
FW: "October 20, 2026, Item 8.1, City Council Meeting - Limit Missing Middle to State Law"

From City Clerk <city.clerk@sanjoseca.gov>

Date Tue 10/13/2026 8:42 AM

To Agendadesk <Agendadesk@sanjoseca.gov>

From: Katherine Dyer [REDACTED]

Sent: Sunday, October 11, 2026 8:41 AM

To: Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>

Subject: "October 20, 2026, Item 8.1, City Council Meeting - Limit Missing Middle to State Law"

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Dear Mayor Mahan and City Council Members,

I respectfully urge the City Council to take the following actions regarding the Missing Middle Housing proposals:

1. Limit ADUs to State Minimum Requirements

AB 956 now allows up to two detached ADUs on qualifying residential lots. I request that the City not expand ADU allowances beyond what state law requires and reject any proposal that would effectively double ADU capacity for Missing Middle housing.

In addition, please revise the current proposal to allow no more ADU per lot than state law, rather than the staff recommendation of 1 ADU per primary unit, which appears to exceed state minimum requirements and dramatically increases neighborhood density and impacts.

2. Do Not Combine SB 9 and SB 1123

The City should not combine SB 9 lot splits with SB 1123 subdivision provisions.

During the General Plan Task Force process and as recently as June 2026, the public was informed that SB 1123 applied to qualifying vacant lots and would not be

used in this manner.

The proposal to combine SB 9 and SB 1123 was not clearly disclosed until shortly before the August 18 Council meeting.

Combining these laws is a local policy choice, not a state mandate. Such a significant change should be decided by the City Council after full public discussion, not through staff interpretation.

Given the substantial public opposition expressed during the August 18 meeting, I urge the Council to direct staff to follow the minimum requirements of state law and avoid policies that unnecessarily increase neighborhood density. Otherwise, our current single-family home neighborhoods will be destroyed and no longer safe.

Regards,

Katherine Dyer

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FW: October 20, 2026, Item 8.1, City Council Meeting - Staff Interpretation of P-35 Is Illogical

From City Clerk <city.clerk@sanjoseca.gov>
Date Tue 10/13/2026 1:38 PM
To Agendadesk <Agendadesk@sanjoseca.gov>

From: Melissa Abe [REDACTED]
Sent: Tuesday, October 13, 2026 1:29 PM
To: Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>
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Dear Mayor Mahan and City Council Members,

I urge the City Council to revisit and correct the Planning Department's interpretation of Housing Element Program P-35 ("Missing Middle Housing").

P-35 states allowing “...**at least 4 units and up to 10** units in locations throughout the city.”

"The staff has translated this as “... **at least 32 DU/AC units and up to 80 DU/AC throughout the city**" creating outcomes that appear inconsistent with the intent of "missing middle" housing.

Under this interpretation, residential neighborhoods could be assigned densities that equal or exceed those planned for commercial hubs and approach densities reserved for major transit corridors:

- **Neighborhood Villages (commercial hubs):** 20-50 DU/AC
- **P-35 (staff interpretation):** 32-80 DU/AC
- **Urban Residential Corridors (major transit):** 50-95 DU/AC

While the staff settled on 32 DU/AC, their interpretation of P-35 is incorrect. Their interpretation raises several concerns:

- Why should residential neighborhoods start at higher densities than commercial village centers?
- Why should single-family areas be considered for densities approaching those planned for major transit corridors?
- Does converting a 4-10 unit per-lot concept into an 80 DU/AC zoning designation accurately reflect the intent of Program P-35?

And throughout the city does **not necessarily mean every parcel in the city**. Limitations could be applied.

The commitment should be read as "at least 4 units and up to 10 units **per lot**". I respectfully request the Council to direct staff to re-evaluate their interpretation and ensure that Missing Middle policies remain consistent with the scale and intent of "Missing Middle."

Thank you for your consideration.

Sincerely,

Melissa Abe

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FW: October 20, 2026, Item 8.1, City Council Meeting - Staff Interpretation of P-35 Is Illogical"

From City Clerk <city.clerk@sanjoseca.gov>

Date Tue 10/13/2026 4:33 PM

To Agendadesk <Agendadesk@sanjoseca.gov>

From: JANET MAISEN [REDACTED]

Sent: Tuesday, October 13, 2026 4:08 PM

To: Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; [REDACTED]

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Thank you for your consideration.

Sincerely,

Janet Maisen

D2 VEP

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To Agendadesk <Agendadesk@sanjoseca.gov>

From: JANET MAISEN [REDACTED]

Sent: Tuesday, October 13, 2026 4:13 PM

To: Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>

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From City Clerk <city.clerk@sanjoseca.gov>
Date Wed 10/14/2026 7:35 AM
To Agendadesk <Agendadesk@sanjoseca.gov>

From: Angela Elsey [REDACTED]
Sent: Tuesday, October 13, 2026 6:17 PM
To: Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>
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Thank you for your consideration.

Sincerely,

Angela Elsey

[REDACTED]
San Jose CA 95126

Land line: [REDACTED]

Cell: [REDACTED]

Life isn't about waiting for the storm to pass.
It's about learning to dance in the rain.

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