



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 \(HCD\)](#) ~~Department~~. 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~~ ~~the California Department of Housing and Community Development (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 **M**meet Housing Element Production Targets in a **W**way **T**hat 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 [44-45](#) Housing Programs in the 6th Cycle Housing Element and the general timing for each:

	Program (and time frame)	Action
1	1A North Commercial (Completed - May 2022 City Council final action on CCC modifications; Coastal Commission final certification by June 2022)	Finalize 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 - May 2022 City Council final action on CCC modifications; Coastal Commission final certification by June 2022)	Finalize 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)	Amend the CC Zone to allow 20 du/ac (plan amendment and ordinance/LCPA)
4	1D Economic Study and Affordable Housing Overlay Zone (Economic study by December 2022; overlay by December 2025 if needed)	Conduct Phase II economic study and zoning assessment. 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 December 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 December-April 2024)	If City is unable to timely reach agreement with Fairgrounds, then must implement rezone 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	Update needed per State law

	(by December 2023)	(ordinance/LCPA)
7	1G Density Bonus (by December 2023)	Update needed per State law (ordinance/LCPA)
8	1H Public Facilities Zone (28 th Street Clean-up Rezone/LCPA by December 2022; Zone Amendment <u>and opportunities for partnership</u> by <u>December April 2024</u>)	Process clean-up Rezone/LCPA for 28 th Street lot by December 2022. Amend PF zone by <u>December April 2024</u> to <u>explicitly</u> allow residential as primary use to accommodate affordable housing. (ordinance/LCPAs)
9	1I Streamlining and Incentives for Affordable Housing (Economic study/zoning assessment by December 2022; and Ordinance/LCPA by <u>December-April 2024</u>)	Conduct <u>Phase II</u> economic study and zoning assessment. Evaluate existing regulations and identify potential <u>changes to remove constraints as necessary incentives</u> to facilitate affordable housing. (Economic study/zoning assessment and ordinance/LCPA)
10	1J Establish Program for Coordination with Affordable Housing Developers (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, <u>and 3A, and 3B</u> (<u>program for outreach/meetings</u>)
<u>11</u>	<u>1K Infill Affordable Housing on Non-Vacant and Small Sites</u> (<u>Economic study/zoning assessment by December 2022; and Ordinance/LCPA by April 2024</u>)	<u>Conduct Phase II economic study and zoning assessment of privately-owned sites. Evaluate existing regulations and development standards and identify potential changes to modify, reduce, and/or remove constraints to facilitate affordable housing on sites in the sites inventory. (Economic study/zoning assessment and ordinance/LCPA)</u>
<u>4412</u>	2A Extend and Enhance ADU Pilot Program - Incentive Program (Ordinance to extend program by May 2022; Economic study/zoning assessment by December 2022; Ordinance to add incentives/modify program by December 2023)	Process an extension of the current incentive program by May 2022. Prepare an economic study and zoning assessment. Process ordinance to incorporate additional incentives and/or program modifications to increase participation in the program. (Ordinance to extend ADU Incentive Program, Economic study/zoning assessment, Ordinance to add incentives/modify program)
<u>4213</u>	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)
<u>4314</u>	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)
4415	2D Tracking of ADU Progress (ongoing annual actions)	This is done as part of Annual Progress Reports (spreadsheet tracking & reports to Council)
4516	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)
4617	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)
4718	3A Agreement with State to Build Affordable Housing Units on State Fairgrounds property (Completed Economic study/Assessment in by December June 2022; and executed consulting services agreement in July 2022; MOU and b Binding agreement with State by December April 2024)	Conduct <u>Completed in June 2022 Phase I</u> economic study of market conditions, assessment of multi-unit product types, and <u>identify identification of potential funding sources for affordable housing on State Fairgrounds. Selected and executed agreement with affordable housing consultant in July 2022.</u> Initiate process to secure agreement with 22nd District Agricultural Association (DAA). Identify how housing will count towards RHNA. Binding agreement <u>with the State</u> due by December April 2024 or else contingency rezone (Program 1E) will be required. (agreement, MOU, RFP)
19	3B Feasibility/Suitability of Affordable Housing on Publicly Owned Sites (Completed Economic study/Assessment in June 2022)	<u>Conducted 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. 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)</u>
4820	4A Residential Care Facilities (by December 2023)	Process ordinance for compliance with State law (ordinance/LCPA)
4921	4B Emergency Shelters, Transitional Housing and Supportive Housing, and Low Barrier Navigation Centers (by December 2023)	Process ordinance for compliance with State law. Develop procedures to connect public with resources. (ordinance/LCPA and policy/procedures)
2022	4C Shared Housing Program (ongoing)	Continue to offer shared housing program/free roommate referral services via Del Mar Community Connections (outreach)
2423	4D Inclusionary Housing Ordinance (by December 2024)	Process amendments for compliance with State law (ordinance)
2224	4E Condominium Conversions (by December 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)
2325	5A Monitor the Renovation and Improvement of existing Multi-Unit Structures with Non-Conformities (ongoing)	Continue to allow retention of non-conforming structures with three or more units to renovate and make improvements to these existing multiple dwelling unit structures. Monitor the number of projects that utilize this program and identify the number of units conserved or rehabilitated where applicable. (publish procedure)
2426	5B Require Housing Impact Statement in Reports (by January <u>Completed in February</u> 2022)	Establish <u>Adopted City Council</u> policy and implement (policy/procedure)
2527	5C Preserve Existing Housing Stock/Short Term Rental Controls (Ordinance by December 2024)	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)
2628	6A SB 35 Streamlining – Notice of State Law Exemption for Coastal Cities (by January 2022)	Provide notice to the public that the City of Del Mar is a coastal city that is exempt from SB 35 (post notice on web page)
2729	6B Affirmatively Furthering Fair Housing per AB 686 (ongoing annual reporting requirements)	Participate in regional efforts, partner with organizations to review and refer discrimination complaints, and implement various actions. (outreach and funding)
2830	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)
2931	6D Solar Panel Installation Partnership (by December 2024)	Partner with Renewable Cities San Diego to install solar on housing for lower income households (resolution)
3032	6E Environmental Justice Element (by December 2022 <u>June 2023</u>)	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)
3133	6F Vote Threshold for Housing-Related General Plan Amendment (by December 2025)	Explore whether to modify local vote threshold for super majority to apply State’s simple majority (study and potential ordinance/public vote)
3234	6G Objective Design Standards (by June 2023)	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)
3336	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). Continue to support the existing tenants participating in the local rental subsidy program until they leave the program. Transition City assistance towards investment in the development of an equivalent number of permanent affordable housing units (four units for lower income households). (annual report to City Council with budget)
3437	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)
3538	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)
3639	7D Housing Choice Voucher Program (ongoing)	Contract with the County of San Diego for Housing Choice Voucher Program (resolution to process contract)
3740	7E Fee Waiver Program (ongoing)	Continue the fee waiver program (resolution to extend fee waiver if needed)
3841	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)
3942	7G Senior Housing Resources and Assistance (ongoing)	Continue to partner with Del Mar Community Connections (resolution to extend contract)
4043	7H Student Housing Resources and Assistance (ongoing)	Connect students with affordable housing options in Del Mar, including ADUs (outreach/resource list)

444	7I Database of Community Assistance Programs (ongoing)	Maintain list of community assistance programs (resource list)
45	7J Efforts to Reduce Homelessness (ongoing)	<u>Continue to collaborate with San Diego Regional Task Force on Homelessness (RTFH) including 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).</u>

More specific detail for each of the [44–45](#) 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 <u>M</u> meet Housing Element Production Targets in a <u>W</u> way <u>T</u> hat 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. ~~Within 6 months of City Council adoption of the Housing Element, 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 ~~Within 6 months of adoption of the 6th Cycle Housing Element (target 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. ~~Within 6 months of City Council adoption of the Housing Element, 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](#) ~~Within 6 months of adoption of the 6th Cycle Housing Element (target 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

Within 36 months of City Council adoption of the Housing Element, 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 72 parcels, two of which are vacant (south of City Hall). This zone currently does not allow residential as an allowed primary use. As amended, 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: Within 36 months of adoption of the 6th Cycle Housing Element (target [December-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 within 48 months of adoption of the Housing Element~~, 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: Within 36 months of adoption of the 6th Cycle Housing Element (target [Phase II](#) economic study by December 2022; Overlay Zone by December 2025 if needed)

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). If the agreement is not reached by April 2024, “no net loss” would be triggered and the City would be required to re-establish adequate sites. Per contingency Program 1E, if that circumstance were to happen 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 for “no net loss”. 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). To provide additional options for the accommodation of future housing need, including lower income households, the City will consider a rezone of vacant sites (as identified in Housing Element Candidate Sites Inventory in **Appendix B**) if necessary, to accommodate RHNA needs. These sites have the capacity to accommodate at least 50% of the City’s lower income RHNA as described in **Chapter 3 (Housing Resources)**. This fulfills the AB 1397 requirement for accommodation of the City’s lower income need on vacant parcels.~~

~~If efforts to reach an agreement with the 22nd District Agricultural Association State per Program 3A are not finalized within 36 months of the adoption of the 6th Cycle Housing Element (Program 3A), the City must rezone the North Bluff and/or South Stratford sites to apply the Housing Element Implementation Overlay Zone to allow multiple dwelling unit development 20-25 dwelling units per acre “by right” per Government Code Section 65583.2(h) and (i). The rezone action will be required to 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 per AB 2634 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: ~~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. If no agreement is reached by April 2024, "no net loss" would be triggered and the City would be required to re-establish adequate sites per contingency Program 1E and State law. This would require a decision by the City Council within 180 days to rezone specific sites with sufficient lower income unit capacity to address the deficit of 54 lower income units for "no net loss". Dependent on City Progress on Program 3A, the City will rezone within 36 months of adoption of the 6th Cycle Housing Element if needed for consistency with the State law requirement for creation and maintenance of adequate sites with sufficient density to meet the City's RHNA.~~

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 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: Within 24 months of adoption of the 6th Cycle Housing Element (target 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~~^{In the meantime}, the City is still required to apply current State law regardless of when the local amendments are adopted.

Timeframe: Within 24 months of adoption of the 6th Cycle Housing Element (target December 2023)

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. [By April 2024, the City will collect information on opportunities for partnership with a small non-profit/developer \(i.e., Habitat for Humanity or similar\) and will coordinate with other local jurisdictions to identify examples of similar small-scale affordable development projects for lessons learned and recommended strategies for successful implementation.](#)

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 via the City Council ([by December 2022](#)) and Coastal Commission 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: Within 36 months of adoption of the 6th Cycle Housing Element (target 28th Street lot rezone clean-up by December 2022; PF zone code amendment [and opportunities for partnership](#) by [December 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 reduce or eliminate these potential constraints. The City will specifically identify and evaluate constraints to affordable housing development and propose specific methods and strategies that address and 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 incentives for projects that provide a greater number of affordable housing units than the City's inclusionary housing ordinance would otherwise require.

The City will begin the analysis by conducting an economic study and zoning assessment to consider the market and comparative cost-benefit impact to property owners and explore various incentives in support implementation. Consideration will 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 and below one half an acre in size, the study will also explore methods to promote incentives for lot consolidation to facilitate use of small sites for affordable housing development.

Within 24 months of adoption of the Housing Element, 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) within 48 months of adoption of the Housing Element, 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: Within 24 months of adoption of the 6th Cycle Housing Element (target [Phase II](#) economic study by December 2022; 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: Within 12 months of adoption of the 6th Cycle Housing Element (target December 2022 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

[The City will conduct 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 will evaluate existing regulations and development standards and identify 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 will identify site concepts and feasibility \(i.e., -residual value outcome exceeding comparable land sales\) to encourage owners to pursue affordable housing development.](#)

Timeframe: [Complete Phase II economic study by December 2022; process Ordinance/LCPA by April 2024](#)

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: Within 24 months of adoption of the 6th Cycle Housing Element (target extension of incentive program by May 2022; [Phase II](#) economic study by December 2022; 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.

Timeframe: Within 24 months of adoption of the 6th Cycle Housing Element (target October 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: Within 24 months of adoption of the 6th Cycle Housing Element (target 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 California Housing and Community Development Department \(HCD\)](#).

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: Within 48 months of adoption of the 6th Cycle Housing Element (target 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.

Timeframe: Within 24 months of adoption of the 6th Cycle Housing Element (target 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 ~~the State Department of Housing and Community Development~~[HC-D](#) 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 an [Binding Agreement](#) ~~and Memorandum of Understanding~~ with the State ~~22nd District Agricultural Association~~ 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.](#)

~~Pursue a partnership with the 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 and negotiate the terms of development of at least 54 lower income units at a specific location on the Fairgrounds property. Once this type of binding agreement is secured by April 2024, it would allow the City to negotiate the terms of a property transaction that would provide the City with site control and the ability to facilitate all aspects of proceeding with development of affordable housing on the Fairgrounds property (i.e. developer selection, project-level environmental review, site design, entitlements, and construction). The binding agreement is intended as a pre-development processing step to provide more certainty to the process and 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. This program will also require processing of a Memorandum of Understanding(s) (MOU) to clearly identify how the housing units will accommodate a portion or all of the remaining Regional Housing Needs Assessment (RHNA) needs of participating jurisdictions. This high priority housing program would specifically target the production of affordable units to accommodate the City of Del Mar's RHNA need.~~

The City of Del Mar ~~will prepare~~[completed](#) an economic study of market conditions, assessment of multi-unit product types, and ~~identify~~[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 ~~22nd DAA~~ 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 ~~within 36 months of adoption of this Housing Element~~, 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 per AB 2634 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: Within 36 months of adoption of the 6th Cycle Housing Element (target Completed Phase I Economic study/assessment of market conditions by December in June 2022; and executed consulting services agreement in July 2022; and Target is to secure MOU/binding agreement with the State by December-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 [grantsources](#); 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. City staff will return to City Council at a public meeting in December 2022 to obtain direction. 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.

Timeframe: Completed Phase I Economic study/site assessment in June 2022

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: Within 24 months of adoption of the 6th Cycle Housing Element (target December 2023)

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: Within 24 months of adoption of the 6th Cycle Housing Element (target December 2023)

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

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 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 to Del Mar residents and will continue to collaborate with Community Connections to administer the shared housing program.

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: Adopt new Ordinance within 24 months of adoption of the Housing Element (target December 2023)

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.

Timeframe: Within 24 months of adoption of the Housing Element (target December 2023)

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.

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: Accommodate the Renovation and Improvement of Existing Multiple Dwelling Unit Structures with Non-Conformities

The City will continue to allow the 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. 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: Ongoing, 2021-2029 (annual reports to City Council HCD with Annual Progress Report)

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: ~~Within 6 months of adoption of the 6th Cycle Housing Element (target January 2022)~~
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: Process ordinance within 36 months of adoption of the 6th Cycle Housing Element (target 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 within 6 months of adoption of the 6th Cycle Housing Element (target 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. Through preparation of the Housing Element, the City studied and analyzed existing conditions and the 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 there are actions that can be taken to 1) create new housing opportunities at a range of income levels and remove other barriers that are within the City's control, 2) increase awareness and incorporate AFFH into decision making and promote diversity and inclusiveness, and 3) create greater access to housing assistance resources.

~~The City will 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.~~

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 while Del Mar does not have existing affordable units, Del Mar is a desirable location for households of any income level. If new opportunities for lower income units are created, there will be a high demand for those units as demonstrated by the following points:

- ~~• Del Mar does not have any racially or ethnically concentrated census tracts (RECAPs) as identified by HUD. This indicates that there are no census tracts within Del Mar with a non-white population of 50 percent or more or any census tracts that have a poverty rate that exceeds 40% or is three or more times the average tract poverty rate for the metropolitan/micropolitan area.~~
- 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~~ **if and** when new opportunities for lower income housing are created in these areas.
- ~~• Del Mar has a lower AllTransit performance score compared to similar jurisdictions in San Diego County as shown in the County's Analysis of Impediments. This indicates a low to moderate combination of trips per week and number of jobs accessible that enable a low to moderate number of people to take transit to work.~~
- ~~• Del Mar has a lower CES score compared to similar jurisdictions in San Diego County, indicating that Del Mar residents are less burdened by pollution from multiple sources and less vulnerable to its effects. This score accounts for a resident's socioeconomic characteristics and underlying health status compared to other areas around the San Diego region.~~

- There is at least a 199-person waitlist and continued requests for an expansion of affordable housing assistance through the City's local housing assistance program.
- ~~There are no existing affordable units; and therefore, there are no existing affordable units at risk of converting to market-rate within the planning period.~~
- ~~While there is high demand for housing in Del Mar, the existing zoning prioritizes single dwelling unit and duplex development and has not accommodated housing at a higher density of at least 20 dwelling units per acre since the 1970s.~~

Implementing Programs for AFFH Action Category 1:

- ~~The following programs are included to address the most significant barrier to fair housing in Del Mar. The intent is to create new housing choices and opportunities available to moderate- and lower-income households to help individuals and families remain living in the community or relocate to Del Mar. This will be addressed by various housing programs:~~
- ~~The City's housing plan demonstrates the ability to meet the anticipated future affordable housing needs of lower income households within the community by designating sufficient, available sites to meet the very-low and low income RHNA need (**Appendix B**). These candidate sites are in general, evenly dispersed throughout the community.~~
- ~~Further, the **Program 3B** (Phase I Studies of Public Sites) identified feasibility of affordable housing development on publicly owned sites (completed June 2022). The planned lower income units, including those targeted for the State Fairgrounds property (**Program 3A**) and City-owned property (**Program 1H**), will be integrated with the overall community to create opportunities for a healthy and safe environment with access to jobs, transit, services, good schools, public beaches and parks, coastal resources, amenities, and programs that enhance quality of life.~~
- ~~**Program 1A** (North Commercial) and **Program 1B** (Professional Commercial) created new capacity for development of lower income units on privately-owned property at a density of 20 dwelling units per acre (completed June 2022).~~
- ~~**Program 1K** (Phase II Studies), **Program 1I** (Streamlining and Incentives), **Program 1D** (Affordable Housing Overlay), and **Program 2A** (Low Income ADU Incentives) will identify potential incentives identified by the studies (completion of studies by December 2022), and will make incentives available to further promote and facilitate affordable housing on privately-owned sites in the sites inventory and facilitate affordable housing in additional opportunity site locations. This will be implemented through processing of an ordinance by December 2023.~~
- ~~**Program 1C** (Central Commercial) will create additional new capacity for development of new lower income units on privately-owned property at a density of at least 20 dwelling units per acre by April 2024.~~
- ~~**Program 2A** (Incentives for Low Income ADUs) will facilitate opportunities for low income households by December 2023~~
- ~~**Program 2F** (Tiny Homes) will create additional new capacity for tiny homes by December 2023.~~

[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 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 practices 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. The plan is targeted to be adopted by June 2023.](#)

~~To address the most significant barrier to fair housing in Del Mar, the City will take action to create new housing choices and opportunities available to moderate- and lower-income households with the intent to help individuals and families remain living in the community or relocate to Del Mar. This will be addressed by various housing programs including Programs 1A through 1C to accommodate multiple dwelling unit development at a density of 20 dwelling units per acre, Programs 1D and 1I to encourage owners to accommodate dwelling units for lower income households, Program 1H to accommodate affordable housing on City-owned properties, Programs 2A through 2F to accommodate ADUs and tiny homes, and Program 3A to develop multiple dwelling unit housing for lower income households on-site with employment opportunities at the State Fairgrounds.~~

▶ The City will continue to work with the community to address potential constraints to fair housing within Del Mar. This will include periodic reviews of the regulatory process to assess whether modifications are needed to accommodate persons with disabilities and may include actions such as an analysis of barriers to entry into homeownership or rental, review of historic policies or restrictions that may have prevented or may still prevent disadvantaged groups from locating in Del Mar, or specific actions that contribute to Del Mar being a more inclusive to all racial, social, and economic groups. [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.](#)

Fair housing materials will be published in English and Spanish. [The City will utilize available resources within the region to make AFFH materials available in Spanish by June 2024.](#)

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: 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, [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: Within 36 months of Housing Element adoption (target 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 practices 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: [Within 12 months of adoption of the 6th Cycle Housing Element \(target December 2022\) 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: Potential Modification to 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 can be an impediment to the City's timely compliance with State Housing law and recommended the City consider modifying the requirement to allow housing-related decisions to be adopted by a simple majority consistent with State law. Through this Housing Element program, the City will explore a potential modification to the existing requirement for a supermajority vote of the City Council for adoption of the Housing Element and Housing Element-related decisions. The City will hold public discussions with the community to help evaluate whether to modify the existing vote threshold. If desired by the City Council, a final decision of whether to modify the vote requirement for future Housing Elements and related implementation programs would be determined by the Del Mar voters in a future election.

Timeframe: Within 48 months of adoption of the 6th Cycle Housing Element (target December 2025)

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

Funding Sources: [City](#) General Fund (target FY 24 & 25)

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: Within 18 months of adoption of the 6th Cycle Housing Element (target June 2023)

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: [Target 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. that is 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 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 complaints of constraints to housing for persons with disabilities 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 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 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.

In conjunction with the Accessory Dwelling Unit programs, the City will promote the Housing Choice Voucher Program with owners of Accessory and Junior Accessory Dwelling Units.

Timeframe: Annually, 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 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 complaints of constraints for lower income households

and persons with disabilities (i.e., impediments to the maintenance, improvement, or development of accessible housing).

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

The City will continue to partner with non-profit organization, Del Mar Community Connections, and other local non-profit organizations to create and distribute housing 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: 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 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 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 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: 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 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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