



Chapter 4: Housing Plan



CHAPTER 4: HOUSING PLAN

The Housing Plan describes the City of Del Mar's 6th Cycle 2021-2029 policy program. The Housing Plan describes the specific goals, policies, and programs intended to achieve the long-term housing objectives set forth in the Del Mar Housing Element. This Plan identifies goals, policies, and programs aimed at:

- Providing new types of housing opportunities and additional housing capacity for a greater range of income levels by pursuing development at the State Fairgrounds, promotion of accessory dwelling units (ADUs), and incorporating multiple dwelling unit development within various commercial zones;
- Removing governmental constraints to create new opportunities for affordable housing development through modified regulations, incentives, and streamlining of processes;
- Establishing a regulatory framework that supports the maintenance and improvement of existing housing, including the preservation of affordable housing;
- Providing equal opportunities and access to housing options within the community for residents of all abilities consistent with the City's overall housing policy goal to "Inspire a more diverse, sustainable, and balanced community through implementation of strategies and programs that will result in economically and socially diversified housing choices that preserve and enhance the special character of Del Mar.";
- Providing affordable housing assistance resources and information to residents, property owners, and individuals seeking to remain living in the community or to relocate to Del Mar; and
- Identifying the challenges faced by special needs groups working and/or living within the community and taking actionable steps towards assisting those groups consistent with the City's housing goals.

In developing the goals, policies, and programs in this section, the City considered how to affirmatively further fair housing to create a more diverse, sustainable, and balanced community; the implications of new State law requirements (i.e., required increase in the maximum density allowed in various zones, "by-right" approval processes, density bonuses, and "no net loss"); desired adherence to the existing Community Plan where local control is not preempted; analysis of local constraints and opportunities for affordable housing; recommendations by the 6th Cycle Housing Element Ad-Hoc Citizens' Task Force (Citizens' Task Force); comments received at public meetings and public hearings; examples of certified Housing Elements in other coastal cities; and feedback provided by the California Department of Housing and Community Development (HCD). The goals, policies, and programs contained in the prior 5th Cycle Housing Element have been reintroduced, revised, or eliminated as appropriate.

The Housing Plan chapter of the City's Housing Element identifies the actionable steps the City will take to address the housing issues identified and accommodate the Regional Housing Needs Assessment (RHNA) allocation. The programs contained herein will be evaluated as part of the City's required Annual Progress Reports (APRs), which are provided to HCD as a way of measuring the City's progress in accomplishing its goals.

REGIONAL HOUSING NEEDS ASSESSMENT

The San Diego Association of Governments (SANDAG) has allocated the following RHNA to the City of Del Mar for the 2021-2029 Housing Cycle. This RHNA represents the City's fair share of the housing needs for the San Diego region, including an equitable share of affordable housing. The ranges for each income

category (as shown below) are based on percentages of the 2019 Area Median Income (AMI) for San Diego County, which is \$86,300 for a hypothetical family of four. The City's 2021-2029 allocated RHNA growth need plus estimated 5th Cycle carryover is as follows:

- 37 units - Very low income (0-30% and 0-50% County AMI)
- 76 units - Low income (51-80% of County AMI)
- 6th Cycle Allocation: 64 Units
- 5th Cycle Carryover: 12 Units (estimated carryover)
- 31 units - Moderate income (81-120% of County AMI)
- 31 units - Above moderate income (>120% of County AMI)
- 175 units - Total

The following Housing Goals Section identifies the general approach the City will use to accommodate its share of regional housing needs for the 2021-2029 Housing Element Planning Period. The list of housing goals is followed by a more detailed description of the policies that will be considered and applied through the City's decision-making process when the housing programs are implemented in compliance with State law.

A. HOUSING GOALS

The City's overall housing policy goal is to *"Inspire a more diverse, sustainable, and balanced community through implementation of strategies and programs that will result in economically and socially diversified housing choices that preserve and enhance the special character of Del Mar."*

To achieve this overall housing goal a number of specific housing goals have been identified.

Housing Goal #1: Facilitate a Variety of Housing Strategies to Meet Housing Element Production Targets in a Way That Complements the Existing Character of the Community.

Housing Goal #2: Prioritize Production of Accessory Dwelling Units (ADUs).

Housing Goal #3: Vigorously Pursue Housing Opportunities on 22nd District Agricultural Association Property (State Fairgrounds).

Housing Goal #4: Provide an Economically and Socially Diverse Balance of Housing Options that are Affordable for a Variety of Income Levels and Housing Needs.

Housing Goal #5: Improve and Preserve the Community's Existing Housing Stock.

Housing Goal #6: Ensure a Sustainable Approach to New Housing Opportunities that Protects the Quality of Life and Future of Del Mar.

Housing Goal #7: Promote Housing Resources and Assistance Opportunities.

The housing goals are further described below in the context of accompanying policies and programs that will be implemented to achieve them.

B. HOUSING POLICIES AND PROGRAMS

In adopting the updated Housing Element, the City worked diligently with the community, local decision-makers, and the Citizens' Task Force to meet the new requirements of State housing law while applying the core values as established in the City's Community Plan to maintain quality of life and preserve and enhance the special character of Del Mar. In developing the Housing Policies and Programs found within this section, the City reviewed and implemented housing programs that address the significant changes in State housing laws and the City's past performance of generating affordable housing over its prior Housing Elements. Concerted effort was put in by the City Council and the Citizens' Task Force to aid in the development of a Housing Plan, including policies and programs that will incentivize and promote affordable housing in a method that enhances Del Mar's community character.

Each Housing Element Program was selected based on its potential to meet the City's seven stated housing goals and the City's assigned RHNA. Programs were organized according to the most relevant housing goal each would address. Some housing programs will involve ongoing actions throughout the planning period, while others have specific deadlines that will require certain actions be completed early in the housing cycle in order to meet various State law requirements. The following Table lists all 45 Housing Programs in the 6th Cycle Housing Element and the general timing for each:

	Program (and time frame)	Action
1	1A North Commercial (Completed June 2022)	Completed Coastal Commission certification of local approvals gained during 5 th Cycle to allow 20 du/ac on select parcels (ordinance/LCPA)
2	1B Professional Commercial (Completed June 2022)	Completed Coastal Commission certification of local approvals gained during 5 th Cycle to allow 20 du/ac (ordinance/LCPA)
3	1C Central Commercial (by April 2024)	Ordinance to amend the CC Zone to allow 20 du/ac by April 2024 (plan amendment and ordinance/LCPA)
4	1D Economic Study and Affordable Housing Overlay Zone (Completed Economic study January 2023; overlay by December 2025)	Use findings of Program 1K economic study and zoning assessment to evaluate whether to create overlay zone. Involves coordination with stakeholders (hotels, Plaza, multi-dwelling in RM zones), and present findings to City Council. If City has not secured at least 30 affordable units by April 2025 must proceed with overlay zone. (economic study; potential ordinance/LCPA)
5	1E Rezone of Vacant Land on North Bluff/South Stratford Properties (This contingency program is required only if Program 3A is not timely implemented by April 2024)	If City is unable to timely reach agreement with State, then must implement rezone by April 2024 to 20-25 du/ac by right via overlay zone to create capacity for at least 54 lower income units. (potential plan amendment, ordinance/LCPA)
6	1F Manufactured Housing (by December 2023)	Update needed per State law (ordinance/LCPA)
7	1G Density Bonus	Update needed per State law (ordinance/LCPA)

	(Consultant by December 2023; Ordinance by June 2024)	
8	1H Public Facilities Zone (by April 2024)	City Council adopted clean-up Rezone/LCPA for 28 th Street lot January 2023. Ordinance to amend PF zone by April 2024 to explicitly allow residential as primary use to accommodate affordable housing. (ordinance/LCPAs)
9	1I Streamlining and Incentives for Affordable Housing (Completed economic study/zoning assessment January 2023; Ordinance/LCPA by December 2023)	Completed economic study and zoning assessment January 2023. Use findings of studies to prepare and process ordinance that will facilitate affordable housing by modifying, reducing, or removing constraints as applicable. (Ordinance/LCPA)
10	1J Establish Program for Coordination with Affordable Housing Developers (Completed by December 2022)	Establish new program for regular outreach with San Diego Housing Federation and affordable housing developers. Use for mutual benefit to gain insight towards development of realistic strategies to facilitate affordable housing, including strategies that can work at the Fairgrounds. Coincide initial outreach with economic study for Programs 1D, 1I, 2A, 3A, and 3B (outreach/meetings)
11	1K Infill Affordable Housing on Non-Vacant and Small Sites (Completed January 2023)	Completed Phase II economic study and zoning assessment of privately-owned sites to evaluate existing regulations and development standards and identify potential changes to modify, reduce, and/or remove constraints to affordable housing. (Economic study/zoning assessment)
12	2A Extend and Enhance ADU Pilot Program - Incentive Program (Completed Ordinance to extend program May 2022; completed studies January 2023; Ordinance to add incentives/modify program by December 2023)	Completed extension of the current incentive program May 2022. Completed economic study and zoning assessment January 2023. Process ordinance to incorporate program modifications to increase participation. (Ordinance to add incentives/modify program)
13	2B ADU Amnesty Program (by December 2023)	Establish ADU Amnesty Program to allow owners with unpermitted ADUs to legalize the ADUs so that the City can count them toward its inventory (ordinance)
14	2C Promotion of Deed-Restricted Low Income ADUs (by December 2023)	Develop outreach materials to promote deed restricted low income ADUs with goal to reach at least 15 low income ADUs to meet RHNA (web update/outreach)
15	2D Tracking of ADU Progress (ongoing annual actions)	This is done as part of Annual Progress Reports (spreadsheet tracking & reports to Council)
16	2E Mid Cycle ADU Production Evaluation (by April 2025)	Process additional amendments if needed to spur production of ADUs for low-income households (spreadsheet tracking & potential ordinance)

17	2F Tiny Houses (by December 2023)	Process ordinance to clarify tiny houses are allowed per ADU regulations and identify additional circumstances where tiny houses can be allowed. (ordinance/LCPA)
18	3A Agreement with State to Build Affordable Housing Units on State Fairgrounds property (Completed Economic study/Assessment in June 2022; executed consulting services agreement in July 2022; Binding agreement with State by April 2024)	Completed Phase I economic study of market conditions, assessment of multi-unit product types, and identification of potential funding sources for affordable housing on State Fairgrounds June 2022. Executed agreement with affordable housing consultant in July 2022. Initiated process to secure agreement with 22nd District Agricultural Association (DAA). Binding agreement with the State due by April 2024 or contingency rezone (Program 1E) will be required. (agreement)
19	3B Feasibility/Suitability of Affordable Housing on Publicly Owned Sites (Completed studies June 2022; various steps to facilitate development of City-owned sites by 2027)	Completed Phase I studies of three publicly owned sites in the sites inventory including the State Fairgrounds and two City-owned vacant lots on 10 th Street and 28 th Street. Prepared site-specific concepts for multi-unit product types that are eligible for tax credit programs, estimated costs, and identified potential funding sources for development of affordable housing. (Economic study/zoning assessment and steps to develop City-owned sites)
20	4A Residential Care Facilities (Consultant by December 2023; Ordinance by December 2024)	Process ordinance for compliance with State law (ordinance/LCPA)
21	4B Emergency Shelters, Transitional Housing and Supportive Housing, and Low Barrier Navigation Centers (Consultant by December 2023; Ordinance by December 2024)	Process ordinance for compliance with State law. Develop procedures to connect public with resources. (ordinance/LCPA and policy/procedures)
22	4C Shared Housing Program (ongoing)	Continue to offer shared housing program/free roommate referral services via Del Mar Community Connections (outreach)
23	4D Inclusionary Housing Ordinance (Consultant by December 2023; Ordinance by June 2024)	Process amendments for compliance with State law (ordinance)
24	4E Condominium Conversions (Consultant by December 2023; Ordinance by June 2024)	Continue to implement existing processing requirements of Subdivision Map Act and mitigation requirements per DMMC 24.21.025 (publish procedure/amend ordinance with Program 4D)
25	5A Expand Allowance for Renovation and Improvement of existing Multi-Unit Structures with Non-Conformities (by December 2023)	Expand existing allowance for retention of non-conforming structures with three or more units to renovate and make improvements to these existing multiple dwelling unit structures and allow them to expand as necessary to accommodate development

		of lower income units on-site. Monitor the number of projects that utilize this program and identify the number of units conserved or rehabilitated where applicable. (ordinance and procedure)
26	5B Require Housing Impact Statement in Reports (Completed February 2022)	Adopted City Council policy (policy/procedure)
27	5C Preserve Existing Housing Stock/Short Term Rental Controls (Ordinance by December 2024)	Initiated data collection for ordinance January 2023. Continue to establish policies and programs that more effectively address regulations for short term rentals as a means to preserve long term housing stock. (ordinance/LCPA)
28	6A SB 35 Streamlining – Notice of State Law Exemption for Coastal Cities (Completed January 2022)	Posted notice to the public on web page that the City of Del Mar is a coastal city that is exempt from SB 35.
29	6B Affirmatively Furthering Fair Housing per AB 686 (ongoing annual commitments and actions for completion by June 2023 and December 2023)	Participate in regional efforts, publish fair housing materials, City staff fair housing training by December 2023 and annually thereafter, partner with organizations to review and refer 100% of discrimination complaints, conduct public education and outreach, Environmental Justice Element by June 2023, and implement new beach parking pass program (free parking) for lower income households by June 2023. (outreach and funding)
30	6C Continue Data Collection and Compliance with the Coastal Act and Housing Element-Related Requirements applicable to the Coastal Zone, including State-Mandated Accommodation of Housing Development Capacity (ongoing annual reporting requirements)	Continue to collect data and maintain records regarding affordability. Work with the Coastal Commission and HCD to “harmonize” the Coastal Act and State Housing laws and identify a strategy to best accommodate future development capacity as assigned to the City for the 6th Cycle. (spreadsheet tracking and annual reports)
31	6D Solar Panel Installation Partnership (by December 2024)	Partner with Renewable Cities San Diego to install solar on housing for lower income households (resolution)
32	6E Environmental Justice Element (by June 2023)	Process Community Plan Amendment to establish policies to reduce community health risks and address Affirmatively Furthering Fair Housing Issues per Assembly Bill (AB) 686. (General Plan Amendment)
33	6F Vote Threshold for Housing-Related General Plan Amendment (ongoing)	Determined local vote threshold for super majority (instead of simple majority) is not an impediment. Will involve ongoing consultation with City Attorney to ensure no actual conflict with State law.

34	6G Objective Design Standards (Consultant selection by July 2023; Ordinance by June 2024)	Prepare and process objective design standards for housing that is eligible for by-right processing (ordinance)
35	6H Safety Element (by June 2023)	Process Community Plan Amendment to update the existing Safety Element. Coordinate with CalFire and State Board of Forestry. (General Plan Amendment)
36	7A Housing Funding Resources Including Housing Assistance and Housing Reserve Funds (ongoing)	Continue to make funds accrued in the Housing Assistance Reserve fund available for affordable housing. Ensure that the funds remain available for at least four lower income households via rental subsidy and/or for new affordable housing (i.e., for the acquisition of land and construction of affordable units to be made available for individuals or families of extremely low, very low or low-income levels). (annual report to City Council with budget)
37	7B Interfaith Partnership Opportunities (ongoing)	Continue to encourage inter-faith shelter network rotating shelter and St. Peter's Helping Hands (annual report to City Council with budget)
38	7C Resources for Persons with Disabilities (ongoing)	Publish a resource list of programs and opportunities for persons with disabilities (updated list to be published within 3-6 months of ordinances processed per Programs 4A and 4B)
39	7D Housing Choice Voucher Program (ongoing)	Contract with the County of San Diego for Housing Choice Voucher Program (resolution to process contract)
40	7E Fee Waiver Program (ongoing)	Continue the fee waiver program (resolution to extend fee waiver if needed)
41	7F Monitor and Respond to Complaints of Constraints to Housing for Lower Income Households and Persons with Disabilities (ongoing)	Monitor and respond to complaints of constraints to housing for lower income households and persons with disabilities such as impediments to maintenance, improvement, or development of such housing. Continue to work with local non-profits to connect people with assistance and resources. (annual report to City Council with budget)
42	7G Senior Housing Resources and Assistance (ongoing)	Continue to partner with Del Mar Community Connections (resolution to extend contract)
43	7H Student Housing Resources and Assistance (ongoing)	Connect students with affordable housing options in Del Mar, including ADUs (outreach/resource list)
44	7I Database of Community Assistance Programs (ongoing)	Maintain list of community assistance programs (resource list)
45	7J Efforts to Reduce Homelessness (ongoing)	Continue to collaborate with San Diego Regional Task Force on Homelessness (RTFH) including

	<p>point in time counts and other partnership opportunities. Connect individuals and businesses seeking available services to address homelessness including coordination with the County-sponsored outreach worker for Del Mar, County's Mobile Crisis Response team (MCRT) and the Sheriff's Department Crime Prevention team. Adopt a City Council Resolution in support of Senate Bill 1338 (completed June 2022).</p>
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More specific detail for each of the 45 Housing programs is provided within the following seven subsections, which are organized according to the corresponding housing goals that each respective Housing Program is intended to address. Each subsection identifies an overall housing goal, the policies that support that goal, and actions in the form of programs that the City will take to ultimately achieve those goals. For each individual Housing Element program, additional detail is provided to explain the purpose and intent of the program, timeframe, responsible agency, funding sources, and the projected RHNA accommodation as applicable.

The City of Del Mar is the responsible agency for implementation of the Housing Element. However, some housing programs will require approvals by various State agencies in addition to the necessary local legislative approvals. Programs that are intended to increase the capacity for future development of housing units or that will result in the direct development of housing units have a projected RHNA allocation goal expressed as a number of projected dwelling units. While these numbers outline the City's anticipated method of achieving its housing goals, the City is only required to accommodate development of the required number of units to meet its assigned RHNA. Actual implementation and development of units throughout the planning period may differ from what is shown, as long as the City creates the environment for these units to be developed.

Housing Goal #1:
Facilitate a Variety of Housing Strategies to Meet Housing Element Production Targets in a Way That Complements the Existing Character of the Community.

Housing Policy 1.1: Identify adequate sites through the production of new housing and accessory dwelling units to accommodate Regional Housing Needs Assessment (RHNA) growth needs during the 6th Cycle 2021-2029 planning period.

Housing Policy 1.2: Promote revitalization and rehabilitation of residential dwellings.

Housing Policy 1.3: Promote proactive, preventative maintenance of the existing housing stock.

Housing Policy 1.4: Encourage neighborhood and local participation to enhance neighborhood preservation, maintenance, and improvement.

Housing Policy 1.5: Preserve existing character and quality of established residential neighborhoods.

IMPLEMENTING PROGRAMS:

Housing Program 1A: North Commercial Zone Amendments

The City Council adopted amendments to the North Commercial Zone on October 19, 2020, during the 5th Cycle, which amended the Del Mar Municipal Code and Local Coastal Program to create adequate sites for the 6th Cycle that will allow residential development as a permitted use at a density of up to 20 dwelling units per acre (du/ac) as part of residential or mixed-use development. The Ordinance is subject to certification by the Coastal Commission in order to take effect. The City will obtain final certification by the Coastal Commission by June 2022. The NC zone applies to 16 parcels located along Jimmy Durante Boulevard and San Dieguito Drive, north of the Village Commercial District/Central Commercial (CC) zone, and just south of the State Fairgrounds. This program will confirm State Coastal Commission approval of previously adopted adequate sites that allow 20 du/ac for affordable housing for lower income households on seven of the 16 parcels in the NC zone. The remaining nine parcels in the NC zone include two parcels (APNs 299-100-47 and 299-100-48) that were rezoned during the 5th Cycle to allow 20-25 du/ac per 5th Cycle Program 2G and Government Code Section 65583.2(h) and (i) as 5th Cycle adequate sites; and an additional seven parcels that are infeasible for housing development. The City identified APNs 299-071-07, 299-071-06, 299-100-27, 299-100-28, 299-100-30, and 299-100-49 as adequate sites for the 6th Cycle that can accommodate 22 lower income RHNA units. An additional 10 lower income units, including low, very low, and extremely low-income units, are anticipated on APNs 299-100-47 and 299-100-48 pursuant to an active development permit application that will address additional 5th Cycle carryover units in the NC Zone.

Timeframe: May 2022 City Council final action; Coastal Commission final certification by June 2022 (action completed June 2022).

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: Department Budget (prior funding provided from City General Fund)

Projected RHNA Accommodation: 22 lower income dwelling units

Housing Program 1B: Professional Commercial Zone Amendments

The City Council adopted amendments to the Professional Commercial Zone on September 18, 2020, during the 5th Cycle, which amended the Del Mar Municipal Code and Local Coastal Program to create adequate sites for the 6th Cycle that will allow residential development as a permitted use at a density of up to 20 dwelling units per acre (du/ac) as part of residential or mixed-use development. The Ordinance is subject to certification by the Coastal Commission in order to take effect. The City will obtain final certification by the Coastal Commission by June 2022. The PC zone is centrally located and applies to four properties in an existing developed commercial office area along Camino del Mar just south of the Village Commercial District/Central Commercial (CC) zone. This program will confirm State Coastal Commission approval of previously adopted adequate sites that allow 20 du/ac for affordable housing for lower income households. The City identified APNs 300-222-33 and 300-222-31 as adequate sites for the 6th Cycle that can accommodate 3 lower income RHNA units.

Timeframe: May 2022 City Council final action; Coastal Commission final certification by June 2022 (action completed June 2022).

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: Department Budget (prior funding provided from City General Fund)

Projected RHNA Accommodation: 3 lower income units

Housing Program 1C: Central Commercial Zone Amendments

By April 2024, the City will amend the Community Plan, the Del Mar Municipal Code, and Local Coastal Program for the Central Commercial (CC) Zone to allow residential development as a permitted use at a density up to 20 du/ac as part of mixed-use projects for projects that include an affordable housing component. The CC zone is centrally located in the heart of downtown along Camino del Mar and applies to 59 parcels, two of which are vacant (south of City Hall). This zone currently allows only one dwelling unit per lot and does not allow residential as an allowed primary use. The proposed density change will create new opportunities for lower income dwelling units to be created via new multiple dwelling unit development. Further analysis of development capacity will occur when the associated ordinance is prepared and processed. Currently, the residential portion of mixed-use projects would be required to comply with the City's allowable uses in street frontage building spaces (horizontal zoning) requirements per DMMC Section 30.22.030 to maintain active commercial uses along the street front that maintain a pedestrian orientation and preserve the existing character of the downtown village. None of the CC Zone sites have been relied upon as adequate sites for the 6th Cycle.

Timeframe: Ordinance by April 2024

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: General Plan/6th Cycle Zoning Programs (FY23)

Housing Program 1D: Economic Study and Affordable Housing Overlay Zone

The City will conduct an economic study and zoning assessment and evaluate whether to create an Affordable Housing Overlay Zone as a strategy to encourage property owners of selected properties to pursue permit applications to accommodate dwelling units for lower income households on their respective properties.

As part of the evaluation, the City will:

- Consider locations where there is a demand for affordable housing based on existing employment land uses (e.g., commercial zones, Del Mar Plaza Specific Plan, hotel properties, properties with 16 or more units in multiple-dwelling unit buildings, and properties on or adjacent to City facilities);
- Conduct an economic study and zoning assessment to assess whether it is feasible to expect the private market to develop affordable housing on these sites based on existing market conditions;
- Identify existing barriers or limitations that should be considered (i.e. height, floor area ratio (FAR), setbacks, lot coverage, parking) as incentives or regulatory concessions to facilitate production of affordable units;

- Solicit interest from property owners and input from stakeholders;
- Present the findings in a public meeting of the City Council; and
- If the City has not secured agreements for or produced at least 30 affordable units (units that are income restricted for lower income households) by April 2025, the City will prepare amendments and proceed with the process to amend the Del Mar Municipal Code and Local Coastal Program. To implement the new overlay zone, a rezoning action will be processed to apply an Affordable Housing Overlay to certain properties as necessary to create adequate sites and increase feasibility for development of units for lower income households.

Timeframe: Completed economic study December 2022; Overlay Zone Ordinance by December 2025

Responsible Agency: City of Del Mar, Planning and Community Development and potentially California Coastal Commission if new Overlay Zone and Rezone actions are needed

Funding Sources: General Fund/Economic Study of Affordable Housing Incentives (FY22 & 23) and Cycle 1 Housing Assistance Program (HAP) Grant Funds; target FY24 & 25 if needed

Housing Program 1E: Rezone of Vacant North Bluff and/or South Stratford Properties (This contingency program is required only if Program 3A is not timely implemented)

The Housing Element proposes to develop at least 54 affordable units on the State Fairgrounds property through a binding agreement with the State (**Program 3A**). By April 2024, the City must either achieve a binding agreement or implement this rezone program. For this rezone program, the City Council will take action to consider which sites to rezone (of the nine total sites listed in Program 1E) as needed to address the deficit of 54 lower income affordable units. The rezone action would be addressed by applying the Housing Element Implementation Overlay Zone to accommodate development of housing at 20-25 dwelling units per acre “by right” per Government Code Sections 65583.2(h) and (i). The rezone action will apply to as many of the nine candidate sites on the North Bluff and/or South Stratford as necessary to demonstrate sufficient capacity to meet the City’s RHNA for lower income units. Implementation of this contingency program is anticipated to address the City’s RHNA and fair housing needs for extremely low-income households in a manner that will integrate lower income units into the overall development and demonstrate connectedness to the greater City of Del Mar community.

Timeframe: By April 2024, the City must either achieve a binding agreement or implement this rezone program. Timely implementation of **Program 3A** (Fairgrounds Housing) by April 2024 will release the City of the requirement to carry out the **Program 1E** contingency rezone.

Responsible Agency: City of Del Mar, State of California General Services Department, 22nd District Agricultural Association, and California Coastal Commission

Funding Sources: City General Fund (target FY23 & 24)

Projected RHNA Accommodation: 54 lower income dwelling units, including extremely low-income units

Housing Program 1F: Manufactured Housing

State law (Government Code Section 65852.3) requires that the Del Mar Municipal Code allow manufactured housing on a foundation in the same manner and in the same zone that conventional

structures are permitted. Specifically, manufactured homes should only be subject to the same development standards that a conventional single dwelling unit use would be subject to. The City of Del Mar complies with this law. However, to explicitly demonstrate compliance, the City will amend the Del Mar Municipal Code by ordinance to define manufactured housing and mobile homes consistent with State law to make it clear that manufactured homes on a foundation are to be processed the same as the process applicable to a conventional single dwelling unit in the same zone.

Timeframe: Ordinance by December 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: City General Fund/Housing State Law Alignment Package 1 (FY22 & 23)

Housing Program 1G: Update Density Bonus Ordinance

Government Code Section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State law imposes density bonus requirements on local jurisdictions. The Density Bonus law allows an increase in the total number of units permitted on a lot, above the baseline number of units permitted per the applicable zone, in exchange for the provision of more affordable housing units (units that are income restricted for lower income households) in the “bonus project” than would otherwise be required. The City’s Municipal Code identifies the purpose of the Density Bonus Ordinance as a method to increase the production of housing for a wide range of residential needs in the community, including housing for extremely low, very-low, low- and moderate-income households and for seniors; as well as, accommodate a wide range of housing consistent with the goals, objectives, and policies expressed by the City in the Del Mar Community Plan.

Density Bonus law provides for eligible projects to request waivers, incentives and concessions as needed to make the project economically feasible. Waivers are modifications of volumetric requirements that can be requested to physically accommodate increased density (i.e., height and floor area ratio). The requested waiver cannot exceed what is necessary to accommodate the bonus. In addition, developers of a density bonus project can receive development incentives or concessions, such as:

- Expedited processing of the project application(s) through the Del Mar review processes.
- A reduction of the Del Mar project application review/processing fees at a reduction percentage commensurate with the percentage of affordable units included in the project.
- Approval of mixed-use zoning in conjunction with the housing project if the City Council, in its review of a proposed Density Bonus Project, determines that inclusion of the commercial, office, industrial, or other land uses would result in identifiable, sufficient, and actual cost reductions that would make it financially feasible for the applicant to construct a Density Bonus Project with restricted housing units and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the project will be located.
- Any other regulatory incentive which the City Council, in its review of a proposed Density Bonus Project, determines would result in identifiable, sufficient, and actual cost reductions that would make it financially feasible for the applicant to construct a Density Bonus Project with restricted housing units provided at the density and rental/sales affordability rates specified in the City of Del Mar Municipal Code.

State law requires the City to provide concessions, depending upon the percentage of affordable units the developer provides. Full details of concession/incentive application requirements will be set forth in the amended Chapter 30.90 of the Del Mar Municipal Code (DMMC). It should be noted that any density bonus provisions, concessions or incentives must be administered within the Coastal Zone in a manner that is consistent with the California Coastal Act.

The City's Density Bonus Ordinance will be subject to certification by the Coastal Commission. Future multiple dwelling unit housing development will be processed through a staff-level Coastal Development Permit approval process pursuant to the amended local Ordinance and State density bonus law. Those permit decisions will be appealable to the Coastal Commission where housing is proposed on sites located within the Coastal Zone appealable area.

DMMC Title 24 describes the affordable housing mitigation requirements currently in place relating to the conversion and new construction of condominiums, stock cooperatives, or community apartment units. Depending on the number of units proposed to be converted or developed, as many as 20% of the total number of units must be set aside or donated off-site and be made available at rates affordable to lower income households.

The City commits to continue to review and approve requests under State Density Bonus law (including requests for incentives, concessions, waivers, and parking reductions) so that projects that qualify are not prevented from developing at the densities to which they are entitled. AB 2797 (Bloom) requires the density bonus to be administered in the Coastal Zone in a manner that is consistent and harmonized with the California Coastal Act. At the same time, the City is still required to apply current State law regardless of when the local amendments are adopted.

Timeframe: Consultant contract by December 2023; Ordinance by June 2024

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: City General Fund/Housing State Law Alignment Package 1 (FY22 & 23)

Housing Program 1H: Public Facilities Zoning Amendments

Within 36 months of City Council adoption of the Housing Element, the City will amend the Public Facilities (PF) Zone in the Del Mar Municipal Code and Local Coastal Program to specify that residential development for affordable housing is an allowed use. The PF zone applies to City-owned properties, many of which were identified by the 6th Cycle Housing Element Ad-Hoc Citizens' Task Force as potential housing sites. This zone currently does not list residential as an allowed primary use in the Del Mar Municipal Code or Local Coastal Program. An amendment to the Community Plan would not be necessary.

The change in allowed uses would facilitate the processing of future affordable housing projects in the PF Zone as needed to meet the City's unmet RHNA obligation. Two vacant City-owned lots are identified as candidate sites for lower income units. Both vacant lots are City-owned, developable, controlled by the City, and have not been identified as surplus property. See Program 3B for additional steps to develop these sites by 2027.

One City-owned, vacant lot in the PF zone is on 10th Street (APN 300-093-17). It is an available expansion lot within the overall City Hall/Civic Center complex that was identified in the Housing Element as an adequate site for lower income units.

The second City-owned, vacant lot identified as an adequate site for lower income units is the vacant lot on 28th Street (APN 299-030-12). This lot is technically located in the RM-East zone, but is designated a public facility in the Community Plan pursuant to a General Plan Amendment adopted by Resolution No. 97-42 on September 15, 1997. On October 6, 1997, the City Council also adopted a corresponding rezone of this parcel from RM-East to the PF Zone. However, the rezone ordinance (Ordinance No. 689) was not certified by the Coastal Commission and was not reflected on the Local Coastal Program Zoning Map that was certified by the Coastal Commission on September 11, 2001. The City is in process of bringing forward clean-up actions adopted by the City Council in January 2023. Coastal Commission certification is required for the rezone to PF to become effective. Regardless, it should be noted that the existing RM-East zoning currently allows for residential development at that location and is planned to continue to allow residential at that location via the zone code amendment per Program 1H.

The Shores Park facility, including the Shores Park lots located along 9th Street, is public park land within the PF Zone that shall be excluded from consideration as potential sites for housing. This exclusion shall be noted as part of the zoning ordinance processed for Program 1H.

Timeframe: Adopted the 28th Street lot rezone clean-up ordinance January 2023 with Coastal Commission certification by December 2023; PF zone code amendment ordinance ~~and opportunities for partnership~~ by April 2024

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments and California Coastal Commission

Funding Sources: 6th Cycle Zoning Programs/City General Fund (FY23)

Projected RHNA Accommodation: 4 lower income units (City Hall expansion lot – APN 300-093-17); and additional 3 lower income units (City-owned 28th Street lot - APN 299-030-12)

Housing Program 1I: Establish Streamlining and Incentives for Affordable Housing

This program will evaluate the City's current applicable regulatory provisions for residential development in the City's Municipal Code and identify any potential constraints to the development of affordable housing. If any potential constraints are identified, the City will employ additional regulatory considerations to modify, reduce or remove identified constraints that may inhibit the production of affordable housing in Del Mar. Results of implementing this program may include but are not limited to consolidated permit processing, entitlement exemptions, streamlined review processes, fee subsidies and/or payment deferrals, or other methods deemed appropriate to support the accommodation future affordable housing units. The program will also explore potential site-specific incentives to facilitate production of lower income units (i.e., incentives for projects to implement affordable units per the Housing Element, that provide a greater number of affordable housing units than designated for the site, or to facilitate production on additional opportunity sites.

The economic study and zoning assessment was completed in January 2023. The findings of the consultant studies will be considered for preparation of an ordinance. Consideration will also be given to

recommendations that were previously provided by property owners of various candidate sites. This includes recommendations from owners in the NC and PC Zones who submitted correspondence in 2019 requesting that the City modify the development standards in order to incentivize and facilitate construction of housing units. The types of incentives requested included a request for no Conditional Use Permits to be required, a request for reduced parking, a request to modify where height is measured from in the Floodplain Overlay Zone, and a request to evaluate an increase in FAR to allow for mixed use and residential development. Property owners in the PC and CC zones have also expressed that limits on the number of stories and the one-story height limit on the west side of Camino del Mar significantly limit the potential for affordable housing to be developed, which will be explored as part of this housing program. Further, because a small portion of the candidate housing sites are non-vacant or below one half an acre in size, the ordinance will also explore methods to promote incentives such as lot consolidation or accommodation of commercial development to facilitate use of these sites for affordable housing development.

By December 2023, an ordinance will be processed to make incentives available to facilitate affordable housing. Annual monitoring will occur to measure the City's progress towards its RHNA goals for productions of lower income units. If the City has not secured agreements for or produced at least 30 affordable units (deed restricted for lower income households) by April 2025, the City will take action to make additional incentives available to projects with affordable housing, including but not limited to processing of actions to implement a new Affordable Housing Overlay Zone to better connect opportunity sites with incentives per **Program 1D**.

Timeframe: Completed economic study January 2023; Ordinance by December 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: City General Fund/Economic Study of Affordable Housing Incentives (FY22 & 23) and Cycle 1 Housing Acceleration Program (HAP) Grant Funds

Housing Program 1J: Establish Program for Coordination with Affordable Housing Developers

The City will establish a program to proactively and regularly reach out to the San Diego Housing Federation and affordable housing developers. The intent of this program is to engage stakeholders with experience developing affordable housing in a way that can be mutually beneficial. This will enable the City to gain needed insight towards development of realistic strategies and incentives to create affordable housing, including potential opportunities at the State Fairgrounds, and will establish a system of regular communication and public outreach with interested affordable housing developers to help connect them with information on the latest incentives and resources available for projects proposing affordable housing.

Timeframe: By January 2023 for initial establishment of outreach program to coincide with economic study

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: City General Fund/Economic Study of Affordable Housing Incentives FY22 & 23 and Cycle 1 Housing Acceleration Program (HAP) Grant Funds

Housing Program 1K: Infill Affordable Housing on Non-Vacant and Small Sites

In January 2023, the City completed a Phase II economic study and zoning assessment of privately-owned sites in the sites inventory and additional opportunity sites (**Programs 1C, 1D, 1I**). The studies evaluated existing regulations and development standards and identified potential changes to modify, reduce, and/or remove constraints as necessary to facilitate affordable housing on non-vacant sites and small sites and additional opportunity sites. The studies identified site concepts and demonstrated site feasibility including financial feasibility (i.e., residual value outcome exceeding comparable land sales) to encourage owners to pursue affordable housing development.

Timeframe: Completed Phase II economic study and zoning assessment in January 2023; process ordinance(s) per timelines in **Program 1I** by December 2023 and **Program 1D** by December 2025

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: City General Fund/Economic Study of Affordable Housing Incentives FY22 & 23 and Cycle 1 Housing Acceleration Program (HAP) Grant Funds

Housing Goal #2:
Prioritize Production of Accessory Dwelling Units (ADUs).

Housing Policy 2.1: Promote programs and policies that encourage and facilitate Accessory Dwelling Unit production.

Housing Policy 2.2: Promote Accessory Dwelling Units and Junior Accessory Dwelling Units as a readily achievable method for creating affordable housing opportunities in Del Mar.

Housing Policy 2.3: Encourage the rental of Accessory Dwelling Units to provide a source of income for current property owners and meet the City’s housing needs for this type of rental unit.

Housing Policy 2.4: Promote design and development standards for Accessory Dwelling Units that preserve and enhance neighborhood character while satisfying State law.

Housing Policy 2.5: Promote programs and policies that streamline and incentivize Accessory Dwelling Unit production.

Housing Policy 2.6: Create programs which facilitate and incentivize the development of Accessory Dwelling Units with associated affordability deed-restrictions.

Housing Policy 2.7: Create a program that allows property owners with existing unpermitted Accessory Dwelling Units to bring these units into compliance and add them to the Del Mar housing stock.

Housing Policy 2.8: Promote the development of “Tiny Houses”.

IMPLEMENTING PROGRAMS:

Housing Program 2A: Extend and Enhance the City’s Existing Accessory Dwelling Unit Incentive Pilot Program

The City will expand efforts to further enhance and expand participation in the program. Currently, the program grants a 500 square foot floor area ratio (FAR) bonus in exchange for a 30-year affordable Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (Jr ADU). The 500 square foot FAR bonus is subject to discretionary permit approval in order to be developed. The FAR bonus is intended for the primary structure and an ADU or Jr ADU is exempt from FAR including the 500 square foot bonus. The program is set to expire in May 2022 unless extended by the City Council. This program would specifically target the production of affordable units to accommodate RHNA growth need. The City will proactively outreach to property owners in Del Mar to provide greater awareness of program components by utilizing a variety of print and electronic media. This program will involve multiple actions, including processing of an extension to the existing incentive program by May 2022.

Additionally, the City will evaluate the ADU incentive program to explore additional incentives and/or program components that will further support the development ADU’s and Jr ADU’s in City. The City will undertake an economic study and zoning assessment to understand the market and comparative financial cost-benefit impact in various contexts including single dwelling unit, multiple dwelling units, or mixed-use development. This information will be used to help the City explore various options for additional incentives that could be offered to encourage greater participation in the program as necessary to generate at least 15 deed-restricted low income ADUs by April 2029. The exploration and determination incentives will be done in conjunction with the economic study and zoning assessment for **Program 1I** and in consideration of other ADU policies and programs. Annual monitoring of progress will be conducted per **Program 2D** and a mid-cycle review will be conducted within 48 months of adoption of the Housing Element per **Program 2E**. The results of the progress review may trigger additional processing to make additional incentives available via the pilot program in order to reach the target of 15 low income ADUs.

Timeframe: Completed ordinance extension of incentive program by May 2022; completed Phase II economic study by January 2023; Ordinance for additional incentives and/or program components by December 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: City General Fund/ADU Facilitation Measures (FY23) and Cycle 1 Housing Acceleration Program (HAP) Grant Funds (Phase II Economic Study)

Projected RHNA Accommodation: 15 lower income units

Housing Program 2B: Establish an Accessory Dwelling Unit Amnesty Program

The City will establish a program to allow owners with existing unpermitted ADUs to obtain permits to legalize the ADUs during the 2021-2029 planning period. The Amnesty Program will provide property owners the opportunity to formally legalize existing unpermitted ADUs of any size. This program is intended to supplement the RHNA production strategy identified by **Program 2A** in that “amnesty program” participation could facilitate owner participation in the ADU Incentive Program to meet the goal of at least 15 low income ADUs.

Timeframe: Ordinance or Resolution by December 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: City General Fund/ADU Facilitation Measures (FY23)

Housing Program 2C: Promotion of Deed-Restricted Low Income Accessory Dwelling Units

The City will continue to accommodate and promote the construction of deed-restricted affordable ADUs for low-income households by increasing the public awareness of the ADU and Jr ADU Incentive Program, ADU Amnesty Program, and new provisions in State law expanding opportunities for ADU development. The City will develop outreach material for public dissemination, including updates to the City's website, information at City Hall and via other appropriate print and digital media. The City will utilize the City web page and email distribution via the City's Weekly Update news flash. On an ongoing basis, this program will continue to be developed to further promote ADUs with a goal to reach at least 15 ADUs that are deed restricted affordable for lower income households by the end of the 6th Cycle planning period.

Timeframe: By December 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: City General Fund/ADU Facilitation Measures (FY23)

Projected RHNA Accommodation: 45 moderate income units and 15 lower income units (see **Program 2A** incentive program)

Program 2D: Accessory Dwelling Unit Monitoring Program

The City will create and maintain an ADU monitoring program during the planning period that tracks ADU development, including affordability levels and deed-restricted affordable units. The City will report this data in Annual Progress Reports to the City Council and HCD.

Timeframe: Ongoing, 2021-2029 (data will be reported annually to the City Council and HCD)

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: Department Budget/City General Fund

Program 2E: Mid-Cycle Accessory Dwelling Unit Production Evaluation

The City will conduct a mid-cycle review of ADU development within the 2021-2029 planning period to evaluate if production estimates are being achieved. Depending on the finding of that review, processing of additional incentives for the ADU pilot program (**Program 2A**) and/or amendments to the Housing Element may be necessary pursuant to Government Code Section 65583.2 in order to reach the target of 15 deed restricted low income ADUs.

Timeframe: By April 2025

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: Department Budget/City General Fund

Housing Program 2F: Tiny Houses

“Tiny Houses” are small, independent dwelling units, often mobile, that typically range between 120 and 400 square feet in size. Due to the size and nature of typical Tiny House development, they typically fit the City’s definition of an accessory dwelling unit (ADU) and are allowed in accordance with DMMC Chapter 30.91 as an accessory residential use in zones that allow ADUs. However, the City wishes to accommodate Tiny Houses on non-residential properties, including opportunities accessory to hotels, retail centers, and public facilities, and on vacant City-owned properties.

The City will amend the Del Mar Municipal Code to allow for the development of Tiny Houses on non-residential properties, clarify that Tiny Houses are allowed in accordance with the regulations applicable to ADUs, and if necessary, will also identify circumstances where Tiny Houses can be allowed on residential properties even if they do not meet the provisions required for an ADU. This program is intended to supplement the RHNA production strategy identified by **Program 2A** in that “tiny houses” could facilitate owner participation in the ADU Incentive Program to meet the goal of at least 15 low income units.

Timeframe: Ordinance by December 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: City General Fund/ADU Facilitation Measures (FY23)

Housing Goal #3:
Vigorously Pursue Housing Opportunities on 22nd District Agricultural Association Property (State Fairgrounds).

Housing Policy 3.1: Coordinate with local public agencies and stakeholders to pursue affordable housing opportunities with the 22nd District Agricultural Association (DAA).

Housing Policy 3.2: Establish a regular meeting and update schedule with the City Council (or City Council Subcommittee) to track consultations with 22nd DAA.

Housing Policy 3.3: Proactively collaborate with HCD to ensure they are active participants in consultations and negotiations.

Housing Policy 3.4: Establish formal protocols for the assignment of representatives authorized to negotiate on behalf of the City of Del Mar.

IMPLEMENTING PROGRAMS:

Housing Program 3A: Pursue a Binding Agreement with the State to Develop Housing on the Fairgrounds Property

Pursue a partnership with the State (Department of General Services and 22nd DAA) and other public agencies as necessary to execute a binding agreement to develop affordable housing on State-owned Fairgrounds property. The Food and Agricultural Code 40501(a)(10) gives the 22nd DAA and the California Department of General Services the authority to transact on the sale/disposition of this property. The City will secure a binding agreement to allow for development of at least 54 lower income units at a specific

location on the Fairgrounds property. Once this agreement is secured by April 2024, the City would complete negotiations with the State and move forward with developer selection, project-level environmental review, site design, financing, and construction. The binding agreement is intended to confirm the State's agreement to allow at least 54 lower income units on the Fairgrounds property.

At this time, no other local jurisdictions have indicated interest in participating in development of housing on the State Fairgrounds. It is the City's understanding that the City's investment in production of affordable units within the jurisdictional boundary of the City of Del Mar on the State Fairgrounds property would allow for all dwelling units constructed to be counted toward the City of Del Mar's RHNA.

The City of Del Mar completed an economic study of market conditions, assessment of multi-unit product types, and identified potential funding sources for development of affordable housing at the Fairgrounds (**Program 3B**). The completed studies identify preliminary concepts and economic feasibility information that will allow the City to vigorously pursue partnerships with the State and adjacent municipalities and solicit interest from affordable housing developers to develop long-term affordable housing on the State Fairgrounds property. The City executed a consulting services agreement with an affordable housing consultant in July 2022 with the primary goal of establishing a funding strategy and plan to successfully execute a binding agreement with the State to facilitate affordable housing at the Fairgrounds by April 2024.

The City team is participating in monthly coordination meetings with Fairgrounds staff focused on timely implementation of **Program 3A**. Through this process, the City of Del Mar will pursue an agreement with the State for the development of at least 54 lower income units on the State-owned property. Working in consultation with the State Department of Housing and Community Development, any such binding agreement(s) timely executed by April 2024 shall release the City of the requirement to carry out **Program 1E** (Rezone of North Bluff and/or South Stratford Properties).

Implementation of this program is anticipated to address the City's RHNA and fair housing needs for extremely low-income households in a manner that will integrate lower income units into the overall development and demonstrate connectedness to the greater community within the City of Del Mar. While the project level entitlement phase will not occur until after an agreement is reached, the City is committed to ensure that future development project features and conditions of approval will be identified (during the later site design and entitlement phase) to demonstrate the project will provide housing for lower income households, further fair housing, and provide for residents' quality of life and civic engagement by ensuring the development will maintain a healthy environment and will not result in creation of an isolated or disenfranchised segment of the overall Del Mar community.

Timeframe: Completed Phase I Economic study/assessment of market conditions in June 2022; and executed consulting services agreement in July 2022; Target is to secure binding agreement with the State by April 2024 in order to release the City of the requirement to carry out Program 1E. If an agreement is timely secured with the State, the City will proceed with tasks to facilitate an affordable housing project on the Fairgrounds (i.e., developer selection, project-level environmental review, site design, and entitlement phase)

Responsible Agency: City of Del Mar, California 22nd District Agricultural Association, California Department of General Services, California Housing and Community Development Department, and California Coastal Commission (for implementation of development project)

Funding Sources: Cycle 1 Housing Acceleration Program (HAP) Grant Funds and General Fund/Fairgrounds Housing Agreement (FY22 & 23); State, regional and local sources; target FY24 & 25 City General Fund as needed

Projected RHNA Accommodation: At least 54 lower income dwelling units

Housing Program 3B: Feasibility/Suitability of Affordable Housing on Publicly Owned Sites

In June 2022, the City completed a Phase I economic study and zoning assessment of three publicly owned sites in the sites inventory including the State Fairgrounds and two City-owned vacant lots on 10th Street and 28th Street to further assess the feasibility and suitability of potential affordable housing development on these sites. The City utilized consulting services for preparation of an architectural study that included a zoning assessment and preparation of site-specific concepts for multi-unit product types that are eligible for tax credit programs; and financial feasibility studies that included estimated costs and potential funding sources for development of affordable housing on these sites. The findings were presented to the City Council at a public meeting on June 13, 2022. The studies demonstrate that development of affordable housing is feasible on the three publicly owned sites studied. An affordable housing consultant was selected in July 2022 to facilitate next steps. If the agreement for affordable housing at the Fairgrounds is timely executed with the State (Program 3A), it would create sufficient capacity and flexibility to allow the City to determine development timing of the two City-owned vacant lots in the sites inventory.

The feasibility studies confirmed that the two City-owned properties in the Public Facilities (PF) zone that were studied (10th Street and 28th Street) have sufficient capacity to develop at least seven lower-income units. Per **Program 1H**, by April 2024, the City will amend the PF Zone to clarify that affordable housing is an allowed use in the PF zone and the City will contact Habitat for Humanity and similar non-profit organizations to solicit interest in a potential partnership for this type of small affordable housing development.

The City will seek a City Council decision by 2025 and pursue a City development project on the two City-owned sites or an alternative strategy (i.e., land disposition in accordance with the Surplus Lands Act). The City would then proceed with the necessary entitlements and processing steps for development of City-owned parcels (which could include assistance with site preparation, development incentives, or other strategies). The City would report its progress to HCD on an annual basis. If building permits for at least seven units affordable to lower-income households are not issued by 2027, then the City will identify alternative sites with appropriate zoning and development standards to facilitate development of at least seven lower income units within one year.

Timeframe: Completed Phase I Economic study/site assessment in June 2022; process related implementation actions per timelines in **Program 1H** and **Program 3A** by April 2024 and other actions as described above

Responsible Agency: City of Del Mar Planning and Community Development Department and City Manager's Office

Funding Sources: Cycle 1 Housing Acceleration Program (HAP) Grant Funds and General Fund/Fairgrounds Housing Agreement Funds (FY22 & 23)

Projected RHNA Accommodation: At least 61 lower income dwelling units (includes at least 54 lower income units on State Fairgrounds per **Program 3A** and 7 lower income units on City-owned properties in the PF zone per **Program 1H**)

Housing Goal #4:

Provide an Economically and Socially Diverse Balance of Housing Options that are Affordable for a Variety of Income Levels and Housing Needs.

Housing Policy 4.1: Establish policies, programs, and incentives to promote the development of housing for very low-, low-, and moderate-income persons, and especially those within Del Mar’s special needs populations.

Housing Policy 4.2: Prioritize the housing needs of special needs populations and extremely low-income households through the provision of alternative housing options.

Housing Policy 4.3: Promote the phased and orderly development of new residential development consistent with the provision of adequate infrastructure improvements.

Housing Policy 4.5: Encourage housing opportunities on sites with existing employment uses.

IMPLEMENTING PROGRAMS:

Housing Program 4A: Residential Care Facilities

State Law defines residential care facilities as any family home, group care facility or similar facility for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining activities in daily living for the protection of the individual. Such uses are permitted by law and subject to the same standards as described in the residential zone it is permitted. Per California Government Code 1267.8, 1566.3 and 1568.08, residential care facilities with 6 or fewer residents must be allowed by right in all residential zones and treated as any other residential use for all zoning purposes. Residential care facilities with 7 or more residents shall be allowed through the same process as an equivalent dwelling unit (i.e., multiple dwelling units). Residential care facilities may not be subject to a Conditional Use Permit (CUP) within residential zones.

The City’s Municipal Code will be updated to clearly define a new use category for “Residential Care Facilities” to provide greater consistency with the definitions described in State Law. This will involve amendments to the City’s existing zoning regulations for community care facilities (small and large). Through the amendment process the City will increase the number of zones where this use type is allowed and modify the associated permit process and development regulations as necessary to bring the City’s regulations into compliance with State Housing law requirements for greater accommodation of housing needs for persons with disabilities.

Timeframe: Consultant contract by December 2023; Resolution/Ordinance by December 2024

Responsible Agency: City of Del Mar, Planning and Community Development

Funding Sources: General Fund/State Housing Law Alignment Package 2 (FY23)

Housing Program 4B: Emergency Shelters, Transitional Housing and Supportive Housing, Single Room Occupancy Units, and Low Barrier Navigation Centers

Special needs groups often spend a disproportionate amount of their income to secure safe and decent housing and are sometimes subject to discrimination based on their specific circumstances. The development of affordable and accessible homes is critical to expand opportunities for persons with special

needs. Many special needs persons, especially those in emergency shelters, transitional and supportive housing, may be extremely low-income individuals, and implementation of the zoning changes below enable development of housing serving their needs.

Emergency Shelters:

Government Code Section 65583(a)(4) requires local governments to identify one or more zoning categories that allow emergency shelters (year-round shelters for the homeless) without discretionary review. The statute permits the City to apply limited conditions to the approval of ministerial permits for emergency shelters. Pursuant to State law, the City may establish only objective standards for the location, siting, operations, and maintenance of emergency shelters.

The City amended the Del Mar Municipal Code in November of 2013 (Ordinance 888) to accommodate emergency shelters pursuant to State law as set forth in DMMC Section 30.24.035. Emergency shelters are permitted within the North Commercial (NC) Zone in accordance with State law, without discretionary action.

Transitional and Supportive Housing:

Per Government Code Section 65582, “Transitional housing” means buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. “Supportive housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. State Housing law mandates that local jurisdictions allow for transitional and supportive housing in residential zones. The City adopted Ordinance 893 in 2014 to amend the Del Mar Municipal Code to identify that transitional and supportive housing meeting the Government Code Section 65582 (g-j) definitions as a residential use of a property in a dwelling must be allowed under the same permit process and conditions as apply to other residential dwellings of the same type in the same zones. The City will take action to amend the Del Mar Municipal Code Chapter 30.04 Definitions to differentiate between the terms transitional housing and supportive housing and modify the definition of supportive housing accordingly consistent with State law.

Single Room Occupancy Units:

In accordance with AB 2634, the City will be accommodating housing capacity for extremely low-income households, including single room occupancy units. Program 3A describes the actions the City will take to pursue development of lower income units on the State Fairgrounds property. Further, through implementation of Program 4B, the City will also be taking action to accommodate special needs housing. This will include consideration of whether amendments to the Del Mar Municipal Code may be needed pursuant to State law to address single room occupancy units in residential zones.

Supportive Housing within Low Barrier Navigation Centers (Service-Enriched Shelters):

State law provisions have recently been modified to require approval 'by right' of supportive housing with up to 50 units and low barrier navigation centers that meet the requirements of State law. Low barrier navigation centers are generally defined as service-enriched shelters focused on moving people into permanent

housing. Low barrier navigation centers provide temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. The City will adopt policies, procedures, and regulations for processing these uses as necessary to clarify that a non-discretionary local permit approval process must be provided to accommodate supportive housing and lower barrier navigation centers per State law. In the interim, any submitted application for this use type will be processed in accordance with State law.

The City will continue to annually monitor the effectiveness and appropriateness of existing adopted policies. Should any amendments be required to existing policies pursuant to State law, the City will modify its existing policies, as appropriate.

Timeframe: Consultant contract by December 2023; Resolution/Ordinance by December 2024

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: General Fund/State Housing Law Alignment Package 2 (FY23)

Housing Program 4C: Shared Housing Program

The City will improve upon existing programs to create opportunities and connect the public with available resources and assistance to support special needs households. Since February 1995, Del Mar has had a program to provide shared housing opportunities within the City. The program is administered by a non-profit organization, Del Mar Community Connections. The Shared Housing Program provides free roommate referral service to help Del Mar residents and special needs households find a person to share their home, for example, local university students who reside in Del Mar and are looking for roommates. The program also works with local senior citizens to locate a helper to live in their house and assist around the house in exchange for free rent.

The City will continue to offer shared housing services and partner with non-profits and organizations (i.e., Del Mar Community Connections and Elderhelp) to identify opportunities to match individuals who are seeking housing with owners who are seeking assistance with special needs. The City will market the program and take other actions as necessary to assist with matching tenants with existing homeowners.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council HCD with Annual Progress Report)

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: General Fund/Housing Assistance Fund

Housing Program 4D: Inclusionary Housing Ordinance

The City of Del Mar will update the City's Inclusionary Housing Ordinance to comply with State law. In addition, the City will codify inclusionary provisions into a new Chapter of the Del Mar Municipal Code. The City will modify, as appropriate, provisions in DMMC Title 24, Chapter 24.21 to ensure consistency with inclusionary housing policies and State Housing law.

Timeframe: Consultant contract by December 2023; Ordinance by June 2024

Responsible Agency: City of Del Mar, Planning and Community Development

Funding Sources: General Fund/State Housing Law Alignment Package 2 (FY23)

Housing Program 4E: Condominium Conversions

For projects proposing a condominium conversion, the City will continue to implement existing processing requirements of the Subdivision Map Act as set forth in Del Mar Municipal Code Title 24 and the regulations in Del Mar Municipal Code Chapter 24.40 (Conversion of Residential Property). In addition, the affordable housing mitigation requirements of Del Mar Municipal Code Section 24.21.025, and any amendments processed thereto relating to applications for condominium conversion will be applied to such projects. For projects wishing to convert existing dwelling units into condominium, stock cooperatives, or community apartment units shall provide:

- An Affordable Unit Set-aside,
- Donation of off-site affordable units, or
- Payment of an in-lieu Housing Mitigation Fee for each unit to be converted.

The number of set aside or donation affordable units or amount of the In-lieu Housing Mitigation Fee payment is dependent on the total number of units to be converted as shown in Table A of the above referenced section of the Del Mar City Code. The Condominium Conversion ordinance ensures that projects that wish to convert existing dwelling units provide the City with affordable housing units or dedicated housing fees that can be used for the development of affordable housing within the City.

Additionally, the City requires that as a condition of approval of any application for a tentative parcel map or tentative subdivision map for new condominiums, stock cooperatives, or community apartment projects, or a combination thereof, the subdivider shall comply with the affordable housing mitigation requirements identified below. The existing condominium conversion regulations will be further clarified when the inclusionary housing regulations are updated per Program 4D (Inclusionary Housing Ordinance).

Total Number of New Units	Affordable Housing Mitigation Requirement
Two, three, four or five units	Option of either: 1. Affordable Housing Unit Set-aside of one of the new units for rental at below market rate to a low-income household; or 2. Payment of an In-lieu Housing Mitigation Fee for each new unit.
Six, seven, eight or nine units	Affordable Housing Unit Set-aside of one of the new units for rental at a below market rate to a low-income household.
Ten—19 units	Affordable Unit Set-aside of 20 percent of the new units for rental at below market rates to low-income households, with a further requirement that one of the set-aside units be reserved for rental at a below market rate to a very low-income household.
20—29 units	Affordable Unit Set-aside of 20 percent of the new units for rental to low-income households, with a further requirement that one of the set-aside units be reserved for rental at a below market rate to a very low-income household and one of the set-aside units be reserved for rental at a below market rate to an extremely low-income household.
30 or more units	Affordable Unit Set-aside of 20 percent of the new units for rental to low-income households, with a further requirement that two of the set-aside units be reserved for rental at below market rates to a very low-income household and two of the set-

	aside units reserved for rental at below market rates to an extremely low-income household.
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Timeframe: Consultant contract by December 2023; Ordinance June 2024

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: General Fund (FY23)

Housing Goal #5:

Improve and Preserve the Community's Existing Housing Stock.
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Housing Policy 5.1: Prioritize the preservation and improvement of the City's existing housing.

Housing Policy 5.2: Promote policies and programs that encourage rehabilitation and enhancement of residential structures.

Housing Policy 5.3: Promote proactive, preventative maintenance of housing.

Housing Policy 5.4: Encourage local neighborhood involvement in promoting neighborhood preservation

Housing Policy 5.5: Promote the conservation of physically sound buildings and neighborhoods that have historical or architectural significance.

IMPLEMENTING PROGRAMS:

Housing Program 5A: Expand Allowance for the Renovation and Improvement of Existing Multiple Dwelling Unit Structures with Non-Conformities

The City will process an ordinance by December 2023 to expand the existing allowance for retention of structural and residential density non-conformities for multiple-dwelling unit structures containing three or more units without a requirement for abatement of such nonconformities when the structure undergoes major renovation or replacement. To accommodate the minor alterations of older buildings, the City will utilize existing Municipal Code provisions that allow flexibility for a property owner to make structural modifications that improve the aesthetics of the nonconforming structure without a requirement for abatement of the nonconformity. In consideration of the findings of studies completed in January 2023, the City will also allow for the expansion of such properties as necessary to accommodate development of lower income units on-site. The City will also establish an education/outreach program to apprise property owners of the opportunities for structural modifications available under the Municipal Code.

Timeframe: Ordinance by December 2023

Responsible Agency: City of Del Mar, Planning and Community Development

Funding Sources: Department Budget

Housing Program 5B: Require a "Housing Impact Statement" for Discretionary Land Use and Planning Decisions

The City will require that a "Housing Impact Statement" be included in all staff reports for discretionary land use and planning decisions. This statement will expressly state how proposed actions meet the City's housing goals. The statement will also describe any potential impacts that proposed actions may have on the City's housing current housing supply.

Timeframe: Completed in February 2022

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: Department Budget

Housing Program 5C: Preserve the City’s Existing Housing Stock

The City will continue to make diligent efforts to establish policies and programs that more effectively address regulations for short term vacation rentals in residential zones as a means to preserve the City’s long term housing stock. These efforts will address the City’s current high vacancy rate (24%) cited in Chapter 2 of the Housing Element where 20% of the vacancy rate is attributed to seasonal and short-term vacation rentals. The policies, programs, and ordinance will be focused on reducing vacancy rates to lower levels by increasing the use of existing housing for long term housing needs.

Timeframe: Ordinance by December 2024

Responsible Agency: City of Del Mar, Planning and Community Development Department and California Coastal Commission

Funding Sources: General Fund (target FY23 & 24)

Housing Goal #6:

Ensure a Sustainable Approach to New Housing Opportunities that Protects the Quality of Life and Future of Del Mar.

Housing Policy 6.1: Continue to enforce fair housing laws addressing discrimination in the building, financing, selling or renting of housing based on race, religion, family status, national origin, disability, or other protected class.

Housing Policy 6.2: Ensure that residents are aware of their rights and responsibilities regarding fair housing.

Housing Policy 6.3: Cooperate with local and regional agencies to enforce fair housing laws and provide fair housing education services.

Housing Policy 6.4: Continually review the City's programs and policies to ensure that do not pose an undue constraint on the production of new housing opportunity.

Housing Policy 6.5: Annually review development fees and permit fees to ensure they are appropriate and do not constrain development.

Housing Policy 6.6: Establish programs and policies that promote timely, fair, and equitable approval of residential development.

Housing Policy 6.7: Partner with Renewable Cities San Diego to pursue multi-unit solar installation for low-income housing units.

IMPLEMENTING PROGRAMS:

Housing Program 6A: SB 35 (2017) Multiple Dwelling Unit Housing Streamlining Provisions – Notice of Exemption for Coastal Cities

SB 35, approved by the Governor in 2017, requires streamlining of multiple dwelling unit housing approvals during a declared housing shortage through January 1, 2026. The City of Del Mar will post notice to the public that the City of Del Mar is a coastal city that is exempt from the SB 35 streamlining provisions per California Government Code Section 65913.4(a)(6)(A) because the SB 35 streamlining provisions do not apply to development in the coastal zone. Notice of the City's exemption from the SB 35 streamlining provisions will be posted on the City's web page.

Timeframe: Post notice of exemption from SB 35 for the public by January 2022)

Responsible Agency: City of Del Mar, Planning and Community Development

Funding Sources: City General Fund/SB35 (FY22)

Housing Program 6B: Affirmatively Further Fair Housing

Pursuant to AB 686, the City will affirmatively further fair housing by taking meaningful actions, in addition to resisting discrimination, through actions that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected classes, as defined by State law. The City analyzed existing conditions and contributing factors associated with the community's historical demographics and housing patterns. While many factors are beyond the control of the City, it is acknowledged that actions can be taken to 1) create new housing opportunities at a range of income levels and remove barriers, 2) increase awareness and incorporate AFFH into decision making and promote diversity and inclusiveness, and 3) create greater access to housing assistance resources.

AFFH Action Category 1:

Create new housing opportunities at a range of income levels and remove other barriers that are within the City's control:

Section 3 of the Housing Element contains an analysis of Del Mar's existing conditions and actions to address AFFH. The analysis found that Del Mar is a desirable location for households of any income level. When new opportunities for lower income units are created, there will be a high demand for those units as demonstrated by the following points:

- The UC Davis Regional Opportunity Index shows that the majority of residents within Del Mar have a high level of access to opportunity throughout most geographies of the City, with all census tracts showing the Index's highest level of access to opportunity. Additionally, analysis of the TCAC/HCD opportunity Area Maps show that all census tracts in Del Mar are classified with the "Highest Resource" designation. This indicates that these census tracts are within the top twenty percent in the region in terms of being locations with opportunities for lower-income residents to thrive when new opportunities for lower income housing are created in these areas.
- While there is high demand for housing in Del Mar, local zoning prior to 2021 accommodated primarily single dwelling unit and duplex development.
- The 6th Cycle Housing Element implemented allowances for housing at a higher density of at least 20 dwelling units per acre for the first time since the 1970s.

Implementing Programs for AFFH Action Category 1:

The City is committed to implement a suite of actions to create new opportunities for housing mobility and relocation to and within Del Mar with a goal of creating 100 additional housing opportunities beyond RHNA to improve housing choice and affordability options for moderate income, lower income, and special needs households. This is consistent with the City's objective to accommodate new housing opportunities at a range of income levels, accessibility, and special needs to help existing households remain living in the community and new households to relocate to Del Mar as opportunities become available. The City's housing plan demonstrates the ability to meet future affordable housing needs beyond RHNA through implementation of expanded zoning capacity, amendments to create additional opportunities, and other actions that focus on special needs households and remove barriers that are within the City's control as further described below:

Implementing Programs for AFFH Action Category 1		
Strategy	Description	Programs/ Focus Areas
Expanded Zoning Capacity	The City identified a combination of publicly-owned and privately-owned sites that are suitable for lower income housing during the 6th Cycle and future housing cycles. The City has sufficient zoning in place that is suitable for at least 113 lower income units (65% of RHNA) and at least 31 moderate income units (18% of RHNA) and additional sites and unit capacity for affordable housing beyond RHNA. In addition, there are opportunities for development of Accessory Dwelling Units and Junior Accessory Dwelling Units in accordance with amended State law provisions that took effect during the 6th Cycle. These sites, including sites to accommodate extremely low, very low, and low-income households, are in general, evenly dispersed throughout the community.	<ul style="list-style-type: none"> • Program 1A North Commercial • Program 1B Professional Commercial • Program 3B Publicly-Owned Sites • Program 6B AFFH
Amendments to Create Additional Opportunities	<p>The City will implement additional zoning amendments and other changes to create additional opportunities that will create surplus site and unit capacity that will be suitable for moderate income and lower income units beyond RHNA.</p> <p>This includes implementation of Senate Bill (SB) 9 including adoption of SB 9 Ordinance by June 2023 to expand the housing supply in single-family zones by allowing lot splits and duplexes under the parameters of State law, and consideration under Programs 1D and 1I how to incentivize inclusion of moderate-income and lower-income units in SB 9 projects.</p>	<ul style="list-style-type: none"> • Program 1C Central Commercial • Program 1D Affordable Housing Overlay Zone • Program 1H Public Facilities • Program 1I Incentives • Program 2A Low Income ADUs • Program 2B ADU Amnesty Program • Program 2F Tiny Houses • Program 5A Non-Conforming Multi-Unit Development • Program 6B AFFH
Actions that Focus on Special Needs	<p>The City will create new programs and improve upon existing programs to create opportunities and connect the public with available resources and assistance to support special needs households. This includes the following actions:</p> <ul style="list-style-type: none"> • Home sharing: Expand upon the existing shared housing program (Program 4C) and implement a marketing strategy to make the public aware of this resource. Coordinate with non-profit and other 	<ul style="list-style-type: none"> • Program 4A Residential Care Facilities • Program 4B Emergency Shelters, Transitional Housing, Supportive Housing, Single Room Occupancy Units, and Low

	<p>organizations (i.e., Del Mar Community Connections, Elderhelp or other similar organization) to assist with matching existing homeowners and tenants to address special needs.</p> <ul style="list-style-type: none"> • Accessibility Improvements: Research and identify funding opportunities at least every other year to connect property owners, including the City, with opportunities to make accessibility improvements to homes and community infrastructure in conjunction with implementation of Programs 7C and 7F. • Affirmative Marketing and Regional Registries: Require, provide incentives and utilize other strategies to promote affirmative marketing plans in all new developments. The affirmative marketing plan will consider regional housing registries and ensure marketing materials for new developments are designed to attract renters and buyers of diverse demographics, including persons of any race, ethnicity, income, disability and familial status, to reach interested persons within and outside of Del Mar. 	<p>Barrier Navigation Centers</p> <ul style="list-style-type: none"> • Program 4C Shared Housing • Program 6B AFFH • Program 7A Housing Funding Resources • Program 7C Resources for Persons with Disabilities • Program 7D Housing Choice Vouchers • Program 7F Monitor and Respond to Complaints of Constraints to Housing for Lower Income Households and Persons with Disabilities • Program 7H Student Housing Resources and Assistance
<p>Mid-Term Evaluation</p>	<p>In 2025, evaluate the effectiveness of strategies in promoting affordable housing and special needs housing opportunities throughout the City and, if needed, make adjustments within one year to continue to demonstrate a good faith effort to achieve a goal of 100 additional opportunities beyond RHNA for affordable housing and special needs. Such adjustments may involve additional marketing strategies or consideration of alternative land use strategies.</p>	<ul style="list-style-type: none"> • Program 6B AFFH

AFFH Action Category 2:

Increase awareness, incorporate AFFH into decision making, and promote diversity and inclusiveness.

Implementing Programs for AFFH Action Category 2:

While the City of Del Mar is exempt from the State law requirement to prepare an Environmental Justice Element, as part of Housing Element **Program 6E**, the City will voluntarily adopt an Environmental Justice Element (by June 2023) as an additional Element of the City's Community Plan to further demonstrate its commitment to fair housing and public health. The Environmental Justice Element will include policies and programs to reduce community health risks including addressing air quality, access to public facilities, healthy food access, safe and sanitary homes, and physical activity. The Environmental Justice Element will also document the historic policies/practices/constraints in the coastal zone, including Del Mar, that have reduced capacity

and minimized housing options for a greater diversity of residents including lower income households. This is intended as an educational component to help inform decision making.

The City will facilitate equal and fair housing opportunities for all persons regardless of age, sex, religion, marital or familial status, ancestry, national origin, color, disability, or any other protected characteristics by providing information, coordination, and education on fair housing laws and practices to residents and landlords. This includes information on fair housing/equal housing opportunity requirements and how to file a complaint and access the investigation and enforcement activities of the State Fair Employment and Housing Commission. Information will be available at City Hall and on the City web page and reviewed and updated on an annual basis to ensure accuracy.

By December 2023, City staff will participate in fair housing training (i.e., Legal Aid Society of San Diego or similar organization) for education on fair housing responsibilities and procedures for reporting fair housing complaints. This fair housing training will be conducted on an annual basis.

The City will conduct fair housing public education and outreach to reach protected groups and present information regarding fair housing laws twice a year.

The City will partner with organizations to review and refer 100% of discrimination complaints as complaints are received and follow up to confirm resolution. If a complaint is not resolved, the City will refer the complaint to HCD to ensure that housing laws are actively enforced.

The City will continue to work with the community to address fair housing within Del Mar. This will include periodic reviews of the local regulatory process to assess whether modifications are needed to accommodate persons with disabilities. This also will include actions to address fair housing complaints and remove impediments (i.e., barriers to entry into homeownership or rental).. See **Program 7F**. Status updates on these efforts will be reported to the City Council and HCD in annual progress reports.

Further, the City will participate in regional efforts to mitigate impediments to fair housing (see **Program 7J** Efforts to Reduce Homelessness). Status updates on these efforts will be reported to the City Council and HCD in annual progress reports.

AFFH Action Category 3:

Create greater access to housing assistance resources.

Implementing Programs for AFFH Action Category 3:

See **Program 7C**, **Program 7G**, **Program 7H** for programs that specifically target sharing of housing assistance resources applicable to persons with disabilities, seniors, and students, which were identified as vulnerable populations during the Housing Element update process. In an effort to better connect fair housing information and resources with targeted groups, the City will utilize its web page as well as local non-profits to publish and share information on public housing opportunities, rental security deposit assistance, home financing opportunities, and other housing and community assistance resources. The City updated its web page to add links to AFFH resources as listed below:

<https://www.delmar.ca.us/852/6th-Cycle-Housing-Element-Program-Implem>

- Federal, state, regional, and local assistance programs

- San Diego Housing Federation resources (local organization that supports, builds, and finances affordable housing in the region)
- County Public Housing Resources
- Resources for filing housing complaints and for resolution of disputes relating to sanitation, maintenance, ventilation, occupancy
- Healthy and safe homes resources relating to tenant/landlord rights and responsibilities and issues i.e., mold, vermin control, and lead poisoning
- National Conflict Resolution Center for mediation assistance
- Rental security deposit assistance resource
- Report describing local efforts and resources to reduce homelessness

The City will coordinate with the County of San Diego to monitor and respond to complaints of discrimination and will partner with appropriate capable organizations to review housing discrimination complaints, assist in the facilitation of equitable dispute resolution, and, where necessary, refer complainants to appropriate state or federal agencies for further investigation, action, and resolution. Links and contact information for resources (i.e., National Conflict Resolution Center) were posted on the City's housing web page in July 2022. Status updates on these efforts will be reported to the City Council and HCD in annual progress reports.

The City will ensure a healthy and safe environment for new homes and will help connect residents with resources relating to sanitation, maintenance, ventilation, and occupancy and the appropriate contacts at the County of San Diego to report potential environmental health hazards (i.e., mold, vermin control, and lead poisoning). Links and contact information were posted on the City's web page in July 2022.

Provide brochures/links to fair housing materials (i.e., FEHA, HUD) and make available on the City web page, City Hall, library, and post office. Where materials are not already available in multiple languages, use available resources to translate and publish in English and Spanish.

Additional housing programs related to fair housing and community assistance are identified in **Programs 7A through 7J**. Status updates on these efforts will be reported to the City Council and HCD in annual progress reports.

Timeframe: Immediate posting of fair housing materials with annual review and update of materials for accuracy; complete fair housing training for City staff by December 2023 and provide annual training; conduct fair housing public education and outreach to reach protected groups and present information regarding fair housing laws twice a year; Annually, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report)

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: Department Budget; General Fund (FY22) for Program 6E; Grant funding, including future HAP Grant Cycles

Housing Program 6C: Continue Data Collection and Compliance with the Coastal Act and Housing Element-Related Requirements applicable to the Coastal Zone, including State-Mandated Accommodation of Housing Development Capacity

The entirety of the City is located within the Coastal Zone. Government Code Section 65588(d) requires that Coastal Zone cities such as Del Mar include within their Housing Element all of the following:

- A review of the number of housing units approved for construction within the Coastal Zone after January 1, 1982;
- The number of housing units for persons and families of low or moderate income provided in new housing developments either within the Coastal Zone or within three miles of the Coastal Zone;
- The number of existing residential units occupied by persons and families of low or moderate income that have been authorized to be demolished or converted since January 1, 1982 in the Coastal Zone; and
- The number of residential units for persons and families of low or moderate income that have been required for replacement of residential units.

No known lower income or moderate-income units were created and none were demolished during the 5th Cycle. The City will continue to monitor and maintain records regarding the affordability of new construction, conversion, and demolition of residential units within the City limits in order to comply with Section 65588(d) of the Government Code.

Additionally, the City will continue to work with the California Coastal Commission and the State Department of Housing and Community Development to “harmonize” the Coastal Act and State Housing laws and identify a strategy to best accommodate future development capacity as assigned to the City for the 6th Cycle. This will involve discussions of the potential constraints associated with the development of affordable housing within the coastal zone and the need for preservation of existing long-term housing in the coastal zone per **Program 5C**.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report)

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: Department Budget

Housing Program 6D: Solar Panel Installation Partnership

Per policies described in the City of Del Mar's Climate Action Plan (CAP), the City will partner with Renewable Cities San Diego to create a program to install solar panels on multi-unit, low-income housing units. This will assist the City in meeting their renewable energy goals as well as potentially provide cost savings on utilities for residents living in these units.

Timeframe: By December 2024

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget; State, regional and local grants

Housing Program 6E: Environmental Justice Element

The City will adopt an Environmental Justice Element as an additional Element of the City's Community Plan. While the City of Del Mar is exempt from the State law requirement to prepare an Environmental Justice Element, as part of Housing Element Program 6E, the City will voluntarily adopt an Environmental Justice Element as an additional Element of the City's Community Plan to further demonstrate its commitment to fair housing and public health. The Environmental Justice Element will include policies and programs to reduce community health risks including addressing air quality, access to public facilities, healthy food access, safe and sanitary homes, and physical activity. The Environmental Justice Element will also document the historic policies/practices/constraints in the coastal zone, including Del Mar, that have reduced capacity and minimized housing options for a greater diversity of residents including lower income households. This information will be used to help explain the benefits of affordable housing and engage the support of residents to promote successful implementation of the Housing Element programs.

Timeframe: Target June 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: General Fund/Environmental Justice Element (FY22)

Housing Program 6F: Vote Threshold Requirement for Future Legislative Actions Related to General Plan Amendments for Housing Element Implementation

The Del Mar Community Plan (General Plan) was adopted by the voters in 1976. Adopted Ordinance 260 reflects voter approval of the Community Plan. While Government Code Section 65356 only requires a simple majority vote of the City Council to approve a General Plan Amendment, the adopted local Ordinance 260 is more restrictive because it requires a four-fifths vote of the City Council to amend the Del Mar Community Plan. The required supermajority vote for the adoption of Community Plan Amendments, applies to adoption of the Housing Element and adoption of related Housing Element implementation programs.

HCD observed that this more restrictive processing requirement may act as a constraint on development and be an impediment to the City's timely compliance with State Housing law and recommended the City address the constraint and consider modifying the requirement to allow housing-related decisions to be

adopted by a simple majority consistent with State law. This cannot be accomplished without a vote of the Del Mar electorate.

The City has reviewed this requirement and has determined that the voter-adopted requirement does not conflict with State law with respect to accommodating the RHNA. Additionally, the requirement has not proven to be an actual constraint on adoption of the Housing Element nor an impediment to adoption of the required implementing actions for the 6th Cycle and prior housing cycles. However, the requirement may act as a constraint on development regardless of the RHNA, including impacts on housing supply, cost, timing and feasibility and may serve as an impediment to affirmatively furthering fair housing, including housing mobility. The supermajority vote requirement cannot be enforced, however, if it results in an actual conflict with State law.

. This has not proven to be an impediment for adoption of the 6th Cycle Housing Element nor an impediment to any implementing actions. If in the future the provision is determined to be in conflict with State law, including but not limited to accommodating the RHNA, acting as a constraint on implementation of any Housing Element programs, or affirmatively furthering fair housing, then the existing requirement (for a four-fifths vote of the City Council to amend the Del Mar Community Plan) cannot be enforced.

Timeframe: Ongoing; ensure that the vote threshold requirement does not cause an actual conflict with State law.

Responsible Agency: City of Del Mar, City Attorney

Funding Sources: City General Fund

Housing Program 6G: Objective Design Standards

Del Mar Municipal Code Chapter 23.08 is the City's Design Review Ordinance that sets forth the existing discretionary permit process requirement for design review. The intent is to foster good design in a way that implements the Community Plan. State Housing law includes various exemptions for projects with an affordable housing component, which limit the City's ability to apply the discretionary Design Review Ordinance requirements to such projects. Through this program the City will prepare and process a new set of objective design standards for adoption in a new Chapter under the Title 23 Building and Construction regulations. The intent is to have these objective design standards available to apply to housing projects where the City's discretion over design review is otherwise preempted per State law. For example, projects requesting a density bonus per State law or projects on a site rezoned per State Housing Element law (Government Code Section 65583.2(h) and (i)). The new objective residential design standards are also intended to address other types of by-right/ministerial single dwelling unit development that is subject to the provisions of State Housing law including Senate Bill (SB) 9 and Accessory Dwelling Units (ADUs). On October 21, 2021, the City Council identified creation of these objective residential design standards as a priority and directed staff to work with the Design Review Board (DRB) and City Council housing liaisons to prepare the objective standards. Processing of an Ordinance will be subject to review by the City's Design Review Board and Planning Commission, prior to adoption by the City Council. Coastal Commission certification would not be required because the action would not amend the City's Local Coastal Program.

Timeframe: Consultant selection by July 2023; Ordinance by June 2024

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: General Fund/Objective Design Standards (FY22)

Housing Program 6H: Safety Element

The City will prepare and process a Community Plan Amendment (General Plan Amendment) to update the existing Safety Element. This will require coordination with CalFire and the State Board of Forestry to demonstrate that the proposed housing capacity to meet the City's RHNA is not located within high fire hazard severity areas or in locations without a secondary route available for emergency responder access. The update to the Safety Element is required to be processed with each Housing Element Cycle per State law (SB 1241, Gov. Code Sections 65302, 65302.5, 65040.20 and 66474.02 and Section 21083.01 of the Public Resources Code).

Timeframe: By June 2023

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: General Fund/Safety Element (FY22)

Housing Goal #7:
Promote Housing Resources and Assistance Opportunities.

Housing Policy 7.1: Provide resources accessible to Del Mar residents identifying available housing services.

Housing Policy 7.2: Work collaboratively with federal, state, local and private entities to identify funding, financing, and assistance programs throughout the planning period.

Housing Policy 7.3: Maintain and update the list of Community Assistance Programs created by the 6th Cycle Housing Element Ad-Hoc Citizen’s Task Force.

Housing Policy 7.4: Encourage non-governmental agency participation in the identification and implementation of resource and assistance programs.

Housing Policy 7.5: Provide housing resources and assistance to senior residents, especially those on fixed incomes.

IMPLEMENTING PROGRAMS:

Housing Program 7A: Housing Funding Resources Including Housing Assistance and Housing Reserve Funds

The City will continue to make the funds accrued in the City’s Housing Reserve Fund (directly funded by City Council from the General Fund) and Housing Assistance Fund (funded by housing mitigation fees from private development applications) available for implementation of affordable housing. Through these funds, the City will continue to make funds available for rental subsidy and/or other programs such as the acquisition of land and construction of affordable units to be made available for individuals or families of extremely low, very low or low-income levels. As reflected in the Chapter 4 Summary of Quantified Objectives, the City currently accommodates four lower income households in existing housing through a rental subsidy program. Through Housing Program 7A, the City will ensure that the funds accrued in the City’s Housing Reserve Fund and Housing Assistance Fund remain available during the 6th Cycle for implementation of at least four lower income households via rental subsidy and/or new affordable housing (i.e., for the acquisition of land and construction of affordable units to be made available for individuals or families of extremely low, very low or low-income levels).

Timeframe: Annually, 2021-2029 (annual reports to City Council with budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Housing Reserve Fund; Housing Assistance Fund

Housing Program 7B: Interfaith Partnership Opportunities

The City will continue to encourage local faith-based organizations to participate with the Interfaith Shelter Network Rotating Shelter and will also encourage St. Peter's Episcopal Church to continue its Helping Hands program.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council with budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget

Housing Program 7C: Resources for Persons with Disabilities

Currently, there are no local community care or supportive housing facilities in Del Mar. The City is implementing various 6th Cycle action programs to address existing regulations and permit processes for residential care/community care facilities, transitional housing, supportive housing, emergency shelters, and low barrier navigation centers in accordance with State law. A resource list is currently available as part of **Program 7I**. Through this program the City will create and publish an updated resource list that includes any additional opportunities relating to services and facilities available for persons with disabilities after implementation of various housing programs to address special needs housing options including **Program 4A** (Residential Care Facilities) and **Program 4B** (Emergency Shelters, Transitional Housing, Supportive Housing, Single Room Occupancy Units, and Low Barrier Navigation Centers). Once created, the City will make the updated list of resources available to the public. Further, the City will monitor and respond to 100% of fair housing complaints through coordination and assistance from local non-profits via **Program 7F**.

Timeframe: An updated resource list can be created within 3 to 6 months after the Ordinances are processed. Maintenance of the list would then be updated annually, 2021-2029 (annual reports to City Council with budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget

Housing Program 7D: Housing Choice Voucher Program

The Housing Choice Voucher Program is a rent subsidy program that utilizes Section 8 funds for rental assistance to low-income households to facilitate their rental of private units. The Housing Authority of the County of San Diego (HACSD) administers this housing assistance program for the City of Del Mar. The Program extends rental assistance to low income and very low-income families, elderly, and disabled persons who spend more than 30 percent of their income on rent. The rental assistance represents the difference between 30 percent of the monthly income and the actual rent. The owner's asking price must be comparable to rent charged in the area for similar units.

The City will continue to contract with HACSD to administer and allocate Housing Choice Vouchers. According to the May 2020 San Diego County Analysis of Impediments to Fair Housing Choice, 36,337 households are still seeking assistance from HACSD via waiting list that is open indefinitely to the public (as of April 2020) where the demand for rental assistance is expected to continue to grow. There are at least 199 persons on the waitlist for local affordable housing assistance and the City continues to receive inquiries for what is currently an unaccommodated need across the region.

The City will obtain information about the voucher program from HACSD and make it available to the public. This includes a commitment to post information about the voucher program on the City web page and utilize the weekly newsletter to share the information with residents, landlords, property owners (i.e., apartments, condominiums), and applicants building affordable units. In conjunction with the Accessory Dwelling Unit (ADU) programs (Programs 2A through 2F), the City will similarly promote the Housing Choice Voucher Program with owners of ADUs and Junior ADUs .

Timeframe: Obtain program information from HACSD and make it available to the public at City Hall, on the City web page, and via newsletter by June 2023; Annually report voucher program participation, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report and budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments and County of San Diego Housing Authority

Funding Sources: U.S. Department of Housing and Urban Development Housing Choice Vouchers

Housing Program 7E: Fee Waiver Program

The City currently offers project review application fee waivers for projects with an affordable housing component. The Director of Planning and Community Development may reduce all, or a portion of, planning fees for projects that include affordable housing units, as those units are defined in the Del Mar Housing Element. Additionally, upon written request and on very rare occasions, the City Manager may reduce all or a portion of, planning fees or charges when unique circumstances exist that warrant the request.

These waivers may contribute to the reductions in construction costs and positively influences the affordability of the units for lower income households. The City's Schedule of Fees for Planning and Land Use Services, adopted by City Council Ordinance 837 in 2020, offers a reduction or waiver of Planning and Land Use application fees for those projects that include an affordable housing component.

The City will continue its application processing fee waiver program and related policies that remove or reduce governmental constraints for those projects that include an affordable housing component.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council with budget process)

Responsible Agency: City of Del Mar, Planning and Community Development Department

Funding Sources: Department Budget

Housing Program 7F: Monitor and Respond to Complaints of Constraints to Housing for Lower Income Households and Persons with Disabilities

The City will continue to work with local non-profits to promote and coordinate access to housing and assistance programs in Del Mar for lower income households and persons with disabilities. The City will continue to collaborate and assist in the distribution of information regarding available services and programs to the community, including the City's elderly and special needs population. Throughout the housing cycle, the City will monitor and respond to 100% of fair housing complaints. Where submitted complaints identify specific local regulatory constraints (i.e., impediments to the maintenance, improvement, or development of accessible housing for persons with disabilities), the City will investigate and take action accordingly to provide accommodation and remove the impediment.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report and budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget

Housing Program 7G: Senior Housing Resources and Assistance

This program is intended to connect residents and owners with non-profits that facilitate a range of senior housing resources and assistance opportunities. The City will continue to partner with local non-profit organization, Del Mar Community Connections and other non-profit organizations (i.e., Elderhelp which lists local housing/senior assistance partnership opportunities). The City will post and distribute information regarding senior housing and assistance resources to local seniors, some of whom are on fixed incomes and would be interested in seeking affordable housing opportunities. These materials may consist of informational packets on financial assistance programs and community resources that are available. The resource and assistance materials will continue to be posted and distributed to the public as they become available.

Timeframe: Annually conduct search of additional non-profits and update the list. Ongoing resource, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report and budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget

Housing Program 7H: Student Housing Resources and Assistance

The San Diego region is home to a number of universities and colleges, all of which have students of varying income levels and housing needs. The University of California San Diego (UCSD) is located within 10 miles of Del Mar and as a result generates a high demand for housing to accommodate faculty and students. While in school, many students are not able to secure paid work due to the commitment required to focus on coursework, leaving them with less income available to afford housing.

In order to help connect students with affordable housing options in Del Mar, the City will establish a new program to connect local property owners with students seeking rental housing. The City will coordinate with UCSD to learn how the City can best facilitate program implementation. As part of the program development by June 2024, the City will develop informational materials on available affordable housing options and housing assistance and make these housing resources available to students of colleges and universities in proximity. It is hoped that as the local production of ADUs increases, the City will be able to connect ADU property owners who are seeking renters with students who are seeking housing. The resource and assistance materials will be posted and distributed to the public as they become available.

Timeframe: Establish program by June 2024 and update information annually. Ongoing resource, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report and budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget

Housing Program 7I: Maintain a Database of Community Assistance Programs Available to Residents, Including Programs Run by Local Non-Profit Organizations

As part of their work effort, the City's 6th Cycle Housing Element Ad-Hoc Citizens' Task Force created an expansive list of Federal, State, regional, and local community assistance programs that may be available to residents, dependent on certain qualification criteria. This list is available to the public on the City's website. The City will periodically update this list to ensure information is up-to-date and will keep the list available to the public, both online and in hardcopy format at the Del Mar Town Hall.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report and budget process)

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: Department Budget

Housing Program 7J: Efforts to Reduce Homelessness

The City will continue to collaborate with the County of San Diego and the San Diego Regional Task Force (RTFH) on efforts to reduce homelessness. This includes continued participation in the "point in time" count conducted by RTFH and collaboration with other cities in North San Diego County to learn about additional resources and partnership opportunities. The City will continue to partner with the North County cities to provide one County-funded homeless outreach worker that is shared by the cities of Del Mar, Encinitas, and Solana Beach.

The City will also continue to help connect individuals and businesses seeking to address the challenges of homelessness with available services. Existing programs include services provided by the County-sponsored outreach worker, the County of San Diego's Mobile Crisis Response team (MCRT), and the County Sheriff's Department Crime Prevention team. The City will also share information on new services as they become available during the 6th Cycle. For example, Senate Bill 1338 would create a

State-sponsored CARE Court program to assist people with untreated mental health and substance abuse disorders through compassionate care options. The City will adopt a City Council Resolution in support of Senate Bill 1338 by June 2022.

Timeframe: Ongoing, 2021-2029 (annual reports to City Council and HCD with Annual Progress Report and budget process); adopt City Council Resolution in support of SB 1338 (CARE Court Program) by June 2022

Responsible Agency: City of Del Mar, City Manager and Planning and Community Development Departments

Funding Sources: County of San Diego Funding and City Department Budget

C. SUMMARY OF QUANTIFIED OBJECTIVES

Table 4-2: Summary of Quantified Objectives						
Income Group	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction (RHNA)	18 ¹	19	76	31	31	175
Accessory Units	0	0	15	45	40	100
Conservation ³	0	0	0	0	0	0
Rental Subsidy ²	0	0	4	0	0	4
Rehabilitation ^{3, 4}	0	0	0	0	0	0

1 Extremely Low is defined as 50 percent of the Very Low Income RHNA need, within the Housing Element these numbers are shown together for a total RHNA need of 37 units.

2 Currently, four lower income households are accommodated in existing housing through rental subsidy via local housing assistance allocated by the City Council from the General Fund. Through Housing Program 7A, the City will ensure that the funds accrued in the City's Housing Reserve Fund (directly funded by City Council from the General Fund) and Housing Assistance Fund (funded by housing mitigation fees from private development applications) remain available for implementation of at least four lower income households via rental subsidy and/or new affordable housing (i.e. for the acquisition of land and construction of affordable units to be made available for individuals or families of extremely low, very low or low income levels).

3 Currently, the City does not have any constructed deed-restricted affordable units to be conserved or rehabilitated.

4 Housing Program 2A ADU Incentive Pilot Program, 2B ADU Amnesty Program, and 2F Tiny Homes are programs that are intended to facilitate the rehabilitation and legalization of existing small accessory structures as habitable buildings that meet the criteria for a dwelling unit (i.e., ADUs and Tiny Homes) and that may be more affordable compared to other housing options due to the relative size and age of the structure. The potential for such rehabilitation to lower income dwelling units is unknown at this time.



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