



Chapter 1: Introduction



CHAPTER 1: INTRODUCTION

A. CITY OF DEL MAR COMMUNITY PLAN: HOUSING ELEMENT

This document is the City of Del Mar’s Housing Element as updated for the 6th Cycle planning period of 2021-2029. The Housing Element is part of the Del Mar Community Plan, which is the General Plan for the City of Del Mar. The California Government Code requires that the Housing Element be included in a city’s General Plan as one of seven mandatory elements that express the community’s values, goals, and vision for the future. The Housing Element identifies and analyzes the City’s existing and projected housing needs and contains a detailed outline and work program of the City’s goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for a sustainable future. The Housing Element identifies ways in which the housing needs of all economic segments of the community, including residents and the local workforce, can be met to achieve the City’s overall housing goal:

City of Del Mar’s Stated Housing Goal

“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”

B. ROLE OF THE HOUSING ELEMENT

The Housing Element, as part of the Del Mar Community Plan, establishes housing-related actionable programs that are intended to guide City decision-making related to land use planning and development activities for the planning period 2021-2029 in accordance with the City’s stated housing goals and State law. The Housing Element includes strategies for maintenance of existing housing and action-oriented programs to increase the capacity for additional housing options within the local housing supply as necessary to meet the current and future needs of people living and working in Del Mar. Implementation of these strategies will require that the City process a series of future actions, referred to as the Housing Element implementation program, for compliance with California housing law.

C. STATE HOUSING LEGISLATION

1. BACKGROUND

Housing is an issue of the highest priority for the State of California. The California Legislature determined that a primary housing goal for the State is to ensure that every resident has a decent home and suitable living environment. Section 65580 of the California Government Code describes the goal in detail:

- a. *The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.*
- b. *The early attainment of this goal requires cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians in all economic levels.*

- c. *The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of the government.*
- d. *Local and State governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community. The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.*

California Government Code Section 65588 requires that local governments review and revise the Housing Element of their comprehensive General Plans (Del Mar Community Plan) not less than once every eight years. Prior to the 6th Cycle Housing Element Update for the 2021-2029 planning period, Del Mar’s Housing Element was updated in 2013 for the 5th Cycle (2014 to 2021).

Multiple changes to California Housing Element law have become effective since processing of the City’s 5th Cycle Housing Element. In particular, the State increased its ability to enforce Housing Element requirements, and the ability for interested persons to challenge the City’s compliance with Housing Element law. Pursuant to California Government Code Section 65585, the State has a greater range of penalties that can be imposed on jurisdictions for non-compliance. This puts the City at risk of exposure to a variety of fiscal impacts and regulatory impacts that could reduce local control over housing-related decision-making. Jurisdictions that do not comply also risk the State imposing a more frequent Housing Element update cycle.

The 6th Cycle Housing Element Update was prepared to comply with State housing law, as amended, and all other federal, state, and local requirements, as necessary to demonstrate compliance with State law and gain State certification.

2. STATE REQUIREMENTS ADDRESSED IN THE HOUSING ELEMENT

California State Housing Element Law (California Government Code Article 10.6) establishes the requirements for the Housing Element. **Table 1-1** summarizes the State’s Housing Element requirements and identifies where the applicable California Government Code sections are addressed in the City’s 2021-2029 Housing Element.

Issues Requiring Analysis	Gov. Code Section	Reference in Housing Element
Analysis of employment trends.	Section 65583.a	Section 2.B.1
Projection and quantification of existing and projected housing needs for all income groups.	Section 65583.a	Section 3.C
Analysis and documentation of the City’s housing characteristics, including cost for housing compared to ability to pay, overcrowding, and housing condition.	Section 65583.a	Section 2.F
An inventory of land suitable for residential development including vacant sites and sites having redevelopment potential.	Section 65583.a	Appendix B

Table 1-1: Housing Element Requirements		
Issues Requiring Analysis	Gov. Code Section	Reference in Housing Element
Analysis of existing and potential governmental constraints upon the maintenance, improvement, or development of housing for all income levels.	Section 65583.a	Section 3.A.2
Analysis of existing and potential nongovernmental (private sector) constraints upon maintenance, improvement, or development of housing for all income levels.	Section 65583.a	Section 3.A.1
Analysis concerning the needs of the homeless.	Section 65583.a	Section 2.E.7
Analysis of special housing needs: persons with disabilities, elderly, large families, farm workers, and female-headed households.	Section 65583.a	Section 2.E.3
Analysis of opportunities for energy conservation with respect to residential development.	Section 65583.a	Section 3.B.5
Identification of Publicly-Assisted Housing Developments.	Section 65583.a	Section 2.G.1
Identification of Units at Risk of Conversion to Market Rate Housing.	Section 65583.a	Section 3.2
Identification of the City's goals relative to the maintenance, improvement, and development of housing.	Section 65583.a	Section 4-Housing Goals 1 and 5
Analysis of quantified objectives and policies relative to the maintenance, improvement, and development of housing.	Section 65583.b	Section 4.C
Identification of adequate sites that will be made available through appropriate action with required public services and facilities for a variety of housing types for all income levels.	Section 65583.c(1)	Appendix B
Identification of strategies to assist in the development of adequate housing to meet the needs of low and moderate-income households.	Section 65583.c(2)	Section 3.B
Description of the Public Participation Program in the formulation of Housing Element Goals, Policies, and Programs.	Section 65583.d	Appendix C
Description of the Regional Housing Needs Assessment (RHNA) prepared by the San Diego Association of Governments.	Section 65583.e	Section 3.B.1
Analysis of Fair Housing, including Affirmatively Furthering Fair Housing.		Section 3.C
Review of the effectiveness of the past Element, including the City's accomplishments during the previous planning period.	Section 65583.f	Appendix A
Source: State of California, Department of Housing and Community Development.		

3. REGIONAL HOUSING NEEDS ASSESSMENT

This Housing Element accommodates the number of dwelling units and associated household income levels as allocated to the City through the Regional Housing Needs Assessment (RHNA) process. Del Mar is a member agency of the San Diego Association of Governments (SANDAG). SANDAG is responsible for preparing and determining the RHNA for all jurisdictions within the SANDAG region as part of each eight-year Housing Element cycle. State Housing law (Government Code Section 65583) requires the Housing Element include the City's plan to address its RHNA allocation, which is the City's assigned "fair share" of the total regional housing needs. For the 6th Cycle Housing Element Update (2021-2029), the City was allocated a total of 163 units, including 37 for very low-income, 64 for low-income, 31 for moderate-income, and 31 for above-moderate income households.

Housing Element law requires that the City demonstrate that there are adequate sites to accommodate RHNA. State law also requires that the city maintain adequate sites at all times throughout the Housing Element planning period. When there are not a sufficient number of sites with appropriate densities (20 dwelling units per acre in Del Mar), the Housing Element must include a program to make adequate sites available early in the planning period (generally within the first three years).

The City did not meet its assigned regional housing need for the 5th Cycle Housing Element. Therefore, the 6th Cycle Housing Element includes two upzone programs from the 5th Cycle that remain an obligation for the City to complete to create adequate sites. These are referred to as "carry over" programs. The City also failed to complete a required rezone program, which means that there are also "carry over" units for low-income households that remain an obligation for the City to accommodate. Since the City failed to complete these programs to meet its RHNA during the 5th Cycle planning period, Assembly Bill 1233 (Gov. Code Section 65583 and 65584.09) requires that within the first year of the 6th Cycle Housing Element, the City must upzone or rezone enough sites to accommodate the unmet need in the 5th Cycle in addition to actions needed to meet the RHNA for the 6th Cycle. This means that in addition to the 163 RHNA units, the City has 12 units for its unmet 5th Cycle low income RHNA that will "carry over" from the 5th Cycle Housing Element. Therefore, the total adequate sites production need for the 2021-2029 Planning Period is 175 units.

Housing Element Chapter 4 includes the City's Housing Plan, which identifies the future implementation actions that the City will take to meet its RHNA and the 5th Cycle carryover obligations. Some of the programs are intended to increase housing capacity; others are focused on strategies to facilitate lower income units. Throughout the document bold type is used to help identify when the discussion relates to an action program in the Housing Plan. Actions that the City will take to meet its RHNA include a variety of Housing Programs (further described in Chapter 4) and continued processing of development applications in progress (as reflected in the sites inventory in **Appendix B**):

Plan to accommodate 101 lower income units through the following Housing Programs:

- ▶ **Program 1A North Commercial Zone – 22 lower income units**
- ▶ **Program 1B Professional Commercial Zone – 3 lower income units**
- ▶ **Program 1H Public Facilities Zone – 7 lower income units**
- ▶ **Program 2A Accessory Dwelling Unit Incentive Program – 15 lower income units**
- ▶ **Program 3A Housing on State Fairgrounds Property – 54 lower income units**

- ▶ **Program 1E Rezone of Vacant North Bluff and/or South Stratford Properties** – only if needed to address no net loss

Plan to accommodate additional 12 carryover lower income units through projects in process:

- ▶ **APNs 299-100-47 and 299-100-48 (Jimmy Durante Boulevard/San Dieguito Drive) – Multiple dwelling unit development including 10 lower income units (6 low income, 2 very low income, and 2 extremely low income)**
- ▶ **941 Camino del Mar – Mixed use development including 2 low-income units**

D. RELATIONSHIP TO OTHER COMMUNITY PLAN ELEMENTS

The Housing Element is one of multiple required elements in the Del Mar Community Plan. The goals, policies, actions, and programs within the Housing Element relate directly to, and are consistent with, all other elements in the Del Mar Community Plan. The City's Housing Element identifies programs and resources required for the preservation, improvement, and development of housing to meet the existing and projected needs of its population.

All Elements in the Del Mar Community Plan contain policies to maintain the quality of life in Del Mar. In accordance with these policies, the overall goal of the Housing Element is to “*preserve and enhance the special character of Del Mar, the elements of which are a village-like community of substantially single-family residential character, a picturesque and rugged site, and a beautiful beach.*” These policies are implemented through the enforcement of regulations (local, state, and federal) that protect sensitive biological resources, protect coastal access and preserve existing open space and recreation areas, require compliance with acceptable noise levels in residential areas, and that protect and provide for public safety related to safe transportation networks for pedestrians, bicycles, automobiles, and other transit, as well as provide protection and minimize risk from other hazards.

The Del Mar Community Plan is organized into three main sections (Environmental Management, Community Development, and Transportation) that apply in addition to the Housing Element, which is published as a separate document. The Environmental Management, Community Development, and Transportation policies contained in the Community Plan are applicable to all discretionary permit applications, including housing that would be facilitated by the Housing Element.

The Environmental Management section of the Del Mar Community Plan includes policies for the preservation of natural resources, protection of areas and people susceptible to seismic and flooding hazards, and preservation and enhancement of open space. Future housing that is facilitated by the Housing Element Update will be reviewed for consistency with the environmental management policies; and applicable project-level conditions of approval and mitigation requirements will be imposed accordingly.

The Community Development section establishes the location, type, intensity, and distribution of land uses throughout the City, and defines the land use build-out potential. The Community Plan identifies land use designations that apply to real property and that specify where housing is an allowed use. Where residential is an allowed primary use, the Community Plan land use designation identifies the associated density range

that applies. The Community Development section also identifies lands designated for a range of commercial and office uses creating employment opportunities for various income groups. The presence and potential for jobs affects the current and future demand for housing at the various income levels in the City. One objective of the Housing Element Implementation Program is to better align the land use designations in the Community Development section with the City's housing goals to increase housing capacity in commercial zones by allowing residential as a primary use or part of a mixed-use project where dwelling units are provided up to a density of 20 dwelling units per acre. Future housing that is facilitated by the Housing Element Update will be reviewed for consistency with the community development policies; and project-level conditions of approval and mitigation requirements will be imposed accordingly.

The Transportation section of the Community Plan also affects the implementation of the Housing Element. The Circulation element policies within this section promote a balanced circulation system that accommodates pedestrians, bicycles, automobiles, and public transit. Consequently, the Housing Element must include policies and incentives that consider the types of infrastructure essential for residential housing units in addition to mitigating the effects of growth in the City. As mentioned above, an objective of the Housing Element is to facilitate the location of new housing in close proximity to jobs and services, which will help reduce the associated vehicle miles of travel between uses. Future housing that is facilitated by the Housing Element Update will be reviewed for consistency with the Transportation-related policies; and project-level conditions of approval and mitigation requirements will be imposed accordingly.

The Housing Element has been reviewed for internal consistency with the City's other Community Plan components. The policies and programs in the Housing Element provide consistency with applicable policies contained in the Community Plan. If portions of the Community Plan are amended in the future, the Housing Element will be reviewed to ensure that internal consistency is maintained throughout the Community Plan.

As required by statute, the Housing Element update triggers additional updates to the City's Community Plan including the Safety Element (SB 1241, Gov. Code Sections 65302, 65302.5, 65040.20 and 66474.02 and Section 21083.01 of the Public Resources Code) and inclusion of Environmental Justice policies (SB 1000, Gov. Code Section 65302).

The City is currently in the process of developing a Scope of Work and Schedule for the Safety Element Update and compliance with SB 1000. It is anticipated the funding and completion of this work will be finished in 2021.

E. IMPACT OF COVID-19

On February 14, 2020, the County of San Diego (County) Board of Supervisors declared a local health emergency in the County of San Diego due to the public health threat of the novel Coronavirus (COVID-19). On March 4, 2020, California Governor Gavin Newsom declared a state of emergency in the State of California due to COVID-19's public health threat. On March 14, 2020, the Del Mar City Council proclaimed a Local Emergency, as defined by Government Code §8558(c), in the City of Del Mar (City) due to the COVID-19 pandemic. These constraints are out of the control of the City.

The relative impacts of COVID-19 on the existing and future housing needs within Del Mar are not known at this time, but it may influence short-term and long-term housing policy and program considerations within the community. The City acknowledges the substantial impact that this pandemic has had and may have on housing needs in the community.

F. PUBLIC PARTICIPATION

Section 65583 of the Government Code states that, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). A discussion of citizen participation is provided below.

As part of the 6th Cycle Housing Element Update process, the City of Del Mar conducted extensive public outreach activities beginning in 2019. These outreach efforts included:

- ▶ Dedicated web page on City's website
- ▶ Updates and presentations to the City Council and Planning Commission and Informational Discussion Sessions with the City Council and Planning Commission
- ▶ Nine meetings with the 6th Cycle Housing Element Ad-Hoc Citizens' Task Force (one of which was an in-person Community Workshop)
- ▶ One Saturday Community Workshop
- ▶ Small group meetings (in-person and via phone or zoom)
- ▶ One community housing survey via Metroquest
- ▶ Email-blasts announcing draft document availability and public outreach information on upcoming public meetings and opportunities for public participation
- ▶ Articles in the City Managers weekly updates (emailed and posted to web page)
- ▶ Numerous mailers and newspaper ads
- ▶ Noticed Public Hearings

Project materials, including summaries from community workshops and public meetings, notices, and documents for public review were made readily available on the City's dedicated Housing Element webpage on the City's website.

Outreach for the 6th Cycle Housing Element to the Del Mar community, included the following actions:

- ▶ **6th Cycle Housing Element Ad-Hoc Citizens' Task Force** - A Citizens' Task Force was appointed by the City Council at the January 13, 2020 City Council meeting. The mission of the 6th Cycle Housing Element Ad-Hoc Citizens' Task Force (Task Force) was to:
 - Aid the City in the processing and development of the 6th cycle Housing Element Update in preparation of the associated environmental document for compliance with the California Environmental Quality Act (CEQA);
 - To help educate and encourage Housing Element participation amongst fellow Del Mar citizens; and
 - Discuss and provide feedback on potential goals, policies, programs, and objectives to be included within the 6th Cycle Housing Element during preparation of the associated CEQA document.

The Task Force met every other week for approximately four months to accomplish the tasks listed above. **The Citizens' Task Force also held an in-person Community Workshop on Saturday, February 29, 2020.**

- ▶ **Community Workshop #1** – The City conducted a community workshop on Saturday, February 29, 2020 at the Del Mar Town Hall that was advertised using both handouts and mailed flyers as well as postings to the City's website. The Workshop had over 35 in-person attendees and 55 persons who viewed the workshop online. At the workshop, participants were provided with an overview of the planning process. The City's RHNA obligations and engaged in an interactive exercise to focus on and identify the following:
 - What creative ways can Del Mar Provide Housing in Existing Commercial and Residential Areas;
 - What types of Community Assistance Programs can the City Provide to Facilitate Housing; and
 - How can the City Incorporate Public Lands into the Housing Element Strategy.
- ▶ **Community Housing Survey** – The City released a web-based survey as a part of the 6th Cycle outreach efforts. The survey was available online on the City's Housing Element page from March 16, 2020 to April 22, 2020. The Survey was live and accessible for about five weeks and included a series of multiple choice and free response questions; the survey had a total of 296 participants who completed the survey. The purpose of the Community Survey was to gather additional input on the 6th Cycle Housing Element's potential programs, policies, removal of constraints, and areas adequate to provide housing. The Community Survey tool was an important component of the community outreach process. It provided community members and stakeholders with the ability to give input on the Housing Element process at their own pace and at a time that works for their schedule.
- ▶ **City Council and Planning Commission Informational Discussion Sessions** – The City's outreach efforts included both City Council and Planning Commission informational update sessions to engage the City's decisions-makers throughout the Housing Element Update process. The sessions were both educational of the Housing Element's importance and purpose, as well as informational of current progress of the update and proposed goals, policies, and programs. In total, the City held sixteen City Council Sessions and two Planning Commission Study Sessions.
- ▶ **Housing Element Update Website** – A website was developed for public information and education. The website provided relevant information about the update process, key features of the Housing Element, a project timeline and calendar of events for outreach activities. The website also provided a link to the community survey tool as well as staff contact information for residents and community members to send additional comments or request additional information. The Housing Element Update website is located on the City's Website.

As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council.

Appendix C contains a summary of all public comments regarding the Housing Element received by the City during the update process.

G. DATA SOURCES

The data used for the completion of this Housing Element comes from a variety of sources. These include, but are not limited to:

- ▶ 2000 and 2010 Census
- ▶ American Community Survey
- ▶ Regional Analysis of Impediments to Fair Housing (AI)
- ▶ Regional Forecast by the San Diego Association of Governments (SANDAG), 2019
- ▶ Point-in-Time Homeless Census by the Regional Task Force on the Homeless, 2019
- ▶ Home Mortgage Disclosure Act (HMDA) lending data
- ▶ California Department of Economic Development
- ▶ California Employment Development Division Occupational Wage data, 2019
- ▶ Department of Housing and Urban Development, Comprehensive Housing Affordability Strategy (CHAS), 2012-2016
- ▶ San Diego Apartment Association Survey, 2019
- ▶ City of Del Mar, 2013-2021 Housing Element
- ▶ City of Del Mar 22 in 5 Report, May 2018

The data sources represent the best data available at the time this Housing Element Update was prepared. The original source documents contain the assumptions and methods used to compile the data.

H. HOUSING ELEMENT ORGANIZATION

This Housing Element represents the City's housing policies and programs for the 2021-2029 6th Cycle Planning Period. The Housing Element is comprised of the following Chapters:

Chapter 1: Introduction contains a summary of the content, organization, and statutory considerations of the Housing Element.

Chapter 2: Community Profile contains an analysis of the City's population, household and employment base, and the characteristics of the existing housing stock.

Chapter 3: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing identifies and considers governmental and non-governmental constraints on production, maintenance, and affordability of housing. This Chapter provides a summary of housing resources, including available sites to accommodate future housing growth, and funding and financial resources available. There are three subsections of this Chapter including Housing Constraints, Housing Resources, and Affirmatively Furthering Fair Housing.

Chapter 4: Housing Plan addresses Del Mar's identified housing needs, including the City's housing goals, policies and programs. This Chapter identifies future implementation actions that will be pursued as strategies to increase housing capacity and demonstrate a plan to feasibly make adequate sites available to address the City's assigned RHNA for lower income households. Throughout the Housing Element where

specific action programs are discussed, a reference to the more detailed discussion of the action program in Chapter 4 is provided in bold type.

Appendices: The Housing Element includes various appendices to provide supplementary background resources and analysis. The analysis and information in these sections is a requirement of the Housing Element Update process. These appendices include:

- ▶ **Appendix A** – Review of Past Performance of Adopted 5th Cycle Programs
- ▶ **Appendix B** – Summary of Adequate Sites Analysis for the 6th Cycle Housing Element
- ▶ **Appendix C** – Summary of Outreach for the 6th Cycle Housing Element
- ▶ **Appendix D** – Glossary of Housing Terms