



July 6, 2017

Dayna Bochco, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Subject: July 14, 2017 Hearing on A-3-MCO-16-0017 (Moro Cojo Subdivision Affordability Amendment, North Monterey Co.)

Dear Chair Bochco and Members of the California Coastal Commission:

LandWatch Monterey County urges you to:

- Deny the request to amend deed restrictions for 161 existing single-family residences in the Moro Cojo subdivision to reduce the duration of required affordability. Such action would be in direct conflict with Monterey County Local Coastal Plan, including Policy 4.3.6.D.1 for low and moderate income housing in the North County coastal area.
- Direct staff to explore a potential compromise with Monterey County, CHISPA, LandWatch Monterey County, and Jane Haines as further described below in a substitute motion.

To this end, I offer the following substitute motion:

Motion: I move that the Commission defer action on Coastal Development Permit Number A-3-MCO-16-0017 for 90 days, subject to the conditions below, and I recommend a yes vote.

Resolution to Explore Compromise: The Commission hereby directs staff to explore a potential compromise with Monterey County, CHISPA, LandWatch Monterey County, and Jane Haines that is consistent with the requirements of the LCP to protect affordable housing; the Settlement Agreement and Stipulation for Judgment of November 1995; the goals of creating a mixed-income neighborhood, of fairly rewarding Moro Cojo homeowners remuneratively for their sweat equity investments, and of replacing any permanently affordable housing that is lost at Moro Cojo with new affordable housing, with the understanding that if no compromise is reached within 90 days the deed restrictions on Moro Cojo homes will be retained in perpetuity. The Commission further requires CHISPA to fully disclose financing details, including initial purchase prices, refinancing statistics, sales prices, and related factual data, subject to reasonable precautions to prevent disclosure of personal information.

Founded in 1997, LandWatch Monterey County is a nonprofit, land conservation and planning organization representing more than 1000 residents of Monterey County. Providing affordable housing for local working families, located within mixed-income neighborhoods, is one of the five fundamental planning principles that guide our advocacy. Despite strong neighborhood objections, LandWatch was a staunch proponent of Tanimura and Antle's farmworker housing project and Pebble Beach Company's inclusionary workforce housing project. We also opposed two developments in Carmel Valley that did not meet general plan requirements for affordable

housing. Indeed, our interest in Moro Cojo stems from our commitment to preventing any further loss of an exceedingly small stock of permanently affordable homes throughout Monterey County.

With regard to the affordability requirements for Moro Cojo, the record is clear. The homes were sold with deed restrictions requiring that they remain permanently affordable. The LCP requires replacement of existing affordable housing lost due to conversion, notwithstanding the Coastal Commission staff's tortured logic that conversion somehow doesn't include the sale of the homes to market-rate buyers. Monterey County apparently never took the necessary steps to implement the court Judgment in the case of *Alliance to Enforce Mandates v. County of Monterey, CHISPA* – Monterey County Superior Court Case Number 102344 (see letter of May 24, 2004 from LandWatch executive director Gary Patton to Monterey County Supervisor Lou Calcagno). And, sadly, the families that purchased homes at Moro Cojo were never fully informed of the implications of the court judgment and the long-term financial implications of purchasing deed restricted homes, including the difficulties of refinance.

While we could challenge many of the factual claims in the Coastal Commission staff report, the claim that "Monterey County has taken great steps to address affordable housing needs" seems particularly egregious. According to the data that LandWatch has gathered, which despite repeated requests Monterey County has been unable to corroborate, Monterey County has 608 permanently affordable housing units out of a total housing stock of 38,783. That is, only 1.6% of all housings in unincorporated Monterey County are affordable. Moreover, our research has revealed that Monterey County has taken few if any steps to track, manage, or enhance its affordable housing stock, just as it has taken few steps to implement its 2010 General Plan Update.

LandWatch Monterey County would welcome the opportunity to negotiate a compromise with Monterey County, CHISPA, and Jane Haines to the benefit of current and future generations of low and moderate-income residents.

Regards,



Michael D. DeLapa
Executive Director

cc Jack Ainsworth, Executive Director, California Coastal Commission
Dan Carl, Central Coast District Director
Susan Craig, District Manager
Brian O'Neill, Coastal Program Analyst, Central Coast District Office
Jane Haines
Alfred Diaz-Infante, CHISPA