



August 21, 2017

John Owens, Chair
Seaside Planning Commission
Seaside City Hall
440 Harcourt Avenue
Seaside, CA 93955

RE: Draft Seaside General Plan Housing Element

Dear Mr. Owens:

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. This principle guides LandWatch's comment on the draft Seaside General Plan Housing Element.

General Comments

The current draft apparently meets State requirements in some areas:

- The Land Use Element provides adequate sites to meet the City's share of AMBAG's regional housing needs allocation of 393 units for the 2015-2023 planning period.
- Quantified objectives for 2015 to 2023 include 400 units for extremely low, very low, low, moderate and above average incomes, 10 units for rehabilitation, and 133 units to be conserved. (p.18)
- Potential development sites are identified in the Appendix. They assess inclusionary housing requirements on a case-by-case basis and allow in-lieu fees.
- Importantly, the draft makes clear that future growth depends on a new water supply.

The City has included some important "smart growth" policies (pp. 6-7)

- A variety of housing types;
- Affordability by design;
- Aging in place;
- Innovative housing options;

- De-concentration of affordable units;
- Accessory dwelling units.

Comments Regarding Implementing Programs

There are other good policies included in the Housing Element. However, we are concerned that the policies are largely precatory, phrased in terms of “encouraging” and “supporting” and “promoting” certain activities, and that the draft housing Element lacks sufficient implementing programs. HCD recommends that effective policies specify measureable outcomes; identify the City’s agencies and officials responsible for these outcomes; specify the time frame for implementation; describe the City’s specific role and action steps; identify funding sources; and demonstrate a firm commitment by the City to take action. HCD, RHNA, Building Blocks, Program Overview and Quantified Objectives, (available at <http://hcd.ca.gov/community-development/building-blocks/program-requirements/program-overview.shtml#developing>).

As written, the draft Housing Element appears to lack the kind of enforceable, concrete, policies that HCD recommends. Furthermore, the organization of the document does not lend itself to an easy determination whether the goals and policies are adequately implemented because the implementing programs 1 through 17 on pages 10 through 18 are listed separately from Goals H-1 through H-9 and the various policies in support of those goals on pages 5 through 9. LandWatch’s specific comments on the goals, policies, and implementing programs follow.

Goal H-1, intended to ensure well-maintained neighborhoods and housing conditions, depends on policies without any specific measureable outcomes.

- The implementing programs 1, 2, and 4 call for code enforcement, abandoned property registration, and promoting resource conservation. It is not clear that these existing efforts are likely to be effective if they have not been in the past.
- The proposal in program 3 to partner with nonprofits to acquire and rehab multifamily residential properties appears to be underfunded if the \$2.6 million balance in the Inclusionary Housing In-Lieu Fee account is the only available funding. Although the policy calls for pursuing State and federal funding, more specifics as to the funding sources that will be pursued would be welcome.

Goals H-2 through H-4, to ensure housing production, diversity, and opportunities also depends on policies phrased in terms of “encouraging” and “supporting” without clearly supported, measureable outcomes. It is not clear that the implementing programs are sufficient.

Goal H-2 - ensure a range of housing:

- Policies in support of Goal H-2 to ensure a range of housing (at page 6) call for encouraging smaller and more affordable residential units, including micro-units and “co-housing arrangements.” None of the implementing programs identified as supporting housing production, diversity, and opportunities (implementing programs 5 through 8 on pages 12-13) address these policies. Will these policies be implemented through a change in development standards? If not, how will they be implemented? What resources or city agency will be assigned to implementing this policy? When will implementation occur?

- Another policy under Goal H-2 calls for promoting geographic dispersal of affordable units. How will this be measured? What specific actions would the City take to implement this policy? It is not clear how criteria applied through the City's permitting process could result in geographic dispersal since a permitting decision addresses only the project proposed by a specific developer for a specific location.
- The policy under Goal H-2 calling for allowing development of accessory dwelling units in single family neighborhoods is apparently to be implemented by a zoning change within six months to ensure compliance with state law regarding ADUs (per implementing program 8 at page 13). The discussion at page 13 states that this is anticipated to result in 10 ADUs. How was that determined?

Goal H-3 – ample affordable housing

- A policy calls for implementing the State density bonus program. There is no corresponding implementing program. Compliance with state law is, of course, mandatory. What specific steps will the City take that would result in projects that actually take advantage of the density bonus program? Will the City adopt application procedures and timelines? What incentives in the form of relaxed development standards or design requirements or other regulatory incentives will the City adopt to ensure cost reductions for affordable housing? What parking ratio concessions are planned?
- A policy calls for the City to “encourage the construction” of multi-family housing in specified areas. There is no corresponding implementing program. Without this, the policy is vacuous.
- A policy calls for prioritizing allocation of water and sewer services for affordable housing in compliance with State law. There is no corresponding implementing program that explains how the City will act to ensure that its limited water supply actually gets allocated to affordable housing instead of other housing or non-housing development. Implementing program 15 acknowledges that there is insufficient water supply for new development and calls for working with other jurisdictions to augment the supply. However, until then, the City should have a clear program that would ensure that any available water supply is allocated only to affordable housing until the affordable housing needs are met.

Goal H-4 – streamline development process

- A policy at page 7 calls for regular review of development standards and procedures to mitigate constraints on development. There is no implementing program. What specific steps will the City take to ensure timely review and mitigation of constraints? When will the first of these reviews take place? What procedures will be considered for revision? Will the City consider housing-by-right programs, i.e., ministerial approval programs? What development standards might be targeted for revision?

Goals H-5 through H-7 are intended to address housing affordability and protections.

- Program 6 at page 12 is apparently intended to implement the no net loss policy at page 8 under Goal H-6. As written, the program would apparently allow new mixed-use development to cause a net loss in housing because mixed-use development could replace housing stock. It is not clear that the City should permit this; if it does, it should not claim to have a no net loss housing policy. As noted below, the City has in fact had a net-loss of affordable housing in the 2007-

2014 period. Program 6 would also permit a reduction in available land zoned for residential use below that required to implement the RHNA. It would also only require that sufficient land be re-zoned for housing to correct this within two years. The City should not permit non-residential mixed-use development to deplete land zoned for housing below the RHNA requirements in the first place. If a project has that effect, the City should require contemporaneous rezoning to mitigate the loss of land zoned for housing.

- A policy under Goal H-5 at page 7 call for deed restrictions or “other reasonable mechanisms” to maintain affordability. What other mechanisms are contemplated? There is no implementing program for this policy.
- Policies under Goal H-5 at page 7 call for monitoring affordable housing and short-term rentals. A policy under Goal H-6 calls for monitoring condo conversions. There is no implementation for these monitoring programs, other than program 11 to monitor the Hannon Apartments for condominium conversion. Who will monitor affordable housing, short-term rentals, and condominium conversions generally and how often? How will the results be reported?
- A policy under Goal H-6 calls for right of first refusal for displaced households during housing redevelopment. There is no implementing program. How will a displaced household assert its right of first refusal without at least an implementing ordinance? Who will write the ordinance and when?
- Program 13 calls for case-by-case application of the City’s inclusionary housing program and annual review of its effectiveness. That program currently calls for 20% inclusionary housing. While the Inclusionary Housing Ordinance is not an integral part of the Housing Element, we recommend that it be reviewed in the near future with consideration given to similar ordinances throughout the county. For example, the 2010 Monterey County General Plan requires the revision of its inclusionary housing ordinance to require a minimum of 25% affordable units for projects of five or more lots. It is unclear how the City would determine the effectiveness of the inclusionary housing ordinance under implementing Program 13, particularly in light of ongoing debates about whether inclusionary housing ordinances help or hinder housing production. The City should determine what measureable outcomes it expects from its inclusionary housing ordinance and identify this in an implementing program.

Additional Comments

With regard to the following statement that identifies areas for future housing

Seaside East future growth area and future specific plan area offer long-range residential growth potential for a variety of single-family detached, townhomes, row houses, and multifamily dwelling units. (p. 4).

LandWatch recommends that the final Housing Element make clear that development in Seaside East should only take place once the “core” areas of Seaside are developed, filled-in (vacant lots), or redevelopment. The plan should identify specific criteria that define when this future growth area would be appropriate.

Seaside provides more housing (10,913) than jobs (9,650), according to AMBAG data from 2015. A positive jobs/housing balance means that people who work in Seaside have more opportunities to live there than they would in other cities in Monterey County.

However, future economic development in Seaside will be critical to relieving significant inequities in per capita city revenue and providing resources to support housing. For comparison, among Peninsula cities, Seaside has the lowest city revenues per capita.

Sand City	\$14,706	Marina	\$638
Carmel	\$3,280	Seaside	\$572
Monterey	\$1,509	Salinas	\$517
Pacific Grove	\$980		

Historically, Seaside has a mixed record of providing housing in relation to other cities in Monterey County. Some data suggest that Seaside has done a comparatively better job at maintaining housing as permanently affordable. According to AMBAG's 2015 data, of the 10,913 housing units in Seaside, 441 or 4.0% are permanently affordable. This compares with 2.6% of all housing units countywide.

However, during the most recent measuring period, Seaside has not done as well as other cities in Monterey County in attaining its Regional Housing Needs Allocation. According to HCD, California Housing Future, Exhibit B2, page 13 (available at <http://www.hcd.ca.gov/policy-research/plans-reports/docs/California%27s-Housing-Future-Full-Public-Draft.pdf>), Seaside made negative progress in attaining its RHNA over the period 2007-2014, attaining -8.7% of its RHNA in that period, ahead of only Marina (-16.6%) and the unincorporated County (-17.8%). In light of this record, it is critical that the City focus its housing element on affordable housing production.

Note that Table 1 does not add up. The number of new units to be constructed comes to 350, not 400.

Thank you for your consideration.

Sincerely,



Michael DeLapa
Executive Director