

Subject: San Mateo's Draft Sixth Cycle Housing Element

February 1, 2022

To whom it may concern:

The Campaign for Fair Housing Elements is a coalition dedicated to ensuring that every city in California produces a Housing Element which complies with the California Department of Housing and Community Development's requirements. We have reviewed San Mateo's Housing Element process and Draft Adequate Sites List as of January 14¹.

We have the following concerns. The city's estimates of ADU production are too optimistic. The expected density of sites is unrealistic. There's no evidence that sites will be developed in the first place. The site inventory is not informed by AB 686's requirements to Affirmatively Further Fair Housing.

ADU Estimates

The city's ADU estimates are incorrect. According to HCD's Site Inventory Guidebook² (page 31), there are two "safe harbor" options for ADU construction estimates. These are (1) five times the average annual construction before 2018, or (2) the average annual construction since 2018. According to San Mateo's Annual Progress Reports and the city's claims, data is available as follows:

2015	2016	2017	2018	2019	2020	2021
2	3	16	8	45	52	67

The safe harbor options are then as follows:

Option (1) (2015-2017)	$\frac{2+3+16}{3} \times 5 = 35 \text{ per year, 280 over eight years.}$
Option (2) (2018-)	$\frac{8+45+52+67}{4} = 43 \text{ per year, 344 over eight years.}$

The City's estimate of 480 ADUs is not supported by these calculations. If the City doesn't use a Safe Harbor option, it must provide additional evidence. If the City doesn't provide evidence it must reduce its ADU projections.

¹ <https://cityofsanmateo.org/DocumentCenter/View/86766/Draft-Adequate-Sites-List-and-Methodology>

² https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sites_inventory_memo_final06102020.pdf

Realistic Capacity

The City states on page 2: "When establishing realistic unit capacity calculations, the jurisdiction must consider existing development trends of existing or approved residential developments at a similar affordability level in that jurisdiction". The city must not only consider previous development trends, but also whether a site will be developed *at all*. HCD requires cities to account for the difference between a site's *nominal capacity* (the number of units it can theoretically support) and its *realistic capacity* (the number of units likely to be developed there over the next RHNA cycle).³ The City assumes that its entire site inventory will be developed--an unwarranted and unsupportable assumption.

Specifically, at least half of the city's lower-income inventory is assigned to non-vacant sites. Cities are to presume that they will not be developed, in the absence of "substantial evidence" to the contrary.⁴ The City states on page 1: "The analysis does not include the economic feasibility of specific sites, nor does it take into consideration the owner's intended use of the land now or in the future." As substantial evidence of development has not been provided, the city should use the probability of development of these sites over the previous cycle³.

Results from the last RHNA cycle shed light on the sites' realistic capacity. An acceptable Site Inventory would take into account San Mateo's historic rate of development. Only one in twelve sites were developed during the Fifth Cycle.⁵

Fifth Cycle Development History

Sites listed in 5th HE	Sites developed during 5% of 5th Cycle	Percentage (Projected)
94	5	8.5%

The City has not provided evidence of future development for each site. Therefore, the City is *required* to use this percentage to compute the realistic capacity of its sites.⁶ San Mateo has a **total allocation of 7,081 units**. Given this likelihood of development, a site capacity of 10,898 units will produce only **908 units** over the planning period. Counting expected development of

³ Housing Element Site Inventory Guidebook, pp. 20-21, "Local or regional track records, past production trends, or net unit increases/yields for redeveloping sites or site intensification. This estimate may be based on the rate at which similar parcels were developed during the previous planning period, with adjustments as appropriate to reflect new market conditions or changes in the regulatory environment. **If no information about the rate of development of similar parcels is available, report the proportion of parcels in the previous housing element's site inventory that were developed during the previous planning period.**" [Emphasis mine.]

⁴ Housing Element Site Inventory Guidebook, p. 27, "If a housing element relies on nonvacant sites to accommodate 50 percent or more of its RHNA for lower income households, **the nonvacant site's existing use is presumed to impede additional residential development, unless the housing element describes findings based on substantial evidence that the use will likely be discontinued** during the planning period." [Emphasis mine.]

⁵ Kapur, S., Damerdji, S., Elmendorf, C. S., & Monkkonen, P. (2021). What Gets Built on Sites That Cities "Make Available" for Housing? UCLA: The Ralph and Goldy Lewis Center for Regional Policy Studies. Retrieved from <https://escholarship.org/uc/item/6786z5j9>. Maps available at <https://lewis.ucla.edu/RHNAmaps/>

⁶ See note 3, above.

1,721 units on non-inventory sites and **344 ADUs**, this means that the Site Inventory has a **shortfall of 4,108 units**. In order to produce this many units at a one-twelfth probability, sites must be identified for **49,824 units**. (See Appendix A for details.)

These numbers are high, but they underscore that if San Mateo continues to proceed as it has over the previous planning cycle, it is planning to fail. The city can either produce roughly fifty thousand more units of planned capacity, or justify these favorable assumptions by identifying and changing the factors that made development so unlikely. Unless that happens, the Draft Housing Element is not in compliance with HCD's guidance and should be rejected.

Expected Density

On page 3, an attempt is made to calculate the average built density of large residential projects. But this is overly optimistic in two ways. First, the Kiku Crossing project is a clear outlier. Will one in fourteen future projects be a 100% below market rate project within a half-mile of a Caltrain station using AB 1763 to develop at nearly four times base density? Calculating a median would have been better here. Secondly, the "average" was calculated by averaging all of the per-acre numbers, rather than dividing the total number of units by the total acreage, which yields 40 du/ac (without Kiku Crossing) and 43 du/ac (with). The method used by the city does not reflect the typical yield of an acre of housing, and the city should not use it.

Furthermore, the City refers to "proposed and/or approved" projects, then uses them to "demonstrate that **as-built** densities are consistently above zoned density" so the City may assume more realistic capacity for the sites. Six of the 14 projects included on this list also appear on the Cycle 6 Draft Adequate Sites List. Projects that are being counted towards Cycle 6 should not be used to calculate "as built" densities over Cycle 5. Eliminating these six projects yields 38 du/ac. Thus, the assumption of 100% zoned density production for R3, R4, R4D and R5 parcels (base density 35-50 du/ac), which the City applies to 31 sites with one of these designations, is wrong.

The City performs a similar analysis on the average built density of commercial & mixed use projects with residential development by averaging all of the per-acre numbers, which yields 48 du/ac, rather than dividing the total number of units by the total acreage, which yields 40 du/ac. The city then notes that only 75% of commercial & mixed use projects included residential development and multiplies their calculated "average dwelling unit per acre **for projects with residential**" by 0.75 to get an expected dwelling unit per acre for **all** commercial & mixed use projects. This is overly optimistic as the city has eliminated commercial & mixed use projects with no residential from their calculation, which is then applied (after a 25% discount) to **all** commercial & mixed use projects. It would be more accurate to simply calculate and apply the built residential density of all commercial & mixed use projects, which is 29 du/ac.

However, seven of the 20 projects included on the list of commercial & mixed use projects also appear on the Cycle 6 Draft Adequate Sites List. Eliminating these seven projects yields 1.7 du/ac. Thus, the City's "conservative" assumption of 30 du/ac for commercial & mixed use projects does not reflect the typical yield and the City should not use it.

Additionally, the City states on page 8, “For those sites less than 0.5 acres, in general it was assumed that the realistic capacity would be approximately 50% of zoned capacity, given the difficulty of maximizing use of those sites.” However, of the 82 sites less than 0.5 acres and zoned for commercial & mixed use, only one has a realistic capacity of less than or equal to 50% zoned capacity. Sixty-three have a realistic capacity of 60%-80% of zoned capacity and 18 have a realistic capacity of 100% of zoned capacity.

Specific Issues

We've looked at some of the factors which have caused actual development to fall short of expectations in the past, and these errors continue to be reflected in the current inventory.

Forty-two of the 212 sites identified on the City's Adequate Sites List were also included on the site inventories for Cycle 4 and Cycle 5. Three of these sites are rated 4 (out of 5) on development potential and 26 of these sites are rated 5. The city does not identify any constraints to development of these sites over the past fifteen years, nor note any new incentives to development, beyond the rezoning required by AB 1397.

One site appears on the City's Sites List twice, with different unit allocations:

Site Address	Assessor Parcel Number (APN)	Very Low	Low	Moderate	Above Moderate	Total
4060 EL CAMINO REAL	042-241-180	13	8	8	22	51
4060 El Camino Real	042-241-180	10	6	7	17	40

For each site, the City notes the “Max Density Allowed (units / acre)”, “Realistic Max Density (units/acre)”, and “Parcel Size (gross acres)”. The City also notes the “Realistic Density times size”, which is presumably calculated by multiplying the Realistic Max Density by the Parcel Size. The “Total” number of units on each site is equivalent to the number reported for the “Realistic Max Density times size”, except for sites that already have an approved number of units.

However, 35 sites have a “Realistic Max Density times size” / “Total” that is larger than the Realistic Max Density multiplied by the Parcel Size. For 9 of these sites, it appears Max Density Allowed was used instead of Realistic Max Density in the calculation (highlighted orange below). For 9 of these sites, a number larger than Max Density Allowed was used (highlighted red below), and for 17 sites, a number between Realistic Max Density and Max Density Allowed was used (highlighted yellow below). Between the duplicate APN and the overestimation of Realistic Density, the Sites List overestimates capacity by 616 units.

Assessor Parcel Number (APN)	Max Density Allowed (units / acre)	Realistic Max Density (units / acre)	Parcel Size (gross acres)	Realistic Density times size [reported]	Total	Realistic Density times size [actual]
035-466-010	50	30	1.66	83	83	50
035-466-060	50	30	9.21	461	461	276
039-060-440	50	50	0.73	57	57	37
033-191-040	50	30	0.44	59	59	31
033-191-060	50	30	0.13			
033-191-070	50	30	0.45			
034-142-200	30	30	0.43	35	35	21
034-142-220	30	30	0.26			
034-302-140	50	30	0.68	34	34	20
035-381-020	30	30	0.58	332	332	200
035-381-030	30	30	6.07			
039-030-400	50	40	1.54	77	77	62
039-353-050	50	30	1.08	54	54	32
039-353-070	50	30	1.18	59	59	35
042-121-040	50	30	1.81	90	90	54
042-121-080	50	30	0.65	32	32	20
042-241-180	50	40	1.02	51	51	41
042-242-060	50	40	0.25	296	296	268
042-242-070	50	40	0.24			
042-242-160	50	40	0.20			
042-243-020	50	40	2.09			
042-244-040	50	40	0.13			
042-244-050	50	40	1.19			
042-245-040	50	40	0.12			
042-245-050	50	40	0.12			
042-245-060	50	40	0.12			

042-245-070	50	40	0.12			
042-245-080	50	40	0.12			
042-245-090	50	40	0.12			
042-245-100	50	40	0.24			
042-245-110	50	40	0.24			
042-245-120	50	40	0.30			
042-245-130	50	40	0.36			
042-263-010	50	40	0.73			
032-122-210	35	35	0.14		7	7

Additionally, on page 8, the city states that “For this inventory, no individual site less than 0.5 acres is allocated toward lower income units; however, as per State guidance, such small sites can be considered either moderate income, above moderate income, or both.” However, the following sites are allocated toward lower-income units and are below a half-acre in size.

Site Address	Assessor Parcel Number (APN)	Parcel Size (gross acres)	Allocation
117 N San Mateo Dr	032-292-080	0.41	3 VLI, 2 LI
402 Tilton	032-331-010	0.13	1 VLI, 1 LI
406 Tilton	032-331-020	0.13	1 VLI, 1 LI
487 El Camino Real	034-144-220	0.42	5 VLI, 3 LI
20 42nd Ave	042-242-180	0.21	2 VLI, 1 LI
4142 El Camino Real	042-242-170	0.3	3 VLI, 2 LI
4100 El Camino Real	042-242-080	0.42	4 VLI, 2 LI
2028 El Camino Real	039-060-430	0.38	3 VLI, 2 LI
717 Woodside Way	032-122-210	0.14	2 VLI, 1 LI

Affirmatively Furthering Fair Housing (AB 686)

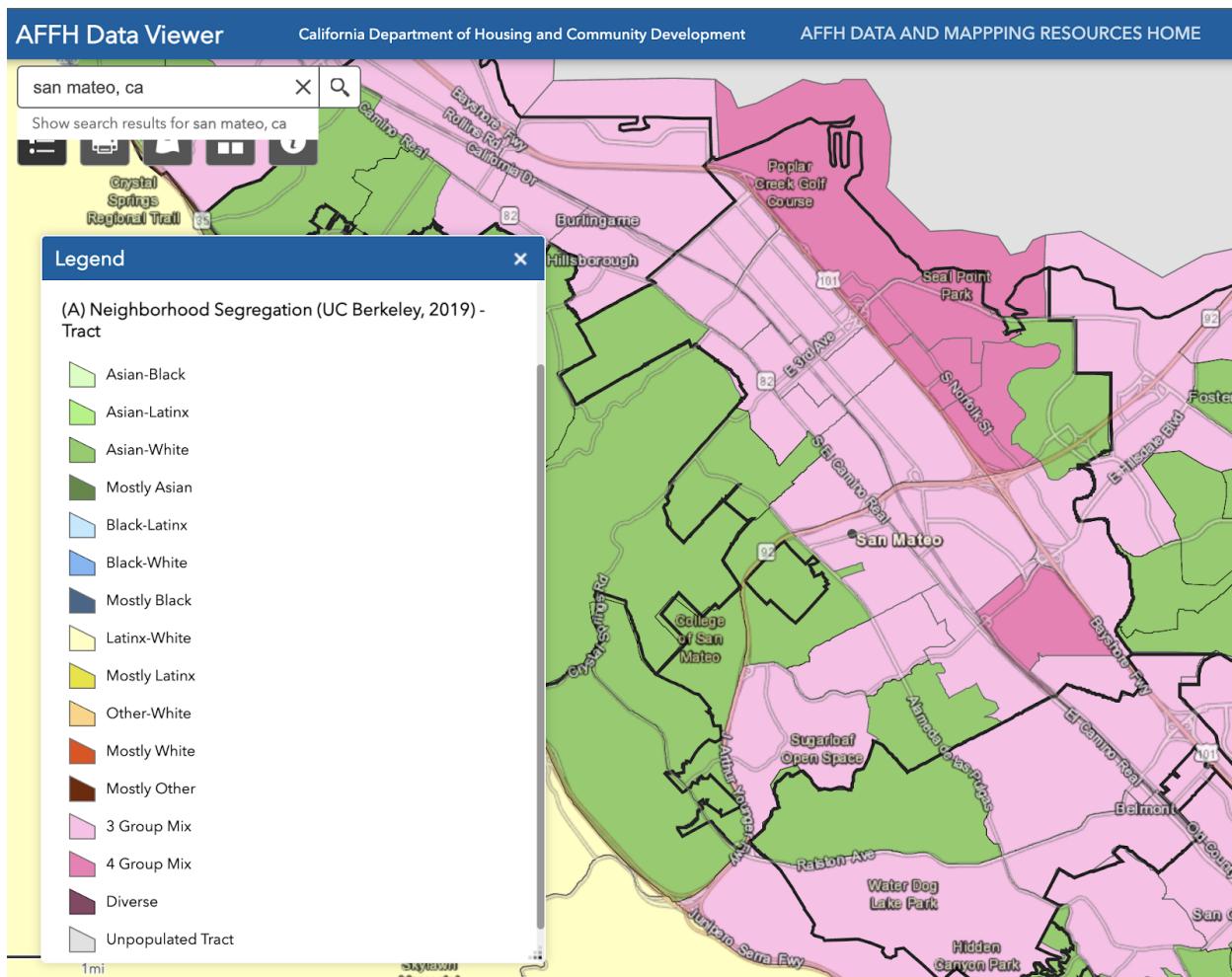
Per HCD’s Guidance Memo on Affirmatively Furthering Fair Housing, “AB 686 now requires that a jurisdiction identify sites throughout the community in a manner that is consistent with its duty to affirmatively further fair housing (AFFH) and the findings of its assessment of fair housing, pursuant to Government Code section 65583, subdivision (c)(10)(A).⁷ While the City has

⁷ California Department of Housing and Community Development, Affirmatively Furthering Fair Housing, Guidance for All Public Entities and for Housing Elements, April 2021, [pg 12](#)

released excerpts from their Housing Needs Data Report⁸ it is unclear how the data assessments presented in the report informed the selection of sites.

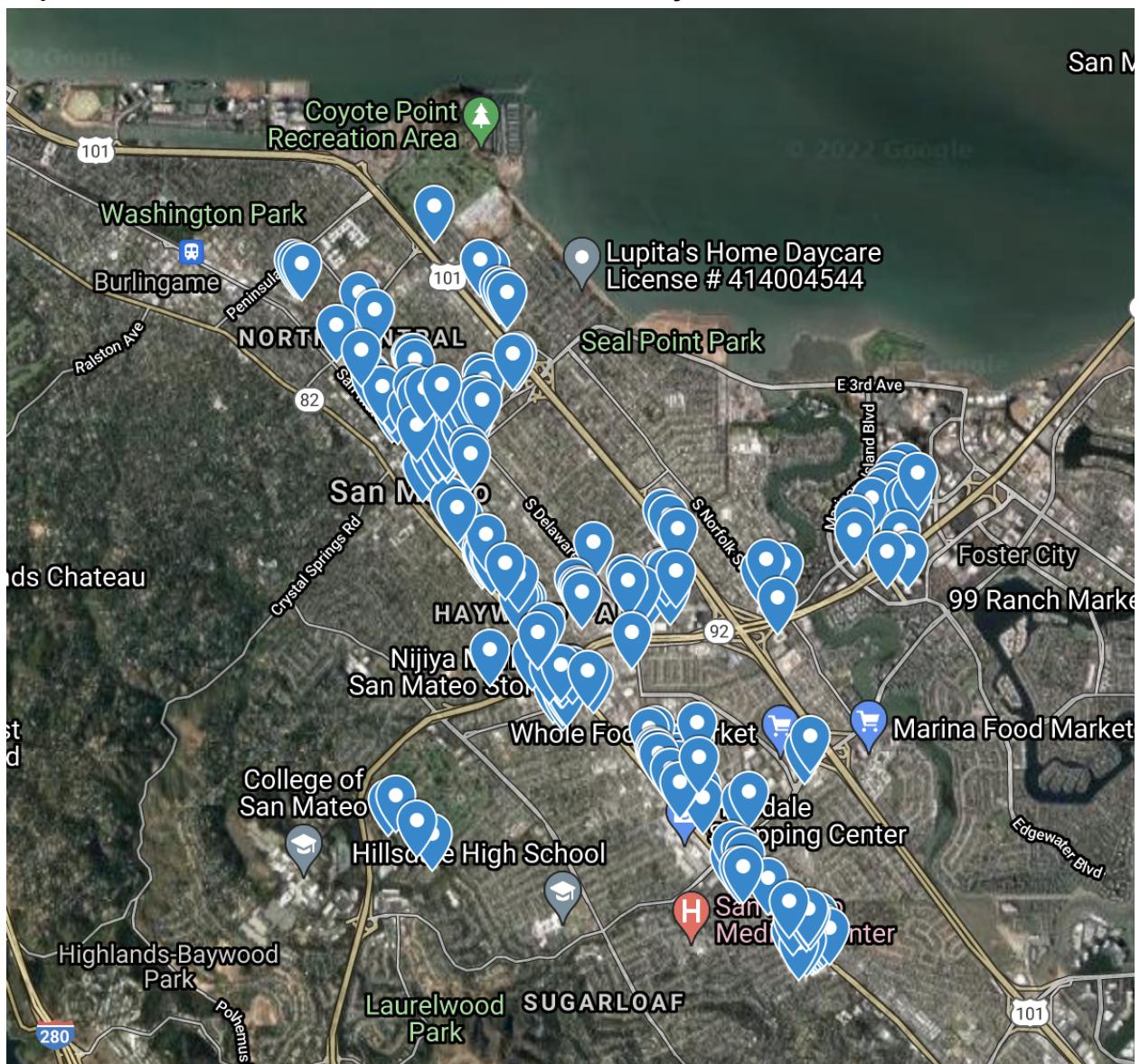
For example, no sites fall into the “Highest Resource” TCAC Opportunity Area designation and it appears that the sites predominantly fall into areas where three or four racial groups mix.

Map of Neighborhood Segregation by Census Tract, 2019



⁸ Excerpts from Draft Housing Needs Data Report: San Mateo, December 2021

Map of Sites listed on San Mateo's Draft Site Inventory



Please identify enough sites and commit to an appropriate program of rezoning and constraint removal in a manner that is consistent with your duty to affirmatively further fair housing and such that the actual capacity of the Sites Inventory over the next eight years meets or exceeds your RHNA.

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

Adam Buchbinder
Campaign for Fair Housing Elements

Peninsula for Everyone

Appendix A

Of the sites listed in the City's Site Inventory in the Fifth Housing Element, only about 8.5%, or one-twelfth, have been developed. (Data is available for five years of the cycle, so the math is $\frac{5}{94} \times \frac{8}{5} = 0.085$.) The Draft Housing Element must include this information and use it to adjust its Sixth Cycle estimates of realistic capacity.

Credit is also given for development on non-inventory sites, minus ADUs, as follows. Take the total production over the 2015-2020 timeframe. Subtract development on inventory sites, as reported on HCD's dashboard⁹ for 2018-2020 and by the City before that¹⁰. Because AMI projects are not reported by address, assume that none were in the site inventory. Because site names were not identified by address or APN, manual matching was necessarily fuzzy. Finally, scale the remainder by 8/6 to get the expected development over the entire Fifth Cycle.

Development on Non-Inventory Sites

	VLI	LI	MI	AMI
Production 2015-2020	126	52	94	1545
ADUs (2015-2017)	0	0	0	21
ADUs (2018-2020)	0	0	0	105
Development on Inventory Sites (2015-2017)	0	19	15	293
Development on Inventory Sites (2018-2020)	0	6	0	67
Net Non-Inventory Production	126	27	79	1059
Multiplied by 8/6	168	36	105	1412

⁹ <https://app.powerbigov.us/view?r=eyJrIjoiMDA2YjBmNTItYzYwNS00ZDdiLThmMGMtYmFhMzc1YTAzM>
DM4liwidCI6IjIjODI4NjQ2LWIwMzctNGZINy04NDE1LWU5MzVjZDM0Y2Y5NiJ9&pageName=ReportSection3da4504e0949a7b7a0b0

¹⁰ <https://www.cityofsanmateo.org/4477/Housing-Element-2015-23-Annual-Progress->

New Capacity Needed to Accommodate RHNA

	VLI	LI	MI	AMI	Total
RHNA floor	1819	1047	1175	3040	7081
Nominal Capacity	2162	1599	1530	5604	10895
Realistic Capacity (Adjusted to 1/12)	180	133	128	467	908
Projected Non-Inventory Production	168	36	105	1412	1721
ADUs (6% VLI, 31% LI, 48% MI, 15% AMI)	21	107	165	51	344
RHNA floor - Realistic Capacity - ADUs - Non-Inventory Production = Shortfall	1450	771	777	1110	4108
Nominal Capacity Required To Eliminate Shortfall	17400	9252	9324	13320	49296

Subject: OSM remarks on housing element programs



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

In response to the staff report dated February 7, 2022, whose subject is “Housing Element Goals, Policies and Programs”, One San Mateo would like to offer the following remarks on a few items that are of special interest to us.

FRAMING. First, we would like to support the utilization of the Three P’s in the framing of the Housing Element goals. This reflects current thinking about the high-level categories of actions that need to be included in a comprehensive plan to promote inclusion and provide for a jurisdiction’s future housing needs. It is a crisp and effective way to organize thinking about the myriad strategies that can be used to address our affordability problem and ensure a suitable living environment for all San Mateans. We encourage adoption of the Three P’s framework and support the addition of a sustainability goal as well. In the interest of consistency, this fourth goal might begin with the word “Pursuit.”

DISPLACEMENT. Under the “Fair Housing” heading on Attachment 3, we encourage the inclusion of a number of strategies that have been upheld by community members in the context of surveys and forums and whose importance was acknowledged at the council’s blue skies event on January 29. These strategies are intended to reduce displacement by preventing people from being forced from their homes. The specific entries that address this are as follows:

- Require documentation from landlords who use remodel exemption to evict tenants (AB 1482)
- Require tenant relocation payments for No Fault evictions for those with tenure less than one year (extend 1482)
- Establish a rental registry to track rents and evictions citywide

POPULATION PRIORITIES. The individuals most underserved by the market, whose very survival is threatened by our spectacular housing costs, are those with the lowest incomes and those with special needs. Therefore, under the “Fair Housing” heading, we also encourage the prioritization of ELI and VLI units, along with units to serve people with special needs, in city-assisted affordable housing projects.

SITES. We are aware of the letter that has been forwarded to council from the Campaign For Fair Housing Elements and are sympathetic to the concerns that prompted the writing of this letter. Recent changes to the sites identification process have been made in the interest of increasing its authenticity and ensuring that it serves equity goals. If the current sites inventory for San Mateo fails to fulfill the newly imposed requirements, we encourage the city to remedy this in the interest of creating a Housing Element that both succeeds in its intended purpose and receives approval by HCD.

R-1 ZONING. Finally, we feel compelled to mention that we continue to take exception to the strenuous efforts that have been made during this Housing Element update to avoid making changes to R-1 neighborhoods. R-1 zoning was originally introduced as a workaround to racially explicit zoning, and its status as a progenitor of white privilege was cemented during the decades when government-imposed policies excluded all but whites from owning homes in these neighborhoods. When Richard Rothstein addressed the SAMCAR community in October of 2020, he was asked what should be done to reverse the injustices of the past, and the first approach he mentioned was the modest densification of R-1 neighborhoods, i.e. allowing both plexes and modest-scale garden apartments to be built in neighborhoods currently zoned R-1. We concur with his thinking on this and regret that San Mateo has resisted moving in this direction, which would serve significantly to advance the goal of Affirmatively Furthering Fair Housing.

Thank you in advance for your consideration to our thoughts and for the opportunity to share them with you.

Sincerely,

Karyl Eldridge
Vice Chair of One San Mateo

Sent: Monday, February 7, 2022 4:31 PM

Subject: FW: Joint Meeting on Housing Element

Hi Joan,

Here is another Public Comment for tonight's meeting.

Mary

Subject: Joint Meeting on Housing Element

Hello Mayor, members of the city council, and planning commission:

HLC is very interested in tonight's joint Planning Commission and Council meeting to discuss policies for the housing element and I would like to share our perspective and our policy priorities. Housing Element policies are usually designed and formed to both meet the needs identified in the needs assessment and to overcome barriers identified under constraints. Additionally this year, the city must complete a fair housing analysis that would also present opportunities for solutions.

While this could hurt the city's ability to get a certified housing element on the first try, if the city changes task order, it will make it easier to engage with the local community and to, make a better plan, and shorten the review process..

That said, we have some specific policies that we would like you to consider:

Funding:

1. Increase the commercial linkage fee and design it to preference partnerships between affordable housing providers and commercial developers.
2. Increase the transfer tax on real estate sales over 1 million dollars.
3. Make affordable homes exempt from some fees (like park fees) to decrease the cost and make the city's limited resources stretch further.

On sites:

1. Beyond following state guidelines on the process for developing a sites list, look at publicly owned sites, including areas that are owned by other agencies, for the opportunity to provide affordable homes.

2. Also look at quasi public sites (churches, nonprofits). If an institution is interested in developing affordable homes, what steps (including rezoning) does the city need to take to enable that development.

Overcoming Constraints:

1. Again, complying with state law and identifying constraints before you make decisions on policies is critical.
2. Strategies for parcel assembly
3. Lower your parking requirements, where appropriate
4. Review the neighborhood associations practices for electing leaders, hosting meetings, and providing opportunities for everyone in the neighborhood to participate.

In addition, the city needs specific policies and programs to create ELI housing and housing for special needs populations, and to help prevent displacement and homelessness.

The process for developing a housing element has changed significantly since the last cycle. It is challenging to keep up with the changes and meet the deadlines. But San Mateo has some of the strongest housing leaders on both the Planning Commission and City Council. It is HLC's hope that the City will create a model Housing Element - one of the best in the state that will serve as an example to other communities in our county and follow the process as outlined by HCD. We look forward to the continued conversation about policies and programs after other work has been completed.

Thank you for your time and leadership.

Evelyn Stivers
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February 9, 2022

Regarding: San Mateo DRAFT Adequate Sites List, December 2021

Dear City Of San Mateo Officials,

It has come to our attention that the City Of San Mateo has listed as 'moderate' the chance that property which is owned by the IBEW on Leslie Street may change its current use to housing during the RHNA cycle six which runs from 2023 through 2031.

I am writing to inform you that the IBEW has absolutely no intention of changing its use during that time period. We are viewing the current use as a long-term investment.

Respectfully,

David M. Mauro

Business Manager/Financial Secretary
IBEW Local Union 617

DMM:mfb
Opeiu29/afl-cio



Housing Element Best Practices: Lessons from Previous Cycles

HOUSING ELEMENT BEST PRACTICES: Lessons from Previous Cycles

MidPen Housing has compiled a set of case studies to illustrate high-impact policies advanced in the last Housing Element cycle and suggest strategies based on successful implementation. This current cycle presents an important opportunity to build and expand upon what worked previously to plan for equitable growth.

At the time of the last Housing Element cycle, many of the tools profiled were designed to exceed State-level policies established by the State Density Bonus Law (SDBL) for projects with affordable housing. In recent years, the State's policies, through the more powerful SDBL and SB-35 procedural incentives, have evolved considerably, accelerating change. This creates an opportunity with this next cycle to again look at the State-level landscape as a base to respond to, build from, and exceed with local policies tailored to local specifics and needs.

As with the most recent cycle, jurisdictions can look at today's tools and find ways to make them most effective by making more sites eligible, or set policies that go beyond them with the goals of delivering more housing more quickly. Jurisdictions able to maximize land opportunities and reduce development costs can help spread limited public resources further. Given the vastly changed State landscape, jurisdictions have a much different starting point than the last Housing Element cycle to evaluate opportunities that generate the most impact from their policies.

The Housing Element is a key step to advance the infrastructure needed to support inclusive development through planning and building tools. The most effective jurisdictions had site inventories and policies that were complementary. As jurisdictions work on their policy tools with this cycle, it is critical to take a tactical approach to site selection to realize feasible implementation. We hope these examples are useful to city partners and other community stakeholders.

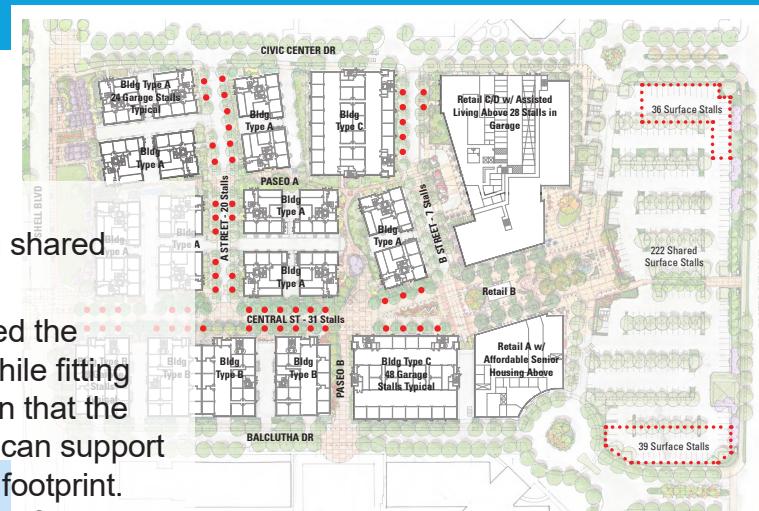


POLICY: Master-planned sites with opportunities to maximize housing density and share infrastructure; senior housing overlay

RATIONALE: Increases feasibility of affordable housing by spreading density and other planning calculations across a larger development site

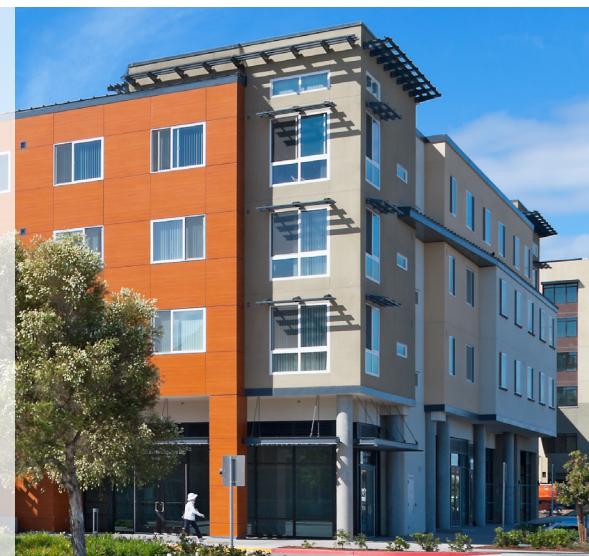
CITY EXAMPLE: Foster City

Foster City identified an undeveloped 15-acre City-owned property adjacent to City Hall as a housing opportunity site with a vision for a master-planned, mixed-use, mixed-income senior community. In 2011, the City began negotiations with the master developer and pursued a project that consisted of 66 affordable homes along with 355 market-rate and assisted living units. In addition to including the site in their housing element, another enabling policy was utilization of a senior housing overlay zone to facilitate affordable senior housing (reduced parking needs, reduced unit sizes, increased density, fee waivers, priority processing). This form-based/Floor Area Ratio (FAR)-based approach to density makes sense for projects with smaller unit types like senior or supportive housing. Structuring the development's high-level approvals as a larger master plan instead of breaking into three to four separate projects enabled cost savings for the affordable residential component, increasing feasibility.



PROJECT IMPACT EXAMPLE: Alma Point at Foster Square - completed

- Units: 66 (127 units/acre, 78 units/acre including shared surface parking)
- Impact: The City's senior housing overlay enabled the project to achieve a much higher density level while fitting within an appropriate built form for the site. Given that the site is senior housing with smaller units, the site can support much higher units/acre within the same building footprint. Foster City's code has a minimum square footage for rental units of 750 sq. ft., while senior housing units are typically below 550 sq. ft. for studios/1-bedrooms. The ability to leverage non-residential components of the project (public space and commercial space) reduced costs for elements like parking and infrastructure. Senior parking requirements of .5/unit for residents and .5/unit for guest would have resulted in a required 1:1 ratio. With shared parking, the project was able to move forward with a .59:1 ratio
- Cost savings of \$1.6M, including \$1.27M in shared infrastructure and \$202K in saved costs via the parking reduction
- Increased density from 35 units/acre to 127 units/acre



POLICY: Fee exemptions for affordable housing

RATIONALE: Increases feasibility of affordable housing by decreasing costs

CITY EXAMPLE: Sunnyvale exemption for park in-lieu fees

- Park dedication in-lieu fee: \$69 per square foot
- This is the biggest lever in Sunnyvale's fee schedule
- The City waives park fees for affordable rental projects and for affordable units in mixed-income rental projects, such as affordable units in density bonus projects



PROJECT IMPACT EXAMPLE:

Edwina Benner Plaza - completed

- Units: 66 (50 units/acre)
- Park impact fee: \$2.4M (\$37.6K per unit)
- Impact: This exemption reduced the total development budget by about 5%. These waived fees are also advantageous to the project's ability to secure financing as they count towards the local leverage calculation utilized by competitive financing sources like the Low-Income Housing Tax Credit program (LIHTC)

PROJECT IMPACT EXAMPLE:

1178 Sonora Court - in development

- Units: 176 (140 units/acre)
- Park Impact Fee: Approximately \$7.8M (\$44K per unit)
- Impact: This exemption reduced the total development budget by about 6%. These waived fees are also advantageous to the project's ability to secure financing as they count towards the local leverage calculation utilized by competitive financing sources like the Low-Income Housing Tax Credit program (LIHTC)

POLICY: Reduced parking standards for affordable housing

RATIONALE: Increases feasibility of affordable housing by decreasing costs

Saves one of the typical waivers in the State Density Bonus Law (SDBL) so developers can use it for another feasibility-improving modification

CITY EXAMPLE: Sunnyvale parking reductions

Reduced parking requirements for affordable housing developments and housing for seniors or persons with disabilities were adopted in 2011. The modified parking ratio that MidPen Housing was allowed to use for the 124-unit Fair Oaks Senior Housing project served as the basis for the adopted parking standard for affordable housing for seniors or persons with disabilities. The City also adopted provisions to allow development applications for senior housing, housing for persons with disabilities or housing affordable to lower income households to include requests for further reductions in the parking requirements. The request can be granted if the approving body finds that the applicant's proposed parking standard is adequate through a combination of any of the following considerations: location or proximity to transportation, variety or forms of transportation available, accessibility, services and programs offered, or population served by the proposed housing development. Many jurisdictions have adopted lower parking requirements for affordable housing based on robust data showing lower rates of car ownership and utilization at affordable housing properties given income, as well as locations that are often proximate to high-quality transit given financing-program criteria.



PROJECT IMPACT EXAMPLE:

Onizuka Crossing - completed

- Units: 58 (46 units/acre)
- Parking spaces required without restrictions: 122
- Parking spaces provided with reductions: 93
- Cost per space: \$22.5K
- Parking savings: \$653K
- Impact: This policy reduced the total development budget by about 2% and enabled the project to utilize its SDBL concessions for other items impacting feasibility

POLICY: Exceptions to development standards for affordable housing

RATIONALE: Increases feasibility of affordable housing through exemptions that go above and beyond what would be enabled through SDBL

CITY EXAMPLE: Half Moon Bay

Section 18.06.050(H) of the zoning code states that development standards for residential uses may be waived or relaxed for an affordable housing project. This provision allows developers much flexibility in designing affordable housing projects. Minimum lot sizes, widths, setbacks, parking, and other requirements can be reduced or waived, as long as the resulting development conforms to the certified Local Coastal Program (LCP) and other applicable provisions of the zoning code outside of chapter 18.06. This was applied in MidPen's Half Moon Village project, which was enabled through partnership with the San Mateo County Housing Authority and City of Half Moon Bay.

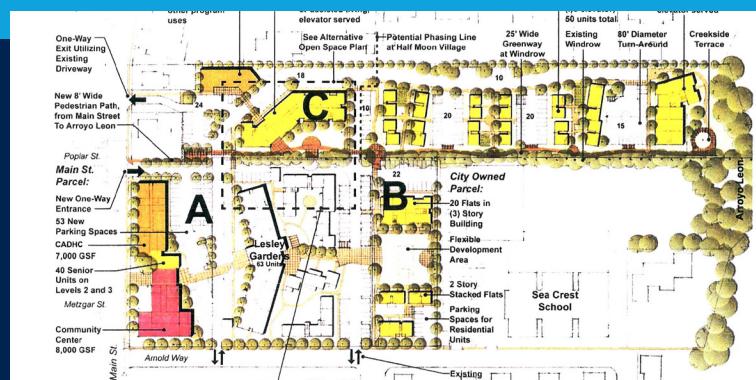
PROJECT IMPACT EXAMPLE: Half Moon Village - completed

- Units: 160 (27 units/acre)
- Exceptions: maximum height (from 28 to 40 ft) and parking (2.25 to .75)

Performed density calculations looking at the larger campus area, which arrived at a density that met LCP requirements

- Impact: With reduced parking and increased height, this policy enabled redevelopment to increase the number of homes from 60 existing units to 160 new units

Cost savings of \$1.8M for reduced parking, 3.7% of the total development budget



POLICY: Affordable Housing Overlay zone

RATIONALE: Increases feasibility of affordable housing through targeted incentives that exceed the SDBL

Upzoning tied to community benefit

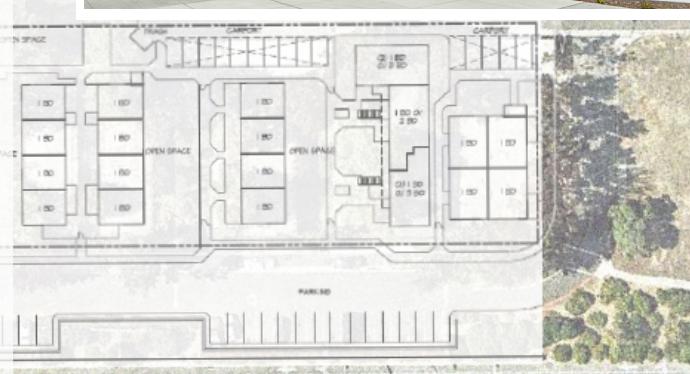
CITY EXAMPLE: Menlo Park Affordable Housing Overlay (AHO)

Through Menlo Park's Housing Element process and site inventory analysis, they arrived at the policy tool of an AHO zone with incentives that go beyond the SDBL. The rezoning applied the overlay to affordable housing opportunity sites as well as a targeted specific plan area. Overlays like this create a win-win for site owners and developers that want to provide affordable housing, as the overlay increases site value for those who can execute on the development vision being incentivized. Menlo Park's Gateway Apartments, an affordable housing property acquired by MidPen in the 1980s, presented an opportunity for adding units. The City worked to identify properties that could be a fit for both planning and implementation, looking at ownership and alignment.

PROJECT IMPACT EXAMPLE:

Sequoia Belle Haven - completed

- Units: 90 (31 units/acre)
- Units permitted under R-4-S zoning without AHO: 30 units/acre
- Units permitted under R-4-S zoning with the AHO: 48 units/acre vs 40 units/acre under max SDBL
- Units permitted under prior site zoning (R-3) with the SDBL: 18 units/acre max plus 35% SDBL for 25 units/acre
- Other AHO incentives utilized:
 - fee waiver
 - reduced parking
 - setbacks
 - building height
- Impact: This policy enabled additional units on the site (from 48 existing to 90 with the redevelopment) through the rezoning pursued during the City's Housing Element process and increased project feasibility through the AHO alternative to the SDBL



POLICY: Use of surplus land and City-led rezoning

RATIONALE: Increases feasible development opportunities and removes zoning risk

CITY EXAMPLE: Fremont

The City of Fremont reviewed their properties and identified surplus opportunities, including actions to enhance feasibility of development through its General Plan Amendment (GPA) and rezoning. They identified a 2.3 acre vacant site, which became Stevenson Terrace, as land to sell or lease to local public entities proposing the development of low- and moderate-income housing per the State's Surplus Land Act requirement. The City also issued a Notice of Funding Availability (NOFA) to provide financing for affordable housing development which accelerated the process so that Stevenson Terrace could be entitled, positioned to secure additional needed financing, and constructed to provide affordable housing to families quickly. Additionally, the use of the SDBL permitted a higher density and concessions to support a cost-effective design, supporting the City's vision for more affordable housing.

PROJECT IMPACT EXAMPLE:

Stevenson Terrace - completed

- Units: 80 (35 units/acre)
- Rezoning: City rezoned from open space to medium density residential prior to disposition
- Impact: This policy enabled high density housing development and accelerated delivery of housing units



POLICY: Identifying housing opportunity sites owned by mission-aligned organizations

RATIONALE: Increases likelihood of near-term progress on housing goals

CITY EXAMPLE: Santa Cruz County

St. Stephens Senior Housing is a 40-unit senior affordable housing community in the Live Oak community of unincorporated Santa Cruz County. Long considered a “priority development area” by the former County Redevelopment Agency, it was through a partnership with regional non-profit Communities Organized for Relational Power in Action (COPA) that a local member organization expressed a willingness to support the provision of more affordable housing by utilizing a vacant portion of their property. The County of Santa Cruz subsequently approved the subdivision and rezoning of ~1.8 acres of the existing St. Stephens Church property from public facilities to multifamily residential to enable St. Stephens Senior Housing to be built. Beyond the utilization of the SDBL to achieve higher density, the County’s code also provided a 75% parking reduction for senior housing, as well as allowed a shared parking arrangement with the Church, which significantly reduced development costs. These policies enabled the Church to enact their vision of aligning surplus real estate to meet their core mission through advancing affordable housing.

PROJECT IMPACT EXAMPLE:

St. Stephens Senior Housing - completed

- Units: 40 (22 units/acre)
- Parking savings: \$457.5K
- Impact: Rezoning and SDBL enabled additional units on the site, and the reduced parking allowance increased project feasibility and lowered development costs (standard requirements



POLICY: Public sector led rezoning for affordable housing

RATIONALE: Increases feasible development opportunities and removes zoning risk

CITY EXAMPLE: Santa Cruz County

As part of the 2007 Housing Element effort, the County rezoned 6 sites totaling approximately 29 acres to a density of 20 units/acre, creating potential for nearly 600 units. They also completed the environmental review process.

PROJECT IMPACT EXAMPLE:

To date, MidPen has developed 3 of the 6 sites including Schapiro Knolls, Pippin Orchards Apartments and Aptos Blue, and is in the process of developing Pippin Phase II. These projects were zoned by-right per the County's Planned Unit Development (PUD). Design review is the only remaining discretionary approval required to develop the property. This removes substantial business risk for incoming development partners and decreases the time and money needed to obtain entitlements. MidPen estimates this saved \$2M between the 4 projects and also shortened each timeline by at least 12 months.

Santa Cruz County Housing Element Sites Developed / In Development

- Project and Units: 4 communities totaling 254 homes
- Impact: This policy enabled 242 additional units beyond what would have been feasible under the previous zoning.



POLICY: Identifying public and privately-owned sites with existing housing stock for total redevelopment to increase density

RATIONALE: Potential to both improve and expand stock of housing
Increases likelihood of near-term progress on housing goals

CITY EXAMPLE: Pleasonton

Kottinger Gardens is the redevelopment of Kottinger Place and Pleasonton Gardens, two existing senior communities in the City of Pleasonton, into one integrated senior affordable housing community with 185 new units, doubling the original count. Kottinger Place was owned by the City's Housing Authority and Pleasonton Gardens was privately owned by a nonprofit originally founded with representatives from three local churches. The two properties were located across the street from each other, but operated independently for 40 years. Bringing them together was the result of thoughtful planning and community outreach on the part of The Kottinger Place Redevelopment Task Force formed by the City of Pleasonton to address several long-term challenges at both properties, including increasing maintenance requirements, and the lack of accessibility and energy-efficient features in the homes. The redevelopment was financed and constructed in two phases.

PROJECT IMPACT EXAMPLE: Kottinger Gardens - completed

- Units: 185 (28 units/acre)
- Impact: Redevelopment of 90 functionally obsolete public housing units and privately-owned affordable homes for seniors into a high-quality new senior affordable development of 185 units



DEVELOPMENTAL DISABILITIES SUBMISSION FOR CITY OF SAN MATEO HOUSING ELEMENT

Introduction to Developmental Disabilities

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

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

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

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

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

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

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

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

Table ____ Changes in Living Arrangements of Adults with Developmental Disabilities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy and Program Recommendations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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