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**TRANSMITTED VIA EMAIL**

July 26, 2020

2040 General Plan Four-Year Review Task Force  
City of San Jose

Dear General Plan Four-Year Review Task Force Co-chairs, Task Force Members, and  
City Staff.

**Re: Task Force Recommendations on Opportunity Housing**

I look forward to the discussion this week to consider Opportunity Housing as one solution to the City's housing shortage. The presentation from Opticos at the February Task Force meeting illustrated how missing middle housing typologies can blend into traditional single-family neighborhoods, enabling more affordable housing options and making better use of scarce land resources.

In addition to promoting smart growth practices that promote growing in and not sprawling out, Opportunity Housing addresses historic patterns of exclusion that prioritized single-family housing and resulted in the segregation of lower income families and communities of color. Ninety-four percent of all residentially-zoned land in San Jose is zoned single family.

It is important to note that State law already allows as many as three units on every single-family parcel by right (a main house, an Accessory Dwelling Unit, and an additional unit within the main house, sometimes known as a Junior ADU). So, an opportunity housing policy that allows from 2 to 4 units per single-family lot is not a significant increase in density over what is already allowed. As mentioned in the staff memo, if signed by the Governor later this year, Senate pro Tempore Toni Atkins' SB 1120 would allow for lot splits by right for all single-family parcels, resulting in two units.

I am concerned that the staff recommendation is too limiting—as was the City Council direction-- and that bolder action is needed to respond to the housing crisis. **The letter from Task Member Jessie O'Malley Solis outlines a bolder vision, recommending that the Task Force “consider the expansion of the Opportunity Housing policy area to include both walk and bike shed, pushing the radius to the three-mile mark from High Frequency Transit.” This vision makes sense for the following reasons—**

1. The City's proposal shifted from one of ½ mile as the crow flies to walking distance. As staff acknowledges, this reduces the number of eligible lots and the possibilities for expanding housing access to resource- and opportunity-rich neighborhoods in the City. As the maps show, areas like Willow Glen, Almaden, West San Jose, and other more affluent areas would not be included,

but the Downtown, Alum Rock neighborhoods, and the less affluent areas of Evergreen would be. This perpetuates the very issue we are trying to resolve— righting historic wrongs that have denied access and opportunity to lower-income families and communities of color. And as it stands, many of the areas highlighted on the map are already targeted for higher densities.

2. We need to be real about density. Duplexes, tri-plexes, and four-plexes are not medium-density housing under any measure. These should not be the housing types we strive for adjacent to transit, as they are too low density to support transit ridership. Instead, we should create a broader footprint where modest density increases like two- and four-unit dwellings are allowed, and then look to allowing truly medium-density uses in close proximity to transit.
3. This is, as staff has outlined, a large undertaking. The City would need to evaluate whether small adjustments in allowable density and small increases in the overall housing stock are worth the large commitment of time. It most certainly would be an important and impactful use of staff resources if the vision were more bold.

When considering this policy, the City should develop provisions that protect historic properties and that avoid displacement of the very families we are trying to house. However, I do not believe the Task Force has the time or has access to the analysis that would enable it to opine on some of the detail in the staff recommendation. These details deserve a more thorough conversation that I hope will happen as the policy is developed.

I am glad that the City Council and staff have raised the possibility of increased densities, and am hopeful it will lead to positive change. While one benefit of Opportunity Housing is the potential for more infill housing to support the City's housing needs, it is important that we focus on this action as one of equity and inclusion. Other cities, including Portland and Minneapolis, have changed their zoning laws to allow for increased densities with the intention of reforming outdated policies that resulted in segregation and inequity. The City of San Jose should do the same.

Sincerely,



Leslye Corsiglia  
Executive Director

