



Housing

Assessment of Fair Housing Report and Housing Element Strategies Report

Community and Economic Development Committee

February 28, 2022

Item (d) 3

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Fair housing protects people in ‘protected classes’ & with ‘protected characteristics’

Federal	California
Race, ethnicity, color, national origin	All federally protected classes
Religion	Gender, gender identity and gender expression
Sex	Sexual orientation
Familial status	Marital status
Disability	Medical conditions
	Military and veteran status
	Age (for people over 40)
	Genetic information
	Ancestry
	Source of income



An Assessment of Fair Housing (AFH) is a required part of City's Housing Element

- 🏠 AFH and strategies to overcome barriers must be integrated into Housing Element per SB 686 (2018)
- 🏠 AFH evaluates
 - Enforcement of fair housing laws
 - Patterns of integration and segregation
 - At neighborhood, regional levels
 - Racially or ethnically concentrated areas of poverty
 - Disparities in access to opportunity
 - Disproportionate housing needs



Housing Element's other required components

- 🏠 ***Housing Needs Assessment*** – demographic, employment, and housing trends and conditions that affect housing needs
- 🏠 ***Evaluation of Past Performance*** – under the prior Housing Element
- 🏠 ***Housing Sites Inventory*** – to meet City's Regional Housing Needs Allocation (RHNA) goal, help dismantle segregation
- 🏠 ***Community Outreach and Engagement*** – robust, focus on traditionally underrepresented groups
- 🏠 ***Constraints Analysis*** – governmental and nongovernmental barriers to housing development, recommended remedies
- 🏠 ***Policies and Programs*** – to fulfill the identified housing needs, affirmatively further fair housing



New State law has shortened outreach timeline

- 🏠 AB 215 (2021) took effect January 1, 2022
- 🏠 Creates new steps to process, reduced time by 70 days
 - Post draft Housing Element to public for at least 30 days
 - Staff responds to comments / adjusts draft
 - Submit draft to State HCD for initial review of 90 days
 - Then resume production and formal hearings of final draft
- 🏠 Difficult to implement and meet State's deadline
- 🏠 Limits time for meaningful early public input on draft strategies



Context for strategy ideas

- 🏠 Drive a “both/and” approach to equity
 - Removing barriers for individuals and families in protected classes that limit their housing choices, *and*
 - Increasing investments in underserved neighborhoods
- 🏠 Tied to identified needs for protected class residents
- 🏠 Supported by public input
- 🏠 Represent all “3Ps” – production, preservation, protection
- 🏠 Possible to achieve during Housing Element timeframe (8+ years)
- 🏠 Possible to achieve with City staff capacity



Four likely categories for housing strategies

- A. Improving access to rental housing
- B. Increasing homeownership opportunities for protected classes that have been historically marginalized and redlined from housing opportunities
- C. Improving access to Racially Concentrated Areas of Affluence
- D. Coordinating and increasing investments to improve quality of life in lower-income neighborhoods that are racially or ethnically concentrated



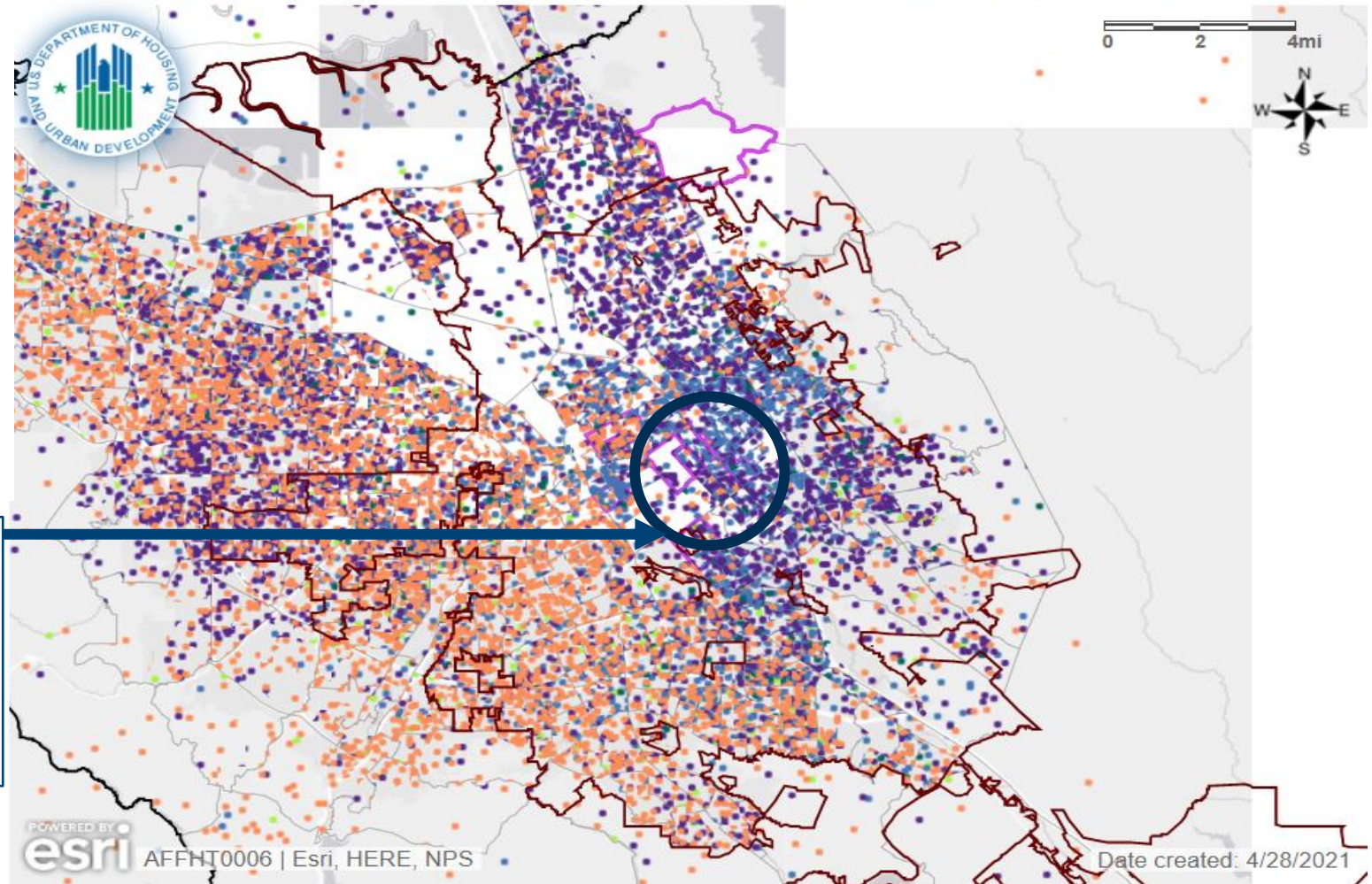
Impact of redlining and other past actions

1 Dot = 75

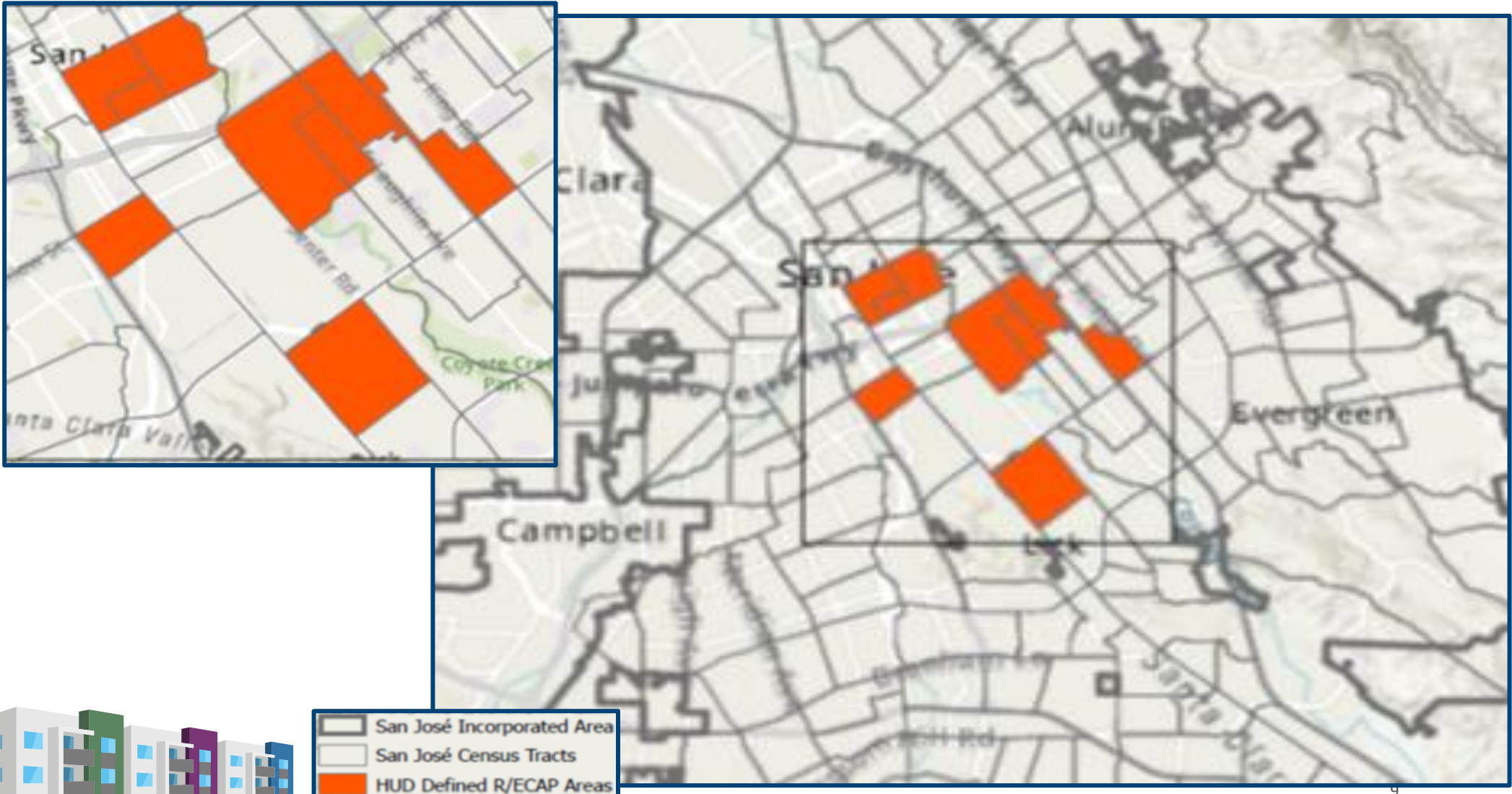
-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic
-  Other, Non-Hispanic
-  Multi-racial, Non-Hispanic

**6 Census Tracts
in this area are
R/ECAPs (of 8
in County)**

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



San José has 75% of County's Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs)



Next steps

Milestone	Timing
Focus groups, working groups & developer interviews	Jan – Apr 2022
Present to two Commissions, NSE, CED	Jan – Apr 2022
Survey & broad community meeting(s) on priorities	spring 2022
City Council overview of key content	Jun 2022
Public review period and responses	Jul – Aug 2022
First submission to State (90% draft)	Sep 2022
Additional commission hearing(s), completion of reports	Aug – Dec 2022
Second submission to State	Jan / Feb 2023
Airport Land Use Commission hearing	spring 2023
Planning Commission hearing	May 2023
Council approvals: final draft Housing Element, AFH Plan	Jun 2023
Submit Housing Element to State	Jun 2023





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