

APPROVED Minutes

4-30-2020

Minutes for the Citizen Task Force on Affordable Housing Meeting

Jas Grewal – Chair

Tracy Martinez – Vice Chair

Karen Lare – Secretary

Dwight Worden and Terry Gaasterland – City Council Liaisons

Shaun McMahon, Joseph Smith, Amanda Lee – City Staff

Task Force Members - Jas Grewal, Tracy Martinez, Karen Lare, Julie Kawasaki, Shirley King, Jill Gartman, Bud Emerson, Don Countryman

Meeting was held via teleconference only. It was recorded and will be posted to the web-site.

1. CALL TO ORDER (3:00pm)

Jas called the meeting to order at 3:06pm

2. ROLL CALL

Bud Emerson and Don Countryman absent for roll-call. Bud joined the meeting at 4:40pm. All else present.

3. APPROVAL OF MINUTES

a. April 16, 2020 Meeting Minutes

Shirley suggested one change to the title for sub-committees. Section 8 last bullet – the title should be Community Assistance Programs – Shaun will make that change.

Karen moves to approve the minutes as amended and Shirley seconds approval. All approved.

4. CITY COUNCIL LIAISON COMMENTS

Dwight Worden – There is a standing housing item on the agenda for the Monday City Council Meeting. Beach update – they (the City) were surprised when the order was lifted and so they discussed timing to re-open beaches and were ready to do it today (Thursday) however, the governor shut down all beaches according to the leaked memo and now the governor has stated that he only intended to close the Orange County beaches so the City Council will be meeting tomorrow to discuss the Del Mar beaches and the opening date.

APPROVED Minutes

Terry Gaasterland - She discussed further the Del Mar beach closure - San Diego County beaches are not open in the usual way. Each City gets to decide how to allow use of beaches. Terry had a discussion with the County health officer to confirm her understanding (Wilma Wooten). Wilma gave her insights on what the data was what they were looking at and her thoughts. Terry felt it was a very worthwhile conversation and helpful.

5. ORAL COMMUNICATIONS (NON-ACTION ITEMS)

None submitted

6. TASK FORCE MEMBER AND STAFF UPDATES

a. Overview of Packet Materials (Staff)

7. ACTION ITEMS:

a. Overview of Methodology Used to Determine Number of Units Analyzed in Draft EIR

Joseph Smith gave the group an update on the timing of the necessary work on the EIR and the Housing Element Plan (Document). The EIR is targeted to go out to the public in mid-May while the Housing Document will continue to evolve into October and at that time it will go to the City Council for them to ultimately determine which projects or processes or policy changes are included in the Housing Document. He further discussed how this EIR was different from a Project EIR and how it will impact the city documents. The EIR for this program is an overarching review document for all areas that could potentially be looked at for the completion of the Housing Element Document and its included items.

He further stated that they are analyzing broad scope and a looking at a picture that may or may not be the Housing Element at the end of the day. What will be included will be determined in October by the City Council. The goal is that the Program EIR will provide decision makers with enough analysis to make an informed decision. They want to be sure that they study the right number of units and the potential placement of those units in the City. They don't want to do to fewer units as they can always be less but if they do not do enough it will be an issue when decisions need to be made.

Joseph clarified that this effort involves both CEQA Law and Housing Law and these two do not always agree. In addition to those two we also have the Coastal Commission Laws. Draft EIR's needs to look at a full range of options. This should not be confused with the Draft Housing Element Document. The EIR is a disclosure document to the City Council and the Public.

Shaun McMahon took over to talk about units and how the numbers have been calculated. There are three categories:

- RHNA
- No net Loss Buffer
- Rollover penalty

We then reviewed each of the categories in detail:

- RHNA number for this cycle = 163
- No net loss buffer – covers us if the city is unable to complete a program within the housing element or if we approve a project with a lower density than what was stated in the document. This is from a law adopted in 2017 and is new to all concerned. If we are required to re-zone and it is in our program then the city must complete it or they have only 180 days to identify alternative sites and re-zone them to meet the requirements. The income category for those units must match. If this gets triggered there can be an impact. In order to cover for this HCD suggests the City analyze a 30% buffer on top of the 163 RHNA units. 30% = 49 units.
- Roll-over or penalty units – we will not completed program #2g from the 5th Housing Cycle for the re-zoning of 2 parcels in the North Commercial zone – also known as the Watermark sites. So we will have these as carryover units. This number is estimated to be from 41-46 units.

So to look at the numbers you must really consider all three categories - 163 (RHNA) + 49 units (buffer) + 41-46 (carryover).

The group had discussion on the numbers. Terry noted that this is the first we were hearing about these additional units for the buffer and for the roll-over as we have not completed fairgrounds projects and the re-zoning of north commercial either. Do we have to take a hit for those as well? The Staff answered that program #2g was the only uncompleted re-zone project the other two had no specific units tied to them. For the zoning changes they believe it will still be completed during this cycle. On the north commercial the number of units are tied to a zone code amendment versus a re-zone of this area. It is a change that will allow additional residential units in this zone. It would allow us to then count those units in the 6th cycle as new units are permitted. On the Fairgrounds that program was not a re-zone either. In order for the City to claim any of the units on the Fairgrounds the State must declare it as excess state property (or as clarified by Dwight later in the meeting the project must be in cooperation with the Fairgrounds). This has not happened. Discussion continued on the definition of the buffer units. This is new to the City Staff as well and they stated they just received this information from HCD in mid-April.

Terry asked additional questions on the SANDAG numbers because the numbers they assigned to us had multipliers in it – she said she would pull her notes from that time. Seems like the numbers were being double counted. Amanda noted that it does not really work that way. We get penalized if you do not complete a re-zone program on time. The No Net Loss Buffer we will have regardless of completion of units in program – the penalty will be there if we don't complete it in the first year unless we can find a different site to re-zone. There are other multipliers in the current number.

APPROVED Minutes

Karen asked about the re-zoning programs and the potential penalties that can be incurred. Amanda clarified that Program #2g was in the 5th program because it was required by the State.

Jas asked about the options for the City in looking at re-zoning programs. Joseph noted that there are a lot of subtle differences in the applicable laws. Time plays into the options that we can put forth.

Jas further asked about what lots are covered under the EIR and was the Zuni lot included. Staff indicated that the Public Facilities parcels are currently being analyzed under a separate EIR which is already in progress (NC/PC Zone Code Amendment).

Shirley asked about the Fairgrounds and its requirement to be considered excess property. Joseph addressed this and Karen asked a follow-up question about the likelihood for this to ever happen. Joseph worked to address this. It has to do with the buckets of how we satisfy our RHNA numbers and explained that although we can't plan for RHNA on the fairgrounds, there is still opportunity for other housing programs. Jas asked a follow-up question and Dwight noted that we can do something cooperatively with the Fairgrounds then it (the Fairgrounds Property) does not have to be declared surplus for it to count. So there is potentially more than one way to have the units count towards the City's numbers.

Discussion continued around what can count and impacts on the EIR and timeline for necessary updates. Jas asked an additional question on the buffer units and the roll-over units - do they have to be affordable or not? Staff answered that they must be the same on the buffer units as what was promised on the project/program not getting done. They are still working on what the number will look like and working with HCD. Jill asked a question about Watermark and how many units it actually had in it as affordable housing? It was discussed and brought up by staff that the City continues to work with HCD to get an answer in writing from them.

b. Task Force Recommendation of Preferred Sites for Study within Draft EIR

The City is looking for Task Force Input and they are taking input received from the housing survey. Joseph discussed how they have gotten feedback and how they are determining what sites should be used and designated as preferred sites for affordable units. He is asking the Task Force to give him our preferred three areas. If we can come to agreement as a group that would be good if not he would like to hear from each of us individually. It was asked if we could wait until next week and Joseph said yes but timing is a challenge for them. After much discussion, it was decided that it will go on next week's agenda and the City Staff agreed to send out the report from the sub-committee on Production and Preservation ahead of the agenda.

c. Ordering of Overarching Housing Plan Goals

Draft Housing plan goals reviewed by City Council at April 26th meeting. Asking Task Force to order these goals. Karen gave her input and Shirley commented on the Short Term Rental, Bud commented on his thoughts (ADUs, Fairgrounds). Tracy also gave input on the Fairgrounds and

APPROVED Minutes

Terry voiced her opinions as did Jas. Shaun was asked to clarify how this would be used and he described that it is organizationally focused and will be used for the Housing Element Report. Additional discussion on how to organize them and also some changes to the wording on the goals. By a show of hands all agreed to Terry's approach to separating the document into two parts thus putting the "Strategy" goals together and the "Active" goals together.

A motion was proposed to " Group together current goals number 1,4 and 6 as an approach "strategy" and group together numbers 2,3,5 and 7 as the "specific" goals. Change verbiage as noted. Bud moves to approve the motion and Tracy seconds. All agreed.

d. Review and Recommendations on 5th Cycle Housing Element Programs to include in 6th Cycle Housing Element

Shaun informed the group that this section of the agenda was continued from our last meeting – see red block for where to start on the document.

It was determined that this will need to be continued at the next meeting as we are short on time.

8. SUBCOMMITTEE REPORT OUTS

a. Communications

Julie noted that they met and discussed providing information to the residents about the housing element specifically about ADUs and re-zoning . They talked about ways to get information out to residents on the web site and the Sandpiper and Del Mar Times as well as the e-mail list. They reviewed the information that was given to the City Council and reached out to the Del Mar Times already. The city funding for any mailings is not available at this time. They are thinking about putting together a Q&A format and posting that. Jill noted that there is a great page already on the web-site on ADUs with a Q&A attached to it. Jas suggested that maybe it could be a part of a weekly e-mail. Amanda mentioned that on May 18th this will be a City Council item. She further noted that the guidance from all sources is very fresh and the web site will be updated soon.

b. Community Assistance

Shirley reported that they had been amassing the resources available to us through Federal and State existing programs. There are quite a few out there that cover these areas. In addition there are County managed resources that include veterans affairs and there are also local level programs available. Quite a few non-profits also engage in these types of programs as does the interfaith community. Developers also have programs that could be looked at. Shirley said they will get us the information when it is in final format.

APPROVED Minutes

c. Preservation / Production of Housing Stock

Tracy – we have completed the report from our sub-committee and it was recently sent to Shaun and to our liaisons. It will be sent out in a few days to the committee and it will also be on the agenda for discussion at the next meeting.

9. ITEMS FOR NEXT AGENDA (4-30-20)

- Discuss Preservation /Production of Housing Stock report
- Terry asked about the ability for the Task Force to continue for another meeting? She asked if the Charter gave any leeway in continuing it if necessary after the last stated meeting (which will be held next week). Joseph noted that the date and timing was built around the EIR going out. The Charter states that it is through the end of May. The group thinks it would be a good idea to add one additional meeting. Discussion about what the agenda will look like for each of the meetings with a focus on the EIR for next meeting

10.ADJOURNMENT

The meeting was adjourned at 5:15pm.