas Regional Center should be encouraged. These fully funded coordinated services provide a supported pathway for people with developmental disabilities to apply for and retain an affordable apartment and are often as essential to a person with a developmental disability as a physically modified unit is to a person with a mobility, vision, or hearing impairment.
- **A mix of unit sizes** at inclusive housing properties would address the needs of those who require live-in aides, want to live with roommates or partners, or have children.
- **Location near public transit** would accommodate the transit-dependency of most adults with developmental disabilities.
- **Deeply affordable housing is needed by people with developmental disabilities.** Per HCD guidance, the City should plan for at least 843 Extremely Low Income (ELI) units, or 50% of its Very Low Income RNHA allocation. ELI units are particularly important to people with developmental disabilities, and some of the City's planned production of ELI units should be subject to a preference for people with developmental disabilities.

## **Policy and Program Recommendations**

The City of Milpitas has a responsibility not simply to assess the housing needs of people with developmental disabilities but also to create and implement policy, zoning, program and other changes that make it more feasible for affordable housing developers to include people with developmental disabilities in their housing plans. Since its last Housing Element, the City of Milpitas approved one new inclusive affordable housing project, The Mil on Main, which will create 20 new apartments subject to a preference for people with developmental disabilities who need coordinated onsite services funded by the San Andreas Regional Center. However, the city still has a long way to go in meeting the housing needs of adult residents with developmental disabilities. In order to meet the increasing needs of the City's population of adults with developmental disabilities, policies and programs that explicitly promote inclusion of people with developmental disabilities in affordable housing with coordinated services provided by the San Andreas Regional Center are required. Below are examples of programs and policies which can help to prevent homelessness or displacement of these vulnerable residents as well as to

provide opportunities for people with developmental disabilities to live in the least restrictive setting of their choosing in line with the Olmstead Decision.

- **Affirmatively Further Fair Housing by Producing More Extremely Low-Income Housing.** Not only is disability the highest-ranked source of Fair Housing complaints in Santa Clara County, a growing body of Santa Clara County data indicates that Black, Indigenous and other People of Color (BIPOC) with disabilities experience higher rates of severe rent burden than either BIPOC without disabilities or whites with disabilities. Such disparities in the experience of severe rent burden, housing instability and displacement from the City of Milpitas are attributable to the shortage of housing priced to be affordable to Extremely Low Income (ELI) households with incomes below 30% of Area Median Income. Multiple barriers including high land and construction costs and limited funding make it difficult for developers to produce Extremely Low Income units that would help to reduce such disparities. Local zoning and other policies that lead to increased production of Extremely Low Income units, as well as city staff dedicated to implementing and overseeing those policies, will Affirmatively Further Fair Housing in the City of Milpitas and decrease displacement and homelessness for the most at-risk residents, including people with developmental disabilities.

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

- **Establish and monitor a quantitative goal.** Tracking the City's success in housing people with developmental disabilities is essential to determine whether policies and programs are having an effect in overcoming historic patterns of discrimination and exclusion of people with developmental disabilities from affordable housing. A goal of 100 new Extremely Low-Income housing units for City of Milpitas residents with developmental disabilities over the period of the 2023-2031 Housing Element would represent meaningful progress towards the total unmet housing need of this special needs group.

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

- **Target City-Owned Land, Land Dedicated to Affordable Housing under the Inclusionary Ordinance and City Housing Funds to Achieve City-Specific Priorities.** City-owned land, land dedicated to affordable housing in lieu of providing affordable units under the inclusionary ordinance, and city housing funds are often essential to the development of affordable housing that is financially feasible in the City of Milpitas. In creating guidelines for the scoring of any competitive proposals for these scarce resources, the City should grant additional points to affordable housing projects that address the housing needs of the residents who are most

difficult to house under existing state and federal housing finance programs--for example, by prioritizing proposals with a higher number of Extremely Low Income units or that make a percentage of units subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the San Andreas Regional Center.

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

- **Local Density Bonus.** Like many state and federal housing finance programs, the state density bonus program incentivizes the production of housing at the Low and Very Low Income level. But in counties like Santa Clara County, with one of the highest Area Median Incomes in the state, these incentives have the effect of making much of the available affordable housing out of reach for residents on fixed incomes (including seniors and persons with disabilities) or who are working in low wage jobs and are thus unable to meet minimum income requirements to afford the rent assigned to the Very Low Income category. The City of Milpitas should add additional local incentives to the state density bonus law to make it more responsive to the impact of Santa Clara County's high Area Median Income on the affordability of housing for City of Milpitas residents who are Extremely Low Income, including special needs populations, for example, people with developmental disabilities.

*Sample Language: In addition to implementing the California density bonus statute, the City shall provide an additional local density bonus, incentives, and/or concessions for housing projects that include at least 5% of the units for people at the Extremely Low-Income affordability level, including special needs populations, for example, people with developmental disabilities.*

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

broader range of Milpitas housing needs, while giving developers more options for meeting the inclusionary requirement.

*Sample Language: The City of Milpitas shall revise its inclusionary housing ordinance to offer developers a menu of options for achieving affordability, adjusting the percentage of units required to be affordable depending on the degree of affordability achieved (moderate-income, low income, very low income, and extremely low income) or special needs groups targeted, including, for example, people with developmental disabilities who will benefit from coordinated onsite services provided by the San Andreas Regional Center.*

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

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

- **Reduce Parking Requirements for People with Developmental and Other Disabilities.** Because most adults with developmental disabilities do not drive or own a car, the City of Milpitas should revise its ordinances to limit parking required for affordable units for people with developmental disabilities to 0.5 space for each affordable studio or 1 bedroom unit and 1 space for an affordable 2 bedroom unit or larger. A similar reduction is recommended for affordable, physically accessible units.

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

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

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

August 24, 2022



Submitted by email to: [housingelement@ci.milpitas.ca.gov](mailto:housingelement@ci.milpitas.ca.gov)

**RE: Milpitas's 6<sup>th</sup> Cycle Housing Element Update**

Dear City of Milpitas:

Thank you for the opportunity to provide input on the city of Milpitas's housing element. Your work supporting your community to meet its housing needs is critical in addressing the current housing affordability crisis. We understand that at this moment in the housing element process, your jurisdiction is soliciting comment from the public. As such, we request that you incorporate additional equitable housing policies into your draft housing element during this process. We offer the attached equitable policy resources as well as potential technical assistance from Baird + Driskell Community Planning ("B+D") if your jurisdiction is interested in this level of support.

The Partnership for the Bay's Future ("PBF") is a public-private-nonprofit partnership working to create a more livable Bay Area in which diverse people of all walks of life can afford to live and thrive. To do so, we address the challenges of housing and protecting tenants through the support of equitable policy change as well as investing in the production and preservation of affordable housing.

In consultation with government leaders, housing policy experts, and communities, we have compiled a list of equitable housing priorities that we request Milpitas incorporate into the new housing element. In some cases, these are policies that housing element law requires jurisdictions to address as a potential action or recommendation in their housing elements, but in other cases, these are suggested policies that we are raising up as PBF's equitable planning priorities. We are including the following resources for your review and consideration:

- a slide deck covering each priority policy idea, with template language for your jurisdiction to consider,
- examples of places where the policy has been adopted, and
- additional links and resources.

We believe that Milpitas's current efforts already include some of the listed policies, which we applaud. We also believe that all Bay Area communities can take more steps to make their housing elements more equitable. The attached summaries can be used as resources for staff as they communicate with both decision makers and the public, and we are happy to provide further assistance to incorporate these policies into your housing element as well as help draft talking points that can be tailored for local implementation.

We believe the following policies can play an important role in meeting the requirements of this housing element and supporting thriving communities, and we request that Milpitas include them in the next housing element draft:



1. Favorable Zoning and Land Use
  - Make multifamily infill easier to develop
  - Allow, require or encourage multifamily housing in more places
  - Allow or encourage missing middle housing in single-family neighborhoods
  - Provide incentives for affordable housing development
  - Provide incentives for affordable ADUs and "missing middle" housing
2. Accelerating Production Timeframes
  - Streamline development approvals and environmental review process for multifamily housing
  - Streamline permitting process for multifamily housing
3. Reducing Construction and Development Costs
  - Ensure local requirements are not making development more expensive without requisite benefits
  - Actively support the use of modular and factory-built construction methods
4. Providing Financial Subsidies: Generate new or dedicate existing revenue for affordable housing
5. Advocating for Rent Control and Just Cause for Eviction Policies
  - Adopt or update rent stabilization policies
  - Adopt or update just cause eviction policies
6. Advocating for Community Land Trusts (CLTs): Support the formation and operation of community land trusts
7. Advocating for Inclusionary Zoning and Impact Fees: Create or review/update inclusionary housing (including in-lieu fees) and commercial linkage fee requirements
8. Inventory of Sites: Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas

If you have any questions, please contact me ([krusso@sff.org](mailto:krusso@sff.org)) and our colleagues at Baird + Driskell (Kristy Wang, [wang@bdplanning.com](mailto:wang@bdplanning.com), and Joshua Abrams, [abrams@bdplanning.com](mailto:abrams@bdplanning.com)). We will follow up with you shortly to see if we can provide further support, including technical assistance from the B+D team to further explore some of these policies.

Thank you again for the opportunity to provide input into Milpitas's housing element. We appreciate your efforts to address the housing needs of Bay Area and California residents.

Sincerely,



Khanh Russo  
Vice President of Policy and Innovation  
San Francisco Foundation

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**TRANSMITTED VIA EMAIL**

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**RE: Comments on the 6th Cycle Draft Housing Element**

The 6th Cycle Housing Element Update process is designed to enable jurisdictions across the State to fully assess their housing needs and analyze any constraints to housing development. In order to identify and craft tools to address these needs and constraints, community outreach and collaboration between jurisdictions and relevant stakeholders is a central tenet of HCD guidance.

We are submitting these comments on the Draft Housing Element Update for the City of Milpitas. We hope they provide some additional clarity to the comments we were able to provide in the Equity Advisory Group session during the comment period. These comments will also be forwarded directly to the HCD reviewer assigned to review your draft.

**STAKEHOLDER AND COMMUNITY OUTREACH**

The Draft provides excellent documentation of stakeholder and community outreach, with summaries of groups, goals, and feedback received from stakeholders, as well as survey responses that include quotes from participants and summaries of feedback. However, some key stakeholder groups, such as residents with physical, intellectual, or developmental disabilities, or seniors (older adults) are not represented. Notably, the Silicon Valley Independent Living Center, the disability justice organization that administers the City's rent relief program, is not listed among the stakeholders the City sought input from. Beyond providing Vietnamese translation of materials and interpretation at events, it also does not appear any targeted outreach was made to the city's large Vietnamese-, Chinese-, or Filipino-American communities, which are overrepresented in the lower-income renter population of the city.

**SV@Home recommends that local jurisdictions conduct robust outreach to all stakeholder communities specifically enumerated in HCD's guidance, which include independent living centers and community service organizations that serve ethnic/linguistic minorities.**

The demographics of survey respondents were not included in the Draft, but were shared on the City's Housing Element website. Since respondents skewed substantially wealthier, older, and whiter than Milpitas' population, survey responses are not representative of the full range of housing needs in the community, and therefore do not provide the City with all the insights required to create policies and programs that affirmatively further fair housing and meet all its residents' needs. Some jurisdictions have used surveys as a tool to specifically target and collect knowledge and insights from communities missing in the process. At minimum, the Draft should acknowledge that the responses are unrepresentative of the city's residents as a whole.

**SV@Home recommends that the preparation, adoption, and implementation of a housing element includes a diligent effort to include public participation from all economic and demographic segments of the community.**

#### **ANALYSIS OF CONSTRAINTS**

Although the City of Milpitas provides an overview of constraints on development that covers processes and procedures, there is little detail or explanation and this section of the Housing Elements presents more as a list than of a full assessment of policies and the evaluation of their outcomes. SV@Home would like to express concern that revisions of the City's General Plan land use designations and zoning ordinance are all in "progress" but are deemed not to be constraint to housing production. We would like to remind the City of Milpitas that the Housing Element is not only mandated to be in alignment with the General Plan but these proposed changes have the potential to affect the full implementation of policies and procedures if delayed or rejected. Additionally, the legislative process (re: City Council discussion and adoption) is also not properly detailed so it is unclear how far along in the legislative process the proposed Zoning Ordinance changes have gotten.

**To that end, SV@Home recommends that the City of Milpitas provide a timeframe for the adoption of all proposed revisions as housing production is dependent on the measures set forth in the Zoning Ordinance.**

In addition to the recommendation listed above, SV@Home has also found a number of shortfalls as it pertains to the lack of both detail and analysis on integral procedural processes and proposed policies.

#### ***On governmental constraints:***

There is no analysis of the city's development processing procedures. A single sentence suggests streamlining the permitting and approval process would be useful for housing development. The City of Milpitas is faced with the task of increasing its housing production, but without understanding where there are issues in its development processing procedures the City may not reach its goals. For example, a chart detailing the length of time it takes a market-rate development versus an affordable housing development through the development stages listed on B-31 could prove useful. We would recommend that this analysis include an assessment of the pre-application process, as we have found this to be a less than certain process in many cities.

**SV@Home recommends the City of Milpitas conduct an analysis of its permitting and approvals processes in order to identify and resolve any shortfalls that could be detrimental as it rapidly increases its housing production.**

Also, there is a brief but insufficient analysis on planning and development fees. The City of Milpitas acknowledges that it has "the highest per unit fees for...multifamily developments...and high impact fees for multi-family developments." (pg. B-33). While there is no mention of waivers or concessions for affordable housing projects, planning waivers and fee deferments are given to projects with inclusionary units "to encourage on-site construction of affordable units" (pg. B-29).

**SV@Home recommends the City of Milpitas review its planning and development fees, particularly as it relates to multi-family housing and affordable housing. As mentioned previously, we know that the City of Milpitas is committed to increasing its production of housing, but high planning and**

**development fees can be a barrier to non-inclusionary affordable housing getting built. Just like inclusionary units, planning waivers and fee deferments should be crafted for 100% affordable housing projects and would go a long way in ensuring those units are built.**

***On Non-Government Constraints:***

The City of Milpitas states that the average time between project entitlements and building permits is 6 months but includes no further analysis. In fact, the City states that timing issues are out of their control. While this may be true, SV@Home considered the length of time between the submission of plans and the issuance of building permits to be the greater issue. It would be helpful to know how this timeframe affects developments since it can have an impact on development's financing and funding. We would also recommend an assessment of the building permitting process, which should include a description of the process the City will undertake to become compliant with AB 2334.

**SV@Home recommends that the City of Milpitas evaluate its post-entitlements permitting process to mitigate any potential delays that could impact a development's funding and financing schedule, and include a timeline for local implementation of AB 2334.**

**ANTI-DISPLACEMENT POLICIES AND ADHERENCE THE AFFH MANDATE**

Earlier this year, SV@Home sent a letter about anti-displacement policies the City could adopt to affirmatively further fair housing. A number of policies included in that letter would expand on the City's existing programs. For example, a rent survey program would enable metrics for the City to determine the efficacy of the programs and the city's goals of targeting certain neighborhoods. It could be used to assess the need and impact of the City's rental assistance program. It would be a reasonable expansion of the City's existing rent review ordinance.

Other policies mentioned in our previous letter were a Tenant Resource Center; Eviction Reduction Program and Anti-Gouging program; and, a Community/Tenant Opportunity to Purchase Act (COPA / TOPA). A tenant resource center policy will help the city reach more displacement impacted populations to access the services they need including information about existing state and local renter protections, referrals to legal services providers, referrals to the City's mediation program, and the City's emergency rental assistance program. This would help with program 8: Fair Housing Enforcement, Outreach, and Education. Program 9: Anti-Displacement is focused on expanding on and implementing protections provided through state law. An Eviction Reduction and Anti-Gouging Program, which builds on the State protections under AB 1482, would create opportunities to adopt specific policies to expand that protection for Milpitas renters. COPA or TOPA could be a strong policy to assist with the City's acquisition plans, particularly Program 11: Preservation of at-risk housing. We support the city studying and exploring expansions to their mobile home protections (program 11), but we would like to see more tangible plans with metrics.

**In the Goals, programs and policies section, the city of the Milpitas has good initial ideas, but they need more specificity and need to go beyond what they are already doing.**

**MEETING RHNA LEVELS AND HOUSING OPPORTUNITY SITES INVENTORY**

Based on our analysis we have some concerns in the City of Milpitas' Sites Inventory.

***Overdependence on Specific Plan Areas and Opportunities to Spread Affordable Housing Throughout Milpitas***

As proposed, approximately 85 percent of the lower-income units in opportunity sites will be located in Specific Plan areas. Roughly 54 percent of these units are within the Metro Specific Plan area, while 32 percent of them are planned to be in the Gateway-Main Specific Plan area. Moreover, 83 percent of lower-income units under “rezone sites” are planned to also be in the Gateway-Main Specific Plan. Overall, we are pleased with the Sites Inventory’s incorporation of the Metro Specific Plan. We acknowledge that development has shown favorable trends for affordable housing in this major plan area with the new BART station being one of the main catalysts of such growth. However, we are concerned that the Sites Inventory assumed the same robust development trends for the Gateway-Main Specific Plan area, particularly with the sites north of the BART station and in other moderate-resourced areas around the city, where the feasibility of affordable housing developments will be at a disadvantage in competing for state and federal financing. (We would also note that it appears that the City of Milpitas is using an outdated 2021 TCAC Map under Appendix F for its siting assumptions, as opposed to the most [updated 2022 TCAC Map](#), which shows a predominant moderate-resourced city.) Only the 612 South Main Street project, which proposes no lower-income units, appears to be in a highest resource census tract. The bar is set high for the Housing Element and cities need to be confident about the sites they place in their inventories, while meeting AFFH requirements.

**We recommend that the City of Milpitas 1) provide site specific evidence of favorable lower-income development trends within the Gateway-Main Specific Plan area; 2) provide more lower-income sites throughout the entire city in order to avoid concentrations of poverty and maximize AFFH guidelines; and 3) commit to producing progress bench-marks for each major plan area in the final Sites Inventory, which can be assessed at intervals throughout the planning period.**

***Concerns Regarding Non-Conformance with HCD’s Housing Element Sites Inventory Guidebook***

The Housing Element Sites Inventory Guidebook, produced by HCD, has a number of requirements and recommendations for lower-income sites. Most notably, in relation to the City’s Sites Inventory, are the rules and guidance for site-specific analysis for parcels, sites below half an acre, and lower-income capacities below 50 units.

Although we found descriptions of several sites, they fall short in many areas of what is required: 1) providing substantial evidence that indicates existing non-residential use will be discontinued or will not be an impediment to future residential development, 2) clearly describing how the realistic capacity calculations were used to determine the number of units that can be reasonably developed on a site, and 3) incorporating potential constraints (e.g. environmental, parking, open space, parcel shape etc.) into the inventory’s realistic capacity calculations consistent with the Guidebook. These details need to be provided on a site-by-site basis in the Sites Inventory.

We also found that approximately nine percent of total lower-income units (165 units) are planned to be in sites that are below half an acre. Sites below half an acre must demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the Milpitas can provide other evidence to HCD that the site is adequate to accommodate lower income housing. Unfortunately, we could not find such proof but we would like to see as many of Milpitas’ lower-income sites accepted by HCD as possible.

**We recommend the Sites Inventory provide a more comprehensive and in-depth site-specific analysis as described above, including a more detailed description of the likelihood that affordable development has occurred locally on sites that are below half an acre.**

Moreover, about 13 percent of lower-income units (522 units) are projected to have less than 50 units. According to the Housing Element Sites Inventory Guidebook, sites that do not have 50 to 150 units also make them less competitive for State and Federal resources to build affordable housing. The viability of financing affordable housing is of utmost importance. If the likelihood of adequately funding sites for lower-income units is low, then they should be taken out of the Sites Inventory unless it can be demonstrated otherwise.

**We recommend replacing sites that would produce less than 50 lower-income units with other sites that would produce 50 or more affordable units to improve the City's confidence that these sites will be feasible and financially competitive.**

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Overall, SV@Home recognizes the work of the City of Milpitas to craft policies and programs focused on housing production that reflect the vision of the General Plan and the RHNA requirements. There are many numerous policies throughout the report that show the City's commitment to not only increasing its housing production but also protecting its most vulnerable residents in need of decent, safe affordable housing. The concerns and recommendations outlined above will strengthen the efforts The City of Milpitas has made and ensure its success.

SV@Home values its partnership with the City of Milpitas, and it is in that spirit that we provide our feedback on the Draft Housing Element. We welcome the opportunity to engage in an ongoing dialogue as the Draft Housing Element moves through cycles of review and revision with the shared goal of addressing the City's urgent housing need by boosting production of homes at all income levels, preserving existing affordable homes, and protecting the families in them.

Sincerely,



Regina Celestin Williams  
Executive Director

CC:  
Mayor and Council  
HCD Housing Element Review Staff





## The City of Milpitas

Via email: [housingelement@ci.milpitas.ca.gov](mailto:housingelement@ci.milpitas.ca.gov)

Cc: [HousingElements@hcd.ca.gov](mailto:HousingElements@hcd.ca.gov)

*October 3, 2022*

### **Re: Milpitas's Draft Housing Element**

To the City of Milpitas:

YIMBY Law thanks the City for its thoughtful and clear [housing element](#). We especially appreciate the City's well-defined programs, and its commitment to implement those programs on quick timelines. (See Draft, pp.58–75.) We have but a few comments.

Primarily, we see that the City plans to undershoot its need allocation for very-low income housing. (See *id.* p.44.) Making housing affordable for the least fortunate is a difficult but important challenge, and we encourage the City to adopt even more aggressive solutions. Missing-middle housing (*id.* p.75) is an excellent focus, and we advocate legalizing it—beyond the floor set by SB 9—throughout the City. (Cf. *id.* pp.49, B-3 [few if any changes proposed for low-density residential zones].) The prevailing convention of “streamlin[ing]” development through specific plans (*id.* pp.71–72, B-8 to -10) applies the right ideas, and we see little reason not to apply those ideas broadly.

That said, we recognize that the City's community engagement efforts (*id.* ch.2, app.G) have been stellar. The City's replacement-housing and anti-displacement programs (*id.* pp.59, 64) are also quite good. We support California's right-of-return law for protected tenants (Gov. Code § 66300(d)), and are pleased to see it given due priority in Milpitas's sixth-cycle housing element.



Please let us know if you have questions. We look forward to the City's continued efforts to be a housing leader in the Bay Area.

Sincerely,



**Keith Diggs**

Housing Elements Advocacy Manager, YIMBY Law

[keith@yimbylaw.org](mailto:keith@yimbylaw.org)







**Advancing Justice**  
Housing | Health | Children & Youth

December 20, 2022

*Sent via Email to shawn.danino@hcd.ca.gov*

Shawn Danino  
California Department of Housing and Community Development  
Land Use and Planning Unit  
2020 W. El Camino Ave, Suite 500  
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**RE: Public Comment on City of Milpitas' Draft Housing Element (2023-2031)**

Dear Shawn Danino:

The Law Foundation of Silicon Valley is writing to submit public comment on the City of Milpitas's Draft 2023 - 2031 Housing Element.

The Law Foundation is the largest provider of civil legal services in Santa Clara County. We have represented low-income residents in Milpitas and Santa Clara County for over 40 years. As part of our work, we represent tenants in eviction proceedings, advocate for better housing policies, organize with tenants in the community, run a legal information hotline and provide walk-in services for tenants in need. Our work allows us to see firsthand the obstacles and injustices faced by low-income tenants and tenants of color in Milpitas every day.

The Housing Element presents a valuable opportunity to address those injustices and improve the lives of tenants living in Milpitas. The current draft of the Housing Element fails to set forth goals and strategies that would benefit tenants, low-income residents, and historically marginalized communities in Milpitas. The Draft plan is inadequate as it fails to identify specific timelines for the programs and goals, nor does the Draft adequately address how the City plans to affirmatively further fair housing. We also believe the City needs to establish stronger programs to improve the Housing Element, including prioritizing the passage of rent control and just cause ordinances.

We believe housing should be more accessible and affordable to Milpitas residents. At the Law Foundation of Silicon Valley, we see the severe economic impacts of the pandemic through the number of eviction-related calls we receive. In most cases, Milpitas residents face non-payment of rent evictions and/or have accumulated substantial debt during the pandemic through no fault of their own. This widely affects the working class and service workers in Milpitas, who often make minimum wage in an inflated housing market, displacing residents out of Milpitas. We also

view housing unaffordability as a racial justice issue. In fact, 80% of the people facing eviction that come to our office for help are people of color.

The following outlines our view of how the City's Housing Element currently fails to meet obligations as required under the Housing Element.

## **I. Meeting RHNA Needs**

The Draft provides insufficient information to determine if the 6th Housing Element Cycle for Milpitas will address the housing needs of City residents. According to the progress outlined in the Draft, the City failed to meet the RHNA goals outlined for the 5th cycle. (P. 31, Table 1.). The RHNA goals set forth in the 5th cycle illustrate that Milpitas needed to build 1,574 low-income and very low-income units; however, only 27.7% of the goal, or 263 units, was met. (P. 31.) The Draft does not make clear how many of these units were actually built versus permitted or approved.

By comparison, the RHNA goal for above-moderate-income units was 1,151 units. Milpitas exceeded this goal by 239.6%, by constructing 2,758 housing units for higher-income households. (P.31, Table 1.) Rolling over the shortcomings of the 5th cycle's expectations to the current cycle is inadequate and a disservice to city residents. Milpitas cites challenges with "limited financial resources" and "higher dependence on market forces" as a reason for this disparity in unit types. (P. 31.) Milpitas's RHNA requirements for low-income and very low-income units have only grown since the last cycle. What is Milpitas going to do differently to address these challenges and ensure RHNA needs are met this cycle?

While the City is optimistic regarding its ability to increase housing with the passage of the Affordable Housing Ordinance of 2018 (AHO), the AHO went into effect four (4) years ago in the middle of the 5th cycle with little to no effect in increasing affordable housing. As outlined below, the AHO needs significant revision and enforcement to be effective.

Furthermore, Program 11: Preservation of at-Risk Housing is similar to Policy D-1 in the previous Housing Element cycle, where the city planned to "seek out new funding sources to support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households and housing for individuals with special housing needs." (P.D-9.) Appendix D states that "advocating for legislation that can further the City's housing goals is a routine City staff function and not included in the 2023- 2031 Housing Element as a separate housing program." However, the City "did not advocate for any specific policies or legislation at the state or federal level in 2020 or 2019," (Appx. D-9.) during the crucial time City residents were impacted by COVID-19 pandemic. Such patterns of failing to seek funding sources to develop and preserve affordable housing adversely impact Milpitas residents. Therefore, the City needs to hold itself accountable and have a system in place to ensure that City staff continue to advocate for funding for affordable housing.

## **II. Pipeline Projects and Site Inventory**

According to the RHNA allocations, 2,655 units must be allocated for extremely low income and low-income households; however, most of the pipeline projects do not include housing units for lower-income households. (P. 46.) The lack of housing construction and availability for lower-

income persons may be partially due to the exemptions afforded under the AHO. Additionally, the city must be transparent and adequately account for all its resources. The Housing Element fails to disclose the amount of in-lieu fees the City has collected, how these funds have been administered, or how the funds will be used in future housing projects.

#### **a. Pipeline Projects**

The Draft identifies eighteen pipeline projects that would establish 323 very low- and low-income units compared to 1,870 moderate and above-moderate units. (P. 47.) These projects seem to affirm that Milpitas continues to prioritize the development of housing that remains unaffordable to most residents and continues to fail in meeting its RHNA goals.

Further, the City has transferred city-owned property to developers at no cost and without an expectation that those projects primarily provide affordable housing to lower-income households. For example, the Main Street senior housing project only provided 12% of the units to lower-income households. The City also provided land at no cost for the completion of the Senior Lifestyles project, but the project only provided 20% of the total units as affordable senior housing. (P. 41.) The City must demand higher expectations for the construction of affordable housing when it provides land at no cost to developers. The City must address these issues in the future as its existing practice will further increase the disparity in affordable housing availability.

#### **b. Sites Inventory**

The site inventory for prospective housing is limited, especially considering the local land-use constraints. We support the City's effort to conduct a study to explore alternative projects such as Tiny Homes, which can provide transitional housing to unhoused individuals. However, we believe that the Housing Element must include further measurable goals if the study of alternative housing is to result in actual affordable housing. Solely conducting a study during a 7-year cycle is insufficient. The City needs to set forth expectations of when the study is expected to be completed; possible implementation timeframes, including a review process for tiny home specific regulations; and funding sources for the implementation as a result of the study.

The Housing Element must analyze realistic capacity for new housing growth. (Gov. Code, § 65583.2, subd. (c).) Table E-11 in Appendix E- summarizes the inventory of vacant and underutilized sites for lower-income units. The Draft identifies 50 opportunity sites, which are either vacant or underutilized. Of the total identified sites, 23 of these sites were previously identified as part of the 5th cycle inventory (Appx. E-16.) Several of the previously identified sites indicate that there is owner interest in redevelopment. However, the draft does not detail the steps that the City is taking to bring that interest to fruition. The identified sites with owner interest are as follows: O-2, 4,6,7,10,11,13,14,15,16,18,33,39,48. 28% of the identified sites show "owner interest," and one shows "very strong owner interest." The City needs to explain the distinctions being made and between "owner interest," "very strong owner interest," and other classifications. It also needs to address how such interests have resulted in the production of affordable housing in the last Cycle and what, if anything, transform "owner interest" to actual production of housing. It should also outline any plans it may have to cultivate the transformation of interest to concrete steps to produce housing in Milpitas.

### **III. Affirmatively Furthering Fair Housing**

Local governments are required to affirmatively further fair housing in their housing elements. (Gov. Code, § 65583, subd. (c).) The Draft acknowledges the mandate to find ways to “address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities.” (Appx. F-1.) Milpitas community members support these obligations, as evidenced by the shared concerns and desires regarding the lack of affordable and accessible housing for families with children, persons with disabilities, and seniors. (P. 17-18.)

However, in its current iteration, the Draft fails to identify clear and meaningful actions that will address these systemic inequities. These shortcomings are evident in the Draft’s failures to demonstrate an equitable and diligent outreach effort, provide a comprehensive assessment of fair housing, and identify clear goals or sites that address fair housing needs of the Milpitas community.

#### **a. Outreach**

The Housing Element process requires Milpitas to make a “diligent effort to include all economic segments of the community.” (Gov. Code, § 65583, subd. (c)(9).) The Draft did not identify the inclusion of all economic groups in its community as a goal of its outreach. (Appx. G-3.) The lack of this goal is reflected in the outreach efforts which were primarily online efforts, such as an online survey and virtual workshops. (P. 13.) In person “pop-up events” are said to have been conducted “at times and popular locations that are most convenient for everyone.” (Appx. G-6-7.) These locations were primarily at the Great Mall Farmers’ Market and the Main Library.

The Draft does not discuss any outreach conducted to specifically reach key stakeholders including individuals with disabilities, seniors, and residents from racial minorities.

While materials such as the survey and website were available in multiple languages, the ability for individuals with limited English proficiency to access these materials appears dependent on sophisticated tech knowledge.<sup>1</sup> Relatedly, it is not clear if the website had accessibility features or was mobile friendly. There exists a digital divide for people living with disabilities and lower-income residents.<sup>2</sup> These are examples of real barriers to engaging the input and voices of including those with disabilities, who make up at least 7% of the Milpitas population, as well as low-income and limited-English proficient residents of Milpitas. (See P. 36.)

Tenants in affordable housing developments are also important voices that were not diligently reached. For example, Terrace Gardens has 148 affordable Senior units, and Sunnyhills Apartments has 149 multifamily units as well as an active Tenants’ Association. The Draft does

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<sup>1</sup> milpitashousingelement.com/

<sup>2</sup> Perrin, Andrew and Atske, Sara, “Americans with disabilities less likely than those without to own some digital devices”, Pew Research Center, Sept. 10, 2021. Available at <<https://pewresearch-org-preprod.go-vip.co/fact-tank/2021/09/10/americans-with-disabilities-less-likely-than-those-without-to-own-some-digital-devices>>; Vogels, Emily A, “Digital divide persists even as Americans with lower incomes make gains in tech adoption”, Pew Research Center, June 22, 2021. Available at <<https://www.pewresearch.org/fact-tank/2021/06/22/digital-divide-persists-even-as-americans-with-lower-incomes-make-gains-in-tech-adoption/>>

not identify any outreach events taking place at these complexes, or any door-knocking or other efforts being made to reach these populations in order to include them in the housing element public participation process.

Another missed opportunity was to reach out to those incarcerated at the Elmwood Correctional Facility. Located in what the Draft identifies as the moderate resource area of Calaveras Gateway-Main St./M2 Industrial Area/Milpitas Metro, Elmwood incarcerates approximately 3,000 persons across both its facilities.<sup>3</sup> In Santa Clara County, reflective of national data, Black and Hispanic residents are arrested and incarcerated at higher rates than white residents.<sup>4</sup> No outreach appears to have been conducted at the correctional facility. This is a missed opportunity to actively include voices of residents who are more likely to face barriers in housing because of fair housing issues and barriers when it comes to reentry after incarceration.

### **b. Assessment of Fair Housing**

The Draft includes an Appendix focused on affirmatively furthering fair housing. (Appx. F.) The Draft lacks substantive information as to the systemic issues which perpetuate displacement and racial segregations, as well as information on “contributing factors, including the local and regional historical origins and current policies and practices” for fair housing issues. (Gov. Code, § 65583, subd. (c)(10).) This information is necessary to inform the priorities and goals the City identifies to affirmatively further fair housing.

Milpitas has a history of racial segregation and discriminatory policies. A clear example is the City’s 1954 decision to pass an emergency ordinance banning the construction of apartments as a reaction to learning Ford Manufacturing planned to transfer about 250 Black workers to the company’s new facility in the area.<sup>5</sup> Only single-family homes could be built—homes Black people were openly prohibited from purchasing.

None of this is referenced or expounded upon in the Draft. The assessment of fair housing provides a brief summary of current concentrations of racial/ethnic minority populations throughout Milpitas. The Draft provides determinations that lack explanations or context to understand their significance, such as its determination that there are no “significant disparities in the location of parcels from the sites inventory in relation to any underlying patterns of residential racial or ethnic segregation.” (Appx. F-9.) Another example is the Draft’s notation that the lack of identified parcels in high resource areas “may be justifiable” because of a lack of “realistic development potential” related to commercial property owners and tenants being unlikely to cede their land use. (Appx. F-20.) If that is a reason there cannot be more housing development that AFFH in high resource areas, then Milpitas should consider and determine action items and goals that consider how to incentivize development in those areas.

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<sup>3</sup> County of Santa Clara, Office of the Sheriff, “Elmwood Men’s Facility”. Accessed on December 20, 2022 at <https://countysheriff.sccgov.org/elmwood-mens-facility>; County of Santa Clara, Office of the Sheriff, “Elmwood Complex Women’s Facility”. Accessed on December 20, 2022 at <https://countysheriff.sccgov.org/elmwood-complex-womens-facility>

<sup>4</sup> Hunt, Sophia, Micayla Bozeman, and Matthew Clair, “Racial Disparities in Arrests in Santa Clara County, California, 1980-2019” Court Listening Project, Report No. 3. Available at [https://scholar.harvard.edu/files/matthewclair/files/racial\\_disparities\\_in\\_arrests\\_in\\_santa\\_clara\\_county\\_1980-2019.pdf](https://scholar.harvard.edu/files/matthewclair/files/racial_disparities_in_arrests_in_santa_clara_county_1980-2019.pdf)

<sup>5</sup> Rothstein, Richard. The Color of Law. Liveright Publishing Corporation, 2018 at 9.

### **c. Priorities, Goals, and Actions**

The Draft identifies five fair housing goals and priorities. (Appx. F-178-182.) These goals identify real needs, including the need to “protect the housing rights of individuals with protected characteristics”. (Appx. F-181.) However, the Draft does not set up clear timelines, metrics, or milestones to demonstrate a clear commitment to the actions it will take to make these goals a reality.

For example, the Draft identifies increasing support for legal representation in eviction proceedings as one way to protect housing rights. The Draft notes the City “should provide funding to providers that serve a broader spectrum of the population” as well as “study the feasibility of adopting such a right to counsel.” (Appx. F- 181.) These are both goals we commend and support, but they are weak without the inclusion of any real parameters the City plans to take in pursuit of these goals. How much funding does the City plan to provide? What other providers have been identified as potential recipients of this funding? What agencies and resources will study an adoption of the right to counsel, and what is the timeline to complete this study? The Draft needs to address these questions and more to meet the requirements of AFFH.

Another example of the lack of clear parameters is apparent in the Draft’s outline of its goal to “increase the supply of family-occupancy affordable housing” in areas that lack such housing. The Draft proposes suggestions such as noticing funding availability “if” a bond issue is passed, identifying City-owned sites affordable housing could be developed on, and allocating funds toward pre-development costs. (Appx. F-178.) Again, there are no concrete steps outlined as to how and when the City plans to make these goals a reality. The Draft should be a time to identify what existing City-owned sites are appropriate for development and identify affirmative steps that will be taken to develop there.

In order to affirmatively further fair housing goals, the Draft needs to outline and commit to clear actions that will be taken to make identified priorities a reality.

## **IV. Affordability and Rent Control**

The Draft declares that affordable housing is “top of mind for a diversity of community members” of Milpitas “across the board.” (P. 18.) It identifies the high cost of housing and high rents as the top housing challenges facing the city of Milpitas, citing both survey results and directly from the residents of Milpitas. (P. 16; Figure 2.1.) To tackle the affordability crisis, the Draft suggests a change in the ineffectual affordable housing ordinance and a “consideration” of other measures, such as a rent registry, homeowner incentives, and “other housing models.” (P.21).

Of the ten (10) prioritized goals listed in the draft, only two (2) - Goals HE-2 and HE-4 – directly address housing affordability.

HE-4's policies primarily concern the production of additional housing. While production may alleviate some housing need, benefits of increased production based on similar policies from the last housing element failed to materialize. For instance, the City of Milpitas only met 25% of its RNHA goals for very low-income units, only 3.5% for low-income units, and an abysmal 2.3%

for moderate-income units, all the while producing 239.6% of its RNHA in above moderate-income units. (P. 31, Table 1.) Is it any wonder that units are unaffordable when the City of Milpitas overproduces higher-income and market rate units compared to actual affordable units? Moreover, the policies advanced to address affordable housing under HE-4 are nebulous proposals without a yardstick for measurement. “Continu[ing] to work with non-profit developers,” or “prioritiz[ing] and facilitat[ing] the development of new [affordable] housing units” are not actual and concrete policies with measurable achievements. (P. 56.)

HE-2's policies fair no better. These focus on the maintenance and repair of existing housing stock in the City of Milpitas. How that addresses the skyrocketing rate of housing prices remains unclear. In fact, the Draft has no actual policy of addressing the single most important housing issue to the residents of Milpitas: affordable housing. Its singular answer is to produce more housing – the same singular policy that failed in the last cycle and will fail in the next.

Instead, the Law Foundation of Silicon Valley recommends implementation of a rent control ordinance similar to those in place in the neighboring cities of San Jose and Mountain View, and those that have been in place for decades in San Francisco, Berkeley, and Oakland. Under California’s vacancy de-control, landlords may set market rate prices upon the creation of a tenancy. However, the City of Milpitas may pass a local ordinance controlling the yearly rent increase tied to the Consumer Price Index (CPI). Such ordinances may have legitimate pass-through costs for unexpected repairs and a petition process to increase rent above CPI. It balances the need for affordability with a landlord’s ability to increase rent costs. A rent control ordinance would also control the costs of homeownership as it would limit investor speculation driving up home prices in the City.

Rent control would also stabilize the housing market by incentivizing residents to remain and stay in their rent-controlled homes. It would revitalize communities that have been uprooted by constant turnover as a result of housing unaffordability. A rent control ordinance, which would stabilize rental and home prices, coupled with an emphasis on the production of affordable housing instead of market rate housing would address the primary concerns of Milpitas residents.

## **V. Just Cause and Tenant Protections**

Just as the Draft fails to propose rent control, it also fails to address any additional tenant protections, including a just cause ordinance. A corollary to rent control is just cause for eviction. A just cause ordinance must be passed to effectively implement rent control. Otherwise, rent control would have no real effect, as landlords can choose to evict tenants for no cause in order to raise the rent for new tenants. This was the case in the neighboring City of San Jose for decades, where San Jose’s Apartment Rent Ordinance did not prove to be fully effective until San Jose enacted its Tenant Protection Ordinance requiring just cause for evictions. While California has enacted some level of statewide just cause protections with the Tenant Protection Act of 2019, there are gaps in the state law that should be addressed with a stronger City ordinance. For instance, the statewide just cause provisions do not apply until after a tenancy has continued for a year. This incentivizes landlords to churn through tenants and further destabilize

housing in Milpitas. Stronger and broader just cause protections that apply at the outset of a tenancy would meet the City's desire to maintain a stable and affordable housing stock.

The Draft does allude to some form of tenant protections in its policies but provides no specifics. Goal HE-2, for instance, refers to enforcement of housing codes and regulations; the maintenance and repair of housing units; and the impact of condo-conversions. These policies refer to the "enforcement" or "assistance" under existing laws. These are not actual changes in policies but the continuation of existing policies from the last cycle that have borne little fruit. Instead, the Law Foundation suggests concrete City action to implement these vague generalities. The City may institute a change in the housing code to provide for increased penalties and protections for tenants when they must endure living in properties in violation of the housing code. As part of a proposed just cause ordinance, we recommend a provision that forestalls any attempts to evict based on nonpayment of rent if the property is found to be in violation of the warranty of habitability or safe housing standards. This would ensure that landlords make repairs (as HE 2.1 contemplates) before attempting to evict any tenants from uninhabitable properties. It also ensures that if landlords do make repairs and are successful in the eviction process, new tenants can be assured that the property they rent meets code. We also recommend passage of a strong condo-conversion ordinance to address the City's concern regarding the maintenance of existing stock of affordable housing. (HE 2.6.) The City of Oakland, for instance, has a condominium conversion ordinance with allows long-term tenants the opportunity to purchase or provides them with relocation benefits should a unit be properly converted into a condominium. (See Oakland Municipal Code Chapter 16.36 *et seq.*) Such an ordinance would keep long-term residents of Milpitas in the City and offer them a path to homeownership – addressing another policy goal listed in the Draft.

The City has raised the possibility of a right to counsel in its Housing Element. For a right to counsel to be effective, the City must also provide effective laws to enforce Milpitas residents' rights.

## **VI. Affordable Housing Ordinance (AHO)**

The City's passage of the Affordable Housing Ordinance (AHO) in June 2018 (Ordinance 297), which requires any new project of ten or more units to make at least fifteen percent of the units affordable, provides an exception to developers to pay a fee in lieu of building affordable housing units. This policy, instead of encouraging developers to build affordable housing that can be used to meet the RHNA goals, further exemplifies the disparity in housing availability for low-income households. According to the fees outlined in the AHO, developers are required to pay an in-lieu fee of \$37.11 per square foot Table C-1 (Appx. C-8), as opposed to building a unit, which costs an average of \$380 per square foot, according to the cost of construction outlined in the Draft. (P. 42.) In addition, "construction costs are an average of \$48 per square foot higher for affordable housing projects when compared to mixed affordability and market rate projects, likely due to prevailing wage, local hire, and other requirements". (Appx. B-41.)

Therefore, the in-lieu-fees set forth in the AHO discourage developers from building affordable housing as it is more economical for developers to pay the fees instead of constructing much-



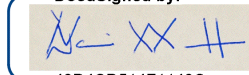
needed affordable housing. The City needs to amend the AHO to incentivize developers to build the required affordable units in each housing project. In particular, the AHO does not require approval from the City Council for paying fees in lieu of construction for rental projects; rather, such a requirement is only necessary for ownership housing projects (Appx. C-8.) The City needs to set forth goals to amend the AHO, which would eliminate this loophole, or work with City Council to increase the in-lieu fees. In addition, the City must create a process in which the in-lieu fees will result in the production of affordable housing. Otherwise, the collection of these fees will continue to result in little to no increase of affordable housing stock.

If the AHO is to be part of the City's Housing Element for the 6th cycle, the Draft must provide detailed information regarding the projects that were completed in the 5th cycle or how the 6th cycle will differ from the 5th. The underlying concern is that at the end of the 6th cycle, we will have a similar result: the City will not be able to meet its RHNA goals and fail to provide adequate, affordable housing for lower-income households in Milpitas.

Thank you for considering our comments regarding the City of Milpitas' draft housing element. Please feel free to contact us at (408) 280-2486 or by email at [nassim.moallem@lawfoundation.org](mailto:nassim.moallem@lawfoundation.org) if you have any questions or requests for additional information.

Sincerely,

LAW FOUNDATION OF SILICON VALLEY

DocuSigned by:  


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Nassim Moallem

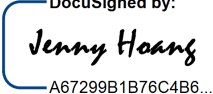
Acting Supervising Attorney

DocuSigned by:  


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Hai Dao

Supervising Attorney

DocuSigned by:  


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Jenny Hoang

Community Housing Advocate

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Claudia Uribe

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CC: City of Milpitas Planning Department, via email to [housingelement@ci.milpitas.ca.gov](mailto:housingelement@ci.milpitas.ca.gov)