



CITY OF DEL REY OAKS

650 CANYON DEL REY BLVD., DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 FAX (831) 394-6421

AGENDA DEL REY OAKS PLANNING COMMISSION MEETING WEDNESDAY, DECEMBER 13, 2023 AT 6:00 P.M.

Del Rey Oaks City Hall is inviting you to an **IN PERSON MEETING AT CITY HALL**
PLEASE NOTE THIS WILL BE LIVE STREAMED FOR VIEWING ONLY
YOU WILL NOT BE ABLE TO MAKE PUBLIC COMMENTS ON ZOOM

Join Zoom Meeting

<https://us02web.zoom.us/j/81812192822>

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT AGENDA:**

A. Adopt November 8, 2023 Planning Commission Meeting Minutes

4. **PUBLIC COMMENTS:**

Anyone wishing to address the Commission on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered by the Commission. *There will be a time limit of **not more than three minutes** for each speaker. No action will be taken by the Commission on matters brought up under this item and all comments will be referred to staff.*

5. **REPORTS:** Building Activity Report November 2023

6. **OLD BUSINESS:** None

7. NEW BUSINESS:

The Planning Commission will receive comments from the public and consider adopting a Resolution recommending that the Del Rey Oaks City Council amend the Del Rey Oaks General Plan by Adopting the 6th Cycle (2023-2031) Draft Housing Element.

8. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS

9. NEXT MEETING: Wednesday, January 10, 2024 at 6pm

10. ADJOURNMENT

All enclosures and materials regarding this agenda are available for public review at Del Rey Oaks City Hall. Information distributed to the Planning Commission at the meeting becomes part of the public Record. A copy of written material, pictures, etc. should be provided to the Secretary for this purpose.

City of Del Rey Oaks

**City Hall
650 Canyon Del Rey Blvd
Del Rey Oaks, CA 93940**



Action Minutes

Wednesday, November 8, 2023 - 6:00 PM

Planning Commission – Regular Meeting

Del Rey Oaks Planning Commission

Mike Hayworth – Chair

Denise Wood – Vice Chair

George Jaksha – Commissioner

Gary Kreeger – Commissioner

Louise Goetzelt - Commissioner

Ann Ahmadi – Commissioner

Celine Pinet - Commissioner

6:00PM – Called to Order:

The meeting was called to order by Chair Hayworth.

Roll Call:

Present: Chair Hayworth, Commissioner Jaksha, Commissioner Amadi, and Commissioner Goetzelt, Commissioner Kreeger, Commissioner Pinet, Vice Chair Wood.

Staff Present:

City Manager Guertin and City Clerk Minami

Pledge of Allegiance:

Chair Hayworth led the Pledge of Allegiance.

Consent Agenda:

A. Adopt October 11, 2023, Planning Commission Meeting Minutes

A motion to approve was made by Commissioner Goetzelt and seconded by Commissioner Pinet. Minutes were approved 7-0

Public Comment: None

Reports:

The Building Activity Report was accepted unanimously.

Old Business:

None

New Business:

- A. Planning Commission will receive presentation on State of California Department of Housing and Community Development Comments on 6th Cycle Housing Element draft and consider revisions. Denise Duffy and Associates

Denise Duffy shared a detailed slide show and took questions and comments from Planning Commissioners, while reviewing the timeline and progress of the comments from HCD. Information item only, no action was taken.

Public Comment: None

Announcements:

Commissioner Kreeger: Reminds all about Holiday function on Dec. 2nd.

Next Meeting Date: Wednesday, December 13, 2023 at 6pm

Adjournment:

6:40 pm

Attest:

Date:

<u>Month:</u>	<u>Name:</u>	<u>Address:</u>	<u>Description:</u>	<u>Contractor:</u>	<u>Permit#</u>	<u>Issue Date:</u>
November	Williams	202 Calle Del Oaks	Indoor Swim School	ICON James Harrington	B-23-57	11/02/23
October	Chabony	1 Robertson	Kitchen remodel	John Hansen Construction	B-23-56	10/30/23
October	Munir S Munir	1019 Portola	Remodel	Owner/Builder	B-23-53	10/05/23
September	7-11	CDR	Coffee station	Electrical Systems Inc.	B-23-51	09/06/23
August	Havens	9 Los Encinos Dr	Demo drywall in bdrms & studio	Disaster Kleen Up	B-23-49	08/30/23
August	Rodrigues	1012 Rosita Rd.	Retaining Wall	Third Heaven	B-23-48	08/29/23
August	Barber	999 Paloma Rd	Bathroom remodel	AA Construction Company	B-23-45	08/02/23
July	Joshi	12 Quendale	Kitchen cabs, lights, slider	Tom Campagno Construction	B-23-42	07/20/23
June	Fitzsimmons	1025 Portola	ADU	Madrone	B-23-40	06/30/23
June	Motchkavitz	800 Arlington	ADU	Millette Constr.	B-23-39	06/29/23
May	Derian	983 Portola	Remove Wall/Kitchen cabinets	Owner/Builder	B-23-31	05/22/23
May	Machi	954 Portola	Demo, remodel, new kitchen	Owner/Builder	B-23-27	05/03/23
April	Balaban	1117 Rosita	Remodel Kitchens and Bathrooms	Crabbe Construction & Design	B-23-24	04/28/23
May	Finaldi	121 Calle Del Oaks	Tenant Improvement Interior Remodel	Hastings Construction	B-23-22	05/30/23
March	Kimber	8 Quendale	Kitchen remodel	Monterra	B-23-14	03/17/23
March	Frazier	932 Via Verde	Bathroom remodel	Greg Cosmero Construction	B-23-10	03/02/23
February	Petraeus	1020 Portola	Re roofing	Salinas Valley Roofing	B-23-07	02/06/23
January	Fontes	20 Carlton	Replace and expand deck	Carmel Point Landscapes	B-23-03	1/5/2023



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DATE: December 11, 2023
TO: Planning Commission and City Manager
FROM: Denise Duffy, DD&A, Housing Element Planning Consultant
SUBJECT: 6th Cycle Housing Element Update Consideration

Items under Consideration:

The Planning Commission will consider a recommendation to the City Council to approve the 2023 6th Cycle Housing Element Update, an amendment to the General Plan.

Overview:

The City of Del Rey Oaks (City) has prepared the 6th Cycle (2023-2031) Draft Housing Element as required by Government code Section 65580 et seq. The 6th Cycle Housing Element is a multi-year housing plan for the 6th Planning Cycle, 2023-2031 planning period. The City's 6th Cycle Housing Element includes an analysis of the City's housing needs and identifies various governmental and non-governmental constraints to meet those needs. The 6th Cycle Housing Element also establishes goals, objectives, and policies, and sets forth a comprehensive list of programs to achieve them, including meeting the City's Regional Housing Needs Allocation (RHNA). The 6th Cycle Housing Element provides a summary of potential sites for residential development and demonstrates that there are adequate sites with appropriate zoning capable of accommodating the level of development identified in the RHNA. The 6th Cycle Housing Element is a policy document rather than a project or development proposal for a specific action.

Planning Commission Action:

The Planning Commission will consider public testimony, including revisions made to the November 2023 Housing Element based upon the December 6, 2023, Planning Commission and City Council public hearing. The Planning Commission, after considering all information received in writing and presented orally, will consider a resolution recommending approval of the 6th Cycle Housing Element to the City Council. The following process is suggested:

1. Receive Staff Presentation.
2. Open public hearing and take public comments.
3. Discussion and consider action.

City Staff Planning Commission Recommendation:

City Staff recommends the Planning Commission approve the attached resolution, recommending that the City Council approve the General Plan Amendment adopting the 6th Cycle (2023-2031) Draft Housing Element Update.

Language of Motion for Approval:

Motion to approve Resolution 2023-21, recommendation from the Planning Commission that the City Council approve adoption of the City's 2023-2031 6th Cycle Housing Element Update and direction to staff to submit the Housing Element to HCD for review.

Attachment A: Additional Background Information for Staff Report

Attachment B: Planning Commission Resolution

ATTACHMENT A

Staff Report - Additional Background

The following additional information provides background on the proposed action for both the Planning Commission and City Council.

Background:

In accordance with applicable State housing law, local government agencies are legally required to adopt plans and programs for housing that provide opportunities for and do not unduly constrain housing development. The Housing Element, which is one of seven State-mandated components of the City’s General Plan, is therefore a mechanism by which the State requires local jurisdictions to provide a variety of housing options and strive toward reaching regional housing needs while maintaining civic and local responsibility toward economic, environmental, and fiscal factors and community goals stated within adopted General Plan documents. Housing Elements Updates are required to be certified by the State of California Department of Housing and Community Development (HCD) prior to finalization, for HCD to ensure cities are taking necessary steps to promote the creation of housing for all income categories and of all housing types.

Housing Element Requirements of State Law:

As required by State law, Del Rey Oaks prepared its 6th Cycle Draft Housing Element Update of the General Plan for the 2015-2023 eight-year planning cycle. Key components of the housing element are set forth under State law (California Government Code Sec. 65583 et seq) and related land use regulations related to housing through HCD. The Draft 6th Cycle Housing Element includes the following components:

1. Background Information: A housing needs assessment which identifies and analyzes the existing and projected housing needs within the City by examining demographic, employment, and housing trends and conditions, with attention paid to special housing needs (e.g., seniors, large families, persons with disabilities).
2. Constraints on Housing Analysis: An analysis of existing and potential governmental and non-governmental barriers to housing development.
3. Housing Resources: An inventory of resources relevant to meeting the City's housing needs, including a sites inventory for available land to accommodate the RHNA.
4. Housing Plan: A statement of goals, policies, quantifiable objectives, and financial resources available for the preservation, improvement, and development of housing.
5. Evaluation of Past Performance: Review of the previous Housing Element to measure progress and effectiveness of housing and outreach policies and programs.
6. Public Participation: Public outreach and community engagement program, to include all economic segments of the community including any underrepresented groups.
7. Sites Inventory: Identify locations of available sites to ensure there is enough land zoned for housing to meet the future need at all income levels.
8. Affirmative Further Fair Housing (AFFH): Assembly Bill 686 was passed in 2018 as the statewide

framework to affirmatively further fair housing (AFFH) to promote inclusive communities, further housing choice, and address racial and economic disparities through government programs, policies, and operations.

Public Participation:

A key requirement of the Housing Element is public participation. The City has held numerous public meetings. The meetings were publicly noticed in local media, and the programs and PowerPoint provided in a staff report were also posted on the City’s website. A short summary follows:

The City conducted public workshops and hearings on the City’s 6th Cycle Update on March 16th and March 28th prior to initiation of the 6th Cycle Update. Additional workshops were conducted on May 3rd, and May 9th, as well as a public meeting on May 17, 2023. Additional public input was sought during the Planning Commission meeting on May 17, 2023. After public input and notification, the local review or Public Review Draft 6th Cycle Housing Element Update was published on May 26, 2023. The City published notification of the availability of the draft on the City’s website and provided notification via email blast and direct mail. The notice identified the purpose of a housing element and how to provide comments for the 6th Cycle Housing Element prior to the 30-day review period close of June 26, 2023. The May 2023 6th Cycle Draft Housing Element Update was made available on the City’s website. Two comment letters were received on the 6th Cycle Housing Element and were posted on the City’s website. The local 30-day public comment period conducted in May 2023 and subsequent public participation and hearings in June and July 2023 provided local early input. Comments received during the 30-day public review were presented at a July 12, 2023, meeting and included in the packet for the Planning Commissioners. City staff and the City Housing Element consultant requested direction on programs and updates to the program related to the comments received. The public hearing included opportunities for discussion and questions regarding the update and the process. After reviewing written comments received, and opening the meeting to public comments, Planning Commissioners provided direction on sites inventory and programs and policies.

Program revisions were presented and revised programs or additional programs identified. HCD Review Draft 6th Cycle Housing Element Update (HCD Review Draft, July 2023) was completed and an HCD Review Draft of the 6th Cycle Housing Element was submitted to HCD for their required 90-day review in July 2023. The City also posted this HCD Review Draft 6th Cycle Housing Element Update on the City’s Housing Element webpage. The City complied with AB 215 requirements prior to submittal of the July 2023 HCD review draft for the required HCD 90- day review period. After the July meeting, the City Council held a public hearing on August 22, 2023, and considered the revisions and updates to the 6th Cycle Housing Element and programs.

HCD mandatory review of Draft Housing Element ended in October 2023. HCD review comments were received on October 18, 2023. The requested revisions from HCD on the draft were presented to the Planning Commission and a public hearing held to accept public testimony on HCD comments at the Planning Commission hearing on November 8, 2023. Two members of the public attended; however, no comments were provided by the public. No viewers were online for the zoom public meeting. Planning Commissioners provided comments and questions related to the HCD comment letter and program revisions. The HCD Review Letter was posted online and attached to City’s staff report on November 8, 2023, and

to a November 14, 2023, City Council staff report. At the City Council on November 14, 2023, updated programs and HCD-provided example programs were discussed and comments provided at both meetings. The City provided a staff report and posted the revised Chapter 7.0 Programs to the Housing Element on December 1, 2023. The full revised draft 6th Cycle Housing Element Update was posted on the City’s website and discussed during the December 6, 2023, public hearing.

December 6, 2023, Meeting: The statutory deadline for adopting the update of the Housing Element for the 6th cycle planning period is December 15, 2023. This tight timeline necessitates continued development, review, and collaboration of the documentation. To accommodate the tight timeline, the City held a special meeting of the Planning Commission and City Council on December 6, 2023, at which additional comments on the Housing Element and draft programs were provided by the Planning Commission, City Council, and the public. A presentation summarized the changes to the Housing Element addressing HCD’s comments. The City Planning Commission and City Council provided additional feedback on the programs. The table below identifies comments and the minor revisions Housing Element.

Del Rey Oaks Housing Public Comments from December 6, 2023 Meeting	
Comment Topic	Change/Revision Housing Element Chapter
Rehabilitation of housing units and local knowledge on old piping.	Chapter 2.0: Added local knowledge on old piping on page 2-23 in discussion of rehabilitation.
Questions on ADU data and projections.	Appendix A AFFH Assessment: Added information on ADU affordability on page A-62.
Special needs groups also include persons with chronic illness, military (active & veteran), LGBTQ+ community and people of color; in the housing element. Also, students are a Special Needs Group.	Chapter 2.0: Added Special Needs info on students on page 2-13, and 2-23. Appendix A AFFH Assessment: Additional info on student in Education subsection on page A-56. Overall AFFH: Added consideration of special needs groups. Note: City supports inclusivity and AFFH and Programs are applicable to all special needs groups and populations.
PROGRAM REVISIONS/ADDITIONS	Revisions Program Chapter 7.0
Comment on desegregation of affordable housing in new development.	Added Program language supporting integration of affordable housing in Chapter 7.0 programs, under Program C.7.
Noted MPWMD representation to Program C.4 and 3CE in Program E.3; missing language in last lines of Program A.1.	Chapter 7.0: Added MPWMD to Program C.4 on page 7-14 and 3CE to Program E.3 on page 7-22; put missing line in bullet 4 for Program A.1 on page 7-6.
Timeline consistency in Program C.5	Chapter 7.0: Revised timeline for Program C.5, page 7-14.
OTHER COMMENTS	On-going
Common concern noted regarding amount of work and time needed for completion of all programs.	The Housing Element includes estimated timelines for completion of the included programs. Timelines will be updated due to funding and resource availability throughout the eight-year implementation period.

City of Del Rey Oaks 6th Cycle Housing Element Update:

Changes made in consideration of the HCD letter, as well as comments received during public meetings through December 6, 2023, are shown in track changes in the Housing Element attached to this packet.

6th Cycle Housing Element Update

HCD **2nd** Review Draft

November 2023 Public Review Document

July 2023

CITY OF
DEL REY OAKS



6th Cycle Update
(2023-2031)
City of Del Rey Oaks

Prepared by Denise Duffy & Associates

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DRAFT 6th CYCLE HOUSING ELEMENT

City of Del Rey Oaks

6th Cycle Housing Element

Prepared for the City of Del Rey Oaks
for submittal to the
Housing and Community Development Department (HCD)

HCD 2nd Review Review Draft: November 2023

Prepared by Denise Duffy & Associates



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CHAPTER 1.0 INTRODUCTION

Under the requirements of State law, every city and county in California must prepare a housing element as part of its general plan. The law recognizes that an adequate supply of affordable housing for all income levels is an essential need for all communities and that all local governments share in the responsibility of implementing solutions to address local and regional housing needs. To that end, all California local governments are required to prepare a housing element that lays out how the community will plan for its housing needs. The housing element is directed by the policy framework of the general plan and attempts to balance needs and values of a community while accomplishing the goals of housing element legislation.

Housing elements are developed to identify and analyze a city's housing needs; identify various governmental and non-governmental constraints to meeting those needs; establish reasonable goals, objectives and policies based on those needs; and set forth a comprehensive list of actions to achieve the identified goals and objectives. The detailed statutory requirements for preparing a housing element are codified in the California Government Code (sections 65580–65589). By law, a housing element must also be updated on a regular basis to facilitate the improvement and development of housing within a community and must also be reviewed and certified by the State Department of Housing and Community Development (HCD).

The official definition of housing needs is provided by HCD for each city and county within its geographic jurisdiction. The process to update a housing element must include an evaluation of the community's "Regional Housing Needs Allocation" (RHNA), which provides an estimate of the number of housing units that should be provided in the community to meet its share of new households in the region. As the regional planning agency, the Association of Monterey Bay Area Governments (AMBAG), is responsible for allocating the region's share of the statewide housing need to each jurisdiction based on population projections and regional population.

The City of Del Rey Oaks (City) Housing Element is one of the seven State mandated elements of the City's General Plan. In accordance with State Housing Law, this Housing Element has been prepared for the 6th Planning Cycle Housing Element Update, 2023-2031.

Housing Element Contents

In general, a housing element must at least include the following components:

Existing Needs and Projected Needs Analysis

Existing needs are the number of households overpaying for housing, living in overcrowded conditions, or special housing needs (such as the elderly or homeless). Projected needs analysis looks at the City's share of regional housing needs established in the RHNA Plan prepared by AMBAG.

Housing element law requires local governments to adequately plan to meet their existing and projected housing needs, including their share of the RHNA. A complete analysis should include a quantification and a descriptive analysis of the specific needs and resources available to address these needs.

Sites Inventory and Analysis

A sites inventory is a detailed land analysis of available sites including specific properties, parcel size and existing conditions, availability of infrastructure, and an evaluation of suitability and potential development capacity that can be used in addressing the RHNA and/or population growth.

Analysis of Constraints

An analysis of constraints includes an evaluation of land use controls, fees and exactions, permits and processing procedures and its impact on housing development. The housing element must identify and analyze potential and actual governmental constraints to the maintenance, improvement, or development of housing for all income levels, including housing for people with disabilities. The analysis should identify the specific standards and processes of these constraints and evaluate their impact on the supply and affordability of housing. The analysis should determine whether local regulatory standards pose an actual constraint and must also demonstrate local efforts to remove constraints that hinder a jurisdiction from meeting its housing needs.

Housing Programs

Housing programs address various programs to accommodate the locality's share of RHNA, remove or mitigate governmental constraints, conserve or improve housing stock, and promote fair and equal housing. Programs must include specific action steps the City will take to implement its policies and achieve its goals. Programs must also include a specific timeframe for implementation, identify the agencies or officials responsible for implementation, describe the jurisdiction's specific role in implementation, and (whenever possible) identify specific, measurable outcomes. This also includes a description of what has been learned based on the analysis of progress and effectiveness of the previous element.

Housing element law requires local governments to be accountable for ensuring that projected housing needs reflected by the RHNA Plan can be accommodated.

Quantified Objectives

Each jurisdiction must identify specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives. An example of a quantified objective may be an estimate of the number of units by income level to be constructed, rehabilitated, and conserved over a planning period.

Organization of this Document

This document is organized into seven sections to address the required contents of a housing element pursuant to state law:

Chapter 1, Introduction, provides the statutory authority for housing elements, the City's planning framework, and an overview of the public outreach process.

Chapter 2, Housing and Population Profile, provides an analysis of demographic, social, and housing characteristics; current and future housing needs due to population growth and change; and a variety of

information including employment, income, housing costs, special needs housing, and other factors affecting affordable housing in the City and region.

Chapter 3, Housing Needs and Resources, presents the City’s RHNA. This section satisfies the “Existing Needs and Projected Needs Analysis” under required contents above. This section also describes the City’s housing resources and includes a listing and analysis of the City’s vacant and underutilized sites suitable for development of affordable housing. In addition, this section satisfies the requirements for a “Sites Inventory and Analysis” identified under the “Housing Element Contents” subsection presented above. Per Housing element law, **Chapter 3** identifies how the City’s projected housing needs reflected by the RHNA Plan can be accommodated.

Chapter 4, Housing Constraints, describes how the available land inventory can meet the regional needs and also identifies potential constraints to the development of affordable housing in two categories: governmental and non-governmental constraints. This section satisfies the requirements for an “Analysis of Constraints” identified under the “Housing Element Contents” subsection presented above. This section also provides a listing of public and non-profit agencies that can serve as resources in the implementation of housing activities in the City.

Chapter 5, Assessment of Current Programs, identifies current programs and references the previous Housing Element. This chapter also includes a matrix that evaluates the progress of programs from the previous Housing Element.

Chapter 6, Energy Conservation, outlines current programs and opportunities for energy conservation for residents of Del Rey Oaks.

Chapter 7, Housing Plan, presents the updated goals, policies, programs, and quantified objectives for the Housing Element update with an implementation timeline, an assigned department or agency, and the expected funding source for each program. This section satisfies the requirements of “Housing Programs” and “Quantified Objectives” identified under the “Housing Element Contents” subsection, as described above.

Appendix A, Affirmatively Further Fair Housing (AFFH) presents the assessment of fair housing in the City, including an assessment of fair housing practices, an analysis of the relationship between available sites and high or low resource areas, and actions and programs to affirmatively further fair housing. This analysis also considers issues raised through public comments, local knowledge, and an assessment related to the regional history and physical form of the City of Del Rey Oaks.

Appendix B, Public Participation, contains a list of community stakeholders, public meetings held, public comments, as well as issues raised through public comments process. Matrices identify primary issues raised, and a summary of changes made in consideration of comments received.

Appendix C, Sites Inventory, contains additional mapping, analysis and assessment of the sites inventory process, as well as constraints mapping and areas of opportunity mapping of sites.

Appendix D, Funding Resources, identifies available resources for funding to address City needs.

Appendix E, Assessment, reviews past Housing Element program performance and effectiveness meeting the housing needs of the community.

Data and Methodology

This Housing Element contains a review and analysis of the community's population characteristics and housing stock to better understand the context of local housing in the City. The primary data source for the Housing Element Update is the City of Del Rey Oaks 6th Planning Cycle Housing Element Data Package prepared by HCD staff. Additional data sources include the U.S. Census Bureau (2020 U.S. Census), and available data from the American Community Survey (ACS), California Department of Finance (DOF), California Employment Development Department, and other sources as noted in the document. Mapping tools for identification of Disadvantaged Communities (DACs) were also sourced as part of this documentation research.¹

Public Participation

The update to the Housing Element has provided residents and other interested parties with opportunities to review draft documents and proposed policies, and to provide recommendations for consideration by decision-makers pursuant to Government Code section 65583. A broad community commitment is essential to the City's ability to establish and carry out programs addressing local housing issues. Accordingly, a key objective of the Housing Element is to increase the public's awareness of specific housing-related needs and problems of the community, as well as programs that will effectively meet those needs. The adoption of this Housing Element is only one step toward ensuring the provision of suitable housing for all residents of Del Rey Oaks. Continued pursuit of the programs set forth in this Housing Element must take on the form of active participation by both the public and private sectors in a variety of projects addressing local housing needs.

Throughout the process of preparing the Draft Housing Element Update, the public has been provided the opportunity to review draft documents and provide input to ensure all housing concerns in the community have been included and addressed.

Public input was received through a series of workshops conducted in March and May 2023. The Draft Housing Element update meetings were preceded by specific mailings to residents, local businesspersons, representatives of public agencies and non-profit organizations, developers, members of the community and members of the Planning Commission and City Council. These recipients represent a wide range of personal experience, incomes, special needs, and professional knowledge of the housing industry and housing availability in the City and surrounding region.

Notices were both emailed and sent through the U.S. mail to individuals, organizations, and public agencies as listed in **Appendix B** of this document. Notices were also published in the newspaper and posted at various locations within the City and through the City's social media. In addition, organizations that represent the interests of low-income and special needs households or are otherwise involved in the development of affordable housing, were specifically contacted during the preparation of this Housing Element as specified above. The City also had a Spanish translator in attendance or available upon request to ensure all members of the Del Rey Oaks community could participate in workshops. No surveys were

¹ Review of the sources shows that there are no DACs within the City limits or Sphere of Influence.

taken for this process. City staff and the consultant were able to engage with the community members through this workshop, outreach via letters, and additional meetings/public workshops.

The following provides an overview of the public workshops and engagement process. Additional materials are included in **Appendix B**. **Appendix B also includes links to workshops and meetings, including video links and matrices of comments received from stakeholders during public review, and how each of these comments were addressed in this element.**

Overview of Workshops and Meetings

The City's efforts to involve all economic segments of the community in the Housing Element update process included an initial public workshop conducted on March 16th, 2023 and a March 28th, 2023 noticed City Council hearing. Subsequent workshops took place on May 3rd, 2023 and May 9th, 2023. The Planning Commission also held a special meeting on May 17th, 2023. The following provides an overview of the outreach conducted, presentations, participants and discussion items for these meetings.

March 2023 Public Outreach. At the March meetings, presentations explained the process and timing for a housing element and submittal to the HCD and how the public could get involved.

The March 16th attendees included the full Council, members of the Planning Commission and members of the public². Invitations and notices were sent to all of the recipients noted in **Appendix B**.³ The presentations included information about the housing element update process, recent updates to State housing law, and the RHNA numbers assigned to the City for the 5th Cycle Housing Element Update and the 6th Cycle Housing Element Update. The consultant provided fact sheets that provided a breakdown of what the Housing Element Update meant for the City. Topics also included available land inventory and use of former Fort Ord lands for meeting RHNA.

During the March 28, 2023 presentation and public hearing, handouts on the current adopted policies and programs in the Draft Housing Element and information on HCD Affirmatively Furthering Fair Housing (AFFH) were presented. Decision-makers and the community were asked to review the materials presented and to provide input on program amendments during future meetings or other feedback and thoughts about revisions or added programs that would be best for their City. A schedule was presented and members of the City Council and Planning Commission endorsed completion of the 6th Cycle Housing Element Update and necessary rezoning of sites within the required timeframe. The following issues were

Public participation is essential to effective housing planning. Throughout the housing element process, the City has and will continue to engage the community. **Appendix B** identifies comments from stakeholders and how comments were addressed in this element.

² The March 16th, 2023 Workshop provided a combined discussion of 5th and 6th Cycle and RHNA.

³ A Spanish interpreter was available for all public workshops. No members of the public requested information to be provided in both English and Spanish. The City had a Spanish speaking staff member available to provide information if requested for all hearings and materials.

brought up in the discussion at the March workshop and subsequent March meeting on the Housing Element:

- The City's history of drafting the Housing Element and General Plan and available land inventory to meet regional housing needs.
- The type of housing development that would be needed to meet affordable goals.
- Importance for programs to ensure different affordable levels of housing be mixed in the new areas of development.
- The desire for future housing to include various levels of housing for all income types in any new development. A community member expressed concern that the Del Rey Oaks community does not isolate lower-income families in one area when looking at future development.

Questions revolved around what type of zoning density needs to be implemented. Participants were also eager to better understand recent laws involving Housing Elements and timing for completion. Members of the Planning Commission and City Council endorsed continued public participation in the housing element process and involvement of stakeholders.

May 2023 Public Outreach. Subsequent workshops took place on May 3rd, 2023 and May 9th, 2023. City staff and the consultant presented the Housing Element Workshops before the City of Del Rey Oaks City Council, Planning Commission, and members of the public to present information and seek comments on the Housing Element Update. The meetings updated the status for the 6th Cycle Housing Element Update and discussed rezoning to accommodate affordable housing and meet HCD compliance. Specifically, the City was asked to provide direction on land inventory of sites in the 6th Cycle Housing Element Update, particularly related to environmental and other constraints for development and available land in the former Fort Ord area. The City Council and public had questions on the method of rezoning and options for completion of the rezoning on city-owned properties in former Fort Ord and other lands available that may need to be rezoned to accommodate RHNA.

All meeting materials and draft public workshop materials were posted on the City's website and made available to interested parties, similar to the first public workshop. Mailings and announcements were also sent out, as identified above. A Spanish translator was available if requested to provide translation services; none were requested or needed.

The following issues were brought up in the discussion at the two May workshops on the Housing Element:

- The applicability of Accessory Dwelling Units (ADU) to meet RHNA requirements. Participants inquired about the potential opportunities to add ADUs to help comply with the City's RHNA requirements.
- Participants asked questions about aging in place and showed interest in developing ways to prevent elderly and at-risk residents from experiencing displacement out of the community.
- Some participants asked questions pertaining to the requirements to allow residential development on the City's former Fort Ord property. Participants inquired about adequate areas of cleared land from hazardous materials, and the possible types of housing to meet a disparity of income levels of residents.

- A map of the Monterey Regional Airport Safety Zones was shown during the presentation. One participant asked about the restrictions of the Safety Zones applying to potential residential development sites.
- Programs from the current Housing Element were presented.

The May 3rd, 2023 public workshop was held via Zoom to provide broader alternatives for participation from the public. Attendees included four City Council members and three Commissioners in addition to community representatives. The May 9th, 2023 public workshop included City Council and Planning Commissioners and was held at City Hall. The consultant conducted a presentation explaining the steps of Draft Housing Element preparation and submittal to the HCD and how the public could get involved. There were few comments from the community members present, however, the decision-makers present expressed their interest in the ongoing development of the Housing Element Update and were eager to share their thoughts about what could be done to create more housing in Del Rey Oaks. During this workshop, the consultants emphasized the policies and programs contained in the Draft Housing Element and asked to hear feedback on what the community and decision-makers thought was best for their City. Other presentation topics included available land inventory, including areas of development constraints due to environmental considerations within the City. Topics addressed the limited land area within the City and safety concerns due to airport clear zones, and whether additional housing would also be located in existing commercial areas within the City. The workshops resulted in positive discussion between City and consultants, who expressed support for policies and programs that resulted in development of housing in the City for all income levels.

Based upon comments, the City included programs addressing mixed-use housing development, and conducted more research into potential locations of affordable housing to meet RHNA in the current City limits and the former Fort Ord area. Comments noted the link between universal design to promote aging in place and maintaining diversity of income ranges in the City. Based upon comments from the community, additional emphasis was added to the ADU program and a program was added related to universal design and AFFH.

Draft programs and policies were then presented at a public meeting at the Planning Commission on May 17, 2023. One member of the public attended. Existing programs and recommended program revisions were reviewed during the meeting and subsequent revisions to programs were developed based upon recommendations and input from the Planning Commission as well as previous input from Council members and the public. Programs are detailed in **Chapter 7.0**. Public outreach materials including meeting materials are available for review on the City's Housing Element webpage at <https://www.delreyoaks.org/commdev/page/housing-element>.⁴

May 2023 Draft Review and Outreach. Early drafts of existing and proposed programs were made available to the public throughout the development of the Housing Element Update.⁵ The Public Review Draft Housing Element Update was published online on the City's website and a printed copy was made available at City Hall. Local and regional stakeholders and organizations identified in **Appendix B** were also

⁴ Also refer to **Appendix B, Public Outreach** for links to meeting agendas, videos and other meeting materials.

⁵ Notices were posted online and at City Hall notifying the public of the Planning Commission meeting.

notified of the availability of the Draft Housing Element for public review. The 30-day public review period of the Draft Housing Element Update occurred from May 25th to June 26th, 2023. Public comment letters were received from Monterey Peninsula Unified School District (MPUSD) and LandWatch. Portions of the Housing Element Update have been revised after incorporating public recommendations and input. The City's Planning Commission received an update during the July 12th Planning Commission meeting.

The Housing Element Update was discussed during a meeting with HCD on June 20, 2023 to receive preliminary input from HCD and to prepare the document for streamlined review during the upcoming HCD 90-day review period. The 5th Cycle Housing Element and the 6th cycle Sites Inventory was reviewed during a call with HCD on June 23rd, 2023, and discussed residential densities and rezoning. On June 27, 2023, two HCD staff, the City Manager, and the consultant participated in a field trip within the city boundaries to visit the Sites Inventory locations, and to get a sense of the local neighborhood character and the potential development constraints within the City. The required Consistency Application for the 6th Cycle Update was submitted to the Monterey County Airport Land Use Commission (ALUC) on June 30, 2023.

HCD Review Draft July 2023. The **July 2023 HCD Review Draft** Housing Element was developed after research and outreach to a number of parties and represents the combined efforts of public and interested citizens (including representatives of housing non-profits/organizations), City staff, the City's Planning Commission, the City Council, and the City's consultant. The Housing Element programs were revised to incorporate the above recommendations from workshop participants, Planning Commissioners and City Council based upon the public workshops and the public comments received on the Draft Housing Element (May 2023). HCD comments on the site inventory for 5th cycle were also considered in this 6th Cycle Housing Element Update.

Refer to Public Outreach **Appendix B** for identification of comments on the May 26, 2023 Draft Housing Element and a summary of changes made in consideration of comments received. **Public comments received on the May 2023 Draft were posted on the City's website. The City Planning Commission held a public hearing on July 12, 2023 to receive additional public comments and consider revisions to the Housing Element Draft programs prior to submittal to HCD. Decision-makers and the community were asked to review the materials presented and to provide input on program amendments or other feedback and thoughts about revisions or added programs.**

Per AB 215, the City had at least 10 days from the close of the local review period on June 26th, 2023 to review and consider public comments prior to submittal of the HCD Review Draft to HCD.

The City submitted the 6th Cycle Housing Element Review Draft to HCD on July 20, 2023 for the required 90-day period. During this review period, the City also conducted a public hearing at the City Council on August 22, 2023 to present program revisions and provide the public and decisionmakers with additional opportunity for public comment.

HCD Review Letter October 2023. The Update was sent to HCD for the required 90-day review on July 20, 2023. HCD completed the required 90-day review and submitted the review letter to the City on October 18, 2023. The HCD review letter is included as **Attachment 1 to this document.**

Environmental Compliance. The City prepared a Draft Environmental Impact Report (Draft EIR or DEIR) on the 2023 Draft Housing Element Update, including 5th and 6th Cycle RHNA, per the California Environmental Quality Act (CEQA). The Draft EIR considered implementation of the Housing Element, including rezoning of the former Fort Ord area to allow for development of affordable housing. The Draft EIR was made available for a 45-day public review period, between August 14th and September 27th, 2023. Public comment letters were received from the California Department of Transportation (Caltrans), State Department of Toxic Substance and Control (DTSC), United States Army Base Realignment and Closure (BRAC), Monterey Salinas Transit (MST), California Native Plant Society (CNPS), and LandWatch. The Final EIR includes responses to public comments received and addressed many of the same public comments related to the environmental constraints contained in the public comment letters received on the 6th Cycle Draft Housing Element. The Final EIR was certified by the City Council through Resolution No. 2023-19 on October 18th, 2023. Please see Public Participation discussion below and **Appendix B** for additional information on EIR public and responses relevant to this Housing Element Update. Also see Appendix F for EIR materials including the Mitigation Monitoring and Reporting Plan (MMRP), mapping and alternatives presented in the EIR relative to this Housing Element.

Additional Public Outreach and Next Steps

~~The Update will be sent to HCD for the required 90-day review.~~ After comments are received from HCD and stakeholders, public hearings will be held at both the Planning Commission and City Council. Participation will continue in the housing element process through involvement of stakeholders. The City will continue to reach out to HCD and other stakeholders and make revisions as needed in programs and sites related to where the City would meet RHNA. ~~Additional outreach to seek public input on the 6th Cycle Housing Element Update was conducted in November 2023. A public hearing was held at the Planning Commission on November 8, 2023 and at the City Council on November 14, 2023 to present HCD comments and solicit input on program revisions. The Housing Element Updated Programs and HCD comments were also discussed during a meeting with HCD on October 27, 2023. The City was able to receive preliminary input from HCD and to prepare the document for revisions. After revisions were made, this November 2023 HCD Housing Element was posted on the City's website and made available prior to Planning Commission and City Council hearings on December 6, 2023 and December 13, 2023 This Housing Element Update 2nd HCD Review Draft (November 2023) was also made available for seven days on the City's website prior to submittal to HCD, starting on December 5, 2023.~~

Housing Element Update November 2023. The City Planning Commission and City Council will hold public hearings and consider adoption of the 6th Cycle Housing Element Update in December 2023. The City's objective is to adopt the Housing Element prior to the HCD deadline of December 15, 2023. Upon adoption, ~~t~~The City will then provide the Housing Element Update to HCD for consideration of compliance.

How Public Comments were Integrated into this Housing Element. The comments during the public outreach discussed above have been incorporated and addressed in the updated Housing Element, specifically through the AFFH Assessment (**Appendix A**), the Sites Inventory and Methodology (**Appendix C**), and Housing Plan (Chapter 7.0) programs. **Appendix B-1** and **Appendix A** also present the various programs and how they address comments and issues raised.

General Plan Consistency

This Housing Element for the City represents the 6th Planning Cycle Housing Element Update and covers the eight-year planning period of December 31, 2023 through December 31, 2031.

State law requires that the Housing Element contain a statement of “the means by which consistency will be achieved with other General Plan elements and community goals” (California Government Code, section 65583 [c][7]). There are two aspects of this analysis: 1) an identification of other General Plan goals, policies, and programs that could affect implementation of the Housing Element; and 2) an identification of actions to ensure consistency between the Housing Element and affected parts of other General Plan elements. The Housing Element includes goals, policies, programs, and objectives that are generally consistent with the City’s General Plan. State law requires the preparation of a Housing Element as part of a jurisdiction’s General Plan (Government Code section 65302[c]). Specific requirements of the Housing Element are codified in Government Code sections 65580–65589.8. Unlike other General Plan elements, the Housing Element must be updated periodically according to the statutory schedule.

The Housing Element has been reviewed for consistency with other General Plan elements. Specifically, key housing-related policies in the Land Use Element are reflected in the Housing Element goals and policies. The City’s current General Plan contains several elements with policies related to housing, including Land Use and Circulation. The goals and policies of the Housing Element support the broad vision statements contained in the City’s General Plan, as well as the land use classifications for residential, commercial and open space. Finally, the goals, policies, programs, and objectives established in the Housing Element are primarily consistent with and attempt to implement those set forth in the Land Use Element for land development (~~consistency with former Fort Ord regulations are addressed separately~~). The ALUC approved a consistency determination for the 6th Cycle Housing Element Update on October 9, 2023.⁶

As General Plan elements are amended over time, the City will review the Housing Element to ensure internal consistency. The Draft Housing Element update process also proposes concurrent amendments to the General Plan and specific changes to the Land Use Element, as well as the potential for new implementing ordinances.⁷ Upon adoption of the Housing Element Update and the associated amendments to the General Plan, the Housing Element Update consistency will be achieved.

⁶ The October 9, 2023 ALUC Agenda Packet can be found at this link: <https://www.co.monterey.ca.us/home/showpublisheddocument/126284/638318393324170000>

⁷ The City has reviewed policies in the other elements of the General Plan and has concluded that none of the policies will impede the City’s achievements of, or be inconsistent with, the policies of this Housing Element. Housing Element policies primarily related to housing assistance, housing rehabilitation, equal housing opportunities, residential energy conservation and other

In addition, as the City's Housing Element is required to be regularly revised pursuant to a statutory schedule, the update process will provide housing and land-use strategies that closely reflect changing local needs, resources, and conditions.⁸ The City regularly reviews their progress in implementing their General Plan policies in annual progress reports (APRs). The City conducts public meetings at the Planning Commission and City Council annually for the APRs for the General Plan and Housing; the reports are provided to HCD and the Office of Planning and Research on April 1st of each year. At these meetings, General Plan and Housing Element programs and progress towards implementation are reviewed.

The Challenge

The City of Del Rey Oaks has long experienced high housing cost and a lack of access to affordable housing, which significantly impacts low- and moderate-income members of the community. In 2019, the Regional Analysis of Impediments to Fair Housing Access (Regional AI) concluded that low income and moderate-income households have limited opportunities for affordable housing in both the rental and homeownership markets in the City. The 2019 Housing Element Needs Assessment also concluded that the lack of available affordable housing has a significant impact on vulnerable communities, including large families with children, seniors and people with disabilities.

The lack of access to affordable housing is continuing, and becoming, an increasing challenge in the City and across the region. According to the California Association of Realtors' 2020 Housing Affordability Update, in 2020, the median price for a single-family home in Monterey County was \$830,000, and an average family would need to earn \$149,000 a year to afford the monthly housing payment of \$3,740. At the same time, the 2020 low-income level for a family of four in Monterey County was \$77,500, and the moderate-income level for a family of four was \$97,900.

With the recent increase in mortgage rates and limited housing available, the median price for a single-family home in 2022 in Monterey County is \$843,000, and to afford this house, an average family would need to earn \$208,800 a year to cover the housing payment of \$5,220. Currently, the 2022 income level for a family of four in Monterey County under the low-income category is \$91,100, and the moderate-income level for a family of four is \$108,100⁹. The median housing price far exceeds what is affordable for low- and moderate-income families in Monterey County and the situation is worsening.

In Del Rey Oaks, the inability to produce new housing units exacerbates the existing housing crisis. Although the demand for housing is increasing, the lack of available land zoned for residential use and the lack of infrastructure means that City is unable to increase the supply of housing to meet the new demand.

topics not directly affected by policies in the other General Plan elements. Furthermore, it has been found that policies contained in the Housing Element will help contribute to the achievement of General Plan policies.

⁸ Certain other elements of the general plan will be evaluated to determine what changes are needed; it is assumed that the Safety Element must be updated on or before the next adoption of the housing element. The safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management. (Government Code section 65302[g]).

⁹ HCD provides Median income and Moderate Income. 2022 from <https://www.hcd.ca.gov/docs/grants-and-funding/inc2k22.pdf>. Also, see <https://www.car.org/marketdata/data/haitraditional/>.

The City is also challenged by its limited land area and neighboring jurisdictions' boundaries, effectively limiting new growth outside the City limits. This fundamental imbalance results in increasing prices for both rental and ownership housing as the community competes for the limited supply of available housing. In Del Rey Oaks and statewide, it is clear that rising housing costs create a barrier to affordable housing for extremely low, low- and moderate-income community members.

CHAPTER 2.0 POPULATION AND HOUSING PROFILE

This Chapter discusses a variety of demographic, economic, housing, and special needs characteristics and trends about Del Rey Oaks' current and future population. This information provides context for housing planning and helps to identify issues that affect the City's existing and future housing needs. Primary data sources in this section comes from the City of Del Rey Oaks 6th Planning Cycle Housing Element Data Package prepared by HCD staff, U.S. Census Bureau, the California DOF, and the AMBAG. This Chapter also identifies historical data, trends and information for the City to assist in the compilation of required data for the Affirmatively Further Fair Housing Assessment required for the 6th Cycle.¹

Population Characteristics and Historic Trends

The City was incorporated on September 3, 1953 and currently has 1,592 residents in a total area of square miles. Del Rey Oaks is in Monterey County (County), located between the cities of Seaside and Monterey and neighboring the Monterey Peninsula Regional Airport. The City is accessible via two major roads, Canyon Del Rey Road and Highway 68.

Table 2-1 shows trends in population since 1990 in Del Rey Oaks. Total population over the past three decades has changed slightly over the years with a peak population of 1,719 in 2017. Overall, the City has experienced a population decrease of approximately 4.7 percent since 1990. Population has continued to decline since 2020; Del Rey Oaks' population at the start of 2022 was estimated at approximately 1,539.

Year	1990	1993	1997	2000	2002	2008	2010	2014	2017	2020
Population	1,670	1,661	1,608	1,648	1,660	1,599	1,624	1,668	1,719	1,592

Sources: California DOF 1990, 2007, 2012, 2019, and 2020

Ethnicity and Racial Composition

As shown in **Table 2-2**, according to the 2020 data from the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020), 76.1 percent of the City's residents reported themselves as White, 6.2 percent reported themselves as Asian, 2.0 percent as Black or African American, and 10.2 percent as Hispanic or Latino. A majority of the Hispanic or Latino population reported themselves as being of Mexican origin (representing 6.3 percent of the total Del Rey Oaks residents). The ethnic mix of Del Rey Oaks has changed since the previous Housing Element Update, as shown in **Table 2-2**.² City residents that reported themselves as White declined from 84.8 percent in 2017 to 76.1 in 2020, a 9.2 percent decrease. Residents that reported themselves as Asian increased by 1.2 percent, from 4.2 percent of the Del Rey Oaks population in 2017 to 6.2 percent in 2022.

¹ See also **Appendix A, Affirmatively Further Fair Housing Assessment**.

² Where previous data from 5th Cycle Housing Element is informative, it is included for comparison.

Table 2-2 Del Rey Oaks Ethnicity and Racial Composition, 2017 - 2020				
Ethnicity/Race	2017	2017 Percent (%)	2020	2020 Percent (%)
White	1,319	84.8%	1,155	76.1%
Black or African American	27	1.7%	30	2.0%
American Indian or Alaska Native	3	0.2%	-	0.0%
Asian ¹	66	4.2%	94	6.2%
Native Hawaiian and Other Pacific Islander	9	0.6%	5	0.3%
Some Other Race	21	1.4%	-	0.0%
Two or More Races	110	7.1%	79	5.2%
TOTAL	1,555	100%	1,518	100%
Hispanic or Latino ²	249	16.0%	155	10.2%

Source: U.S. Census Bureau, 2017, 2020
¹ Asian, Indian, Chinese, Filipino, Japanese, Korean, or Vietnamese.
² Mexican, Puerto Rican, Cuban, other Hispanic or Latino.

The ethnic mix of Del Rey Oaks is significantly different from that of Monterey County as a whole. Countywide, the Hispanic population was approximately 58 percent in 2017 and 59 percent in 2020.

Age

Approximately 14 percent of Del Rey Oaks’ citizens were under 19 years old according to the 2020 data from the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020). People aged 65 and over account for about 22 percent of the population in 2020, compared to about 13.6 percent in the County as a whole. Compared to 2017 shown in **Table 2-3**, there has been an increase in residents aged 20 to 29 and 45 to 54, and a decrease in ages 30 to 44. Residents in their early-to-middle ages may be staying and aging in Del Rey Oaks. The high percentage of age 65 and older residents most likely represents households that have lived and owned homes in Del Rey Oaks for many years. This aging population has policy implications and will impact the housing market, as older households generally have fewer resources to spend on housing and require different types of housing and services, compared to younger households. The average age of the Del Rey Oaks population was 47.1 years in 2017. As seen in **Table 2-3** the average age of the increased slightly to 49.4 years. The data on overall and average ages for the City’s population indicates that the City needs to focus on creating additional housing to accommodate its elderly population, while also considering the need to provide housing for young families moving into the City.

Table 2-3 Del Rey Oaks Age Profile		
Age	Population	Percent of Total
Age Profile – 2017 Data		
Under 5	115	7.4%
5 to 9 years	57	3.7%
10 to 14 years	52	3.3%
15 to 19 years	61	3.9%
20 to 24 years	72	4.6%
25 to 29 years	127	8.2%
30 to 44 years	253	16.3%
45 to 54 years	201	12.9%

Table 2-3 Del Rey Oaks Age Profile		
Age	Population	Percent of Total
55 to 59 years	166	10.7%
60 to 64 years	140	9.0%
65 and over	311	20.0%
AVERAGE:	47.1	---
Age Profile – 2020 Data		
Under 5	60	4.0%
5 to 9 years	60	4.0%
10 to 14 years	57	3.8%
15 to 19 years	36	2.4%
20 to 24 years	107	7.1%
25 to 29 years	183	12.06%
30 to 44 years	149	9.8%
45 to 54 years	257	16.9%
55 to 59 years	146	9.6%
60 to 64 years	129	8.5%
65 and over	334	22.0%
AVERAGE:	49.4	---

Source: U.S. Census Bureau, 2017, 2020

Population Growth

According to data from the U.S. Census, Del Rey Oaks' population was 1,624 in 2010, a drop of 1.6 percent from the 2000 population of 1,650 persons. During this same period, Monterey County grew by 4.0 percent. The City's population dropped to 1,592 in 2020. During this same period, Monterey County grew by 5.8 percent. The AMBAG's 2022 Regional Growth Forecast projects that Monterey County will continue to grow between now and the year 2040. **Table 2-4** provides a summary of population growth and AMBAG's projected population growth. AMBAG is estimating that the Del Rey Oaks population will increase significantly over the next 10 years, in comparison to its minimal increase over the past 20 years. More specifically, between the years 2000 and 2020, Del Rey Oaks has seen a population increase of just 0.7 percent, while AMBAG is estimating that the population will increase by 34 percent by 2030. This estimate reflects a significant population increase in a relatively short amount of time for a City that has kept a very steady population. The growth forecasts presented by AMBAG during previous population projection cycles have anticipated new employment opportunities and the development of housing in former Fort Ord; however, new housing and employment at the former Fort Ord area of the City has been delayed due to a variety of factors. If this projected growth does occur, it will be critical for the City to prepare for the potential influx of people by developing more housing opportunities.

Table 2-4 Del Rey Oaks Population and Future Population Projections, 1990–2040						
	1990	2000	2010	2020	2030 (est.)	2040 (est.)
Population	1,661	1,650	1,624	1,662	1,734	2,330

Source: U.S. Census Bureau, 1990, 2000, 2010 and 2020; AMBAG 2022

Household Size and Type

According to the 2016-2020 American Community Survey (ACS) 5-Year Estimates from the U.S. Census Bureau, 1,518 people (100 percent of the population) lived in households, none lived in non-institutionalized group quarters, and none were institutionalized. There were 633 households, out of which 89 households (14 percent) had children under the age of 18 living in them. 224 households (35.4 percent) were made up of householders living alone and 105 households (16.6 percent) had someone living alone who was 65 years of age or older. The average household size in 2020 was 2.40 people. There were 384 families (60.7 percent of all households) with an average family size of 3.11 people. Household size is an indicator of overcrowding, so a higher household size would mean there is a trend toward larger families and communities, a decline in household size would mean the population is aging.

Table 2-5 shows the average household sizes from 2000, 2010, and 2020 in Del Rey Oaks and nearby cities in Monterey County and the County average. Based on this data, Del Rey Oaks’ average household size is lower than the County average, but larger than the cities of Carmel, Sand City, Monterey, Pacific Grove and Sand City. Of the peninsula cities, only Marina and Seaside have larger average household sizes.

Table 2-5 Monterey County Cities Household Size, 2000, 2010, & 2020			
City/County	2000	2010	2020
Del Rey Oaks	2.34	2.32	2.40
Carmel	1.79	1.78	1.97
Marina	2.79	2.75	2.70
Monterey	2.13	2.08	2.10
Pacific Grove	2.10	2.09	2.18
Salinas	3.66	3.66	3.74
Sand City	2.46	2.27	1.98
Seaside	3.21	3.16	3.06
Monterey County	3.14	3.20	3.25

Source: U.S. Census Bureau, 2000, 2010, 2020

For the purpose of looking at housing supply and demand, it is helpful to translate information from population figures into household data. According to U.S. Census data, in 2020 there were 633 total households. The average 2020 household size in Del Rey Oaks was 2.40 persons per household, an increase from 2.32 in 2010 (see **Table 2-5**). As previously mentioned, this means that Del Rey Oaks’ population is trending towards a younger demographic with larger families. This is important information because a trend towards a younger demographic with larger families means the City should be aware of a growing need for family housing and related services such as daycare. As noted in the City’s previous housing element, although there is an increase in the average household size, the City must also ensure that adequate housing is available for its aging population, which is comprised of the post-World War II baby boomer generation. This generation has always had a much larger population compared to other generations, having implications on healthcare and the economy; therefore, the City needs to plan how they should house these elderly people. As of now, this age cohort mostly resides in single-family homes, but as they require more assistance as they age, more options for assisted living and housing may be warranted.

As shown in **Table 2-6**, Del Rey Oaks, Married Couple Households have decreased, and Female-Headed Households have increased in the City between 2017 and 2020.

Del Rey Oaks amended the Title 17 Zoning Ordinance to revise the definition of Family in 2022.³ The previous Zoning Ordinance definition was outdated and in need of amendment. Past views of “traditional” definition of family was a housekeeping unit composed of people related by blood, marriage or adoption. This previous definition excludes a number of households such as long-term partners who have been living together for decades but are not legally married, single parents raising a foster child and others, such as individuals with disabilities who share housing so they can have the support they need to live in the community. Family is defined as “an individual or two or more persons who are related by blood or marriage; or otherwise live together in a dwelling unit.”

Table 2-6 Del Rey Oaks Households by Type		
Household Type	Number of Households	Percent of Total Households
2017 Household Data		
Married Couple Households	334	53.3
Female-Headed Households	34	5.4
Non-Family Households*	239	38.1
Total Households	627	100
Average Household Size	2.80	--
2020 Household Data		
Married Couple Households	301	47.6
Female-Headed Households	42	6.7
Non-Family Households*	249	39.3
Total Households	633	100
Average Household Size	2.40	--
Source: U.S. Census Bureau, 2017, 2020		
Note: Non-Family Households are defined by the U.S. Census as households that include either householder who live alone or householder who is 65 years and over.		

Employment

AMBAG’s 2022 Regional Growth Forecast reported that there were 748 jobs in Del Rey Oaks in 2020. Over the course of the next 25 years AMBAG estimates a 12 percent increase in jobs in Del Rey Oaks. See **Table 2-7** for a full employment forecast for Del Rey Oaks up to 2040. Because of the increase of available jobs in Del Rey Oaks, there will be an increase in the population leading to a need for more housing. Although Del Rey Oaks is one of the smaller cities in Monterey County, AMBAG is predicting there will be a higher percentage of available jobs in its jurisdiction compared to the rest of the County. Although many people in Monterey County live and work in different cities, Del Rey Oaks (as well as other cities in the County) would still need to ensure that they are providing sufficient housing units to accommodate its population growth projections. This is why AMBAG completed its RHNA, which allocated each City’s need for housing of various income levels. Each city in Monterey County must do its fair share to accommodate the

³ City of Del Rey Oaks Resolution 2022-02, December 2022

inevitable rise in population for the community to develop, while ensuring no groups are left out based on income, age or race.

According to the 2020 data from the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020), the total employed population was 748 persons as seen in **Table 2-7**.

Table 2-7 Del Rey Oaks Employment Forecast, 2022								
							Change 2015-2040	
Jurisdiction	2015	2020	2025	2030	2035	2040	Numeric	Percent
Del Rey Oaks	705	748	753	774	794	815	129	18%
Monterey County	225,268	243,015	245,054	249,613	253,918	258,553	38,169	17%

Source: AMBAG, 2022

Table 2-8 also shows other various industries and their employment rates for both Del Rey Oaks and Monterey County as a whole. In 2020, the majority of people who worked in Del Rey Oaks were employed in both the educational services, and health care and social assistance industry, comprising 29.6 percent of the total employed population, compared to about 20 percent of Monterey County’s residents in the same category. There were no Del Rey Oaks residents employed in the agricultural, forestry, fishing, hunting, or mining industries, compared to a 16 percent total for Monterey County’s workforce according to the data in **Table 2-8**.

Table 2-8 Del Rey Oaks Employment by Industry, 2020				
Employment by Industry	City of Del Rey Oaks		Monterey County	
	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	796	100%	188,734	100%
Agriculture, forestry, fishing and hunting, and mining	0	0.0%	29,975	15.9%
Construction	44	5.5%	12,524	6.6%
Manufacturing	34	4.3%	10,219	5.4%
Wholesale trade	6	0.8%	4,587	2.4%
Retail Trade	55	6.9%	18,535	9.8%
Transportation and warehousing, and utilities	18	2.3%	7,143	3.8%
Information	22	2.8%	2,593	1.4%
Finance and insurance, and real estate and rental and leasing	36	4.5%	7,073	3.7%
Professional, scientific, and management, and administrative and waste	122	15.3%	18,766	9.9%
Educational services, health care and social assistance	236	29.6%	38,246	20.3%
Arts, entertainment, recreation, and accommodation and food services	96	12.1%	21,063	11.2%
Other services, except public administration	49	6.2%	8,087	4.3%
Public administration	78	9.8%	9,923	5.3%

Source: U.S. Census Bureau, 2020

Housing Inventory

A housing stock is generally comprised of three categories: single-family dwelling units, multi-family dwelling units, and other types of units such as mobile homes, as described below:

Alternatives to Single-Family Housing. New housing alternatives often evolve in the market when the traditional housing supply cannot meet the needs of all segments of the population.

Condominiums. Condominiums have been offered as a moderately priced, low-maintenance housing alternative for single, retired persons, “empty nesters,” and urban professionals. This type of housing has enabled a larger segment of the population to achieve home ownership. However, monthly fees for exterior maintenance, management, and other common services often increase monthly costs, negating some of the savings derived from the relatively lower selling price of certain condominiums. There are very few condominiums in the Del Rey Oaks City limits.

Mobile Homes/Manufactured Housing. Mobile homes are a relatively inexpensive housing alternative since they are prefabricated, and they require less on-site labor than construction of a conventional house. Buyers of mobile homes include the elderly as well as working-class families and individuals who choose this alternative over traditional single-family residences. There are no mobile home parks currently within Del Rey Oaks City limits.⁴ Manufactured and factory-built homes are another option for inexpensive housing.

Table 2-9a gives the breakdown of housing units by type as reported in 2000 and 2010; this table indicates the mix of units in the reporting years 2000 and 2010 remained relatively unchanged. **Table 2-9b** gives the breakdown of housing units by type as reported in 2010 and 2020; this table indicates a small increase in single-family attached dwellings and 2-to-4-unit multi-family dwellings, and a decrease in 5+ units multi-family dwellings in the mix of housing units in the reporting years 2010 and 2020. Between 2000 shown in **Table 2-9a** and 2020 shown in **Table 2-9b**, there has been a decrease in large multi-family units and a slight increase in single-family detached units. Overall, the City has not had any real increases in new housing types.

Table 2-9a Del Rey Oaks Housing Inventory by Type, 2000-2010			
Type of Unit	2000	% Change / 2000-2010	2010
Single-Family			
<i>Detached</i>	567	3%	568
<i>Attached</i>	25	0%	25
Multi-family			
<i>2 to 4 units</i>	23	-17%	19
<i>5+ units</i>	109	2%	111
Mobile Homes/Other¹	3	-100%	0
Source: U.S. Census Bureau, 2000 and 2010; HCD, n.d. Note: the U.S. Census defines a unit as a house, apartment, or mobile home. Condominiums fall under the definition of multi-family unit according to the U.S. Census Bureau. ¹ The City of Del Rey Oaks reports that there are no mobile homes within City limits.			

⁴ U.S. Census data shows there were three mobile homes and trailers within Del Rey Oaks in 2000 (although a March 2003 housing inventory conducted by the City did not reveal any mobile/manufactured homes).

Table 2-9b Del Rey Oaks Housing Inventory by Type, 2010-2020			
Type of Unit	2010	% Change / 2010-2020	2020
Single-Family			
<i>Detached</i>	568	1.2%	575
<i>Attached</i>	25	56%	39
Multi-family			
<i>2 to 4 units</i>	19	21.1%	23
<i>5+ units</i>	111	-30.6%	77
Mobile Homes/Other¹	0	0%	0
Source: U.S. Census Bureau, 2010 and 2020			
Note: the U.S. Census defines a unit as a house, apartment, or mobile home. Condominiums fall under the definition of multi-family unit according to the U.S. Census Bureau.			
¹ The City of Del Rey Oaks reports that there are no mobile homes within City limits.			

More recent data for the 2012-2020 reporting years (see **Table 2-10**) indicates about 86 percent of all housing units in Del Rey Oaks were single-family, compared to 70 percent of units in Monterey County. Overall, compared to other neighboring cities, Del Rey Oaks has a higher proportion of single-family units and lower proportion of multi-family housing (U.S. Census Bureau, 2020).⁵

Table 2-10 Housing Unit Growth by Type (2012-2020)				
Unit Type	2012-2016		2016-2020	
	Number of Units	Percent of Total	Number of Units	Percent of Total
Del Rey Oaks				
Single-Family	607	82.4%	614	86.0%
Detached	571	77.5%	575	80.5%
Attached	36	4.9%	39	5.5%
Multi-Family	121	16.4%	100	14.0%
2-4 Units	19	2.6%	23	3.2%
5+ Units	102	13.8%	77	10.8%
Mobile Homes, Boat, RV, Van, etc.	9	1.2%	0	0.0%
<i>Total</i>	<i>737</i>	<i>100.0%</i>	<i>714</i>	<i>100.0%</i>
Monterey County				
Single-Family	96,749	69.0%	98,637	69.5%
Detached	87,859	62.7%	89,380	63.0%
Attached	8,890	6.3%	9,257	6.5%
Multi-Family	37,324	26.6%	36,658	25.8%
2-4 Units	12,278	8.8%	12,953	9.1%
5+ Units	25,046	17.9%	23,705	16.7%
Mobile Homes, Boat, RV, Van, etc.	6,096	4.3%	6,615	4.7%
<i>Total</i>	<i>140,169</i>	<i>100%</i>	<i>141,910</i>	<i>100%</i>
Sources: U.S. Census Bureau, 2017 and 2020				

⁵ In Seaside about 72 percent of all units were single-family units; Monterey (51 percent) had slightly lower proportions of single-family units and higher proportions of multi-family housing.

Size of Units

The size of units (i.e., the number of bedrooms a unit contains) is an important factor in describing the housing supply. **Table 2-11** summarizes the distribution of unit sizes between owner-occupied housing and renter-occupied housing in the 2020 data from the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020). Renter-occupied housing was a smaller portion of the housing stock. The vast majority of housing units contained two or three bedrooms.

Table 2-11 Distribution of Units by Tenure and Size, 2020		
Size of Unit	Owner-Occupied	Renter-Occupied
Studios	3	0
1-Bedroom Units	13	12
2 or 3-Bedroom Units	377	150
4-Bedroom+ Units	72	6
TOTAL	465	168
Source: U.S. Census Bureau, 2020		

Vacancy Rates

The vacancy rate indicates the approximate percentage of units that are vacant and for sale or rent at any one time. The vacancy rate measures the overall housing availability in a community and is an indicator of how for-sale and rental housing units are meeting the current demand for housing. A low vacancy rate may indicate that households are having difficulty finding housing that is affordable, leading to overcrowding or households having to pay more than they can afford. A vacancy rate of 5 percent for rental housing and 2 percent for ownership housing is generally considered healthy and suggests that there is a balance between the demand and supply of housing (City of Monterey Housing Element, 2018). **Table 2-12** compares the City’s vacancy rate over time. The 2010 Census indicates an overall vacancy rate of 4.5 percent, with a rental vacancy rate of 2.6 percent and an owner-occupied unit vacancy rate of 1.9 percent. The 2020 Census also indicated an overall vacancy rate of 4.5 percent, with a rental vacancy rate of 4.5 percent and an owner-occupied unit vacancy rate of 0 percent. The City has gone from a 2 percent vacancy rate of 2.1 percent in 1990 to a zero-vacancy rate for ownership housing in 2020, indicating an unhealthy balance of available supply for home ownership.

Table 2-12 Vacancy Rates in Del Rey Oaks, 2010–2020		
	2010	2020
<i>Owner-Occupied</i>	517	465
<i>Renter-Occupied</i>	184	168
Vacancy Rate (overall)	4.5%	4.5%
<i>Homeowner</i>	1.9%	0.0%
<i>Rental</i>	2.6%	4.5%
Source: U.S. Census Bureau, 1990, 2000, 2010 and 2020		

Households by Income Level

For the purposes of the Housing Element, the State Department of Housing and Community Development (HCD) has established five income groups based on Area Median Income (AMI): Extremely Low Income (up to 30% of AMI), Very Low Income (31%-50% of AMI), Low Income (51%-80% of AMI), Moderate Income (81%-120% AMI) and Above Moderate Income (>120% AMI). Pursuant to State law (Assembly Bill [AB] 2634), the City must project the number of extremely low-income (30 percent or less of Area of Median Income [AMI]) housing needs based on U.S. Census income distribution or assume 50 percent of the very low-income units as extremely low-income. For the purposes of the Housing Element, the City uses the 50% method.

According to 2015 data from the 2013-2017 ACS 5-year estimates (U.S. Census Bureau, 2017), approximately 24 percent of Del Rey Oaks households were classified as low-income, very low-income or extremely low-income based on their household income and income limits data (i.e., their median household income was below 80 percent, 50 percent and 30 percent, respectively, of the countywide median). In 2015, Monterey County as a whole had 43 percent of their population in the categories of low-, very low-, and extremely low-income compared to Del Rey Oaks' 24 percent. **Table 2-13a** and **Table 2-13b** show the various household income levels in Del Rey Oaks in 2015 and 2020.

Table 2-13a Households by Income, 2015 Data Estimates				
Income Level	Owner-Households	Renter-Households	Total Households	Percent
Extremely Low-Income (0-30%)	25	4	29	4.5%
Very Low-Income (31-50%)	25	10	35	5.4%
Low-Income (51-80%)	55	35	90	14.0%
Moderate-Income (>80%)	365	120	485	75.2%
Total	470	170	645	100.0%

Source: HUD, 2015

Pursuant to state and federal regulations, the AMI refers to the median income for the Metropolitan Statistical Area. For the City of Del Rey Oaks, this area refers to Monterey County. The U.S. Department of Housing and Urban Development (HUD) periodically receives "custom tabulations" of Census data from the Census Bureau that are largely not available through standard Census products. The most recent estimates are derived from the 2015-2019 ACS. This dataset, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrates the extent of housing problems and housing needs, particularly for lower income households.

Table 2-13b Households by Income, 2020 Data Estimates				
Income Level	Owner-Households	Renter-Households	Total Households	Percent
Extremely Low-Income (0-30%)	35	4	39	6.1%

Table 2-13b Households by Income, 2020 Data Estimates				
Income Level	Owner-Households	Renter-Households	Total Households	Percent
Very Low-Income (31-50%)	30	10	40	6.3%
Low-Income (51-80%)	50	35	85	13.4%
Moderate-Income (>80%)	350	115	465	73.2%
Total	465	170	635	100.0%

Source: HUD, 2023

Table 2-13b Households by Income, 2020 Data Estimates					
Income Level	Cost Burdened > 30%	Cost Burdened > 50%	Total Households	Cost Burdened > 30% Percent	Cost Burdened > 50% Percent
Extremely Low-Income (0-30%)	24	20	39	61.5%	51.3%
Very Low-Income (31-50%)	19	15	35	55.3%	42.9%
Low-Income (51-80%)	14	10	45	31.1%	22.2%
Moderate-Income (>80%)	20	10	45	44.4%	22.2%
Total	77	55	164	46.95%	33.53%

Source: HUD, 2022

According to the CHAS data (Table 2-13b), extremely low and very low-income households comprised close to 12.4% of all households in Del Rey Oaks. About another 13.4% were within the low income (51% to 80% AMI) category and 73.2% of the City’s households were within the moderate/above moderate-income category (greater than 80% AMI). The proportion of moderate/above moderate-income households in the City was slightly higher than the County as a whole.

- Extremely Low-Income:** An “extremely low-income” household is one making less than 30 percent of the countywide median income. In ~~2015~~2020, ~~4.56.1~~ percent of total households were classified as extremely low-income in Del Rey Oaks. Extremely low-income households historically have significant housing needs because their limited incomes force them to spend a disproportionate share of their income on housing, while having a very limited choice of housing options. In Monterey County, a household with an income of less than \$~~24,250~~25,300 would be classified as extremely low-income.
- Very Low-Income:** A “very low-income” household is one making between 30 to 50 percent of the countywide median income. In ~~2015~~2020, ~~5.46.3~~ percent of total households were classified as very low-income. Similar to extremely low-income, very low-income households historically have significant housing needs because their limited incomes force them to spend a

disproportionate share of their income for housing. In Monterey County, a household with an income of less than \$~~36,250~~~~42,150~~ would be considered very low-income.

- **Low-Income:** "Low-income" households are those households with incomes between 51 and 80 percent of countywide median income. In ~~2015~~2020, ~~14~~13.4 percent of total households were low-income. Low-income households have housing problems similar to very low-income households, with cost burden being the major issue. In Monterey County, a household with an income less than \$~~58,000~~~~67,450~~ would be considered low-income.
- **Moderate-Income:** The State defines "moderate-income" households as those with incomes between 81 and 120 percent of the countywide median household income. ~~Based on this definition and 2015 data from the 2013-2017 ACS 5-year estimates (U.S. Census Bureau, 2017)~~In 2020, ~~over 75~~73.2 percent of total households were considered moderate-income households ~~in 2015~~. Moderate-income households do not have the same problems as the previously mentioned categories, but they do face issues like overpaying for housing, but not in such significant numbers as low-income and very low-income households. In Monterey County, a household with an income above \$~~58,000~~~~67,450~~ would be considered moderate-income.

Overpayment

Households are considered to be overpaying for housing if payment (rent or mortgage) is 30 percent or greater than household income. **Table 2-14a**, shown below, breaks down the number and percentage of renters and owners paying 30 percent or more for gross rent or housing costs per month in Del Rey Oaks based on 2010 data. In 2010, 83 households in Del Rey Oaks were paying 30 percent or more per month for housing. Additionally, 10.1 percent of households were paying 50 percent or more per month for housing. These statistics are reflective of the lack of affordable housing in Del Rey Oaks, but the issue is not specific to the City itself. According to the 2010 American Housing Survey, 41 percent of California's 3.2 million low-income renter households paid more than half of their income on rent. In comparison to 2020 (see **Table 2-14b**), ~~57~~93 low-income households in Del Rey Oaks were paying 30 percent or more per month for housing, and ~~6.9~~13.4 percent of low-income households were paying 50 percent or more per month for housing. Similarly to 2010, there remains a lack of affordable housing in Del Rey Oaks and the state. According to the 2020 data from the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020), 26 percent of California's 5.8 million renter households paid more than half of their income on rent. ~~Overpayment can contribute to displacement risk and reduce housing mobility, especially for extremely low-, very low-, and lower-income households. Programs in the Housing Element are intended to further fair housing by addressing housing issues and constraints to the development of affordable housing for low-income residents in Del Rey Oaks (see Chapter 7.0 Housing Plan).~~

Table 2-14a Household Overpayment Del Rey Oaks, 2010						
Type of Household	All Occupied Housing		Owner-Occupied Housing		Renter-Occupied Housing	
	Number	% of Total Housing	Number	% of Total Housing	Number	% of Total Housing
All Households	685	100.0%	495	64.3%	190	35.7%
Paying More than 50%						
Extremely Low-Income	20	2.9%	10	1.5%	10	1.5%
Lower-Income	49	7.2%	35	5.1%	14	2.0%
Paying More than 30%						
Lower-Income	83	12.1%	55	8.0%	28	4.1%

Source: HCD, n.d.

Table 2-14b Household Overpayment Del Rey Oaks, 2020						
Type of Household	All Occupied Housing		Owner-Occupied Housing		Renter-Occupied Housing	
	Number	% of Total Housing	Number	% of Total Housing	Number	% of Total Housing
All Households	635	100.0%	465	73.2%	170	26.8%
Paying More than 50%						
Extremely Low-Income	25	3.9%	20	3.1%	4	0.6%
Very Low-Income	10	1.6%	4	0.6%	10	1.6%
Low-Income	50	7.9%	20	3.1%	30	4.7%
Paying More than 30%						
Extremely Low-Income	25	3.9%	20	3.1%	4	0.6%
Very Low-Income	14	2.2%	8	1.3%	10	1.6%
Low-Income	54	8.5%	24	3.8%	34	5.4%

Source: HUD User, 2023.

Table 2-14b Household Overpayment Del Rey Oaks, 2020		
Type of Household	All Occupied Housing	
	Number	% of Total Housing
All Households	654	100.0%
Paying More than 50%		
Extremely Low-Income	20	3.1%
Very Low-Income	15	2.3%
Low-Income	10	1.53%
Paying More than 30%		
Extremely Low-Income	24	3.67%

Table 2-14b Household Overpayment Del Rey Oaks, 2020		
Type of Household	All Occupied Housing	
	Number	% of Total Housing
All Households	654	100.0%
Very Low Income	19	2.91%
Low Income	14	2.14%

Source: U.S. Census Bureau, 2020

Special Needs Groups

The Housing Element identifies certain special needs groups that may have more difficulty finding decent affordable housing. Special circumstances may be related to one’s employment and income, family characteristics, disability and household characteristics, among other factors. Consequently, certain residents in Del Rey Oaks may experience higher incidences of housing cost burden, overcrowding or other housing problems.

Categories of households in Del Rey Oaks that have been identified as having special housing needs include the following:⁶

- Students*,
- the elderly,
- people with disabilities,
- overcrowded households,
- large families,
- single parents, and
- the homeless.

The Elderly

Senior citizens are considered a special needs group because of their limited income, health care costs, and disabilities. Elderly persons over the age of 62 represented 18.5 percent of the total population in Del Rey Oaks in 2012. Because of their limited income status, the elderly often has a difficult time securing affordable housing and/or maintaining their existing housing units. According to the 2010 U.S. Census Bureau there were 206 persons living in Del Rey Oaks over the age of 65, or 12.7 percent of the City’s population, as seen in **Table 2-15**. In 2020, elderly persons over the age of 65 represented 6.8 percent of the total population (334 persons) in Del Rey Oaks. While many of the elderly in Del Rey Oaks bought their homes 30 or 40 years ago, they may be relatively unaffected by the high cost of housing, but living on a

⁶ Farmworkers are not included as there have been no identified farmworkers or agricultural uses in the City.

*Added December 6, 2023.

fixed income makes them particularly affected by the high cost of home repairs and healthcare and the high cost of living in Monterey County.

Various portions of the Housing Element describe characteristics of the elderly population, the extent of its needs for subsidized housing, senior living facilities developed especially for this group, and City provisions to accommodate its needs. According to the ACS (U.S. Census Bureau, 2020), as shown in **Table 2-15**, the number of households with householders 65 years and over in Del Rey Oaks has grown from 167 in 2012 (25.3 percent) to 249 (39.3 percent) in 2020. Monterey County’s households with householders 65 years and over in 2020 was 33,939 (26.5 percent).

Table 2-15 Householders 65 Years and Over Del Rey Oaks and Monterey County, 2012-2020				
Jurisdiction	2012 Number	2012 Percent	2020 Number	2020 Percent
Del Rey Oaks	167	25.3	249	39.3
Monterey County	25,384	20.3	33,939	26.5
Source: HCD, n.d., U.S. Census Bureau, 2020				

The number of younger householders has decreased between 2012 and 2020. In 2012, there were 494 householders under 64 years old and 384 in 2020 as shown in **Table 2-16**. As shown in **Table 2-16** below, in 2020, there were approximately 230 owner-occupied elderly households age 65 or older within the City (36.3 percent). There were 19 (3 percent) renter-occupied elderly households 65 years and over in Del Rey Oaks in 2020. This indicates that the majority of elderly people in Del Rey Oaks are homeowners rather than renters, which may have implications for “over-housing”, which means that these elderly people are living alone in three- or four-bedroom homes with limited mobility and special housing needs. As residents grow older, elderly households can encounter challenges in maintaining quality housing, enjoying a high quality-of-life, and the ability to age-in-place in their homes. Programs in the Housing Element are intended to further fair housing by addressing housing issues and constraints to housing for the elderly population in Del Rey Oaks (see Chapter 7.0 Housing Plan).

Table 2-16 Householders by Tenure by Age Del Rey Oaks			
Householders’ Age	Owners	Renters	Total
15-24 years	0	10	10
25-34 years	21	58	79
35-64 years	299	106	405
65-74 years	60	10	70
75+ years	89	8	97
Total	469	192	661
15-24 years	0	0	0
25-34 years	14	20	34
35-64 years	221	129	350
65-74 years	136	17	153
75+ years	94	2	96
Total	465	168	633

Table 2-16 Householders by Tenure by Age Del Rey Oaks			
Householders' Age	Owners	Renters	Total
Sources: HCD, n.d., U.S. Census Bureau, 2020			

People with Disabilities

The Americans with Disabilities Act (ADA) defines a disability as a “physical or mental impairment that substantially limits one or more major life activities.” People with disabilities have special needs meaning that many may earn very low incomes, have higher health care costs, and are often dependent on supportive services. To maintain independent living, disabled persons may also need housing assistance. Special housing needs for persons with disabilities fall into two general categories: physical design to address mobility impairments and in-home social, educational, and medical support to address developmental and mental impairments. As described in the 5th Cycle Housing Element Update, 11 percent of the City’s population had one or more disabilities compared to about nine percent of the Monterey County population, and similar proportions in Salinas (eight percent), Seaside (10 percent), and Monterey (10 percent). In 2020, shown in **Table 2-17**, 12.7 percent of the City’s population had one or more disabilities compared to 8.5 percent of the Monterey County population. Similar proportions are present in Salinas (7.5 percent), Seaside (11.3 percent), and Monterey (7.7 percent).

Table 2-17 Persons with Disabilities Profile for Area Cities (2016-2020)								
	Hearing Disability	Vision Disability	Cognitive Disability	Ambulatory Disability	Self-Care Disability	Independent Living Disability	Total Disabilities	Disabilities to Total Population
Monterey	984	336	630	1,156	558	878	2,315	7.66%
Salinas	2,727	2,676	3,689	5,416	2,851	4,056	12,315	7.53%
Seaside	1,106	623	1,410	1,934	866	1,291	3,646	11.26%
Del Rey Oaks	54	22	85	66	15	42	202	12.69%
Sand City	11	3	11	15	0	4	37	11.38%
Monterey County	10,654	6,591	11,196	17,616	7,810	13,188	37,082	8.45

Source: U.S. Census Bureau, 2020

The City had an estimated 202 adult persons living with a range of disabilities in 2020. **Table 2-18** identifies age of population by disability type within the City in 2020, respectively. For people with disabilities, specialized needs include certain social services, disabled access throughout the city, and housing units with handicapped access and other modifications.

Table 2-18 Persons with Disabilities in Del Rey Oaks by Age and Type, 2020				
Disability Type	Under 18 Years	Ages 18 to 64	Ages 65 and Over	Total
With a Hearing Difficulty	22	17	37	76
With a Vision Difficulty	0	17	5	22
With a Cognitive Difficulty	3	59	26	88
With an Ambulatory Difficulty	0	36	30	66

Table 2-18 Persons with Disabilities in Del Rey Oaks by Age and Type, 2020				
Disability Type	Under 18 Years	Ages 18 to 64	Ages 65 and Over	Total
With a Self-Care Difficulty	0	4	11	15
With an Independent Living Difficulty	--	25	17	42
Total	25	158	126	309
Source: U.S. Census Bureau, 2020				

Chapter 507, Statutes of 2010 (SB 812), which took effect January 2011, amended State housing element law to require the analysis of the disabled to include an evaluation of the special housing needs of persons with developmental disabilities. This analysis should include an estimate of the number of persons with developmental disabilities, an assessment of the housing need, and a discussion of potential resources.

According to Section 4512 of the Welfare and Institutions Code a "Developmental disability" means a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability but shall not include other handicapping conditions that are solely physical in nature.

Many persons with developmental disabilities can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services (DDS) currently provides community-based services to approximately 243,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The San Andreas Regional Center is one of 21 regional centers in the State that provides point of entry to services for people with developmental disabilities and serves Monterey County. The center is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

Residents with disabilities can encounter challenges to finding affordable housing opportunities or maintaining sufficient housing, especially residents that age into their elder years. Programs in the Housing Element are intended to further fair housing by addressing housing issues and constraints to the persons with disabilities in Del Rey Oaks (see Chapter 7.0 Housing Plan).

Table 2-19 identifies the population of people in the City with developmental disabilities.

Table 2-19 Developmentally Disabled Residents, by Age, for City of Del Rey Oaks			
5-64 Years	Percent of Total City Population with Disabilities	65+ Years	Percent of Total City Population with Disabilities
44	11.43%	59	15.32%

Source: HCD, n.d.

Overcrowded Households

Although there is more than one way of defining overcrowded housing units, the definition used in the Housing Element is 1.01 or more persons per room, the same definition used in the 2000, 2010, and 2020 U.S. Census. It should be noted that kitchenettes, strip or Pullman kitchens, bathrooms, porches, balconies, foyers, halls, half-rooms, utility rooms, unfinished attics, basements, or other spaces for storage are not defined as “rooms” for U.S. Census purposes.

Overcrowded households are usually a reflection of the lack of affordable housing available. Families that cannot afford suitably sized housing units are often forced to live in housing that is too small for their needs, which may result in poor physical condition of the dwelling unit. **Table 2-20** shows overcrowding by tenure for the City of Del Rey Oaks in 2012 and 2020. In 2012 Owner-Occupied overcrowding (OO) was less than Renter-Occupied overcrowding (RO), with OO overcrowding at 2 percent and RO overcrowding at 5 percent. In 2020 Owner-Occupied overcrowding (OO) is less than Renter-Occupied overcrowding (RO), with OO overcrowding at 0 percent and RO overcrowding at 5.4 percent. This table shows that overcrowding does not seem to be a major issue for the City of Del Rey Oaks right now, but with the estimated influx of people coming to Del Rey Oaks in the next 10 years it could become a more pressing issue unless more housing is developed. **Lack of affordable housing can contribute to overcrowded households, especially for lower-income residents. Overcrowding Programs in the Housing Element are intended to further fair housing by addressing housing issues and constraints to the development of additional affordable housing in Del Rey Oaks to reduce overcrowding (see Chapter 7.0 Housing Plan).**

Table 2-20 Overcrowding by Tenure Del Rey Oaks				
	OO Number	OO Percent	RO Number	RO Percent
2012 Overcrowding Data				
Occupied Housing Units	469	71.0%	192	29.0%
<i>Occupants per room</i>				
0.50 or Less	393	84%	99	52%
0.51 to 1.00	68	14%	83	43%
1.01 to 1.50	8	2%	0	0%
1.51 to 2.00	0	0%	10	5%
2020 Overcrowding Data				
Occupied Housing Units	465	73.5%	168	26.5%
<i>Occupants per room</i>				
0.50 or Less	370	79.6%	115	68.5%
0.51 to 1.00	95	20.4%	44	26.2%
1.01 to 1.50	0	0%	9	5.4%
1.51 to 2.00	0	0%	0	0%

Sources: HCD, n.d., U.S. Census Bureau, 2022

Large Families

Large families are defined as those families containing five or more persons. Income is a major factor that constrains the ability of families to obtain adequate housing. Larger units are more expensive and most of the units with three or more bedrooms are single-family units instead of multi-family rental units. Because of this, many large families are forced to live in overcrowded homes. Large families are recognized as a group with special needs based on the limited availability of adequately sized affordable housing units.

Countywide, data from the 2016-2020 ACS (U.S. Census Bureau, 2020) indicates that large households represented about 6.6 percent of the households, a slight decrease from 8.9 percent from the 2010 U.S. Census.

Table 2-21 below identifies large households by tenure for Del Rey Oaks for the year 2011. In 2011, 5.8 percent of owner-occupied households in Del Rey Oaks had five persons or more compared to 6.8 percent of renter-occupied households with five persons or more. Overall, 8.9 percent of households have five or more persons. In 2020, 5.4 percent of owner-occupied households in Del Rey Oaks had five persons or more compared to 10.1 percent of renter-occupied households with five persons or more, and 6.6 percent of households have five or more persons as shown in **Table 2-21**. Similar to overcrowding, this issue is not major at the moment, but if no housing is developed in the next 10 years, then large families will have to deal with overcrowding due to the lack of large family affordable housing. An important indicator of housing availability and affordability is based on how many renter-occupied households are overcrowded, compared to owner-occupied households. As seen in **Table 2-21**, the rate of overcrowded renter-occupied households is larger than that of owner-occupied households being overcrowded meaning there is a lack of affordable housing available in Del Rey Oaks in 2011 and 2020. Households with large families can experience similar problems to overcrowded households. Programs in the Housing Element are intended to further fair housing by addressing housing issues and constraints to the development of additional affordable housing for large families in Del Rey Oaks (see Chapter 7.0 Housing Plan).

Table 2-21 Household Size by Tenure Del Rey Oaks								
	1 Person		2-4 Persons		5+ Persons		Total	
	Number	%	Number	%	Number	%	Number	%
2011 Household Size								
Owner	117	24.9	325	69.3	27	5.8	469	100
Renter	29	15.1	131	27.9	32	6.8	192	100
Total	146	22.1	456	69.0	59	8.9	661	100
Source: HCD, n.d.								
2020 Household Size								
Owner	168	36.1	272	58.5	25	5.4	465	100
Renter	56	33.3	95	56.6	17	10.1	168	100
Total	224	35.4	367	58.0	42	6.6	633	100
Sources: HCD n.d., U.S. Census Bureau, 2020								

Female-Headed Households

Single parents often require special consideration or assistance as a result of their lower income, the high cost of childcare, the need for supportive services, and the need for affordable housing. As a result, many single-parent families are faced with limited housing choices. In Del Rey Oaks, there were 30 female-headed family households with children under 18 years of age (4.3 percent of all households) in 2000. As shown in **Table 2-22**, in 2011, there were 35 female-headed family households and seven (7) of these with children under 18 years of age (1.52 percent of all households). In 2020, there were 42 female-headed family households and seventeen (17) of these with children under 18 years of age (2.69 percent of all households) as shown in **Table 2-22**. Because of the increased financial and emotional burden that female-headed households carry, they often have difficulty finding adequate and affordable housing for themselves and their children. The housing needs of a single-parent-headed household range from affordability of a home to availability of nearby services, such as licensed day care to support individual parents who work.

Special needs groups, including female-headed households, can encounter difficulties in finding affordable housing opportunities. Programs in the Housing Element are intended to further fair housing and prioritize the inclusion of female-headed households and female-headed households with children to find adequate and affordable housing in Del Rey Oaks (see Chapter 7.0 Housing Plan).

Table 2-22 shows the comparison between female-headed householders in Del Rey Oaks and Monterey County from the 2011 and 2020 ACS (U.S. Census Bureau, 2020).

Table 2-22 Female Headed Households, 2011				
Female Headed Households (2011)	Monterey County		Del Rey Oaks City	
Householder Type	Number	Percent	Number	Percent
2011 Female-Headed Household Size				
Female Headed Householders	15,727	17.46%	35	7.58%
<i>Female Heads with Own Children</i>	10,839	12.04%	7	1.52%
<i>Female Heads without Children</i>	4,888	5.43%	28	6.06%
Total Householders	90,051	100.00%	462	100.00%
Female Headed Householders Under the Poverty Level	3,958	4.40%	3	0.65%
Total families Under the Poverty Level	10,277	11.41%	3	0.65%
2020 Female-Headed Household Size				
Female Headed Householders	15,986	17.20%	42	10.94%
<i>Female Heads with Own Children</i>	9,914	10.67%	17	4.43%
<i>Female Heads without Children</i>	6,072	6.53%	25	6.51%
Total Householders	92,948	100.00%	384	100.00%
Female Headed Householders Under the Poverty Level	3,756	4.04%	0	0.0%
Total families Under the Poverty Level	8,196	8.82%	7	1.82%
Sources: HCD n.d., U.S. Census Bureau, 2020				

The Homeless

Homelessness represents housing needs that are not met by traditional housing stock. Homeless persons are occasionally evident within the community, although it is difficult to determine the homeless population or classify a homeless person as a resident of one community. **Table 2-23** shows the homeless population in Monterey County.

Table 2-23 Homeless Population in Monterey and San Benito Counties, 2021		
	Persons without children ¹	Persons with children ²
Total Homeless	315	363
Total Sheltered	315	363
Total Unsheltered	_ ³	_ ³

Source: US Dept of HUD, 2022.

¹ This category includes single adults, adult couples with no children, and groups of adults.

² This category includes households with one adult and at least one child under age 18.

³ In 2021, HUD gave communities the option to cancel or modify the unsheltered survey portion of their counts based on the potential risk of COVID-19 transmission associated with conducting an in-person survey. As a result, HUD has excluded the unsheltered population sub-totals and all unsheltered sub-population data for this reporting period. Readers are cautioned that the unsheltered and total homeless counts reported here may be missing data.

The 2022 Monterey County Homeless Report recently published provides the homeless population by jurisdiction and area. To count homeless persons, a Point-in-Time Census (PIT) was conducted on two consecutive days. The count of homeless individuals staying at a shelter was conducted the night of January 27th, 2022, and the count of unsheltered individuals was conducted in the early morning of January 27th and 28th, 2022. The 2021 unsheltered PIT was postponed to the end of January 2022 due to COVID-19 safety concerns. The 2022 PIT count was also conducted during the Omicron COVID-19 surge which challenged outreach efforts. The PIT count identifies homeless persons by shelter status (sheltered or unsheltered). **Table 2-24** below identifies homeless persons by shelter status in Del Rey Oaks and Monterey County from 2015, 2017, 2019, and 2022.⁷ The Department of Housing and Urban Development defines unsheltered homeless persons as those with a primary nighttime residence that is a public or private place, not designed for, or ordinarily used, as a regular sleeping accommodation for human beings, including a car park, abandoned building, bus or train station, airport, or camping ground.

Three types of facilities provide shelter for homeless individuals and families: emergency shelters, transitional housing, and permanent housing.

- **Emergency Shelter:** housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.
- **Transitional Housing:** a residence that provides housing for up to two years. Residents of transitional housing are usually connected to rehabilitative services.
- **Permanent Supportive Housing:** refers to housing that is affordable, service-enriched, and allows formerly homeless clients to live at the facility on an indefinite basis.

⁷ According to the 2000 U.S. Census Bureau, there were no homeless persons in Del Rey Oaks in 2000. (Applied Survey Research, 2002)

All persons identified as homeless in Del Rey Oaks would be considered unsheltered by this definition within the City, as the City does not have a publicly or privately operated homeless shelter. **There are no shelter beds in the City. The nearest homeless shelters to Del Rey Oaks are Casa de Noche Buena operated by Community Human Services, and Frederiksen House operated by Salvation Army. The shelters are located approximately 0.75 miles away in the City of Seaside.⁸** Within Monterey County, 66 percent of homeless individuals were unsheltered and 34 percent resided in shelters (emergency shelters or transitional housing). **Programs in the Housing Element are intended to further fair housing and reduce constraints to the development of facilities to provide shelter for homeless individuals and families including emergency shelter, transitional housing, and permanent supportive housing (see Chapter 7.0 Housing Plan).**

Jurisdiction	Unsheltered					Sheltered				
	2015	2017	2019	2022	Net Change	2015	2017	2019	2022	Net Change
Del Rey Oaks	55	111	0	2	-96%	0	0	0	0	--
Monterey County Total	1,630	2,113	1,830	1,357	-17%	678	724	592	690	2%

Source: Applied Survey Research 2015, 2017, 2019, and 2022.
Note: The 2017 Monterey County Homeless Census was conducted as a "blitz count." Those who appeared to be homeless were included in the count, followed by an in-person survey.

A Homeless Survey was conducted in the weeks following the PIT Homeless Count to collect basic demographic details and information including service needs and utilization. Surveys were administered between January 29th and March 31st, 2022, to a randomized sample of individuals and families currently experiencing homelessness.

The primary cause of a person's inability to obtain or retain housing can be difficult to pinpoint, as it is often the result of multiple compounding causes. An inability to secure adequate housing can also lead to an inability to address or obtain other basic needs, such as healthcare and adequate nutrition. In Monterey County, 50 percent of survey respondents reported financial issues such as job loss and eviction as the primary cause of their homelessness.

Individuals experiencing homelessness can face significant barriers to obtaining permanent housing. These barriers can range from housing affordability and availability to accessing the economic and social supports (e.g., increased income, rental assistance, and case management) needed to secure and maintain permanent housing. The most common response (71 percent) was "can't afford rent" when asked what prevented them from obtaining housing, suggesting housing affordability and poverty issues as key obstacles. The second most common response (56 percent) reported a lack of job or not enough income, and 35 percent said they had no money for moving costs. Survey respondents were asked if they have received a housing voucher of any kind in the last 12 months, 10 percent of all respondents revealed

⁸ Source: Coalition of Homeless Services Providers (<https://homeless.chsp.org/services/i-need-shelter/>)

they had, although only 21 percent of those respondents reported that they were able to successfully use the housing voucher.

As reported by Applied Survey Research (ASR), the biggest obstacles to obtaining permanent housing for the homeless in Monterey County were inability to afford rent (71 percent), lack of a job/income (56 percent), and lack of money for moving costs (35 percent).

Farmworkers

There is no agricultural land use in the general vicinity of the Del Rey Oaks. Unlike the City of Salinas, further inland and approximately 15 miles northeast, Del Rey Oaks is not an agricultural center. According to the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020), no one identified themselves as working in the “Agriculture, Forestry, Fishing and Hunting and Mining” industry within the City of Del Rey Oaks. The majority of residents are employed not by agricultural interests, but by arts, entertainment, recreation, accommodation and food services (12 percent); professional, scientific, management, administrative, and waste management services (15 percent), and education, health, and social services (30 percent) industries (see **Table 2-8**). Salinas and other valley communities are occupied by the majority of farm workers.

There are no conditions on the development of farm worker housing in Del Rey Oaks because it is not differentiated from multi-family housing or dwelling groups. The City has no specific policies with regard to farmworker housing other than through the allowances for multi-family housing, due to the lack of demand within the community.

[Students*. Student housing often only produces a temporary housing need based on the duration of the educational institution they are enrolled in. The City is in close proximity to Monterey Peninsula College \(MPC\), Middlebury Institute of International Studies \(MIIS\), California State University Monterey Bay \(CSUMB\), Naval Postgraduate School \(NPS\), Defense Language Institute Foreign Language Center \(DLI or DLIFLC\). While there are no student housing units affiliated with a university or college in Del Rey Oaks, the City considers students as a special needs group. \(*Added December 6, 2023\).](#)

Housing Age and Condition

Housing age can be an important indicator of housing condition within a community. Like any other tangible asset, housing is subject to gradual physical or technological deterioration over time. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, depress neighboring property values, and eventually impact the quality of life in a neighborhood. Many federal and state programs also use the age of housing as one factor in determining housing rehabilitation needs. State and federal housing programs typically consider the age of a community’s housing stock when estimating rehabilitation needs. In general, most homes begin to require major repairs or have significant rehabilitation needs at 30 or 40 years of age.

Approximately 65 percent of Del Rey Oaks’ housing stock has been constructed before 1960, and over 25 percent between 1970 and 2020 (see **Table 2-25**).

Table 2-25 Del Rey Oaks Housing Stock by Year Constructed						
	Before 1960	1960-69	1970-79	1980-89	1990-99	2000 to Present
Number of Units	464	69	56	113	9	3
Percent of Total	65%	9.7%	7.8%	15.8%	1.2%	0.4%

Source: U.S. Census Bureau, 2020
*The U.S. Census Bureau defines a housing unit as a house, apartment, mobile home, a group of rooms, or a single room that is occupied or intended for occupancy as separate living quarters. Condominiums fall under the definition of apartment according to the U.S. Census Bureau.

The condition of the housing stock is correlated to age, with older units being more likely in need of rehabilitation or repairs. The majority of housing in Del Rey Oaks is in good condition despite the age of the stock. Since 1990, one unit was declared “unlivable” and one unit was in need of considerable rehabilitation. As shown in **Table 2-26**, data from the 2016-2020 ACS (U.S. Census Bureau, 2020) indicates that the proportion of older housing units in Del Rey Oaks, Monterey and Seaside is much higher than in neighboring cities and the County as a whole.

In October 2023 the City conducted a windshield survey of all residential buildings to assess need for the rehabilitation of homes, review for signs of needed major repairs or known visible health and safety issues, and to evaluate if any violations of the building code were evident. The windshield survey identified no areas that required rehabilitation, and no units projected to be conserved or rehabilitated during the planning period. As the majority of housing in Del Rey Oaks was constructed before 1960, local knowledge and correspondence with a local contractor raised the issue of old and aging piping in homes. Rehabilitation identifies conditions and safety from the outside of the structure and is not an issue at this time. The City continues code enforcement, and there are no known areas where code violations pose a threat to life or safety.

Table 2-26 Age of Housing Stock (2016-2020)			
Area	Total Housing Units	% Built After 1979	% Built After 1969
Monterey	13,615	27.1%	49.8%
Salinas	42,675	41.2%	58.9%
Seaside	11,594	28.0%	43.2%
Del Rey Oaks	714	17.5%	25.4%
Sand City	197	64.0%	70.1%
Monterey County	141,910	38.5%	56.8%

Source: U.S. Census Bureau, 2020
Note: Percent built prior to 1969 is inclusive of all built prior to 1979.

Cost of Housing

Home Sales

Table 2-27 provides a summary of median home prices in Del Rey Oaks in 2000, 2010, and 2020 and the increase in prices (U.S. Census Bureau, 2000, 2010 and 2020).

Table 2-27 Rise in Median Home Prices, 2000, 2010, and 2020				
	2000	2010	2020	% Increase 2000 to 2020
Monterey County	\$265,800	\$566,300	\$559,400	110%
City of Del Rey Oaks	\$312,500	\$653,200	\$660,300	111%

Source: U.S. Census Bureau, 2000, 2010, and 2020

Like most areas in California, the cost of housing in Monterey County has increased significantly during the past decade. **Table 2-28** shows data for median housing sale prices for 2020 and 2022. Also evident is how the cost of homeownership varies quite dramatically within Monterey County depending on the community. Home prices as a whole were on an increasing trend, impacting affordability for Monterey County residents. Comparing **Table 2-27** and **Table 2-28** emphasizes the severe increase in home prices over the last two decades.

Table 2-28 Housing Sale Prices (2020 and 2022)					
Jurisdiction	Units Sold in 2020	Median Sale Price 2020	Units Sold in 2022	Median Sale Price 2022	Percent Change
Del Rey Oaks	17	\$645,000	22	\$865,000	34.1%
Monterey	64	\$875,000	106	\$1,113,000	27.2%
Salinas	79	\$595,000	52	\$700,000	17.6%
Seaside	63	\$650,000	103	\$775,000	19.2%

Source: Redfin, 2023
Note: Home sales data are not available for all communities in Monterey County, either due to community size or limited number of sales.

According to research conducted by DD&A in the course of preparing this update to the housing element, the average sale price for a single-family home, including condominium units, in the City of Del Rey Oaks in 2019 was \$569,955 and from 2020-2022 was \$770,000 (**Table 2-29**).⁹ As of this writing, a total of 59 homes were sold in the City of Del Rey Oaks since the beginning of the 2020 calendar year, compared to the 34 total homes sold in 2018.

Table 2-29 Housing Prices – 2020		
City	Median Sales Price	Median Home Price
Del Rey Oaks	\$770,000	\$660,300
Monterey	\$1,174,500	\$813,600
Seaside	\$694,500	\$539,200
Monterey County	\$755,000	\$559,400

Source: Redfin, 2023 and U.S. Census Bureau, 2020

Rental Costs

Rental prices have also increased significantly in the Del Rey Oaks area; U.S. Censuses of 2000, 2010 and 2020 provided data for rents in Del Rey Oaks, see **Table 2-30** below indicating rental increases and costs have steadily increased. Similar to home value prices, availability of affordable rental housing has

⁹ As of January 18th, 2023

decreased and rental prices have increased over the last two decades. This significantly affects lower-income households as they are typically renters. High rental prices can exacerbate housing challenges such as overcrowding and cost burden if adequate rental stock is not available for households.

Table 2-30 Average Rents in the Del Rey Oaks Area, 2000 to 2020					
2000	Units	2010	Units	2020	Units
Less than \$500	5	Less than \$500	4	Less than \$500	5
\$500 - \$999	39	\$500 - \$999	15	\$500 - \$999	0
\$1,000 - \$1,499	104	\$1,000 - \$1,499	25	\$1,000 - \$1,499	0
\$1,500 - \$1,999	7	\$1,500 - \$1,999	114	\$1,500 - \$1,999	15
\$2,000 or more	2	\$2,000 or more	32	\$2,000 or more	145
No Cash Rent	5	No Cash Rent	0	No Rent Paid	3
TOTAL:	162	TOTAL:	190	TOTAL:	165
MEDIAN:	N/A	MEDIAN:	\$1,173	MEDIAN:	\$2,372

Source: U.S. Census Bureau, 2000, 2010 and 2020

Table 2-31a and Table 2-31b compare average rental housing prices between 2018 and 2023. Salinas and the County’s unincorporated areas had the lowest average rents.

Table 2-31a Average Rental Housing Prices (2018)					
	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4+Bedrooms
Community	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4+Bedrooms
Monterey	\$1,289	\$1,734	\$2,236	\$3,015	\$4,788
Salinas	\$850	\$1,563	\$1,915	\$2,618	\$2,780
Seaside	\$1,490	\$1,460	\$2,030	\$3,028	\$3,350
Del Rey Oaks	\$862	\$995	\$2,537	\$2,900	--
Sand City	\$1,805	--	\$2,750	\$2,650	--

Sources: Veronica Tam & Associates, 2019; Craigslist, 2018 and 2019
 “--” indicates no units of his size were available for rent.
 Note: Housing Authority County of Monterey, Payment Standard and Utility Allowance, effective October 1, 2018.

Additionally, average rental housing prices have risen severely within the last several years and has created further pressure on housing affordability for low-income residents. For renters that qualify, rental assistance is provided by the Housing Authority County of Monterey (HACM) through their participation in the Housing Choice Voucher (HCV) program. Compared to the market rents, the amount of this payment standard does not offer financial incentives to most landlords to participate in the program

Table 2-31b Average Rental Housing Prices (2023)					
	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4+Bedrooms
Community	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4+Bedrooms
Del Rey Oaks	--	\$1,995	\$3,150	\$3,500	\$5,000
Monterey	\$1,575	\$2,000	\$2,845	\$4,000	\$4,250
Salinas	\$1,768	\$1,890	\$2,497	\$3,200	\$4,517
Seaside	\$1,495	\$1,950	\$2,650	\$3,500	\$3,795
Marina	\$1,475	\$1,845	\$2,300	\$3,975	\$3,950

Source: Zillow, 2023
 “--” indicates no units of this size were available for rent.
 Note: Housing Authority County of Monterey, Payment Standard and Utility Allowance, effective November 1, 2022.

Housing Affordability

Housing affordability can be inferred by comparing the cost of renting or owning a home in a community with the maximum affordable housing costs for households at different income levels.

Housing that costs 25 to 33 percent of a household's income is referred to as “affordable housing.” Because household incomes and sizes vary, the price that is considered “affordable” for each household also varies. For example, a large family with one small income can afford a different type of housing than a double-income household with no children. Information on household income by household size is provided each year by the HCD for each county. Income limit data from 2022 for Monterey County is provided in **Table 2-32**. When compared with households by income level in **Table 2-13a** and **Table 2-13b** and overpayment in **Table 2-14a** and **Table 2-14b**, data indicates that (1) rental prices are becoming increasingly unaffordable, especially for larger households with very low-incomes; and (2) home ownership is unattainable for most low- and very low-income households without some form of subsidy in the sales price and/or down payment assistance. As home prices have increased in Del Rey Oaks, it has become increasingly difficult for many households to afford the cost of housing.

Essentially, lower- and moderate-income households in the County have very limited affordable housing opportunities. Few could afford to purchase a home, and most could not afford adequately sized rental units. Housing becomes moderately affordable only when household incomes reach the middle-income level. Programs in the Housing Element are intended to further fair housing and reduce constraints to the development of facilities to provide shelter for homeless individuals and families including emergency shelter, transitional housing, and permanent supportive housing (see Chapter 7.0 Housing Plan).

Family Size	Extremely Low-Income	Very Low-Income	Low-Income	Median Income	Moderate-Income
1	\$23,900	\$39,800	\$63,700	\$63,050	\$75,650
2	\$27,300	\$45,550	\$72,800	\$72,100	\$86,500
3	\$30,700	\$51,200	\$81,900	\$81,100	\$97,300
4	\$34,100	\$56,850	\$91,000	\$90,100	\$108,100
5	\$36,850	\$61,400	\$98,300	\$97,300	\$116,756
6	\$39,600	\$65,950	\$105,600	\$104,500	\$125,400
7	\$42,300	\$70,500	\$112,850	\$111,700	\$134,050
8	\$46,630	\$75,050	\$120,150	\$118,950	\$142,700

Source: HCD, 2023

Table 2-33 provides maximum annual income, affordability monthly housing costs and maximum affordability sales price for households in 2022 for comparison purposes.

Table 2-33 Maximum Annual Income, Affordability Monthly Housing Costs & Maximum Affordability Sales Prices, 2022			
Income Group	HCD Income Limits	Maximum Affordable Price	
		Monthly Rental	Ownership
Extremely Low (0-30% AMI)			
One Person	\$23,900	\$598	\$95,323
Two Person	\$27,300	\$683	\$108,884
Three Person	\$30,700	\$768	\$122,444
Four Person	\$34,100	\$853	\$136,005
Very Low (30-50% AMI)			
One Person	\$39,800	\$995	\$158,739
Two Person	\$45,500	\$1,138	\$181,473
Three Person	\$51,200	\$1,280	\$204,207
Four Person	\$56,850	\$1,421	\$226,741
Low (50-80% AMI)			
One Person	\$63,700	\$1,593	\$254,062
Two Person	\$72,800	\$1,820	\$290,356
Three Person	\$81,900	\$2,048	\$326,651
Four Person	\$91,000	\$2,275	\$362,945
Moderate (80-100% AMI)			
One Person	\$75,650	\$1,891	\$301,723
Two Person	\$86,500	\$2,163	\$344,998
Three Person	\$97,300	\$2,433	\$388,072
Four Person	\$108,100	\$2,700	\$431,147
Source: SOURCE: California Department of Housing and Community Development, State Income Limits, 2022, Monterey County and City of Sand City 6th Cycle Housing Element, May 2023			
Note: Maximum affordable sales prices are based on the following assumptions: 6.42 percent interest rate, 7 30-year fixed loan, and 5 percent down payment			

CHAPTER 3.0 HOUSING NEEDS AND RESOURCES

Housing Needs

This Chapter identifies the City of Del Rey Oaks' share of regional housing needs and analyzes the resources available for the development of housing in the City. This includes an evaluation of the availability of land for potential future residential development, the City's ability to satisfy its share of the region's future housing needs, and the financial and administrative resources available to assist in implementing the City's housing programs. **According to California Government Code §65580-65589, the housing element must include an inventory of adequate sites that are zoned and available within the planning period to meet the jurisdiction's fair share of regional housing needs across all income levels.**

Del Rey Oaks' Share of Regional Housing Needs

The projected housing needs for Del Rey Oaks originate with the HCD. HCD first estimates a statewide need for housing, which is broken down into regions, each of which then has an assigned share of estimated housing needs. AMBAG is the local agency mandated by California Government Code section 65554(a) to distribute the "Fair Share Allocation" of the regional housing need to each jurisdiction in Monterey and Santa Cruz counties. The Fair Share Allocation of housing is a specific number of residential units, in different income categories, assigned by AMBAG to each local jurisdiction in the region including Del Rey Oaks. AMBAG's allocations are based on an analysis of the following:

- The vacancy rate in each city and the existing need for housing it implies;
- The projected growth in the number of households;
- The local and regional distribution of income; and,
- The need for housing generated by local job growth.

The RHNA for the Monterey region was 4,375 housing units for the 2015 to 2023 5th RHNA cycle. The Final Draft October 2022 Regional Growth Forecast Summary forecasts that the Monterey Bay Area (Santa Cruz and Monterey County) will add 32,867 new households between 2020 and 2045. For the eight-year time frame covered by this Housing Element Update, Monterey County's housing need is 20,495 units. All jurisdictions in the Monterey Bay Area received a much larger RHNA this cycle compared to the last cycle, primarily due to changes in state law that led to a considerably higher Regional Housing Needs Determination compared to previous cycles.

Table 3-1 below identifies the RHNA for Del Rey Oaks for the current 6th cycle.

Table 3-1 Regional Housing Need Allocation – 6 th Planning Cycle					
Jurisdiction	Income Category				
	Very Low	Low	Moderate	Above Moderate	Total
Del Rey Oaks	60	38	24	62	184

The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to above moderate-income households (see **Table 3-2**). This calculation is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region’s existing housing need.

For Del Rey Oaks, the 6th Planning Cycle RHNA is 184 units, a substantial increase from the last cycle. The 6th Cycle RHNA allocation places considerable pressure on jurisdictions across the state. Small cities with little or no population changes are challenged in identifying adequate sites with limited available land, particularly with environmental and other land use constraints impacting developable areas.

Table 3-2 Regional Housing Need Allocation Percentages - 6 th Planning Cycle		
Income Category	6 th Cycle Allocation	Percentage of Total Units
Very low-income (31-50% of area of median income)	60	33%
Low-income (51-80% of area median income)	38	20%
Moderate-income (81-120% of area median income)	24	13%
Above moderate (over 120% of area median income)	62	34%
Total	184	100%

Source: RHNA Determination HCD (AMBAG, 2022)

The City has an RHNA allocation of 60 *very low-income* units for the 6th Planning Cycle. Pursuant to State law (Assembly Bill [AB] 2634), the City must project the number of extremely low-income (30 percent or less of Area of Median Income [AMI]) housing needs based on U.S. Census income distribution or assume 50 percent of the *very low-income* units as extremely low-income. The City’s extremely low-income need is assumed to be 30 units for Del Rey Oaks (using the 50% method).

As noted in **Table 3-3**, the City must also accommodate the shortfall from previous 4th and 5th cycle planning periods.

Table 3-3 Del Rey Oaks’ 6 th Cycle Total Low and Very Low Only - Regional Housing Need Determinations (with Carry-over from 4 th and 5 th Planning Cycles)			
Planning Cycle	Very Low-Income	Low-Income	Total Need Low- and Very Low-Income
6th Planning Cycle	60	38	98
5 th Planning Cycle*	7	4	11
4 th Planning Cycle*	34	25	59
Total	101	67	168

*Carryover required per HCD for low- and very low-income categories (HCD, 2019)
2007-2014 numbers from 4th Planning Cycle per AMBAG, 2007-2014 RHNA Plan. (AMBAG, 2008)
Source: AMBAG RHNA 5th Housing Element Cycle (AMBAG, 2014), AMBAG RHNA 6th Housing Element Cycle (AMBAG, 2022) and RHNA Determination HCD (HCD, 2019)

Tables 3-1, 3-2, and 3-3 summarize the housing needs determination for the City representing the number of new housing units that will be needed by income category to meet the City’s “fair share” of the Monterey Bay Area’s regional housing needs. The AMBAG Regional Housing Needs Determination figures for all jurisdictions in the Monterey Bay area can be found on the AMBAG website at

<http://www.ambag.org>.¹ In combination of previous cycles and 6th cycle, the City is planning to meet a total of 270 RHNA.

Regional Housing Needs Process

Every city and county in the State of California has a legal obligation to respond to its “fair share” of the projected future housing needs in the region in which it is located. Because local jurisdictions are rarely, if ever, involved in the actual construction of housing units, the fair share numbers establish goals that should be used to guide planning and development decision making. Specifically, the numbers establish a gauge to determine whether the City is allocating adequate sites for the development of housing (particularly housing at higher densities to achieve the housing goals for lower-income households). Beyond this basic evaluation of sites (which must be serviced by necessary infrastructure facilities), the City must review its land use and development policies, regulations, and procedures to determine if any of them are creating unreasonable constraints on housing development to meet its fair share need. Furthermore, the City must demonstrate that it is actively supporting and facilitating the development of housing that is affordable to lower-income households.

Requirements for Land Inventory

State law requires that the City provide an adequate number of sites to allow for and facilitate production of the City’s regional share of housing. To determine whether the City has sufficient land to accommodate its share of regional housing needs for all income groups, the City must identify “adequate sites.” Under State law (California Government Code Section 65583[c][1]), adequate sites are those with appropriate zoning and development standards, with services and facilities, needed to facilitate and encourage the development of a variety of housing for all income levels. The California Department of Housing and Community Development, in its guidelines that interpret State law (Housing Element Questions and Answers, Question #23, Housing Element Site Inventory Guidebook) states that:

“The locality’s sites are adequate if the land inventory demonstrates sufficient realistic capacity at appropriate densities and development standards to permit development of a range of housing types and prices to accommodate the community’s share of the regional housing needs by income level. A two-part analysis is necessary to make this determination.

The locality’s sites are adequate if the land inventory demonstrates:

- 1) There is realistic development capacity of suitable land, which is or will be served by facilities and infrastructure, accommodate the locality’s total new construction need by income group over the next five years; and,
- 2) That these available sites appropriately zoned (considering local development standards and land costs) for a variety of housing types (single-family, multi-family, mobile homes, etc.) and at appropriate densities to facilitate the development of housing to meet the locality’s regional housing need by income level category, including the need for very low- and low-income households.”

¹ These tables include the RHNA for 5th Cycle and 4th Cycle shortfall.

Summary of Del Rey Oaks' Land Inventory

In considering methods for meeting a jurisdiction's housing needs, the amount of suitable land available for the development of housing is crucial. There must be sufficient vacant, residentially zoned land within the City limits or areas to be annexed that meets the projected housing needs through the 6th Cycle (or that portion of the City's housing needs allocation not already satisfied through actual housing construction). A determination of land availability was made from a careful review of Del Rey Oaks' Land Use Element and Zoning Ordinance in conjunction with a compilation and analysis of suitable vacant sites (consistent with Government Code section 65583.2).

Though State law does not require cities to build additional housing, it does require communities to facilitate new housing production. State housing element law allows local governments to obtain credits toward meeting its RHNA goal in four primary ways: 1) preserve publicly assisted housing that is at risk of converting to non-low-income or market rates; 2) rehabilitate housing projects and place deed restrictions on those projects; 3) construct housing during the planning period; and 4) set aside land at appropriate densities.

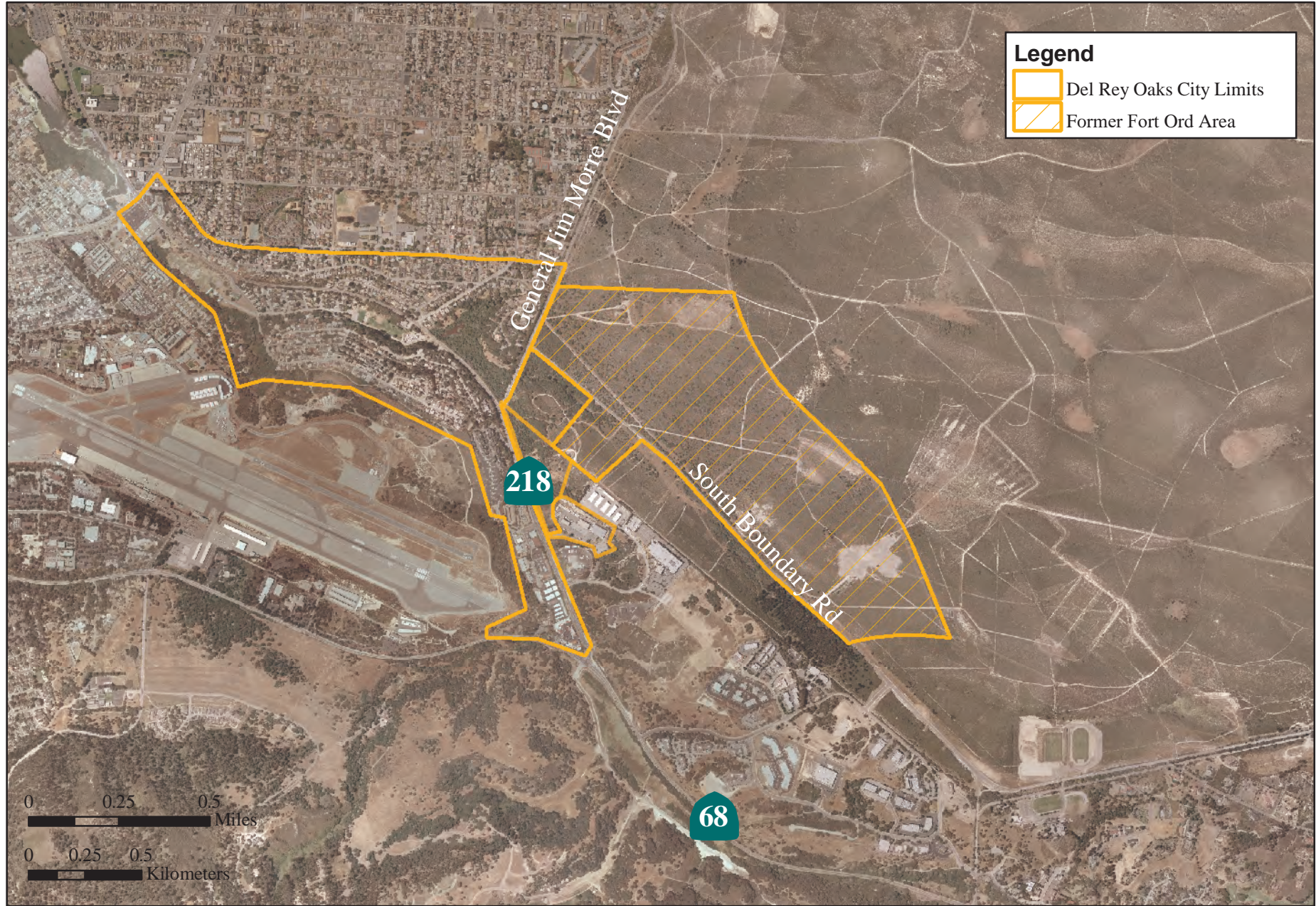
For the first option, the City does not have any existing publicly assisted affordable housing projects at risk of conversion. For the second option, there are very few units that would qualify under State guidelines for rehabilitation and preservation. As the City is very small with limited staffing and funding resources, the City would not be able to construct residential projects as proposed under the third approach. Therefore, the City's strategy for meeting its RHNA relies solely on ensuring that enough vacant land is available to accommodate projected growth and providing appropriate residential densities to meet RHNA. (Please refer to **Chapter 7.0, Table 7-1** for Quantified Objectives Summary).

Site(s) Inventory

The following discussion addresses the methodology and results of the housing sites inventory according to the criteria identified above. In addition to assessing the quantity of land available to accommodate the City's total housing needs, this section also considers availability of sites to accommodate a variety of housing types suitable for households within a range of income levels and housing needs.

Inventory. The City's inventory was developed with the use of a combination of resources, including the review of available Geographic Information Systems (GIS) information, updated Assessor's data, field surveys, and review of the City's General Plan Land Use Map, Zoning Map and Zoning Ordinance. A vicinity map is included as **Figure 1**. The City's General Plan and Zoning Maps are included as **Figures 2** and **3**.

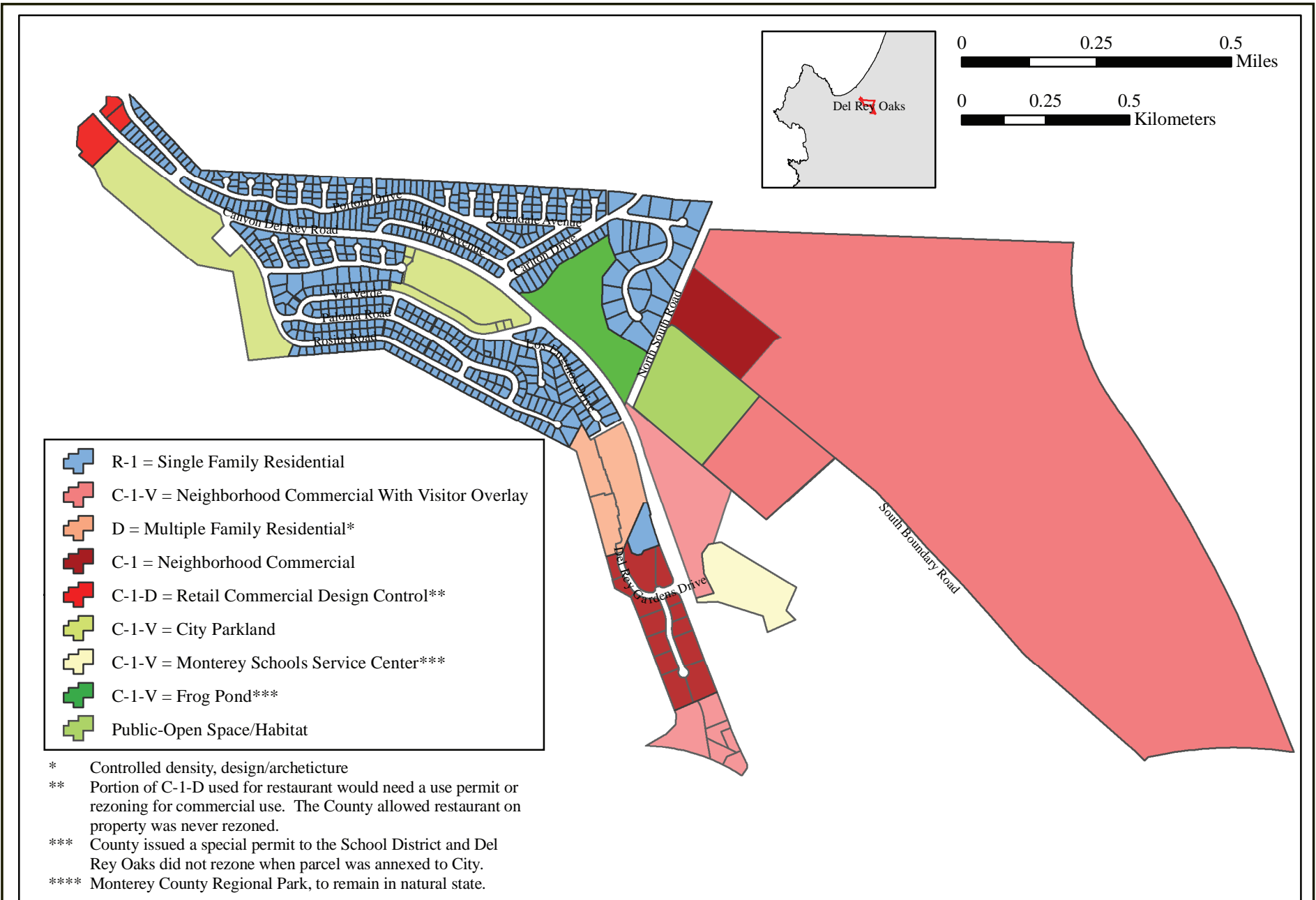
Assessment of Development Capacity. The development capacity of sites in the housing element should be calculated based on minimum density range or realistic development capacity based on historic records of similar projects built in recent years in the City or region. California Government Code section 65583.2(c) requires, as part of the analysis of available sites, cities to calculate the projected residential development capacity of the sites identified in the Housing Element that can be realistically achieved.



Vicinity Map

Figure
1

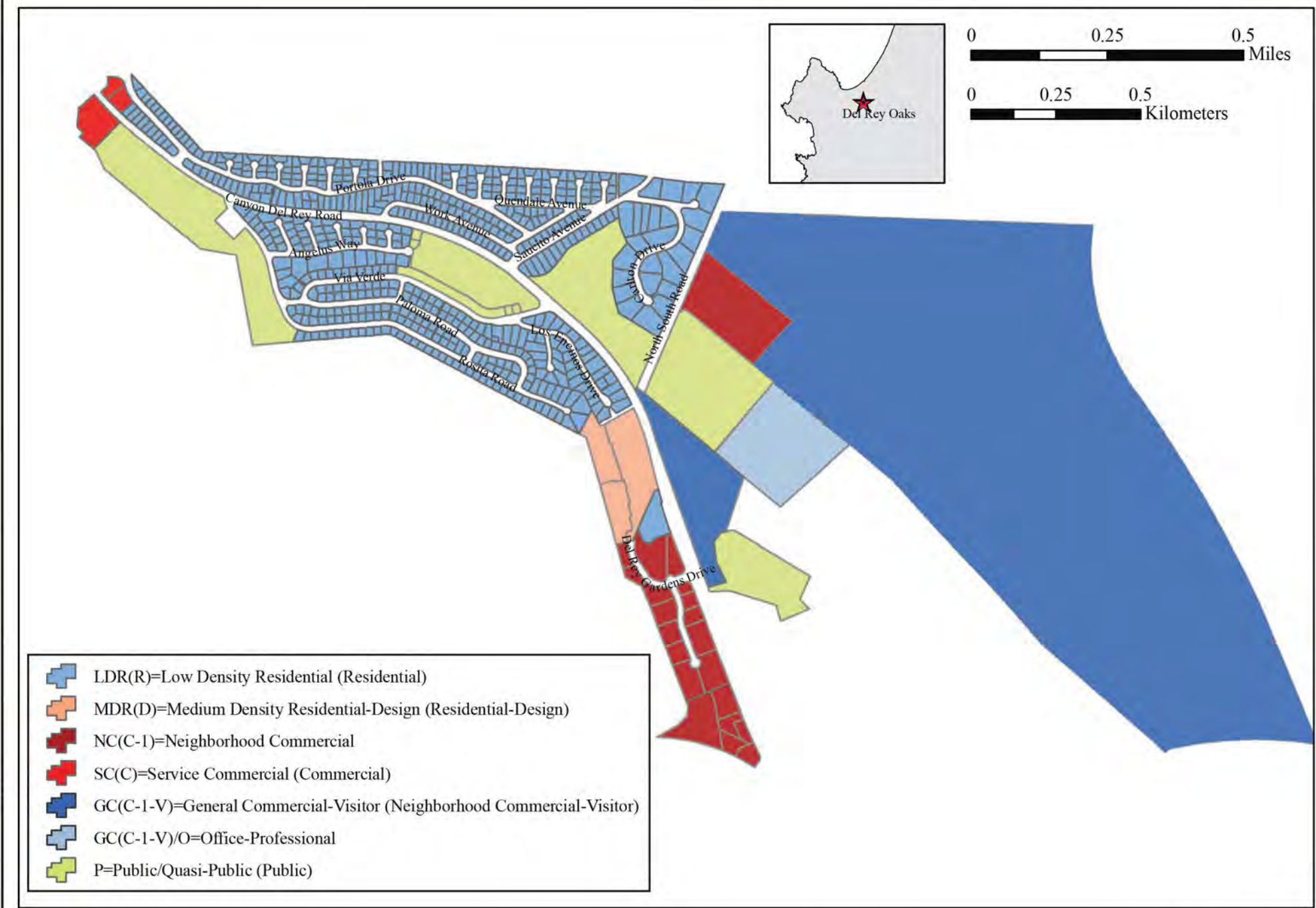
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Zoning Map for the City of Del Rey Oaks

Figure
2

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City of Del Rey Oaks General Plan

Figure 3

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The methodology for determining residential capacity of listed sites was the utilization of the City's General Plan, Zoning Ordinance as well as consideration of physical constraints to development of the area. The analysis used available data such as GIS data and building permit/entitlement information. The following is an overview of the data used:

- City and County-level parcel GIS data, including General Plan land use designation, zoning district, ownership, existing land use,
- ADU building permits issued,
- Prior housing element site inventories,
- Annual Progress Reports to HCD during the 5th Cycle,
- Zoning Code allowed density, and
- Local data, knowledge, and property owner information.

Estimating Potential Units by Income Category. State law requires that jurisdictions demonstrate in the Housing Element that the land inventory is adequate to accommodate that jurisdiction's share of the regional growth. The City is committed to identifying sites and as needed, rezoning sites at appropriate densities as required by law. The State of California, through Assembly Bill 2348 (AB 2348), has established "default" density standards for local jurisdictions. State law assumes that a minimum density standard of 20 units per acre for a suburban community, such as Del Rey Oaks, is adequate for facilitating the production of housing affordable to lower income households. The site inventory analysis uses this state standard.

Adequate Sites. To determine whether the City has sufficient land to accommodate its share of regional housing needs for all income groups, the City must identify "adequate sites" to accommodate the RHNA. Under state law (California Government Code section 65583[c][1]), adequate sites are those with appropriate zoning and development standards, with services and facilities needed to facilitate and encourage the development of a variety of housing for all income levels. Compliance with this requirement is measured by the jurisdiction's ability to provide adequate land to meet the RHNA. To accomplish this task, State law requires that an adequate sites inventory contain four components. If the sites are underutilized (as opposed to vacant sites), additional analysis is required.

- **Identify vacant or underutilized parcels.** An adequate land inventory consists of a listing and map of properties proposed to accommodate the regional housing needs by parcel number, size, general plan designation, and zoning of each property.
- **Analyze site constraints.** The site analysis should demonstrate that proposed sites to count toward the RHNA should not have significant environmental or infrastructure constraints that might affect the timing or feasibility of development by the end of the planning period.
- **Assess development capacity.** The development capacity of sites in the housing element should be calculated based on minimum density range or realistic development capacity based on historic records of similar projects built in recent years in the City or region.

- **Demonstrate that zoning is adequate.** Finally, the analysis must demonstrate that the identified zones and densities will facilitate the development of housing for all income levels. In other words, the price and affordability of housing should be correlated to specific zones.

HCD Site Inventory Guidebook further advises that sites are considered suitable for residential development if zoned appropriately and available for residential use during the planning period. If the inventory demonstrates that there are insufficient sites to accommodate the RHNA, the inventory must identify sites for rezoning to be included in a housing element program to identify and make available additional sites to accommodate those housing needs early within the planning period.

The City identified adequate land inventory and provided listing and map of properties proposed to accommodate the regional housing needs by parcel number, size, general plan designation, and zoning of each property.

In the case of Del Rey Oaks, since there are limited areas of residentially zoned lands, the City has also identified lands that may be rezoned to accommodate the regional housing needs.

Inventory Results

This section identifies the sites, and then compares this to the City's future housing needs as determined by AMBAG's RHNA for 6th Cycle. As part of the 5th Cycle Housing Element Update, both HCD and the City concluded that Sites 1 and 1a were appropriate for meeting site inventory requirements and could accommodate RHNA in the 5th Cycle. Sites 1 and 1a are retained from the 5th Cycle Housing Element to accommodate RHNA in this 6th Cycle. There is adequate land area in Sites 1 and 1a in the former Fort Ord for the City to accommodate its share of regional housing needs for all income groups, per Government Code section 65583[c][1].

In addition, the analysis identifies additional sites not previously considered to accommodate the RHNA. See **Figure 4** and supplemental mapping in **Appendix C. Table 3-4** below provides a summary of the site inventory analysis. **Appendix C** provides further information on resources, services and constraints on the land available within the City for residential development.²

The sites that can accommodate the RHNA are focused on the vacant sites at the former Fort Ord (Sites 1 and 1a from 5th Cycle) and new Sites K1 and K2 where there is adequate land available. All sites are planned for development in the City's General Plan, however, none of the sites are currently zoned for residential use. The sites have a General Plan and Zoning designation of General Commercial – Neighborhood Commercial with Visitor overlay (GC (C-1-V)) and ~~the City rezoned these sites to allow residential development on sitetherefore, rezoning will be required to allow for residential land use.~~³ Water and

² **Appendix C** also includes an additional potential candidate site outside of former Fort Ord, in response to a public comment raised during the local public review period. This non-vacant site is owned by a local educational facility and used as administrative and bus facility by the school district. Further information is provided in **Appendix C1-A**.

³ Government Code section 65583.2(h) requires sites that are identified for rezoning to accommodate a lower income RHNA shortfall fulfill the following requirements: permit owner-occupied and rental multifamily uses by right for developments in which 20 percent or more of the units are affordable to lower income households; permit the development of at least 16 units per site; ensure sites permit a minimum of 20 dwelling units per acre and ensure either a) at least 50% of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses, or b) if accommodating more than 50% of the low- and very low-income regional housing need on sites designated for mixed-uses, all sites designated for mixed-uses must allow 100% residential use and require residential use to occupy at least 50 percent of the floor area in a mixed-use project.

sewer services, as well as other utilities, are planned for all four sites. Sites 1 and 1a are owned by the City and Sites K1 and K2 are privately-owned. Site K1 is approximately 20 acres bordering General Jim Moore Boulevard, where water and recycled water lines are in place from Marina Coast Water District. Site K2 has an entitlement for 210 RV spaces and ancillary facilities on approximately 54 acres.

HCD previous comment letters have concluded that former Fort Ord properties are appropriate to meet the needs for RHNA for all housing types, including low- and very low- income requirements. Since the 5th Cycle Housing Element was submitted to HCD, the City Council, Planning Commission, and City staff have conducted additional public outreach for the 6th Cycle Housing Element Update and have considered all sites within this site inventory.

The City's site inventory identifies city-owned Sites 1 and 1a, and privately held sites K1 and K2, as additional sites if needed. The City will be processing a zoning overlay to allow residential uses and finds these sites capable to meet all RHNA, including low- and very low- requirements.

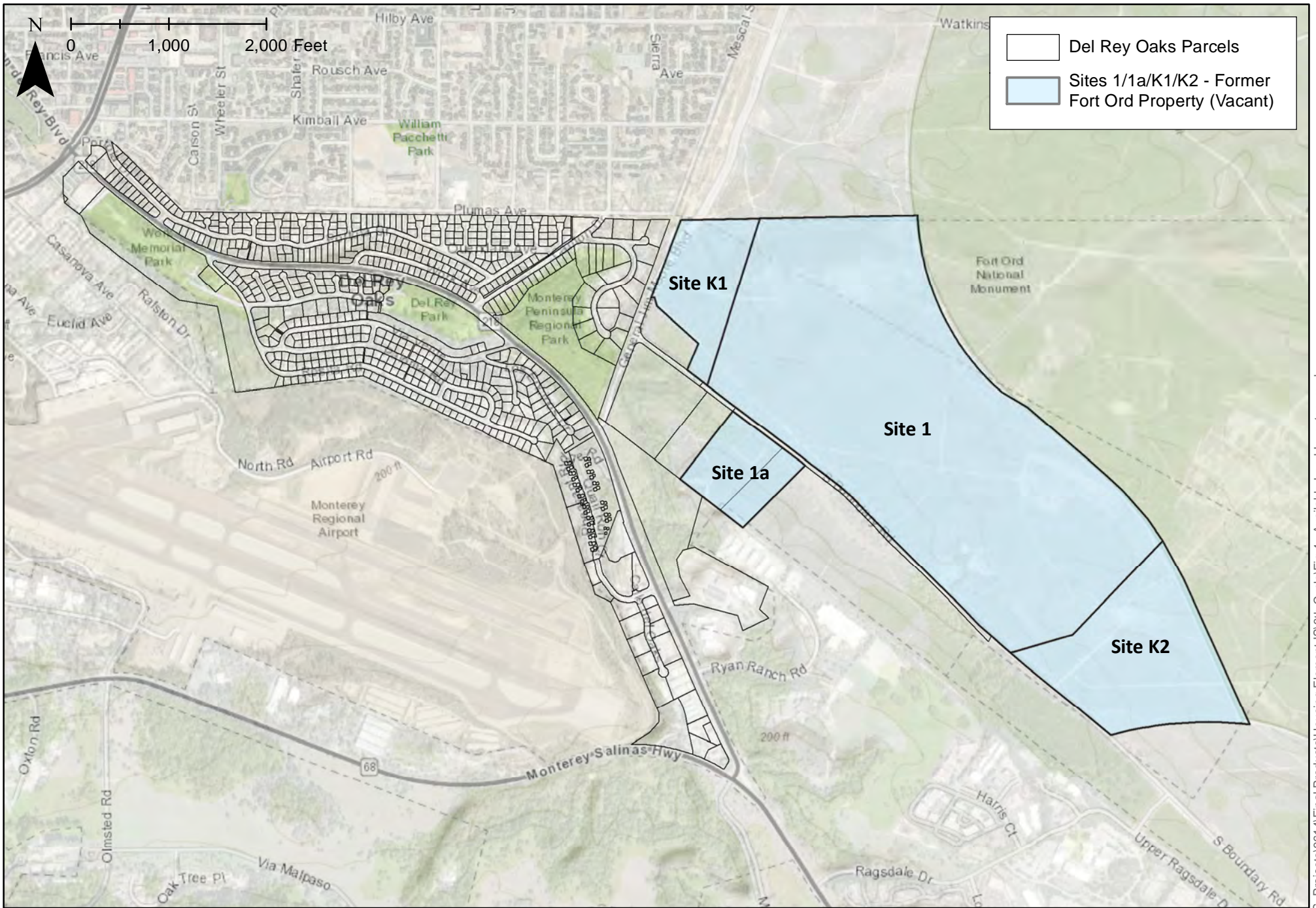
Site Inventory AB 686 Assessment

AB 686 requires a jurisdiction's site inventory to be consistent with its duty to affirmatively further fair housing. State housing law requires jurisdictions to identify sites to meet RHNA obligations in a manner that is consistent with its duty to affirmatively further fair housing. This includes determining sites that are able to achieve fair housing goals, such as combatting housing discrimination, eliminating racial bias, redressing historic patterns of segregation, and lifting barriers that restrict access. Affirmatively furthering fair housing will help foster inclusive communities so that households at all income levels and of all racial/ethnic makeups can enjoy a more equitable distribution of opportunity and proximity to jobs, transit, a high-quality education, and environmental benefits.⁴

The City of Del Rey Oaks is within three 2020 U.S. Census Tracts (132, 134, 141.09). However, the populated portion of Del Rey Oaks is located within one census tract (tract 134). The opportunity sites in the Sites Inventory are a part of another much larger census tract (tract 141.09) within two other jurisdictions, including non-populated dedicated open space within Monterey County and a populated area 2.5 miles to the north of Del Rey Oaks.

Sites 1 and 1a have been selected by the City and cited by HCD as appropriate sites to accommodate the City's RHNA. It is estimated these city-owned sites are capable of realistically and conservatively accommodating up to 270 units (including 184 units of RHNA allocation and shortfall for the 6th cycle planning period) assuming an area or areas would be subdivided up to 10 acres of development at a density of 20 units/acre consistent with HCD requirements, in a range of housing types and housing at all income groups. The sites are anticipated to include future mixed-use and market rate housing, as described in Program A.2 and the previously-analyzed full buildout of the former Fort Ord properties.

⁴ City of Monterey. Draft AFFH Analysis, 2023.



Updated Available Land Inventory
City of Del Rey Oaks Housing Element Update, May 2023

Date
 5/16/2023
 Scale
 1 in = 1,000 ft



Denise Duffy & Associates, Inc.
 Planning and Environmental Consulting

Figure
4

Per AFFH Sites Inventory requirements, a Housing Element should also discuss whether the distribution of sites improves or exacerbates conditions. If sites exacerbate conditions, the element should identify further program actions that will be taken to promote equitable quality of life throughout the community (e.g., anti-displacement and place-based community revitalization strategies). As discussed in **Appendix A AFFH Sites Inventory Evaluation**, due to the tract's large size, lack of overall development, and low population, it may be difficult to assess the degree to which implementation of the 6th Cycle Housing Element and AFFH Assessment would improve or exacerbate conditions. However, the goals, policies, and programs of the Housing Element and General Plan would continue to affirmatively further fair housing efforts and seek to improve fair housing conditions within the City.

Additional information on AB 686 and affirmatively furthering fair housing in Del Rey Oaks can be found in **Appendix A Affirmatively Furthering Fair Housing Assessment** of the Housing Element. **Table A24 of Appendix A** provides an analysis of the parcels within the sites inventory. Additional sites inventory information can be found in **Appendix C** of the Housing Element.

Future development of former Fort Ord areas is contingent upon rezoning, general plan amendment, removal of potential hazards associated with unexploded ordnance, as well as securing a developer. The City ~~committed to rezone~~ rezoned Sites 1 and 1a to accommodate residential land uses as identified in updated programs included in **Chapter 7.0**. The continued use of Sites 1 and 1a provides adequate land and reasonable suitability for location of future housing to meet needs under the 6th cycle RHNA. Sites 1 and 1a have been declared as surplus under the requirements of the Surplus Land Act. Sites K1 and K2 provide additional land area and capacity within the City to accommodate RHNA.

While the sites are currently zoned as commercial/visitor serving, the City rezoned these sites to allow residential development on site. ~~A rezone program has been included in the Housing Element Update (Program A.1).~~ The following summarizes the key elements of the sites addressed in this Chapter. As a means of documenting how these sites can realistically be developed during the planning period, a narrative description of factors supporting development has been prepared for each of the sites. This analysis further details existing conditions, as well as potential interest in rezoning and development on the sites.

Development Considerations: Environmental and Infrastructure

Environmental and infrastructure constraints will need to be addressed prior to developing housing. While the City has not completed development within former Fort Ord, other neighboring jurisdictions have successfully developed within their properties. The primary environmental and infrastructure considerations were evaluated and addressed in **Chapter 4.0, Housing Constraints**. As noted, there is a residential restriction in portions of Sites 1 and all of 1a, however over 100 acres of land is not restricted and has residential as an allowable land use. New programs in **Chapter 7.0** address extension of water and road infrastructure, which are both planned and funded. Other considerations on the former Fort Ord include potential for impacts to biological resources protected under state and federal laws, requiring permits for development.

The City has also added **Program C.4** which identifies a program to implement the infrastructure improvements; this addresses HCD comments and also addresses public comments related to constraints related to water availability. Additional **Program C.8** will require the City to continue to work with local,

state, and federal agencies to promote the clean-up and reuse of sites in former Fort Ord and to complete actions necessary to remove the residential restriction on portions of the properties. There is adequate sewer capacity for the development and buildout. The programs and commitments will ensure there is the necessary infrastructure for meeting RHNA on the former Fort Ord.

There are no known environmental constraints that cannot be mitigated or that would preclude development in the City. The City Housing Element EIR evaluated the entire area of former Fort Ord; this document identifies mitigation and specific actions to address developmental constraints related to biological and hazards. Further information on environmental and infrastructure can be found in **Chapter 4.0** and in the Certified EIR for the Housing Element Update (October 2023). **Appendix F** of this Housing Element also includes the full mitigation plan, additional figures related to the sites and a section of the EIR summarizing alternatives considered in the Housing Element EIR.

Development Considerations: City Actions

Sites 1 and 1a were the subject of a request for proposal (RFP) and also separately advertised through the requirements of the Surplus Land Act. The City received three qualified proposals through the RFP process from developers. Interviews were conducted based on the received proposals; however, the process was put on hold during the COVID-19 pandemic. The City subsequently contacted the developers and is in ongoing conversations on selection and consideration for Site 1. The process was concluded for the SLA with three respondents, two non-profit agencies interested in the preservation of the properties without development of housing. One qualified and experienced affordable housing developer replied to the SLA; the City continues to work with this same developer. The City does not have a specific plan for the former Fort Ord property.

Unaccommodated Need from the Prior Planning Period: The City had a shortfall of 70 units to accommodate its lower-income RHNA from previous planning periods. Per Government Code section 65584, for jurisdictions that did not accommodate their shortfall from the last planning period, the City must complete rezoning efforts within one year of the planning period.

Suitability of Large Sites: Sites larger than ten acres in size are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. While the site evaluation notes that the larger areas of Sites 1 and 1a range from 18 to over 200 acres, the City is assuming only a portion of these sites would be developed for affordable housing. Each site acreage is identified below in the following tables, with additional description of the acreage. This section also refers to the Housing Element EIR and mitigation measures, which provide further evidence that the vacant properties can be developed during the planning period. Additionally, to address the sites that can be over 10 acres, if developed, an additional program addresses large lot development has been added to **Chapter 7.0**. This can facilitate development on large sites to accommodate housing for lower- income households.

Summary of Sites Inventory.

The following summarizes the site inventory assessment. Additional tables and mapping are included in **Appendix C**.

Please note that these tables are summaries of the available sites. The Sites Inventory Electronic Form (standardized form) was completed and submitted separately, per Government Code section 65583.3, subdivision (b).

The HCD form is included as **Appendix C**. This form and **Table A24 of Appendix A AFFH Assessment** provide a full parcel listing, with an identification of the anticipated affordability level of the units for each site identified in the sites inventory (Gov. Code, § 65583.2, subd. (c).).

Table 3-4 Site Inventory	
Sites Inventory Analysis Summary – Site 1	
Assessor Parcel Number	031-191-026-000
Property Size	232 acres
Location	Former Fort Ord, North of South Boundary Road and East of General Jim Moore Boulevard
General Plan and Zoning designation	Zoning designation: C-1-V = Neighborhood Commercial With Visitor Overlay and General Plan designation: General Commercial – Neighborhood Commercial with Visitor overlay (GC (C-1-V)).
Rezoning Required	Yes ; No ; Proposed Approved Overlay Zone of adequate area to meet RHNA at minimum densities of 20 units/acre.
Dry Utilities	Utilities would need to be extended to the site, including for Pacific Gas & Electric (PG&E) and Cable, Internet & Phone Service (Comcast or AT&T).
Water and Sewer	Water and sewer service is planned but would need to be extended from General Jim Moore Boulevard, where the existing MCWD infrastructure water and recycled water lines are planned for extension to serve Site 1.
Suitability and availability	Site 1 is a vacant large parcel (232-acre) property that is currently available and has been planned for development in approved City and regional planning documents. Site 1 is owned by the City. The City issued an RFP for this site and developers continue to express interest in various types of housing and mixed use. Due to previous military use of the site at former Fort Ord, additional approvals from DTSC (Department of Toxic Substances Control) for UXO (Unexploded Ordnances) are required on portions of the property.
Ownership and Surplus Land Act	City-owned; declared as surplus under the requirements of the Surplus Land Act. The City has completed the Surplus Land Act process for this property.
Map of sites	See Figure 4 and Appendix C
Realistic capacity	The City would need to complete a general plan amendment and rezoning an area of adequate size to specifically allow residential development or adopt an overlay zoning district to allow for residential land uses within the site. In either scenario, there is adequate land within Site 1 for accommodating RHNA. Assuming the The property would be developed under D district zoning density (currently 16-18 units per acre) with a the Affordable Housing Zoning overlay-District for affordable Overlay District for affordable (minimum of 20 units/acre), and use of approximately 10-20 acres, this site could facilitate residential development to satisfy the RHNA. While realistic capacity may be greater, the City is assigning 200 units of capacity which is adequate to meet RHNA. As the City has had no development of housing for over two decades, there are no historical records of similar projects built in recent years in the City that can be relied upon for identifying capacity. However, recent projects in the former Fort Ord area have achieved this development capacity.
Affordability Level of Units	There will be a range of various income level housing in the development. This site can meet the RHNA, including affordability levels shown in Tables 3-1, and 3-2 and 3.6 .
Site Suitability	Site 1 consists of approximately 232 acres of this currently undeveloped property and contains primarily maritime chaparral and coastal scrub vegetation. The property is relatively hilly, but there are no steep grades or environmental constraints that would preclude development. Over

Table 3-4 Site Inventory	
	100 acres in the middle portion of the property as shown in Appendix C-4, Figure 3, does not contain residential restriction covenants and is cleared for residential use by DTSC and the Army.
Access	The property has direct access from South Boundary Road which feeds into General Jim Moore Boulevard and then Canyon Del Rey (Highway 218). Canyon Del Rey connects to State Highway 68, a main highway connecting the Monterey Peninsula cities to the City of Salinas. Canyon Del Rey (Highway 218) also connects directly to State Highway 101. General Jim Moore Boulevard provides the major north-south thoroughfare through the former base; this road also travels through the northern section of the City of Seaside and is a major thoroughfare leading to the City of Salinas. South Boundary Road forms the southern boundary of the site and offers indirect access to State Highway 68.
Site 1: Additional Discussion Site 1, Former Fort Ord Property:	
	<ul style="list-style-type: none"> • The former Fort Ord Property is located at the southern boundary of the former Fort Ord military base within the City. The City has been pursuing development to allow both market rate and affordable residential uses on the site. • The large area of available land in Site 1 ensures adequate land area to meet RHNA needs for affordable housing, including 5th Planning Cycle and 4th Planning Cycle carry over. <ul style="list-style-type: none"> ○ The City has taken a number of actions to allow development on the site over the past decades. The project may be developed in phases, concurrent with governmental approvals and infrastructure development. Background materials that more fully describe background on planned development entitlements including the following: The adopted Redevelopment Plan, Report on the Plan, and CEQA documentation. ○ The City General Plan and Certified EIR. ○ The Fort Ord Reuse Plan and Certified EIR. ○ 2019 Housing Element Initial Study/Negative Declaration. ○ City of Del Rey Oaks Housing Element Update EIR, considering both 5th and 6th Cycle RHNA on Sites 1 and 1a. Certified Final EIR and adopted MMRP with full mitigation measures to address environmental biological and hazards are included in Appendix F. • Sites 1 and 1a will be served by local water, sewer and dry utilities. Planned infrastructure is would be available and sufficiently accessible to support housing development within the 6th Cycle Planning period to allow development to occur. The extension of electricity, gas, high speed fiber, sanitary sewer and potable water pipelines and the reconstruction of South Boundary Road are all planned in conjunction with the development of the former Fort Ord property. The City is overseeing the reconstruction of South Boundary Road and construction is anticipated in 2024/2025/2525. Future delivery of water, sewer and utilities is dependent on funding availability to extend the infrastructure to serve these sites, including sewer and water (See below and Chapter 4.0). • The Marina Coast Water District (MCWD), which is responsible for providing water service to the property will design water pipeline concurrently with the road design and construction. The property has an existing water allotment from the MCWD in accordance with MCWD’s 2020 Urban Water Management Plan. A Water Supply Assessment was adopted for the property by MCWD identifying uses and water availability to the site although this would need to be updated by MCWD. However, wWater service and extension are dependent upon planned in the 2023-MCWD CIP projects to which will extend water lines from General Jim Moore Boulevard to the South Boundary Road. • As part of the former Fort Ord military base, portions of the property had UXO that have since been removed by the Army. In accordance with regulatory restrictions, additional environmental insurance and additional clearance by regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements. The City has obtained environmental insurance for the Del Rey Oaks site. A large portion of Site 1 is cleared for residential use. • The City’s former Redevelopment Plan specifies up to 200 residential units on this former Fort Ord site.

Table 3-4 Site Inventory	
<ul style="list-style-type: none"> The City is committed to amendamended the General Plan and Zoning Ordinance to apply an overlay zone designation on the site. HCD is currently reviewing this Ordinance; any revisions to address HCD revisions Thisis included as a planned program under this Housing Element (see Program A1, Chapter 7.0). 	
Sites Inventory Analysis Summary – Site 1a	
Assessor Parcel Number	031-191-027-000 031-191-028-000
Property Size	APN 031-191-027-000 (6 acres) APN 031-191-028-000 (11.8 acres) 17.8 acres total
Location	Former Fort Ord, South of South Boundary Road and East of General Jim Moore Boulevard
General Plan and Zoning designation	Zoning designation: C-1-V = Neighborhood Commercial With Visitor Overlay and General Plan designation: GC(C-1-V). The City would need to designate approved rezoning of this site to allow residential land use similar to Site 1 above. This property is City-owned.
Dry Utilities	Utilities would need to be extended to the site, including for Pacific Gas & Electric (PG&E) and Cable, Internet & Phone Service (Comcast or AT&T).
Water and Sewer	Water and sewer service is planned but would need to be extended from General Jim Moore Boulevard, where the existing MCWD infrastructure water and recycled water lines are planned for extension to serve Site 1a.
Suitability and availability	Site 1a is comprised of two separate parcels, encompassing a total of 17.8 acres within the former Fort Ord in the City limits of Del Rey Oaks. It is currently vacant land and available for development with almost 10 acre-feet of water assigned to this site.
Ownership and Surplus Land Act	City-owned; declared as surplus under the requirements of the Surplus Land Act.
Map of sites	See Figure 4 and Appendix C
Realistic capacity	Assuming a density range for medium density, a realistic development capacity on this site is 72 units. This is based on assumption of developable property of approximately 3.6 acres within upper portion of the 17.8 acre property (outside the steeply sloping area of the site). The capacity considers development of infrastructure, roadways, open space and driveway requirements for a similar size property) and a D-District zoning density of 16-18 20 units per acre per the Affordable Housing Overlay Zone . There are no historical records of similar projects built in recent years in the City, but other jurisdictions have successfully developed in this density range and higher in former Fort Ord.
Affordability Level of Units	There will be a range of various income level housing in the development, similar to Site 1. There is enough realistic capacity to meet RHNA needs at this site in combination with Site 1.
Access	The property has direct access from South Boundary Road which feeds into General Jim Moore Boulevard and then Canyon Del Rey (Highway 218).
Site 1a: Discussion of Available Residential Development on City-Owned Portion of Site 1a, south of South Boundary Road (Connected Parcel to Former Fort Ord Property within City of Del Rey Oaks):	
<ul style="list-style-type: none"> This site is identified on Figure 4 as Site 1a and ownership is retained by the City. This site is also within the former Fort Ord property but is not part of the development area that is planned for development on the north side of South Boundary Road. A City Rezoning and General Plan Amendment would be required to allow affordable residential land uses was completed in October 2023. The parcel is approximately 17.8 acres of vacant land. Nearby properties in Del Rey Oaks are the Frog Pond Wetland Preserve to the west, which is owned by Monterey Peninsula Regional Parks District (MPRPD). This parcel also borders the City of Monterey to the south. The steep grade on the southern portion of this site represents a major development constraint. Water and sewer are available on General Jim Moore. Future extension of services would need to be extended to South Boundary Road. The property is vacant and currently there is no water or sewer service 	

**Table 3-4
Site Inventory**

on-site. Environmental issues include steep grades in portions of the site. The area along South Boundary Road could accommodate higher density housing.

- Services and other factors are similar to the discussion above for Site 1; however, this site is smaller and is not being considered by the City for a development agreement with a developer.
- Future delivery of water and utilities is dependent on funding availability to extend the infrastructure to serve these sites, including sewer and water. MCWD Capital Improvement Program (2019-2023) included the water and sewer extension. The City is also overseeing the South Boundary Road improvements which are expected to be constructed in 2024/2025/25-2026 timeframe. The construction has been delayed due to a lawsuit filed on the roadway project that was recently settled.

Sites Inventory Analysis Summary — Site K1

Assessor Parcel Number	031-191-024-000
Property Size	20-acre parcel size, 3-5 acres to be used for residential
Location	Former Fort Ord, North of South Boundary Road and directly east of General Jim Moore Boulevard
General Plan and Zoning designation	Zoning designation: C-1-V = Neighborhood Commercial With Visitor Overlay and General Plan designation: GC(C-1-V). The City would need to designate this site to allow residential land use similar to Site 1 and 1a above.
Dry Utilities	Utilities would need to be extended to the site, including for Pacific Gas & Electric (PG&E) and Cable, Internet & Phone Service (Comcast or AT&T).
Water and Sewer	Water and sewer service is planned but would need to be extended from General Jim Moore Boulevard, where the existing MCWD infrastructure water and recycled water lines are planned for extension to serve Site K1.
Suitability and availability	Site K1 is comprised of one parcel, encompassing a total of 20 acres within the former Fort Ord in the City limits of Del Rey Oaks. It is currently vacant land and available for development with an assumed water demand of almost 10 acre-feet of water assigned to this site.
Ownership	This property is in private ownership.
Map of sites	See Figure 4 and Appendix C
Realistic capacity	Assuming a density range for medium density, a realistic development capacity on this site is 60 -100 units. This is based on assumption of a portion of the property for use as mixed-use, approximately 3 to 5 acres within the 20 acres property and an affordable housing overlay zoning minimum density of 20 units per acre. There are no historical records of similar projects built in recent years in the City, but other jurisdictions have successfully developed in this density range and higher the area.
Affordability Level of Units	There will be a range of various income level housing in the development, similar to Sites 1 and 1a. It is assumed the property owner may want to have affordability levels at a moderate-income.
Access	The property has direct access from General Jim Moore Boulevard.

Site K1: Discussion of Available Residential Development K1, east of General Jim Moore (former Fort Ord Property within City of Del Rey Oaks):

- This site is also within the former Fort Ord property but is not part of the RFP for the City-owned development area of Site 1.
- Rezoning and General Plan Amendment would be required to allow residential land uses.
- The parcel is vacant.
- Water and sewer are available on General Jim Moore.
- This site is nearest to existing MCWD water and existing development.
- The site is likely best suited for Mixed Use.
- As part of the former Fort Ord military base, portions of the property had UXO that have since been removed by the Army. In accordance with regulatory restrictions, additional environmental insurance and additional clearance by regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements for use as residential.

Table 3-4 Site Inventory	
<ul style="list-style-type: none"> Future delivery of water and utilities is dependent on funding availability to extend the infrastructure to serve these sites, including sewer and water. 	
Sites Inventory Analysis Summary — Site K2	
Assessor Parcel Number	031-191-025-000
Property Size	53.81 acres overall, a portion to be used for residential
Location	Former Fort Ord, Northeast of South Boundary Road
General Plan and Zoning designation	Zoning designation: C-1-V = Neighborhood Commercial With Visitor Overlay and General Plan designation: GC(C-1-V). The City would need to designate a portion of this site to allow residential land use similar to Site 1-K1 and 1a above.
Dry Utilities	Utilities would need to be extended to the site, including for Pacific Gas & Electric (PG&E) and Cable, Internet & Phone Service (Comcast or AT&T).
Water and Sewer	Water and sewer service is planned but would need to be extended from General Jim Moore Boulevard, where the existing MCWD infrastructure water and recycled water lines are planned for extension to serve Site K2.
Suitability and availability	Site K2 is comprised of one parcel, encompassing a total of 53.81 acres within the former Fort Ord in the City limits of Del Rey Oaks. It is currently vacant land and available for development with almost 50 acre-feet of water entitlement assigned to the site by the City when the owners purchased the property. A portion of the property would be available for small-cottage units at an affordable level; the analysis assumes 2 acres of land for this use.
Ownership	This property is in private ownership (same owner as K1).
Map of sites	See Figure 4 and Appendix C
Realistic capacity	The site is entitled for a 210-unit visitor-serving RV development, with approximately 4,000 square feet assigned to each RV space. Assuming a portion of these approved spaces, consistent with the developers' requirements, the assigned capacity on this site is 40 moderate income units. This is based on assumption that a portion of the property would remain in use for visitor serving within the property. Per the requirements above, an affordable housing overlay zoning minimum density of 20 units per acre on a portion of the 53.81-acre site would be assigned. There are no historical records of similar projects built in recent years in the City, but other jurisdictions have successfully developed in this density range and higher in the area.
Affordability Level of Units	The property owner indicated preference to have affordability levels at a moderate-income.
Access	The property is accessed from South Boundary Road.
Site K2: Discussion of Available Residential Development K1, east of General Jim Moore (former Fort Ord Property within City of Del Rey Oaks):	
<ul style="list-style-type: none"> This site is also within the former Fort Ord property but unlike the other areas, this site is approved and entitled for a 210-RV project. A portion of this approved project area can be used for meeting RHNA. A City Rezoning and General Plan Amendment would be required to allow residential land uses. Water and sewer are available on General Jim Moore; this site is furthest from existing MCWD water and existing development. The property owner has expressed interest in continuing discussions and providing a mix of residential units on this site. As part of the former Fort Ord military base, portions of the property had UXO that have since been removed by the Army. In accordance with regulatory restrictions, additional environmental insurance and additional clearance by regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements for use as residential. Future delivery of water and utilities is dependent on funding availability to extend the infrastructure to serve these sites, including sewer and water. 	

Vacant Land Inventory and Ability to Meet RHNA

State law requires that local governments zone sufficient vacant land for residential use at standards and densities appropriate to meet housing needs of all economic segments, as identified above; sites should also have available public facilities and services.

The City currently faces a shortage of vacant land designated for residential development. The City has also been facing long-term water service and availability constraints affecting provision of affordable housing. The City has considered former Fort Ord, particularly City-owned Sites 1 and 1a, for development for decades. For all former Fort Ord sites, currently only commercial, recreational and visitor serving uses are allowed. Rezoning to allow for residential uses has been contemplated in previous drafts of the Housing Element, **and the City has rezoned Sites 1 and 1a to allow for affordable housing**. The City has confirmed that including Sites 1 and 1a are suitable and viable for provision of housing sites to meet the RHNA allocation. Sites 1a and K2 are additional sites for provision of RHNA. While extension of infrastructure is needed to serve these sites, extension is planned in the MCWD Capital Improvement Program (2019-2023) and can be completed to allow for development within the 6th cycle period. The City is also overseeing the South Boundary Road improvements which are expected to be constructed in the 2024/25 timeframe.

Other Considerations and Potential Candidate Sites

Other sites outside the former Fort Ord have been considered during previous Housing Element Updates. There are no vacant sites over 2 acres in size that are zoned residential. Previous site inventory for 5th cycle identified limited land area, steep slopes, environmental resources, and infrastructure limitations for the area outside former Fort Ord for vacant land.⁵ Additional restrictions are associated with the local airport safety zones precluding residential uses and densities that would provide adequate land area to meet RHNA. Additional non-vacant sites for development also require revisions to zoning and general plan land uses to allow residential uses, with the exception of accessory dwelling units addressed below. Additional constraints to development include the restrictions due to safety due to the location of the Monterey Peninsula Regional Airport, however, the residential zoned areas within Del Rey Oaks where ADUs would be built are outside the restricted zones per the ALUC maps. **Appendix C** includes mapping showing the location of the safety zones and a summary table identifying the restrictions within the City.

Potential Candidate Site (Non-Vacant Site) Outside of Former Fort Ord: During the public comment period for the Draft Housing Element, two comment letters were received. The local school district (Monterey Peninsula Unified School District or MPUSD) requested that the City consider a program to provide employee housing for District employees consistent with AB 2295. AB 2295 allows a school district or county office of education that meets certain criteria to utilize its surplus property to provide affordable housing to its employees. The City Planning Commission considered this request during a meeting held on July 12, 2023 and added a program that would provide for a Preferential Housing Ordinance consistent with AB 2295. **See Program B.7 and Appendix C for area mapping. This site is considered an additional**

⁵ Property located outside of the Airport Land Use Commission (ALUC) Runway and Turning Safety Zones was also considered. The Moose Lodge 876 site was assessed but removed from consideration per email correspondence with the City Manager and the property owner.

available site within the City that can be used as an opportunity site, should the MPUSD move forward with affordable housing development.

Appendix C provides mapping and background information on the property within the City that is owned by the MPUSD. This site is considered an additional potential candidate site; the site is not needed to meet RHNA as discussed above. As shown in **Appendix C**, the potential site is outside of former Fort Ord and is within the Cal-Am service area and under the CDO.⁶ However, if planned water sources come available during the current planning cycle, and the CDO is lifted, the site would be available for employee housing, subject to the needs of the MPUSD.

Accessory Dwelling Units. ~~Eight-Ten~~ ADU building permits were issued since May 2020. There were three in 2020, two each in 2021 and 2022 and ~~one-three~~ as of May 19, 2023. **Additionally, two ADUs are in the building permit and plan check stage.** This provides a history of ADU development over the previous three years. It is important to note that the City ADU ordinance was adopted in 2021. The use of ADUs would not require any zoning amendments. The ADUs currently being built are done during an existing moratorium on water expansion and thus, it is reasonable to expect when restrictions are lifted, additional ADU development will occur.⁷ The previous Housing Element noted that there were several milestones that needed to be reached before water would come available for ADUS, including completion of the Pure Water Monterey (PWM) Groundwater Replenishment Expansion Project as well as, or, approval of permits and construction of the Monterey Peninsula Water Supply Project (MPWSP). The PWM Expansion Project is planned for construction and full operation in 2024/25. The MPWSP Project desalinization facility was recently approved at a smaller capacity by the California Coastal Commission. It is reasonable and documented that at least one of these planned water sources will come available during the current planning period and that additional water will become available for ADU development under the MPWMD allocation program.

Thus, this Site Inventory assumes 20 units of ADU development in the 6th planning cycle. Sites outside the former Fort Ord within the City assume that additional water under the MPWMD allocation program can be provided or that an additional water source is approved, and water can be provided to the CalAm service area within the City. **The assumption of realistic capacity of 20 units of ADU development in the 6th planning Cycle is conservative considering that recent ADU activity in 2023 has been robust. Per the City of Del Rey Oaks, building permit tracker, a total of six ADUs in the pipeline or have been permitted in 2023 alone.**

In addition to estimating that ADUs will be produced at the same rate or greater throughout the eight-year planning period, the City will be conducting further efforts to facilitate ADU production (**Program C.2**), described below. The City has adopted an ADU Ordinance consistent with current State law and will facilitate ADU production under these guidelines. In addition, under **Program C.2**, the City will provide incentives such as waivers or reduction of development fees, expediting permit processing, provide information to eligible property owners, and explore the availability of standardized plans for ADUs/JDUs.

⁶ The addition of this site is also responsive to the second comment letter, requesting that sites outside the former Fort Ord be considered to meet RHNA. Further information is provided in **Appendix C1-A** and **Program D-7**.

⁷ As presented in **Chapter 4.0**, a major constraint on development is the CDO for water hookups within the Cal-Am Service area and the MPWMD, which limits any increase in water use.

Furthermore, the City will monitor ADU production and affordability throughout the planning period and implement additional action if target ADU numbers are not being met.

Pipeline Projects. According to HCD Guidance, projects that have been approved, permitted, or received a Certificate of Occupancy during the projection period (June 30, 2023 – December 15, 2031) can be counted toward the 2023-31 cycle RHNA. There are no pipeline projects within the City. Of the ADUs identified above, two were permitted in June 2023 and two are in the plan check process and may receive final approval within 2023.

Conclusion

The purpose of the site inventory is to identify and analyze specific sites that are available and suitable for residential development from 2023-2031 in order to accommodate the City’s assigned 184 housing units. The City does not build the housing but creates the programs and policies to plan for where it should go and how many units could be on potential sites. See **Appendix C** for a complete and detailed description of all sites included in the City’s inventory of vacant and available housing sites. **Table 3-5, Vacant/Partially Vacant and Available Sites**, summarizes the City’s sites inventory for the 2023-2031 planning period. The analysis conducted indicates there is combined capacity of more than 270 units in Sites 1 and 1a, and up to 100 maximum units in Sites K1 and K2, which is more than adequate to meet RHNA in all income categories. Per **Table 3-5**, the sites identified in this report are sufficient to accommodate approximately over 200 percent of the City’s Regional Housing Needs Allocation for the 6th cycle planning period.

Table 3-5 Vacant and Available Sites					
Housing Resource	Very Low-Income Capacity	Lower Income Capacity	Moderate Income Capacity	Above Moderate-Income Capacity (Net)	Total Capacity
ADUs	6	10	2	2	20
Total	6	10	2	2	20
RHNA	60	38	24	62	184
Difference	54	28	22	60	164

The City is working toward meeting its requirement for needed affordable housing through ~~rezoning~~ **development of City-owned Sites 1 and 1a, and 1a and has potential for use of Sites K1 and K2** (if needed) where water is not constrained by a restriction for water hookups and where suitable vacant land is available, as identified in the Land Use Inventory and evaluated herein. **Sites K1 and K2 would require rezoning however, Sites 1 and 1a have been rezoned for residential use under the Affordable Housing Overlay Zone.**⁸

The combined realistic capacity of all of these sites would be more than enough to accommodate the 98 Low-Income and Very Low-Income unit portion of the 6th Cycle RHNA.

⁸ This zoning ordinance was adopted on October 24, 2023 and also sent to HCD for review. Should revisions be needed after HCD review, the City has included Program A.1 to update the ordinance consistent with HCD requirements.

Additionally, the City has identified additional programs to ensure adequate zoning for these sites and also proposing mixed use zoning, and programs to ensure development at realistic capacity can be completed within the planning cycle, as discussed above. The City shall continue to use the Sites 1 and 1a appropriate zoning to ensure that adequate sites are available (as defined by Government Code section 65583) to accommodate the City’s RHNA for all income categories throughout the planning period.

The City shall also monitor housing development city-wide on an ongoing basis to ensure that the sites identified are developed at densities appropriate for fulfilling its RHNA requirement for the 6th Cycle. Should a project be approved on a site with a lower density than that identified in the 6th Cycle Housing Element, the City will assess its continued ability to accommodate the RHNA. Should the project result in a shortfall in sites, the City will address the “No Net Loss” requirements by identifying additional sites to replenish the candidate sites inventory in accordance with State law within 180 days.

Quantified Objectives

California Government Code section 65583(b) requires that housing elements contain quantified objectives for the maintenance, preservation, and construction of housing. The quantified objectives shown in **Table 3-6** set a target goal for the City to strive for, based on needs, available resources, and constraints identified in this Housing Element.

The quantified objectives establish estimates of housing units by income category that can be constructed, rehabilitated, and conserved over the 2023-2031 planning period.⁹

Table 3-6 2023-2031 City of Del Rey Oaks Quantified Objectives			
Income Category	New Construction Capacity	ADUs/Rehabilitation	Conservation/ Preservation
Very low-income (31-50% of area of median income)	41	4/2	0
Low-income (51-80% of area median income)	30	4	0
Moderate-income (81-120% of area median income)	5	2	0
Above moderate (over 120% of area median income)	11	2	0
Total	270	20/22	0
Note: 1. The new construction objective is equal to Sites 1 and 1a realistic and conservative capacity estimates. Recent zoning amendments provide for residential use for these sites at minimum 20 units/acre under the Affordable Zoning Overlay Zone, as discussed in Chapter 2.0 . 2. Includes RHNA shortfall from previous cycles. 3. Total Capacity is a realistic and conservative estimate of housing unit accommodation. 4. ADUs proposed would add up to 20 total units counted under Rehabilitation. Source: RHNA Determination HCD (AMBAG, 2022)			

⁹ The table primarily includes quantified objectives for new construction and includes two units for rehabilitation during the planning period per Program E.1. This low number is because the City does not have any at-risk units or units in need of rehabilitation. The City also has non-quantified conservation and rehabilitation objectives that address programs across income categories. As shown below, proposed ADU opportunities are counted under Rehabilitation. The City also employs various strategies to promote repair programs, and code enforcement including **Programs E.1 and E.2** within this Housing Element, and other programs to promote tenant stability in **Chapter 7.0**.

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CHAPTER 4.0 HOUSING CONSTRAINTS

Governmental Constraints

Governmental constraints are potential and actual policies, standards, requirements, fees, or actions imposed by the various levels of government on development that serve to ensure public safety and welfare with respect to housing construction and land use issues. Federal and State programs and agencies play a role in the imposition of non-local governmental constraints and are beyond the influence of local government; therefore, they cannot be effectively addressed in this document.

As governmental actions can constrain development and affordability of housing, State law requires the housing element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code section 65583(c)(3)). Requirements for Housing Elements must include analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for persons of all income levels and, also, include an analysis of potential constraints to development of housing for persons with disabilities.

The discussion below provides background and understanding of the City’s land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The City’s primary regulations affecting residential development and housing affordability include the Land Use Element of its General Plan, Zoning Ordinance and the City’s processing procedures, standards, and fees related to development.

As with other cities, Del Rey Oaks’ development standards and requirements are intended to protect the long-term health, safety, and welfare of the community. In general, Del Rey Oaks’ development standards and requirements are comparable to many other communities in the Monterey Bay area—particularly communities where high growth rates have raised concerns about the impacts of development on community livability. However, the policies of the Del Rey Oaks General Plan have been developed to try and balance concerns about community livability with the recognized need in the community for affordable housing development for persons of all income levels.

Land Use Controls

Locally imposed land use and building requirements can affect the type, appearance, and cost of housing built in Del Rey Oaks. These local requirements include zoning standards, development fees, parking requirements, subdivision design standards, and design review. Other building and design requirements imposed by Del Rey Oaks follow State laws such as the Uniform Building Code, Subdivision Map Act, and energy requirements.

Pursuant to section 65583 of the Government Code, the City is tasked with allowing for the development of an array of housing types that are suitable for all economic segments of the community. The Housing Element must describe how the City’s Municipal Code allows for different types of housing and related uses to meet the needs of its residents. Housing types and related uses include single-family dwellings, duplexes, day nurseries, mobile homes, boardinghouses, multiple-unit dwellings, condominiums,

accessory dwelling units, and single-room occupancy units. The following discussion addresses relevant land use controls including development standards on the variety of housing types under the City’s General Plan and Zoning Codes. The presentation of development standards is followed by an analysis of potential governmental constraints and programs to address them.

Development Standards

The Del Rey Oaks General Plan and Zoning Ordinance provide for a range of housing types and densities. **Table 4-1** summarizes current residential zoning standards. **Tables 4-2** and **4-3**, below, identify zoning district densities and standards in other zoning districts, respectively. The City provides for residential uses in commercial zones under the Commercial (C), Special Treatment (ST) and Design (D) zoning districts, as shown in **Tables 4-2** and **4-3**, below. Parking requirements under each zoning district are shown in each table and further presented in **Table 4-3a**, below.

Table 4-1 Existing Development Standards for Residential Zones		
	Single Family Residential Districts (R-1) ¹	Multiple Family Residential Districts (R-2)
Permitted Uses	One- and two-family dwellings, schools, public parks and playgrounds, home occupations, libraries, institutions, health clinics, and nurseries /greenhouses, libraries, clinics, and nurseries/greenhouses with accessory buildings and uses on the same lot with any of the aforementioned uses.	Two-family dwellings, dwelling groups, two-family flats, multiple family dwellings, hotels, clubs, lodges; automobile courts, automobile camps, and similar uses; all uses permitted in R-1 Districts. ²
Conditional Uses	Short-Term Rentals shall be permitted, after obtaining a conditional use permit from the Planning Commission. ³	
Lot Requirements		
Density	1-2 single family dwelling units per lot plus auxiliary unit allowed in lots sizes over 8,000 square feet. (sq. ft.)	2+ per lot depending on lot size.
Lot Size (min.)	6,000 sq. ft.	6,000 sq. ft.
Building Coverage	900 sq. ft. minimum (min.)	60% max
Yard Requirements		
Front (min. in feet)	20 ft. ⁴	20 ft. ⁴
Side (min. in feet)	Not less than 10% of the lot width but not less than 6 ft. ⁵	6 ft., except add 2 ft. for each story beyond the second story.
Rear	Not less than 20% of the depth of the lot, to a maximum depth of 20 ft.	Not less than 15 ft.
Height Requirements		
Building Height (max.)	30 ft. ⁶	35 ft.
Number of Stories (max.)	1.5	3
Additional Regulations		
Garage (min.)	288 sq. ft.	N/A
Parking	One space for each family unit; one space for each two guest rooms. Current code identifies one additional on-site parking space for an “Auxiliary Housing Unit”.	One garage space for each family unit.
Source: City of Del Rey Oaks Zoning Ordinance, as amended.		

Table 4-1 Existing Development Standards for Residential Zones		
	Single Family Residential Districts (R-1) ¹	Multiple Family Residential Districts (R-2)
<p>¹ See below for discussion of the City’s adopted accessory dwelling unit ordinance (Chapter 17.70 Accessory Dwelling Units) and parking requirements. See also: https://library.municode.com/ca/del_rey_oaks/codes/municipal_code?nodetid=TIT17ZO_CH17.70ACDWUN</p> <p>² Subject to securing a use permit for any use for which a use permit is required in an R-1 District.</p> <p>³ Provided that in case a building line for the street upon which the lot faces is established by the street and highway plan of the master plan of the city, then the front yard shall have a depth of not less than that specified thereby.</p> <p>⁴ Exceptions allowed subject to obtaining a conditional use permit from the Planning Commission.</p> <p>⁵ Exceptions provided per code based upon lot size, layout and location.</p> <p>⁶ Except as otherwise permitted.</p> <p>As noted above, the R-1 and R-2 districts are permitted but require a special use permit. The City will amend the zoning code to clarify that this permit refers to a design permit and not a separate use permit or conditional use permit. Accessory buildings or accessory structures are permitted at the time of home construction. See analysis below on needed clarifications and revisions to the City Zoning Code regarding clarifying the permit requirements and language. The City considers definition of accessory structures as non-residential buildings. These are not ADUs; ADUs do not require a discretionary permit.</p>		

There are no open space development standards in any residential zones. Additionally, other land use designations unassociated with residential zoning also allow residential uses. The D district allows residential use at five (5) to 18 units per acre and flexible design standards. Per the identified development standards, residential uses are allowed in commercial districts as well as D and ST special districts. The zoning designations of C, C-1, ST, and D allowing for residential uses expands the ability for housing in a number of land use designations. **Table 4-2** below identifies those zoning districts other than specified residential districts that allow residential development as a conditional use in other primary districts within the City.

Table 4-2 Zoning Districts Other than Residential Zones				
Residential Use/Densities	D Zoning	C Zoning	C-1 Zoning	ST Zoning
(5-18 units per acre)	Conditional Use	Not Specified	Not Specified	Not Specified
Residential-Single Family	Conditional Use	All uses permitted in any R District, ¹ development standards must be consistent with the residential zone.	Conditional Use, development standards must be consistent with the residential zone.	Permitted Use
Residential-Condominium	Conditional Use	All uses permitted in any R District, ¹ development standards must be consistent with the residential zone.	Not Specified, although development standards must be consistent with the residential zone.	Conditional Use
<p>¹ Except automobile camps and similar uses Note: Per Zoning Code, D Zoning. "17.16.030 - Conditional uses. No uses are permitted in the "D" zone without a use permit. The following uses are permitted in the "D" zone subject to first securing a conditional use permit: 1. Common-interest subdivisions (including condominiums and planned development townhouses) exceeding a density of five units per gross acre to a maximum density of 18 units per gross acre designed to provide an optimum of open space and similar amenities which will enhance the living qualities of the development and will promote, insofar as compatible with the intensity of land use, a suitable environment for family life.</p>				

As identified above, the Del Rey Oaks General Plan and Zoning Ordinance provide for a range of housing types and densities in residential and non-residential zones as well. **Table 4-3** summarizes current zones that allow residential uses, including commercial zones that would be typically considered non-residential. **Table 4-3** identifies the zoning standards as well as the permitted uses for these zones.

Table 4-3 Development Standards for Commercial and Other Residential Zones				
	Design (D) Overlay District	Commercial (C)	Neighborhood Commercial (C-1)	Special Treatment (ST)
Permitted Uses	Uses subject to securing a use permit. ¹	Commercial use, residential, retail and wholesale businesses, automobile camps ² , power-driven machinery, outdoor advertising signage/structures.	Restricted Commercial Use, business and professional offices.	Single-Family Residential and “multiple residences to the designated density”; Agricultural Use.
Lot Requirements				
Density (if applicable)	Five (5) units per gross acre to a maximum of eighteen (18) units.	-	-	Multiple density per the ST zone or as approved in ST use permit approval.
Lot Size (min.)	14,000 sq. ft.	N/A	10,000 sq. ft.	5 acres
Building Coverage	50% max	N/A	N/A	Max determined by density designation.
Yard Requirements				
Front (min. in feet)	20 ft.	N/A	35 ft.	N/A
Side (min. in feet)	7 ft., except add 2 ft. for each story beyond the first story. ³	20 ft. ⁴	10 ft.	10 ft. along property line adjoining another ownership.
Rear	15 ft. ⁵	10 ft. ⁴	15 ft.	20 ft. along rear property line adjacent to another ownership.
Height Standards				
Building Height (max.)	35 ft.	35 ft.	30 ft.	N/A
Number of Stories (max.)	3.5 stories ⁶	3 stories	2 stories ⁶	N/A
Parking Regulations				
Parking	1.75 spaces for each studio, one bedroom and two-bedroom dwelling unit; 2 spaces for each dwelling unit of three bedrooms or larger.	N/A	1 space for each single family and detached guest house dwelling unit.	1.75 spaces for each studio, one bedroom and two-bedroom dwelling unit; not less than 2 spaces for each dwelling unit of three bedrooms or larger.
Source: City of Del Rey Oaks Zoning Ordinance, as amended ^{1,2} Subject to securing a use permit in each case.				

Table 4-3 Development Standards for Commercial and Other Residential Zones				
	Design (D) Overlay District	Commercial (C)	Neighborhood Commercial (C-1)	Special Treatment (ST)
³ Where any multiple dwelling or dwelling group is arranged so as to have a rear entry opening into a side yard, said side yard shall be no less than 9 ft. and the side yard upon which said dwelling fronts shall be not less than 20 ft. ⁴ In cases of C District property bordering an R District ⁵ Except as otherwise provided for accessory buildings. ⁶ No accessory building shall exceed either 15 ft. or one story in height. Accessory structures are non-residential buildings accessory to the use. These are not ADUs. Height limit is 16 feet for ADU.				

Affordable Housing Overlay Zone

The City amended the Municipal Code adding an Affordable Housing Overlay Zone (AH-OZ) and rezoning property in former Fort Ord in October 2023. The new zoning district establishes land use and development standards to guide the future development of the overlay zone designated sites. The purpose of the zone is to “facilitate the provision of affordable housing units through the construction of new affordable units within land not currently zoned for residential uses.” The overlay zone applies to the parcels in the area of South Boundary Road, north and south of South Boundary Road and east of General Jim Moore Boulevard, specifically to the City-owned properties (Sites 1 and 1a in former Fort Ord area, as depicted on **Figure 4**). The Affordable Housing Overlay development standards are shown in **Table 4-3a**.

Table 4-3a Affordable Housing Overlay District (AF-OZ) Development Standards	
Permitted Uses	Affordable residential housing subject to design permit and regulations
Purpose and Definition	The purpose of the Affordable Housing Overlay Zone (AH-OZ) is to facilitate the provision of affordable housing units through the construction of new affordable units within land not currently zoned for residential uses.
Density/Lot Requirements	
Residential Density	20 units/acre minimum to 25 units/acre maximum
Lot Size (Minimum)	Minimum: 2 acres (43,560 square feet per acre)
Usable open space (minimum)	150 square feet per unit
Building Coverage	50% maximum
Front Yard (min. in feet)	20 ft.
Side Yard (min. in feet)	7 ft., except add 2 ft. for each story beyond the first story. Multi-dwellings require additional side yard (9 ft.) when grouped homes use rear entryways.
Rear Yard	15 ft.
Building Height (max.)	35 ft.
Number of Stories (max.)	3 stories
Parking	1 space for each studio; 1.75 for one bedroom and two-bedroom dwelling unit; 2 spaces for each dwelling unit of three bedrooms or larger

The AH-OZ overlay zone is intended to provide the opportunity and means for **the City** to meet its regional fair share allotment of affordable units **and encourage** the provision of affordable housing. “Overlay zone” means an additional zoning district as shown on the zoning map that prescribes special regulations to a parcel in combination with the base zoning district. In addition to development standards, income restrictions requirements of this zone require, at a minimum, fifty percent of income-restricted affordable units (twenty-five percent of the total project units) must be affordable to low, very low, and extremely low-income households. No use permit is required for the AF Overlay zone, however, there must be a minimum of 20 units per acre, among other provisions of Government Code section 65583.2, subdivisions (h) and (i)¹. Under this zone, there is not a discretionary permit requirement or use permit and all applicable provisions of Government Code section apply. Design Review is required, provided review and approval is consistent with the requirements of the Housing Accountability Act (Government Code section 65589.5).

Accessory Dwelling Units

State law provides for the development of Accessory Dwelling Units (ADUs) on a lot in any zone that allows residential or mixed use as a primary use; and provides for Junior ADUs (JADUs) on any lot with a single dwelling unit. The City adopted an ADU Ordinance (October 26, 2021) under Section 17.70 of the Zoning Code. The ADU Ordinance implements the various state laws related to the development of ADUs. **Under Section 17.70.020**, an ADU is defined as a residential dwelling unit (detached or attached) with complete, independent living facilities (kitchen and bathroom) located on the same lot as a primary dwelling unit. Per the code, the maximum floor area for a studio or one-bedroom ADU is 1,000 square feet and 1,200 square feet for two-bedrooms or more. In situations where an existing accessory structure is being converted to an ADU, an additional 150 square feet are allowed for expansion beyond the physical dimensions of the ADU, limited to providing ingress and egress only. A JADU is a smaller dwelling unit (500 square feet maximum in size) that is developed within a single dwelling unit on a single dwelling unit lot that has a separate entrance, efficiency kitchen, and access to a bathroom either within the JADU or shared with the primary dwelling unit².

ADUs do not require a discretionary permit and are allowed by right with the issuance of a building permit. The ADU Ordinance implements a streamlined, ministerial review procedure for ADUs, outlines objective design standards in accordance with State Law and ensures reduced parking standards applicable to ADUs. ADUs and JADUs shall not be rented for a period of less than 30 days.

The provision of ADUs and JADUs within the City can:

- Provide a greater balance of housing options and affordability to meet the City’s housing goals;

¹ Under these requirements, the City must permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. By-right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review or approval; the site must accommodate a minimum of 16 units per site at the minimum density of 20 units per acre; at least 50 percent of the lower-income need must be accommodated on sites designated for residential use only or on sites zoned for mixed uses that accommodate all the very low- and low-income housing need, if those sites: allow 100 percent residential use, and require residential use to occupy 50 percent of the total floor area of a mixed-use project.

² Section 17.70.020 of the City’s Zoning Ordinance and Section 65852.22 of the California Government Code.

- Provide more affordable housing options for seniors and lower-income individuals to remain in the community;
- Provide independent accommodations for extended family or caregivers to live on the same premises;
- Provide the opportunity for supplemental rental income to homeowners; and
- Help to reduce local vehicle miles of travel (VMT) and meet Climate Action Plan goals by accommodating a greater variety of housing options in close proximity to services and employers within the community.

The City allows ADUs in all zones that allow residential uses. The ordinance does not specify ADUs as allowable uses in nonresidential zones e.g., mixed-used and commercial. However, as noted above in **Table 4-3**, residential uses are allowable uses in commercial and non-residential zones.

Program C.1 proposes amendment to the ADU Ordinance to be consistent with recent state law after HCD completes their proposed ADU Ordinance compliance review. Pending any required revisions by HCD, the City will also amend the ADU Ordinance to clarify ADUs would be allowed in nonresidential zones e.g., mixed-use and commercial.

Parking

In addition to the development standards identified above, Del Rey Oaks requires a certain number of parking spaces to be provided for each new residential unit. The Zoning Ordinance establishes parking standards for each type of facility in a zone in accordance with the regulations of Section 1129B of Title 24, California Code of Regulations. As described in the **Table 4.1** and **Table 4.3**, above, and in Chapter 17.36 General Use Regulations of the Zoning Ordinance, garage or parking spaces are provided as follows:

1. One garage space for each family unit in any multiple dwelling, apartment, dwelling group, duplex, automobile court or dwelling in any district;
2. One garage space for each two guest rooms in any hotel, rooming house or boarding house;
3. Garage or parking space for other uses allowed in any R district as determined and set forth by the planning commission in approving the use permit for any such use.

The parking requirements for each type of residential unit are summarized in **Table 4.3b**.

Table 4-3b Parking Standards	
Unit Type/Land Use Designation	Parking Spaces Required for Residential Uses
R-1: Single Family Residential Districts	1 space for each family unit and 1 space for every two guest rooms. 1 additional on-site space for an ADU.
R-2: Multiple-Family Residential Districts	1 garage space for each family unit (Applies to apartment, dwelling group, duplex, automobile court, or dwelling in any district). 1 garage space for each two guest rooms in any hotel, rooming house, or boarding house.
D: Design Overlay District	1.75 spaces per studio, one bedroom dwelling units, and two-bedroom dwelling units. 2 spaces for each dwelling unit with three or more bedrooms.

Table 4-3b Parking Standards	
Unit Type/Land Use Designation	Parking Spaces Required for Residential Uses
	1 parking space for each dwelling unit shall be in a garage or carport.
C-1: Neighborhood Commercial	1 space for each single family and detached guest house dwelling unit. 1 space for each living or sleeping unit and 2 spaces for every 50 rooms for hotels, motels, motor hotels, and boatels.
ST: Special Treatment	1.75 spaces for each studio, one bedroom dwelling unit, and two-bedroom dwelling unit. 2 spaces for dwelling units containing three or more bedrooms. 1 parking space for each dwelling unit shall be in a garage or carport. No curbside parking shall be permitted (except for interspersed parking bays as approved by the planning commission).
ADU	1 space on-site shall be provided for each ADU per unit or bedroom, whichever is less.
AF-OZ- Affordable Housing Element Overlay Zone	1 space for each studio, 1.75 for one bedroom and two-bedroom dwelling unit; 2 spaces for each dwelling unit of three bedrooms or larger

Del Rey Oaks’ Zoning Ordinance Chapter 17.70.050 provides parking requirements for ADUs. In addition to on-site parking required for the primary dwelling unit, one on-site parking space shall be provided for each ADU per unit or bedroom, whichever is less. On-site parking spaces for ADUs may be covered or uncovered, may be tandem, and may be located within the front, side, or rear setback areas unless there is a specific site or regional condition related to fire or life safety that would make parking in setback areas unsafe. Where a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU, or converted to an ADU, the local agency shall not require that those off-street parking spaces for the primary unit be replaced.

On-site parking is not required for JADUs. No on-site parking is required for an ADU in the following cases, per the City’s ADU Ordinance (Chapter 17.70.050):

- The ADU is located within one-half mile walking distance of public transit.
- The ADU is constructed within the primary residence or within an accessory structure.
- On-street parking permits are required but not offered to the occupant of the ADU.
- A car-share vehicle pick-up/drop-off location is located within one block of the ADU.

Processing and Permit Procedures

State law requires the housing element to analyze permitting processing, specifically to address procedures that hinder the construction of a locality's share of the regional housing need. The following addresses the City’s permit process and timeframes for development of residential housing and project permitting.

Ministerial Projects

Ministerial projects include non-structural residential and commercial improvements and demolition of existing buildings.

Discretionary Projects

Discretionary permits within the City of Del Rey Oaks include: (a) zoning permits, as required, for buildings and structures erected, constructed, repaired, or moved within or into any district; (b) special use permits, issued (i) for any use as specified by the Zoning Ordinance, public utility, service, or building in any district, (ii) for removal of minerals and natural resources in any district, and (iii) to classify as a conforming use any institutional use existing in any district at the time of the establishment of that district; (c) variances; (d) home occupation use permits; and (e) design review permits.

Discretionary Permits for Residential Uses: Within the R-1 and R-2 districts, several uses require the approval of a special use permit. In the R-1 district, **and one and two** two-family dwellings, schools, libraries, churches, institutions, clinics for treatment of human ailments, nurseries, greenhouses, and auxiliary (second or accessory) units all require a use permit. **In the R-1 district, one and two-family dwellings are identified as permitted uses but the language then states allowed uses “subject to securing a use permit in each case”.** In the R-2 district, **two-family dwellings, dwelling groups, two-family flats, multiple family dwellings are considered permitted uses, however, all of the uses that require a use permit in the R-1 district these uses** also require a use permit in the R-2 district. In addition, automobile courts, automobile camps, and similar uses also require a use permit in the R-2 district.³ **The City has not had an application for a new single-family home duplex or multi-family development in the R-1 residential zoning district for ten years and over two decades for the R-2 district. The City proposes a comprehensive zoning ordinance review and amendment that will amend the zoning code to clarify that permitted uses do not require a conditional use permit or special use. The City understands this special permit reference is to the design review process and is not a reference to a conditional use permit. The City will address this as part of their Comprehensive Zoning Ordinance Update (Program A.1). This amendment will help reduce potential confusion and constraints to housing development.**

Development Review Process and Timing: All City processing is completed consistent with the permit streamlining act. Processing times for development review vary, based on the size of the project and the extent of environmental review required, and can range from **one to two months for a minor permit, to six months to more than one year if an EIR is required.**

The review and entitlement process are initiated by the submission of preliminary project plans to the City staff for review and recommendation. If the permit is simple (such as a building permit with design review), the City staff at the front counter would hand out an application form and typically move to a hearing or action soon after submittal of required plans and documents. With a use permit or other such request, the applicant prepares and submits required materials. Within 30 days of initial submission, the City or contracting planning staff would prepare a preliminary staff review document and provide a copy of said document to applicants. Applicants typically respond to the preliminary staff review with the submission of additional plans and applications as necessary; then the City would schedule projects for

³ Per the Zoning Code Definitions: “Automobile camp means land or premises which is used or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise or for occupancy by or for trailers or movable dwellings, rooms or sleeping quarters of any kind. Automobile court means a group of two or more detached or semi-detached buildings containing guestrooms or apartments provided in connection therewith; which group is designated and used primarily for the accommodation of automobile travelers. See Del Rey Oaks Zoning Ordinance accessible at: https://library.municode.com/ca/del_rey_oaks/codes/code_of_ordinances

review by the Planning Commission for consideration or approval (assuming that the project is exempt from environmental review).

If the environmental review of the project can be accomplished without the processing of an EIR or other CEQA documentation (Exemption, Negative Declaration, or Mitigated Negative Declaration), public hearing(s) are scheduled and held by the Planning Commission and, if necessary, by the City Council. The entire process is about 90 to 120 days if turnaround time by the applicant is reasonable (two to three weeks). The need for City Council action on a project approval (or an action otherwise related to a project) would add one to two months to the process. The need to prepare required environmental studies (Exemption, Negative Declaration, or Mitigated Negative Declaration) would typically add two or three months to the process. In the event that an EIR is required, an additional six months to one year of processing time would apply to the project.

Approval Process Overview: Per the Zoning Ordinance, the City’s design review board considers plans, architectural plans, and color material designations in all developments in residential districts which require (1) a variance; (2) a use permit; or (3) a building permit for a new building/structure or remodel that involves structural changes pursuant to Section 17.56.030 of the Del Rey Oaks Zoning Ordinance. These discretionary approvals also require public noticing. Findings are required only if there is a variance and/or a use permit and are otherwise not required for design review. Per the City of Del Rey Oaks, most conditional use permits need Planning Commission approval and do not need to have findings. If required, per the City Zoning Code, findings are as follows: “The findings of the planning commission, except as otherwise provided in this section, need include only that the establishment, maintenance and/or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood” (City of Del Rey Oaks Zoning Code Section 17.04.080). The City’s design guidelines process allows for flexibility for designs and approaches under which applicants can develop their projects. Multi-family residential development requires a conditional use permit in the City’s current Zoning Ordinance in commercial districts and design review is conducted during this process. The City has not received any applications for multi-family development primarily due to the limitation of available vacant land and severe water constraints. Design review process and application forms are available for review on the City’s website at <https://www.delreyoaks.org/>. The City’s design review and application forms are designed to be simple and easy to complete. City processing procedures are intended to keep decisions on projects within a reasonable timetable.

Zoning, Development Standards and Processing Analysis

Discretionary Permit Analysis: Requirements for a use permit for housing identified as an allowable use is considered a constraint to development of affordable housing. As the City has not had a new home built in the last ten years, this item has not yet been considered. As part of Program C-1, and to mitigate constraints that would impact development of affordable housing, the City is undertaking a Zoning Ordinance comprehensive update. Per **Program C-1**, site improvement standards and development

procedures will be reviewed and, revised to ensure that such standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing.

In addition to the areas proposed revisions in the Zoning Ordinance to mitigate constraints identified in this section, the City will revise the zoning code to clarify no use permits are required for the allowable uses in the zoning code for residential uses in R-1 zone. There are no remaining areas of vacant land in the R-2 zone within the City limits, however, this zoning designation will also need a similar revision.

The City recently approved rezoning to allow residential uses in Sites 1 and 1a, with requirement for objective design review but no conditional use permit or use permit. The City review of the zoning ordinance will also review and amend ordinance requirements for conditional use permits for multifamily housing in zones that are intended to permit multifamily housing. Design permits may be required using objective design standards as discussed below.

Design Review Considerations: During the development of the 6th Cycle Housing Element programs, the City conducted an early evaluation of the design review guidelines and determined that a program to adopt objective development standards was needed. While the City found that the process was completed in a timely manner, and approval procedures and decision-making were not found to be subjective, there is subjective language in the Zoning Ordinance that could be seen as potential constraints.

The City is proposing a program to require revisions to the design review guidelines to ensure current language would not pose a future impact on housing supply and affordability due to subjective standards and language. The current findings in particular pose a potential constraint by requiring multifamily housing to meet subjective findings. The City is proposing **Program D.8** to adopt objective standards and guidelines; this will address outdated findings to help improve development certainty and mitigate cost impacts.

ADU Analysis: The City implements a ministerial approval procedure for ADUs. As noted above, the R-1 and R-2 districts require a special use permit for accessory structures, which is required to at the time of home construction. The City considers definition of accessory structures as non-residential buildings, and these are not ADUs.

The City permits ADUs without any type of discretionary permits. The City's ADU ordinance was adopted in 2021, and the requirements for ADUs have since been amended. The City has sent their existing ADU Ordinance for compliance review. **Program C.2** proposes an amendment to the ADU Ordinance to be consistent with more recent state law after HCD review. This program also proposes the City will also amend the ADU Ordinance to clarify ADUs would be allowed in nonresidential zones e.g., mixed-used and commercial.

ADU Parking Analysis: Pending the revisions noted by HCD upon their review, the City has found the following items should also be added to the ADU Ordinance in the Del Rey Oaks Municipal Code:

- Guest parking spaces shall not be required for an ADU under any circumstances (65852.2).
- For non-residential ADU units, parking areas would also be excluded from development (65852.2).
- An ordinance shall not require additional parking as a permit condition (65852.22).

- No parking is required if the ADU is located within an architecturally and historically significant historic district.

Parking Analysis. Table 4.3a above identifies parking requirements for residential uses. Typically, the cost associated with parking construction (particularly covered parking) can be viewed as a constraint to affordable housing development, particularly for multi-family housing. The City's parking requirements are designed to accommodate vehicle ownership rates associated with different residential uses. However, Table 4.3a above identifies 1.75 spaces for each studio or one bedroom dwelling unit. Requiring smaller bedroom types to provide 1.75 parking spaces is considered a constraint. Chapter 7.0 includes a program committing to reducing parking requirements for smaller bedroom types (e.g., one space per one-bedroom unit). Additionally, guest parking requirements (one space per unit) may be constraining to multi-family development. The City will review these parking standards as part of the comprehensive Zoning Ordinance update per Program C.1.

New state law requires additional reductions in parking requirements if the project is located close to public transportation. Per AB 2097, cities cannot impose a minimum automobile parking requirement on most development projects located within a half-mile radius of a major transit stop. Most of the city is not located within ½ mile from major transit stops⁴.

To address potential constraints on development from parking requirements noted above, the City will review parking requirements for garage/covered parking for multifamily as a potential constraint on development as part of the comprehensive Zoning Ordinance Update.

Processing Time Analysis: Processing and application requirements do not form a constraint to provision of adequate housing. Although the City is small and has limited staffing, the City staff has a record of moving permits through the process with time periods typically shorter than comparable jurisdictions with much larger staff and resources. Design review has not been a constraint to processing or development. The review is focused on design and not additional standards. At all times, the City is compliant with the Permit Streamlining Act in its application review, processing and approval timeframes.

The City does not often process projects requiring compliance with CEQA but maintains responsibility as Lead Agency under CEQA. Environmental compliance documentation uses CEQA tiering approach to reduce timeframes for compliance. In the recent experience of City processing and approving the Housing Element Update EIR, the City certified the EIR within eight months of the notice of preparation and within four months of submitting the 6th Cycle Housing Element Update to HCD. This document provides for tiering for future development to reduce constraints for affordable housing by reducing costs and time. This tiering approach is consistent with the recommendations of public comments requesting expedited processing under CEQA. In addition to using tiering and previously approved CEQA documents, in all cases, the City reviews project applications and determines if an exemption or environmental clearance is available that would timing requirements, including streamlining determinations.

Approval Times and Lesser Density Requests: The City has had no requests to develop housing at densities below those identified in the allowable densities identified. As noted previously, no single-family home or

⁴ Per Appendix A, AFFH and Figure A15, Del Rey Oaks has zero High Quality Transit Stops in the city and only a small area of the western portion of the city is within 1/2 mile of a High-Quality Transit Area.

residential development applications have been submitted to the City in the last decade or longer. Therefore, there is no history of length of time between receiving approval for a housing development and submittal of an application for building permits. With the small size of the City, processing for the building permits that are issued (i.e., for ADU’s or structural home improvements) is efficient and timely.

Building Codes

Building Codes regulate the physical construction of dwellings and include plumbing, electrical, and mechanical improvements. The Del Rey Oaks Building Department contracts with an experienced inspector to provide plan checks and inspections. The Del Rey Oaks Building Department enforces the currently Uniform Building Code and the California amendments, as established by the State, and has little control over these standards. Building Code enforcement is conducted through scheduled inspections of new construction, remodeling, and rehabilitation projects, and upon resale or transfer of ownership of residential property. Inspections are also conducted in response to public complaints or an inspector’s observation that construction is occurring without proper permits. Local enforcement of these codes does not significantly add to the cost of housing in Del Rey Oaks. There are no local amendments to the Uniform Building Code.

Site Improvements and Building Requirements

At present, public facilities in Del Rey Oaks are adequate to meet the needs of existing and projected growth in the community. Although building codes can increase the cost of development, they provide a key mechanism for the City to protect the health, safety, and welfare of its citizens. Code enforcement is carried out by the City’s building inspector.

There are no identified off-site improvements other than the provision of utilities to the site. Each unit, principal and auxiliary second units, (such as a guest house) must be provided with separate utility hookups and meters, and no occupancy of the unit shall take place until all utilities are provided.⁵

Fees and Exactions

Table 4-4 summarizes the average fees for both single-family and multi-family units in Del Rey Oaks. Fees include the following: planning and environmental review; building permits; use permits; grading permits; and permits for electrical, mechanical, and plumbing, among others. The school impact fee is levied by the Monterey Peninsula Unified School District and is not levied by the City.

Table 4-4 City of Del Rey Oaks Current Fee Schedule		
Department		Fee
Planning Department		
Architectural Review Committee Review:		
Commercial		
Major	New commercial	\$1,990
Minor	Commercial additions, remodels, exterior tenant improvements, etc.	\$620
Residential		
Major	New one or two-story buildings, or second-story additions	\$840

⁵ Chapter 17.70 of the Zoning Code implements the various state laws related to the development of accessory dwelling units.

Table 4-4 City of Del Rey Oaks Current Fee Schedule		
Department		Fee
Minor	One-story additions, exterior alterations to one-story buildings or one-story of a two-story	\$200
Architectural Review Committee Sign Review:		
Major	Large monument signs, multiple freestanding signs, pole signs, internally illuminated signs	\$680
Minor	All signs not included above	\$120
Architectural Review/Solar Panels		No Fee
Appeal Fees		
Appeals of Planning Commission Decisions to City Council		\$370
Appeals of Staff Decisions/Home Occupation Permits		\$170
Environmental Review		
Environmental Impact Report		Contract price + 17%
Environmental Initial Study Leading to a Negative Declaration (Excludes Fish and Game Fee and technical studies)		\$3,570
Environmental Exemption		\$100
Use Permits		
Master	Projects requiring environmental review and/or multiple permits	\$4,000 deposit
Major	Commercial, industrial, multi-family	\$2,990
Minor	Single-family residential uses	\$820
Permits		
Home Occupation (Business) Permit due every year		\$150
Home Occupational Use Permit Application Fee		\$10
Permit Extension		\$780
Reopen Permit		\$850
Special Permits (Temporary use)		\$280
Special Sign Permit (Temporary window/banner sign)		\$170
Investigative fee for work without permit(s)		Cost of the permit
Missed Inspections or work not complete		\$95/hour
Electrical/Plumbing/Mechanical Permit		\$125
Grading Permit Fee		\$120
Tree Removal/Significant Alteration Permit		\$50
Residential Property Inspections Reports - Single Family Dwelling		\$250
Duplicate Job Card		\$25
Variance Permit		
Master	Multiple variances for commercial, multi-family or industrial projects	\$1,410
Major	One variance (coverage, height, parking adjustments) for commercial, multi-family or industrial sites	\$980
Minor	One variance - residential fences, setbacks, parking, etc.	\$820
Engineering		
Encroachment Permit (Residential)		\$250
Encroachment Permit (Commercial)		\$300 plus 2% of cost of public improvements requires plan check
Street Opening Permit (Residential)		\$250
Street Opening Permit (Commercial)		\$300 plus 2% of cost of public improvements requires plan check
Driveway, Curb, Gutter, Sidewalk Permit		\$150
Construction Activity Road Impact Fee		1% of the sum of the building permit's project valuation

Table 4-4 City of Del Rey Oaks Current Fee Schedule		
Department		Fee
Storm Water Review & Inspection Fee		\$250 plus \$95/hour for plan review & inspection
Zoning Permits		
R-1 District		\$100
D District (Condo.)		\$100
Hotel/motel/multi-family		\$200
1-7 units		\$925
8-36 units		\$125/unit
>36 units		Negotiated fee for cost of planning service
Commercial & Industrial		
<15,000 square feet		\$500+140 K/sf
>15,000 square feet		Negotiated fee for cost of service
Additional meetings		\$400
Reclassification or Rezoning		
Major text	alterations of existing sections	\$1,500 Deposit/cost of service
Minor text	addition of new section	\$1,000/1st section charged +\$300 for each additional section
Standard Subdivision Map		
Tentative		\$1,800+\$100/lot
Exceptions		\$700/lot w/exceptions
Minor		\$1,600
Exceptions		\$700/lot w/exceptions
Additional meetings for minor text amendments		\$120
Final Map		
Processing		\$750+\$60/lot
Parcel Map		\$600 per map
Lot Line Adjustment		\$1,000
General Plan Amendment		
Minor Text	alterations of existing sections	Contract Cost plus 10%
Major Text	addition of new sections	Contract Cost plus 15%
Development Agreements		
Consultant fee, plus 30% of consultant fees to cover normal staff costs, plus 15% of consultant fee as a contingency fund to cover unanticipated costs, plus duplication. These fees shall be considered advances, and should the actual cost be less than the fee advanced, the excess shall be returned to the applicant; should the actual cost be more than the fee advanced; the difference shall be paid by the applicant.		
Applicant shall, in addition to those fees listed in this fee schedule, pay the actual cost of legal advertising.		
It is the City policy and requirement that processing of development or planning projects be fully cost recoverable. Application fees are intended to reimburse the City for minimal costs incurred for the normal or routine amount of time necessary to process applicant's requests. If additional or other unusual time is required on a particular project, then the developer/applicant will be charged for these additional costs to the City, plus a 30% administrative overhead fee.		

Table 4-4 is the current City’s fee schedule and is available on the City’s website available at: <https://www.delreyoaks.org>.

City Fees and Exactions Summary Analysis: The City’s fees are reasonable and consistently lower than neighboring or similar jurisdictions. The City fee schedule cited above is current and made available at the City Hall and also on City’s website. City fees and regional fees noted below do not pose a constraint to provision of affordable housing. Del Rey Oaks is a small, nearly built-out

city; the staff is very ~~small~~small, and the workload of City staff is high. However, the City has been able to respond to all applications in a timely manner as noted above and staffing is supplemented with contract planners for larger projects. City staffing, fees, and processing time are not considered a constraint to development of housing based upon the history of response of the City on projects overall, the reasonableness of fees identified, the limited exactions for development, and the short time for projects to be processed as discussed above-

Regional Fees

Table 4-5 provides an estimate of development fees that are collected by other agencies for residential development within the City. Table 4-4 identifies the City imposed fees. Currently, the City does not charge any City-wide development impact fees on new residential development. However, there are regional agency fees depending on the area and development.

Table 4-5 Development Fees Collected by Other Agencies				
Utility Type	Provider Name	Single-Family Project ¹	Multi-family Project ²	Affordable Project ³
Water	Monterey Peninsula Water Management District (MPWMD)	\$6,194 (\$210 + \$273/ fixture unit)	\$108,318 (\$210 + \$273/ fixture unit)	\$1,166 (\$210 + \$137/ fixture unit)
	California American Water Company (Cal-Am)	\$5,000	Actual cost	\$3,000
	Marina Coast Water District (MCWD)	\$4,526	\$81,468	\$4,526
Sewer	Monterey One Water (M1W)	\$3,506	\$63,099	\$1,800
	Marina Coast Water District (MCWD)	\$2,333	\$41,994	\$1,000
School	Monterey Peninsula Unified School District (MPUSD)	\$6,720 (\$3.36/sq. ft.)	\$4,032 (\$3.36/sq. ft.)	\$6,720 (\$3.36/sq. ft.)
Transportation	Transportation Agency for Monterey County (TAMC)	\$4,291	\$54,239	\$2,051 ¹
Assumptions: 1. Single-family development based on 2,000 square feet. 2. Multi-family development based on 1,200 square feet at 18 units. 3. Affordable cost per equivalent development unit (edu), 400 square feet garage per unit is used for Building Permit Fees Estimation; in order to meet Affordable Standards for sewer, units must have maximum 7 fixture units (1 bathroom, no dishwasher or clothes washer). Traditional residential has 22 fixture units (2 bathrooms, dishwasher, clothes washer). 4. TAMC fees (https://www.tamcmonterey.org/development-impact-fees) shown are for single-family unit, for 18 apartment units, and for a moderate-income condominium unit.				

For example, the Transportation Agency for Monterey County (TAMC) established a Regional Development Impact Fee (RDIF) program to address required mitigation for traffic impacts. Del Rey Oaks is within Zone 3 of the RDIF program, serving the Greater Monterey Peninsula Planning Area. In Zone 3, fees were \$481 per trip (2022). The City recognizes the regional fees are imposed to recover or address regional infrastructure; while not within the City’s control, the fees are appropriately charged for infrastructure provided. All other jurisdictions have comparable regional fees. The City complies with the new transparency requirements for posting all zoning, development standards and fees on the City’s website. The full set of City fees identified above is the current City’s fee schedule and is available on the City’s website.

Although development and permitting fees add to the cost of new residential development, the fees currently charged by Del Rey Oaks are in line with or lower than fees charged in neighboring cities. The

pro-rata share of fees are based on comparable information provided by area cities. It is estimated that on average, fees for a single-family residence or for a multifamily unit constitute no more than ten percent of the building valuation (excluding land cost).

Overall Fee Summary Analysis: Fees that are considered above include various impact fees (water, sewer, school, etc.,) as part of fee estimate in **Table 4.5**, above. Combined with City fees in **Table 4.4**, fees for a single-family residence or for a multifamily unit constitute no more than ten percent of the building valuation (excluding land cost) and including all water, sewer, and ~~and~~ school fees.

Manufactured Homes

Per Government Code section 65852.3, the installation of manufactured homes is allowed as a by-right use, subject to design standards, on lots zoned for single-family dwellings. Homes constructed in a controlled factory environment and that adhere to federal construction codes are known as manufactured homes. Following construction, these single-family structures are moved to the home site and set up. The degree of assembly to be completed on the home site depends on the manufacturer, but manufactured homes are typically delivered as panels or sections.

Compliance with Requirements for Manufactured Housing: The City complies with all state law in relation to manufactured homes. No constraint to development of manufactured housing is evident in City code or processing. The City does not have any development standards, code or processing requirements under that directly or indirectly impact the provision of manufactured homes, as documented above. **Manufactured homes are allowed by-right on lots zoned for single family dwellings; manufactured homes on a permanent foundation are allowed in the same manner as single-family homes. Compliance with this requirement cannot be demonstrated by past practice, as there have been no requests for manufactured housing for the previous decade. However, City Manager and City Building Inspector both confirmed compliance with this existing law.**

Locally Adopted Ordinances

The governmental constraints section of the housing element must also include analysis of any locally adopted ordinance such as an inclusionary or short-term rental ordinance that directly impacts the cost and supply of residential development.

The City of Del Rey Oaks has a short-term rental ordinance that is in place to ensure that full-time residents are not adversely affected by short-term renters. This regulation states that generation of noise, vibration, glare, odors or other effects that unreasonably interfere with any person's reasonable enjoyment of their residence shall not be allowed. The City also requires fees to pay for the short-term rental license, which is administered by the City Manager and must be renewed annually. There are currently three properties available for short-term rentals on the popular website, VRBO.com, in Del Rey Oaks. The small number of short-term rentals in the City are not significant enough to directly impact the cost and supply of residential development. The City does not have an inclusionary housing ordinance and complies with State Density Bonus laws.

Del Rey Oaks has no other requirements related to growth that would preclude the City from meeting its regional housing needs. The City does have local amendments to the California Building Code; however, these amendments refer to extension of building permits due to factors outside of the applicants' control. They essentially give the applicants more leeway to try and promote housing development, so it would not block the development within the City. The City has no other requirements and does not have any growth controls.

Locally Adopted Ordinances Summary Analysis:

The City of Del Rey Oaks Zoning Ordinance accommodates a range of housing types, both conventional and non-conventional, in the community. Permitted housing types include single-family residences (including manufactured homes), multi-family housing, ADUs, secondary dwellings, mobile homes, and live-work housing. The City does not have any locally adopted ordinances that directly impact the cost and supply or residential development (e.g., inclusionary requirements, short term rentals, growth controls), as documented above.

Constraints on Development

The following identifies current City regulations and analyzes the constraint; follow up programs and adherence to State requirements that can mitigate these identified restrictions.

- **Current Regulations:** The City does not impose undue constraints or fees that would limit or constrain affordable housing. New development of housing is constrained by external forces within the City area (the very limiting water allocation system for individual homes within the City under MPWMD). The entire region within MPWMD has severe limitation on water availability and therefore causes constraint and limits development of residential or commercial lands in the City. Due to the Monterey Peninsula's limited water resources, the City does not have water credits available for allocation. All private property development that requires a water permit is limited to the water credits associated with the specific site. The Monterey Peninsula's water agencies and providers are diligently pursuing the development of new water sources and projects to deliver water to jurisdictions. The timing of when additional water will be available for allocation to individual properties is uncertain at this time. The City has and will continue to work with other peninsula jurisdictions, Cal Am, and the MPWMD to help advance future water supply allocation and delivery to the City.
- **Consistency with State Law:** The City's Zoning Ordinance is not current on State law in reference to density bonuses. The City is reviewing its Zoning Ordinance for this and other provisions of recent updates to State statutes to ensure the City is meeting all new state law. (See **Chapter 7.0 Housing Plan**). In any case, communities either adopt their own ordinance in compliance with new State law, or State law preempts local ordinances. The City ~~follows~~ **proposes a program to**

ensure consistency with State law and ~~complies~~ compliance with requirements for Density Bonuses. (Refer to Program B.5 Chapter 7.0 Housing Plan⁶.)

City Development Standards and Zoning for Special Housing Needs

Housing Accessibility for the Persons with Disabilities

Housing elements are required to analyze potential and actual governmental constraints to the development of housing for persons with disabilities, demonstrate efforts to remove identified government constraints, and include programs to accommodate housing designed for disabled persons. As noted in the Special Needs section of the Housing Needs Assessment Report, persons with disabilities have a number of housing needs related to accessibility of dwelling units; access to transportation; employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive services. The Land Use Element of the General Plan does not restrict the siting of special need housing.

The City ensures that new housing developments comply with California building standards (Title 24 of the California Code of Regulations) and federal requirements for accessibility.

Zoning and Land Use

State and federal laws encourage an inclusive living environment where persons of all walks of life, with or without special needs, have the opportunity to find suitable housing. The Del Rey Oaks Zoning Ordinance (Chapter 17.08 through 17.40) permits a range of housing types suitable to special needs groups with and without the approval of a special use permit. As part of the update of the housing element in 2019 and 2022, the City conducted a review of its zoning laws, policies and practices for compliance with fair housing laws. This constraints analysis examines the City of Del Rey Oaks zoning provisions, building codes, and permitting processes or procedures. The City has not identified any zoning or other land-use regulatory practices that could discriminate against persons with disabilities and impede the availability of such housing for these individuals.

Mitigating Constraints City Development Standards/Zoning Code

The following discussion provides examples of the ways in which the City facilitates housing for persons with disabilities through its regulatory and permitting processes. Also included are areas where the City is proposing programs or methods to ensure accessibility is not hampered by zoning or regulations. **Chapter 7.0 Housing Plan** of this Housing Element also proposes specific actions and implementation schedules to remove any potential impediments on persons with disabilities.

Efforts to Remove Regulatory Constraints for Persons with Disabilities

The City does not impose additional zoning, building code, or permitting procedures on small group homes other than those allowed by State law. The State has removed any City discretion for review of small group homes for persons with disabilities ~~(six or fewer residents)~~. There are no City initiated constraints on

⁶ The 5th Cycle Housing Element proposed adoption of a Density Bonus Ordinance consistent with state law. The City did not complete adoption of the Density Bonus Ordinance.

housing for persons with disabilities caused or controlled by the City. The City does not restrict occupancy of unrelated individuals in group homes and does not define family by limiting numbers or other requirements or enforce a definition in its zoning ordinance. Small group homes are permitted without regard to distances between such uses or the number of uses in any part of the City. The General Plan Land Use Element and designations do not restrict the siting of special needs housing. The City's Zoning Ordinance defines family in a barrier free definition, per state law, and, hence, does not appear to restrict access. However, per HCD comment letter the City has added a requirement under Program C.3 to confirm definition is per State Law, and if not, to amend the definition of family to be consistent with the barrier free definition cited in the HCD letter.

Reasonable Accommodation

Under State and federal law, local governments are required to “reasonably accommodate” housing for persons with disabilities when exercising planning and zoning powers. Jurisdictions must grant variances and zoning changes, if necessary, to make new construction or rehabilitation of housing for persons with disabilities feasible but are not required to fundamentally alter their Zoning Ordinance. The City currently processes requests for reasonable accommodation for disabled persons via a variance, only if required. Typically, due to the small size and community, the requests are handled over the counter and through the city staff and building inspector (contract position). Variances to accommodate requests such as special structures or appurtenances (i.e., access ramps or lifts) needed by persons with physical disabilities are not typical. While variances to standards and applications may be handled through an administrative procedure, the standard used to evaluate such deviations conflicts with laws applicable to housing for persons with disabilities.

While City Staff takes into consideration the provisions of the California Americans with Disabilities Act (Cal ADA) in the review and approval of housing projects and grants modifications and deviations from the Zoning Code to accommodate the needs of persons with disabilities, the City does not have a Reasonable Accommodation Ordinance. The element includes a program (see Chapter 7.0, Program D.9) to establish a written and administrative reasonable accommodation procedure in the zoning code for providing exception for housing for persons with disabilities in zoning and land use. The procedure will specify eligibility, standards and regulations covered by the reasonable accommodation procedure, and extent of relaxation provided, consistent with State law⁷.

- The City implements and enforces Chapter 11, 1998 California Code. The City provides information to all interested parties regarding accommodations in zoning, permit processes, and application of building codes for housing for persons with disabilities.
- The City also allows residential retrofitting to increase the suitability of homes for persons with disabilities in compliance with accessibility requirements. Such retrofitting is permitted under Chapter 11, 1998 version of the California Code. Further, the City works with applicants who need

⁷ The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities.

special accommodations in their homes to ensure that application of building code requirements does not create a constraint.

- This Housing Element includes **Programs D.2 and D.9 in Chapter 7.0** for the City to **adopt and process** Reasonable Accommodation requests through an administrative review process.

The City shall work to revise its Zoning Ordinance based upon the following findings, to better facilitate and encourage the development of housing for persons with disabilities:

- Section 17.36.010 allows porches, outside stairways, or terraces to extend up to three (3) ft. into any required side yard. This section does not specifically reference ramps needed for accessibility by disabled persons; however, ramps up to 30 inches in height are allowed without a building permit or administrative approval. Finally, the element includes **Program D.3** to amend zoning and clarify at Section 17.36.010 of the zoning ordinance that retrofitted access ramps are permitted in setback areas. Allowing ramps as a permitted encroachment into required front and rear yards will ensure accessibility for persons with disabilities.
- Parking standards for housing for disabled persons are the same as all for residential development. **Tables 4-1 to 4-3** provide parking requirements for the City. This Housing Element includes **Program D.3** to reduce the parking requirement for affordable housing projects, including for senior housing and disabled housing; this program was included in the previous Housing Element. **Chapter 7.0** of this Housing Element 2023-2031 carries this policy forward.

Building Permits and Processing

The City does not impose special permit procedures or requirements that could impede the retrofitting of homes for accessibility. The City's requirements for building permits and inspections are the same as for other residential projects and are designed to be straightforward and not burdensome to the applicant. City officials are not aware of any instances in which an applicant experienced delays or rejection of a retrofitting proposal for accessibility to persons with disabilities.

The City does not impose special occupancy permit requirements or business licenses for the establishment or retrofitting of structures for residential use by persons with disabilities. If structural improvements were required for an existing group home, a building permit would be required. If a new structure was proposed for use as a group home, design review would be required as for any other new residential structure. The City design review process has not been used to deny or substantially modify a housing project for persons with disabilities to the point where it is no longer feasible. All residential projects in the City require the same level of design review.

Building Codes

The City provides reasonable accommodation for persons with disabilities in the enforcement of building codes and the issuance of building permits through its flexible approaches to retrofitting or converting existing buildings and construction of new buildings that meet the shelter needs of persons with disabilities. The Del Rey Oaks Building Department enforces the currently required Uniform Building Code and the California amendments, as established by the State. The City's building code requires new residential construction to comply with ADA requirements. State law requires buildings consisting of three

or more units to incorporate design features, including: 1) adaptive design features for the interior of the unit; 2) accessible public and common use portions; and 3) sufficiently wider doors to allow wheelchair access. These codes apply to all jurisdictions and are enforced by federal and state agencies.

Universal Design Element

The City has not adopted a universal design ordinance governing construction or modification of homes using design principles that allow individuals to remain in those homes as their physical needs and capabilities change. The City has added the development of a Universal Design Element as **Program D.6** (see **Chapter 7.0**) during this planning period. The City will refer to the HCD website to develop guidelines and a model ordinance consistent with the principles of universal design.

Emergency Shelters, Transitional and Supportive Housing

Emergency Shelters

The analysis must also address meeting the needs of supportive housing, transitional housing, and emergency shelters. In accordance with existing law, transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone (Gov. Code, section 65583, [a][5]).

State law requires that all communities allow for the siting of an emergency shelter for homeless persons. An emergency shelter is a facility that houses persons on a short-term basis who are either homeless or recovering from domestic violence. California Health and Safety Code (section 50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.” In effect since January 1, 2008, Senate Bill (SB) 2 requires the City to allow emergency shelters without any discretionary action in at least one zone that is appropriate for permanent emergency shelters (e.g., with commercial uses compatible with residential or light industrial zones in transition), regardless of its demonstrated need (Cedillo, 2007). The goal of SB 2 was to ensure that local governments are sharing the responsibility of providing opportunities for the development of emergency shelters. To that end, the legislation also requires that the City demonstrate site capacity in the zone identified to be appropriate for the development of emergency shelters. The updated its Zoning Ordinance to allow emergency shelters as permitted use in the C-1 district (Chapter 17.80 of the City of Del Rey Oaks Zoning Ordinance).

Emergency Shelters Discretionary Action and Parking Requirements.

Emergency shelter parking requirements must comply with AB139/Government Code section 65583, subdivision (a)(4)(A) which generally limits parking requirements to the amount need for staff or include a program to comply with this requirement. In compliance with AB 139, the City of Del Rey Oaks Zoning Ordinance, Chapter 17.80, stipulates that parking facilities will be designed to allow one space per staff member of the emergency shelter. Additionally, a minimum of four bicycle spaces must be provided. According to the Del Rey Oaks Zoning Ordinance, Chapter 17.80, emergency shelter facilities shall provide parking spaces on the basis of one spot per employee, and at least four bicycle parking spaces shall be provided. The City is consistent with Section 65583(a)(4) of the California Government Code.

AB 2339 and City Compliance: As of March 31, 2023, AB 2339 (2022) is now applicable to the City and must be addressed in the element⁸. AB 2339 (2022) specifies how cities and counties plan for emergency shelters and ensure sufficient and suitable capacity. AB 2339 is a statute amending State Housing Element Law regarding identification of sites for emergency shelters. The amendments, specifically to government code section 65583, subdivision (a)(4), are as follows:

- The definition of “emergency shelters” now includes other interim interventions including navigation centers, bridge housing, and respite/recuperative care.
- Emergency shelters with zoning designations allowing shelters as a permitted use without a conditional use or other discretionary permit must also allow residential use. Local governments must demonstrate the adequacy of sites designated to accommodate emergency shelters, specifically they must identify these shelters are near amenities and services for those experiencing homelessness.
- Provides a calculation methodology for determining the sufficiency of sites available to accommodate emergency shelters in the identified zoning designation. Requires analysis of any adopted written objective standards for potential government constraints.
- Local government owned properties may be included if the analysis demonstrates that these sites will be made available for emergency shelters during the planning period, are suitable for residential use, and are located near amenities that serve people experiencing homelessness.

Currently, Chapter 17.80 of the City of Del Rey Oaks Zoning Ordinance does not include the above updated elements as laid out in AB 2339. Specifically, the City’s definition of emergency shelters as stated in Chapter 17.80.020 has not been expanded to include ‘other interim interventions including navigation centers, bridge housing, and respite/recuperative care.’ Chapter 17.80 of the zoning ordinance will be updated as needed to require that zoning allowing emergency shelters also allow mixed uses that permit residential development; require the City to designate emergency shelters near amenities and services for those experiencing homelessness; require a calculation methodology for determining site sufficiency to be provided during the planning process; require analysis of adopted written objective standards for potential government constraints; and allow the inclusion of City owned property if these sites meet the previous requirements. Refer to **Program D.4**.

Transitional and Supportive Housing

"Transitional housing" and "transitional housing development" mean buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (Health and Safety Code Section 50675.2). Transitional housing is typically housing for individuals or families who are transitioning to permanent housing, or for youth who are moving out of the foster care system. Residents of transitional housing are usually connected to rehabilitative services.

⁸ <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf>.

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to on- or off-site services that assist 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 (Health and Safety Code Section 50675.14). “Permanent supportive housing” refers to housing that is affordable, service-enriched, and allows formerly homeless clients to live at the facility on an indefinite basis.

State law requires the consideration of both supportive and transitional housing as residential uses that must only be subject to the same restrictions that apply to similar housing types in the same zone. In addition, AB 2162 (2018) requires supportive housing to be a use by right in zones where multi-family and mixed- uses are permitted if the development meets certain requirements. The Zoning Ordinance does not identify zones that will allow the development of supportive or transitional housing. Both transitional and supportive housing types must be explicitly permitted in the Zoning Code pursuant to State law. Currently, transitional housing may be permitted as a conditional use in the commercial and residential multi-family districts⁹.

Program D.3 in **Chapter 7.0** proposes to establish both supportive and transitional housing uses by-right in zones where multi-family and mixed uses are permitted, including nonresidential zones permitting multi-family uses pursuant to Government Code section 65651, and to establish a permit process that is only subject to those restrictions which apply to other residential uses of the same type in the same zoning district. The implementation program will result in a revision to the Zoning Ordinance to bring it into consistency with State law. **Specifically, the revised program(s) commits the City to allowing group homes of seven or more in any zone that permits residential uses and only subject to those restrictions that apply to similar residential uses.**

Single-Room Occupancy (SRO)

The U.S. Department of Housing and Urban Development (HUD) defines a Single Room Occupancy Unit (SRO) as a residential property that includes multiple single room dwelling units. Each unit is for occupancy by a single eligible individual. The unit need not, but may, contain food preparation or sanitary facilities, or both. SRO units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Currently, the City’s Zoning Ordinance does not contain provisions for SRO housing. AB 2634 mandates that local jurisdictions address provisions for extremely low-income households, including single room occupancy units, which the City seeks to address via amending an existing program in the previous Housing Element.

⁹ Currently, transitional housing would be allowed with a use permit in the R-1 district (two-family dwellings, and in the R-2 district (dwelling groups and multiple dwellings) without a use permit, and in the C-1 districts with a use permit (dwelling groups, multiple dwellings, public or quasi-public uses appropriate to the C-1 zone, and any other use not specifically defined, all with a use permit). However, the City’s zoning regulations do not explicitly identify transitional and supportive housing as allowable uses in the City’s residential or commercial zones. Programs in this Element are proposed to allow these housing types as an allowed use in one or more of the zoning districts. (See **Chapter 7.0 Housing Plan**).

The City will amend the Zoning Code to accommodate special needs housing, which would include consideration of amendments to address single room occupancy units in residential zones pursuant to State law (see **Chapter 7.0 Housing Plan**).

Employee Housing

The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted. However, the City has no agricultural zones and does not allow for agricultural uses within any zoning designations. **The City is still subject to the employee housing requirements of the Employee Housing Act. As part of the comprehensive Zoning Ordinance update, the City will amend the Zoning Ordinance by the end of 2024-2025 to include provisions for housing for six or fewer employees per the requirements of the California Employee Housing Act.**

Assisted Units at Risk of Conversion to Market Rates

Section 65583(a)(8) of the State Government Code requires the analysis of and a program for preserving assisted housing developments that are eligible to change to market rate housing during the next 10 years and to adequately plan for preventing or minimizing tenant displacement and reduction in the local affordable housing stock. Within the City of Del Rey Oaks, there are no assisted housing developments; therefore, there is no risk of conversion of assisted housing units to market rate units.

Mitigating Constraints City Development Standards/Zoning Code

Based upon this review of the City's standards, the following amendments will be considered (see **Chapter 7.0 Housing Plan** in this Housing Element for further discussion):

- 1) Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits, or where appropriate, waiving City fees or regulatory requirements.
- 2) Conduct a review of the Zoning Ordinance for special needs housing and remove any additional identified constraints to ensure that reasonable accommodations are provided with regard to special needs housing.
- 3) Amend the Zoning Ordinance to ensure that transitional and supportive housing is allowed in the same way other residential uses are allowed in all zoning districts allowing residential uses.
- 4) Amend the Zoning Ordinance to conditionally permit SRO housing in the C-1 zone. Consistent with the California Employee Housing Act, amend the Zoning Ordinance to update standard that requires that housing for six or fewer employees be treated as a regular residential use, **or as otherwise consistent with State law under the California Employee Housing Act.**
- ~~4~~5) **Review the emergency shelter standards under Chapter 17.80 of the Zoning Ordinance and update ordinance requirements consistent with updated elements identified above in AB 2339.**

Program C.3 describes actions the City will take to amend the zoning code to allow Transitional and Supportive Housing and extremely low- income units that may include single room occupancy units.

Program D.2 and D.9 includes actions the City will take to amend the Municipal Code to accommodate special needs housing, which will include consideration of amendments to address single room occupancy units in residential zones pursuant to State law.

Overall Programs. The City in **Chapter 7.0** commits to conduct a comprehensive review of the Zoning Ordinance to ensure that housing types for disabled are not excluded from residential zones, most notably low-density or single-family zones, which can constrain the availability of housing choices for persons with disabilities. Requiring these housing types to obtain a special permits and potentially subjecting housing for persons with disabilities to higher discretionary standards is generally considered a constraint.

Additional Zoning Code revisions are noted on previous pages (Zoning, Development Standards and Processing Analysis) and in **Chapter 7.0 Programs**.

Non-Governmental Constraints

State law requires Housing Elements to analyze potential and actual non-governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land and the cost of construction. Non-governmental constraints are those generated by the private sector and which are beyond the control of local governments. Some of the impacts of non-governmental or market constraints can be offset to a minimal extent by local governmental actions, but usually the effects are very localized and have little influence on the total housing need within the jurisdiction or market area. In addition to environmental constraints, such as water supply, non-governmental constraints to affordable housing in Del Rey Oaks consist of three major factors: price of land, availability of financing, and cost of construction.

The major barrier to providing housing for all economic segments of the community concerns the nature of the housing market itself. The availability and cost of housing is strongly influenced by market factors over which local government has little or no control. State law requires that the housing element contain a general assessment of these constraints. The primary market constraints to the development of new housing are the costs of constructing and purchasing new housing. These costs can be broken down into three categories: land, construction, and financing. The City has a limited ability to influence these factors. Land costs are impacted by the number of adequate sites that are available. Regional demand and costs have a great impact on land costs. Construction and financing costs are also determined at the regional, State, and national levels by a variety of private and public actions that are not controlled by the City. The following paragraphs briefly summarize these components of the local market and the statewide market.

Financing Costs and Availability

Financing costs are subject to fluctuations of national economic policies and conditions. The cost of money for site preparation and construction is a very important determinant of the initial cost to the purchaser. Mortgage rates have an even more dramatic effect on the cost of housing to the homebuyer and on the cost of constructing rental units. Interest rates are ultimately passed on to the renter by the apartment owner. Recent interest rates have been low enough to allow an increase in building activity regionally; however, a significant portion of the population has still been precluded from participation in the market.

There is always a concern that interest rates will increase again during future years and that such increases may result in a slowing of construction activity.

Fluctuating interest rates can have a particularly dramatic effect on the building industry when mortgage rates increase between the start of construction and the completion of a project. Following several years of historically low interest rates, as shown in **Table 4-6**, interest rates have risen substantially. Interest rates on typical home loans are shown for 2019.

Table 4-6 Interest Rates in 2019		
Product	Interest Rate	Annual Percentage Rate (APR)
Conforming and Federal Housing Administration (FHA) Loans		
30-Year Fixed Rate	3.625%	3.748%
15-Year Fixed Rate	3.125%	3.306%
7/1 ARM	3.250%	3.881%
5/1 ARM FHA	3.250%	3.994%
Jumbo Loans – Amounts that exceed conforming loan limits		
30-Year Fixed-Rate Jumbo	3.625%	3.678%
15-Year Fixed-Rate Jumbo	3.250%	3.326%
7/1 Adjustable-Rate Mortgage (ARM) Jumbo	2.875%	3.650%

Notes: Conforming loan is for no more than \$417,000. A jumbo loan is greater than \$417,000. Source: www.wellsfargo.com, August 19, 2019.

Recent increases in mortgage rates have reduced affordability for homes in the City and region. According to the California Association of Realtors’ 2020 Housing Affordability Update, the median price for a single-family home in Monterey County is \$830,000 and the average family would need to earn \$149,600 a year to afford the monthly housing payment of \$3,740. The average income level for low-income families of four in Monterey County is \$77,500, and the moderate-income level for a family of four is \$97,900. The price of housing and obtaining permanent financing for qualified homebuyers pose two major constraints.



FIGURE 4-1: U.S. AVERAGE INTEREST RATES – FEBRUARY 2019 – JANUARY 2022

Source: Freddie Mac Primary Mortgage Market Survey.

Interest rates declined overall from late 2018 until early 2022. Recently, interest rates have increased significantly, with a sharp increase starting in January 2022 as seen in the illustration above.

The availability of financing affects a person’s ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications by the income, gender, and race of the applicants. This applies to all loan applications for home purchases, improvements and refinancing. **Table 4-7** summarizes the disposition of loan applications submitted to financial institutions in 2017 (the most recent HMDA data available) for home purchase, refinance, and home improvement loans in Del Rey Oaks and Monterey.

Table 4-7 Disposition of Home Loans (2017)				
Loan Type	Total Applicants	Percent Approved	Percent Denied	Percent Other
Del Rey Oaks				
Government-Backed Purchase	4	50.0%	0.0%	50.0%
Conventional Purchase	16	87.5%	0.0%	12.5%
Refinance	47	63.8%	12.8%	23.4%
Home Improvement	7	57.1%	14.3%	28.6%
Total	74	67.6%	9.5%	23.0%
Monterey				
Government-Backed Purchase	49	65.3%	12.2%	22.4%
Conventional Purchase	422	73.2%	7.8%	19.0%
Refinance	599	57.3%	18.9%	23.9%
Home Improvement	70	70.0%	15.7%	14.3%
Total	1,140	64.3%	14.3%	21.4%

Price of Land

Land costs in Del Rey Oaks are higher than most of California and lower than other coastal communities in the County and neighboring counties. The price of housing in the City has risen since the late 1970s at a much faster rate than household income. Contributing factors are the costs of land, materials, labor, financing, fees and associated development requirements, sales commissions, and profits. The City is almost entirely built out other than the former Fort Ord land area. Other than Fort Ord land, which is currently owned by the City, residential development potential would involve infill of the limited remaining vacant land. An internet search for vacant residential lots for sale in the City identified one parcel in 2017 of approximately 4,000 square feet sold for under \$125,000. A more recent search of land in the adjacent City of Seaside identified one 2,000 square foot parcel sold for \$235,000 in 2019. Recent research shows a 9,845 square foot vacant property offered for sale in the City of Del Rey Oaks for \$400,000.

Measures to reduce land costs, which are traditionally available to local governments, include the use of Community Development Block Grant (CDBG) and the use of government-owned surplus lands for housing projects. These measures generally benefit the construction of assisted, low-income housing.

Construction Costs

Construction costs vary widely depending on the type of structure being built. For instance, the total construction cost of a multi-family structure will cost significantly more than a single-family home, though the cost of each unit in the multi-family structure will generally cost less due to economies of scale. The range also depends on the type of builder, size of the house, and materials used to build the home. Due to limited construction in the City of Del Rey Oaks for new housing, construction cost data for the City of

Monterey is reported herein. Per Building Division data, the average single-family home construction cost was approximately \$350 per square foot and multi-family was \$250 per square foot (without land costs) in 2015 (City of Monterey, 2016).

Hazards

Large portions of the former Fort Ord base contain hazardous and toxic waste sites as well as unexploded ordnance. The entire former military base was placed on the National Priorities List of Hazardous Waste Sites (i.e., Superfund List) in 1990 as a result of contamination of certain subsurface aquifers from a municipal waste landfill. Since then, many contaminated sites on the former base have been remediated and approved for transfer to local jurisdictions by the Environmental Protection Agency (EPA). The portion of the former Fort Ord that lies within the Del Rey Oaks City limits contains hazardous and toxic waste (i.e., unexploded ordnance). As part of the former Fort Ord military base, portions of the property had unexploded ordnance that has been removed by the U.S. Army. **Base Realignment and Closure (BRAC) cleanup team in association with the** DTSC (Department of Toxic Substances Control). **DTSC** must approve the use of the site for residential purposes. The redevelopment area within the City limits at Fort Ord was designated for commercial/hotel development consistent with the Fort Ord BRP. The additional assignment of residential designation in this particular area is constrained by the former use as a military range and related unexploded ordnance issues.

Unexploded Ordnance

In 1993, the Army began investigating sites where munitions and explosives of concern (MEC) were suspected to be present. Sites were characterized during Remedial Investigations (RI) and the cleanup alternatives were evaluated in a Feasibility Study (FS). Unexploded ordnance and explosives (OE) or MEC still exist at locations throughout the former military base. Extensive surveys have been conducted by the U.S. Army to investigate suspected areas of OE/MEC, and removal activities are ongoing. Extensive cleanup has been conducted, particularly in the area of the former Fort Ord, and the State of California has approved the transfer of the entirety of the portion of the former Fort Ord within City limits to the City for all uses approved by the City General Plan currently. Additionally, a major portion of the interior of Site 1 is cleared for residential use. Additional lifting of covenants and restrictions in portions of the former Fort Ord is required to be approved by the State DTSC prior to provision of residential use. Mapping in **Appendix C-4** identifies the area without the deed restriction for residential use.

A deed restriction or “Covenant to Restrict Use of the Property (CRUP)” was placed onto the former Fort Ord site providing residential use of the property is not currently authorized and would require additional approvals prior to authorization of this area for residential use. Public comments raised concerns that the restrictions on former Fort Ord lands would preclude development of affordable housing. While there is a current restriction against residential use in portions of the project areas, a large middle-portion of former Parcel E29a (within Site 1, as shown in Figures 3.9-3 and 3.9-4 of the Draft EIR) provide adequate area (over 100 acres) for residential use without current covenant restrictions against residential zoning.

For the remainder of the property, restrictions against residential use would require Former Fort Ord site regulators, DTSC and US EPA, to confirm that the risk of exposure to hazardous materials can be reduced through active removal actions. This occurs in concert with public education, continuing land use controls

(such as the grading and excavation ordinance under DRO Municipal Code Chapter 15.48) and continued active agency oversight and involvement in any MEC actions at the Former Fort Ord site.

The City and Army BRAC office are working to modify federal deed restriction to remove the residential use restriction as described in the Record of Decision (ROD)¹⁰. BRAC is a federal program allowing the DoD to reorganize their base structure and military resources within the U.S. as necessary following authorization from Congress. As a part of the program, the BRAC Cleanup Team works closely with DTSC to clean up a former army property, such as former Fort Ord.

Additionally, mitigation measures in the Final EIR, Section 3.9 Hazards and Hazardous Materials require that before any residential use is allowed on the area containing restrictions, DTSC and US Army and EPA shall approve removal actions and confirm that the risk of exposure to hazardous materials can be appropriately reduced through active MEC removal actions in concert with public education, continuing land use controls (such as the grading and excavation ordinance under DRO Municipal Code Chapter 15.48) and continued active agency oversight and involvement in any MEC actions at the Former Fort Ord site.

The removal of MEC has been undertaken by the Army for over two decades, and neighboring jurisdictions had similar restrictions until activities were completed to clear land uses, including residential restrictions. On October 18, 2023, the City adopted a Mitigation Monitoring and Reporting Plan (MMRP) along with certification of the Final EIR (Resolution 2023-19). The MMRP requires implementation of Mitigation Measure 3.9-1:

Prior to approval of residential development plans on the project area, environmental agencies, including the Army, and the state lead regulatory agency, DTSC, shall confirm that the clearances to be conducted and those conducted to date together with approved remedial actions, as required, will be sufficient to allow the Former Fort Ord site to be developed for residential reuse.

Residential use for the specified areas identified herein will be prohibited until the landowner provides advance notification to the Army, USEPA, and DTSC of their intent to change a designated area's use to residential, and until DTSC concurs that residential use is appropriate. DTSC's evaluation may consider the Residential Protocol or further site evaluation incorporating new information (e.g., geophysical mapping, site development).

The above mitigation along with the City of Del Rey Oaks grading and excavation ordinance are applied to all areas and ground disturbance activities located within the former Fort Ord. This ordinance, in addition to other agreements with DTSC and the Army, provides measures, including munitions identification training for construction workers, and other protocols in the event munitions are uncovered during construction. DTSC has indicated these measures are adequate to ensure public health and the environment are safeguarded from munitions related hazards in the area unrestricted by covenants against residential use.

¹⁰ The comment notes that the Army has been conducting investigation and cleanup activities at the former Fort Ord location under the Comprehensive Environmental Response, Compensation, and Liability Act (also known as CERCLA or Superfund) since 1990, with the oversight of the U.S. Environmental Protection Agency (USEPA) and the State of California. Hazardous Materials and Residential Development within Former Fort Ord.

Areas with residential restrictions on them require additional remedial action to allow the restrictions to be removed. The City has included an additional program to focus the efforts to remove the residential restriction on a portion of the Sites 1 and 1a, with specified actions to lift those covenants which pose a potential constraint. The program commits the City to remediation of these sites and other efforts to facilitate development within these areas. However, since there is over 100 acres of City-owned land with no residential restriction, and now zoned for residential use under the Affordable Housing Overlay Zone adopted by the City, this identified hazard does not pose a major constraint to meeting RHNA for the City.

Water Supply and Constraints

In Del Rey Oaks, the primary environmental constraints are a lack of an adequate water supply, environmental hazards located on the former Fort Ord, and the presence of significant biological resources in the riparian area of Canyon Del Rey Creek, the Frog Pond area and portions of the former Fort Ord portion of the community.

Water Supply

Two water suppliers, Marina Coast Water District (MCWD) and California-American Water (Cal-Am), serve the City. The withdrawal of water from the Salinas Valley Groundwater Basin, and distribution of that water on the former Fort Ord, is under the jurisdiction of the MCWD and the Monterey County Water Resources Agency (MCWRA).

The majority of the City of Del Rey Oaks, with the exception of the proposed project area within the former Fort Ord area, is under Cal-Am's operation and supply. Cal-Am is a privately owned and operated water company with a system capacity regulated by the MPWMD. Cal-Am draws from Carmel River surface water, alluvial ground water in the Carmel Valley, and Seaside coastal ground water to supply customer needs. Oversight of the underlying Seaside Groundwater Basin is the responsibility of the MPWMD and the Seaside Basin Water Master. Historically, the Monterey Peninsula's greatest environmental constraint has been water shortages that limit residential development. The MPWMD is responsible for water being allocated to jurisdictions within its district, through a water allocation credit system allocated by jurisdictions. Del Rey Oaks has no remaining water available within the allocation system to the City. Cal-Am is under a Cease-and-Desist Order (CDO) and no new water connections are allowed within their service boundaries, which includes Del Rey Oaks, until a new source of water supply is implemented and the water allocation system is amended by MPWMD to their jurisdictions.

The MPWMD has the ability to tax and raise capital required to finance public works projects to augment the existing water supply. The MPWMD has permit authority over the creation or expansion of water distribution systems. State Water Resources Control Board (SWRCB) water rights are issued by the SWRCB Division of Water Rights and specify diversion limits on the Carmel River. The current SWRCB CDO does not allow use of any additional water from the Carmel River system and also mandates severe cutbacks on use of this source as a supply for the Cal-Am system. Several efforts to conserve and research new water sources are underway to try and address the CDO. Monterey One Water (M1W), in conjunction with the MPWMD completed construction of the Pure Water Monterey Groundwater Replenishment (PWM/GWR) Project which provides purified recycled water for groundwater replenishment. The water supply objective is to reduce reliance on water supplies from the Carmel River in order to assist in lifting

the SWRCB CDO. The PWM/GWR project water would be used to reduce water drawn from wells on the Carmel River owned by Cal-Am. The MPWMD and M1W are also planning for an Expanded PWM/GWR Project to expand the capacity of the advanced water purification facility and increase injection capabilities to the PWM project. CalAm already relies on the current capacity of PWM which produces 3,500-acre feet per year (AFY) of water, but without the PWM expansion, projected to add another 2,250-acre feet per year by 2025, water remains limited on the Monterey Peninsula. ~~Pure Water~~ PWM would deliver purified recycled water for groundwater replenishment, domestic delivery to Monterey Peninsula urban water customers and treated water for Salinas Valley irrigation.

Cal-Am is also moving forward with its planned Monterey Peninsula Water Supply Project (MPWSP) consisting of slant intake wells, a 6.4 million gallon per-day (MGD), desalination project and related facilities to supply water to the Monterey Peninsula. The MPWSP project received California Public Utilities Commission (CPUC) approval in September 2018 and conditional Coastal Commission approval in 2022 for a phased, reduced desalination facility. Additionally, Cal-Am anticipates that a second pipeline for an existing groundwater storage project, the Aquifer Storage and Recovery Project, will allow for additional lawful diversions from the Carmel River in wet years. If approvals are obtained, Cal-Am would not be penalized for continued Carmel River diversions up to 7,990 AFY so long as permitting and construction milestones for the water supply and diversion projects are met (Seaside Housing Element, October 2023).

Upon implementation, the MPWSP and an PWM/GWR Project can provide needed water supply for future housing development in the Monterey Peninsula and former Fort Ord. Unfortunately, until a new supply is available and the CDO is lifted by the SWRCB, MPWMD's allocation program will continue to prohibit the addition of new unit fixtures or new units without an available additional City allocation for such expansion of uses or fixtures within the MPWMD and CalAm service area. Until then, any additional fixtures required for the development and construction of residential units that results in increased water use within the City, including auxiliary (accessory) dwelling units are under a moratorium until additional allocation is available to the City of Del Rey Oaks. These existing water supply constraints severely limit production of additional housing on developable land in the City within the MPWMD boundaries.

While the City has no water to allocate to new uses in the City within their MPWMD allocation until water projects are implemented are available and the CDO is lifted, there is water assigned for redevelopment of the former Fort Ord area of Del Rey Oaks within the MCWD jurisdiction.¹¹ Water from the MCWD comes from two sources, groundwater and recycled water. The MCWD withdraws groundwater for delivery to all of the jurisdictions in the former Fort Ord area. The withdrawal of water from the Salinas Valley Groundwater Basin, and distribution of that water on the former Fort Ord, is under the jurisdiction of the MCWD and the MCWRA. Through an agreement between the MCWRA and the U.S. Army (now transferred to the MCWD), water is available from the Salinas Valley Groundwater Basin for uses on the former Fort Ord within specified quantities and provided that such provisions of water do not aggravate or accelerate the existing seawater intrusion in the basin. Water is also available from the PWM GWR project assigned to MCWD to serve former Fort Ord.

¹¹ The portion of Del Rey Oaks within the boundaries of the former Fort Ord is within the jurisdiction of the MCWD.

Public comments raised concerns over increased groundwater pumping leading to a significant impact on the Salinas Valley Groundwater Basin (SVGB). As addressed in the Housing Element Update certified EIR, there are currently allowable uses under the Del Rey Oaks General Plan and Zoning. The City General Plan, City Redevelopment Plan, and FORA Reuse Plan already provide for development planned in these areas under current water constraints. The Regional Housing Needs Allocation (RHNA) 6th Cycle allocates 184 affordable residential units to the City with a much larger land use planning and zoning development area and density of development than what is currently under consideration for the proposed Fort Ord housing development.

The City currently has an agreement with MCWD for water service and has water assigned for redevelopment of the former Fort Ord area of Del Rey Oaks within the MCWD jurisdiction.¹² This is reserved for projects within its City limits at the former Fort Ord and is assigned to former Fort Ord by MCWD on a first-come, first-served basis. The New Ord Community Water Services Agreement dated July 1, 2020, is the service agreement that recognizes 6,600 acre-feet per year (AFY) of groundwater for use on Fort Ord lands. As stated by MCWD via email correspondence:

“It is the District’s service commitment to DRO. This provides the backbone to future service and the Infrastructure Agreements that follow which carry within them the water allocation from MCWD’s ledger on DROs behalf (the ‘will serve’). At entitlement, the City’s approves commitment of its water allocation for a development and MCWDs books that against the FORA allocations. So, in short, DRO has a block of water to spend (treated and recycled) and with this agreement we are committed to deliver that water.”

Public comments raised the issue of a limit on new residential development of 6,160 residential units in the former Fort Ord. MCWD notes “The 6160 is a ‘New Residential’ commitment that was created by FORA and given force by Settlement and relates only to the Groundwater supplied for the Ord Community (aka 6600AF). The 6160 is first come first serve. It does not limit Commercial, Municipal, or Industrial. Other residential development is contingent on our ability to find the necessary alternative water sources.” As noted, therefore, the 6,160 residential development number relates to water withdrawn from the Salinas Valley Groundwater Basin and would not impact additional sources of water such as desalination or purified recycled water not drawn from the basin. Additionally, there is still available residential capacity under the residential unit count. Campus Town EIR is referenced as a source for the excerpt below:

¹² Under the Base Reuse Plan adopted by FORA in 1997, each jurisdiction was allocated a water supply that could be used for development. A Settlement Agreement between LandWatch Monterey County, Keep Fort Ord Wild, and the Marina Coast Water District and its Board of Directors, dated September 17, 2018, provides that “Pursuant to contractual rights to recycled water, MCWD is entitled to 1,427 AFY of advanced treated water from the Pure Water Monterey Project for use within the former Fort Ord. The first 600 AFY of that advanced treatment water (ATW) is projected to replace and offset existing groundwater irrigation uses and to provide ATW for uses within yet-to-be-built residential developments thereby eliminating the use of groundwater for non-potable uses for those new units.” MCWD also committed to provide a future, water supply for new residential uses in Fort Ord beyond the 6,160 of total new residential units within the former Fort Ord in accordance with Fort Ord Reuse Plan Section 3.11.5.4(b)(2) of the FORA’s Development and Resource Management Plan. (The agreement noted the number may be “amended from time to time by FORA, and subject to the Groundwater Sustainability Plan for the Monterey Subbasin as approved by the California Department of Water Resources.” While FORA is disbanded, the MCWD UWMP updates and monitors the available water supply and housing units developed.

“FORA’s Development and Resource Management Plan also includes an Industrial and Commercial Job Creation Program, which provides that, when the estimated jobs within the former Fort Ord reach 18,000, the Residential Development Program shall be eliminated. Accordingly, the FORA CIP for Fiscal Year 2019-20 through 2028-29 provides that the new residential unit limit is 6,160 until 18,000 new jobs are created on Fort Ord lands. This 6,160-unit limit does not include existing and replacement residences, which total 1,813 units, for a total of 7,973 units allowed in Fort Ord (not including the POM Annex or CSUMB Housing) (FORA 2019a). Therefore, there is a remaining capacity of 1,495 new residential units as of May 3, 2019 (6,160-unit limit minus 4,665 new units entitled equals 1,495 units remaining; this calculation conservatively includes buildout of the Cypress Knolls project, despite that it is no longer reasonably foreseeable).”

Concerns were raised by comments that Del Rey Oaks may not be able to provide any residential housing units to accommodate RHNA. Comments further state rezoning should not be allowed on Sites 1 and 1a, nor should a housing element be approved which uses the former Fort Ord lands for meeting RHNA. The Campus Town EIR referenced above identifies a project (Cypress Knolls) of 712 residential units which is included in this count, although not considered a foreseeable project. Thus, there is reasonable information that the City can accommodate residential units to meet RHNA from MCWD groundwater sources within the 6,160 residential count.

As noted above, MCWD has other sources of water either in development or available for water sources to serve the City. The MCWD is working towards developing new sources of water supply to meet projected demand increases due to redevelopment within the Ord Community, as well as taking actions to address groundwater wells impacted by seawater intrusion. MCWD's desalination treatment plant was placed into operation in January 1997. At total capacity, it can produce 300,000 gallons per day of potable water. MCWD desalination plant is currently offline; however, the District is actively looking into rehabilitating the facility to bring back online in the future. MCWD also has two major water supply projects not using source groundwater: (i) reclaimed wastewater, and (ii) desalinated water. These project sources which make up the approved Regional Urban Water Augmentation Project (RUWAP)¹³. MCWD has also completed construction of transmission mains to deliver PWM advanced treated water for both groundwater injection and for urban irrigation.

The City has a can and will serve letter from MCWD for development on the former Fort Ord, which is a commitment to serve the area.

Land Use Considerations: The sites inventory identifies sites –located in properties that are currently vacant; however, the sites are zoned for development for commercial, hotel and urban uses. Information below summarizes the current allowable densities for commercial zoning under the adopted General Plan and Zoning of over half a million square feet of development as well as 526 hotel units, as follows:

Total Office Park/Conference Center 419,000 sf

¹³ Under the RUWAP, MCWD initially receives up to 600 AFY of advanced treated water for urban irrigation use. In later phases, MCWD’s share would increase to 1,427 AFY, which was the amount of non-potable demand in the Ord Community analyzed in the RUWAP EIR. The RUWAP EIR also includes a 1,500 AFY desalination facility for the MCWD to serve the former Fort Ord. The facility was sized to provide 1,200 AFY of new supply to the former Fort Ord Community and 300 AFY to Central Marina.

Total Residential/Hotel	526 units
Golf Acreage	155 Acres
Total Commercial/Retail	83,500 sf

Source: Table 3.11-3 in the Draft EIR, Section 3.11 Land Use and Planning, and Del Rey Oaks General Plan Update Final EIR, Section 3.11 Draft EIR Housing Element Update

Sites being considered for RHNA were evaluated as developable areas in the City General Plan EIR, FORA Reuse Plan EIR and the Redevelopment Plan ISMND. The former Fort Ord area is not a new area of development but does provide for a new use: affordable housing. The City's Certified Housing Element EIR (October 2023) reviews the impacts of providing affordable housing in an area planned for over 500,000 square feet of development and allowing a new use of affordable residential use not currently allowed under the General Plan or zoning. The rezoning facilitated by the adoption of the 6th Cycle Housing Element would meet affordable housing requirements under State law and be located on land already planned for large-scale development and also implements actions by HCD to comply with applicable state laws to allow the City to achieve compliance with its Housing Element, consistent with HCD requirements. (See HCD Letter March 2020).

Development Approvals for Former Fort Ord. Development on the former Fort Ord will need to undergo an environmental review, as there are potential impacts surrounding groundwater, traffic, and noise.

Residential development for the City sites on Former Ford Ord will require rezoning, general plan amendments, and permit approvals. **The City approved General Plan and Zoning Amendments to allow housing on Sites 1 and 1a and to add a new Affordable Housing Overlay zoning district and establish land use and development standards to guide the future development of the overlay zone designated sites.**

City-Water Conservation Policies and Support of Water Augmentation Programs

The City has been and continues to be supportive of water supply augmentation programs and projects. Such support is reflected by General Plan policy, which commits the City to supporting water resource programs, including desalinization and reclamation, to accommodate citywide growth permitted under the General Plan. Beyond this, the City has endeavored to maximize the level of development and new uses consistent with its available water allocations. The City has established progressive water conservation policies and programs through its 1997 General Plan and requirements under the MPWMD. All new construction requires to install low-flow or ultra-low-flow water fixtures and plumbing and to use drought-tolerant landscaping. The City has policies in the General Plan to promote water conservation. It also has policies to mandate working with appropriate agencies to increase available potable water supply for residential and other uses, and policies that promote the use of reclaimed water for areas with large areas of turf. MCWD regulations also require that water used for irrigation of commercial landscape areas be from a recycled water supply if one is available (or becomes available) adjacent to the project site. Project plans indicate provisions for the use of recycled wastewater for irrigation when a supply of recycled water becomes available.

Chapter 727, Statutes of 2005 (SB 1087) establishes processes to ensure the effective implementation of Government Code section 65589.7. This statute requires local governments to provide a copy of the adopted housing element to water and sewer providers. In addition, water and sewer providers must

grant priority for service allocations to proposed developments that include housing units in the affordable to lower-income household categories. Chapter 727 was enacted to improve the effectiveness of the law in facilitating housing development for lower-income families and workers. For local governments, Chapter 727 requires all cities and counties to deliver housing element updates to water and sewer service providers within a month after adoption. The City will continue its participation with the appropriate water authorities and support the expansion and completion of water supply projects (see **Chapter 7.0, Housing Plan**).

Airport

The Monterey Airport Comprehensive Land Use Plan (ACLUP) identifies land use compatibility and noise measures in the airport planning area. Section 65302.3 of the Government Code requires that the General Plan must be consistent with airport land use plans. The plan identifies safety and noise considerations and appropriate mitigation measures for areas surrounding the airfield. Due to the requirement of consistency, the provisions of this plan can impact both the development of housing and the cost of residential development in the form of siting restrictions on new housing development and the inclusion of noise attenuation features. At present, no vacant residential sites exist within the largely built-out portion of the City in areas identified as noise or safety impact areas by the Airport Comprehensive Land Use Plan with the exception of the Moose Lodge property. However, a large portion of the City lies east of Calle Del Rey and Highway 218 lies within safety zones which preclude future development. The Monterey Airport Land Use Commission (ALUC) staff has recommended the previous Housing Element Update (5th Cycle) was consistent with the ACLUP citing the locations of Sites 1 and 1a of former Fort Ord. **The ALUC determined that the Draft 6th Cycle Housing is consistent with the ACLUP citing the locations of Sites 1 and 1a of former Fort Ord.**

Flood Hazards

The City's flood hazards are addressed in Chapter 15.44 - Flood Damage Prevention in the Zoning Code.¹⁴ This ordinance is to ensure development is appropriately sited and constructed to avoid hazards. The regulations are intended to protect human life and health and ensure that development within the areas of potential flooding will not obstruct flood flow, be designed to reduce the need for construction of flood control facilities, will locate any new habitable areas at or above the base flood elevation (BFE), and will minimize the cost of damage to property owners. Because these provisions are intended to protect the public health and safety, the processes accompanied with permitting are not considered a constraint.

Biological Resources – Former Fort Ord

The adopted 1997 Fort Ord BRP set aside approximately 20,000 of the 28,000 acres of the former Fort Ord as protected habitat (16,000 acres) and open space recreational uses. In the City, the greater portion of such protected habitat is located in the vicinity of the former Fort Ord lands owned by either the U.S. Army or the MPRPD. The long-term protection of these sensitive habitats and the federally listed species they support has been addressed by the Final Installation-Wide Multi-Species Habitat Management Plan

¹⁴ Del Rey Oaks Zoning Code. Available at:

https://library.municode.com/ca/del_rey_oaks/codes/municipal_code?nodeId=TIT15BUCO_CH15.44FLDAPR_15.44.060BAESAR_SPFLHA

for Former Fort Ord (U.S. Army Corps of Engineers, April 1977), a document referred to as the “HMP.” The HMP was prepared to assess impacts on vegetation and wildlife resources and provide mitigation for their loss associated with the disposal and reuse of former Fort Ord (ACOE, 1997). The recipients of former Fort Ord lands, including the California Department of Parks and Recreation (State Parks), California State University, Monterey Bay (CSUMB), the County of Monterey, and the Cities of Del Rey Oaks, Marina, and Seaside, are required to implement HMP requirements in accordance with the deed covenants.

Biological impacts within development parcels to special-status species addressed in the HMP are considered addressed when project implementation is in compliance with the HMP and 2017 Programmatic BO. If Del Rey Oaks or other recipients of former Fort Ord land are not in compliance with the HMP and 2017 Programmatic BO, mitigation measures are applied to reduce construction-related impacts through a combination of education, protective measures during construction, monitoring, and invasive species control. **Federal and State regulations require environmental review of proposed discretionary projects and costs for achieving permits and for fees also add to the cost of housing.**

Infrastructure

Development on existing undeveloped land requires the provision of new infrastructure systems, including new drainage system, water lines, sewer lines, streets, and other infrastructure. These upgrades will add to development costs, which could reduce the construction feasibility of units affordable to lower income households without subsidy.

Water: The upgrade of the local water distribution to serve the former Fort Ord is part of the MCWD’s the City is ongoing as part of the City’s Capital Improvements Program (CIP). The City has a can and will serve letter from MCWD for provision of water service to former Fort Ord. The discussion above clarifies that the City has water capacity for the former Fort Ord sites for development of full buildout of the General Plan for commercial and hotel uses. The City approved residential housing under their affordable housing overlay zone; the water capacity can be used for a combination of affordable housing and allowable commercial uses, up to the available water from MCWD, as noted above.

Sewer: Sewer service is provided by the Seaside County Sanitation District, a Monterey County Special District, which serves the cities of Seaside, Del Rey Oaks, and Sand City. Within former Fort Ord, sewer service is also provided by the MCWD. The Regional Wastewater Treatment Plant is owned and operated by M1W and has capacity to meet the wastewater treatment demands that would be generated from the development and growth planned for the General Plan. Expansion of the collection system would occur with extension of road and water service lines.

Roadways: Canyon Del Rey Boulevard, South Boundary Road and General Jim Moore serve the City of Del Rey Oaks and former Fort Ord. South Boundary Road is planned and funded for expansion and road improvements in 2025/2026.

Environmental/Infrastructure Constraints Summary Analysis

Overcoming environmental and infrastructure constraints can add significantly to the cost of developing housing. In the City, like other neighboring jurisdictions, the primary environmental constraints are lack of an adequate water supply, environmental hazards located on the former Fort Ord, and potential for

impacts to biological resources protected under state and federal laws, often requiring costly permits for development. The environmental constraints are described above and fully evaluated in the Certified EIR for the Housing Element Update (October 2023). There are no known environmental constraints that cannot be mitigated or that would preclude development in the City. The City Housing Element EIR identifies mitigation and specific actions to address developmental constraints related to biological and hazards. The City has also added Program C.4 which identifies a program to implement the infrastructure improvements; this addresses HCD comments and also addresses public comments related to constraints related to water availability. As noted above, there is adequate sewer capacity for the development and buildout. The programs and commitments will ensure there is the necessary infrastructure for meeting RHNA on the former Fort Ord.

Mitigation of Non-Governmental Constraints

Per State law, the element must identify local efforts to address non-governmental constraints that create a gap in the jurisdiction's ability to meet RHNA by income category (Gov. Code, section 65583, [a][6]). The housing element analysis above identified funding available to provide for housing and water constraints as the most severe non-governmental constraint to provision of affordable housing.

Water Availability

Based upon this review and analysis in this section, the primary constraint to housing development is water. Water severely limits the addition of new residential development or accessory units within the City. The development of affordable housing, secondary (ADUs) and special needs housing are constrained by water availability. The Housing Element provides policies and programs to assist in water development to the extent possible, though water availability is a larger regional issue mostly outside of the City's control. There are several milestones that need to be reached before water can come available including completion of the PWM GWR as well as, or, approval of permits and construction of the MPWSP. The City will continue to explore the potential for sites to be developed with affordable housing units to meet the City's RHNA, given the City's water constraints. Water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households in accordance with state law (Gov. Code, § 65589.7.) The State and local authorities overseeing water provision are MCWD and MPWMD for local water management and the SWRCB who has oversight on the current moratorium on water hook-ups. Since the State and the water agencies and districts that allocate water are in control of state and local water requirements, the City is not able to grant priority for water and sewer providers for affordable housing in order to demonstrate compliance with these requirements. *Senate Bill 1087 (enacted 2006) requires that water providers develop written policies that grant priority to proposed development that includes housing affordable to lower-income households. The legislation also prohibits water providers from denying or conditioning the approval of development that includes housing affordable to lower income households unless specific written findings are made.* The City will work with water and sewer service providers to establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households per Gov. Code, § 65589.7. *The City will also continue to coordinate with the water service providers to ensure available water capacity for affordable housing developments and priority water service provision to the City to meet RHNA.*

Funding Resources

The other primary non-governmental constraint is the high cost of housing as discussed above. In 2020, the median property value in Del Rey Oaks, CA was \$660,300, and the homeownership rate was 73.5%.¹⁵ The Housing Element provides policies and programs to address home ownership and assistance to address this issue. Funding resources that address affordability and offer programs for home ownership and rental options are also included as **Appendix D** of this document.

Fees

Although governmental fees do contribute to the total cost of housing development, the extent to which these costs are passed on to the consumer depends on the price sensitivity of each housing type and the ability of housing developers to absorb such cost increases and still maintain acceptable profit margins. Where increased costs cannot be absorbed by the consumer or developer, housing production will decline. In “price-sensitive” markets, such as that for affordable housing, when increased costs cannot be absorbed by the developer or products modified to compensate the developer, affordable housing is not built. Government Code Section 66020 requires that planning and permit processing fees do not exceed the reasonable cost of providing the service, unless approved by the voters; agencies collecting fees must provide project applicants with a statement of amounts and purposes of all fees at the time of fee imposition or project approval. **Table 4-4** presents the 2019 permit processing, planning/zoning, and building fees for the City, and is the current fee schedule for the City. Government Code Section 66000 et seq. (Mitigation Fee Act) sets forth procedural requirements for adopting and collecting capital facilities fees and exactions, and requires they be supported by a report establishing the relationship between the amount of any capital facilities fee and the use for which it is collected. The City does not currently have an impact fee schedule adopted in accordance with the nexus requirements of the Government Code.

Termination Notice Requirements

State law (Government Code Section 65863.10) requires notice by owners who want to terminate their rental restrictions (Section 8 and federally assisted mortgages), whose restrictions expire (tax credit projects), or who want to sell an assisted property. The law applies to projects with low-income rental restrictions, including (1) all types of project-based Section 8 developments; (2) projects with mortgages financed through the Section 221(d)(3) BMIR, Section 236, Section 202 programs or Section 515; and (3) projects that have received an allocation of tax credits under Section 42. At the time of this writing, there are no known assisted multi-family housing units or owners indicating they are considering termination of rental restrictions or conversion of restricted units to market-rate units within the City.

¹⁵ Data USA, <https://datausa.io/profile/geo/del-rey-oaks-ca>

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CHAPTER 5.0 ASSESSMENT OF CURRENT PROGRAMS

State Housing Element law requires an evaluation of the achievements of the City's housing goals, policies, and programs adopted in the 5th Cycle Housing Element. There are many factors that affect the success or apparent failure of a policy or program, including what the City has done and what other agencies or groups have done to implement the program. Other factors affecting program success include the effects of the economy in general, decreasing availability of State and federal funding for new below market-rate housing, constraints such as lack of water supply, or lack of opportunity to implement the program due to small and constrained staff and City resources.

The City Council adopted the 5th Cycle Housing Element on December 17, 2019; the approval was subsequently challenged in a legal suit from a local community organization. Progress on program development was hampered due to the legal challenge to the adoption, staff changes at the City, staffing constraints due to the small size of the City and workload, and by the pandemic during the 5th cycle.

However, some of the City's key 5th Cycle Housing Element programs were successfully completed or include effective ongoing City efforts. During 5th Cycle, the City was able to adopt an Emergency Shelter Ordinance, amend the zoning ordinance to update the definition of family, adopt and implement the ADU ordinance, continue outreach to its residents, and move forward with a zoning overlay zone for provision of affordable housing to meet the RHNA.

Effectiveness in Addressing Special Needs

Implementation of Program A.1, 5th Cycle, alone will provide additional resources to allow for affordable housing and generate more opportunities for housing that can accommodate special needs groups. The City approval of an EIR for rezoning action was also a major accomplishment under 5th Cycle and will be applicable for 6th Cycle. The rezoning action for Sites 1 and 1a, described in the certified EIR, addresses special needs housing by removing barriers to housing development for special needs populations in an area previously planned only for commercial and visitor serving uses. As noted in the Housing Element Update 6th Cycle Sites Inventory (Chapter 3.0 and Appendix C), the built-out nature of the City and no access to water allocations within the 5th Cycle planning period has limited available housing since 2015 for those with special needs, with the exception of ADUs. Residential and affordable housing rezoning in the area of the City planned for development removes a major constraint to the City's housing development. Additionally, the existing programs have been substantially strengthened, and new programs added to further housing opportunities for special needs populations in 6th Cycle. Various existing programs are recommended to be continued with modifications to improve effectiveness based on the housing needs assessment (Chapter 3.0 and Appendix C), housing constraints analysis (Chapter 4.0), and/or reflect State law or other programmatic changes since the last Housing Element adoption.

With limited funding and staffing, the City addressed the housing needs of special needs populations by removing constraints to the development of lower income units in adopting amendments to the Zoning Ordinance. During the 5th Cycle planning period, the amendments to the Zoning Ordinance also resulted in continued outreach to its residents including multiple hearings and meetings on housing element programs and opportunities. These modifications and programs are specific to assisting the City in providing affordable housing for those experiencing homelessness, the elderly and disabled, as well as the

special needs groups identified. Acknowledging the inadequacy of the limited City resources available to implement all City programs, the City applied for and received funding under REAP 2.0 to address implementation of 5th Cycle programs. In 6th Cycle, the City is targeting and adding programs which are expected to create more incentives and remove current barriers to housing for special needs, including Housing for Extremely Low Income and Special Needs Households (Programs B.2 and D.10).

A full evaluation of the City's current housing policies and progress in program implementation is included as **Appendix E**.

Appendix E documents the implementation status of the current Housing Element programs. The completed chart in the appendix assesses accomplishments of each program and provides an overview of which programs were successful and should be continued, and which programs were ineffective and should be eliminated or modified. As shown in Appendix E, the majority of the programs are shown to be continued but modified to provide more level of specificity on timeline, objectives and actions.

Note: This section should be read in conjunction with the full assessment in Appendix E.

CHAPTER 6.0 ENERGY CONSERVATION

Housing elements are required to identify opportunities for energy conservation. Energy costs are an increasingly significant portion of housing costs. Effective energy conservation systems can assure that capital and carrying costs of energy-saving techniques and devices do not exceed energy savings, thus making a house less affordable. In addition to the energy-saving programs discussed below, state and federal requirements increase cost-effectiveness of buildings and energy use. State residential building standards establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code). State and federal appliance standards also require manufacturers to produce and sell energy-consuming appliances according to specified performance criteria.

Encouraging more energy efficiency in Del Rey Oaks provides important benefits for residents and local businesses. Energy conservation also helps minimize the percentage of income a household must dedicate to energy and reduces the use of nonrenewable resources. In 2022, the California Building Standards integrated a final version of the new building code, CALGreen, parts of which became mandatory on January 1, 2023. CALGreen exists alongside the latest edition of Title 24 which took effect on January 1, 2023. CALGreen includes provisions to ensure the reduction of water use by 20 percent, improve indoor air quality, divert 50 percent of new construction waste from landfills, and inspect energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 sq. ft. to make sure that they are working according to design.

Currently, Del Rey Oaks encourages energy conservation through the enforcement of statewide energy standards (current building standards and Title 24) to ensure that new residential units meet a minimum level of energy efficiency. The City enrolled in PG&E's Solar Choice program; as a result, 100 percent of power consumption for City Government buildings is from solar power. In 2020, the City installed photovoltaic solar panels at City Hall to reduce the City's power bill while continuing to maximize use of renewable energy.

In early 2021, the City began service with Central Coast Community Energy (3CE, formerly Monterey Bay Community Power (MBCP)), a cooperative Community Choice Aggregation (CCA) that provides energy from renewable sources to residents, businesses, and the City. 3CE provides carbon-free electricity to residents and businesses. Starting in 2018, all PG&E customers within Monterey, San Benito, and Santa Cruz Counties were automatically enrolled in 3CE. The City joined 3CE in May 2019 and services began in early 2021.

Subsidies and Incentive Programs for Household Energy Conservation

The following are some of the many programs available to assist persons with energy conservation measures.

The U.S. Department of Energy – The U.S. Department of Energy has a program oriented toward assisting low-income persons with energy efficiency. Under the Low-Income Heating Energy Assistance Program (LIHEAP), there are three separate programs including the Weatherization Program that provides assistance to qualifying households to replace inefficient appliances such as refrigerators, electrical water

heaters, and microwaves with efficient appliances. The program also assists with attic insulation, weather stripping, and home repairs to make a home more energy efficient.

California Weatherization Assistance Program (DOE WAP) – The DOE WAP program provides weatherization and other energy efficiency services to low-income households. Groups served by this program include seniors, those with disabilities and families with children. Services provided include attic insulation, energy efficient refrigerators, energy-efficient furnaces, weather stripping, caulking, low-flow showerheads, water heater blankets, and door and building envelope repairs which reduce air infiltration.

California Alternative Rates for Energy/Family Electric Rate Assistance Program (CARE/FERA) – Low-income customers that are enrolled in the CARE/FERA program receive a 20 percent discount on their electric and natural gas bills and are not billed in higher rate tiers. CARE is funded through a rate surcharge paid by all other utility customers.

Pacific Gas & Electric (PG&E) – PG&E offers a variety of energy conservation services for residents and provides several other energy assistance programs for lower-income households. These programs include Energy Watch Partnerships, Better Together Giving Program and Energy Savings Assistance Program, described below:

- The Energy Watch Partnerships program helps residents lower their energy bills and promote cleaner energy production. Through this program, PG&E has extended the reach of effectiveness of energy efficiency programs and provided information about demand response programs, renewable energy, and self-generation opportunities.
- The Better Together Giving Program gives millions of dollars each year to non-profit organizations to support services including environmental and energy sustainability. Projects include residential and community solar energy distribution projects, public education projects, and energy efficiency programs. The goal is to ensure that most of the funding assists underserved communities, which includes low-income households, people with disabilities, and seniors.
- PG&E also offers rebates for energy-efficient home appliances and remodeling. Rebates are available for cooling and heating equipment, lighting, seasonal appliances, and remodeling (cool roofs, insulation, water heaters). These opportunities are available to all income levels and housing types.
- The energy Savings Program provides free attic insulation, weather-stripping and caulking, water heater blankets, energy-efficient lightbulbs, replacement of appliances and low-flow showerheads for low-income households. The PG&E “walk-through audit” provides a comprehensive assessment of energy.

PG&E also participates in several other energy assistance programs for lower income households, which help qualified homeowners and renters conserve energy and control electricity costs. These programs include the CARE Program and the Relief for Energy Assistance through Community Help (REACH) Program:

- The CARE Program described above provides a 20% monthly discount on gas and electric rates to income-qualified households, certain non-profits, facilities housing agricultural employees, homeless shelters, hospices and other qualified non-profit group living facilities.
- The REACH Program provides one-time energy assistance to customers who have no other way to pay their energy bill. The intent of REACH is to assist low-income customers, particularly the elderly, disabled, sick, working poor and the unemployed, who experience severe hardships and are unable to pay for their necessary energy needs.

Property Assessed Clean Energy (PACE) - Monterey County participates in the CaliforniaFIRST program which is a Property Assessed Clean Energy (PACE) Program. PACE helps homeowners pay for water and energy efficiency projects. PACE allows property owners to finance the installation of improvements on homes or businesses through the issuance of a municipal bond and pay the amount back as a line item on their property tax bill. The CaliforniaFIRST Program is a program of the California Statewide Communities Development Authority (CSCDA), a joint powers authority co-sponsored by the California State Association of Counties and the League of California Cities, and is administered by Renewable Funding.

Central Coast Clean Energy (3CE) – 3CE is recognized as a Community Choice Energy agency providing a higher percentage of renewable or carbon-free electricity at lower rates, supporting low-income rate payers, and finding local renewable energy projects. 3CE partners with PG&E to provide billing, power transmission and distribution, customer service, grid maintenance services and natural gas services to Monterey County. Additionally, 3CE is offering a program that allows for the construction of power generation facilities in member jurisdictions to bring power to areas not currently served by PG&E.

Energy Conservation Design for New Residential Developments

There are several relatively simple and yet proven community design techniques that can significantly improve not only the energy efficiency of a home but can contribute to the livability and quality of a home and neighborhood. Increasing energy efficiency results in lower costs to homeowners and renters for utilities. Some of these design features include the following:

- **Street and Subdivision Patterns for Maximum Solar Access.** Residential streets laid out in an east/west alignment maximize southern exposure for typical residential lots. Orientation of homes on such lots with the broadest portions of the walls and roof facing south (whether in the front or rear) can admit the maximum amount of sunlight into the building to increase the exposure to solar radiation and provide warmth for the home in the winter months. The use of passive solar construction techniques that require proper solar orientation, appropriate levels of thermal mass, south facing windows and moderate insulation levels also provides a better opportunity to create a “grid” of streets that, in turn, help to interconnect a community, making it more pedestrian- and neighbor-friendly.
- **Home Design and Construction.** Beyond subdivision design and careful siting of new homes, there are a number of building design features that can maximize energy efficiency and improve comfort within the home. Building materials, appliances, fixtures and energy sources can be selected to minimize energy demand and greenhouse gas emissions. Energy loss and gain can be

minimized through the use of higher insulation levels in place of thermal mass or energy conserving window orientation and installation of high R-value wall and ceiling insulation (over and beyond the minimum required by the Building Code) and use of minimal glass on east and west exposures. Locating indoor areas of maximum usage along the south face of the building and placing corridors, closets, laundry rooms, power core and garages along the north face can also be used as an energy saving construction technique. Making the main entrance a small, enclosed space that creates an air lock between the building and its exterior, and orienting the entrance away from winds or using a windbreak to reduce the wind velocity against the entrance. The addition of adequately sized roof overhangs or eaves can reduce solar and heat gain in the summer while allowing low winter sunlight to enter the home. The energy demand for water heating can be reduced through the use of recirculating systems for centralized hot water distribution or point-of-use hot water heating systems for more distant locations. The recycling of construction and demolition materials should continue to be required, and the reuse of such materials as part of new development could be encouraged.

- **Trees on Residential Lots to Assist in Heating and Cooling.** Careful placement of deciduous trees on a residential lot can greatly enhance energy efficiency. By placing large-canopy deciduous trees proximate to the broadest part of a home, the summer shading from the trees can dramatically cool the residence by as much as 10 to 15 degrees. In the winter, when deciduous trees are dormant and leafless, maximum solar access is provided on the home. Use of low water plant materials and less lawn on residential lots also contributes to resource conservation.
- **Energy Efficiency Beyond the Residence.** In addition to the simple residential design techniques for energy efficiency, Del Rey Oaks can broaden energy conservation and livability goals by requiring the placement of new homes in close, walkable proximity to retail and other commercial land uses, thus reducing dependence on air polluting autos for short distance vehicle trips. Similarly, new multi-family housing should be clustered and placed near schools, commercial services, and public transit.

Other Factors

Del Rey Oaks Municipal Code Section 2.10.060 identifies and encourages trip reduction and contains requirements for trip reduction plans for residential development. With respect to future development, water supply is a significant potential constraint on growth in and around the City.

Water conservation is a key element of the City's and their water provider's and management agency's strategy to meet projected water demand. The MPWMD and MCWD offer several programs and incentives, including rebates, to help reduce water use. MCWD's Water Conservation Ordinance and Water Shortage Contingency Plan as well other programs for water conservation are located on their website: <https://www.mcwd.org/index.html>. MPWMD's website identifies the requirements for water use and offers advice and programs for water conservation at <https://www.montereywaterinfo.org/>.

Other Requirements

The City distributed the 5th and 6th Cycle Housing Element to water and sewer providers, emphasizing requirements of Government Code Section 65589.7 to prioritize allocations to lower income housing.

Conclusion

Utility-related costs can directly affect the affordability of housing in California. However, Title 24 of the California Administrative Code sets forth mandatory energy standards for new development and requires adoption of an “energy budget.” In turn, the home building industry must comply with these standards while localities are responsible for enforcing the energy conservation regulations.

Site Planning techniques, the use of landscaping and the layout of new developments can also reduce energy consumption associated with residential development through reductions in heating and cooling needs, opportunities to use non-motorized methods of transportation and reductions in energy inputs to the development of housing.

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CHAPTER 7.0 HOUSING PLAN

Housing Goals, Policies and Programs

Under California law, the housing element must include the community's goals, policies, quantified objectives, and housing programs for the maintenance, improvement, and development of housing. This Housing Element contains five goal statements the City has identified to address major housing related issues facing the community. The following goals, policies, and programs are identified to meet the City's unique and specific position in the regional housing market while meeting the community demands of a growing community and changing housing market.

The Housing Plan is organized into two sections: Goals and Policies, and Housing Programs. A goal is a higher-level statement that addresses the general nature and intent of the City's housing objectives. Under each goal statement, policies are also identified which provide guidance and expand upon the City's goals. The Housing Programs section describes specific actions, procedures, or strategies the City will take to carry out the identified goals and policies. This section also specifies the primary entity responsible for program implementation and the timeframe for accomplishment and monitoring for the actions.

Based on the goals, policies, and programs outlined in the Housing Element and findings from the Housing Needs Assessment, the following objectives represent a reasonable expectation of the number of new housing units that can be developed, rehabilitated, or conserved/preserved for the 6th Cycle Planning Period (**Table 7-1**).

Table 7-1 6 th Cycle Quantified Objectives Summary								
Income Category	Allocation by Cycle*		Totals by Income Category	New Construction	Rehabilitation	Conservation /Preservation	Total Units By Housing Type	
	4 th /5 th Cycle Shortfall	6 th Cycle						
Very Low (0-50% of AMI)	41	60	101	101	0	0	101**	Combined Low and Very Low = 168
Low (51-80% of AMI)	29	38	67	67	0	0	67	
Moderate (81-120% of AMI)	5	24	29	29	0	0	29	Combined Moderate/ Above Moderate = 92
Above Moderate (more than 120% of AMI)	11	62	73	73	0	0	73	
Total Units	86	184	270	270***	0	0	270	
*4 th Planning Cycle affordable housing shortfall requirement applies to very low- and low-income only. ** Total very low and low-income; Extremely Low Income is 50% of Very Low or 50-51 units. *** Includes 20 ADUs, Source: HCD Projected Housing Needs – Regional Housing Needs Allocation (HCD, AMBAG 2022)								

Goals and Policies

Housing Opportunities

GOAL A: THE CITY WILL PROVIDE ADEQUATE SITES TO BUILD NEW HOUSING UNITS FOR ALL INCOME LEVELS AND TO MEET THE CITY’S FAIR SHARE OF HOUSING NEEDS.

The City wants to facilitate a wide range of housing types to ensure there is adequate supply to meet the current and future needs of the City. By maintaining a balanced inventory of housing types including sizes, price and style, the City will ensure that adequate supply is available to meet existing and future housing needs. Persons and households of different ages, types, incomes, and lifestyles have a variety of housing needs and preferences that evolve over time and in response to changing life circumstances. This goal will ensure the provision of adequate sites that will allow for development of a variety of affordable housing in a safe and sustainable environment for all residents of the City, consistent with the City’s housing allocation adopted by the AMBAG.

Policies

- A.1 Development of Underutilized Sites: The City shall ensure adequate vacant land and underutilized sites suitably zoned and prepared for residential development and/or redevelopment are available to meet the City’s housing need as identified by AMBAG.
- A.2 Diversity of Housing Types that Meet City and Regional Housing Needs: The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, live-work units, and units in mixed-use developments.
- A.3 Affordable Housing: The City shall promote the development of housing affordable to lower- and moderate-income households by pursuing State and federal funding sources for affordable housing projects. Where possible, the City shall partner with existing non-profit and for-profit corporations that are interested and able to construct and manage very low- and low-income households in the City.
- A.4 New Sources of Infrastructure Financing: The City shall continue to seek new sources of financing for necessary infrastructure improvements for new development to facilitate new housing development.

Affordable Housing

GOAL B: THE CITY WILL ENCOURAGE THE PROVISION OF A WIDE RANGE OF HOUSING BY LOCATION, TYPE OF UNIT, AND PRICE TO MEET THE EXISTING AND FUTURE HOUSING NEEDS IN THE CITY.

The City is committed to providing adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. In order to do this, the City has identified a number of policies and programs ranging from seeking funding from varied sources, thereby increasing the opportunities for the development of affordable housing units, to working with non-profit and for-profit developers in the production of affordable for-sale and rental housing. Recognizing that homeownership plays a significant

role in establishing strong neighborhoods and a sense of community pride, the City also supports programs that make purchasing a home a realistic option for lower-income households.

Policies

- B.1 Adoption of Inclusionary Housing Ordinance: The City shall safeguard availability of affordable housing to moderate-, low-, very low-, and extremely low-income households through the adoption of Inclusionary and Affordable Housing Requirements.
- B.2 Homeownership Housing: The City shall encourage the development of ownership housing and assist tenants to become homeowners within the parameters of federal and state housing laws.
- B.3 Provide Incentives for Affordable Housing: The City shall promote the use of density bonuses and other incentives to facilitate the development of new housing for extremely low-, very low-, and low-income households.
- B.4 Affordable Rentals: The City shall identify and solicit redevelopment funds as well as federal and State financial assistance for the construction of rental housing units and for rent subsidies for very-low-income and low-income households.

Remove Constraints

GOAL C: THE CITY WILL WORK TO REMOVE GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS TO HOUSING DEVELOPMENT.

Pursuant to State law, the City is obligated to address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of housing. Removing constraints on housing development can help address housing needs in the City by expediting construction and lowering development costs.

Policies

- C.1 Flexible Development Standards: The City shall continue to improve and streamline the project review process by periodically evaluating and ensuring that zoning provision, City site improvement standards, development review procedures, entitlements procedures, and development fees do not unreasonably constrain the development, conservation, and rehabilitation of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.
- C.2 Reduce or Eliminate Non-Governmental Constraints: The City shall monitor non-governmental constraints, such as interest rates, construction costs, water availability, and others, through consultation with developers, lenders and other entities directly involved in the provision of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.

Equal Housing Opportunities

GOAL D: THE CITY WILL PROMOTE EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS.

The City recognizes the importance of extending equal housing opportunities for all persons, regardless of race, religion, sex, family status, marital status, ancestry, national origin, color, age, physical or mental disability, sexual orientation, source of income, or any other arbitrary factor.

The City has many residents who have special housing needs. State law requires the housing element to address the needs of specific “special needs” groups, including seniors, persons with disabilities, large families with children, female-headed households, and people who are homeless. Meeting the needs of these residents requires a broad range of strategies for housing and other services. This section also addresses student and faculty housing.

Policies

- D.1 Fair Housing Services: The City shall support efforts to eliminate housing discrimination on the basis of race, gender, color, religion, age, marital status, offspring, or disability. The City shall ensure compliance with federal, State, and local Fair Housing and anti-discrimination laws and ordinances. Federal, State, and local Fair Housing laws make it illegal to discriminate against any person because of race, color, religion, gender, disability, familial status, national origin, ancestry, marital status, sexual orientation, source of income, or age in the rental or sale, financing, advertising, appraisal, provision of real estate brokerage services, etc., and land-use practices.
- D.2 Reasonable Accommodation: The City shall encourage provision of an adequate supply of suitable housing to meet the needs of people with disabilities. The City will continue to implement a reasonable accommodation process for persons with disabilities to request exceptions or modifications of zoning, permit processing, and building regulations to ensure housing is accessible. The City will require incorporation of ADA and California Title 24 Disabled Access Regulations into new construction.
- D.3 Housing for Seniors: The City shall support housing programs that increase the ability of senior households to remain in their homes or neighborhoods, and if necessary, to locate other suitable affordable housing to rent or purchase.
- D.4 Family Housing: The City shall facilitate and encourage the development of larger rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible.
- D.5 Student and Single-Room Occupancy Housing: The City shall facilitate and encourage the development of rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible.
- D.6 Support Organizations Serving the Homeless Community: The City shall support the efforts of non-profit and community organizations that provide emergency shelter and other assistance for the homeless population, including alcohol and drug recovery programs.

Quality Housing Opportunities

GOAL E: THE CITY WILL CONTINUE TO CONSERVE AND IMPROVE THE CONDITION OF THE EXISTING HOUSING STOCK TO ENSURE THE SAFETY, WELFARE, AND AFFORDABILITY OF RESIDENTS.

Conserving and improving the housing stock helps maintain investment in the community and keeps existing housing affordable. Many factors can contribute to the deterioration of residential units including quality of workmanship, age, type of construction, and location. Preventing these problems from occurring and addressing them when they do occur protects the safety and welfare of residents and assists in meeting housing needs throughout the City. As a majority of the City's housing stock is over 30 years old, it is important to maintain residential units and keep them from deterioration. The City will focus its efforts on rehabilitation, code enforcement, preservation of quality of family home and will take a proactive approach to conserving the current housing stock.

Policies

- E.1 Residential Rehabilitation: The City shall assist lower-income households whose housing units are in need of rehabilitation to ensure the safety and habitability of housing units and the quality of residential neighborhoods.
- E.2 Code Enforcement: The City shall promote the continued maintenance of the City's existing housing stock and residential neighborhoods through enforcement of adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing units.
- E.3 Preserve Quality Single Family Housing and Rental Stock: As single family and rental stocks deteriorate, the City shall preserve the existing single-family housing, especially those single-family and rental units occupied by lower-income households.
- E.4 Sustainable Housing Design: The City shall improve affordability by promoting the incorporation of energy efficient practices into residential design.

Housing Programs Minor corrections and December 6, 2023 changes shown as underlined text.

Housing Opportunities

GOAL A: THE CITY WILL PROVIDE ADEQUATE SITES TO BUILD NEW HOUSING UNITS FOR ALL INCOME LEVELS AND TO MEET THE CITY’S FAIR SHARE OF HOUSING NEEDS.

Program A.1 Accommodate the City’s RHNA

The City will provide a range of types of housing units and prices to meet the total 184 units of regional housing allocation needs (RHNA) for Del Rey Oaks.

RHNA 6 th Cycle 2023-2031	Income Group				Total
	Very Low	Low	Moderate	Above Moderate	
Del Rey Oaks	60	38	24	62	184

The City will provide for an adequate number of units to meet the very low- and low-income categories and for development of moderate and above-moderate income categories within the RHNA and including the 4th and 5th cycle shortfall. The City will use Sites 1 and 1a owned by the City, and if needed, also Sites K1 and K2 (private property owners). The City will adopt an overlay zone to allow residential uses to meet RHNA as shown on **Table 7-1. Densities shall be a minimum 20-25 units per acre.** The City will ensure sufficient property is available in former Fort Ord to achieve this goal throughout the planning cycle. The Housing Element Site Inventory finds that this density can feasibly be developed on these sites. Rezoning will meet the requirements of Government Code section 65583.2(h) and (i).

Provisions of Government Code section 65583.2, subdivisions (h) and (i), are identified as follows:

- permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. By-right means local government review must not require a CUP, planned unit development permit, or other discretionary review or approval;
- accommodate a minimum of 16 units per site;
- require a minimum density of 20 units per acre; and
- at least 50 percent of the lower-income need must be accommodated on sites designated for residential use only or on sites zoned for mixed uses that accommodate all the very low- and low-income housing need, if those sites: allow 100 percent residential use, and
- require residential use to occupy 50 percent of the total floor area of a mixed-use project.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Present Zoning Overlay to Planning Commission and City Council by end of second quarter 2023 and rezone by end of third quarter 2023-2024 for 6 th Cycle. Report to City Council to confirm adequate area is available for meeting RHNA on a regular basis; report due by end of first quarter yearly.
Source of Funding	General Fund

Program A.2 Develop Mixed Use Zoning Designation

The City will seek to identify potential areas for mixed use, both in the former Fort Ord areas and in commercial sites defined by the City, where a mixed-use designation would be appropriate working with developers, property owners, the community and the Planning Commission and City Council. Sites will be selected based upon availability of land without resource constraints or limitations due to airport land use conflict, with available water service and utilities. Densities shall be a minimum 20-25 units per acre with at least 50% of the square footage of development dedicated to residential uses. Underlying land uses can be commercial or visitor serving areas; zoning will be amended to permit residential uses as well as mixed uses at higher intensities than currently allowed in commercial zones and to allow mixed use in visitor-serving designation zones. *Note: not needed to meet RHNA for 6th Cycle per the analysis in Chapter 3.*

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Present Report for Mixed Use areas for Zoning Overlay to Planning Commission and City Council in 2024 for 6 th Cycle. Submit Final report on available sites for mixed use designation provide direction to staff to identify sites to commit for multi-family rezoning by mid-2025. Complete rezoning of sites midby end of-2025.
Source of Funding	General Fund

Program A.3 Small Lot Residential in New Subdivisions

The City shall amend the General Plan and Zoning Ordinance to allow small lot Planned Unit Developments (PUD) consisting of individual lots that utilize Traditional Neighborhood Design (TND) techniques for development of cottage or small bungalow-type homes. Further, provide an overlay or PUD ordinance for projects if needed to allow for privately maintained common open space and mixed housing types.

Note: not needed to meet RHNA for 6th Cycle.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	End of 2025
Source of Funding	General Fund

Affordable Housing

GOAL B: THE CITY WILL ENCOURAGE THE PROVISION OF A WIDE RANGE OF HOUSING BY LOCATION, TYPE OF UNIT, AND PRICE TO MEET THE EXISTING AND FUTURE HOUSING NEEDS IN THE CITY.

Program B.1 Develop Inclusionary and Affordable Housing Requirements

The City will require new residential development or redevelopment in the City to provide affordable housing to meet the City’s RHNA requirements as identified in the AMBAG RHNA. The City will continue to pursue development opportunities of the former Fort Ord properties and will include affordable housing requirements in a disposition & development agreement to achieve this objective. The City will also consider development of an inclusionary housing policy option to determine if this method will better facilitate the City objective to achieve a variety of housing types and opportunities for very low, low- and moderate-income households. The City will assess and analyze a variety of inclusionary housing programs, standards, requirements and regulations to determine the best course of action. Utilizing either or both

options, the City will determine the appropriateness and application of inclusionary policies, and adopt policies, programs or regulations that will produce housing opportunities for affordable to very low, low and moderate-income households. Any regulations shall provide additional detail and address development of rental and for-sale housing affordable to very low, low- and moderate-income households, as well as the applicability of this requirement and its alternatives. to the City shall require affordable housing for new development at a minimum of 20% affordability.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	The City will assess and analyze a variety of inclusionary housing programs, standards, and requirements housing by third quarter in 2024 . The City will compare options –and provide a report to the City Council by end of 2024 2025. The City will consider options and take action on the report by either adoption of an inclusionary housing policy or drafting a developer agreement template language for provision of required inclusionary housing for new development at a minimum of 20% affordability . To By the end of 2025, ensure adequate provision of affordable housing , the City will require development agreements or adopt an inclusionary housing policy to ensure development of affordable housing.
Source of Funding	General Fund

Program B.2 Facilitate Affordable Housing for All Income Levels

The City will support housing for low-income, extremely low-income, and moderate-income households and persons with disabilities (including developmental disabilities). The City will actively seek to participate in and promote housing assistance service provided by such agencies as the Monterey County Housing Authority and the U.S. Department of Housing and Urban Development.

As opportunities arise, new funding sources for lower-income housing will be sought from available non-profit, local, State, and federal programs. Planning and entitlements should consider how to position an affordable project to qualify for future grant applications.

The City will also work with developers to facilitate affordable housing development. Specifically, as funding permits, the City will provide gap financing to leverage State, federal, and other public affordable funding sources. Gap financing will focus on rental housing units affordable to lower-income households and households with special needs (such as seniors and disabled, including people with developmental disabilities). To the extent feasible, the City will also ensure a portion of the affordable housing units created will be available to extremely low-income households.

Responsible Agency	City Hall, City Manager’s Office
Timeline and Objective	Actively seek funding opportunities to increase the supply of affordable housing for lower income households. Analyze sites owned by the City to identify those that could be suitable to support affordable housing by third quarter 20242025. Seek to leverage these funds with federal, state, and County HOME funds to increase the amount of affordable housing on housing strategy sites. Work with developers of housing strategy sites and non-profit developers to identify opportunities to increase the percentage of affordable housing by

	encouraging developers to apply for available funds and utilize other creative mechanisms by 2025 . (Ongoing work with developers; report on funding biannually to City Council)
Source of Funding	General Fund

Program B.3 Utilize Housing Choice Vouchers

The Housing Authority of Monterey County (HAMC) which administers the Housing Choice Voucher (HCV) Program for Del Rey Oaks and throughout Monterey County provides rental subsidies to very low-income families and elderly households that spend more than 30 percent of their gross income on housing. To help overcome the reluctance of many landlords to sign HCV agreements, the City shall work with the Housing Authority to offer incentives to property owners that sign HCV agreements.

Responsible Agency	City Hall, City Manager’s Office
Timeline and Objective	The City, working with the HAMC, shall provide information and incentives to property owners to encourage them to sign HCV agreements with the HAMC. The In 2025, the City Manager will work with HAMC in to develop a list of developers and outreach to applicable property owners and developers to increase participation in the HCV program. Informational pamphlets will be secured through HAMC and websites on the HCV program. The information will be made available at City Hall in English and Spanish regarding the voucher program and a notice posted in the City’s Acorn Newsletter by 2026 . The number of applications received will depend upon how many property owners apply for HCV agreements with the HAMC and City. This program could provide rental assistance to at least two or three renters per year, with the first full active year being 2024 2026 .
Source of Funding	Staff time, HAMC, and private owners/developers

Program B.4 Preferential Housing for Del Rey Oaks Residents and Workers

To the extent that such policy can be legally implemented, the City shall consider adoption of a new ordinance in compliance with the Fair Housing Law, requiring that all newly constructed inclusionary dwelling units for below-market-rate income, moderate-income, and lower-income households within the City, and all first-time homebuyer programs, be provided on a preferential basis to Del Rey Oaks residents and workers.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Confirm if policy can be legally implemented by end of 2024. Adopt a Preferential Housing Ordinance by fourth quarter of 2025.
Source of Funding	General Fund, Developer Fund

Program B.5 Develop a Density Bonus Ordinance Consistent with State law

Government Code section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State Density Bonus Law requires a local jurisdiction to grant an increase in density, if requested by a developer, for providing affordable housing as part of a development project. Key provisions of the law include incremental density bonuses that correspond to the percentage of housing set aside as affordable units. The City shall develop and adopt a Density Bonus Ordinance

consistent with the current Government Code and State Density Bonus Law. Once passed, the City will review any future amendments to State Density Bonus law to ensure that its local ordinance remains consistent with State law. Once passed the City shall commit to consider 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.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Adopt a City Density Bonus Ordinance, consistent with Government Code and State Density Bonus Law, by fourth quarter 2025.
Source of Funding	Staff Time

Program B.6 Facilitate Affordable Rental Units

The City will apply for low interest loans, grants, and rent subsidies through the U.S. Department of Housing and Urban Development, the California Housing Finance Agency, Farmers Home Administration, and the HCD. The City will apply for at least one funding opportunity every other year within the 6th Cycle Planning period. In addition, the City will provide funding through use of tax increment funding for a housing fund as such funds are available.

Responsible Agency	City Council
Timeline and Objective	Research available funds to assist in the construction of affordable units (and accessory dwelling units) to low-income and very low-income households (anticipated to start seeking funding opportunities beginning 2024). The City will file 4 funding applications during the 6 th Cycle Planning period.
Source of Funding	Staff time; State, federal, and regional grants; and private property owners/developers

Program B.7 Preferential Housing for Teachers and Local Educational Employees

Government Code section 65914.7 (AB 2295) considers housing development projects on property owned by a local educational agency to be an allowable use of the property, provided certain criteria are met. AB 2295 allows a school district or county office of education that meets certain criteria to utilize its surplus property to provide affordable housing to its employees. This program seeks to provide needed housing for teachers and other employees of the local educational agency. If qualifying parcels are identified within the city in accordance with AB 2295, the City shall adopt a streamlined ministerial permitting policy for workforce housing on sites owned by a local education agency to support housing opportunities for teachers and educational employees, consistent with AB 2295.

In order for a project to qualify for this program, the ordinance shall specify that the project shall meet all requirements of AB 2295, including but not limited to:

- The project is on an infill site as defined by AB 2295;
- The project qualifies as an allowable use under AB 2295;
- The project meets the density and height standards applicable under AB 2295; and
- The project meets other objective development standards applicable under AB 2295.

The project shall not be sited in an environmentally sensitive area, require demolition of deed-restricted affordable units or rent-controlled units, or historic structures, will not use a mobile home site, and does not require subdivision.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	If a local educational agency identifies a qualifying parcel within the City on which they intend to develop housing, City will adopt a Preferential Housing Ordinance consistent with AB 2295 by end of 2025.
Source of Funding	Staff time; local education agency property owners/developers

Remove Constraints

GOAL C: THE CITY WILL WORK TO REMOVE GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS TO HOUSING DEVELOPMENT.

Program C.1 Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35, or where appropriate, waiving City fees or regulatory requirements.

The City will continue to find opportunities to streamline the permitting process to remove unnecessary barriers, without compromising public health, safety and community character. In order to do this, as part of the City’s Zoning Ordinance update, site improvement standards and development procedures will be reviewed and, as needed, revised to ensure that such standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing. This Zoning Ordinance update will ensure compliance with SB 35 which allows streamlined approval processes in municipalities not meeting the RHNA. *The City shall establish written procedures to comply with California Government Code Section 65913.4 and publish those procedures for the public, as appropriate, to comply with the requirements of Senate Bill 35 (SB 35), Chapter 366 Statutes 2017. These requirements apply at any point in time when the City does not meet the State mandated requirements, based upon the SB 35 Statewide Determination Summary Report for Housing Element progress and reporting on RHNA.*

The City shall process development projects with at least 50 percent affordable units through a streamlined permit process set forth in State law. All projects covered by SB 35 are subject to objective development standards. However, qualifying projects cannot be subject to discretionary review or public hearings; and in many cases, the City cannot require parking. Reduced parking requirements would be established consistent with the requirements of SB 35 for qualified streamlining projects.

Actions:

- *Establish SB 35 procedures and provide information online*

Responsible Agency	City Planning and Building Departments
Timeline and Objective	Review, and as needed, draft revise the City Zoning Ordinance revisions by the end of third quarter 2024 2025. Implement program by first quarter 2026.
Source of Funding	General Fund

Program C.2 Encourage the Construction of Accessory Dwelling Units

A major constraint to housing in the City is affordability. ADUs help meet the City’s needs for housing that is affordable by providing a housing resource for seniors and low- and moderate-income households. The City will continue to review and update the ADU Ordinance to be compliant with updated State regulations that promote the development of ADUs. **Specific actions to be taken include:**

- The City will encourage the construction of ADUs by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications. Further, information to all eligible property owners concerning the City’s ADU approval process will be provided at City Hall. In addition, the City will explore the availability of standardized plans for ADUs/JDUs that may be suitable for ADUs or JDUs, with the intent of providing additional information to interested homeowners.
- **Annual reporting will be conducted to ensure that ADUs are being developed at a rate that will result in 20 additional ADUs by end of 2031. Annually, City staff will monitor the production and affordability of ADUs and the progress made according to the assumptions in the Housing Element projection. If not achieved after four years, the City will take alternative actions within six months of the mid-term 4-year (i.e., including additional incentives) if not meeting the assumptions.**

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	<p>City staff shall give an annual report to City Council on the number of new ADUs that are being built each year by April 1st of each year, starting in 2024. Information detailing the requirements of the City’s ADU Ordinance, and incentives for developing ADUs including permits waiver or reduction of development fees and expedited permit processing, shall be readily available at the City Hall and shall be included on the City’s website and in the City newsletter by second quarter 2024.</p> <p>As part of annual review, the City will review their ADU and JADU development progress to evaluate if production estimates are being achieved. If ADUs are not being permitted as assumed in the Housing Element, the City will take action within 6 months of completion of the ADU review to ensure that adequate capacity at each income level is maintained to meet the City’s RHNA needs.</p> <p>At the mid-term (4 year) annual review, if the review shows that annual ADU production is less than anticipated in the Housing Element projection, the City Planning Commission will hold a public hearing to recommend changes to further reduce development constraints on ADUs; the degree of additional actions should be in stride with the degree of the gap in production and affordability.</p>
Source of Funding	Staff time

Program C.3 Mitigating Constraints

Based upon this review of the City’s standards, the following additional Zoning Ordinance amendments will be considered and zoning ordinance amended, as required to be consistent with state law in the following ~~actions~~~~areas~~:

Actions:

- Amend the Zoning Ordinance to include language on density bonuses to comply with State requirements.
- Amend Zoning Ordinance to ensure that transitional and supportive housing is allowed in the same way other residential uses are allowed in all zoning districts allowing residential uses.
- Amend the Zoning Ordinance to conditionally permit SRO housing in the C-1 (Commercial) zone.
- Consistent with the California Employee Housing Act, amend the Zoning Ordinance to update standard that requires that housing for six or fewer employees be treated as a regular residential use.
- ~~The City shall amend its definition of “Family” to remove limitations -and ensure that the definition is in compliance with state law and inclusive in its definition.~~

~~The City will address additional amendments related to other impediments or constraints to development of affordable housing identified in this report. These will be completed as part of comprehensive zoning ordinance review and update, and include revisions to design review standards and findings, permit requirements for multi-family housing and parking requirements.~~

Actions:

- ~~Adopt zoning ordinance amendments to include density bonus ordinance, transitional and supportive housing ordinance, update of standards for employee housing to be treated as a regular residential use and revise definition of family; all of the above should be done to comply with State and in compliance with State law.~~
- ~~Complete comprehensive review of zoning ordinance including design review, use permit requirements and parking requirements that constrain development.~~
- ~~Commit to reducing parking requirements for smaller bedroom types (e.g., one space per one-bedroom unit).~~

Responsible Agency	Planning Department, City Council, Planning Commission, and City Hall
Timeline and Objective	Complete comprehensive review of zoning ordinance amendments related to design review standards and findings, use permit requirements for housing and parking requirements by end of 2024. Adopt required amendments to the Zoning Ordinance by third quarterend of 2025.
Source of Funding	General Fund

Program C.4 Ensure the Availability of an Adequate Water Supply to Serve the Long-Term Housing Needs of the City

A major constraint to development within the City is water supply. ~~While the City has an agreement with MCWD for provision of water service, actions are needed to assure supply for former Fort Ord to meet~~

water demands for RHNA development and also support new sources of water supply that may become available during the planning period Citywide to continue ADU advancement.

Actions:

- The City will continue to work with the MPWMD, MCWD, M1W and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development, and for the agencies to prioritize available water supply to meet affordable housing needs of the City. The City will formalize required agreement and water entitlements to ensure priority for water for former Fort Ord to secure water entitlement to facilitate development of 270 new housing units by 2031 to meet RHNA.
- Continue to provide City representative on Board of M1W and MPWMD to promote water provision as a priority for affordable housing. Provide the Draft Housing Element to the local water and service providers for the City in accordance with State law (AB 1087).

Responsible Agency	City Council
Timeline and Objective	Participate in two annual meetings with MPWMD, MCWD, M1W and other appropriate agencies by the end of 2031 and throughout 5 th -6 th Cycle. Request MPWMD and MCWD provide annual updates to the City Manager on completion of water projects and provision of water for affordable housing for the City- Send adopted Housing Element to MWD, MMPWMD and Cal-Am by end of Q1 2024 Formalize MCWD agreement and priority for water for former Fort Ord to secure water entitlement by end of 2024 in order to facilitate development of 270 new housing units by 2031 to meet RHNA.
Source of Funding	General Fund

Program C.5 Adopt Safety Element Update and Environmental Justice Element

SB 1035 requires that the City to revise and update the safety element to identify flood hazards and address the risk of fire in certain lands; and upon each revision of the housing element, to review and, if necessary, revise the safety element to identify new information relating to flood and fire hazards that was not previously available during the previous revision of the safety element.

Actions:

- The City will revise and update the Safety Element and adopt the update within 12 months of **final adoption of the 6th Cycle compliant** Housing Element. SB 1000 (2018) requires that the City include an environmental justice component to the General Plan during the 6th Cycle update of the City’s Housing Element.
- The City will adopt a separate Environmental Justice Element within 12 months of **final adoption of the 6th Cycle compliant** Housing Element.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	As funds are available, adopt a Safety Element Update and Environmental Justice Element, consistent with Government Code and State Law, <u>by fourth quarter 2027 within 12 months of final adoption of a compliant Housing Element.</u>

Source of Funding	General Fund
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Program C.6 Evaluate Fees for Development Projects

Planning permit and development impact fees are used to cover the costs and expenses incurred by or on behalf of the City in connection with planning applications and development of property. Fees help cover the public costs related to development projects, including time that staff spend on reviewing development proposals.

Actions:

- To support the development of higher-density housing, the City will review the City of Del Rey Oaks Fee Schedule to reduce fees for affordable housing units.
- The City wishes to encourage additional creation of smaller residential units to serve their aging senior and single person households.
- To incentivize development of smaller units, the City will revise their fee program for affordable units and assess building and permit fees per square footage per unit, assuming such fees are reduced from normal fees and consistent with State law.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Evaluate and review the City of Del Rey Oaks Fee Schedule to ensure that the fees appropriately support feasible development of smaller housing units by mid-2024 ; revise affordable housing fees by amending fee ordinance for smaller units. Study and adopt revised fee update by fourth quarter 2025.
Source of Funding	General Fund

Program C.7: Development of Large Lots

The City shall adopt a program to facilitate the development of lots larger than ten acres, particularly for the development of affordable housing units. This includes, but is not limited to, streamlining parcellation of these large sites and providing technical assistance to property owners and developers seeking to develop a parcel over ten acres. The City shall provide information on this program online and promote it as an option when meeting with potential developers and property owners. [The City shall also communicate the goal of integration of future affordable housing design and location with future market-rate housing when meeting with potential developers and considering future design of development.](#)

Actions:

- Provide technical assistance materials and post information on the City website.
- Adopt and implement a program to facilitate the development of lots larger than ten acres.

Responsible Agency	City Hall, Planning & Building Departments
Timeline and Objective	Provide technical assistance materials and post information on the City website by third quarter 2026. Adopt and implement the program by end of 2027.
Source of Funding	Staff time, General Fund

Program C.8: Require Remediation Prior to Development

Continue to work with the appropriate local, state, and federal agencies to promote the clean-up and reuse of contaminated sites in former Fort Ord to protect human and environmental health and complete the following actions necessary to remove the residential restriction on portions of the properties.

Actions:

- Require property owners to comply with state and federal requirements for site remediation as a condition redevelopment on contaminated sites.
- In collaboration with other government agencies, work with Department of Toxic Substance Control (DTSC) to prioritize the remediation of city and non-city-owned property to protect human and environmental health.
- Develop updated Remedial Action Plan and gain acceptance by governmental agencies of requirements for clean-up.

Responsible Agency	City Hall, Planning & Building Departments
Timeline and Objective	Meet twice annually with Army and DTSC to address remediation and clean up requirements. Develop updated Remedial Action Plan and gain acceptance by governmental agencies of requirements for clean-up by 2026. Objective: to meet RHNA obligations by end of 2031
Source of Funding	Staff time, General Fund

Equal Housing Opportunities

GOAL D: THE CITY WILL PROMOTE EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS.

Program D.1 Promote Fair Housing by Providing Educational and Referral Materials

The City will continue to provide Fair Housing education and outreach, making information available in multiple languages, and refer persons with fair housing questions to the Housing Authority, Department of Equal Housing and Employment, and California Rural Legal Assistance on an as-needed basis. The City will make information about fair housing services available at City offices and on the City’s website.

Actions:

- The City will continue to promote fair housing practices, refer fair housing complaints appropriately, and raise awareness of such services.
- The City will advertise available services through the City’s newsletters, website, email blasts, direct connection as well as handouts at City Hall and other public kiosks.

Responsible Agency	City Hall, Planning & Building Departments
Timeline and Objective	Provide Fair housing education materials at City Hall in English and Spanish, post information on the City website by first quarter 2024; and provide information in City newsletter annually.
Source of Funding	Staff time, General Fund

Program D.2 Provide Opportunity for and Encourage the Development of Adequate Housing for the City’s Special Needs Groups.

The City shall facilitate the provision of housing for the elderly and disabled, including developmental disabilities, and other special needs housing by modifying the Zoning Ordinance to allow group homes of seven or more in any zone that permits residential uses and only subject to those restrictions that apply to similar residential uses. The zoning code will also be amended to remove constraints that subject potential persons with disabilities to special regulations such as the number of persons, parking requirements, special permits. ~~define licensed residential care facilities, to explicitly allow small residential care homes by right in all residential zone districts, allow group homes of six or fewer to be allowed in all zones allowing single family uses (not limited to residential uses), and to permit larger residential care homes (seven or more) in the City’s R-2 and C-1 districts consistent with the standards of these districts.~~

The City shall also support the efforts of public and private groups to provide housing for the elderly and disabled. Such support may include staff assistance in obtaining permits or financing, or, where appropriate, the waiver of City fees or regulatory requirements, some combination of these, or other tangible measures of support.

Responsible Agency	Planning Department, City Council, and Planning Commission
Timeline and Objective	The City will aim to update the Zoning Ordinance by the end of 2025 to address Special Needs Groups. It will aim to identify at least one residential project by 2026 that is targeted for seniors and/or persons with mobility impairments. The City will monitor these programs through annual reports to the City Council, with the first annual report by the end of 2024 2025.
Source of Funding	Staff Time, General Fund, and State and federal programs designated specifically for special needs groups

Program D.3 Special Needs Housing for Disabled Persons

The City shall amend the Zoning Ordinance to ensure that future projects incorporate accessible design. Specifically, the zoning ordinance will be amended to:

- 1) Require new multi-family development to be in compliance with Title 24 of the California Code of Regulations;
- 2) Commit to allow group homes of seven or more in any zone that permits residential uses and only subject to those restrictions that apply to similar residential uses. Eliminate restrictions on occupancy standards for group homes consistent with State law and Program D.2; and
- 3) Allow reduced parking standards for all transitional housing and homeless shelters, for age-restricted housing (regardless of affordability), and for persons with disabilities.
- 4) ~~The Code will also be amended to remove constraints that subject potential persons with disabilities to special regulations such as the number of persons, parking requirements, special permits.~~

The zoning code will be further reviewed to identify and remove any additional constraints and ensure that reasonable accommodations are provided with regard to housing designed for persons with disabilities. This update will expressly allow exceptions to zoning and development standards including,

but not limited to, ramps as a permitted encroachment into required front and rear yards in order to ensure accessibility for persons with disabilities.

See also Program D.9, below, to adopt a Reasonable Accommodation Ordinance.

Responsible Agency	Planning Department, City Council, and Planning Commission
Timeline and Objective	Review zoning code and report to City Council on needed updates to address State law to address Special Needs Groups by third quarter 2024. Amendments to Zoning Code specific to this program shall be adopted by end of 2025.
Source of Funding	Staff Time, General Fund

Program D.4 Support Programs to Reduce Homelessness

The City amended its Zoning Ordinance to allow for the emergency shelters in the City’s C-1 zoning district consistent with State law. The City found that the C-1 district sites provided adequate opportunity (within a mile of transit stops and community services). The City will monitor the sites to continue to confirm there is adequate capacity and sites which are suitable for the development of emergency shelters. To the extent that funds are available, the City will provide financial support to sponsor or assist emergency shelter facilities, inside City limits or outside within a reasonable proximity to the City, as well as encourage or support facilities by providing grants, or low-cost loans, to operating agencies.

Responsible Agency	City Council and Planning Commission
Timeline and Objective	Report annually on homeless count and provision of adequate area for homeless shelters in the City. Research available funding for facilities if applicable.
Source of Funding	State and federal programs designated specifically for special needs groups

Program D.5 Develop written process for continued compliance with AB 101

The City shall continue to comply with the requirements of AB 101 and develop a written process to adhere to the statutory requirements in accordance with state law. AB 101 requires a Low Barrier Navigation Center (LBNC) be a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses if it meets specified requirements, including:

- Access to permanent housing.
- Use of a coordinated entry system (i.e., Homeless Management Information System).
- Use of Housing First according to Welfare and Institutions Code section 8255. (Gov. Code section 65662.)

A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy. (Gov. Code section 65660).

Responsible Agency	Planning Department, City Council and Planning Commission
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Timeline and Objective	Continue to comply with AB 101 (ongoing); develop written compliance process for AB 101 compliance by the end of third quarter 2024.
Source of Funding	General Fund

Program D.6 Develop written process for continued compliance with AB 2162

The City shall continue to comply with the requirements of state law AB 2162 (Chapter 753, statutes of 2018) and will develop a written process to adhere to the statutory requirements in accordance with state law. AB 2162 streamlines and expedites the approval of supportive housing to better address the need of Californians experiencing homelessness. Specifically, AB 2162 requires supportive housing to be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Continue to comply with AB 2162 (ongoing); develop a written compliance process for AB 2162 by fourth quarter 2023.
Source of Funding	General Fund

Program D.7 Adopt Universal Design Element for New Development

Universal design is used to govern construction of homes by using design principles that allow individuals to remain in those homes as their physical needs and capabilities change.

- The City shall research principles of universal design for application for new development, particularly for senior housing or housing for those with disabilities.
- The City shall prepare a report for the Planning Commission and City Council identifying principles of universal design, successful application in other jurisdictions, the HCD model ordinance and the process for application of an ordinance.
- Upon endorsement of Planning Commission and City Council, the City shall develop a written process specific to the City of Del Rey Oaks and prepare guidelines and a model ordinance consistent with the principles of universal design.

Responsible Agency	Planning Department, City Council and Planning Commission
Timeline and Objective	Research and provide written report by end of fourth ^{second} quarter 2024 ²⁰²⁶ . Develop written process for Universal Design and adopt Universal Design Element Guidelines and Ordinance by end of 2025 ²⁰²⁶ .
Source of Funding	General Fund

Program D.8 Develop Objective Design and Development Standards

Housing Accountability Act SB 330 and SB 35, enacted to address the State-wide housing shortage, requires cities to review residential developments based on “objective” standards, such as specific and defined design requirements, rather than on subjective standards. This program commits the City to **comply with state law requiring that decisions on residential projects be based on objective design standards.**

- The City shall review the Zoning Code, and design guidelines to ensure that development standards and design guidelines are clear and objective for multiple family and mixed-use residential development.
- The City shall prepare a report for the Planning Commission and City Council identifying principles of objective design standards, successful application in other jurisdictions, HCD model ordinance and the process for application of an ordinance.
- The City shall also develop and adopt objective design standards for multiple family and mixed-use residential development.

Responsible Agency	Planning Department, City Council and Planning Commission
Timeline and Objective	Research and provide written report by end of fourth quarter 2025. Develop Objective Design and Development Standards for multifamily and mixed-use residential development by December 2025 and approve amendment to Zoning Code by second quarter 2026.
Source of Funding	General Fund

Program D.9 Reasonable Accommodation

In compliance with Government Code Section 65583, the City shall remove potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. While City Staff takes into consideration the provisions of the California Americans with Disabilities Act (Cal ADA) in the review and approval of housing projects and grants modifications and deviations from the Zoning Code to accommodate the needs of persons with disabilities, the City does not have a Reasonable Accommodation Ordinance.

Action: Specific actions the City will undertake to pursue this effort include:

- Draft a Reasonable Accommodation Ordinance.
- Ensure Reasonable Accommodations findings are in accordance with applicable fair housing laws by sending draft ordinance for review and approval by HCD prior to adoption.
- Adopt a Reasonable Accommodation Ordinance by end of 2024.

Responsible Agency	Planning Department, City Council and Planning Commission
Timeline and Objective	Draft and adopt a Reasonable Accommodation Ordinance by end of 2024.
Source of Funding	General Fund

Program D-10: Assist in the Development of Housing for Extremely Low Income (ELI) Households (HCD Version)

Assist in the development or redevelopment of one or more properties for housing for those with special needs, including housing affordable to extremely low-income households.

Actions: Specific actions the City will undertake to pursue this effort include:

- Conduct outreach to and coordinate with non-profit housing developers to facilitate housing for special needs populations, including housing affordable to extremely low-income households through discussions regarding potential incentives, programs, financial support, etc. (see also Program D.2);
- Direct outreach to religious institution property owners or operators to inform them about AB 1851 and any other regulations that encourage housing development on these properties;
- Actively assist and support developers with funding applications to support the development of housing for special needs populations, including extremely low-income housing;
- Grant incentives and concessions to housing developments that include units for any special needs populations, and housing units affordable to extremely low-income households (e.g., State density bonus law provisions);
- Outreach efforts for this program will cross-over with efforts and objectives of the other Special Needs programs of this section with the aim to increase housing for all special needs populations.

Responsible Agency	Planning Department, City Council and Planning Commission
Timeline and Objective	Outreach to non-profit developers and religious institution properties by January 2025 and biannually thereafter. Annually review and report starting in April 2025 and report biannually by April 1 st during Annual Progress Report evaluation thereafter.
Source of Funding	General Fund

Quality Housing Opportunities

GOAL E: THE CITY WILL CONTINUE TO CONSERVE AND IMPROVE THE CONDITION OF THE EXISTING HOUSING STOCK TO ENSURE THE SAFETY, WELFARE, AND AFFORDABILITY OF RESIDENTS.

Program E.1 Assist in Rehabilitating Housing

The City will investigate available low-interest loans, subsidies, and grants from federal and State agencies to provide rehabilitation funds. As funding becomes available, the City shall provide grants and/or low interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities. Rehabilitation funds will be available to low-income homeowners and to owners of rental units that will rent to low-income households. Subject to federal or other available funding the City will look to assist an average of one to two households (ranging from single-family, multi-family, and mobile homes), dependent on need.

Responsible Agency	City Council and Manager
Timeline and Objective	Assist two households by the end of 2025.
Source of Funding	Loans, subsidies, and grants and tax increment funding

Program E.2 Continue Code Enforcement

The City will continue to perform code enforcement for areas or homes with building code violations posing life and/or safety risks to occupants and/or significant property maintenance concerns and ensure that such violations are adequately abated. When violations are cited, enforcement officers will provide a list of potential funding sources to homeowners.

Responsible Agency	Police Department
Timeline and Objective	Continue to implement code enforcement efforts in the targeted areas with concentrated issues of code violations; ongoing.
Source of Funding	General Fund

Program E.3 Energy Conservation and Energy Efficient Opportunities

The City will promote subsidy and incentive programs for energy conservation available to residents. Some of these programs include PG&E’s rebates, [3CE’s rebates](#), Energy Watch Partnerships, and Energy Savings Assistance Program; CARE/FERA program, and the CaliforniaFIRST program. The City will promote these programs in their newsletter and on their website.

Responsible Agency	City Hall, Planning Department, and Building Department
Timeline and Objective	Information detailing energy conservation programs shall be provided at the City Hall and shall be included on the City’s website and updated at least once per year. Energy conservation programs targeted to low-income households shall be promoted in the City newsletter at least once per year and available at the City Hall. Complete annually by December of each year.
Source of Funding	General Fund

Program E.4 Annual Report

Provide an Annual Report to the City Council and Planning Commission that describes (1) implementation of Housing Element programs to date, (2) the amount and type of housing activity as related to the Housing Element’s goals, policies, and programs, and (3) an updated summary of the City’s housing needs. The Annual Report will address the requirements of Government Code Section 65400. Submit this report to the California Department of Housing and Community Development within 30 days after review by the City Council.

Responsible Agency	City Hall, Planning Department, and Building Department
Timeline and Objective	Information detailing housing needs and progress shall be included on the City’s website and updated at least once per year prior to submittal to HCD. Complete annually by April 1 of each year.
Source of Funding	General Fund

Program E.5 Affirmatively Further Fair Housing By Providing Equal Housing Opportunities For All Existing And Future Del Rey Oaks Residents

The City will affirmatively further fair housing by providing equal housing opportunities for all existing and future Del Rey Oaks residents through the following methods: Enhance housing mobility strategies. Protect existing residents from displacement. Encourage new housing choices and affordability in high

and medium resource areas. Improve place-based strategies to encourage community conservation and revitalization including preservation of existing housing.

The population of Del Rey Oaks includes special needs groups, which require a variety of unit sizes to serve needs that are not currently addressed within the City. These issues include:

- **Seniors.** A growing cohort of seniors in the City indicates a potential need for specialized housing types and social services dedicated to seniors. According to the ACS (U.S. Census Bureau, 2020), the number of households with householders 65 years and over in Del Rey Oaks has grown from 167 in 2012 (25.3 percent) to 249 (39.3 percent) in 2020. Monterey County's households with householders 65 years and over in 2020 was 33,939 (26.5 percent).
- **Persons with Disabilities.** The population of Del Rey Oaks with a disability is 12.7 percent, similar or slightly higher than neighboring communities. As the population ages, the City may need to consider future care and services for the aging population and people with disabilities. It is generally understood that the need for housing for people with disabilities outweighs the availability of adequate housing units. Outreach, and the adoption and implementation of universal design methods can increase the number of units available to people with disabilities and aging populations, provide housing mobility and reduce displacement.
- **Large Households.** In 2020, 5.4 percent of owner-occupied households in Del Rey Oaks had five persons or more compared to 10.1 percent of renter-occupied households with five persons or more. This issue is not major at the moment, but with limited new housing development and increasing pricing, large families will have to deal with overcrowding due to the lack of large family affordable housing. Rental unit sizes available for rent in Del Rey Oaks do not currently serve large families. In order to better serve this population, it is important to develop affordable housing that can accommodate large families with three (3) or more bedrooms and reduce barriers to affordable housing construction, and to consider incentives to encourage units suitable for larger households.
- **Female-Headed Households.** As of 2020, female-headed households represent approximately 6.7 percent of total households in Del Rey Oaks. As a goal of affirmatively furthering fair housing, methods to prioritize the inclusion of female-headed households and female-headed households with children to find adequate and affordable housing will be sought.
- **Homelessness.** Although Del Rey Oaks contains a small unhoused/homeless population compared to Monterey County, it is important to consider allowing types of facilities to provide shelter for homeless individuals and families including emergency shelter, transitional housing, and permanent supportive housing.

The City will affirmatively further fair housing by providing equal housing opportunities for all existing and future Del Rey Oaks residents through the following methods:

- Leverage City-owned land for the development of affordable housing projects and provide a mix of densities, affordability and housing types to encourage diversity within the community.

- Encourage new housing choices and affordability in high resource areas through reduced development fees, increased incentives for development of ADUs and other housing choices within the City.
- Encourage development and use of ADUs as a strategy to encourage affordable housing within the City. ADU's can serve the aging population of the City and reduce displacement.
- Programs A.1, B.1, and B.2 ensure very low, low, moderate, above moderate income, and inclusionary housing opportunities are made available in the city and to accommodate the City's RHNA.
- Program A.2 provides for a Mixed-Use Zoning Designation to increase opportunities for a wide variety of housing and increase housing mobility, which enables residents to locate housing outside of traditionally lower- and moderate-income neighborhoods.
- Program A.3 reduces lot size constraints and promotes opportunities for smaller housing at higher densities.
- Program B.3 expands use of housing vouchers in the City by providing information about local fair housing resources, entities, or assistance on the City website. Working with HACM as the fair housing services organization to explore ways to expand services and outreach in the City will reduce very low-income and elderly cost-burden households, reducing displacement.
- Program B.4 incentivizes housing opportunities for Del Rey Oaks residents and workers.
- Program B.5 promotes opportunities for density bonus provisions.
- Program B.6 facilitates affordable rental units through funding opportunities. B.2 helps to provide gap financing to leverage public affordable funding sources, focusing rental housing units affordable to lower-income households and households with special needs (such as seniors and disabled, including people with developmental disabilities).
- Program B.7 promotes housing opportunities for teachers and local educational employees.
- Programs C.1 and C.3 reduce mitigating constraints, remove barriers, and streamline permitting processes on housing development in the Zoning Ordinance. **The Code will also be amended to remove constraints that subject potential persons with disabilities to special regulations such as the number of persons, parking requirements, special permits.**
- Program C.2 encourages the construction of accessory dwelling units as a source of affordable housing.
- **Program C.2 commits to comprehensive revisions to the zoning ordinance including design review, use permit requirements and parking requirements that constrain development of affordable housing and also reduces parking requirements for smaller bedroom types (e.g., one space per one-bedroom unit).**

- Program C.4 ensures the availability of adequate water supply to serve the long-term housing needs of the City and commits the City and water agencies to provide needed water for affordable housing.
- Program C.5 adopts a separate Environmental Justice Element of the General Plan to reduce disparities in environmental factors in the City.
- Program C.6 evaluates fees for development projects to reduce potential constraints on the development of higher-density housing.
- Program C.7 facilitates the development of lots larger than ten acres, particularly for the development of affordable housing units.
- Program C.8 requires remediation and clean-up prior to reuse of contaminated sites in former Fort Ord to protect human and environmental health and to remove the residential restriction on portions of the properties to promote development of needed housing.
- Program D.1 provides fair housing education and outreach information publicly.
- Programs D.2, D.3, D.4, and D.6 accommodate housing for special needs groups, including supportive housing, consideration of single room occupancy units, and to encourage or support emergency shelter facilities.
- Program D.7 develops a process for universal design in order to assist residents to age in their homes and reduce the risk of displacement.
- Program D.8 commits the City to evaluate the Zoning Code and to design guidelines to establish and adopt objective design standards for multifamily and mixed-use residential development.
- Program D.9 commits the City to adopt reasonable accommodation ordinance and implement procedures to address special needs groups for requests.
- Program D-10 addresses needed housing for ELI Households and commits to assist in the development or redevelopment of one or more properties for housing for those with special needs, including housing affordable to extremely low-income households.
- Program E.1 assists in rehabilitating housing for low-income homeowners and to owners of rental units that will rent to low-income households.
- Program E.4 provides annual reports to ensure the housing programs are achieving the City’s goals.

Responsible Agency	City Hall, Planning Department, and Building Department
Timeline and Objective	Ongoing -See objectives and timelines in Programs above.
Source of Funding	General Fund

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CHAPTER 8.0 LIST OF PREPARERS AND REFERENCES

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Attachment to the Housing Element – Department of Housing
and Community Development (HCD)
Comment Letter

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
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October 18, 2023

John Guertin, City Manager
City of Del Rey Oaks
650 Canyon Del Rey Blvd.
Del Rey Oaks, CA 93940

Dear John Guertin:

RE: City of Del Rey Oaks' 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the City of Del Rey Oaks' (City) draft housing element received for review on July 20, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from David Kellogg, LandWatch, and the California Native Plant Society pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (December 15, 2023), then any rezoning to make prior identified sites available or accommodate the regional housing needs allocation (RHNA) shall be completed no later than one year from the statutory deadline pursuant to Government Code sections 65583, subdivision (c) and 65583.2, subdivision (c). Otherwise, the local government's housing element will no longer comply with State Housing Element Law,

and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the City fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until these rezones are completed.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Clare Blackwell, of our staff, at Clare.Blackwell@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF DEL REY OAKS

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <https://www.hcd.ca.gov/planning-and-community-development/hcd-memos>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

As part of the review of programs in the past cycle, the element must provide a cumulative evaluation of the effectiveness of past goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Enforcement: While the element discusses compliance with a few fair housing laws, it should address compliance with additional fair housing laws. Examples include the Fair Housing Act, American disabilities Act, California Fair Employment and Housing Act, Density Bonus Law, Housing Accountability Act and No-Net-Loss Law.

Local Data and Knowledge, and Other Relevant Factors: The element noted that the entire City is within one census tract and it is difficult to evaluate spatial patterns. Therefore, the element should rely on local data, knowledge, and other relevant factors to better describe and analyze fair housing conditions (e.g., segregation and integration, access to opportunity and disproportionate housing needs). This could include knowledge from City staff, school officials, transportation planners and other local and regional planning documents, past applications for funding (e.g., disaster recovery),

historical investment by areas (e.g., capital improvement program), location of amenities and services, previous community surveys, information on disasters, or other indications of access to opportunity and quality of life.

Sites and Affirmatively Furthering Fair Housing (AFFH): The element does not address this requirement. The analysis must identify whether sites improve or exacerbate conditions and whether sites are isolated by income group. A full analysis should address the income categories of identified sites with respect to location, the number of sites and units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). The element should also discuss whether the distribution of sites improves or exacerbates conditions. If sites exacerbate conditions, the element should identify further program actions that will be taken to promote equitable quality of life throughout the community (e.g., anti-displacement and place-based community revitalization strategies).

Contributing Factors: The element should re-assess and prioritize contributing factors upon completion of analysis and make revisions as appropriate.

2. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)*

Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)

An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter... (Gov. Code, § 65583, subd. (a)(7).)

Extremely Low-Income Households (ELI): The element must identify the projected housing needs for ELI households. The projected housing need for ELI households can be calculated by using available census data to determine the number of very low-income households that qualify as ELI households or presume that 50 percent of the regional housing need allocation (RHNA) for very low-income households qualify as ELI households. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/extremely-low-income-housing-needs>.

Additionally, the element must quantify the number of existing ELI households by tenure and analyze their housing needs, including overpayment, overcrowding and other characteristics, resources and strategies and the magnitude of housing needs. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/extremely-low-income-housing-needs>.

Cost-Burdened Households: While the element quantifies cost-burdened low-income households (p. 2-12), it utilizes data from 2010. The element should be revised to include updated estimates for the number of cost-burdened households by tenure for all incomes.

Housing Conditions: While the element analyzes the age of the housing stock (p. 2-21), it must include analysis of the condition of the existing housing stock and estimate the number of units in need of rehabilitation and replacement. The element states that "since 1990, one unit was declared 'unlivable,' and one unit was in need of considerable rehabilitation," but should clarify where this information was sourced from and provide a recent estimate. For example, the analysis could include estimates from a recent windshield survey or sampling, estimates from the code enforcement agency, or information from knowledgeable builders/developers, including non-profit housing developers or organizations.

Special Needs Households: The element includes data and a general discussion of housing challenges faced by special needs households. However, the element must be revised to include an analysis of the existing needs and resources for each special need group including persons with disabilities including developmental disabilities, farmworkers, seniors, large households, and ELI households (also noted above). For example, the element should discuss the existing resources to meet housing needs (availability of shelter beds, number of large units, number of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.

- An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Parcel Listing: While the element provides some generalized statements about potential income categories, it must identify the anticipated affordability level of the units for each site identified in the sites inventory (Gov. Code, § 65583.2, subd. (c).).

Unaccommodated Need from the Prior Planning Period: The City had a shortfall of 70 units to accommodate its lower-income RHNA from previous planning periods. For your information, pursuant to Government Code section 65584, for jurisdictions that did not accommodate their shortfall from the last planning period, the City must complete rezoning efforts within one year of the planning period.

Suitability of Large Sites: Sites larger than ten acres in size are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. The element indicated that sites range between 20-200 acres. While the element noted that the City would only be assuming a portion of these sites, it should clarify the acreage that it will be assuming for each site. The element could also discuss whether or not a specific plan is present, timing and phasing of any current or future specific plans, provide additional description of the acreage of sub-areas, or other evidence that indicates sites of these sizes can be redeveloped into lower-income housing during the planning period. Additionally, the element should add or modify programs to facilitate development on large sites to accommodate housing for lower-income households.

Infrastructure: The element indicates that sites to accommodate the RHNA have adequate water and sewer capacity and planned infrastructure access. However, HCD received public comments noting that the capacity allotted to these sites through the Marina Coast Water District (MCWD) may no longer be available. The element should clarify total water and sewer capacity for these sites including any potential limitations. Additionally, the element stated that the water and sewer infrastructure lines would need to be extended to all sites to provide access to the available capacity. While the element noted that the City has planned for infrastructure extensions through the capital infrastructure plan (CIP), the element should discuss the timing and any potential constraints with the implementation of these infrastructure improvements. Lastly, the element must include a program with a firm commitment to the infrastructure improvements, clear timelines with milestones and efforts to address any other constraints related to water and sewer capacity.

Environmental Constraints: The element noted several potential environmental constraints on sites to accommodate the RHNA including hazardous chemicals, steep grades and sensitive species. Additionally, the element noted that portions of these sites need environmental clean-up to be cleared for residential development and these sites have covenants and restrictions on residential uses from the Department of Toxic Substances Control (DTSC). The element should clarify whether the element is assuming residential capacity on the portion of the sites that also have restrictions regarding residential uses imposed by state and federal agencies. If the element is assuming capacity on the portions of the sites that have restrictions on residential uses, the element should analyze and address this constraint or remove the sites. The analysis should identify and consider the process to lift those covenants as a potential constraint. Lastly, the element must include a complete analysis of the various environmental constraints noted on these sites and their impacts on potential development. The element could also consider public comments as part of this analysis. Based on a complete analysis, the element should include programs committing to remediation of these sites and other efforts to facilitate development.

Accessory Dwelling Units (ADU): The element is projecting 20 ADUs for an average of 2 ADUs per year over the eight-year planning period to accommodate a portion of its

RHNA. Additionally, 16 of the 20 ADUs are assigned to the lower-income RHNA. The projections are based off ADU building permit trends. Specifically, the element states that the City has issued eight building permits since 2020. However, HCD's records through the City's Annual Progress Reports (APR) indicate that the City permitted 1 ADU in 2020 and 2 in 2021. The City's past performance on permitting ADUs do not support the projections in the inventory. The element must reconcile these figures and adjust assumptions based on a realistic estimate of the potential for ADUs and include strong policies that commit to incentivizing ADUs. Depending on the analysis, the element must commit to monitor ADU production and affordability throughout the course of the planning period and implement additional actions if not meeting target numbers anticipated in the housing element. If necessary, additional actions, should be taken in a timely manner (e.g., within six months). The degree of additional actions should be in stride with the degree of the gap in production and affordability.

Sites Inventory Electronic Form: Please note, pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

Zoning for a Variety of Housing Types:

- *Emergency Shelters*: While the element stated that the C-1 zone allows emergency shelters by-right, it must specifically indicate whether it permits emergency shelters without discretionary action. Additionally, element should describe how emergency shelter parking requirements comply with AB139/Government Code section 65583, subdivision (a)(4)(A) which generally limits parking requirements to the amount need for staff or include a program to comply with this requirement.

For your information, as of March 31, 2023, AB 2339 (2022) is now applicable to the City and must be addressed in the element. AB 2339 (2022) specifies how cities and counties plan for emergency shelters and ensure sufficient and suitable capacity. For more information, please see <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf>.

- *Manufactured Housing*: While the element states that manufactured homes are allowed by-right on lots zoned for single family dwellings, it should clarify manufactured homes on a permanent foundation are to be allowed the in the same as single-family homes. The element must demonstrate compliance with this requirement or add or modify programs.

- *Accessory Dwelling Units (ADU):* While the element notes that state law allows for ADUs to be developed on any lot that allows residential uses, the element must clarify whether the City implements this specific requirement e.g., whether the City allows ADUs in all zones that allow residential uses including nonresidential zones e.g., mixed-uses and commercial. Secondly, the element first indicates that the City implements a ministerial approval procedure for ADUs; however, also notes that the R-1 and R-2 districts require a special use permit for accessory structures (pg. 4-6). The element must clarify how the City permits ADUs including whether it requires any type of discretionary permits. Based on a complete analysis, the element may need to add or modify programs, as appropriate.

In addition, after a cursory review of the City's ordinance, HCD discovered several areas which were not consistent with State ADU Law. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the City's ADU ordinance in order to comply with state law. For more information, please consult HCD's ADU Guidebook, published in December 2020, which provides detailed information on new state requirements surrounding ADU development.

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land Use Controls: The element must analyze all relevant land use controls impacts as potential constraints on a variety of housing types. Specifically, the element noted that smaller bedroom units including studios and one-bedrooms are required to provide 1.75 spaces per unit (p. 4-4) and are also required to have one garage space (p. 4-5). Requiring smaller bedroom types to provide 1.5 parking spaces is considered a constraint. Additionally, the element must analyze covered parking requirements for impacts on cost, supply, housing choices, affordability and achieving maximum densities. The element must include a program committing to reducing parking requirements for smaller bedroom types (e.g., one space per one-bedroom unit).

Fees and Exaction: The element includes a listing for most fees for development and states that on average, fees do not constitute no more than ten percent of total development costs. However, the element should clarify whether the calculation considered various impact fees (water, sewer, school, etc.,) as part of that estimate. If not, the analysis should include the percentage of total development costs including all fees such as impact fees.

Local Processing and Permit Procedures: The element demonstrated that multifamily is only allowed with a use permit in any zone that allows multifamily development. In addition, the use permit generally requires planning commission and city council approval and design review. Further, the element illustrated potential constraints by requiring multifamily housing to meet subjective findings such as impacts on “morals, comfort and convenience”. For your information, subjecting multifamily housing to a conditional use permit (CUP) in zones where multifamily housing is already permitted is considered a constraint. The element must include or modify a program addressing and removing or modifying the CUP for multifamily housing in zones that are intended to permit multifamily housing.

Finally, the element should address public comments on this revised draft submittal and discuss compliance with the Permit Streamlining Act and intersections with CEQA and timing requirements, including streamlining determinations and add or modify programs as appropriate.

Design Review: The element should clearly explain whether design review is optional or required for areas intended for residential uses and whether there are established development standards. Additionally, the element must describe and analyze the design review guidelines and process, including approval procedures and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis could describe required findings and discuss whether objective standards and guidelines improve development certainty and mitigate cost impacts. The element must demonstrate this process is not a constraint or it must include a program to address this permitting requirement, as appropriate.

Constraints on Housing for Persons with Disabilities: The element included Program D.2 (Persons with Disabilities) committing to allowing group homes of seven or more in specific zones. However, zoning should simply implement a barrier-free definition of family instead of subjecting potential persons with disabilities to special regulations such as the number of persons, parking requirements, population types and licenses. These housing types should not be excluded from residential zones, most notably low-density or single-family zones, which can constrain the availability of housing choices for persons with disabilities. Requiring these housing types to obtain a special permits and potentially subjecting housing for persons with disabilities to higher discretionary standards is generally considered a constraint. The element must be revised with program(s) committing to allowing group homes of seven or more in any zone that permits residential uses and only subject to those restrictions that apply to similar residential uses. Please see HCD's for more info <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf>.

- An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... ..requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for*

building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)

Approval Times and Lesser Density Requests: The element must include analysis of requests to develop housing at densities below those identified and the length of time between receiving approval for a housing development and submittal of an application for building permits. The analysis should address any hinderances on the jurisdiction's ability to accommodate RHNA by income category and include programs as appropriate.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element... (Gov. Code, § 65583, subd. (c).)*

To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with discrete timelines and quantified objectives. This is especially important since most of these programs are being recycled from prior planning periods and indicated little progress or outcomes as noted in the review and revise section of the housing element. Programs that need to be modified with timelines, specific commitments and quantified metrics include Program A.2 (Mixed-use Zoning), A.3 (Small Lot Development), B.2 (Facilitate Affordability), B.3 (Housing Choice Vouchers). In addition, programs should be revised, as follows:

- Program A.2 (Mixed-use Zoning) and B.1 (Develop Inclusionary) commits to researching and providing a report; however the element needs to include timelines committing to take actions on the outcomes of these reports.
 - Program B.3 (Housing Choice Vouchers) commits to providing pamphlets on specific issues but needs to include a timeline for when these pamphlets will be developed.
2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room*

occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)

As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

Program A.1 – Shortfall Rezone Program: The element describes a shortfall of sites and indicates rezoning will occur to accommodate the RHNA. In addition, the City has an unaccommodated need from the 4th and 5th cycle of 70 lower-income units. While the element includes Program A.1, it must specifically commit to acreage, allowable densities, anticipated units and affordability.

In addition, the rezone program must be revised to include all the provisions of Government Code section 65583.2, subdivisions (h) and (i), as follows:

- permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. By-right means local government review must not require a CUP, planned unit development permit, or other discretionary review or approval;
- accommodate a minimum of 16 units per site;
- require a minimum density of 20 units per acre; and
- at least 50 percent of the lower-income need must be accommodated on sites designated for residential use only or on sites zoned for mixed uses that accommodate all the very low- and low-income housing need, if those sites:
 - allow 100 percent residential use, and
 - require residential use to occupy 50 percent of the total floor area of a mixed-use project.

In addition, the recent California appellate decision in *Martinez v. City of Clovis* found that while overlays can be used in a rezone, when the base zone allows residential development, both the base zone and the overlay zone must comply with the minimum density requirements of Government Code section 65583.2, subdivision (h). The City should address how the City's rezone program(s) will address these requirements, if applicable. Based on the analysis, the element may need to adjust Program A.1.

Publicly Identified Sites: The element identified the Fort Ord sites to accommodate the City's 4th, 5th and 6th cycle RHNA. This site is an integral part of the addressing most of the City's RHNA including the lower-income RHNA and RHNA from the last planning period. The site is owned by the City; therefore, providing a unique opportunity to provide much needed affordable housing. As such, the element needs to include significant actions to facilitate and encourage development on this site. The element should include a program with numerical objectives that ensures compliance with the Surplus Land Act if applicable, provides incentives and actions along with a schedule to

facilitate development of this site. Actions should include outreach with developers, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.

3. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

While the element includes Programs B.2 and B.6 to assist in the development of affordable units, it must also include a program(s) with specific actions and timelines to assist in the development of housing for ELI households and farmworkers. The program(s) could commit the City to adopting priority processing, granting fee waivers or deferrals, modifying development standards, granting concessions and incentives for housing developments that include units affordable to ELI households; assisting, supporting or pursuing funding applications; and outreach and coordination with affordable housing developers; developing procedures to encourage and facilitate SRO development in the allowable district.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings B4 and B5 the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised, as follows:

Program C.1 – Review Constraints: This Program indicated that it would update the zoning ordinance to comply with SB 35; however, the objective of this Program states it will review and revise as needed. However, complying with SB 35 is required. The element should include a firm commitment to establishing processes and procedures for SB 35.

Reasonable Accommodation: The element noted that the City does not have a formal reasonable accommodation process and uses a variance to process requests. While the analysis indicated that the element includes programs committing to establishing a formal written reasonable accommodation procedure (p. 4-14), the element did not include any corresponding programs. The element must include or modify program(s) committing to establishing an objective written reasonable accommodation procedures.

5. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion,*

sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)

As noted in Finding B1, the element requires a complete AFFH analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

D. Quantified Objectives

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes these objectives by income group for very low-, low-, moderate- and above-moderate income, the element must also include objectives for ELI households.

In addition, while the element includes quantified objectives for new construction, it did not include objectives for units that will be conserved or rehabilitated during the planning period because the City does not have any at-risk units. However, quantified objectives are not limited to at-risk preservation. Conservation and rehabilitation objectives may include the variety of strategies employed by the City to promote tenant stability, code enforcement and repair programs that conserve the housing stock. The element should include quantified objectives for rehabilitation and conservation across income categories. For more information, please see <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/program-overview-and-quantified-objectives>.

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Appendix A - AFFH Assessment

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City of Del Rey Oaks
6th Cycle Housing Element Update – Appendix A
Affirmatively Furthering Fair Housing (AFFH)
Assessment

July-November 2023

Prepared by Denise Duffy & Associates



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APPENDIX A - AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) ASSESSMENT**Introduction**

In 2018, Governor Brown signed Assembly Bill (AB 686) requiring all public agencies in the state to Affirmatively Further Fair Housing (AFFH) beginning January 1, 2019. The new requirements went into effect on January 1, 2019 and required all public agencies to “administer programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing, and take no action inconsistent with this obligation”. AB 686 defined “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes. The Bill added an assessment of fair housing to the Housing Element which includes the following components:

- A summary of fair housing issues and assessment of the jurisdiction’s fair housing enforcement and outreach capacity;
- An analysis of segregation patterns, disparities in access to opportunities, and disproportionate housing needs;
- An assessment of contributing factors; and
- An identification of fair housing goals and actions.

The AFFH rule was originally a federal requirement applicable to entitlement jurisdictions (with population over 50,000) that can receive Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) funds directly from HUD. Before the 2016 federal rule was repealed in 2019, entitlement jurisdictions were required to prepare an Assessment of Fair Housing (AFH) or Analysis of Impediments to Fair Housing Choice (AI). AB 686 states that jurisdictions can incorporate findings from either report into the Housing Element.

The County of Monterey Analysis of Impediments to Fair Housing Choice 2019 (2019 AI Report) was developed to provide an overview of laws, regulations, conditions, or other possible obstacles that may affect an individual’s or a household’s access to housing. The AI report covers the City of Del Rey Oaks, and includes the jurisdictions of Monterey, Salinas, and Seaside. Del Rey Oaks is covered under the Monterey Urban County Entitlement Area, which is comprised of the cities of Del Rey Oaks, Gonzales, Greenfield, Sand City (participating cities), and the unincorporated areas of Monterey County.¹ The Housing Authority County of Monterey (HACM) was also a collaborating entity in the AI study. HACM is a public agency that provides rental assistance and develops and manages affordable housing throughout Monterey County.

¹ <https://files.monterey.org/Document%20Center/CommDev/Housing%20Programs/Plans%20&%20Reports/FINAL-Monterey-County-AI-Report.pdf> (Monterey County 2019 AI Report link).

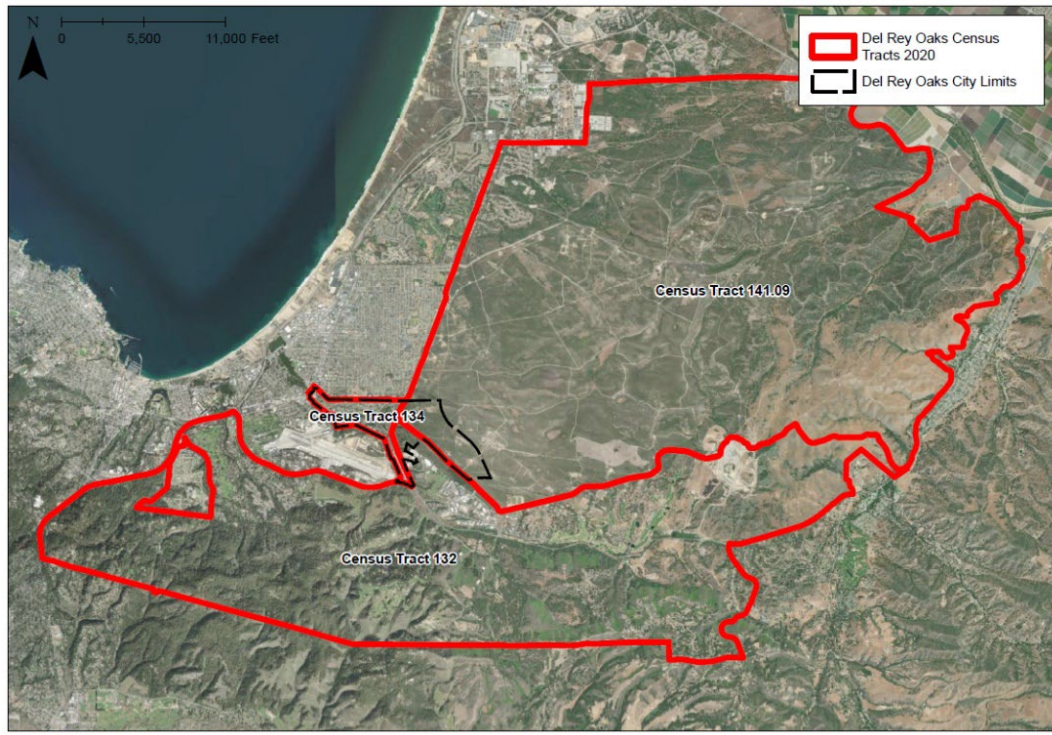
AB 686 also creates new requirements for housing elements due on or after January 2021, including (1) outreach to community stakeholders in the housing element public participation process, (2) an assessment of fair housing practices, (3) an analysis of the relationship between available sites and areas of high or low resources, and (4) concrete actions and programs to affirmatively further fair housing. This analysis also considers issues raised through public comments, local knowledge, and an assessment related to the regional history and physical form of the City of Del Rey Oaks. As the City is small in size and population, and thus, local knowledge, history and background provide relevant context for the existing built form and history of growth. The physical setting is key to understanding the character of the city and constraints to development.

Data Sources

This analysis relies on the following data sources: California Department of Housing and Community Development (HCD) AFFH Data Viewer Version 2.0, California Department of Transportation (Caltrans), California Tax Credit Allocation Committee (TCAC), Center for Neighborhood Technology (CNT), 2023 Environmental Protection Agency (EPA) Smart Location Database, Housing Authority of the County of Monterey (HACM), 2019 Monterey County Analysis of Impediments to Fair Housing Choice (2019 AI Report), 2021 Office of Environmental Health Hazard Assessment (OEHHA) CalEnviroScreen Version 4.0, U.S. Department of HUD 2019, 2020 and 2021 AFFH Data, 2020 U.S. Census, 2016-2020 and 2017-2021 American Community Survey (ACS) (5-Year Estimates), HUD Comprehensive Housing Affordability Strategy (CHAS) Data based on the 2015-2019 ACS. Much of the data provided by HUD for the purpose of AFFH analysis is based on this collective information. **The 2023-2031 Housing Element Update Assessments of Fair Housing for the City of Monterey and City of Seaside were also referenced for regional comparisons.**

As shown in **Figure A1**, the City of Del Rey Oaks is within three 2020 U.S. Census Tracts. The primary and only populated census tract is Tract 134. The other two tracts include unpopulated portions of the city within larger areas. The northeast portion of the City is part of tract 141.09 and includes portions of Seaside and former Fort Ord. A small **southern-eastern** portion of the City is in tract 132 and is shared with the City and County of Monterey. Both of these tracts are unpopulated within the Del Rey Oaks' boundaries.

Figure A1 City of Del Rey Oaks Census Tract Boundaries



Report Content and Organization

As guided by HCD, this AFH is organized by the following five topics. This AFH follows the April 2021 California Department of Housing and Community Development Guidance Memorandum for AFFH.

- **Fair Housing Enforcement and Outreach Capacity** reviews lawsuits/enforcement actions/complaints against the jurisdiction; compliance with state fair housing laws and regulations; and jurisdictional capacity to conduct fair housing outreach and education.
- **Integration and Segregation** identifies areas of concentrated segregation, degrees of segregation, and the groups that experience the highest levels of segregation.
- **Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)** reviews racially/ethnically concentrated areas of poverty (R/ECAPs) and racially concentrated areas of affluence (RCAAs) as a focus of fair housing policies to ensure housing is integrated.
- **Disparities in Access to Opportunity** examines differences in access to education, transportation, economic development, and healthy environments.
- **Disproportionate Housing Needs and Displacement Risk** identifies which groups have disproportionate housing needs including displacement risk.

Compliance with Fair Housing Laws & Regulations

The City is committed to comply with the Federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA), including FEHA Regulations, protect residents from discrimination on the basis of race, color, religion, national origin, sex/gender, handicap/disability, familial status, marital status, ancestry, source of income, sexual orientation, and arbitrary discrimination, as included in the 2019 AI Report. Additional fair housing laws applicable to California jurisdictions ~~include~~**are noted below, the City's compliance with these laws, as applicable, is also provided:**

- Unruh Civil Rights Act – Protects residents from discrimination by all business establishments in California, including housing and accommodations. **The City complies with the Unruh Civil Rights Act through coordination with the California Department of Fair Employment in Housing (DFEH) regarding fair housing complaints.**
- Ralph Civil Rights Act (California Civil Code Section 51.7) – forbids acts of violence or threats of violence on the basis of race, color, religion, ancestry, national origin, age, disability, sex, sexual orientation, political affiliation, or position in a labor dispute. **The City complies with the Ralph Civil Rights Act through coordination with the DFEH regarding fair housing complaints, housing referrals, and working with local agencies.**
- Bane Civil Rights Act (California Civil Code Section 52.1) – protects residents from interference by force or threat of force with an individual's constitutional or statutory rights, including a right to equal access to housing. **The City complies through enforcement of the Unruh Civil Rights, Bane Civil Rights Act, and Ralph Civil Rights Acts addressed above.**

- California Civil Code Section 1940.3 – prohibits landlords from questioning potential residents about their immigration or citizenship status. The City complies with California Civil Code Section 1940.3 through coordination with HUD Office of Fair Housing and Equal Opportunity (FHEO) fair housing inquiries and cases.
- Government Code Sections 11135, 65008, and 65580-65589.8 – prohibit discrimination in programs funded by the State and in any land use decisions. 65580-65589.8 was recently changed for the provision of special needs housing through:
 - Housing for persons with disabilities (SB 520);
 - Housing for homeless persons, including emergency shelters, transitional housing, and supportive housing (SB 2);
 - Housing for extremely low-income households, including single-room occupancy units (AB 2634); and
 - Housing for persons with developmental disabilities (SB 812).

The City complies with SB 2 through the City's Zoning Ordinance Chapter 17.80 Emergency Shelters, through continuing to report on homeless count and continued review of the ordinance to ensure there is adequate capacity and sites which are suitable for the development of emergency shelters (ongoing Program D.4). The City zoning ordinance does require revision to allow transitional and supportive housing in the same way other residential uses are allowed in all zoning districts allowing residential uses, which is both ongoing and proposed through Programs D.5 and D.6 to as well as Program C.3.

The City complies with AB 2634 by projecting the number of extremely low-income housing needs for the purposes of the Housing Element using the 50% method (assuming 50% of very low-income units as extremely low-income). The City will further comply with AB 2634 through Program C.3 to amend the Zoning Ordinance to conditionally permit single-room occupancy housing.

The City complies with anti-discrimination requirements through the City's programs and the City's procurement protocols. Additionally, ongoing programs facilitate housing for all households, including protected classes (e.g., programs regarding residential care facilities, reasonable accommodation, and emergency shelters). The City has limited housing development as noted but does ensure compliance with land use decisions and housing for special needs. The City's Emergency Shelter ordinance reduces constraints on the development of emergency shelters in compliance with SB 2. City policies programs facilitate and encourage the development of rental and ownership units. Programs facilitate the provision of housing for special needs groups, including the elderly and disabled (D.2). New Program D.7 proposes the adoption of a universal design element for new development, particularly for the elderly and disabled. New Program D.9 will require the City to draft, review, and adopt a Reasonable Accommodation Ordinance.

- Fair Housing Act (FHA) – The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where

such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. The City staff takes into consideration the provisions of the California Americans with Disabilities Act (Cal ADA) in the review and approval of housing projects and grants modifications and deviations from the Zoning Code to accommodate the needs of persons with disabilities. Additionally, the draft Housing Element Program D.9 commits the City to adopt a Reasonable Accommodation Ordinance.

- Rehabilitation Act of 1973 – prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment and in the employment practices of federal contractors. The City complies with the Rehabilitation Act through its accessibility protocols, administered and enforced by the City’s Building Inspector.
- American Disabilities Act (ADA) – prohibits discrimination based on disability, requires covered employers to provide reasonable accommodations to employees with disabilities, and imposes accessibility requirements on public accommodations. The City complies with the ADA through building permit review and issuance and as described in this Fair Housing Assessment (see Section B Persons with Disabilities below).
- California Fair Employment and Housing Act (FEHA) and FEHA Regulations – provides protection from harassment or discrimination in employment based on age, ancestry, color, creed, denial of family and medical care leave, disability, medical condition, marital status, national origin, race, religion, sex, and sexual orientation. The FEHA also prohibits discrimination in housing because of a person’s disability. The City complies with the FEHA and its regulations through adherence to established City protocols for hiring and decision making, mandatory trainings for City staff, and legal counsel and advisement.
- Government Code Section 65302.8 (Limits on Growth Control) – requires counties and cities limiting the number of annually-constructed housing units to justify reducing the housing opportunities of the region. The City complies with Government Code Section 65302.8 as it has no growth control measures.
- Government Code Section 65863 (No-Net-Loss Law) – ensures development opportunities remain available throughout the planning period to accommodate a jurisdiction’s regional housing need allocation (RHNA), especially for lower- and moderate- income households. The City has documented compliance with sufficient capacity for RHNA and will ensure compliance with no-net-loss via programs as noted in Program A.1.
- Government Code Section 65915 (Density Bonus Law) – encourages applicants to construct affordable housing units in exchange for an increase in density in a residential or mixed-use housing project, as long as the project includes a certain percentage of affordable units at specified levels of affordability. The City does not currently have a density bonus ordinance but complies with provisions of the Density Bonus Law as noted in Program B.5.

FAIR HOUSING ASSESSMENT

A. Fair Housing Enforcement and Outreach Capacity

The first topic of the AFH is an assessment of the jurisdiction’s fair housing enforcement and outreach capacity. Pursuant to the California Fair Employment and Housing Act [Government Code Section 12921 (a)], the opportunity to seek, obtain, and hold housing cannot be determined by an individual’s “race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, genetic information, or any other basis prohibited by Section 51 of the Civil Code.”

Fair Housing Legal Cases and Inquiries

California fair housing law extends beyond the protections in the Federal FHA. In addition to the Federal FHA protected classes—race, color, ancestry/national origin, religion, disability, sex, and familial status—California law offers protections for age, sexual orientation, gender identity or expression, genetic information, marital status, military or veteran status, and source of income (including federal housing assistance vouchers).

The California Department of Fair Employment in Housing (DFEH) was established in 1980 and is now the largest civil rights agency in the United States. According to their website, the DFEH’s mission is, “to protect the people of California from unlawful discrimination in employment, housing and public accommodations (businesses) and from hate violence and human trafficking in accordance with the Fair Employment and Housing Act (FEHA), Unruh Civil Rights Act, Disabled Persons Act, and Ralph Civil Rights Act”.

DFEH receives, evaluates, and investigates fair housing complaints. DFEH plays a particularly significant role in investigating fair housing complaints against protected classes that are not included in federal legislation and therefore not investigated by HUD. DFEH’s website provides detailed instructions for filing a complaint, the complaint process, appealing a decision, and other frequently asked questions. Fair housing complaints can also be submitted to HUD for investigation.

This section discusses fair housing legal cases and inquiries, fair housing protections and enforcement, and outreach capacity.

Outreach and Capacity

The website for the City of Del Rey Oaks does not provide information about local fair housing resources, entities, or assistance. The website links to the Code of Ordinances, hosted by Municode. Links to the HACM, 2-1-1 Monterey County, HCD, and local non-profit organizations would benefit City residents and improve the effectiveness of the City’s website. The website should also more transparently describe what steps residents should take if they feel they have faced discrimination and are seeking information about filing complaints by providing links to fair housing resources.

Fair housing outreach and education is imperative to ensure that those experiencing discrimination know when and how to seek help.

To gather input on the AFFH, publicly noticed meetings were held starting in March 2023 and continuing throughout the development and review of the Housing Plan and this AFFH Assessment, as shown in the list of meetings and public comments (**Appendix B**). Meeting invitations were widely distributed and included engagement and invitations to community partners working on housing for special needs, as well as housing advocacy partners, including the United Way, ECHO Housing, and Community Human Services (CHS). The meetings were publicized through the City's website, and notices were emailed to the organizations from the contact list of partners and service organizations the City has compiled from past stakeholder and community meetings related to housing, as shown in **Appendix B-1**. At all meetings, the attendees were encouraged to share their perspective on the challenges for housing in the City. **Appendix B** provides a full list of public comments received during the hearings and workshops conducted as well as how the Housing Element Update programs integrated the public comments into the Housing Element and this AFFH Assessment. Public comments addressed the need to actively promote project-based partnerships with community housing developers to promote affordable housing; add programs to develop the Universal Design program; create housing, particularly housing suitable for seniors and persons with disabilities; and desire to integrate below market rate and other affordable "set aside" units into proposed developments to ensure that new affordable residences are integrated so all income levels of housing.

Regional and Local Patterns and Trends

Regional and local patterns and trends are identified through data on public housing buildings and Housing Choice Vouchers in the City, as well as interviews with regional stakeholders whose service areas include the City of Del Rey Oaks. Maps and data tables of public housing buildings and Housing Choice Vouchers in and around the City provide information to identify any areas of concentration of affordable housing in the County.

The HUD Office of Fair Housing and Equal Opportunity (FHEO) records fair housing inquiries and cases for local governments. FHEO inquiries are not official discrimination cases but can be used to identify possible discrimination concerns. The Federal bases for alleged discriminator acts are race, color, national origin, religion, sex, disability, familial status and retaliation for filing a fair housing complaint. A single case may have multiple bases. As seen in **Table A1**, Del Rey Oaks received 0.62 FHEO inquiries per 1,000 people in the area from 2013-2022.

Table A1 FHEO Inquiries for City of Del Rey Oaks (HUD, 2013 - 2022)	
Inquiry Type	# of Inquiries
Total Inquiries	1
No Basis Given	1
Sex Basis	0
Retaliation Basis	0
Religion Basis	0
Race Basis	0
National Origin Basis	0
Color Basis	0
Disability Basis	0
Familial Status Basis	0

Table A1 FHEO Inquiries for City of Del Rey Oaks (HUD, 2013 - 2022)	
Inquiry Type	# of Inquiries
Population (ACS, 2021)	1,616
Per 1,000 people quotient	1.62
Number of Inquiries per 1,000 people	0.62
Source: HCD AFFH 2.0 Data Viewer, May 2023	

Table A2 Monterey County FHEO Discrimination Cases 2006-2020		
Basis	Cases	Percent
Race	15	9.9%
Disability	74	48.7%
Familial Status	30	19.7%
Sex	23	15.1%
Religion	6	4.0%
Retaliation	16	10.5%
Total	152	100%
Source: HCD AFFH 2.0 Data Viewer and HUD, 2020.		

Jurisdictions adjacent to Del Rey Oaks, including Seaside and Monterey, had similar proportions of FHEO inquiries. **Table A2** shows fair housing cases filed by FHEO from 2006 to 2020 in the county of Monterey. Among the cases countywide, most were related to disabilities (74 instances), familial/marital status (30 instances), and sex (23 instances).

The Housing Authority County of Monterey (HACM) provides rental assistance, develops, and manages affordable housing throughout Monterey County. The Housing Choice Voucher Program (HCV), formerly known as “Section 8”, provides assistance for very low-income households (single or family), the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. The Housing Choice Voucher is a rent subsidy program that helps lower income (up to 50 percent of area median income, or AMI) families and seniors pay rents in private units. Voucher recipients pay a minimum of 30 percent of their income toward their contract rent, and the local housing authority pays the difference through federal funds up to the payment standard (fair market rent) established by the HACM. The HACM administers the Housing Choice Voucher program on behalf of jurisdictions within Monterey County. The demographics of HACM Waiting Lists are presented below in **Table A3**. According to the 2019 AI Report, as of 2017, 3,077 households in Monterey County were receiving Housing Choice Vouchers (HCV). The racial/ethnic composition of the voucher recipients indicated: 25.8 percent White; 6.7 percent Black; 2.8 percent Asian; and 64.1 percent Hispanic.² In the fiscal year beginning July 2022, HACM has an allocation of 4,771 HCVs.³

Table A3 Demographics of HACM Waiting Lists (2015)		
	Housing Choice Vouchers	Public Housing ²
Number of Families on Waiting List	1,459	6,521
Extremely Low Income (0-30% AMI) ¹	70%	80%

² Monterey County Analysis of Impediments to Fair Housing Choice, 2019.

³ HACM, 2022. PHA Annual Plan FY July 2022.

Table A3 Demographics of HACM Waiting Lists (2015)		
	Housing Choice Vouchers	Public Housing ²
Very Low Income (31-50% AMI)	27%	18%
Low Income (51-80% AMI)	6%	3%
Families with Children	82%	76%
Elderly Families	6%	7%
Families with Disabilities	9%	14%
Race:		
White	82%	77%
Black	13%	8%
Asian	2%	2%
American Indian/Native Hawaiian	3%	13%
Unknown/Multiple	1%	13%
Ethnicity:		
Hispanic	69%	74%
Non-Hispanic	31%	24%
Notes:		
1. Housing Authority income categories are named differently than the CDBH program.		
2. The HACM completed conversion of all public housing units into project-based rental assistance program. Due to lag time in transition the data from public housing, no new data is available at this time.		
Source: Housing Authority County of Monterey, Five-Year and Annual Plan, 2015.		

In addition to the Housing Choice Voucher program, HACM owns and manages over 1,000 units of affordable rental housing throughout the County. Most of these units were originally developed as public housing units. However, beginning in 2015, HACM initiated the process of converting the public housing developments into project-based rental assistance units. That conversion process has been completed. As of July 2015, 1,459 households were on the Housing Choice Voucher waiting list and 6,521 households were on the Public Housing waiting list.

Project Based Vouchers (PBV) are a component of HACM's Housing Choice Voucher Program. Under the project-based program, the Housing Authority enters into an assistance contract with the landlord for specified units and for a specified term. The allocation of HACM Project-Based Vouchers is presented below in **Table A4**. The Housing Authority refers families from the waiting list to the project landlord to fill vacancies. The HACM continues to expand its use of Project-Based Vouchers in supporting the development and expansion of affordable housing throughout Monterey County. The agency continues to work in partnership with housing developers by providing project-based vouchers. The following projects have completed their requirements or have entered a Housing Assistance Payment (HAP) contract with the agency or are pending PBV requirements: Villa Del Monte, Catalyst A-E and Casanova Plaza Apartments, East Garrison Apartments and Nuevo Amanecer, Salinas Homekey, Greenfield Commons I, Greenfield Commons II, Lightfighter Village and Magnolia Place Senior Apartments.

Table A4 Project Based Voucher Allocation			
Agency/Property	# of Units	Location	Status
Salinas Homekey	85	Salinas	Pending
Greenfield Commons I	27	Greenfield	Pending
Greenfield Commons II	27	Greenfield	Pending

Table A4 Project Based Voucher Allocation			
Agency/Property	# of Units	Location	Status
VTC-Lightfighter Village	17	Marina	Pending
Magnolia Place Senior Apartments	32	Greenfield	Executed AHAP
East Garrison Apartments	15	Marina	Executed AHAP
Nuevo Amanecer	15	Pajaro	Pending HAP
Catalyst A-E	5	Salinas	Executed HAP
Villa del Monte Apartments	39	Seaside	Executed HAP
Casanova Plaza Apartments	17	Monterey	HAP
Note: AHAP: Agreement to Housing Assistance Payment (Contract) HAP: Housing Agreement Payment (Contract)			

The agency continues to actively promote project-based partnerships with community housing developers to promote affordable housing. Vouchers have been made available to new housing developments to increase the supply of affordable housing and to expand housing opportunities to individuals and families in Monterey County.

There are no public housing buildings in Del Rey Oaks or the nearby area. [According to HCD's AFFH Data Tool](#), ~~the~~ the closest public housing buildings are located approximately 55 miles away in the city of Santa Clara.

Additionally, HACM has provided Fair Housing Goals as part of its Public Housing Agency (PHA) strategies and actions to achieve fair housing goals.⁴

- Ensuring Fair Housing for all Americans
 - HACM has established and ensured equal opportunity in housing for all Americans as a strategic goal. To implement this goal, HACM continues to affirmatively market its housing programs to make them accessible to families with special needs or disabilities. HACM remains strongly committed to meeting reasonable accommodation or modification requests that support and promote affordable housing opportunities to disabled families or individuals.
- Furthering Fair Housing Opportunities
 - HACM works with the entitlement jurisdictions to integrate outreach and fair housing training opportunities into existing plans which are developed by each jurisdiction. HACM provides landlord workshops and participates in community forums and events to market the HCV Program and to expand further fair housing opportunities for families.
- Improving Equitable Housing Opportunities for Participants
 - Housing Program Specialists work with families to promote portability and relocation to neighborhoods of opportunity. During briefings, applicants are informed of available units and their location, emphasizing communities that are underutilized. The Housing Program Specialists describe fair housing and discrimination laws and provide information regarding

⁴ HACM, 2022. PHA Annual Plan FY July 2022.

the process of filing complaints. The briefing sessions also contain information regarding areas of the community that have concentrations of minorities, poverty, and crime. This information is given to the voucher holders to allow them to make housing choices that can provide greater social amenities and greater educational and economic opportunities for their families.

- Ensuring Access to Safe and Sanitary Affordable Housing
 - HACM’s Annual and long-range goals will result in greater housing choices for families by allowing families to acquire housing that is of adequate size by reducing overcrowded conditions. All potential rental units must meet Housing Quality Standards and are inspected prior to move-in and are subject to annual inspections to assure these standards are maintained. Participants are assisted in securing housing that meets the needs of their families and are assisted in leasing negotiations with landlords. These factors promote fair housing choices by eliminating blighted properties from federal housing subsidies and improves the wellbeing of the community and its members overall.
- Furthering Opportunities for Participants in Higher Opportunity Areas
 - The HACM conducts analysis of local fair market conditions in its jurisdiction to help eliminate barriers for applicants of the HCV Program. With approval of the success rate payment standard amounts at the 50th percentile, the HACM is able to increase the number of voucher holders who become participants. Additionally, it affords participants opportunities to secure housing in higher opportunity neighborhoods and areas.

The City also works with HACM to provide information and incentives to property owners to encourage them to sign HCV agreements with HACM. Program B.3 of the City of Del Rey Oaks Housing Element requires the City to post informational pamphlets in English and Spanish regarding the voucher program be made –available at City Hall. Further, the City Manager will work with HACM to create a list of developers and provide outreach to increase participation in the HCV program per Program B.3. The City also collaborates with the County, HAMC, the cities of Monterey, Salinas and Seaside, and the cities of Gonzales, Greenfield, and Sand City in the County that receive entitlement funding from HUD. One of the requirements for maintaining eligibility for federally funded programs such as the Community Development Block Grant (CDBG), HOME Investment Partnership, and Emergency Solutions Grant programs, and other state and local programs is to “actively further fair housing choice” through:

- Completion of an Analysis of Impediments to Fair Housing Choice (AI),
- Actions to eliminate identified impediments; and
- Maintenance of fair housing records.

Local Trend

There is no additional discrimination complaint or case data available for the City of Del Rey Oaks.

As stated by HACM, there was one renter receiving HCVs in the City in 2023.⁵

⁵ HACM email correspondence, April 19, 2023.

According to the HCD AFFH Data Viewer, there has been 0.62 inquiries per 1,000 people in Del Rey Oaks since 2013. The FHEO received a total of one inquiry from Del Rey Oaks residents between January 2013 and December 2022. No specific basis of discrimination was given.

Conclusions and Summary of Issues for Fair Housing Enforcement and Outreach Capacity

In conclusion, there are no public housing buildings in Del Rey Oaks and one renter who currently utilizes an HCV. Those using HCVs and PBVs in Monterey County appear to be spread throughout the surrounding areas, despite some clustering in areas where multi-family units are more prevalent. Complaints about housing discrimination in Del Rey Oaks have not been an issue, but the City can be more proactive about adding fair housing programming and resources to its website and working with local organizations who provide these services.

B. SEGREGATION AND INTEGRATION

The second topic of the AFH is an assessment of segregation and integration in the jurisdiction. According to HCD's Affirmatively Furthering Fair Housing Guidance Memo, segregation generally means a condition in which there is a high concentration of people of a particular race, color, religion, sex, familial status, national origin, or disability in a particular geographic area when compared to a broader geographic area.⁶

Integration generally means a condition in which there is not a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability when compared to a broader geographic area.

Patterns of segregation within an area or community may arise from both public and private housing discrimination, whether intentional or unintentional. Although racial and ethnic segregation is perhaps the most common and well-known form, other protected classes may also experience segregation. This section discusses levels of segregation and integration for race and ethnicity, language, familial status, persons with disabilities, and income, and identifies the groups that experience the highest levels of segregation. Historically throughout the U.S., including in California and Monterey County, restrictive and exclusionary zoning practices have contributed to racial and economic segregation.⁷

Data tables, narrative, local knowledge, and maps are used to illustrate local and regional patterns and trends regarding segregation and integration for race and ethnicity, language, familial status, persons with disabilities, and income.

Regional and Local Patterns and Trends

Race and Ethnicity

Del Rey Oaks was incorporated on September 3, 1953 and currently has over 1,700 residents in a total area of 1.05 square miles. As Post-War development grew in the region, the "Del Rey" community

⁶ California Department of Housing and Community Development Guidance, 2021.

⁷ Shahan Shahid Nawaz et al., "Single-Family Zoning in the Monterey Region: A California Zoning Atlas Snapshot", Othering and Belonging Institute, University of California, Berkeley, July 10, 2023, https://belonging.berkeley.edu/single-family-zoning-monterey-region#footnote1_rj19xwi

underwent multiple petitions for annexation between the City of Monterey, the future City of Seaside, or for incorporation. Del Rey Oaks became the ninth incorporated city in the county.

The history of nearby Fort Ord and the development of Seaside also played a role in the creation of Del Rey Oaks. According to Carol Lynn McKibben, "...white homeowners in the Del Rey Oaks and Ord Terrace area disputed [Seaside] city boundaries, delaying the vote for [Seaside incorporation] another year. The boundaries were redrawn to exclude Del Rey Oaks, which itself incorporated as a separate city in April 1954. The predominantly white residents of Ord Terrace attempted a counterpetition to create their own city, no doubt realizing that the racially segregated zone they created in the 1940s would not be sustained in an incorporated, multiracial Seaside. They failed, but only because of filing irregularities...Their efforts conformed to white responses throughout California during the postwar period when the influx of people of color, especially African Americans, threatened white hegemony."⁸

In 1917 as the United States entered World War I, the federal government established Fort Ord as a military training base for soldiers stationed in the nearby Presidio in Monterey. The presence of the base discouraged both housing and infrastructure development, contributing to Seaside's reputation as a less desirable place to live than Monterey, especially as World War II brought the expansion of Fort Ord. By the end of the war, when President Harry S. Truman ordered full desegregation of the armed services, Seaside was still an unincorporated suburb of Monterey. Because of the increasing use of racially restrictive covenants in Monterey and many other communities in the county, many African Americans retiring from the military who were unable to purchase homes elsewhere in the area, remained in Seaside, which incorporated in 1954. By 1980, the Black or African American population of Seaside was 29.3 percent, larger than any other city in the county, but with the closure of Ford Ord the Black or African American population declined to 12.1 percent in 2000. Seaside still has the largest Black or African American population of any city in the county, 7.2 percent compared with 3.5 percent in Monterey.

Table A5 depicts race and ethnicity composition for Del Rey Oaks in 2020 using data from 2020 U.S. Census Bureau. The ethnic mix of Del Rey Oaks is significantly different from that of Monterey County as a whole. Countywide, the Hispanic population was approximately 59 percent in 2020, and in Del Rey Oaks approximately 10 percent. The ethnic mix of Del Rey Oaks has changed since the previous Housing Element Update. City residents that reported themselves as White declined from 85.3 percent in 2018 to 76.1 in 2020, a 9.2 percent decrease. Del Rey Oaks residents that reported themselves as Asian increased by 1.2 percent, from 5 percent of the Del Rey Oaks population in 2018 to 6.2 percent in 2022. However, percentages of non-Hispanic ethnicities in Del Rey Oaks are similar to Monterey County.

Ethnicity/Race	Number	Percent (%)
White	1,155	76.1%
Black or African American	30	2.0%
American Indian or Alaska Native	-	0.0%
Asian ¹	94	6.2%
Native Hawaiian and Other Pacific Islander	5	0.3%
Some Other Race	-	0.0%

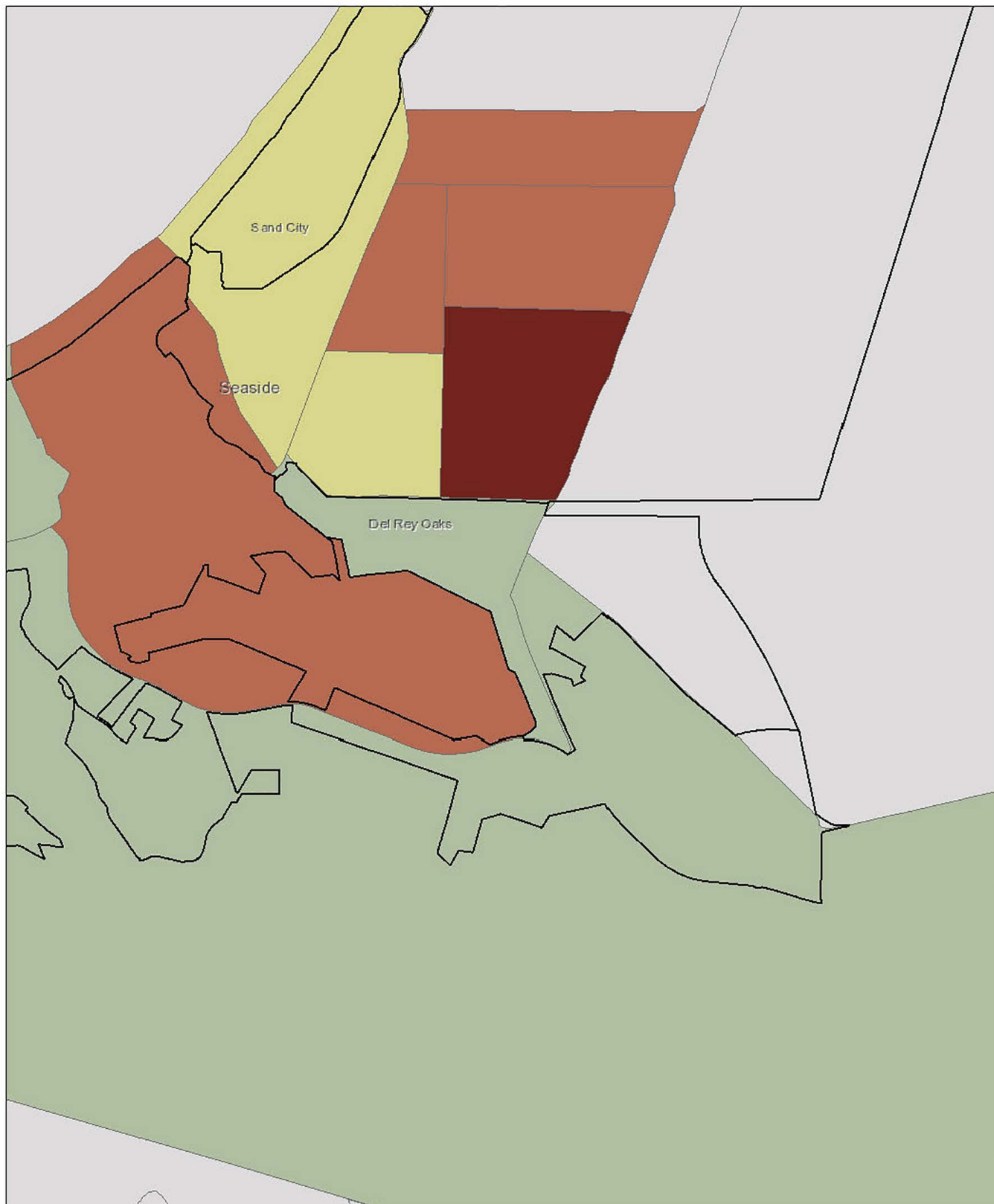
⁸ McKibben, 2011. Racial Beachhead: Diversity and Democracy in a Military Town.

Table A5 Del Rey Oaks Ethnicity and Racial Composition, 2020		
Ethnicity/Race	Number	Percent (%)
Two or More Races	79	5.2%
TOTAL	1,518	100%
Hispanic or Latino ²	155	10.2%
Source: U.S. Census Bureau, 2020		
¹ Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, Other Asian.		
² Mexican, Puerto Rican, Cuban, Other Hispanic or Latino.		

According to the 2020 data from the Othering & Belonging Institute (OBI), tracts in Del Rey Oaks are classified as High White Segregation, as shown in **Figure A2**.⁹ High White Segregation is defined as census tracts with a Divergence Index score or value in the top third nationally, are majority white, and have a white Location Quotient above 1.25.¹⁰ Areas neighboring Del Rey Oaks, including Seaside and parts of Monterey, are classified as Low-Medium Segregation, High POC (Person of Color) Segregation, and Racially Integrated. **Residents that reported themselves as White make up about a third of the population in the County and Seaside. In comparison, Seaside has a lower concentration of Hispanic residents than the County but a higher percentage of Asian and Black residents.**




⁹ OBI, 2023. <https://belonging.berkeley.edu/roots-structural-racism>

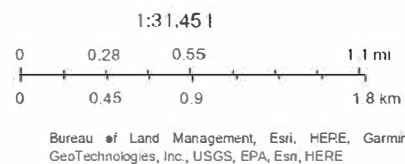
¹⁰ OBI, 2023. <https://belonging.berkeley.edu/faq-roots-structural-racism>



Source

Racial Segregation/Integration (OBI, 2020) - Tract

-  Racially Integrated / Low-Medium Segregation
-  High POC Segregation
-  High White Segregation



Familial Status

Large families are defined by HCD as families containing five or more persons. Income is a major factor that constrains the ability of families to obtain adequate housing. Larger units are more expensive and most of the units with three or more bedrooms are single-family units instead of multi-family rental units. Because of this, many large families are forced to live in overcrowded homes. Large families are recognized as a group with special needs based on the limited availability of adequately sized affordable housing units.

The City Council of Del Rey Oaks amended the Title 17 Zoning Ordinance to revise the definition Family.¹¹ The previous Zoning Ordinance definition was outdated and in need of amendment. Past views of the “traditional” definition of family consisted of a household composed of people related by blood, marriage or adoption. This excludes a number of households such as long-term partners who have been living together for decades but are not legally married, single parents raising a foster child and others, such as individuals with disabilities who share housing so they can have the support they need to live in the community. Family is defined as “an individual or two or more persons who are related by blood or marriage; or otherwise live together in a dwelling unit”. Revising the definition of Family can help reduce barriers to affirmatively furthering fair housing through the inclusion of a variety of types of familial and household situations.

According to U.S. Census data, in 2020 there were 633 total households within the City. The average 2020 household size in the City was 2.40 persons per household, an increase from 2.32 in 2010 (see **Table A6**, below). Del Rey Oaks’ population is trending towards a younger demographic with larger families. This is important information because a trend towards a younger demographic with larger families means the City should plan for family housing and services such as daycare. Although there is an increase in the average household size, Del Rey Oaks contains an aging population, which is comprised of the post-World War II baby boomer generation. This generation has always had an enormous population compared to other generations, having implications on healthcare and the economy; therefore, the City needs to plan how they should house their senior population. As of now, this age cohort mostly resides in single-family homes, but as they require more assistance as they age, they will need more options for assisted living or universal design to age in their own homes.

Household Type	Number of Households	Percent of Total Households
Married Couple Households	301	47.6
Female-Headed Households	42	6.7
Non-Family Households*	249	39.3
Total Households	633	100
Average Household Size	2.40	--

Source: U.S. Census Bureau, 2020
 Note: The U.S. Census Bureau defines a Non-Family Household as a household consisting of a householder living alone (a one-person household) or where the householder shares the home exclusively with people to whom they are not related.

¹¹ City of Del Rey Oaks Resolution 2022-02, December 2022.

Married couple households make up the majority of Del Rey Oaks households (47.6 percent). **Figure A3** shows the percentage of children living in married couple households and can be used as an indicator of families in Del Rey Oaks.

Countywide, data from the 2016-2020 ACS (U.S. Census Bureau, 2020) indicates that large households represented about 6.6 percent of the households, a slight decrease from 8.9 percent from the 2010 U.S. Census. **Table A7** below identifies large households by tenure for Del Rey Oaks for the year 2020. In 2020, 5.4 percent of owner-occupied households in Del Rey Oaks had five persons or more compared to 10.1 percent of renter-occupied households with five persons or more. Overall, 6.6 percent of households have five or more persons. Similar to overcrowding, this issue is not major at the moment, but if no housing is developed in the next 10 years, then large families will have to deal with overcrowding due to the lack of large family affordable housing. An important indicator of housing availability and affordability is based on how many renter-occupied households are overcrowded, compared to owner-occupied households. Households in Del Rey Oaks are mostly made up of 2-4 person households (58 percent) and 1-person households (35 percent). As seen in **Figure A4**, less than 20 percent of the adult population of Del Rey Oaks lives alone. **Additionally, as shown in Table 2-21 of Chapter 2.0, the rate of overcrowded renter-occupied households is larger than that of owner-occupied households being overcrowded, meaning there is a lack of affordable housing available in Del Rey Oaks in 2011 and 2020**

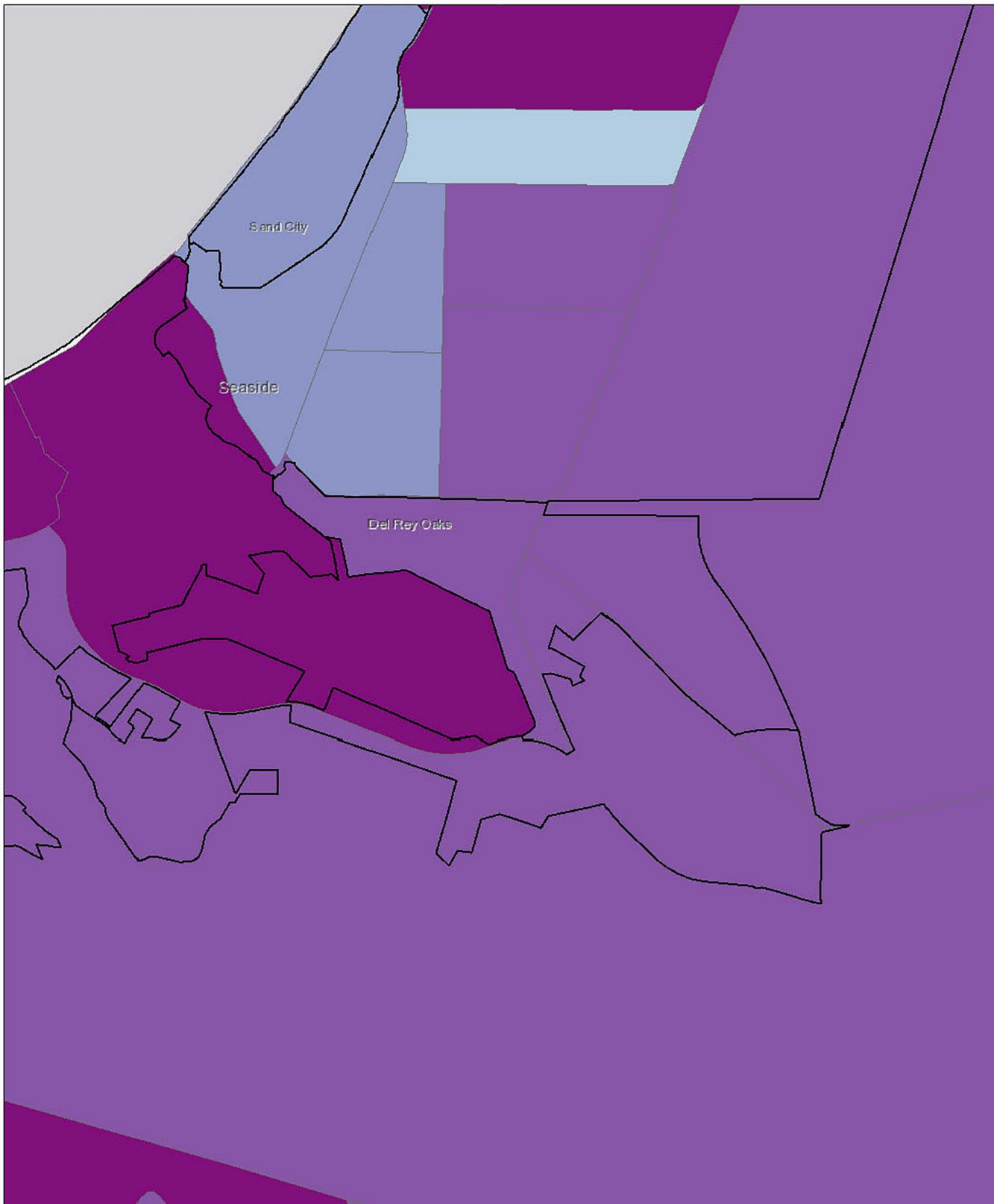
Table A7 Household Size by Tenure Del Rey Oaks, 2020								
	1 Person		2-4 Persons		5+ Persons		Total	
	Number	%	Number	%	Number	%	Number	%
Owner	168	36.1	272	58.5	25	5.4	465	100
Renter	56	33.3	95	56.6	17	10.1	168	100
Total	224	35.4	367	58.0	42	6.6	633	100

Source: U.S. Census Bureau, 2020

Single parents often require special consideration or assistance as a result of their lower income, the high cost of childcare, the need for supportive services, and the need for affordable housing. As a result, many single-parent families are faced with limited housing choices. In Del Rey Oaks, there were 30 female-headed family households with children under 18 years of age (4.3 percent of all households) in 2000. In 2020, there were 42 female-headed family households and seventeen (17) of these with children under 18 years of age (2.69 percent of all households). Because of the increased financial and emotional burden that female-headed households carry, they often have difficulty finding adequate and affordable housing for themselves and their children.

The housing needs of a single-parent-headed household range from affordability of a home to availability of nearby services, such as licensed day care to support individual parents who work. Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women.

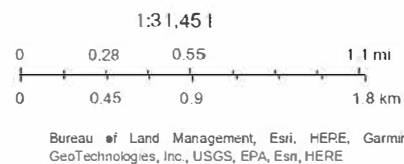
Table A8 shows the comparison between female-headed households in Del Rey Oaks and Monterey County.

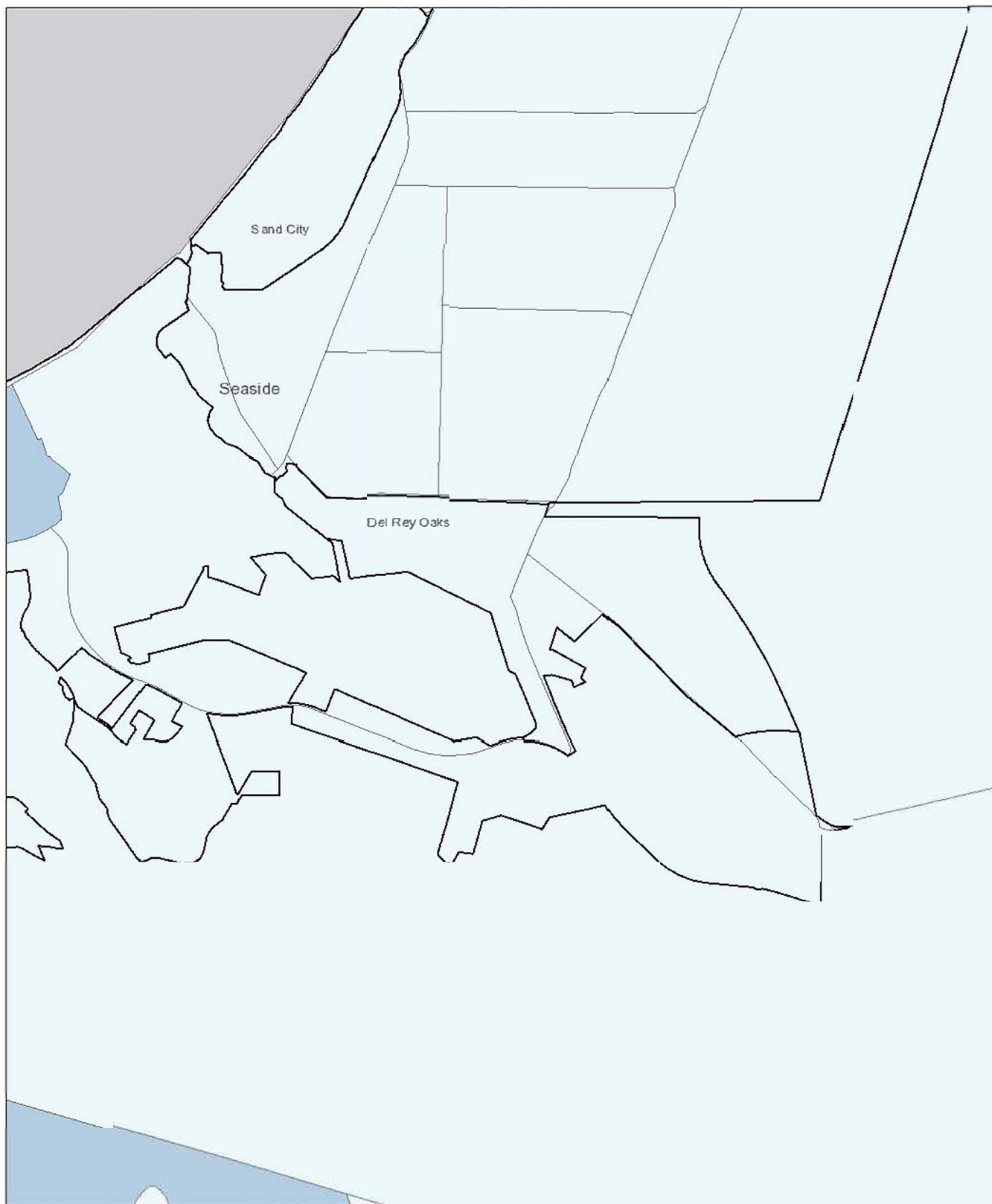


Source

Percent of Children in Married Couple Households (ACS, 2017-2021) - Tract

- 20% - 40%
- 40% - 60%
- 60% - 80%
- 80% - 100%

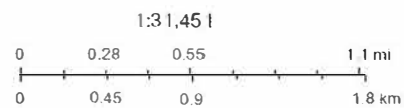




Source

Percent of Population Living Alone (ACS, 2017-2021) - Tract

- 0% - 20%
- 20% - 40%



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE

Table A8 Female Headed Households, 2020				
Householder Type	Monterey County		Del Rey Oaks City	
	Number	Percent	Number	Percent
Female Headed Householders	15,986	17.20%	42	10.94%
<i>Female Heads with Own Children</i>	9,914	10.67%	17	4.43%
<i>Female Heads without Children</i>	6,072	6.53%	25	6.51%
Total Householders	92,948	100.00%	384	100.00%
Female Headed Householders Under the Poverty Level	3,756	4.04%	0	0.0%
Total families Under the Poverty Level	8,196	8.82%	7	1.82%

Source: U.S. Census Bureau, 2020

As seen in **Figure A5**, the percentage of children that live in female-headed households in Del Rey Oaks census tracts is similar to the percentages of children in female-headed households in neighboring areas.

Persons with Disabilities

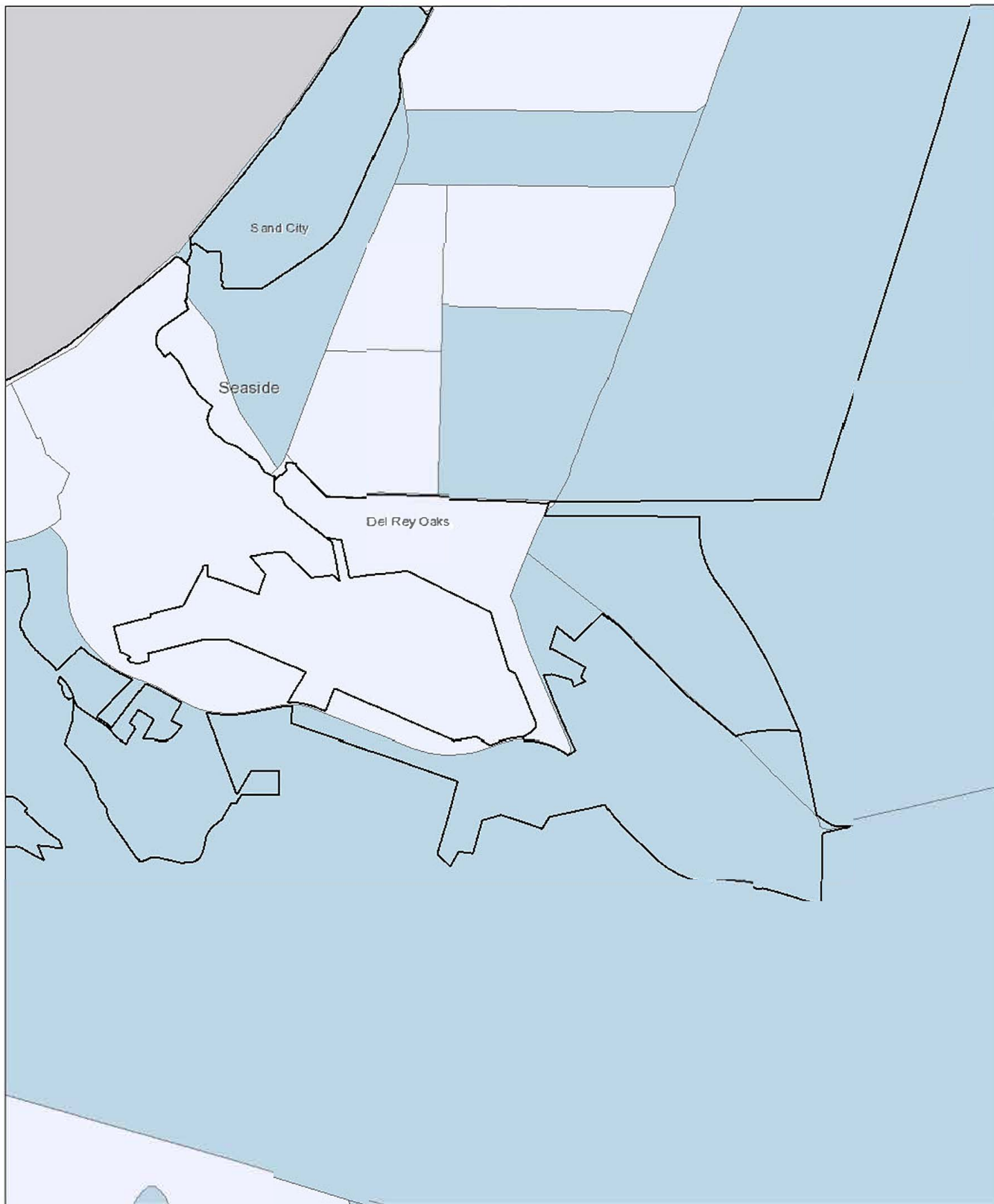
The Americans with Disabilities Act (ADA) defines a disability as a “physical or mental impairment that substantially limits one or more major life activities.” People with disabilities have special needs, meaning that many earn very low incomes, have higher health care costs, and are often dependent on supportive services. To maintain independent living, disabled persons may also need housing assistance. Special housing needs for persons with disabilities fall into two general categories: 1) physical design to address mobility impairments and in-home social, educational, and 2) medical support to address developmental and mental impairments.

As shown in **Table A9**, 19.41 percent of Del Rey Oak’s population had one or more disabilities compared to 8.5 percent of the Monterey County population, and similar proportions in Salinas (7.5 percent), Seaside (11.3 percent), and Monterey (7.7 percent).

Table A9 Persons with Disabilities Profile for Area Cities (2016-2020)								
	Hearing Disability	Vision Disability	Cognitive Disability	Ambulatory Disability	Self-Care Disability	Independent Living Disability	Total Disabilities	Disabilities to Total Population
Monterey	984	336	630	1,156	558	878	2,315	7.66%
Salinas	2,727	2,676	3,689	5,416	2,851	4,056	12,315	7.53%
Seaside	1,106	623	1,410	1,934	866	1,291	3,646	11.26%
Del Rey Oaks	76	22	88	66	15	42	309	19.41%
Sand City	11	3	11	15	0	4	37	11.38%
Monterey County	10,654	6,591	11,196	17,616	7,810	13,188	37,082	8.45

Source: U.S. Census Bureau, 2020

The City had an estimated 309 persons living with a range of disabilities. **Table A10** identifies age of population by disability type within the City. For people with disabilities, specialized needs include certain social services, disabled access throughout the city, and housing units with handicapped access and other modifications. Residents may have more than one type of disability.



Source

Children in Female Householder No Spouse Present (ACS, 2017-2021) - Tract

- Less than 20%
- 20% - 40%

1:31,451

0 0.28 0.55 1.1 mi
0 0.45 0.9 1.8 km

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE

Table A10 Persons with Disabilities in Del Rey Oaks by Age and Type, 2020				
Disability Type	Under 18 Years	Ages 18 to 64	Ages 65 and Over	Total
With a Hearing Difficulty	22	17	37	76
With a Vision Difficulty	0	17	5	22
With a Cognitive Difficulty	3	59	26	88
With an Ambulatory Difficulty	0	36	30	66
With a Self-Care Difficulty	0	4	11	15
With an Independent Living	--	25	17	42
Total	25	158	126	309

Source: U.S. Census Bureau, 2020

The most common disabilities in Del Rey Oaks are cognitive difficulties (28.5 percent), hearing difficulties (24.6 percent), and ambulatory difficulties (21.4 percent). As shown in **Figure A6**, there are no tracts in Del Rey Oaks with an adult population with a disability above 13 percent. There are no concentrations of persons with disabilities in Del Rey Oaks.

Income

Household income is the principal factor in determining a household's ability to balance housing costs with other basic life necessities. Households with lower incomes face additional barriers when seeking adequate housing. While economic factors that affect a household's housing choice are not a fair housing issue per se, the relationships among household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

Identifying geographies and individuals with a low- to moderate- income (LMI) is important to overcome patterns of segregation. HUD defines LMI areas as a Census tract or block group where over 51 percent of the population is LMI (based on HUD income definition of up to 80 percent of the area median income.)

Table A11 Households by Income, 2020		
Household Income	Del Rey Oaks Households	Monterey County Households
Less than \$10,000	16	4,157
\$10,000 to \$14,999	9	3,110
\$15,000 to \$24,999	48	8,795
\$25,000 to \$34,999	7	9,757
\$35,000 to \$49,999	70	14,189
\$50,000 to \$74,999	80	22,415
\$75,000 to \$99,999	83	18,828
\$100,000 to \$149,999	136	21,908
\$150,000 to \$199,999	68	10,688
\$200,000 or more	116	14,156
Total Households	633	128,003
Median Household Income	\$ 101,458	\$ 76,943

Source: U.S. Census Bureau, 2020

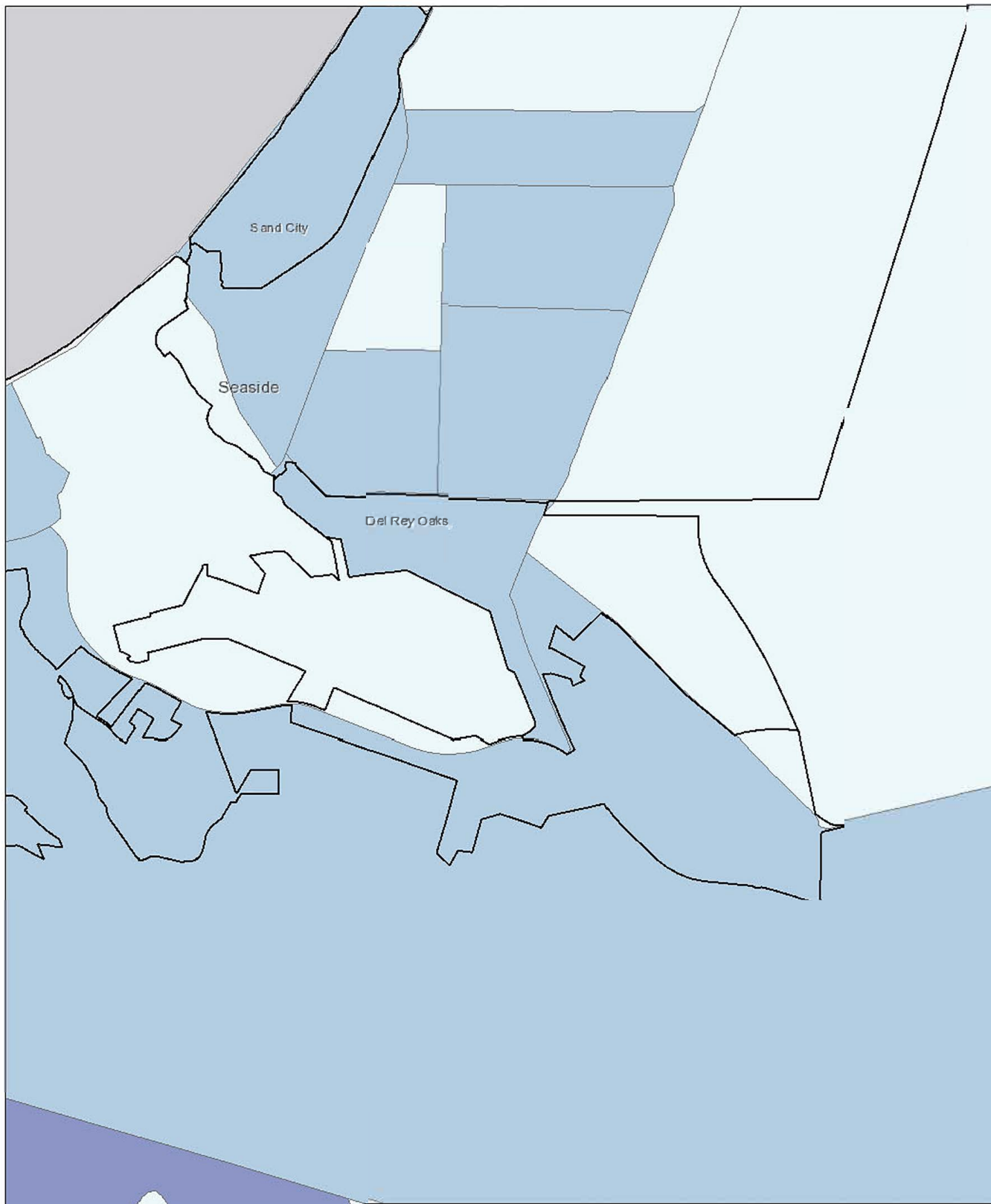
Median household income in Del Rey Oaks is higher than the surrounding area, as shown in **Figure A7**. In addition, the median household income is higher than in Monterey County overall, as shown in **Table A11**. **About 46% of the County's households are considered lower income. Peninsula Cities have a lower**

concentration of lower income households compared to the County overall and the Salinas Valley Cities. Half of Seaside's households are lower income (<80% AMI). Seaside has a concentration of tracts with a high percentage of LMI population (50% to 75%) in its neighborhoods west of Noche Buena Street. These neighborhoods are also neighborhoods with higher acreage of multifamily, medium density neighborhoods. Within neighboring City of Monterey, there are three LMI areas that fall within the Old Town, Downtown, Oak Grove, and Del Monte neighborhoods. Areas of Seaside west of Noche Buena Street, Olympia, and the northern portions of Terrace (Tract 137) have the highest concentration of poverty.¹²

Geographic concentration by income, including concentration of poverty, is another type of segregation that may exist within an area or community. The concentration of LMI individuals can be used as one method to gauge the extent of segregation. Although median income in Del Rey Oaks census tracts is higher than the neighboring areas of Seaside and Monterey, there is no concentration of income types within Del Rey Oaks. In Monterey County, LMI areas exist adjacent to the City of Del Rey Oaks in the cities of Monterey, Seaside, Sand City, and to the north near Salinas, Castroville, and Pajaro, and to the south off of the 101 Freeway near Chualar, Gonzales, Soledad, Greenfield, King City, and San Lucas.

Poverty rates and the concentration of poverty over time can provide an insight into the economic wellbeing of households and individuals in the County and in the City. As of 2020, the County had a poverty rate of 12.0 percent, and the City of Monterey had a poverty rate of 11.5 percent both of which are lower than the California poverty rate of 12.6 percent. **Figure A8** shows the percent of population whose income in the past 12 months is below the poverty level. Less than 10 percent of the population of Del Rey Oaks is below the poverty level.

¹² City of Seaside, 2023.



Source
Population With a Disability (ACS, 2017-2021) - Tract

- < 10%
- 10% - 20%
- 20% - 30%

1:31,451

0 0.28 0.55 1.1 mi
0 0.45 0.9 1.8 km

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE

Conclusions and Summary of Issues for Segregation and Integration

As discussed previously, White residents represent a large majority of the population in Del Rey Oaks and the City is classified as an area of High White Segregation. Del Rey Oaks differs from the county overall for its relatively high proportion of residents identifying as Non-Hispanic White (76 percent in Del Rey Oaks compared to 29 percent in Monterey County) and small Hispanic population (10 percent in Del Rey Oaks compared to 59 percent in the county).

The majority of households in Del Rey Oaks are Married Couple Households. Families with children are an increasing population group within the city. Large households are not a major issue at this time; however, it is important to prepare for a rising population. There are few single-parent households with children in Del Rey Oaks compared to the overall population of the City. There are no concentrations of familial types within Del Rey Oaks.

The population of Del Rey Oaks with a disability is 12.7 percent, similar or slightly higher than neighboring communities. As the population ages, the City may need to consider future care and services for people with disabilities. People with disabilities in Del Rey Oaks are distributed citywide, and there are no areas in the City with a disproportionate population of people with disabilities.

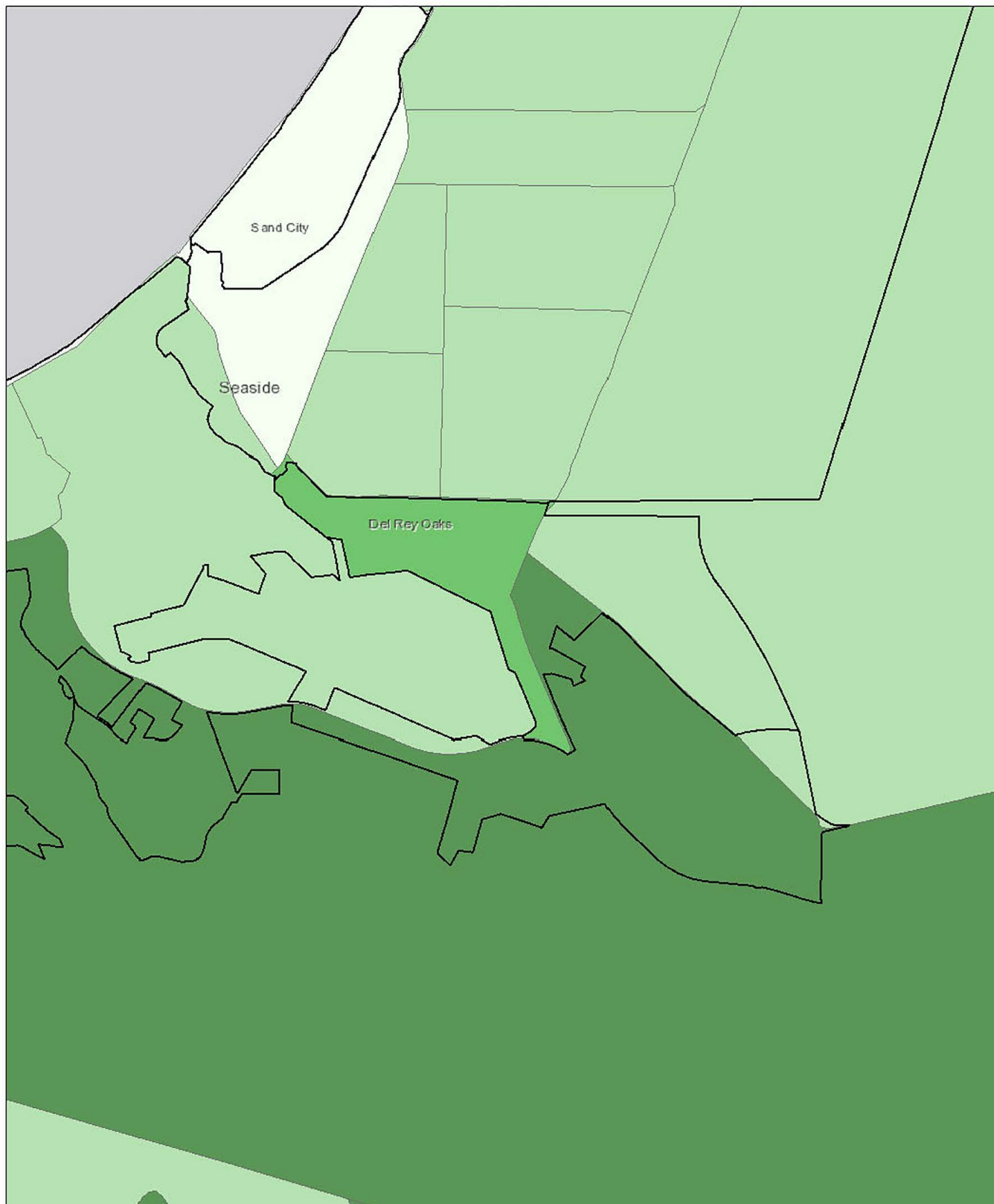
The median household income in Del Rey Oaks is higher than the county as a whole, and there is a low percentage of the population below the poverty level. There are no concentrations of wealth or poverty within Del Rey Oaks.

Population and household growth, combined with moderately rising incomes, in the 2- and 3-mile radius of Del Rey Oaks point to continued growth in demand for new housing, while a growing cohort of seniors in the City points to a potential need for specialized housing types and health and social services to support this population.

C. RACIALLY AND ETHNICALLY CONCENTRATED AREAS OF POVERTY AND AFFLUENCE

Racially Concentrated Area of Poverty or an Ethnically Concentrated Area of Poverty (R/ECAPs) are defined as racially or ethnically segregated areas with high poverty rates, and Racially Concentrated Areas of Affluence (RCAAs) are typically affluent predominantly White neighborhoods. R/ECAPs and RCAAs represent opposing ends of the segregation spectrum. Historically, HUD has paid particular attention to R/ECAPs as a focus of policy and obligations to AFFH. HCD and HUD's definition of an R/ECAP is: A census tract that has a non-White population of 50 percent or more (majority-minority) or, for non-urban areas, 20 percent, AND a poverty rate of 40 percent or more; OR A census tract that has a non-white population of 50 percent or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the County, whichever is lower.¹³

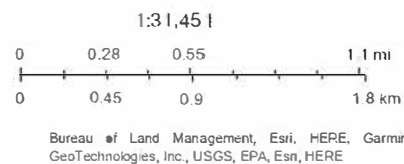
¹³ California Department of Housing and Community Development Guidance, 2021.

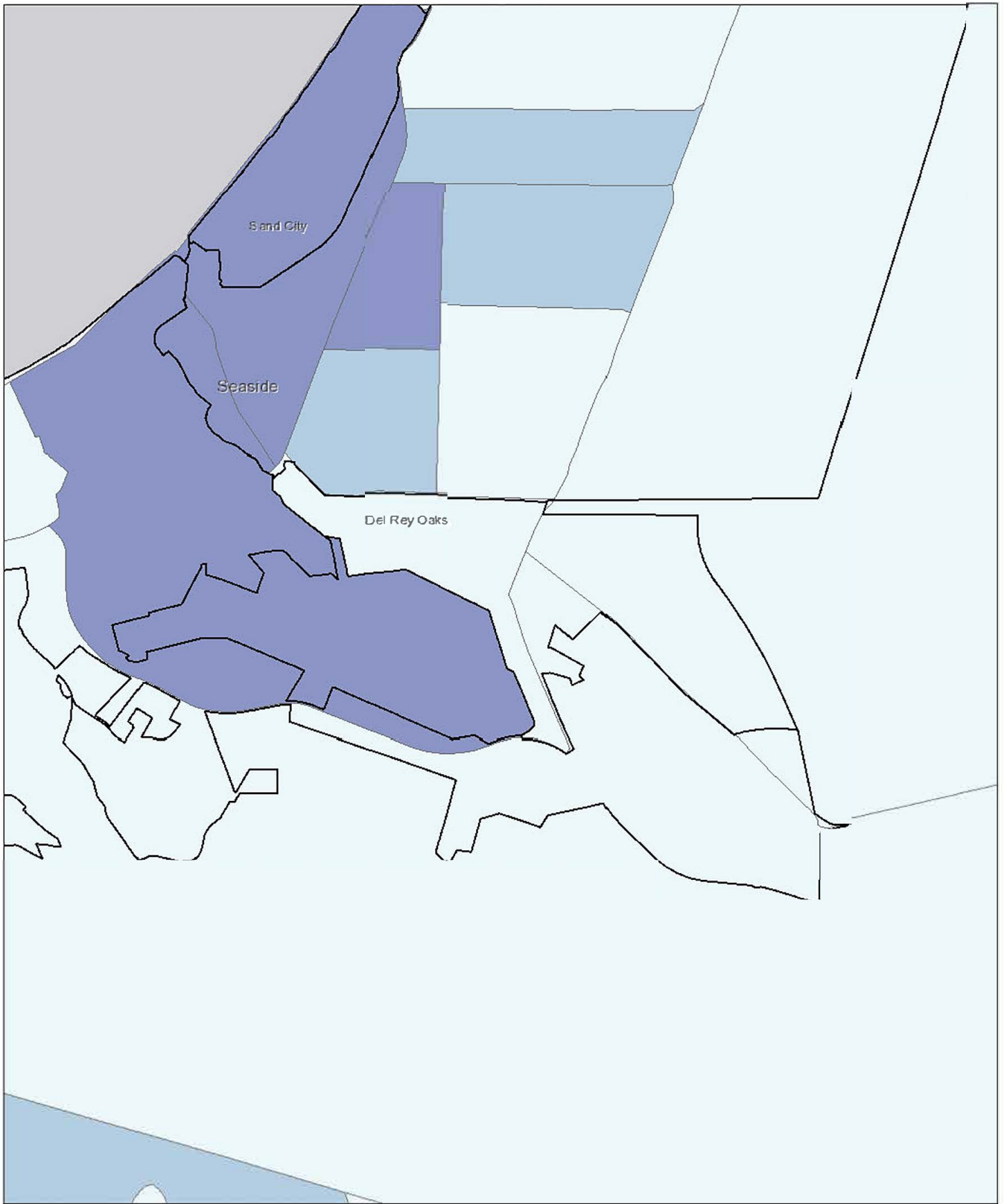


Source

Median Income (ACS, 2017-2021) - Tract




- Less than \$55,000
- \$55,000 - \$90,100
- \$90,100 - \$120,000
- \$120,000 - \$175,000

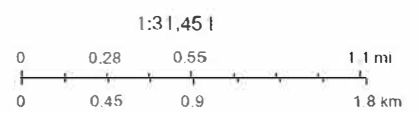




Source

Poverty Status (ACS, 2017-2021) - Tract

-  < 10%
-  10% - 20%
-  20% - 30%



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE

While R/ECAPs have long been the focus of fair housing policies, RCAAs must also be analyzed to ensure housing is integrated, a key to fair housing choice. Recent research out of the University of Minnesota Humphrey School of Public Affairs argues for the inclusion of RCAAs to acknowledge current and past policies that created and perpetuate these areas of high opportunity and exclusion.¹⁴ HCD defines an RCAA as a census tract 1) with a percentage of its total White population that is 1.25 times higher than the average percentage of the Council of Governments (COG) region's White population; and 2) has a median income that is 2 times higher than the COG Area Median Income (AMI).

It is important to note that R/ECAPs and RCAAs are not areas of focus because of racial and ethnic concentrations alone. This assessment recognizes that racial and ethnic clusters can be a part of fair housing choice if they occur in a non-discriminatory market. Rather, R/ECAPs are meant to identify areas where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity, and conversely, RCAAs are meant to identify areas of particular advantage and exclusion.

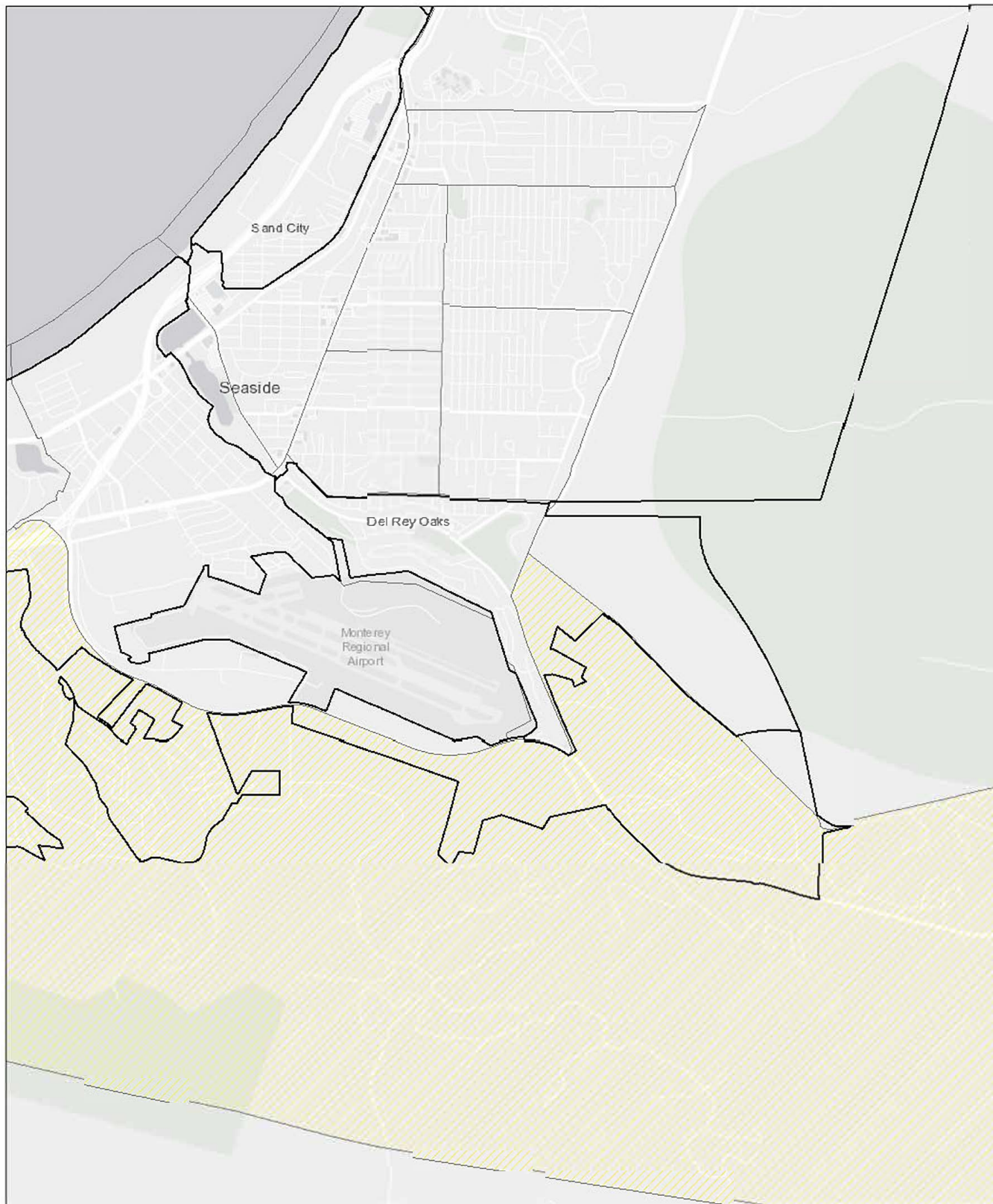
The High Segregation & Poverty category in the TCAC/HCD Opportunity Area Map may also be used in identifying R/ECAPs. Much like the R/ECAP, the High Segregation and Poverty category uses an absolute threshold for poverty. However, instead of a threshold for race, the TCAC/HCD approach uses a location quotient for racial segregation. The poverty threshold is 30 percent of the population living below the poverty line and the location quotient is essentially a measure of the concentration of race in a small area compared to a county level.

Regional and Local Patterns and Trends

According to HCD, there were five census tracts in the county that qualify as R/ECAPs. All qualifying tracts are located in Salinas. There are no R/ECAPs in Del Rey Oaks. RCAAs in the Monterey Peninsula area include Pebble Beach, areas of Monterey, and unincorporated County land near Carmel and the State Route 68 corridor.



As seen in **Figure A9**, the undeveloped and unpopulated area on the southeast portion of Del Rey Oaks is within a larger tract that qualifies as an RCAA. This larger census tract (132) includes portions of the City of Monterey and unincorporated Monterey County. **Figure A10** shows Del Rey Oaks categorized using a composite index score related to economic, educational, and environmental factors which can be used to designate areas of high segregation and poverty according to the TCAC/HCD Opportunity Map. The Del Rey Oaks Opportunity Category is classified as Moderate Resource **within the populated area of the City** and High Resource **within former Fort Ord lands**. **The tracts of the City of Seaside located north are classified as Moderate Resource. Two tracts in Monterey County with high segregation and poverty are located in Salinas.**

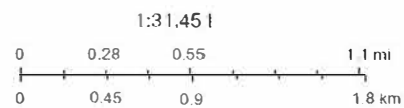
¹⁴ Goetz, E. G., Damiano, A., & Williams, R. A. (2019). Racially Concentrated Areas of Affluence: A Preliminary Investigation. *Cityscape: A Journal of Policy Development and Research*, 21(1), 99–124.



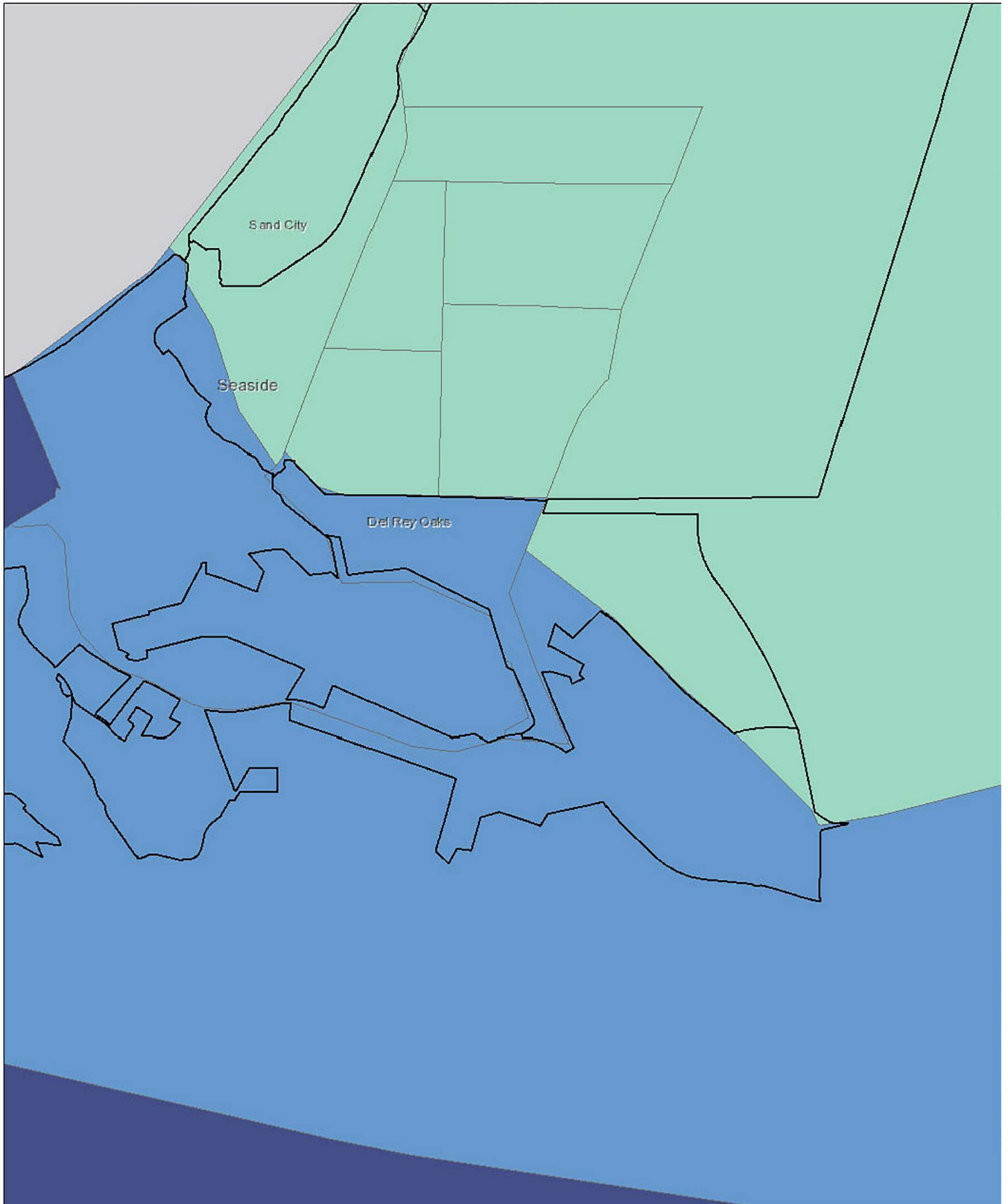
Source

Racially Concentrated Areas of Affluence (HCD, 2019) - Tract

-  Not a RCAA
-  RCAA



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE



Source
COG Geography TCAC/HCD Opportunity Map - Composite Score (HCD, 2023) - Tract

- Highest Resource
- High Resource
- Moderate Resource

1:31,451

0 0.28 0.55 1.1 mi
0 0.45 0.9 1.8 km

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE

Conclusions and Summary of Issues for Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) and Affluence (RCAA)

While the population of Del Rey Oaks is predominately white and has a higher median income than surrounding areas, the city does not contain any R/ECAPs. An undeveloped and unpopulated area located on the **northeast-eastern** side of the City, which is part of tract 132 that includes portions of the City of Monterey and unincorporated Monterey County qualifies as an RCAA.

D. DISPARITIES IN ACCESS TO OPPORTUNITY

Maps, data tables, and narratives are used to analyze local and regional patterns and trends regarding access to opportunity. Access to opportunity is a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity oftentimes means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to ‘high resource’ neighborhoods. Measures such as economic, education, environmental scores, job proximity, commuting, and work status are considered.¹⁵ The California Fair Housing Task Force created an opportunity map to identify regions whose characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families, particularly long-term outcomes for children. The map provides composite scores for each census tract based on economic scores, education scores, and environmental scores.

This section of the AFH identifies any socioeconomic barriers related to education, environment, employment, and transportation that could negatively impact certain communities in Del Rey Oaks.

HUD developed an index for assessing fair housing by informing communities about disparities in access to opportunity. Index scores are based on the following opportunity indicators (values range from 0 to 100):

- *Low Poverty Index:* The higher the score, the less exposure to poverty in a neighborhood.
- *School Proficiency Index:* The higher the score, the higher the school system quality is in a neighborhood.
- *Labor Market Engagement Index:* The higher the score, the higher the labor force participation and human capital in a neighborhood.
- *Transit Trips Index:* The higher the trips transit index, the more likely residents in that neighborhood utilize public transit.
- *Low Transportation Cost Index:* The higher the index, the lower the cost of transportation in that neighborhood.
- *Jobs Proximity Index:* The higher the index value, the better access to employment opportunities for residents in a neighborhood.
- *Environmental Health Index:* The higher the value, the better environmental quality of a neighborhood.

¹⁵ California Department of Housing and Community Development Guidance, 2021.

To assist in this analysis, the HCD and the TCAC convened as the California Fair Housing Task Force to “provide research, evidence-based policy recommendations, and other strategic recommendations to HCD and other related state agencies/departments to further the fair housing goals” (as defined by HCD). The task force created opportunity maps to identify resources levels across the state “to accompany new policies aimed at increasing access to high opportunity areas for families with children in housing financed with nine percent Low Income Housing Tax Credits (LIHTCs)”. Opportunity maps are made from composite scores of different domains made up of a set of indicators. **Table A12** shows the full list of indicators.

Table A12 Domains and List of Indicators for Opportunity Maps	
Domain	Indicator
Economic	Poverty Adult Education Employment Job proximity Median home value
Environmental	CalEnviroScreen 4.0 indicators
Education	Math proficiency Reading proficiency High School graduation rates Student poverty rates
Poverty and Racial/Segregation	Poverty: tracts with at least 30% of population under federal poverty line Racial Segregation: Tracts with location quotient higher than 1.25 for Blacks, Hispanics, Asians, or all people of color in comparison to the County

Source: California Fair Housing Task Force, Methodology for the 2021 TCAC/HCD Opportunity Maps, January 2023.

The opportunity maps highlight areas of highest resource, high resource, moderate resource, moderate resource (rapidly changing), low resource and high segregation and poverty. As mentioned above, some of the indicators identified by TCAC include high levels of employment and close proximity to jobs, access to effective educational opportunities for both children and adults, low concentration of poverty, and low levels of environmental pollutants, among others. Opportunity scores are presented on a scale from zero to one and the higher the number, the more positive the outcomes.

According to **Figure A10**, the majority of Del Rey Oaks is within a primarily high resource area and only a portion of the City is considered a moderate resource area. High resource areas are areas with high index scores for a variety of educational, environmental, and economic indicators. The moderate resource area of the city is an undeveloped and unpopulated area and is within a larger census tract (141.09) comprising of former Fort Ord lands.

Local Patterns and Trends

Racial and economic segregation can lead to unequal access to opportunities within community such as access to high performing schools, good paying jobs, public transportation, parks and playgrounds, clean air and water, public safety, and other resources. A generational lack of access, particularly for people of color and lower income residents, has often resulted in poor life outcomes including lower educational

attainment, higher morbidity rates, and higher mortality rates. Consequently, certain residents in Del Rey Oaks may experience higher incidences of housing cost burden, overcrowding or other housing problems.

According to the 2023 HCD and the TCAC Opportunity Area Map shown in **Figure A10**, a majority of Del Rey Oaks is considered a high resource area. As noted above, the moderate resource portion of Del Rey Oaks located on the northeastern portion of the City is undeveloped, unpopulated, and part of tract 141.09 that includes former Fort Ord.

Employment/Job Access

Future housing needs depend in part on the trajectory of the local workforce. Changes in the types and pay levels of jobs available in Del Rey Oaks and the surrounding region will impact the type and cost of housing that current and future residents can afford. Employment trends indicate a need for a range of housing types that support Del Rey Oaks residents who are employed in various industries.

AMBAG’s 2022 Regional Growth Forecast reported that there were 748 jobs in Del Rey Oaks in 2020. Over the course of the next 25 years AMBAG estimates a 12 percent increase in jobs in Del Rey Oaks. See **Table A13** for a full employment forecast for Del Rey Oaks up to 2040. Because of the increase in available jobs in Del Rey Oaks, there will be an increase in the population leading to a need for more housing. Although Del Rey Oaks is one of the smaller cities in Monterey County, AMBAG is predicting there will be a higher percentage of available jobs in its jurisdiction compared to the rest of the County. While many people in Monterey County live and work in different cities, it is important that Del Rey Oaks or other cities in the County consider the connection between housing and employment within their jurisdictions. This is why AMBAG completed its RHNA, which allocates each City’s need for housing of various income levels. Each city in Monterey County must do its fair share to accommodate the anticipated rise in population for the community to develop, while ensuring no groups are left out based on income, age, race, or any protected classes.

Jurisdiction	2015	2020	2025	2030	2035	2040	Change 2015-2040	
							Numeric	Percent
Del Rey Oaks	705	748	753	774	794	815	129	18%
Monterey County	225,268	243,015	245,054	249,613	253,918	258,553	38,169	17%

Source: AMBAG, 2022

There is no agricultural land use in the general vicinity of the Del Rey Oaks. According to the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020), no one identified themselves as working in the “Agriculture, Forestry, Fishing and Hunting and Mining” industry within the City of Del Rey Oaks. The majority of residents are employed not by agricultural interests, but by arts, entertainment, recreation, accommodation and food services (12 percent); professional, scientific, management, administrative, and waste management services (15 percent), and education, health, and social services (30 percent) industries. Salinas and other valley communities in Monterey County are occupied by the majority of farm workers.

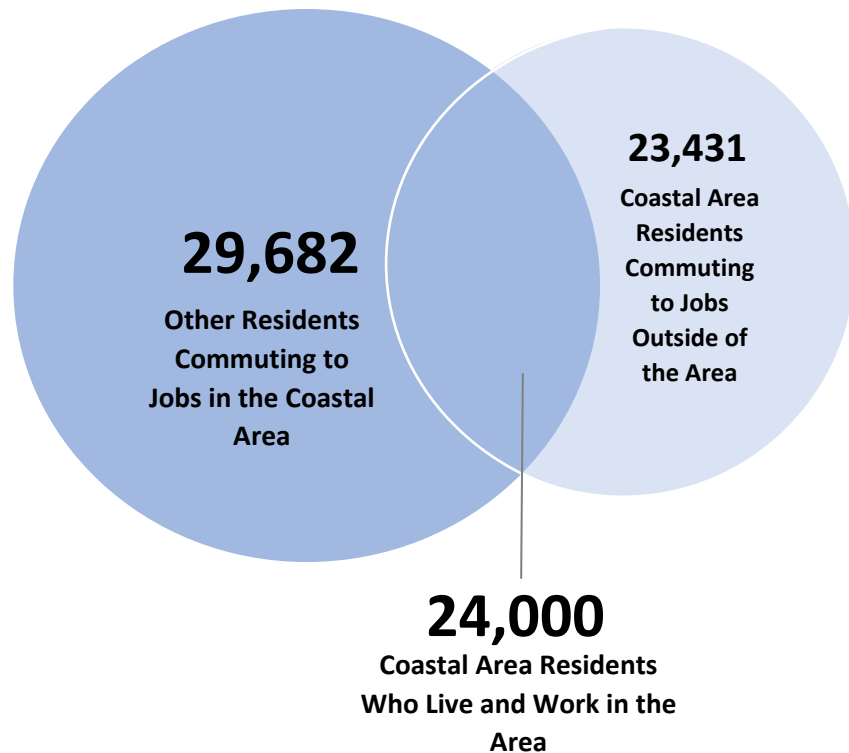
In other Monterey Bay cities, accommodation and food services, which make up more than a quarter of all jobs, experienced 37.3 percent growth between 2010 and 2018, highlighting the recovery of the

tourism industry following the recession. Retail trade jobs also experienced stronger growth in this geography compared to the City and immediate surroundings. Nearby areas of employment include Monterey Regional Airport, Ryan Ranch Office Park, WeatherTech Raceway Laguna Seca, Naval Postgraduate School (NPS), Presidio of Monterey, and California State University Monterey Bay (CSUMB).

Access to high-quality reliable transit can also impact access to opportunities in regard to fair housing and employment. As seen below in **Figure A11**, more than half of the employees in the coastal cities live outside the area, and many are likely living in a “drive until you qualify” market that offers housing opportunities more accessible to low-income earners. Disparities in transportation patterns are addressed in the subsequent Transportation subsection of this assessment.

Based on the employment data and **Figures A10** and **A11**, there are no disparities in access to jobs by protected groups.

Figure A11 Monterey County Coastal Cities Inflow/Outflow Commute Patterns



Source: U.S. Census OnTheMap 2019; EPS.

Health/Environmental

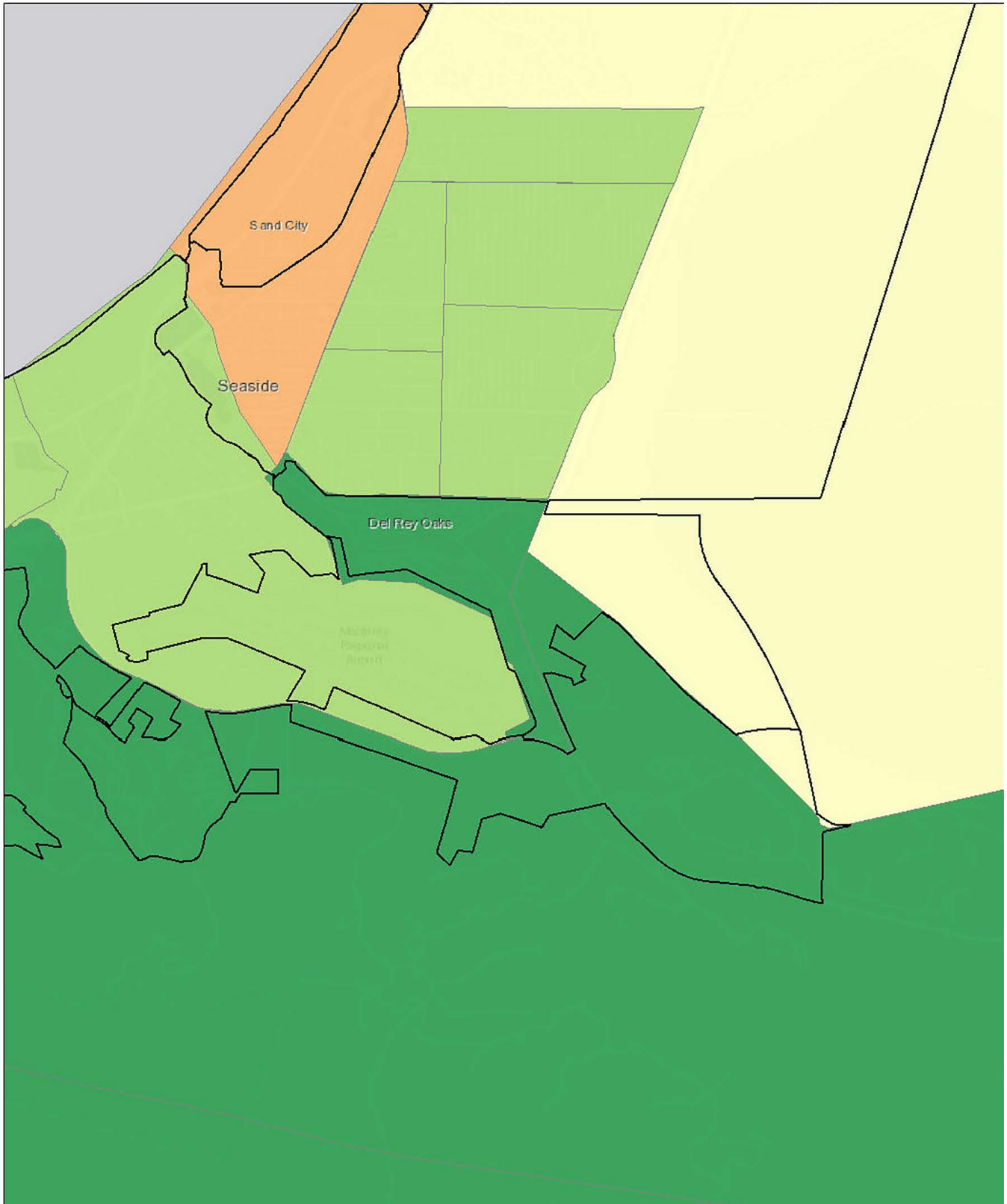
The Fair Housing Task Force uses CalEnviroScreen 4.0 pollution indicators and values to establish environmental scores. The California Office of Environmental Health Hazard Assessment (OEHHA) compiles these scores to help identify California communities disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include educational attainment, housing-burdened low-income households, linguistic isolation, poverty, and unemployment.

Regional and Local Patterns and Trends

Regional

CalEnviroScreen 4.0 is the OEHHA's most updated California Communities Environmental Health Screening Tool used to identify communities that are disproportionately burdened by multiple sources of pollution. CalEnviroScreen 4.0 scores are based on percentiles (the percentage of all ordered CalEnviroScreen scores that fall below the score for that area). TCAC's opportunity areas environmental scores are based on the CalEnviroScreen 4.0 indicators, which identify areas disproportionately vulnerable to pollution sources such as ozone, PM_{2.5}, diesel PM, pesticides, toxic release, traffic, cleanup sites, groundwater threats, hazardous waste, impaired water bodies, and solid waste sites.

Figure A12 shows the environmental pollution estimates based on the CalEnviroScreen 4.0 map.



Source

CalEnviroScreen 4.0 (OEHHA, 2021) - Tract

- 0 - 20 (More positive environmental factors)
- > 20 - 40
- > 40 - 60
- > 60 - 80



In general, the Monterey Peninsula and tracts in the southern region of the Monterey Bay Area received composite score percentiles of 38 or higher for environmental conditions. The north and eastern County areas, including Marina, Seaside and the former Fort Ord areas have received higher environmental scores, representing less favorable environmental conditions. Sand City had the highest scoring; this small City scored in the 66th percentile according to the CalEnviroScreen 4.0 environmental indicators, reflecting a moderate to high pollution burden.

Local

As shown in **Figure A12**, tracts in Del Rey Oaks received composite score percentiles ranging from 5 to 51. The populated area of Del Rey Oaks scored within the lower percentile, representing more favorable environmental conditions. The former Fort Ord area of Del Rey Oaks to the east shows a higher percentile (over 50) representing a moderate potential pollution burden. This area in the northeastern portion of Del Rey Oaks is undeveloped, unpopulated, and part of the larger tract 141.09 that includes former Fort Ord, a former active military training base. Information within **Chapter 3.0** and **Chapter 4.0** of the Housing Element and associated housing programs requiring remediation would reduce this risk, especially considering oversight by the Army, DTSC and EPA requiring clearance prior to future use of this vacant land and development for residential uses. As noted in this Housing Element, there is also an area cleared of environmental risks by the Army and approved for residential development without additional remediation.

Education

The Fair Housing Task Force uses math and reading proficiency, high school graduation rates, and student poverty rates to determine education scores for census tracts. Refer to **Table A12** for the complete list of TCAC Opportunity Map domains and indicators.

Regional and Local Patterns and Trends

Approximately 14 percent of Del Rey Oaks' citizens were under 19 years old according to the 2020 data from the U.S. Census Bureau. Monterey Peninsula Unified School District (MPUSD) provides public education between Kindergarten and 12th Grade to residents of Del Rey Oaks. MPUSD comprises 17 schools (six elementary schools, four transitional kindergarten – 8th grade schools, two junior high schools with 7th and 8th grade, one junior high school with 8th grade, three comprehensive high schools and one alternative education high school).¹⁶ There are no schools within the boundaries of Del Rey Oaks, therefore educational opportunities and resources within the city are limited.

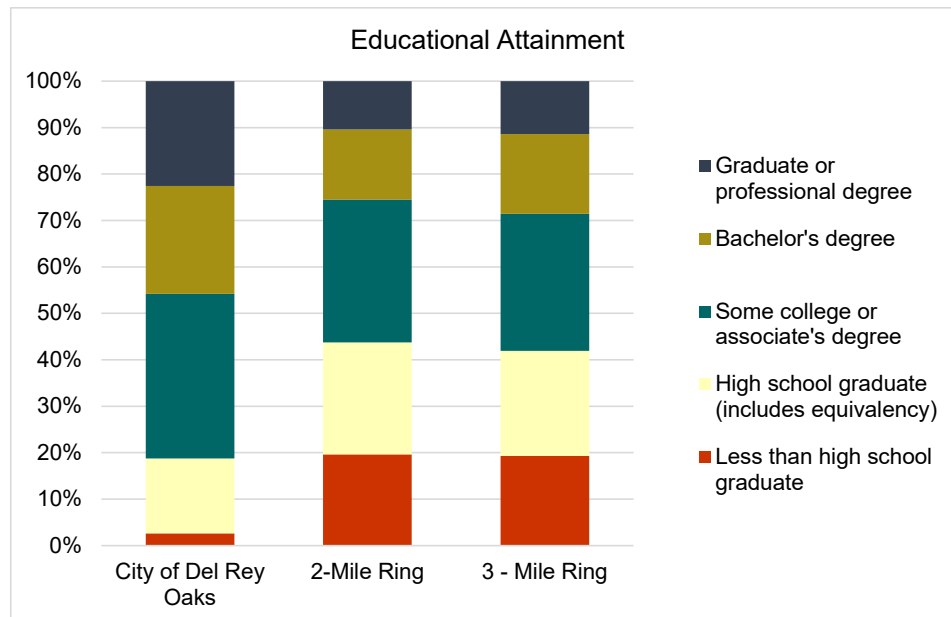
The California Department of Education displays the performance of educational agencies and schools using an online tool called the California School Dashboard.¹⁷ According to the Dashboard, the MPUSD 2021/22 school year included the following: Enrollment was 9,349 students, 65.4% of students were considered socioeconomically disadvantaged, 28.3% of students were English language learners, English Language Arts scores were 34.1 points below the State standard and Math scores were 83.2 points below the State standard.

¹⁶ MPUSD, 2023. https://www.mpusd.net/apps/pages/index.jsp?uREC_ID=3698185&type=d&pREC_ID=2423741

¹⁷ California Department of Education, 2023. <https://www.cde.ca.gov/ta/ac/cm/caschdashboard.asp>

Although there are no schools within Del Rey Oaks, residents have **high levels of education**. While only 24.7 percent of adults in Monterey County have a bachelor's degree or higher,¹⁸ 55.9 percent of Del Rey Oaks residents have a bachelor's degree, including the 22.6 percent of the City's population that has a graduate or professional degree. Similarly, the share of residents who have not graduated high school is much lower in the City (2.4 percent) than the area within 2 miles of the City (18.0 percent). **Figure A13**, below, compares educational attainment of Del Rey Oaks and areas within a 2-mile and 3-mile radius.

Figure A13 Educational Attainment in Del Rey Oaks and Surrounding Areas



Transportation

Regional and Local Patterns and Trends

Affordable and reliable transportation is of paramount importance to households affected by low incomes and rising housing prices. Public transit provides connections between residents to employment opportunities and services, in particular for low-income residents who often depend on transit. Affordable and reliable access to employment via public transportation can reduce the need for public assistance and increase housing mobility, which enables residents to locate housing outside of traditionally lower- and moderate-income neighborhoods. The lack of a robust public transit system, employment opportunities, and affordable housing may impede fair housing choice by limiting housing choice. In addition, elderly and disabled persons also often rely on public transit to visit doctors, go shopping, or attend activities at community facilities. Availability of efficient, affordable transportation can be used to measure fair housing and access to opportunities.

Regional

Monterey-Salinas Transit (MST) is the primary public transportation agency in Monterey County. The MST service area includes 954 transit stops and spans 159 miles from Watsonville in the north to Paso Robles

¹⁸ Public Policy Institute of California, 2019. <https://www.ppic.org/blog/geography-of-educational-attainment-in-california/>

in the south.¹⁹ MST offers a taxi voucher program to assist seniors, persons with disabilities, and veterans in accessing important locations within their community. The Taxi Voucher Program has three (3) categories of taxi vouchers: senior, persons with disabilities, and veterans, each with their own eligibility requirements.²⁰

- Senior Voucher: Must be 65 years or older, and be a resident in one of the following communities: Carmel, Carmel Valley, Del Rey Oaks, Marina, Monterey, Pebble Beach, Pacific Grove, Sand City, Salinas, or Seaside. Vouchers can be obtained in the city in which the senior resides.
- Disabilities Voucher: Must be certified in the MST RIDES ADA paratransit program. A limited number of vouchers are available to persons with disabilities who are not RIDES certified. Vouchers are issued on a quarterly basis, and will be mailed when requested.
- Veterans Voucher: A qualified veteran is an individual who served active duty in one of the branches of the U.S. Military. Vouchers are provided on a monthly basis and can be obtained at one of veterans' resources locations.

Paratransit service is available for people with disabilities or health conditions that prevent them from independently navigating the public bus system for some or all trips. MST provides ADA paratransit through the RIDES Program. MST RIDES is a shared-ride program that provides curb-to-curb service. An MST RIDES customer needing assistance to or from a RIDES vehicle to the first door of their destination may request last-door-to-first-door assistance. MST RIDES service is provided within a 3/4-mile corridor on either side of MST's fixed-route bus service during the same days and times the bus operates. MST's regular fixed-route buses are fully accessible and equipped with wheelchair lifts. Individuals must apply and be certified as ADA eligible before using the service. The RIDES Program is not part of the Taxi Voucher Program or Courtesy Card Program. MST also provides a Courtesy Card Program for seniors and people with disabilities who do not meet the criteria for the MST RIDES Program but who may still receive discounted fares for fixed-route services. Courtesy Cards are available free of charge to all disabled individuals with a physician's written verification, Medicare Card holders, youth 18 years and younger, individuals 65 years and older, MST RIDES Paratransit Eligibility card holders, veterans, and veteran's spouse/caregiver. As described earlier in Employment/Job Access, more than 55 percent of employees in the coastal cities in Monterey County live outside the area, commuting in for work and residing in communities that are more affordable.

Local

The traditional measure of affordability recommends that housing cost no more than 30 percent of household income. Under this view, a little over half (55 percent) of US neighborhoods are considered "affordable" for the typical household. However, that benchmark fails to take into account transportation costs, which are typically a household's second-largest expenditure.²¹ The Center for Neighborhood Technology's (CNT) Housing and Transportation Index can be used to measure housing and transportation affordability and uses a benchmark of 45 percent of household income. As shown in **Figure A14**, over 50 percent of household income is expended on housing and transportation costs. Cities in the vicinity of Del

¹⁹ Monterey-Salinas Transit (MST), 2022. https://mst.org/wp-content/media/MST_2022_Annual_Report.pdf

²⁰ MST, 2023. <https://www.mstmobility.org/taxi-vouchers.htm>

²¹ Center for Neighborhood Technology, 2023. <https://cnt.org/tools/housing-and-transportation-affordability-index>

Rey Oaks including Monterey and portions of Seaside have similar Housing and Transportation Index scores, reflecting a high cost of housing and transportation that reduces affordability in the region. Other areas in the region with more opportunities for affordable housing and access to transit results in lower combined housing and transportation costs as a portion of household income.

According to Public Resources Code 21155, 21064.3, and 21060.2, Caltrans defines High Quality Transit Stops as a major transit stop with fixed route bus service or intersection of two or more major bus routes, with service intervals no longer than 15 minutes during peak commute hours. As seen in **Figure A15**, Del Rey Oaks has zero High Quality Transit Stops in the city and only a small area of the western portion of the city is within 1/2 mile of a High Quality Transit Area. As seen in **Figure A15**, a lack of high-quality transit options may reduce access to fair housing and job opportunities in the region.

MST provides one service line specific to Del Rey Oaks, **Line 94 or “the MST Del Rey Oaks Shuttle line”**. The MST Del Rey Oaks Shuttle line provides a limited number of trips between Del Rey Oaks and Monterey Transit Plaza on weekdays during peak hours. **The MST shuttles (also known as “senior shuttles”) are open to the public and are “designed to go where surveyed seniors said they most want to go and without the need to transfer buses”.**²² MST offers a taxi voucher program to assist elderly residents in accessing important locations and resources. To obtain a senior voucher, an individual must be 65 years or older, and be a resident of Del Rey Oaks. Vouchers can be obtained at Del Rey Oaks City Hall.

MST provides indirect service to Del Rey Oaks and connections to neighboring cities through Line 7, Jazz A, Jazz B, and Line 94. Residents can board these routes using Stop ID 6798 – Fremont / Portola Drive. Both Jazz A and Jazz B have a combined frequency of 15 minutes and provide services to the Monterey Bay Aquarium and the Monterey Transit Plaza via Hilby Avenue (Jazz A) or Broadway Avenue (Jazz B). Line 94 (senior shuttle) provides service from Sand City to Carmel and has a frequency of two (2) hours from 9:26 AM to 4:46 PM.²³

MST and Caltrans support City guidelines and General Plan policies applicable to transit, bicycle, and pedestrian facilities and requirements of the City to maintain bicycle, pedestrian, and public transit access at all residential developments.

MST recommends collaboration if the City or housing developers incorporate bus stop infrastructure into designs and evaluates bus stop layouts and designs using MST’s Designing for Transit Guidelines (2020) to ensure adequate access pertinent to the standards of the ADA. Upon completion of the housing developments, developers can enroll in MST’s Group Discount Program to offer residents substantially reduced cost bus passes to incentivize transit use and further mitigate transportation impacts.²⁴

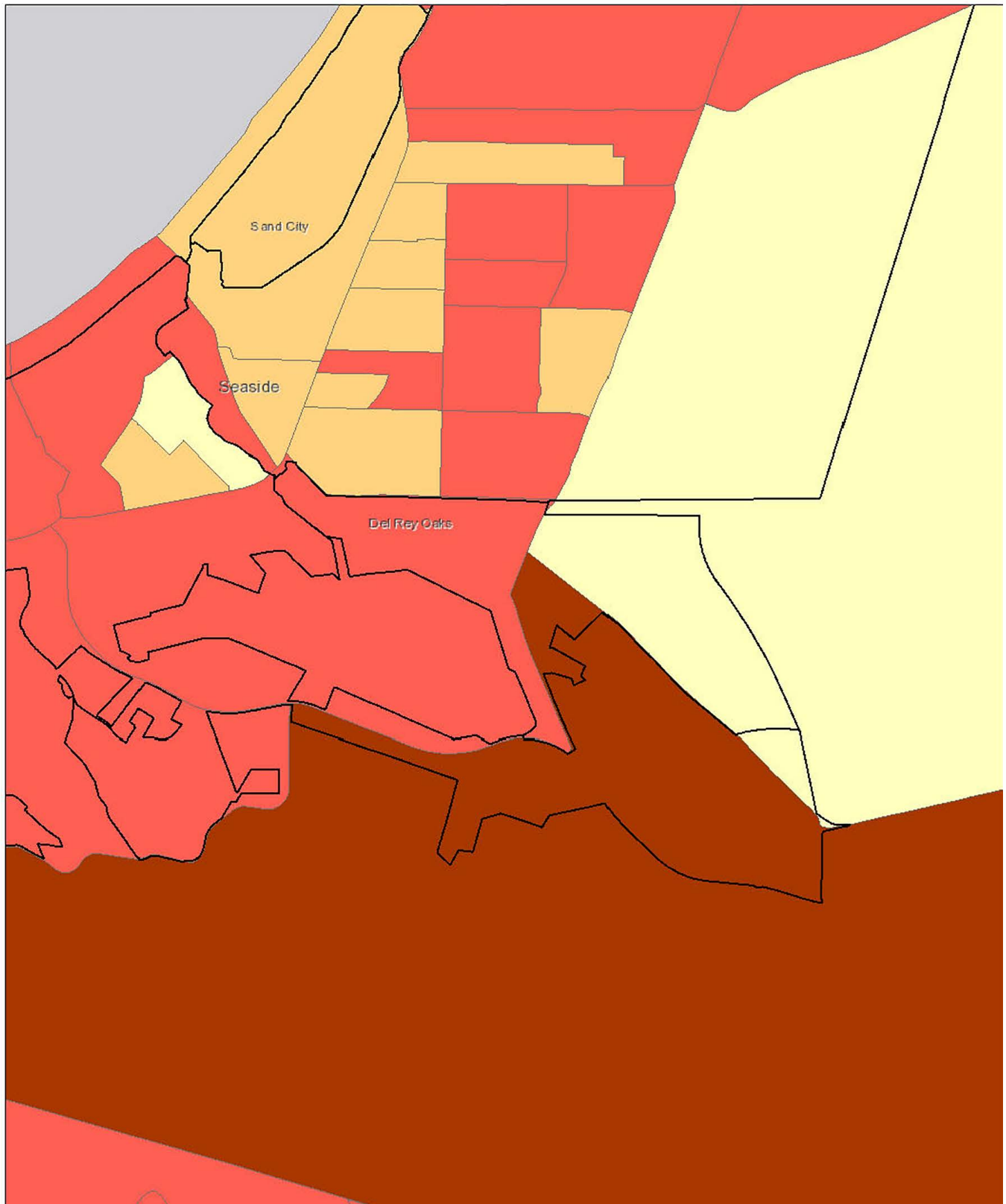
Caltrans encourages early collaboration with the City on future transit and complete streets concepts located within the State right-of-way.²⁵

²² MST, 2023. <https://www.mstmobility.org/senior-shuttle.htm>

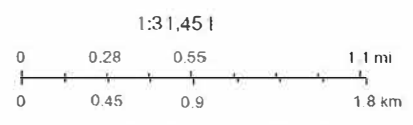
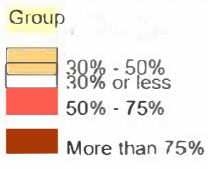
²³ MST, 2023. Correspondence.

²⁴ Ibid.

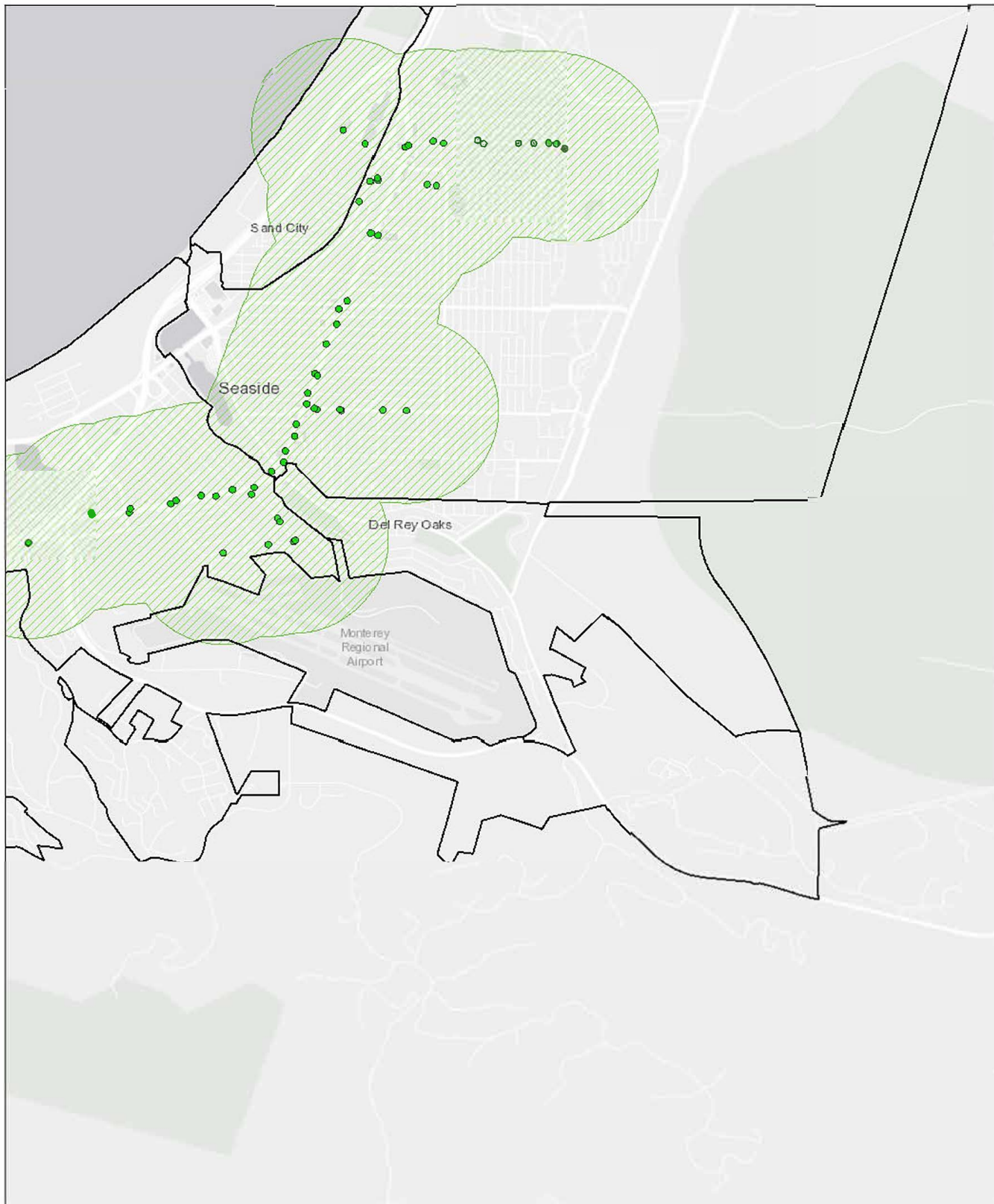
²⁵ Caltrans, 2023. Correspondence.



Source
Housing and Transportation Index (CNT, 2022) - Block

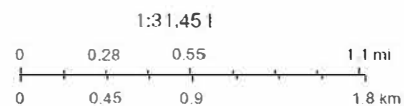


Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE



Source

- High Quality Transit Stops (CalTrans, 2022)
- ▨ 1/2 Mile from High Quality Transit Area



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE

Disparities in Access to Opportunity for Persons with Disabilities

Certain segments of the population may have more difficulty finding decent, affordable housing due to their special needs. Special circumstances may be related to one's employment and income, family characteristics, disability and household characteristics, among other factors. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly when they lose aging caregivers.

According to Section 4512 of the Welfare and Institutions Code a "developmental disability" is defined as a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services (DDS) currently provides community-based services to approximately 243,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The San Andreas Regional Center is one of 21 regional centers in the State that provides point of entry to services for people with developmental disabilities and serves Monterey County. The center is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

Patterns in Disparities in Access to Opportunity

According to HCD AFFH Guidelines, “Access to opportunity is a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity oftentimes means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to ‘high resource’ neighborhoods. This encompasses education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, and other opportunities, including recreation, food and healthy environment (air, water, safe neighborhood, safety from environmental hazards, social services, and cultural institutions).”

Del Rey Oaks has high resource opportunity neighborhoods and residents have access to a high-quality healthy environment. There is one line operated by MST which includes transit stops within the City but only during peak hours. As there is only one major route (Highway 218) that travels the length of the City, there does not appear to be notable disparities in access to nearby transportation, jobs, or education by protected classes. *The entire area within the populated City shares similar qualities such as income levels, race and ethnicity, without any concentrated areas of poverty in the small jurisdiction, differences in services or other disparities. A comparison of a jurisdiction’s site inventory against its LMI (low- to moderate- income) households and R/ECAP area can reveal if the City’s accommodation of housing is exacerbating or ameliorating segregation and social inequity. Although median income in Del Rey Oaks census tracts is higher than the neighboring areas of Seaside and Monterey, there is no concentration of income types within Del Rey Oaks.*

Del Rey Oaks residents are less likely to be exposed to poverty, and most likely to have the highest school proficiency, most labor market participation, closest employment opportunities, and best environmental quality. However, the disparities in access to opportunities do not result in R/ECAPs in Del Rey Oaks, and the undeveloped and unpopulated ~~north~~ eastern area of Del Rey Oaks (*between General Jim Moore Boulevard, Canyon Del Rey Boulevard, and South Boundary Road*) which is part of tract 132 that includes portions of the City of Monterey and unincorporated Monterey County qualifies as an RCAA. *See Figure A1 and Figure A16 for census tract boundaries of Del Rey Oaks.*

Increases in rents in recent years have placed a disproportionate burden on and, in some cases, have displaced lower income residents. Costs of residential housing have increased considerably for all residents of the region and the City, as discussed further below. *However, this analysis did not identify any specific geographic area of population or disparity in access to opportunity in terms of education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, and other opportunities, including recreation, food and healthy environment (air, water, safe neighborhood, safety from environmental hazards, social services, and cultural institutions).*

E. DISPROPORTIONATE HOUSING NEEDS AND DISPLACEMENT RISK

The fifth and final topic of this assessment is disproportionate housing needs and displacement risk. According to HCD, “Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. For purposes of

this definition, categories of housing need are based on such factors as cost burden and severe cost burden, overcrowding, homelessness, and substandard housing conditions.”

Cost Burden and Severe Cost Burden

Housing cost burden is commonly measured as the percentage of gross income spent on housing, with 30 percent threshold for “cost burden” and 50 percent the threshold for “severe cost burden”. A lower-income household spending the same percent of income on housing as a higher-income household is therefore more likely to experience a “cost burden”. Some of the implications of high-cost burden can include housing-induced poverty, where overspending on housing leaves households little financial resources for other expenditures, and reduced savings which can impact asset accumulation. According to HCD, higher share of rent-burdened tenants and over-burdened owners is associated with a higher risk of displacement.

Income Level	Cost Burdened > 30%	Cost Burdened > 50%	Total Households	Cost Burdened > 30% Percent	Cost Burdened > 50% Percent
Extremely Low-Income (0-30%)	24	20	39	61.5%	51.3%
Very Low-Income (31-50%)	19	15	35	55.3%	42.9%
Low-Income (51-80%)	14	10	45	31.1%	22.2%
Moderate-Income (>80%)	20	10	45	44.4%	22.2%

Source: HUD, 2022

As seen above in **Table A14**, 57 households in Del Rey Oaks were paying 30 percent or more per month for housing (cost burdened) in the year 2020. Additionally, 6.9 percent of households were paying 50 percent or more per month for housing (severely cost burdened). These statistics are reflective of the lack of affordable housing in Del Rey Oaks, but the issue is not specific to the City itself. According to the 2020 data from the 2016-2020 ACS 5-year estimates (U.S. Census Bureau, 2020), 26 percent of California’s 5.8 million renter households paid more than half of their income on rent. **Overpayment can contribute to displacement risk and reduce housing mobility, especially for extremely low-, very low- and lower-income households. Comprehensive Housing Affordability Strategy (CHAS) data from the U.S. Department of Housing and Urban Development (HUD) reveals extremely low- and very low-income households comprised approximately 12.4% of all households in Del Rey Oaks, and 13.4% households are low-income. Households by income level in Del Rey Oaks can be found in **Tables 2-13a** and **2-13b** of **Chapter 2.0** of the Housing Element.**

According to the California Association of Realtors’ 2020 Housing Affordability Update, in 2020, the median price for a single-family home in Monterey County was \$830,000, and an average family would need to earn \$149,000 a year to afford the monthly housing payment of \$3,740. At the same time, the 2020 low-income level for a family of four in Monterey County was \$77,500, and the moderate-income

level for a family of four was \$97,900. This fundamental imbalance results in increasing prices for both rental and ownership housing as the community competes for the limited supply of available housing.

Del Rey Oaks previously provided a middle-ground alternative to the very affluent Monterey Peninsula communities of Monterey, Pacific Grove, and Pebble Beach and the less affluent cities of Marina, Seaside, and Sand City, with somewhat moderate housing prices overall compared with the region. However, the average home price in Del Rey Oaks has increased significantly and is only affordable to above moderate-income households. The lack of inventory and new housing production throughout the region suggests that housing prices, both regionally and in the City, will continue to rise. Due to rising housing prices and rent levels, lower income households, many of whom work and provide critical services in the City, may be forced to leave the City to seek affordable housing in communities outside the Peninsula.

Overcrowding

A household is considered overcrowded if there is more than one person per room, and severely overcrowded if there is over 1.5 persons per room. Overcrowded households are usually a reflection of the lack of affordable housing available. Families that cannot afford suitably sized housing units are often forced to live in housing that is too small for their needs, which may result in poor physical condition of the dwelling unit.

Overcrowding is generally less of an issue in Del Rey Oaks compared to the County. Del Rey Oaks' average household size of approximately 2.3 people is notably lower than the surrounding area, with average household sizes of 2.8 to 2.9 persons. Del Rey Oaks has experienced a decades long trend of stable to declining population. This trend as well as the smaller average household size are projected to continue through 2026. The City's lower average household size is driven by a large share of 1- and 2-person households compared to the surrounding area.

Table A15 below shows overcrowding by tenure for the City of Del Rey Oaks in 2020. Owner-Occupied overcrowding (OO) is less than Renter-Occupied overcrowding (RO), with OO overcrowding at 0 percent and RO overcrowding at 5.4 percent. This table shows that overcrowding does not currently seem to be a major issue for the City of Del Rey Oaks. However, AMBAG is projecting a large population increase for Del Rey Oaks in the next 10 years. If these projections are accurate, overcrowding could become a more pressing issue unless more housing is developed. As seen in **Table A15** and **Table A7**, the rate of overcrowded RO households is larger than that of OO households being overcrowded meaning there is a lack of affordable housing available in Del Rey Oaks.

Table A15 Overcrowding by Tenure Del Rey Oaks, 2020				
	OO Number	OO Percent	RO Number	RO Percent
Occupied Housing Units	465	73.5%	168	26.5%
<i>Occupants per room</i>				
0.50 or Less	370	79.6%	115	68.5%
0.51 to 1.00	95	20.4%	44	26.2%
1.01 to 1.50	0	0%	9	5.4%
1.51 to 2.00	0	0%	0	0%
Source: U.S. Census Bureau, 2022				

Substandard Housing

As defined by the U.S. Census, there are two types of substandard housing problems: (1) Households without hot and cold piped water, a flush toilet and a bathtub or shower; and (2) Households with kitchen facilities that lack a sink with piped water, a range or stove, or a refrigerator. There are no units that lack complete plumbing and three units that lack a complete kitchen facility in Del Rey Oaks. Del Rey Oaks has fewer substandard housing issues compared to other cities in the region.

In addition to lacking complete plumbing or kitchen facilities, the age of housing stock can also be used as an indicator of overall housing conditions. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, depress neighboring property values, and eventually impact the quality of life in a neighborhood. Many federal and state programs also use the age of housing as one factor in determining housing rehabilitation needs. State and federal housing programs typically consider the age of a community's housing stock when estimating rehabilitation needs. In general, most homes begin to require major repairs or have significant rehabilitation needs at 30 or 40 years of age.

Table A16 Del Rey Oaks Housing Stock by Year Constructed						
	Before 1960	1960-69	1970-79	1980-89	1990-99	2000 to Present
Number of Units	464	69	56	113	9	3
Percent of Total	65%	9.7%	7.8%	15.8%	1.2%	0.4%

Source: U.S. Census Bureau, 2020
*The U.S. Census Bureau defines a housing unit as a house, apartment, mobile home, a group of rooms, or a single room that is occupied or intended for occupancy as separate living quarters. Condominiums fall under the definition of apartment according to the U.S. Census Bureau.

Table A17 Age of Housing Stock (2016-2020)			
Area	Total Housing Units	% Built After 1979	% Built After 1969
Monterey	13,615	27.1%	49.8%
Salinas	42,675	41.2%	58.9%
Seaside	11,594	28.0%	43.2%
Del Rey Oaks	714	17.5%	25.4%
Sand City	197	64.0%	70.1%
Monterey County	141,910	38.5%	56.8%

Source: U.S. Census Bureau, 2020
Note: Percent built prior to 1969 is inclusive of all built prior to 1979.

While the majority of housing in Del Rey Oaks is in good condition despite the age of the stock, the housing was constructed decades ago. **Table A16** and **Table A17** indicate that the proportion of older housing units in Del Rey Oaks, Monterey and Seaside is higher than in the County as a whole. The majority of the housing in Del Rey Oaks is over forty years old. There are also few housing units constructed in the City due to the lack of vacant residentially zoned land and limitation of water availability within the City.

Homelessness

Those experiencing homelessness include individuals or families who lack or are perceived to lack a fixed, regular, and adequate nighttime residence, or who have a primary nighttime residence in a shelter, on the street, in a vehicle, or in an enclosure or structure that is not authorized or fit for human habitation. People experiencing homelessness have the most immediate housing needs of any population group and are most vulnerable to violence and criminalization due to their unhoused status.

The 2022 Monterey County Homeless Report recently published provides the homeless population by jurisdiction and area.²⁶

The Point-in-Time Census (PIT) was conducted on two consecutive days in January, 2022. The PIT count identifies homeless persons by shelter status (sheltered or unsheltered). A Homeless Survey was conducted in the weeks following the PIT homeless count to collect basic demographic details and information including service needs and utilization.²⁷ **Table A18** below identifies homeless persons by shelter status in Del Rey Oaks and Monterey County from 2015, 2017, 2019, and 2022. The Department of Housing and Urban Development defines unsheltered homeless persons as those with a primary nighttime residence that is a public or private place, not designed for, or ordinarily used, as a regular sleeping accommodation for human beings, including a car park, abandoned building, bus or train station, airport, or camping ground. All persons identified as homeless in Del Rey Oaks would be considered unsheltered by this definition within the City, as the City does not have a publicly or privately operated homeless shelter.

Within Monterey County, 66 percent of homeless individuals were unsheltered and 34 percent resided in shelters (emergency shelters or transitional housing).

Table A18 Homeless Persons by Shelter Status, 2022										
Jurisdiction	Unsheltered					Sheltered				
	2015	2017	2019	2022	Net Change	2015	2017	2019	2022	Net Change
Del Rey Oaks	55	111	0	2	-96%	0	0	0	0	--
Monterey County Total	1,630	2,113	1,830	1,357	-17%	678	724	592	690	2%

Source: Applied Survey Research 2015, 2017, 2019, and 2022.
Note: The 2017 Monterey County Homeless Census was conducted as a "blitz count." Those who appeared to be homeless were included in the count, followed by an in-person survey.

Three types of facilities provide shelter for homeless individuals and families: emergency shelters, transitional housing, and permanent housing, as described below.

²⁶ The count of homeless individuals staying at a shelter was conducted the night of January 27th, 2022, and the count of unsheltered individuals was conducted in the early morning of January 27th and 28th, 2022. The 2021 unsheltered count was postponed to the end of January 2022 due to COVID-19 safety concerns. The 2022 count was also conducted during the Omicron COVID-19 surge which challenged outreach efforts. The count identifies homeless persons by shelter status (sheltered or unsheltered).

²⁷ Surveys were administered between January 29th and March 31st, 2022, to a randomized sample of individuals and families currently experiencing homelessness.

- **Emergency Shelter:** housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.
- **Transitional Housing:** a residence that provides housing for up to two years. Residents of transitional housing are usually connected to rehabilitative services.
- **Permanent Supportive Housing:** refers to housing that is affordable, service-enriched, and allows formerly homeless clients to live at the facility on an indefinite basis.

The primary cause of a person’s inability to obtain or retain housing can be difficult to pinpoint, as it is often the result of multiple compounding causes. An inability to secure adequate housing can also lead to an inability to address or obtain other basic needs, such as healthcare and adequate nutrition. In Monterey County, 50 percent of survey respondents reported financial issues such as job loss and eviction as the primary cause of their homelessness.

Individuals experiencing homelessness can face significant barriers to obtaining permanent housing. These barriers can range from housing affordability and availability to accessing the economic and social supports (e.g., increased income, rental assistance, and case management) needed to secure and maintain permanent housing. The most common response (71 percent) was “can’t afford rent” when asked what prevented them from obtaining housing, suggesting housing affordability and poverty issues as key obstacles. The second most common response (56 percent) reported a lack of job or not enough income, and 35 percent said they had no money for moving costs. Survey respondents were asked if they have received a housing voucher of any kind in the last 12 months, 10 percent of all respondents revealed they had, although only 21 percent of those respondents reported that they were able to successfully use the housing voucher. **As reported by Applied Survey Research (ASR), the biggest obstacles to obtaining permanent housing for the homeless in Monterey County were inability to afford rent (71 percent), lack of a job/income (56 percent), and lack of money for moving costs (35 percent). An increase in affordable housing for lower-income individuals and access to employment may remove some of the obstacles to permanent housing and reduce some of the factors that contribute to homelessness in the County.**

Del Rey Oaks amended their municipal code (Chapter 17.80 Emergency Shelters) to allow emergency shelters by right in accordance with State Housing Laws. The adoption of emergency shelter ordinances reduces zoning and land use barriers that prevent the development of housing and supportive services for homeless persons in Del Rey Oaks.

The City has not updated their ordinance for supportive and transitional housing other than the emergency shelter ordinance. The City proposes to amend their Zoning Development Code to ensure that transitional and supportive housing are allowed in residential and mixed-use zones subject to the same standards as a residence of the same type in the same zone consistent with Government Code Section 65583(c)(3), and to allow eligible supportive housing as a by-right use in zones where multifamily and mixed uses are permitted pursuant to Government Code Sections 65650 through 65656.

Resources: The City does not have housing navigation services, however, there are a number of resources in nearby Seaside, as identified in **Table A-19**. Housing navigation services are available to individuals experiencing housing instability or homelessness, often in conjunction with case management.

Table A-19		
Homeless Service Providers Nearby City of Del Rey Oaks ²⁸		
Shelters and Clients	Population Served	Beds and/or Services
Day/Resource Centers		
Monterey Peninsula Unified School District – Family Resource Center	Families and children	Provides support for homeless children and families within the Monterey Peninsula Unified School District including clothing, school supplies, and referral to other community resources to remove barriers to education.
Emergency Shelter		
Community Homeless Solutions-Central Coast Respite Center	Formerly hospitalized adults	A 6-bed shelter for homeless adults in need of respite care following stays in 3 participating hospitals. Access to meals, case management, and supportive services designed to help participants transition to permanent housing. By hospital referral only. The program also maintains a bridge housing program for guests coming out of respite care while lining up permanent housing options.
Community Human Services – Casa de Noche Buena	Women and families	A 20-35 bed year-round shelter. Capacity depends on the number of children in families. Provides case management, housing navigation, meals, laundry facilities, mail service, social recreation activities, and linkages to income, education, and employment
Safe Parking Program	Anyone in need	An overnight safe parking program for people living in their legally registered vehicles. The program opens at 7:00 p.m. nightly and closes each morning at 7:00 a.m.
Salvation Army – Frederiksen House	Families; women with children	Shelter available for up to 90 days in the program facility. The Salvation Army also provides case management, information & referral services.
Transitional Housing		
Salvation Army – Casa de Las Palmas	Families with children	Family transitional housing provides residential care for a period not to exceed 24 months Must be clean and sober. 9 units, 36 beds
Rental Support Services		
Catholic Charities	Anyone in need	Family supportive services program provides eviction prevention assistance, financial education, nutrition education, as well as assistance with Covered California and CalFresh application process. Rental assistance Available November – March.
Monterey County Department of Social Services - Community Benefits Branch	Monterey residents	Provides temporary public assistance benefits and services to assist eligible residents of Monterey County to meet basic needs. Programs include Temporary Cash Assistance for Needy Families (cash aid), General Assistance, Medi-Cal, CalFresh, and CalWORKs. Eligibility for these public benefits is based upon income and resource levels.
Health and Wellness		

²⁸ City of Salinas, 2023.

<https://www.salinascityesd.org/cms/lib/CA50010838/Centricity/Domain/149/Homeless%20Services%20Resource%20Guide%20ENG%202023.pdf>

Table A-19 Homeless Service Providers Nearby City of Del Rey Oaks ²⁸		
Shelters and Clients	Population Served	Beds and/or Services
Sun Street Centers - Outpatient Counseling	Men, women, and teens	Provides counseling services for men, women, teens. Group and individual sessions are provided for people struggling with alcohol or drug abuse. Bi-lingual services are available. Counseling for couples and families is also available.
Community Human Services - Genesis House	Men, women, and perinatal women	A 36-bed state-licensed residential drug treatment program for men, women, and perinatal women seeking recovery from substance abuse. Children ages 0-5 may live with their mothers in treatment. Medi-Cal accepted.
Source: City of Seaside Housing Element, from Monterey County Homeless Services Resource Guide, January 2023		

In addition to **Table A-19**, above, organizations offering housing navigation include Community Health Engagement (831) 770-1700; Housing Resource Center (831) 424-9186 and Central Coast Center for Independent Living (831) 757-2968. The Housing Authority of Monterey County (HACM) also has an HCV program specifically for homeless/housing unstable residents called the Emergency Housing Voucher (EHV). HACM also has dedicated Housing Navigator staff.²⁹

Extremely-Low Income Households

Pursuant to state and federal regulations, the AMI refers to the median income for the Metropolitan Statistical Area. For the City of Del Rey Oaks, this area refers to Monterey County. The U.S. Department of Housing and Urban Development (HUD) periodically receives "custom tabulations" of Census data from the Census Bureau that are largely not available through standard Census products. The most recent estimates are derived from the 2015-2019 ACS and 2016-2020 ACS datasets. This dataset, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrates the extent of housing problems and housing needs, particularly for lower income households. Households by income can be found in **Table 2-13b** of **Chapter 2.0** of the Housing Element.

- **Extremely Low-Income:** An "extremely low-income" household is one making less than 30 percent of the countywide median income. In 2020, 6.1 percent of total households were classified as extremely low-income in Del Rey Oaks. Extremely low-income households historically have significant housing needs because their limited incomes force them to spend a disproportionate share of their income on housing, while having a very limited choice of housing options. In Monterey County, a household with an income of less than \$25,300 would be classified as extremely low-income.
- **Very Low-Income:** A "very low-income" household is one making between 30 to 50 percent of the countywide median income. In 2020, 6.3 percent of total households were classified as very low-income. Similar to extremely low-income, very low-income households historically have significant housing needs because their limited incomes force them to spend a disproportionate share of their income for housing. In Monterey County, a household with an income of less than \$42,150 would be considered very low-income.

²⁹ City of Seaside, 2023.

- **Low-Income:** "Low-income" households are those households with incomes between 51 and 80 percent of countywide median income. In 2020, 13.4 percent of total households were low-income. Low-income households have housing problems similar to very low-income households, with cost burden being the major issue. In Monterey County, a household with an income less than \$67,450 would be considered low-income.
- **Moderate-Income:** The State defines "moderate-income" households as those with incomes between 81 and 120 percent of the countywide median household income. In 2020, 73.2 percent of total households were considered moderate-income households. Moderate-income households do not have the same problems as the previously mentioned categories, but they do face issues like overpaying for housing, but not in such significant numbers as low-income and very low-income households. In Monterey County, a household with an income above \$67,450 would be considered moderate-income.

Housing the extremely low-income population can be especially challenging. Extremely low-income (ELI) households face housing problems mostly related to cost burdens. As seen in **Table A14**, 61.5 percent of ELI households in Del Rey Oaks were paying 30 percent or more per month for housing (cost burdened) and 51.3 percent of ELI households were paying 50 percent or more per month for housing (severely cost burdened). This subset earns income that is nearly equivalent to the federal poverty line.

Jurisdiction	Total Households	Extremely Low Income (0-30%)	Very Low Income (31-50%)	Low Income (51-80%)	Moderate/Above Moderate Income (80%+)
City of Seaside ¹	10,600	13.4%	16.4%	20.2%	50.0%
City of Del Rey Oaks ²	635	6.1%	6.3%	13.4%	73.2%
Monterey County ¹	127,155	12.3%	13.7%	19.7%	54.4%

Note: Data presented in this table is based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% count due to the need to extrapolate sample data out to total households. Interpretations of this data should focus on the proportion of households in need of assistance rather than on precise numbers. Furthermore, because HUD programs do not cover households with incomes above 80% of the County Area Median Income (AMI), CHAS data does not provide any breakdown of income groups above 80% AMI.

¹ Source: CHAS Data, 2015-2019.
² Source: CHAS Data, 2016-2020.

Table A20 above shows the income groups of Del Rey Oaks compared to nearby Seaside and Monterey County. The proportion of moderate/above moderate-income households in the City was higher than the County as a whole.

Income Level	Owner-Households	Renter-Households	Total Households	Percent
Extremely Low-Income (0-30%)	35	4	39	6.1%
Very Low-Income (31-50%)	30	10	40	6.3%
Total	465	170	635	100.0%

Source: HUD, 2023

According to the 2016-2020 CHAS in **Table A21** above, Del Rey Oaks has approximately 39 households with incomes at or below 30% of the household area median income. Extremely low-income households comprised approximately 6.1% of all households in Del Rey Oaks. and very low-income households comprised close to 6.3 percent of all households in Del Rey Oaks. Approximately 89.7 percent of ELI households in Del Rey Oaks are owners and 10.3 percent of ELI households are renters, 75 percent of VLI households are owners and 25 percent of VLI households are renters.

Programs of the Housing Element focus on accommodating affordable housing development for low-income households, including extremely low-income residents. Program D.10 will assist in the development/redevelopment of properties for housing for special needs populations, including extremely low-income households. Actions of Program D.10 include conduction outreach, assisting with funding applications for housing for special needs populations, and granting incentives and concessions to housing developments that include units for special needs populations and extremely low-income households. The City has a comprehensive AFFH Action Plan that includes mobility strategies, increased housing opportunities, and increased proactive outreach efforts to address disparities in housing needs of lower-income groups and affirmatively further fair housing goals.

Elderly/Seniors

Senior citizens are considered a special needs group because of their limited income, health care costs, and disabilities. Because of their limited income status, the elderly often has a difficult time securing affordable housing and/or maintaining their existing housing units. While many of the elderly in Del Rey Oaks bought their homes 30 or 40 years ago, they may be relatively unaffected by the high cost of housing, but living on a fixed income makes them particularly affected by the high cost of home repairs and healthcare and the high cost of living in Monterey County. According to the ACS (U.S. Census Bureau, 2020), as shown in **Table 2-15 of Chapter 2.0** of the Housing Element, the number of households with householders 65 years and over in Del Rey Oaks has grown from 167 in 2012 (25.3 percent) to 249 (39.3 percent) in 2020. Monterey County's households with householders 65 years and over in 2020 was 33,939 (26.5 percent). There were 19 (3 percent) renter-occupied elderly households 65 years and over in Del Rey Oaks in 2020. This indicates that the majority of elderly people in Del Rey Oaks are homeowners rather than renters, which may have implications for "over-housing", which means that these elderly people are living alone in three- or four-bedroom homes with limited mobility and special housing needs.

-The City's AFFH Action Plan -includes mobility strategies, increased housing opportunities, and increased proactive outreach efforts to address disparities in housing needs of seniors and special needs groups to benefit vulnerable senior population. Programs such as universal design and aid in home rehabilitation allow persons to be able to stay in their homes. Local service providers such as Legal Services for Seniors and Alliance on Aging specifically target assistance and resources for the aging senior population. The small neighborhoods and community making up the City also serve to aid the aging citizenry with neighbor-to-neighbor outreach, particularly for the elderly. See also Displacement discussion below.

Farmworkers

Farmworkers are a special needs group due to the lower wages associated with their occupations. Many farmworkers also face language barriers and have difficulty finding affordable housing. There are no agricultural land uses in the general vicinity of the Del Rey Oaks. According to the 2016-2020 ACS 5-year

estimates (U.S. Census Bureau, 2020), no one identified themselves as working in the “Agriculture, Forestry, Fishing and Hunting and Mining” industry within the City of Del Rey Oaks. There are no conditions on the development of farm worker housing in Del Rey Oaks because it is not differentiated from multi-family housing or dwelling groups. The City has no specific policies with regard to farmworker housing other than through the allowances for multi-family housing, due to the lack of demand within the community. The most recent USDA Agricultural Census (2017) estimates that there were 26,929 workers (hired labor) and 1,028 unpaid workers in Monterey County. Of the 26,929 hired laborers, more than half (14,806 workers, 55%) were employed for 150 days or more while the other 45% (12,123) workers were hired for fewer than 150 days and are likely seasonal workers. The USDA Census does not provide data at a City level. Due to the lack of farmworkers in the City, the City’s affordable housing programs do not specifically address the needs of farm laborers. However, resources available to other special needs groups would also address farmworker needs.

Students. Student housing often only produces a temporary housing need based on the duration of the educational institution they are enrolled in. The City is in close proximity to Monterey Peninsula College (MPC), Middlebury Institute of International Studies (MIIS), California State University Monterey Bay (CSUMB), Naval Postgraduate School (NPS), Defense Language Institute Foreign Language Center (DLI or DLIFLC). Typically, students are low-income and are, therefore, affected by a lack of affordable housing, especially within commuting distance from campus. (*Added December 6, 2023).

Displacement

Displacement is used to describe any involuntary household move caused by landlord action or market changes (investment- and divestment-driven), including disaster-driven displacement. Displacement is fueled by a combination of rising housing costs, rising income inequality, stagnant wages, and insufficient market-rate housing production.³⁰ The Urban Displacement Project (UDP) Estimated Displacement Risk (EDR) identifies census tracts with low-income renter households; all areas within Del Rey Oaks are identified as Lower Displacement Risk. The nearest areas identified as At Risk of Displacement are within an area of the City of Seaside. Lower Displacement Risk estimates that the loss of low-income households is less than the gain in low-income households. However, some of these areas may have small pockets of displacement within their boundaries, and may be majority low-income experiencing small to significant growth in this population while in other cases they may be high-income and exclusive (and therefore have few low-income residents to begin with). UDP defines displacement risk as a census tract with characteristics which, according to the model, are strongly correlated with more low-income population loss than gain. In other words, the model estimates that more low-income households are leaving these neighborhoods than moving in.³¹

³⁰ Chapple, K., & Thomas, T., and Zuk, M. University of California, Berkeley Urban Displacement Project, 2021.

³¹ UC Berkley’s Urban Displacement Project defines residential displacement as “the process by which a household is forced to move from its residence or is prevented from moving into a neighborhood that was previously accessible to them because of conditions beyond their control.” As part of this project, the research has identified populations vulnerable to displacement (named “sensitive communities”) in the event of increased redevelopment and drastic shifts in housing cost. They defined vulnerability based on the share of low-income residents per census tract and other criteria share of renters above 40 percent; share of people of color more than 50 percent; share of low-income households severely rent burdened; and proximity to displacement pressures. Displacement pressures were defined based on median rent increases and rent gaps.

The risk of displacement due to economic pressures is an important factor contributing to fair housing issues in Del Rey Oaks.

Although the model shows that all areas within City are identified as Lower Displacement Risk, displacement is of interest to ensure affirmatively furthering fair housing for those most vulnerable in the City. Del Rey Oaks' elderly and lower-income residents would be most vulnerable to displacement out of the City, particularly in cost-burdened households. The rising cost of housing in Del Rey Oaks, Monterey County, and across the Monterey Bay and Central Coast region is a major contributor to displacement of the most vulnerable populations. While the City is considered a Lower Displacement Risk area, the nearby neighborhoods bordering the City to the north in Seaside are both considered high risk for displacement. The City's higher ratio of senior population and aging residents illustrates potential for future displacement issues for this vulnerable population.

Legal Services for Seniors provides services to prevent the displacement of seniors from the risks of eviction and foreclosure. The City also has a comprehensive AFFH Action Plan that includes mobility strategies, increased housing opportunities, and increased proactive outreach efforts to address disparities in housing needs of seniors and special needs groups to benefit special needs population and affirmatively further fair housing goals.

F. ANALYSIS OF CONTRIBUTING FACTORS AND FAIR HOUSING PRIORITIES AND GOALS

The April 2021 Affirmatively Furthering Fair Housing Guidance published by HCD identifies examples of contributing factors by each fair housing issue area: outreach; fair housing enforcement and outreach capacity; segregation and integration; racially and ethnically concentrated areas of poverty; disparities in access to opportunity; disparities in access to opportunities for persons with disabilities; disproportionate housing needs, including displacement risks; and sites inventory. Using the analysis included in the AFH and the 2019 AI Report, the City has identified potential contributing factors to fair housing issues in Del Rey Oaks and outlines the meaningful actions to be taken.

The City of Del Rey Oaks has long experienced high housing cost and a lack of access to affordable housing, which significantly impacts special needs groups of the community. In 2019, the Regional Analysis of Impediments to Fair Housing Access (Regional AI) concluded that ELI and low-income households, as well as moderate income households, have limited opportunities for affordable housing in both the rental and homeownership markets in the City. The lack of available affordable housing has a significant impact on vulnerable communities, including large families with children, seniors and people with disabilities.

Fair Housing Issues, Contributing Factors and Meaningful Actions

Table A-22 lists the most prevalent fair housing issues and their corresponding contributing factors for the City of Del Rey Oaks, as prioritized through the findings from the City's outreach efforts and the above assessment, as outlined in the analysis above. **Table A-23** consists of proposed housing programs the City will pursue to specifically overcome identified patterns and trends from the above assessment and proactively affirmatively further fair housing in Del Rey Oaks. The programs, actions and milestones are identified in **Table A-23** and detailed in **Chapter 7.0** of the Housing Element.

Table A-22: Fair Housing Issues and Contributing Factors		
Priority	Contributing Factor	Fair Housing Issue
1	Overpayment and affordability Lack of affordable housing	Disproportionate Housing Needs
2	Availability of affordable units in a range of sizes/ Location and type of affordable housing	Disproportionate Housing Needs Segregation and Integration
3	Aging population and high cost of living	Displacement
4	Land use and Zoning laws per TL	Disparities in Access to Opportunity for Persons with Disabilities

Access to opportunity in the City is approximately evenly distributed across the city as evidenced by the relatively consistent TCAC scores citywide. There are no Racially Concentrated Areas of Poverty or Ethnically Concentrated Areas of Poverty (R/ECAPs) or Racially Concentrated Areas of Affluence (RCAAs) in the City, however, evidence indicates that some special needs groups may experience different economic conditions than the majority of other residents.

Contributing Factor: Overpayment and affordability/Lack of Affordable Housing.

A citywide fair housing issue is overpayment by renters and homeowners, particularly the ELI population. Overall, in the City, almost 57.6 percent of renters (98 households) are cost burdened, compared to 27.3 percent of homeowners (127 households).³² The Monterey area including the City also has high to very high Location Affordability Index rates.³³

Special needs groups are more likely to experience poverty and are less likely to own their home than other population groups.

As evidenced in AFFH discussion above, 61.5 percent of ELI households in Del Rey Oaks were paying 30 percent or more per month for housing (cost burdened) and 51.3 percent of ELI households were paying 50 percent or more per month for housing (severely cost burdened). This subset earns income that is nearly equivalent to the federal poverty line.

Contributing Factor: Availability of Affordable Units In A Range Of Sizes/ Location And Type of Affordable Housing.

A second high priority fair housing issue in Del Rey Oaks is disproportionate housing needs because it is likely to affect most residents and not just special needs groups. The disproportionate housing needs are contributed by a lack of available affordable units in a range of sizes. This contributing factor is evident due to the levels of overpayment by homeowners and renters within both higher and lower income

³² CHAS Data, 2016-2020.

³³ <https://hudgis-hud.opendata.arcgis.com/datasets/HUD::location-affordability-index-v-1-03/explore?location=36.586106%2C-121.766304%2C12.44>

households, including seniors and ELI populations. Both higher and lower income households, encompassing various household sizes and characteristics, may choose more affordable housing if available.

A combination of very high affordability in the Monterey Peninsula area as well as Del Rey Oaks, and higher levels of overpayment for housing indicate the need for more affordable housing, which could be provided through smaller unit sizes and a mix of housing types.

Contributing Factor: Aging Population and High Cost Of Living, Potential for Displacement.

The number of cost-burdened households indicates that special needs group residents are struggling to afford housing costs which can lead to displacement as a fair housing issue and ultimately can lead to homelessness for at-risk populations.

Contributing Factor: Disparities in Access to Opportunity for Persons with Disabilities.

The fourth fair housing issue is Disparities in Access to Opportunity leading to segregation and integration due to ongoing outdated zoning ordinances and the need to update the City Zoning Code relevant to addressing zoning restrictions related to zoning for persons with disabilities. The City has programs to resolve these issues, however, current zoning is outdated and the City Zoning Code lacks the required ordinances and requirements for reasonable accommodation, transition and supportive housing and other state requirements as evidenced in this document and the 2019 AI Report. In addition to zoning code contributing factors, the public review process for development of any large projects is a challenge to building housing throughout the Monterey Peninsula and in Del Rey Oaks. The City, like other jurisdictions, is subject to many requirements for development as well as opposition from local organized groups who are opposed to development in the former Fort Ord area of the City where land is available.

Table A23 Contributing Factors & Actions			
Identified Fair Housing Issue	Contributing Factor	Priority	Meaningful Action
Disparities in Access to Opportunity for Persons with Disabilities	Lack of affordable, accessible housing	High	<ul style="list-style-type: none"> Facilitate the provision of housing for special needs groups and support efforts to provide housing for elderly and disabled (Program D.2) Review and amend the Zoning Code to incorporate accessible design (Program D.3)
	Displacement of residents	Medium	<ul style="list-style-type: none"> Facilitate affordable housing for all income levels and persons with disabilities (Program B.2) Adopt a universal design element for new development (Program D.7)
Disproportionate Housing Needs, Including Displacement Risks	Availability of affordable units in a range of sizes	High	<ul style="list-style-type: none"> Facilitate affordable rental units (Program B.6) Encourage the construction of Accessory Dwelling Units (Program C.2)
	Aging population, ELI Population	Medium	<ul style="list-style-type: none"> Consider adoption of ordinance requiring new inclusionary housing be provided on a preferential basis to Del Rey Oaks residents and workers (Program B.4) Adopt a universal design element for new development (Program D.7)
	Land use and zoning laws	High	<ul style="list-style-type: none"> Develop a mixed-use zoning designation (Program A.2)

Table A23 Contributing Factors & Actions			
Identified Fair Housing Issue	Contributing Factor	Priority	Meaningful Action
Disparities in Access to Opportunity			<ul style="list-style-type: none"> • Allow small lot residential Planned Unit Developments (PUD) (Program A.3) • Consider development of an inclusionary housing policy option or developer agreement template (Program B.1) • Streamline permitting consistent with SB 35 (Program C.1) • Amend the zoning code to mitigate constraints (Program C.3) • Review zoning code and develop objective design and development standards (Program D.8)
	Availability, type, frequency, and reliability of public transportation	Low	<ul style="list-style-type: none"> • Implement MM 3.16-1 of the EIR to require future development projects to maintain bicycle, pedestrian, and public transit access during construction and providing bicycle storage facilities at all residential developments.

The City of Del Rey Oaks remains committed to providing a diversity of housing options for all income levels, encouraging development throughout the community to help overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. The City's Housing Programs designed to address fair housing will be implemented on an ongoing basis to ensure they are achieving the City's objectives. The 2019 Monterey County AI Report indicated the City needed to address ADUs, definition of family and emergency shelters. Zoning Ordinances updates completed these items during 2021 and 2023.

The City of Del Rey Oaks does not collect rental pricing on ADUs. The City of Santa Cruz conducts voluntary rental pricing surveys for ADUs each year, the results of which indicate the majority of ADUs are rented at low-income rents or below. For the 2022 survey, 89 percent of respondents who provided rental cost data were charging at or below the low income rent for their units.³⁴ The City aims to leverage City-owned land for the development of affordable housing projects and provide a mix of densities, affordability and housing types to encourage diversity within the community, and encourage new housing choices and affordability in high resource areas through reduced development fees, increased incentives for development of ADUs and other housing choices within the City.

The population of Del Rey Oaks includes special needs groups, which require a variety of unit sizes to serve needs that are not currently addressed within the City. These issues include:

- Accessory dwelling units (ADUs). Encourage development and use of ADUs as a strategy to encourage affordable housing within the City. ADU's can serve the aging population of the City and reduce displacement.
- Seniors. Del Rey Oaks had a high median age of 46.2 compared to nearby Monterey (36.9) and Seaside (30.6) in 2010 (2019 AI Report), and a median age of 49.4 compared to Monterey (36.9) and Seaside (33.8) in 2020 (2016-2020 ACS 5-Year Estimates). A growing cohort of seniors in the City indicates a potential need for specialized housing types and social services dedicated to seniors. According to the ACS (U.S. Census Bureau, 2020), as shown in **Table 2-15**, the number of households with householders 65 years and over in Del Rey Oaks has grown from 167 in 2012 (25.3 percent) to 249 (39.3 percent) in 2020. Monterey County's households with householders 65 years and over in 2020 was 33,939 (26.5 percent).
- People with Disabilities. The population of Del Rey Oaks with a disability is 12.7 percent, similar or slightly higher than neighboring communities. As the population ages, the City may need to consider future care and services for the aging population and people with disabilities. It is generally understood that the need for housing for people with disabilities outweighs the availability of adequate housing units. Outreach, and the adoption and implementation of universal design methods can increase the number of units available to people with disabilities and aging populations, provide housing mobility and reduce displacement.
- Large Households. In 2020, 5.4 percent of owner-occupied households in Del Rey Oaks had five persons or more compared to 10.1 percent of renter-occupied households with five persons or more. This issue is not major at the moment, but with limited new housing development and

³⁴ [City of Monterey. Draft 2023-2031 Housing Element.](#)

increasing pricing, large families will have to deal with overcrowding due to the lack of large family affordable housing. Rental unit sizes available for rent in Del Rey Oaks do not currently serve large families. In order to better serve this population, it is important to develop affordable housing that can accommodate large families three (3) or more bedrooms and reduce barriers to affordable housing construction, and to consider incentives to encourage units suitable for larger households.

- Female-Headed Households. As of 2020, female-headed households represent approximately 6.7 percent of total households in Del Rey Oaks. As a goal of affirmatively furthering fair housing, methods to prioritize the inclusion of female-headed households and female-headed households with children to find adequate and affordable housing will be sought.
- Homelessness. Although Del Rey Oaks contains a small unhoused/homeless population compared to Monterey County, it is important to consider allowing types of facilities to provide shelter for homeless individuals and families including emergency shelter, transitional housing, and permanent supportive housing.

The following list summarizes those programs identified in this Housing Element which affirmatively further fair housing and implement Monterey County AI's remaining recommendations:

- Programs A.1, B.1, and B.2 ensure very low, low, moderate, above moderate income, and inclusionary housing opportunities are made available in the city and to accommodate the City's RHNA.
- Program A.2 develops a Mixed-Use Zoning Designation to reduce constraints on types of land use in commercial areas.
- Program A.3 reduces lot size constraints and promotes opportunities for smaller housing at higher densities.
- Program B.3 reduces constraints for very low-income and elderly cost-burden households.
- Program B.4 incentivizes housing opportunities for Del Rey Oaks residents and workers.
- Program B.5 promotes opportunities for density bonus provisions.
- Program B.6 facilitates affordable rental units through funding opportunities.
- Program B.7 promotes housing opportunities for teachers and local educational employees.
- Programs C.1 and C.3 reduce mitigating constraints, remove barriers, and streamline permitting processes on housing development in the Zoning Ordinance. **The Code will also be amended to remove constraints that subject potential persons with disabilities to special regulations such as the number of persons, parking requirements, special permits.**
- Program C.2 encourages the construction of accessory dwelling units as a source of affordable housing- **and commits the City to comprehensive revisions to the zoning ordinance including design review, use permit requirements and parking requirements that constrain development of affordable housing and also reduces parking requirements for smaller bedroom types (e.g., one space per one-bedroom unit).**
- Program C.4 ensures the availability of adequate water supply to serve the long-term housing needs of the City **and commits the City and water agencies to provide needed water for affordable housing.**

- Program C.5 adopts a separate Environmental Justice Element of the General Plan to reduce disparities in environmental factors in the City.
- Program C.6 evaluates fees for development projects to reduce potential constraints on the development of higher-density housing.
- Program C.7 facilitates the development of lots larger than ten acres, particularly for the development of affordable housing units.
- Program C.8 requires remediation and clean-up prior to reuse of contaminated sites in former Fort Ord to protect human and environmental health and to remove the residential restriction on portions of the properties to promote development of needed housing.
- Program D.1 provides fair housing education and outreach information publicly.
- Programs D.2, D.3, D.4, and D.6 accommodate housing for special needs groups, including supportive housing, consideration of single room occupancy units, and to encourage or support emergency shelter facilities.
- Program D.7 develops a process for universal design in order to assist residents to age in their homes and reduce the risk of displacement.
- Program D.8 commits the City to evaluate the Zoning Code and to design guidelines to establish and adopt objective design standards for multifamily and mixed use residential development.
- Program D.9 commits the City to adopt reasonable accommodation ordinance and implement procedures to address special needs groups for requests.
- Program D.10 addresses needed housing for ELI Households and commits to assist in the development or redevelopment of one or more properties for housing for those with special needs, including housing affordable to extremely low-income households.
- Program E.1 assists in rehabilitating housing for low-income homeowners and to owners of rental units that will rent to low-income households.
- Program E.4 provides annual reports to ensure the housing programs are achieving the City's goals.
- Program E.5 addresses fair housing issues and affirmatively further fair housing in Del Rey Oaks.

To the extent that these programs represent ongoing work efforts, or are proposed, these programs are evaluated for effectiveness in **Chapter 5** and **Chapter 7** of the Housing Element. A number of the programs identified above propose to create, amend, and/or adopt specific ordinances that will affirmatively further fair housing practices. The City has undertaken a series of proactive amendments to its Zoning Ordinance to address new requirements related to emergency shelters and accessory dwelling units, and other Zoning Ordinance changes are in process for 2023 and 2024. The City will continue to partner with local and regional stakeholders to affirmatively further fair housing.

Sites Inventory

AB 686 requires a jurisdiction's site inventory to be consistent with its duty to affirmatively further fair housing. This section evaluates the city's site inventory locations against various measures in the Assessment of Fair Housing that includes income level, racially and ethnically concentrated areas of poverty, access to opportunity, and environmental risk to determine any socio-economic patterns or implications. State housing law requires jurisdictions to identify sites to meet RHNA obligations in a manner that is consistent with its duty to affirmatively further fair housing. This includes determining sites

that are able to achieve fair housing goals, such as combatting housing discrimination, eliminating racial bias, redressing historic patterns of segregation, and lifting barriers that restrict access. Affirmatively furthering fair housing will help foster inclusive communities so that households at all income levels and of all racial/ethnic makeups can enjoy a more equitable distribution of opportunity and proximity to jobs, transit, a high-quality education, and environmental benefits.³⁵

Sub-Area Analysis

Typically, this section would describe sub-areas of a City that were analyzed to compare conditions City-wide to ensure that housing policies do not contribute to existing fair housing challenges. As previously described, the City of Del Rey Oaks is within three 2020 U.S. Census Tracts (132, 134, 141.09). However, the populated portion of Del Rey Oaks is located within one census tract (tract 134). Only a small portion of the City is in Tract 132 outside of the populated City. The Opportunity sites (Site 1 and 1a and K1 and K2) in the Sites Inventory are a part of another much larger census tract (tract 141.09). This large -within two other jurisdictions, including non-populated dedicated open space within Monterey County and a populated area 2.5 miles to the north of Del Rey Oaks. See **Figure A16** for census tract 134 and census tract 141.09 boundaries.

Census Tract 134

The area of population within the City's boundaries is census tract 134. The majority of the population in the City identify as Non-Hispanic White (76 percent) and the next highest category is Hispanic or Latino population (10 percent). The entire area within the Census tract shares similar qualities such as income levels, race and ethnicity, without any concentrated areas of poverty in the small jurisdiction, differences in services or other disparities.

A comparison of a jurisdiction's site inventory against its LMI (low- to moderate- income) households and R/ECAP area can reveal if the City's accommodation of housing is exacerbating or ameliorating segregation and social inequity. Although median income in Del Rey Oaks census tracts is higher than the neighboring areas of Seaside and Monterey, there is no concentration of income types within Del Rey Oaks. **Figure A8** shows the percent of population whose income in the past 12 months is below the poverty level. Less than 10 percent of the population of Del Rey Oaks is below the poverty level. There are no LMI concentrations within census tract 134 of the City. As previously noted, the City of Del Rey Oaks does not have any R/ECAPs within its populated boundaries. The amount of city and site inventory areas not within an R/ECAP is therefore 100 percent.

Del Rey Oaks's TCAC composite index score relative to economic, educational, and environmental factors can be used to designate areas of high segregation and poverty according to the TCAC/HCD Opportunity Map. As mentioned earlier, TCAC areas have been scored based on very good access to high quality schools, economic opportunities, and low environmental risk. **Figure A10** shows sites inventory locations across the city's TCAC Opportunity Areas including within the populated City. According to **Figure A10**, the majority of Del Rey Oaks is classified as High Resource. The City population within this area of the City all receive the same services, are located in close proximity to transit and have the same opportunity for recreational, open space and resources.

³⁵ City of Monterey. Draft AFFH Analysis, 2023.

Census Tract 141.09

New affordable housing opportunities in Sites 1 and 1a would serve to further fair housing choices in the City of Del Rey Oaks. Sites 1 and 1a in the sites inventory are currently undeveloped, unpopulated, and within a large census tract (141.09) that includes portions of Seaside and former Fort Ord lands. See **Figure A16** for census tracts of Del Rey Oaks. The census tract is not identified as a R/ECAP, RCAA, or tract of High Segregation and Poverty of the TCAC/HCD Composite Opportunity Map from HCD. No data was applicable for tract 141.09 to determine racial segregation/integration according to OBI. While the sites are currently zoned as commercial/visitor serving, the City rezoned these sites to allow residential development on site. Further, programs commit to site development for affordable and mixed-use zoning designation. Per **Chapter 3.0** of the Housing Element, road extension is funded and utilities are planned to be extended to roads near the sites.

Moderate resource areas are areas with high index scores for a variety of educational, environmental, and economic indicators. The Moderate Resource area of the city is an undeveloped and unpopulated area and is within a larger census tract (141.09) comprising of former Fort Ord lands. However, this area includes a developed population in neighboring Seaside who would not receive the same City services upon development of the former Fort Ord lands within this tract in the City of Del Rey Oaks.

The population within this area of the City will all receive the same services, will be located in close proximity to transit and will have the same opportunity for recreational and open space resources. The proximity of these areas to the currently developed City area allows for access to the same opportunities as the current Del Rey Oaks residents. Although Sites 1 and 1a are currently vacant and located in a Moderate Resource area, the sites are near the High Resource area of tract 134 within Del Rey Oaks. In this respect, the sites inventory is considered to mitigate fair housing concerns regarding access to opportunity because housing development potential in the City can be equitably located in high resource areas when considering the City overall.

Figure A12 shows the sites inventory across the City's CalEnviroScreen scores, including Sites 1 and 1a. The tracts in Del Rey Oaks received composite score percentiles ranging from 5 to 51, at the highest range. The highest environmental risk to residents accounts for the majority of the site's inventory area.

The populated area of Del Rey Oaks scored within the lower percentile, representing more favorable environmental conditions. The area of higher percentile (over 50) of former Fort Ord represents a moderate potential pollution burden. As noted above, tract 141.09 includes former Fort Ord, a former US Army military training base. Information within **Chapter 3.0** and **Chapter 4.0** of the Housing Element and associated housing programs requiring remediation would reduce this risk, especially considering oversight by DTSC and EPA requiring clearance prior to home development. As noted in this Housing Element, there is also an area cleared of environmental risks by the Army and approved for residential development without additional remediation.

Capacity

It is estimated these city-owned sites are capable of realistically and conservatively accommodating up to 270 units (including 184 units of RHNA allocation and shortfall for the 6th-cycle previous planning period). This conservatively assumes an area or ~~assuming an area or~~ areas would be subdivided up to 10 acres of development at a density of 20 units/acre consistent with HCD requirements, in a range of housing types

and housing at all income groups. Future mixed-use development may provide housing and commercial/visitor serving opportunities and amenities, such as retail and transit stops. Recent adoption of a rezoning provides for a minimum density of 20 units/acre for Sites 1 and 1a. Over 100 acres is not constrained in Site 1 with residential restriction or hazardous materials from previous Army use. Proposed infrastructure is planned and will be in place within the planning cycle to support housing. .

As described in the Housing Element, Sites 1 and 1a have been selected by the City and HCD as appropriate sites to accommodate the City's RHNA. The sites are anticipated to include future mixed-use and market rate housing, as described in Program A.2 and the previously-analyzed full buildout of the former Fort Ord properties. ~~Due to the tract's large size, lack of overall development, and low population, it may be difficult to assess the degree to which~~ implementation of the 6th Cycle Housing Element and AFFH Assessment would improve ~~or exacerbate conditions~~ availability of affordable housing to meet RHNA, increase ability to address mixed use and smaller unit sizes, and with implementation of the full set of programs within Chapter 7.0, provide specific actions to remove constraints to reach capacity of 270 housing units to meet RHNA by 2031. Goals, policies, and programs of the Housing Element and General Plan would continue to affirmatively further fair housing efforts and seek to improve fair housing conditions within the City. **Table A24** provides an analysis of the parcels within the site's inventory. Additional sites inventory information can be found in Chapter 3.0 and **Appendix C** of the Housing Element.

Figure A16 Census Tract 134 and Census Tract 141.09 Boundaries

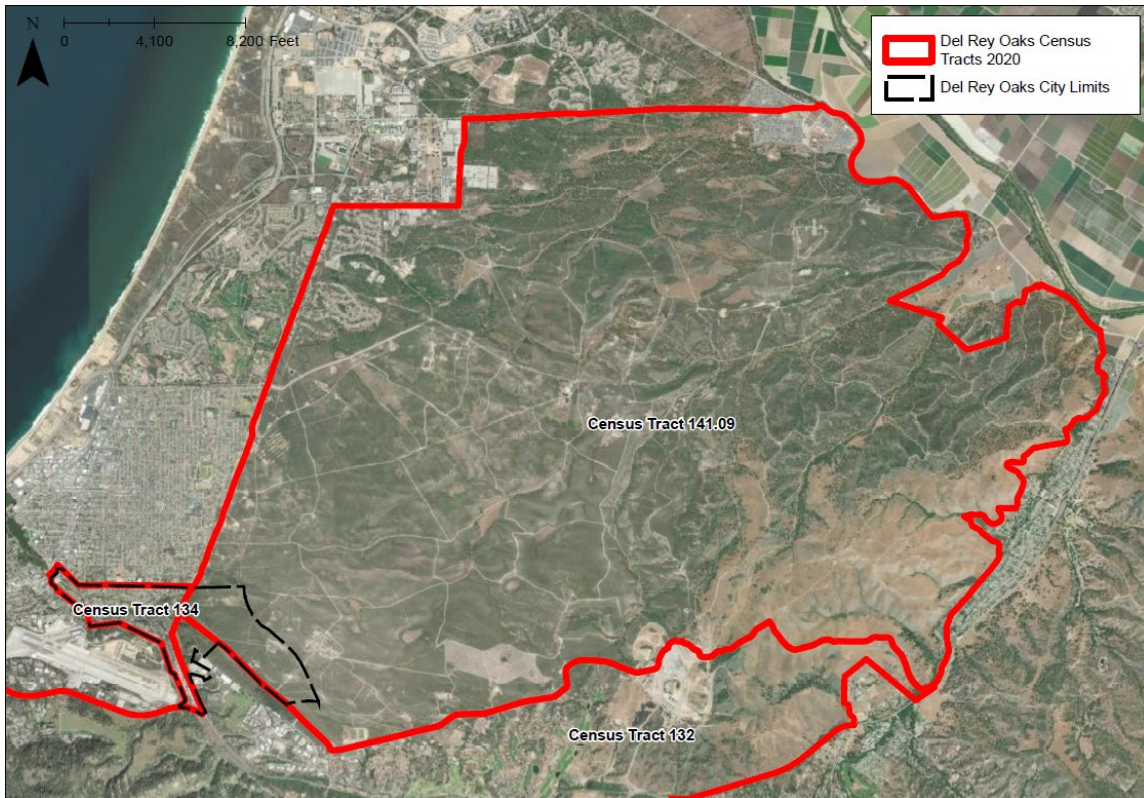


Table A24															
AFFH Sites Inventory Analysis															
Sites Location			Sites Inventory Capacity				Census and AFFH Data Estimates ²								
Site Name	Assessor Parcel Number	Census Tract ¹	Very Low-Income ³⁶	Low-Income	Moderate-and Above-Income	Total Capacity	Tract Existing Housing Units	Percent White Alone	Hispanic or Latino	Owner Occupied	Renter Occupied	Overpayment by Owners	Overpayment by Renters	HCV as Percent of Renters	Displacement Risk
Site 1	031-191-026-000	141.09	23	15	16	200	986	38%	29.3%	12.7%	87.3%	46.6%	63.6%	3.3%	Lower Displacement Risk
Site 1a	031-191-027-000	141.09	5	4	0	40	986	38%	29.3%	12.7%	87.3%	46.6%	63.6%	3.3%	Lower Displacement Risk
Site 1a	031-191-028-000	141.09	13	10	0	30	986	38%	29.3%	12.7%	87.3%	46.6%	63.6%	3.3%	Lower Displacement Risk
AFFH ADUs	Various	134	✕4	✕4	✕4	✕20	714	76.1%	10.2%	73.5%	26.5%	32.9%	53.6%	0%	Lower Displacement Risk

Source: AFFH Data Viewer 2.0, 2016-2020 ACS 5-year estimates.
¹ Tract 141.09 includes a portion of Seaside and former Fort Ord.
² Data is presented at the census tract level

Table A24															
AFFH Sites Inventory Analysis															
Sites Location			Sites Inventory Capacity			Census and AFFH Data Estimates ²									
Site Name	Assessor Parcel Number	Census Tract ¹	Affordability level	Total Units	Total Capacity	Tract Existing Housing Units	Percent White Alone	Hispanic or Latino	Owner Occupied	Renter Occupied	Overpayment by Owners	Overpayment by Renters	HCV as Percent of Renters	Displacement Risk	
Site 1	031-191-026-000	141.09	Very Low	23	200	986	38%	29.3%	12.7%	87.3%	46.6%	63.6%	3.3%	Lower Displacement Risk	
			Low	15											
			Moderate and Above	16											
Site 1a	031-191-027-000	141.09	Very low	5	40	986	38%	29.3%	12.7%	87.3%	46.6%	63.6%	3.3%		
			Low	4											

³⁶ Includes Extremely-Low Income units as 50% of Low Income units described above.

			Moderate and Above	0										Lower Displacement Risk
Site 1a	031-191-028-000	141.09	Very Low	13	30	986	38%	29.3%	12.7%	87.3%	46.6%	63.6%	3.3%	Lower Displacement Risk
			Low	10										
			Moderate and Above	0										
AFFH ADUs	Various	134	Very Low	x	x	714	76.1%	10.2%	73.5%	26.5%	32.9%	53.6%	0%	Lower Displacement Risk
			Low	x										
			Moderate and Above	x										

Source: AFFH Data Viewer 2.0, 2016-2020 ACS 5-year estimates.
¹ Tract 141.09 includes a portion of Seaside and former Fort Ord.
² Data is presented at the census tract level

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Appendix B - Public Outreach

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City of Del Rey Oaks Housing Element Documents and Meetings

6th Cycle

The following links to workshops, meetings and public documents provide background on public outreach for the 6th Cycle Housing Element Update for the City:

- March 16, 2023, Workshop: [Housing Element Workshop and Joint Meeting of City Council and Planning Commission Agenda Packet](#)
- March 28, 2023 Emergency Shelter Ordinance and Status Report on Housing Element Update: [City Council Meeting Agenda Packet](#)
- May 3, 2023, Virtual Workshop: Housing Element Workshop
- May 9, 2023, In-Person Workshop: [Housing Element Workshop and Joint Meeting of City Council and Planning Commission Agenda Packet](#)
- May 17, 2023, Planning Commission Meeting: [Special Planning Commission Meeting Agenda Packet](#)
- May 26, 2023, 30-Day Public Review Draft Posted and Comment Period Begins: [6th Cycle Public Review Draft Housing Element Update](#)
- June 26, 2023, 30-Day Public Comment Period Concludes: [Comment Letters 6th Cycle](#)
- July 12, 2023, Planning Commission Meeting: [Planning Commission Meeting Agenda Packet](#)
- August 22, 2023, City Council Meeting: [City Council Meeting Agenda Packet](#)
- September 19, 2023, In-Person Workshop: [Housing Element Workshop and Joint Meeting of City Council and Planning Commission Presentation](#)
- November 8, 2023, Planning Commission Meeting: [Planning Commission Meeting Agenda Packet](#)
- November 14, 2023, City Council Meeting: [City Council Meeting Agenda Packet](#)
- December 6, 2023, City Council Meeting: [City Council Meeting Agenda Packet](#)

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Appendix B-1

**Public Meetings Comments and Written
Comments**

**Public Comment Matrix
Appendix B-1-1**

**Verbal Comments During
Workshops and Meetings**

**Del Rey Oaks Housing Public Participation Summary
Appendix B-1**

Del Rey Oaks Housing Public Participation Summary -Comments made during Public Meetings (Verbal Comments) See also Summary of Written Comments, following in Appendix B-2				
Workshop Date(s) Comment Raised	Comment Topic	HE Reference	How is this addressed in 6 th Cycle Update?	How is this topic also addressing AFFH?
March 16, 2023, Workshop; March 28, 2023, Public Meeting on 6 th Cycle Scope and May 9, 2023, Workshop	Integrating all income levels in the new housing in former Fort Ord.	Chapter 7, Housing Plan Programs AFFH, Appendix A	Existing policies including Housing Plan Program A.1 address this. Also, added mixed use program for housing. See New Program A.2	Mixed use provides for greater flexibility and opportunity for diversity of all housing types in the City.
May 3, 2023, and May 9, 2023, Workshop	ADUs -can we use for meeting RHNA.	Chapter 4 Housing Constraints, Chapter 7 Housing Plan	Using 20 ADU units; not enough ADUs to meet all RHNA. Amended program for ADU with requirements for incentives, monitoring and determining levels of affordability. See Program C.2.	Increased opportunities for housing for seniors and others at risk of mobility out of community.
May 9, 2023, Workshop	Universal design is an important tool for keeping seniors and those with disabilities in place.	Chapter 2 Population and Housing Profile. Also, see above.	Added discussion in AFFH and Chapter 2 and 4 to note aging in place is important to build for longevity and diverse population. New program D.6.	Increased opportunities for housing for seniors and others at risk of mobility out of community. Also, provide information such U.D. literature, conduit for information, and encourage UD in building permit process and senior resources. Displacement risk and substandard housing are topics of AFFH.
May 17, 2023	Provide information such Universal Design literature, be conduit for information for senior resources and	Appendix B	Added Program D.7 to develop Universal Design program, to create housing standards and ordinance.	The program to develop Universal Design promotes housing that can work particularly for seniors and persons with disabilities. Key factor in special needs groups to assist

Del Rey Oaks Housing Public Participation Summary -Comments made during Public Meetings (Verbal Comments)				
See also Summary of Written Comments, following in Appendix B-2				
Workshop Date(s) Comment Raised	Comment Topic	HE Reference	How is this addressed in 6 th Cycle Update?	How is this topic also addressing AFFH?
	other underserved communities.			keeping seniors in their homes longer and avoiding displacement
May 3 and 9, 2023, Workshops and May 17, PC Meeting	Aging in place important. Seniors and others at risk of mobility out of community place.	Chapter 2 Population and Housing Profile	Added Program D.7 to Adopt Universal Design Ordinance. Updated ADU program, Program C.2 , to increase outreach for ADUs.	Increased opportunities for housing for seniors and others at risk of mobility out of community. Displacement risk and substandard housing are topics of AFFH.
July 12, PC Meeting November 9, PC Meeting, and November 14 CC meeting	Housing site design/location Sites 1 and 1a seems like the only area city has– is there adequate site areas/for this much housing?	Chapter 7, Housing Plan Program and Chapter 3.0 Sites Inventory and Appendix C.	Overlay zone in Program A.1 rezoning. Added figure and text in Chapter 3.0 Sites Inventory and Appendix C to address site and realistic capacity with large area of vacant land available that has no residential restriction.	Increased areas mean more opportunity for mixed use and diversity of all housing types in the City. AFFH cites fair housing issue is also disproportionate housing needs due to the contributing factor of a lack available affordable units in a range of sizes.
May 3 and 9, 2023, Workshops and May 17, PC Meeting November 9, 2023 PC Meeting and November 14, 2023 CC meeting	Hazardous materials Adequate areas of cleared land in former Fort Ord; Environmental impact and zoning on site north of South Boundary. Is only a portion able to support housing in terms of cleanliness of soil.	Chapter 4 Housing Constraints	Added information on Hazardous materials in Chapter 4. Added map in Appendix C that identified areas that are cleared for residential and process for DTSC clearance all areas. Clarified process for clearance by DTSC for areas outside Site 1.	Ensure proper protocols in place for safety for all citizens and future residents. Mixed use and multiple levels of affordability and mixed-market rate housing is proposed for former Fort Ord – not only affordable proposed for this area. DTSC clearance assures safety for these areas; other area jurisdictions history of development on former Fort Ord cleaned sites evidence safety.

Del Rey Oaks Housing Public Participation Summary -Comments made during Public Meetings (Verbal Comments)				
See also Summary of Written Comments, following in Appendix B-2				
Workshop Date(s) Comment Raised	Comment Topic	HE Reference	How is this addressed in 6 th Cycle Update?	How is this topic also addressing AFFH?
	Disparity of income levels at former Fort Ord for housing?		Mixed use areas and Program A.2	Integrate below market rate and affordable units.
May workshops, July 12, 2023	Airport safety	Chapter 4 Housing Constraints Appendix C	Added information on airport safety zones, including mapping in Appendix C to evidence areas of clearance safety.	No sites located in unsafe areas; no concentration of persons/housing allowed in these areas. Safety for future housing.
May workshops, July 12, 2023	Address site inventory if approved site for RV's (K-2) site be an appropriate approach for addressing RHNA?	Chapter 3.0 Sites Inventory and Appendix C.	Added K-2 to Site Inventory, reached out to owner. Added areas K-1 and K-2 to Sites Inventory to increase area of land and opportunities where RHNA can be met.	Addressed through no net loss, adding these areas as supplemental inventory sites. Rezoning would be required and separate approval from Sites 1 and 1a.
May 17, PC meeting	Inclusionary housing Ordinance program – need minimum percentage to ensure affordable; don't want minimum percentage as it may reduce amount of affordable.	Chapter 7,	Retained Program. B.1 to Adopt Inclusionary housing Ordinance program.	Program to first study Inclusionary Housing Ordinances in other areas; ensure City first studies it and then can address how inclusionary housing can increase affordability but not diminish potential.
May 3 and 9, 2023 Workshops and May 17, PC Meeting	Desire for infill and mixed-use development	Chapter 1, Chapter 3, Chapter 4, Chapter 7	ADUs allowed in mixed-use, by-right supportive housing in mixed-use (meeting certain requirements) (Amended Program C.3). Site Inventory for potential	Transportation section in AFFH (access, closer to employment, retail, services) Added Program A.2 for mixed use , and Program B.7 for affordable employee housing at MPUSD site.

Del Rey Oaks Housing Public Participation Summary -Comments made during Public Meetings (Verbal Comments)				
See also Summary of Written Comments, following in Appendix B-2				
Workshop Date(s) Comment Raised	Comment Topic	HE Reference	How is this addressed in 6 th Cycle Update?	How is this topic also addressing AFFH?
			development locations. Policy A.2, Program D.5	
May 17, PC meeting July 12, 2023	What is affordable? No one can afford housing in this area.	AFFH	AMI and AFFH section	Cost Burden (percentage of gross income spent on housing) is a topic discussed in AFFH. Added Program D.10 concerning ELI housing and additional programs to address special needs (See Programs B.2, D.2, D.3, D.4, D.6, and D.9).
May 3 and 9, 2023 Workshops Nov 9, PC Meeting	Water is constraint and no water is available to Sites 1 and 1a.	Chapter 4, Chapter 3, Chapter 7 and Appendix C	Chapter 4 provides more information and references water availability; updated section for HCD. Also, see written comments.	Added Program C.4 for water infrastructure and require proof of water to ensure long term supply ¹ .

¹ Note: Please see Appendix B-2 for responses to written comments on availability of Sites 1 and 1a related to water and hazards.

**Public Comment Matrix
Appendix B-1-2**

**Written Comments and
Revisions Made**

Date Received, Group, and Name and Title of Sender	Comment Issue Area	Summary of Comment	Revision to Address Comment	Notes or Additional Response
<p>6/27/2023</p> <p>Monterey Peninsula Unified School District (MPUSD) PK Diffenbaugh, Superintendent</p>	<p>Housing, Policies and Programs</p>	<ul style="list-style-type: none"> Proposes adoption of policy and program for streamlined ministerial permitting of employer-sponsored housing (modeled on AB 2295 and SB 35) on land owned by a local educational agency. 	<ul style="list-style-type: none"> City added program on preferential housing for MPUSD employees. See Chapter 7.0, Program Revisions 	<ul style="list-style-type: none"> Ordinance will provide ministerial approval of multi-family infill housing that meets objective development and design review standards. First priority is MPUSD employees, then public agency employees, then members of public.
<p>6/15/2023*</p> <p>LandWatch, Mike DeLapa, Executive Director <i>*Note: Letter has same comments as 7/15/2023 letter to HCD and EIR comment letter dated 9/27/2023 on the EIR.</i></p>	<p>Site Inventory: Sites in former Fort Ord</p>	<ul style="list-style-type: none"> Letter suggests site inventory inadequate due to infeasibility of development on former Fort Ord Sites 1 and 1A. Letter suggests that other areas in the City should be where affordable housing is located. Suggests assigning RHNA to sites outside Fort Ord in Program A1. 	<ul style="list-style-type: none"> Provided further information in Chapter 4.0 Housing Constraints. Added mapping and information on constraints in Chapter 4.0 and in Appendix C. The City added programs with specific timetables to ensure that the land is feasible for development 	<ul style="list-style-type: none"> The City has sufficient land to accommodate its share of regional housing needs for all income groups in RHNA and has identified adequate sites per State law (California Government Code Section 65583[c][1]). Selection of sites addressed in Chapter 3.0 and in multiple public meetings. See further responses and specific actions/additions to Housing Element by issue area below.
<p>6/15/2023</p> <p>LandWatch</p>	<p>Housing, Policies and Programs</p>	<ul style="list-style-type: none"> Suggests enforceable language, measurable objectives or objective standards for policies and programs. 	<ul style="list-style-type: none"> Added more specificity, and program and timeline to meeting objectives. See Chapter 7.0, Program Revisions 	<ul style="list-style-type: none"> See Chapter 7.0, Program Revisions
<p>6/15/2023</p> <p>LandWatch</p>	<p>Hazardous Materials precludes residential use</p>	<ul style="list-style-type: none"> Notes land use covenants restricting approval for residential use. Letter inquires about sites, costs and feasibility of cleanup. 	<ul style="list-style-type: none"> Added Figure 5 showing No Residential Restriction Added text in Chapter 4 Housing Constraints for Site 1 residential use. Added program to address 	<ul style="list-style-type: none"> There is existing adequate area for RHNA with no deed restriction for residential use on Site 1. City working with BRAC and DTSC to remove restriction on remaining areas.

<p>6/15/2023 LandWatch</p>	<p>Water Supply Adequacy</p>	<ul style="list-style-type: none"> • Comment objects to the term water “allocation” from MCWD UWMP. • Letter states there is no FORA relevance and allocations as basis for water supply for former Fort Ord. • Questions water availability for Site 1 and if water would continue to be available due to a 6,160-unit water “cap”. 	<ul style="list-style-type: none"> • Deleted “allocated” language in reference to UWMP in Chapter 4 Housing Constraints. • Added information on approved water projects. • Added reference to MCWD Can & Will serve letter and water agreement w/City • Added program to address timing for water development 	<ul style="list-style-type: none"> • Chapter 4.0 and MCWD added Water agreement address the 6,160-unit cap • Water can be available from other sources, not necessarily the Salinas Valley groundwater. • The M1W and MPWSP approved projects will provide adequate water supply for development. • See revisions in Chapter 4.0 Constraints and revised program for water in Chapter 7.0, Program Revisions
<p>6/15/2023 LandWatch</p>	<p>Policies and Programs: density</p>	<ul style="list-style-type: none"> • Suggests higher densities in Program A2. • Suggests ministerial approval or PUD permits in Program A3. 	<ul style="list-style-type: none"> • See comments above. • The City follows State law for by right and ministerial permitting. • The City is adding program for employer-sponsored housing (modeled on AB 2295 and SB 35) per MPUSD request. 	<ul style="list-style-type: none"> • Program A.2 revised to cite density and higher density required • City notes meeting RHNA is possible on the portion of Site 1 without the restriction on residential use. • Sites can access anticipated water supply from the completion and operation of the M1W and MPWSP approved projects would not result in needing higher densities to meet RHNA. • Comment addressing ministerial approvals referred to City decision makers
<p>6/15/2023 LandWatch</p>	<p>Policies and Programs</p>	<p>Suggests assessment of inclusionary and affordable housing ordinance and measurable objectives in Program B1.</p> <ul style="list-style-type: none"> • States Program B2 lacks measurable objectives or standards and objects to Program B2 for RHNA. 	<ul style="list-style-type: none"> • The City Manager and Planning Commission considered a draft inclusionary housing program in development of the draft HEU. Program was amended for either an ordinance or a development agreement to be used for this program to achieve RHNA. City added actions to monitor this program. 	<ul style="list-style-type: none"> • Program B1: The City does not have an inclusionary housing or affordable housing ordinance in the City’s Municipal Code. The purpose is to require affordable housing in both rental and for-sale housing consistent with provisions of the California Government Code. • See Chapter 7.0, Program Revisions • Added measurable objectives in Program B1, and Program B2

		<ul style="list-style-type: none"> • Recommends revising Program B3 to specify housing voucher incentives. • Recommends revising Program B4 to state why program for preferential housing for City residents and workers would meet RHNA. • States Program B5 should be revised for a density bonus above minimum requirements under State Law. • States Program B5 should be revised for density bonuses in all zones permitting residential uses. 	<p>Reviewed changes and revised programs with incentives and timelines.</p> <p>Density bonus program is intended to be consistent with state law. No amendment above minimum requirements were added at this time; see additional notes. During the development of the Density Bonus ordinance, there will be additional opportunities for the City to make decisions regarding the requirements that go beyond the State Law.</p>	<ul style="list-style-type: none"> • See Chapter 7.0, Program Revisions • Added measurable objectives and timelines for Program B3. • Reviewed Program B4 regarding request to state why program for preferential housing for City residents and workers would meet RHNA. • Program B5 uses the approach that density bonuses are consistent with State Density Bonus Law. Specifics of increasing this program requirement and revisions to B4 will be considered when hearings and public comments on these ordinances are underway. This process allows for careful consideration of various factors and community needs before finalizing the updated ordinance.
6/15/2023 LandWatch	Policies and Programs	<ul style="list-style-type: none"> • Suggests Program C2 should be revised to specify the time period for ADU ministerial permit and approval. 	<ul style="list-style-type: none"> • Added ADU and JADU development annual review in Timeline and Objective of Program C2. 	<ul style="list-style-type: none"> • The program title is meant to encourage construction of ADUs and is appropriate. The detail and language provide monitoring and actions to encourage and track progress. In addition to outreach, the City program proposes to create a monitoring program to track ADU and JADU creation and affordability levels throughout the planning period. This will allow the City to monitor the development of accessory units at all income levels.
6/15/2023 LandWatch	Policies and Programs	<ul style="list-style-type: none"> • Suggests a new program to identify and upzone existing residential areas. • Recommends eliminating R-1 zoning and allowing multifamily residential uses in all residential areas. 	<ul style="list-style-type: none"> • Added a program to develop objective design standards for the review of multi-family housing and 	<ul style="list-style-type: none"> • ADUs and state law allow for additional units on residential and commercial sites. Amend ADU program per above comment.

		<ul style="list-style-type: none"> • Recommends the Housing Element require the development of objective development and design review standards for streamlining. • Suggests requiring by-right ministerial permitting in all zones permitting residential uses. 	<p>mixed-use development applications.</p> <ul style="list-style-type: none"> • Added a program for development of SB 35 ordinance and compliance per HCD letter and advice. 	<ul style="list-style-type: none"> • Elimination of R-1 or other additional programs are not considered needed to meet RHNA. • The City follows State law for by right and ministerial permitting.
6/15/2023 LandWatch		<ul style="list-style-type: none"> • Suggests a series of revisions to Zoning Code related to ministerial approvals 	<ul style="list-style-type: none"> • Added a program for objective design standards. • Added a program to address SB 35 per comment 	<ul style="list-style-type: none"> • Specifics of comment can be considered when hearings and public comments on these ordinances and updates are underway.
Public Comment received 7/12/2023	Policies and Programs	<ul style="list-style-type: none"> • Verbal comment to include square foot fees versus by value to incentivize smaller and more affordable units 	<ul style="list-style-type: none"> • Add a program for fees to address comment. 	<ul style="list-style-type: none"> • Added program for fees including by square foot to assist with creation of more affordable housing.
9/26/2023 California Native Plant Society (CNPS) Patrick Furtado, Conservation Committee Chair	Constraints to former Fort Ord area.	<ul style="list-style-type: none"> • States environmental constraints of Sites 1 and 1a. • Objects to use of former Fort Ord for development of housing. 	<ul style="list-style-type: none"> • See response to LW Sites 1 and 1a comment and hazardous materials responses to LW comment, above. 	<ul style="list-style-type: none"> • Future development would require compliance with federal, state, and local regulations and would be required to mitigate and obtain necessary permits commensurate with project-specific impacts.
9/26/2023 CNPS	Biological Resources	<ul style="list-style-type: none"> • Describes special-status plant and wildlife species potentially on Sites 1 and 1a. • Suggests tiered-EIR program -wants more site-specific plant and wildlife surveys on these sites now. • Cites biological impacts as rationale for no development on former Fort Ord. 	<ul style="list-style-type: none"> • Added biological constraints information to Chapter 4.0, Housing Constraints. • Impacts are evaluated at a program level and where appropriate, indirect impacts that can be anticipated are assessed at a deeper level, when information is available. • The biological analysis includes the evaluation of 	<ul style="list-style-type: none"> • The biological analysis is a program-level analysis for the Housing Element update and the General Plan amendment. Specific subsequent projects, their associated locations, and physical effects on the environment from the implementation of the proposed Housing Element update. However, it is not known at this time, what impacts would occur, the extent of the impacts, nor whether impacts could be

			<p>known and potential special-status species and sensitive habitats within the project site at a program-level.</p> <ul style="list-style-type: none"> Final EIR responses to comment fully address all comments from CNPS. Mitigation is proposed 	<p>avoided through site design or other project design features¹.</p> <ul style="list-style-type: none"> The comments are concerned about the potential significant impacts of future development on sensitive species and habitat. However, the area of former Fort Ord is already planned for over 500,000 square feet of commercial and visitor serving development. The EIR notes that the only difference if no housing on former Fort Ord in response to the letter's comments, would be continued lack of affordable housing to meet the chronic community's needs for housing.
9/26/2023 CNPS	Hazards and Hazardous Materials	<ul style="list-style-type: none"> Describes UXO and hazardous materials history for former Fort Ord as rationale for no development of residential uses on these sites. Includes environmental justice information and suggests no residential use for this property due to safety concerns. 	<ul style="list-style-type: none"> Added additional text and mapping to show the large portion of former Parcel E29a (Site 1) without residential. No residential use would be allowed without the lifting of restrictions and clean up, similar to other sites in former Fort Ord. 	<ul style="list-style-type: none"> A brief history, regulations, and description of existing munitions/UXO hazards on former Fort Ord are provided in Section 3.9 of the EIR and in Chapter 4.0. Per the BRAC EIR comment letter, the Army is working with the City to modify federal deed restriction to remove the residential use restriction from the middle-portion of Site 1 (E29a) as described in the Record of Decision (ROD). 6th Cycle Housing Element Appendix A provides a discussion of Affirmatively Further Fair Housing (AFFH) analysis related to environmental justice.

¹ The 2023 Housing Element Update EIR fully evaluated impacts to the former Fort Ord. The biological analysis was a program-level analysis for the Housing Element update and the General Plan amendment. Specific subsequent projects, their associated locations, and physical effects on the environment from the implementation of the proposed Housing Element update, General Plan amendment, and rezoning are not known at this time. In addition, to address potential impacts to sensitive biological resources, mitigation measures are required for any future development within the area. Future development will be required to comply with all applicable federal, state, and local regulations, including the federal ESA and CESA, and obtain all required permits. Once future project-specific impacts are identified, all necessary regulatory agency coordination and permitting processes will be initiated. However, it is not known at this time, what impacts would occur, the extent of the impacts, nor whether impacts could be avoided through site design or other project design features.

Public Comment Period for Local Draft Housing Element Update **

The public review local draft of the 6th Cycle Housing Element was available for public review for 30 days starting on May 26, 2023 on the City's webpage: [6th Cycle Public Review Draft Housing Element Update](#).

This HCD Review Draft Housing Element reflects the changes made after the close of the 30-day review period. The changes include revisions to clarify water supply and deed restriction for residential use in the former Fort Ord, and the inclusion of four additional programs:

- Program B.7 Preferential Housing for Teachers and Local Educational Employees
- Program C.5 Adopt Safety Element Update and Environmental Justice Element
- Program C.6 Evaluate Fees for Development Projects
- Program D.8 Develop Objective Design and Development Standards

Additionally, program revisions and additions were made to implementation and timing based on comments provided and input from Planning Commission hearing on July 12, 2023.

The HCD Review Draft July 2023 Housing Element Update also updated certain chapters of the Housing Element in response to the public comments raised in the two comment letters received and public testimony on July 12, 2023:

- Chapter 1, Introduction, details the meetings and public outreach conducted for this Update.
- Chapter 3 provides additional information on the previous assessment of potential sites identified outside of former Fort Ord and clarifies the water availability, infrastructure extensions, and constraints of the updated sites inventory.
- Chapter 4 includes information on areas adequate for residential use in Site 1, and details deed restriction for water supply for the former Fort Ord.
- Chapter 7 incorporates the four additional programs listed above, and updates and revises specific programs.
- Appendix C includes supplemental maps to provide context on residential use constraints on former Fort Ord and also adds a map showing school district property as a candidate site outside of the former Fort Ord, consistent with Program B.7.

The public comment letters received during the 30-Day Public Comment Period were published on the City website and also presented to the Planning Commission during their July 12, 2023 public meeting, and located here: [Comment Letters 6th Cycle](#).

****This summary was provided in HCD July 2023 Review Draft; see also Additional Public Review Comments in Appendix B-1 Tables summarizing public meetings, verbal and written comments received, and how these comments were integrated into the HCD 2nd Review Draft November 2023.**

City Public Outreach List Housing Element Update

Group	Contact Person	Address	City	State	ZIP
Alliance on Aging		280 Dickman Avenue	Monterey	CA	93940
Alliance on Aging		570 Lighthouse Avenue	Pacific Grove	CA	93950
AMBAG		24580 Silver Cloud Ct	Monterey	CA	93940
American Legion		1000 Playa Avenue	Seaside	CA	93955
Blind and Visually Impaired Center of Monterey County		225 Laurel Avenue	Pacific Grove	CA	93950
Boys and Girls Club		1332 La Salle Avenue	Seaside	CA	93955
CCCIL		318 Cayuga Street, Suite 2085	Salinas	CA	93901
CHISPA, Inc.		295 Main Street, Ste 100	Salinas	CA	93901
Christian Memorial Community Church		2699 Colonel Durham St.	Seaside	CA	93955
Christian Methodist Episcopal Church		625 Elm Avenue	Seaside	CA	93955
Citizens League for Progress	Ewalker James	PO Box 1272	Seaside	CA	93955
City of Marina	Community Development	209 Cypress Avenue	Marina	CA	93933
City of Monterey	Elizabeth Caraker	580 Pacific Street	Monterey	CA	93940
City of Pacific Grove		300 Forest Avenue	Pacific Grove	CA	93950
City of Sand City	City Hall	1 Sylvan Park	Sand City	CA	93955
City of Seaside		440 Harcourt Ave	Seaside	CA	93955
Community Human Services		1152 Sonoma Avenue	Seaside	CA	93955
Community Partnership for Youth		PO Box 42	Monterey	CA	93942
County of Monterey Department of Social Services		1000 South Main St., Ste 209-A	Salinas	CA	93901

Group	Contact Person	Address	City	State	ZIP
County of Monterey Department of Social Services	Branch Director, Henry Espinosa	1000 South Main St., Ste 211	Salinas	CA	93901
County of Monterey Department of Social Services	Comm. Affil. Mang., Margarita Zarraga	1000 South Main St., Ste 301	Salinas	CA	93901
County of Monterey Department of Social Services	Branch Director, Robert Taniguchi	1000 South Main St., Ste 205	Salinas	CA	93901
CSUMB	Rebecca Moreno, Coordinator of Community Partnerships Serv. Learning	100 Campus Center	Seaside	CA	93955
DDA Planning	Attn: Denise Duffy	947 Cass St, Ste 5	Monterey	CA	93940
Del Monte Manor	Neighborhood Network Center	1466 Yosemite Street	Seaside	CA	93955
Del Monte Manor Villa Del Monte Senior Housing	Low Cost Housing	1466 Yosemite Street	Seaside	CA	93955
Del Rey Woods School	Principal	1281 Plumas Avenue	Seaside	CA	93955
Disabled Veterans	James Bogan	PO Box 1452	Seaside	CA	93955
El Sol		1083 S. Main St	Salinas	CA	93901
Emmanuel Church of God in Christ		1450 Sonoma Avenue	Seaside	CA	93955
EPS, Inc.	Attn: David Zender	400 Capitol Mall, 28th Floor	Sacramento	CA	95814
Faith Lutheran Church		1460 Hilby Avenue	Seaside	CA	93955
Finegan Law Firm	Attn: Brian Finegan	PO Box 2058	Salinas	CA	93902
Food Bank of Monterey County		815 W. Market Street	Salinas	CA	93901
Friends of the Seaside Library	Alicia O'Neill, President	550 Harcourt Avenue	Seaside	CA	93955
Girls, Inc.		318 Cayuga Street, Suite 101A	Salinas	CA	93901

Group	Contact Person	Address	City	State	ZIP
GPS Solutions	Attn: Joe Headley	135 W Franking St #8	Monterey	CA	93940
Greater Victory Temple		1620 Broadway Avenue	Seaside	CA	93955
Hilltop United Methodist Church of Seaside		1340 Hilby Avenue	Seaside	CA	93955
Housing Resource Center		201 John Street	Salinas	CA	93901
Interim, Inc.		PO Box 3222	Monterey	CA	93942
International School		1720 Yosemite Street	Seaside	CA	93955
John Treble		1440 Chapin Ave, Ste 370	Burlingame	CA	94012
KAZU Radio (Public Radio)	Box 201, Room 317	100 Campus Center	Seaside	CA	93955
KION-TV (Chanel 46)		1550 Moffett Street	Salinas	CA	93905
KSBW-TV (Chanel 8)		PO Box 81651	Salinas	CA	93912
KSMS-TV (Chanel 67)		67 Garden Court	Monterey	CA	93940
LULAC		PO Box 1396	Salinas	CA	93902
Martin Luther King School	Principal	1713 Broadway Avenue	Seaside	CA	93955
Meals on Wheels		700 Jewell Avenue	Pacific Grove	CA	93950
Mike and Sean Kranyak		200 Clocktower Ste D208	Carmel	CA	93923
Monterey Bay Community Parnership	Attn: Matt Huerta	PO Box 1699	Seaside	CA	93933
Monterey Bay Community Power		70 Garden Ct Ste 300	Monterey	CA	93940
Monterey Bay LINKS, Inc.	Ruthie Watts	PO Box 1699	Seaside	CA	93955
Monterey County Advocacy Housing Council		34 E. Rossi Street	Salinas	CA	93907
Monterey County Herald	Newsroom	PO Box 271	Monterey	CA	93940
Monterey County Housing Authority		PO Box 1307	Salinas	CA	93902
Monterey County Office of Education		PO Box 80851	Salinas	CA	93912
Monterey County Weekly		668 Williams Avenue	Seaside	CA	93955
Monterey Peninsula College	Student Services	980 Fremont Street	Monterey	CA	93940

Group	Contact Person	Address	City	State	ZIP
MPUSD	Board of Education	700 Pacific Street	Monterey	CA	93940
NAACP		PO Box 782	Seaside	CA	93955
Neill Engineers	Attn: Sherman Low	PO Box LL	Carmel By the Sea	CA	93921
Parade of Champions	Jerry Thorne	PO Box 811	Seaside	CA	93955
SALINAS LULAC COUNCIL #2055	President: Christopher Barrera	P.O. Box 1396,	Salinas	CA	93902
Salvation Army	Monterey Peninsula Corps	1491 Contra Costa Street	Seaside	CA	93955
Seaside City Chamber of Commerce		505 Broadway Avenue	Seaside	CA	93955
Seaside High School	Principal	2200 Noche Buena Street	Seaside	CA	93955
Seaside Lions Club		PO Box 874	Seaside	CA	93955
Seaside Middle School	Principal	999 Coe Avenue	Seaside	CA	93955
Seaside Raiders		PO Box 813	Seaside	CA	93955
Shelter Outreach Plus		PO Box 1340	Marina	CA	93933
St. Francis Xavier Church		1475 La Salle Avenue	Seaside	CA	93955
St. Vincent de Paul		1269 Fremont Street	Seaside	CA	93955
The Otter Realm (CSUMB)		100 Campus Center	Seaside	CA	93955
The Seaside Post News Sentinel		PO Box 670	Seaside	CA	93955
The Village Project		1069 Broadway Avenue, Ste 201	Seaside	CA	93955
United Way		60 Garden Court, Suite 350	Monterey	CA	93940
Valley Health Associates		338 Monterey St	Salinas	CA	93901
VFW Post 8679	Commander Thomas Davis	PO Box 25	Seaside	CA	93955
Vounteer Center of Monterey County		376 South Main Street	Salinas	CA	93901
YMCA		600 Camino El Estero	Monterey	CA	93940

City Address List

SHERMAN LOW
NEILL ENGINEERS CORP
PO BOX LL
CARMEL CA 93921

RAFAEL PAYAN
MONTEREY PARKS DIST
PO BOX 223340
CARMEL CA 93922

AMBAG
PO Box 2453
Seaside CA 93955

CRISTINA SMITH
IMS
945 HORN BLEND ST STE G
SAN DIEGO CA 92109

MONTEREY ONE WATER
(formerly MPRPCA) BOX 2109
MONTEREY CA 93942

MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT
BOX 85
MONTEREY CA 93942

SERVICE PLANNING SUPERVISOR
PG&E
2311 GARDEN RD
MONTEREY CA 93940

NICK CHIULOS
MONTEREY COUNTY ADMIN
168 W ALISAL ST #3
SALINAS CA 93901

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COMMUNITY HUMAN SERVICES
PO BOX 3076
MONTEREY CA 93942

KCBA-KION-COWLES-ACKERLEY
COMMUNITY CALENDAR
1550 MOFFETT ST
SALINAS CA 93905-3342

MONTEREY PENINSULA AIRPORT DISTRICT
200 FRED KANE DR STE 20
MONTEREY CA 93940

GEORGE JAKSHA
1130 ROSITA RD
DEL REY OAKS CA 93940

HOME OWNERS ASSOCIATION
THE OAKS
515 CANYON DEL REY RD.
DEL REY OAKS, CA 93940

MIKE HAYWORTH
4 CARLTON DR
DEL REY OAKS CA 93940

SHEILA ZIMMERMAN
1085 PALOMA
DEL REY OAKS, CA 93940

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COAST WEEKLY
668 WILLIAMS RD
SEASIDE CA 93955

EDDIE GARCIA, DIR GVMT AFFAIRS
AT&T
1900 SOUTH 10TH ST
SAN JOSE CA 95112

CAL AM WATER CO
PO BOX 951
MONTEREY CA 93942

DENISE DUFFY AND ASSOCIATES

947 CASS ST STE 5
MONTEREY CA 93940

DAVID ZEHNDER
Economic & Planning Systems
400 Capitol Mall Ste. 2728
Sacramento, CA 95814-4407

WOODMAN DEVELOPERS
24571 SILVER CLOUD CT STE 101
MONTEREY CA 93940

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LANDWATCH
MONTEREY COUNTY ADMIN
PO BOX 1876
SALINAS CA 93902

GOVERNMENT AFFAIRS COORDINATOR
201-A CALLE DEL OAKS
DEL REY OAKS CA 93940

CASANOVA OAK KNOLLS
NEIGHBORHOOD ASSOC
PO BOX 2304
MONTEREY CA 93942

SUZANNE WALLIN
1025 VIA VERDE
DEL REY OAKS CA 93940

PAULA RISO
MARINA COAST WATER
11 RESERVATION RD
MARINA CA 93933

Sherry Peverini
The Orosco Group
10 Harris Court, Suite B-1
Monterey, CA 93940

City Address List

Carpenters Union
Attn. Ned Van Valkenburgh
225 Searidge Road
Aptos, CA 95003

EMC Planning Group
E. J. Kim
301 Lighthouse Ave Ste C
Monterey CA 93940

Becky Jones
261 Webster St
Monterey CA 93940

Abel Moran
117 Pajaro St
Salinas CA 93901

Kim Svetich-Will
57 Melway Circle
Monterey, CA 93940

MIKE ROESNER
1007 PALOMA RD
DEL REY OAKS CA 93940

Scott Donaldson
1007 Portola Dr
Del Rey Oaks CA 93940

Rev. Bob Hellam
841 Rosita Rd
Del Rey Oaks CA 93940

Brain Dempsey
1635 Broadway Ave Seaside,
CA 93955

Sharon Morelli
PO Box 595
Seaside, CA 93955

City Address List

Christine Kemp, Attorney At Law
Noland, Hamerly, Etienne and Hoss
PO Box 2510
Salinas CA 93902-2510

Doug Burton
1048 Paloma Rd
Del Rey Oaks CA 93940

Gary Kreeger
3 Quendale Ave
Del Rey Oaks CA 93940

Frank
52 Carlton
Del Rey Oaks CA 93940

Gregory
Dr

Housing Resources in Monterey County

The Housing Authority of the County of Monterey (HACM)

<http://www.hamonterey.org/index.html>

HACM is a public agency that provides rental assistance and develops and manages affordable housing throughout Monterey County.

123 Rico Street
Salinas, Ca 93907
Tel: 831-775-5000
Fax 831-424-9153
TDD 831-754-2951

California Department of Developmental Services

<http://www.dds.ca.gov>

Agency through which the State of California provides services and support to children and adults with developmental disabilities.

San Andreas Regional Center

<http://www.sarc.org>

San Andreas Regional Center is a community-based, private non-profit corporation that is funded by the State of California to provide case management and referral services to people with developmental disabilities.

344 Salinas Street, Suite 207
Salinas, CA 93901-2727
Tel: (831) 759-7500
Fax: (831) 424-3007

Central Coast Center for Independent Living

<http://www.cccil.org/>

CCCIL promotes the independence of people with disabilities by supporting their equal and full participation in community life. CCCIL provides advocacy, education and support to all people with disabilities, their families and the community.

318 Cayuga Street, Suite 208
Salinas, CA 93901
Tel: (831) 757-2968
TTY (831) 757-3949
Fax: (831) 757-5549

288 Pearl St.
Monterey, CA 93940
Phone: (831) 649-2969
TTY (831) 649-7148
Fax: (831) 647-6224

Alliance on Aging

<http://www.allianceonaging.org/>

Alliance on Aging is committed to providing services to low income seniors looking for affordable housing and provides information and referrals to Monterey County housing options.

Toll-free number 1-800-510-2020

Administrative Office
2200 Garden Rd.
Monterey, CA 93940 831.655.1334
Tel: 831.758.4011
Fax: 831.655.8781

Monterey Outreach Office
280 Dickman Ave.
Monterey, CA 93940
Tel: 831.646.1458
Fax: 831.646.1232

Gateway Center of Monterey County

<http://gatewaycenter.org/>

Provides a variety of residential settings and services in Monterey County for people with developmental disabilities.

850 Congress Ave.
Pacific Grove, CA 93950
Tel: 831-372-8002
Fax: 831.372.2411
info@gatewaycenter.org

Interim

<http://www.interiminc.org/>

A mental health agency providing residential treatment and affordable housing opportunities. Housing programs offers groups homes and apartments. Residents receive case management and mental health support services.

Phone: 831-649-4522

Center for Community Advocacy /Centro de Abogacía de la Comunidad

<http://cca-viva.org/>

The Center for Community Advocacy (CCA) trains farmworkers to form and lead neighborhood-based tenant and health committees that, themselves, advocate for improved housing and health conditions for farmworkers and other low-income families in Monterey County.

22 West Gabilan Street
Salinas, CA 93901
Phone: (831) 753-2324

Fax: (831) 753-0104
Email: info@cca-viva.org

LEGAL SERVICES:

California Department of Fair Employment and Housing

<http://www.dfeh.ca.gov/DFEH/default/>

Handles discrimination claims for California residents

Phone: 800-233-3212

Email: contact.center@dfeh.ca.gov

Conflict Resolution and Mediation Center

<http://conflictresolutionandmediationcenter.com/>

CRMC is designed to reduce barriers to services, including physical, linguistic, cultural, and economic barriers. CRMC provides mediation and conflict resolution services, including landlord/tenant and neighborhood problems.

1900 Garden Road, Suite 110

Monterey, CA 93940

Phone: (831) 649-6219

Legal Services for Seniors

<http://www.legalservicesforseniors.org>

Legal Services for Seniors, a non-profit 501(c)(3) law firm that helps Monterey County senior citizens with many legal housing matters.

915 Hilby Avenue, Suite

Seaside, California

Phone: 831.899.0492

21 W. Laurel Avenue, Suite 83

Salinas, California

Phone: 831.442.7700

Toll-free from Southern Monterey County 800.499.1247

California Rural Legal Assistance

<http://www.crla.org/>

CRLA provides legal services that improve the quality of life for low-income individuals and their rural communities. CRLA serves a wide array of clients including farm worker populations, individuals with disabilities, immigrant populations, school children, lesbian/gay/bisexual and transgender populations, seniors and individuals with limited English proficiency.

2100 Garden Road #D

Monterey, CA 93940

Phone: (831) 375-0505

3 Williams Road
Salinas, CA 93905
Phone: (831) 757-5221

Disability Rights California - Protection & Advocacy System

<http://www.pai-ca.org>

Agency works in partnership with persons with disabilities - to protect, advocate for, and advance their human, legal, and service rights. Protecting peoples' rights to accessible and fair housing is a major emphasis of their activity.

Toll Free 800.776.5746

RENTAL, EVICTION AND EMERGENCY ASSISTANCE:

Housing Resource Center

HRC of Monterey County is a non-profit organization that assists Monterey County residents to either remain in their current rental unit, enter the rental housing market, or to learn about available housing services. Services focus on families and individuals who strive to maintain financial independence, especially the very low to low-income.

124 E Rossi
POB 1307 93902
Salinas, CA. 93901
Phone (831) -424-9186
Email: leadcounselor@hrcmc.org

Salvation Army - Good Samaritan Center

<http://www.tsamonterey.com>

The Salvation Army Good Samaritan Center Provides eviction prevention/rental assistance to assist families in avoiding eviction/homelessness. The Salvation Army also offers two family housing programs with the goal of helping families transition into permanent housing and self-sufficiency.

Phone: 831-899-4988

Tenants Together - Tenant Foreclosure Hotline

www.tenantstogether.org/hotlineintake

California's Statewide Organization for Renters' Rights Tenants Together runs a hotline for tenants in foreclosure situations.

Phone: toll free at 888-495-8020

John XXIII AIDS Ministry

<http://www.johnxxiii.org/>

Provides case management services to assist with HIV and/or AIDS to avoid eviction or homelessness.

1121 Baldwin Street
Salinas CA 93906

Tel: 831.442.3959
Fax: 831.442.3985

780 Hamilton Avenue
Seaside CA 93955
Tel: 831.394.4747
Fax: 831.393.3453

AFFORDABLE HOUSING NONPROFIT AGENCIES:

There are several non-profit housing developers active in Monterey County. Each organization may target different segments of the income-eligible population for their affordable housing projects but generally offer the same types of programs, including:

- Self-Help Housing developments that allow eligible families to contribute their labor to the construction of their future home;
- Single family home subdivision; and,
- Multifamily rental projects (apartments) .

Non-profit housing developers are able to access a variety of grant, loan and tax credit programs that help keep the cost of development down. In return, the owners make the housing available at below-market rates to income-eligible households. The programs typically require housing units developed with their assistance to record affordability restrictions on the property to ensure that it remains affordable.

The largest non-profit housing developers active in Monterey County are:

CHISPA, Inc.

<http://www.chispahousing.org/>

295 Main St., Suite 100
Salinas, CA 93901
Phone: 831-757-6251
Fax: 831.757.7537

Mid-Peninsula Housing Corporation

<http://www.midpen-housing.org/>

Watsonville Office
77 Aspen Way, Suite 103
Watsonville, CA 95076
Phone: (831) 707 2130
FAX: (831) 761 7218

South County Housing

<http://www.scounty.com/>

16500 Monterey Rd. #120,
Morgan Hill, CA 95037
Phone: 408-842-9181

Interim

<http://www.interiminc.org/>

A mental health agency providing residential treatment and affordable housing opportunities. Housing programs offers groups homes and apartments. Residents receive case management and mental health support services.

Phone: 831-649-4522

Habitat for Humanity Monterey County

<http://www.habitatmonterey.org/>

Self-help home building partnerships for families who qualify as low income.

Phone: 831-422-4828

Appendix C - Compiled Inventory and Supplemental Maps

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Appendix C

C-1 Site Inventory Tables

C-1A Additional Areas Outside of Former Fort Ord

C-2 Supplemental Mapping

C-3 Additional Information Airport Safety Zones

C-4 Del Rey Oaks Munitions Response Area

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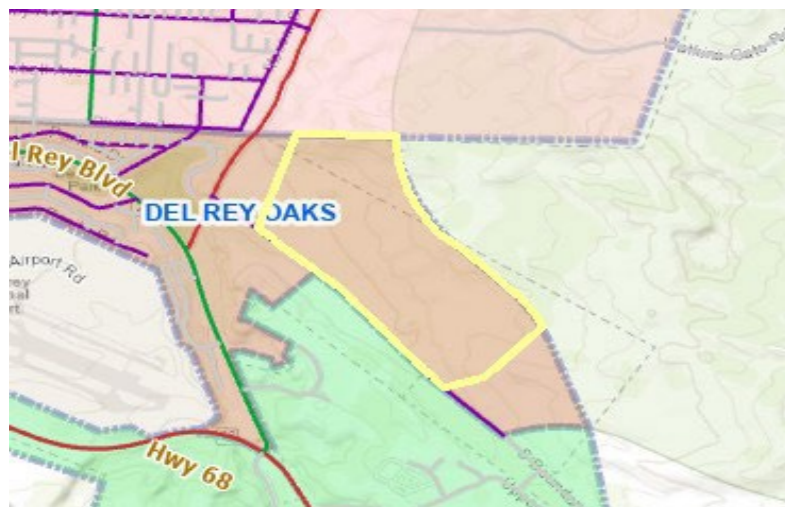
Appendix C-1

Site Inventory Tables

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Land Inventory/Summary of Key Sites

Location	1
Map Designation	Figure 4, Site 1
APN	031-191-026-000
Acreage	232.03
Description of Existing Use	The site is currently undeveloped, and a part of former Fort Ord.
General Plan Designation	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
Zoning	Neighborhood Commercial with Visitor Overlay – (C-1-V)
Realistic Capacity	200 units, conservative estimate, assuming an area or areas would be subdivided of up to ten acres at 20 units/acre density.
Proposed for Rezoning	This area is proposed for rezoning through an overlay zone to allow for residential to meet RHNA 6th Cycle, including shortfall from 5th Cycle.



Summary Description	The site is approximately 232 acres of vacant, undeveloped land with gradual slopes dominated by chaparral and oak trees/oak woodland in the interior of the site. Currently, the City's adopted Redevelopment Plan identifies up to 200 residential units onsite. The City would need to complete a general plan amendment or specific plan and rezoning to specifically allow residential development. The parcel is bordered by the City of Seaside to the north, Fort Ord National Monument to the east, and City of Monterey to the south along South Boundary Road. The site is partially level towards South Boundary Road. Through the Fort Ord Base Reuse Plan Capital Improvement Program, water and sewer is available adjacent to the site along General Jim Moore Blvd. Infrastructure for non-potable water is currently not available; proposed developments relying on the use of non-potable water would be responsible for obtaining delivery of the non-potable water to the development site. Supplemental water sources are considered unlikely in the foreseeable future.
Surrounding Land Uses	No developed land uses surround the site. The site is bound by South Boundary Road to the south. An approved RV Resort is planned for the area located directly east of the site. The site is bound on the west by vacant land, South Boundary Road to the southwest, and Fort Ord National Monument to the north and northeast.
Access/Circulation	The site has current access via a dirt road on the south side of the parcel on South Boundary Road, a two-lane road. Future site access could also be served by General Jim Moore Boulevard, an arterial two-lane road.
Infrastructure	<u>Water/Sewer:</u> The site is vacant and has no infrastructure onsite. Underground water, recycled water and wastewater pipeline improvements are located along General Jim Moore Boulevard and are planned to continue on South Boundary Road. Water service is provided by the Marina Coast Water District (MCWD). Sanitary sewer is to be provided by the Seaside Sanitation District with connection to regional system. <u>Other Utilities:</u> There are no visible above-ground power lines on site. Energy would be provided by Pacific Gas & Electric (PG&E). Cable, Internet & Phone would be provided by Comcast or AT&T.
Development constraints (environmental, floodplains, etc.)	The site was previously used by former Fort Ord Military Base and portions of the property were found to have Unexploded Ordnances (UXO). Removal of UXO was conducted by the Army. However, in accordance with regulatory restrictions, additional environmental insurance and clearance by Department of Toxic Substances Control (DTSC) regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements. The site is within the regional Airport Influence Area but not within a Airport Safety Zone in Exhibit 4C of the Monterey Regional Airport Land Use Compatibility Plan.
Development Restrictions (easements/covenants)	Covenants and restrictions required per DTSC requirements for residential use in portions of the site. Approximately 80-90 acres within the eastern portion of the site does not have a residential restriction and would not require DTSC lifting of covenants.
Monterey County GIS Data/Potential Concerns	Moderate to High Erosion Hazard, within the 660' buffer of Active/Potentially Active Faults, Moderate Archaeological Sensitivity, and Monterey Spineflower Critical Habitat.
Ownership	City of Del Rey Oaks
Surplus Land Act	Yes, the City noticed for Surplus Land Act in 2023 and received three responses for this property, one from a developer of affordable housing and two from public non-profit agencies related to open space conservation.

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Land Inventory/Summary of Key Sites

Location	1a
Map Designation	Figure 4, Site 1a
APNs	031-191-027-000, 031-191-028-000
Acreage	Approximately 18 (6.03, 11.84)
Description of Existing Use	The site is currently undeveloped, and a part of former Fort Ord.
General Plan Designation	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
Zoning	Neighborhood Commercial with Visitor Overlay – (C-1-V)
Realistic Capacity	72 units
Proposed for Rezoning	Yes



Summary Description	The entire site is approximately 18 acres of undeveloped land with rolling slopes dominated by chaparral and oaks near South Boundary Road. The site is steep along a trail near the City of Monterey storage yard to the south and slopes downward to South Boundary Road to the north. The City of Del Rey Oaks would need to rezone this site to allow residential use. There are no water or sewer lines serving the site. The site is partially level near South Boundary Road, sloping upward to the hillside visible from the roadway to the south. The southern portion of the site is extremely steep (the area visible from Highway 218). The site is near a former Fort Ord property owned by the City of Monterey and adjacent to the City of Monterey storage yard.
Surrounding Land Uses	An undeveloped open space/habitat is to the northwest between the site and General Jim Moore Boulevard. On the western boundary of General Jim Moore Boulevard is the Monterey Peninsula Regional Park District (MPRPD) Frog Pond Wetland Preserve. Development near the site includes a City of Monterey storage yard to the southeast on Ryan Ranch Road. <u>There is undeveloped land to the north, west, and east of the site.</u>
Access/Circulation	Existing access to the site is available via South Boundary Road on the northern side of the site. There is no direct access to the southern portion of the site from Highway 218.
Infrastructure	Water/Sewer: The site is vacant and has no infrastructure onsite. Underground water, recycled water and wastewater pipeline improvements are located along General Jim Moore Boulevard and are planned to continue on South Boundary Road. The Water Allocation for the site is 10 acre-feet per year. Water service is provided by the Marina Coast Water District (MCWD). Other Utilities: There are no visible above-ground power lines on site. Energy would be provided by Pacific Gas & Electric (PG&E). Cable, Internet & Phone would be provided by Comcast or AT&T.
Development constraints (environmental, floodplains, etc.)	The primary developmental constraint to the site is its steep grade on the southern portion of the site closest to Highway 218. Freshwater Emergent Wetland Habitat exists onsite according to the National Wetlands Inventory. The site is within the regional Airport Influence Area but not within a Airport Safety Zone in Exhibit 4C of the Monterey Regional Airport
Development Restrictions (easements/covenants)	Covenants and restrictions required per DTSC requirements for residential use.
Monterey County GIS Data/Potential Concerns	Moderate to High Erosion Hazard, within the 660' buffer of Active/Potentially Active Faults, possessing Slopes Greater Than 25%, Moderate Archaeological Sensitivity, and Monterey Spineflower Critical Habitat.
Ownership	City of Del Rey Oaks
Surplus Land Act	Yes, the City noticed for Surplus Land Act in 2023 and received three responses for this property, one from a developer of affordable housing and two from public non-profit agencies related to open space conservation.

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Land Inventory/Summary of Key Sites

Location	K1
Map Designation	Figure 4, Site K1
APN	031-191-024-000
Acreage	20
Description of Existing Use	The site is currently undeveloped, and a part of former Fort Ord.
General Plan Designation	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
Zoning	Neighborhood Commercial – (C-1) and Neighborhood Commercial with Visitor Overlay – (C-1-V)
Realistic Capacity	Conservatively assuming 60 units, with mixed use with commercial, and density at 20 units/acre.
Proposed for Rezoning	If needed to meet RHNA, rezoning for mixed-use residential would be required. The City will meet RHNA with Sites 1 and 1a but this site provides additional capacity.



Source: Denise Duffy & Associates, Inc.

Summary Description	The site is approximately 20 acres of vacant, undeveloped land with gradual slopes dominated by chaparral and oak trees/oak woodland in the interior of the site. The site is currently owned by Monterey Peninsula Partners. The City would need to complete a general plan amendment or specific plan and rezoning to specifically allow residential development. The parcel is bordered by the City of Seaside to the north, Fort Ord National Monument to the east, and City of Monterey to the south along South Boundary Road. Through the Fort Ord Base Reuse Plan Capital Improvement Program, water and sewer is available adjacent to the site along General Jim Moore Boulevard. Infrastructure for non-potable water is currently not available; proposed developments relying on the use of non-potable water will be responsible for obtaining delivery of the non-potable water to the development site. Supplemental water sources are considered unlikely in the foreseeable future.
Surrounding Land Uses	There are residential land uses to the west and northwest of the site on the west side of General Jim Moore Boulevard. The site is bound by General Jim Moore Boulevard to the west, South Boundary Road to the south, vacant property owned by the City of Del Rey Oaks to the east, and Fort Ord National Monument to the north.
Access/Circulation	The site has current access via a dirt road on the west side of the parcel on General Jim Moore Boulevard, an arterial two-lane road. South Boundary Road to the south can also provide future access to the site.
Infrastructure	<u>Water/Sewer:</u> The site is vacant and has no infrastructure onsite. Underground water, recycled water and wastewater pipeline improvements are located along General Jim Moore Boulevard and are planned to continue on South Boundary Road. Water service is provided by the Marina Coast Water District (MCWD). Sanitary sewer is to be provided by the Seaside Sanitation District with connection to regional system. <u>Other Utilities:</u> There are no visible above-ground power lines on site. Energy would be provided by Pacific Gas & Electric (PG&E). Cable, Internet & Phone would be provided by Comcast or AT&T.
Development constraints (environmental, floodplains, etc.)	The site was previously used by former Fort Ord Military Base and portions of the property were found to have Unexploded Ordnances (UXO). Removal of UXO was conducted by the Army. However, in accordance with regulatory restrictions, additional environmental insurance and clearance by Department of Toxic Substances Control (DTSC) regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements. The site is within the regional Airport Influence Area but not within a Airport Safety Zone in Exhibit 4C of the Monterey Regional Airport Land Use Compatibility Plan.
Development Restrictions (easements/covenants)	Covenants and restrictions required per DTSC requirements for residential use.
Monterey County GIS Data/Potential Concerns	Moderate Erosion Hazard, within the 660' buffer of Active/Potentially Active Faults, Moderate Archaeological Sensitivity.
Ownership	Private Ownership

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Land Inventory/Summary of Key Sites

Location	K2
Map Designation	Figure 4, Site K2
APN	031-191-025-000
Acreege	Approximately 54 acres (53.81)
Description of Existing Use	The site is currently undeveloped, and a part of former Fort Ord.
General Plan Designation	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
Zoning	Neighborhood Commercial with Visitor Overlay – (C-1-V)
Realistic Capacity	Up to 40 units, based upon use of a portion of the approved project area for small lot, park model or cottage residential.
Proposed for Rezoning	If needed to meet RHNA, rezoning for residential would be required. The City will meet RHNA with Sites 1 and 1a but this site provides additional opportunity and capacity.



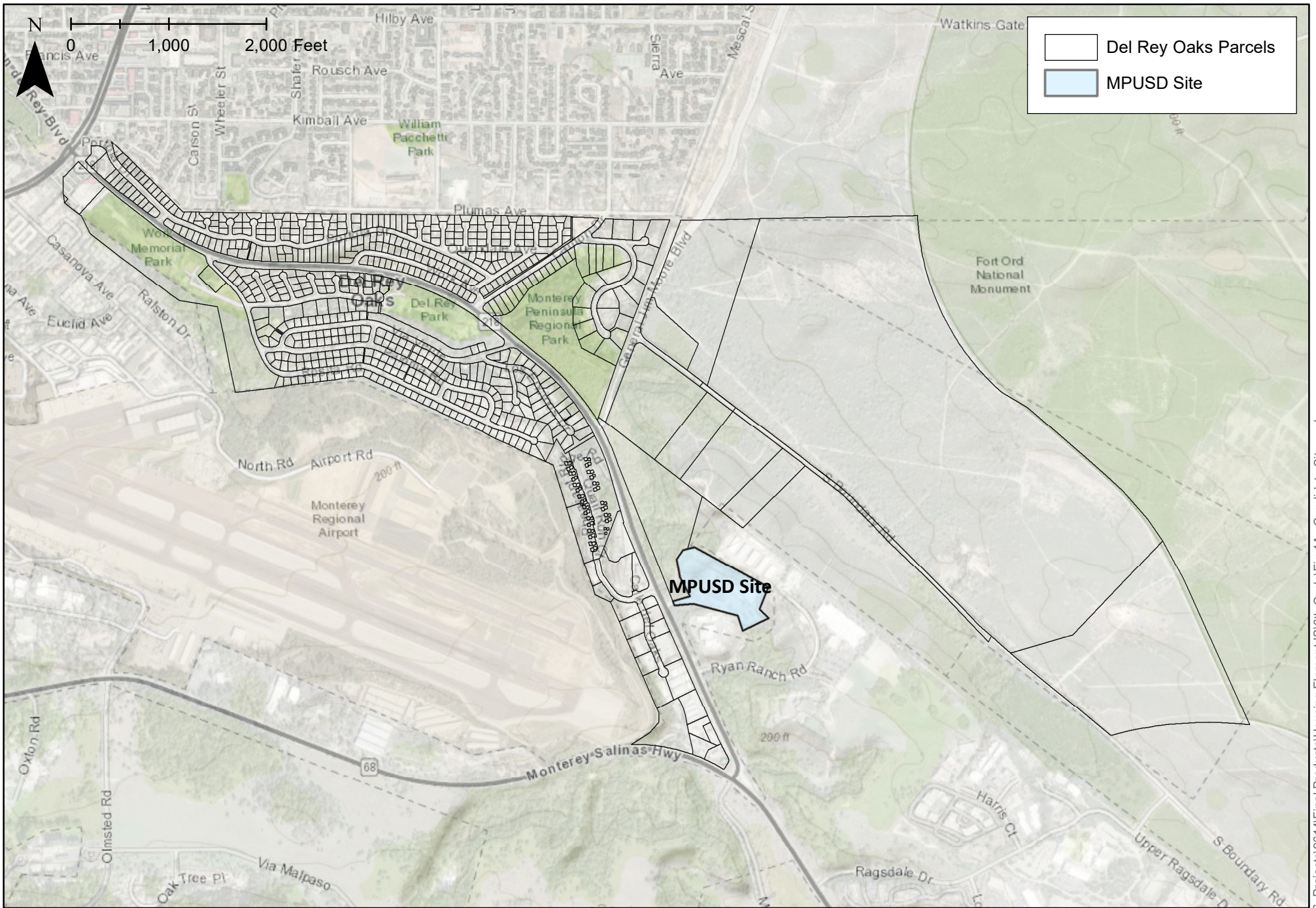
Summary Description	The site is approximately 53.81 acres of vacant, undeveloped land with gradual slopes dominated by chaparral and oak trees/oak woodland in the interior of the site. The site is currently owned by Monterey Peninsula Partners. In May 2016, the City Council adopted an Initiative Measure amending the City's General Plan and Zoning Ordinance Chapter 17.32, Visitor Commercial Overlay recreational uses, to include recreational vehicle (RV) parks, within the former Fort Ord, within the designated area of the Initiative Measure. The Initiative Measure allows for the construction of an RV park (Monument RV Resort) of up to 210 total guest sites, including accessory and auxiliary uses, on 53.81 acres on the south side of the former Fort Ord lands. The Initiative included an amendment to the City's General Plan allowing RV development and the project is now fully entitled. The Draft Housing Element proposes this site as an additional site for meeting RHNA. If needed, rezoning to specifically allow residential development would be required for a portion of the approved development. Current development site plans indicate RV spaces at 4,000 square feet. The parcel is bordered by Fort Ord National Monument to the north and east, and the City of Monterey to the south along South Boundary Road. Per the Marina Coast Water District Capital Improvement Program (MCWD CIP), water lines are currently extended to General Jim Moore Boulevard; water line extension is planned in the MCWD CIP. Development of this site is subject to DTSC residential covenant removals, as described below and approval by the Army, DTSC, and property
Surrounding Land Uses	No developed land uses surround the site. The site is bound by vacant property owned by the City of Del Rey Oaks to the north and west, vacant property owned by the City of Monterey to the south, and Fort Ord National Monument to the east.
Access/Circulation	The site has current access via a dirt road on the south side of the parcel on South Boundary Road, a two-lane road.
Infrastructure	<u>Water/Sewer:</u> The site is vacant and has no infrastructure onsite. Underground water, recycled water and wastewater pipeline improvements are located along General Jim Moore Blvd and are planned to continue on South Boundary Road. The property is within the water service provider Marina Coast Water District (MCWD). Sanitary sewer is to be provided by the Seaside Sanitation District with connection to their regional system. <u>Other Utilities:</u> There are no visible above-ground power lines on site. Energy would be provided by Pacific Gas & Electric (PG&E). Cable, Internet & Phone would be provided by Comcast or AT&T.
Development constraints (environmental, floodplains, etc.)	The site was previously used by former Fort Ord Military Base and portions of the property were found to have Unexploded Ordnances (UXO). Removal of UXO was conducted by the Army. However, in accordance with regulatory restrictions, additional environmental insurance and clearance by Department of Toxic Substances Control (DTSC) regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements. The site is within the regional Airport Influence Area but not within a Airport Safety Zone in Exhibit 4C of the Monterey Regional Airport Land Use Compatibility Plan.
Development Restrictions (easements/covenants)	Covenants and restrictions required per DTSC requirements for residential use.
Monterey County GIS Data/Potential Concerns	Moderate to High Erosion Hazard, Moderate Archaeological Sensitivity, and Monterey Spineflower Critical Habitat.
Ownership	Private Ownership under Monterey Peninsula Partners

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Appendix C-1A

Potential Additional Areas for
Candidate Sites Outside of
Former Fort Ord

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Location of Potential Additional Candidate Site - Outside Former Fort Ord, HCD Housing Element Draft July 2023

Date
7/14/2023
Scale
1 in = 1,000 ft



Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

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N



Source: County of Monterey, Google

Additional Areas for Candidate Sites Outside of Former Fort Ord

Date
7/14/2023

Scale
N/A



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Planning and Environmental Consulting

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Appendix C-2

Supplemental Mapping

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EXHIBIT A

PROPERTY LEGAL DESCRIPTION

Parcel A of Tentative Parcel Map dated May 14, 2014, consisting of 20.00 acres

Parcel B of Tentative Parcel Map dated May 14, 2014, consisting of 140.22 acres

Parcel C of Tentative Parcel Map dated May 14, 2014, consisting of 95.72 acres

Parcel D of Tentative Parcel Map dated May 14, 2014, consisting of 16.98 acres

The parcel identified as Volume 20 Surveys Page 110 in Tentative Parcel Map dated May 14, 2014, consisting of 18.00 acres, and containing Parcels E31a (5 acres), E31b (3 acres), E31c (4 acres), and E36 (6 acres)

The parcel identified as the Cal Trans Right of Way parcel, identified in Tentative Parcel Map dated May 14, 2014, consisting of 36.83 acres

Disposition Parcels

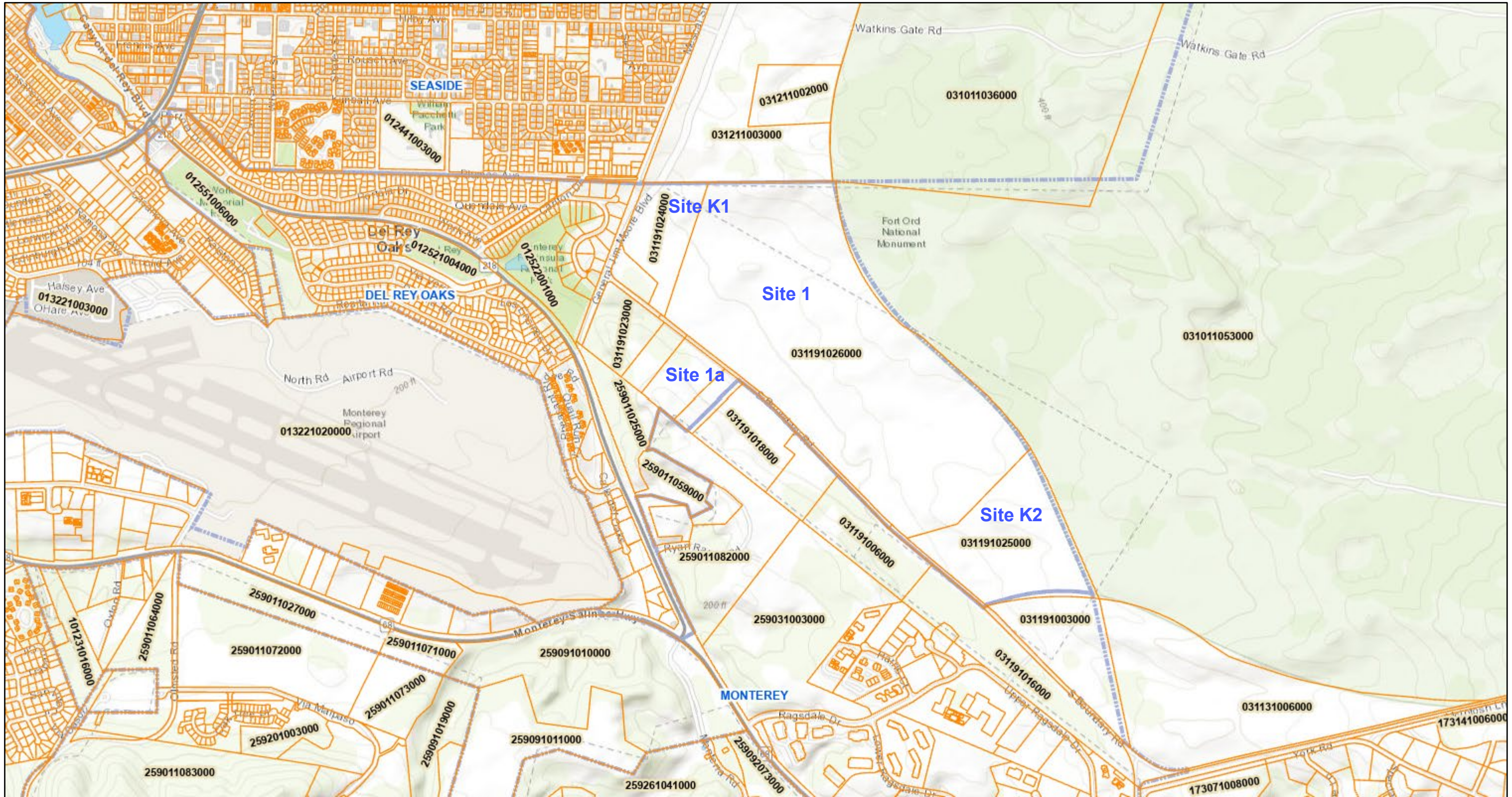
Parcel A of Tentative Parcel Map dated May 14, 2014, consisting of 20.00 acres

Parcel D of Tentative Parcel Map dated May 14, 2014, consisting of 16.98 acres

The parcel identified as the Cal Trans Right of Way parcel, identified in Tentative Parcel Map dated May 14, 2014, consisting of 36.83 acres

Del Rey Oaks

6th Cycle Housing Element Update

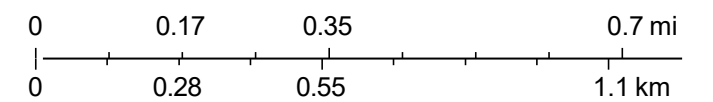


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- Incorporated Cities_1
- Rivers and Water Bodies
- Parcels

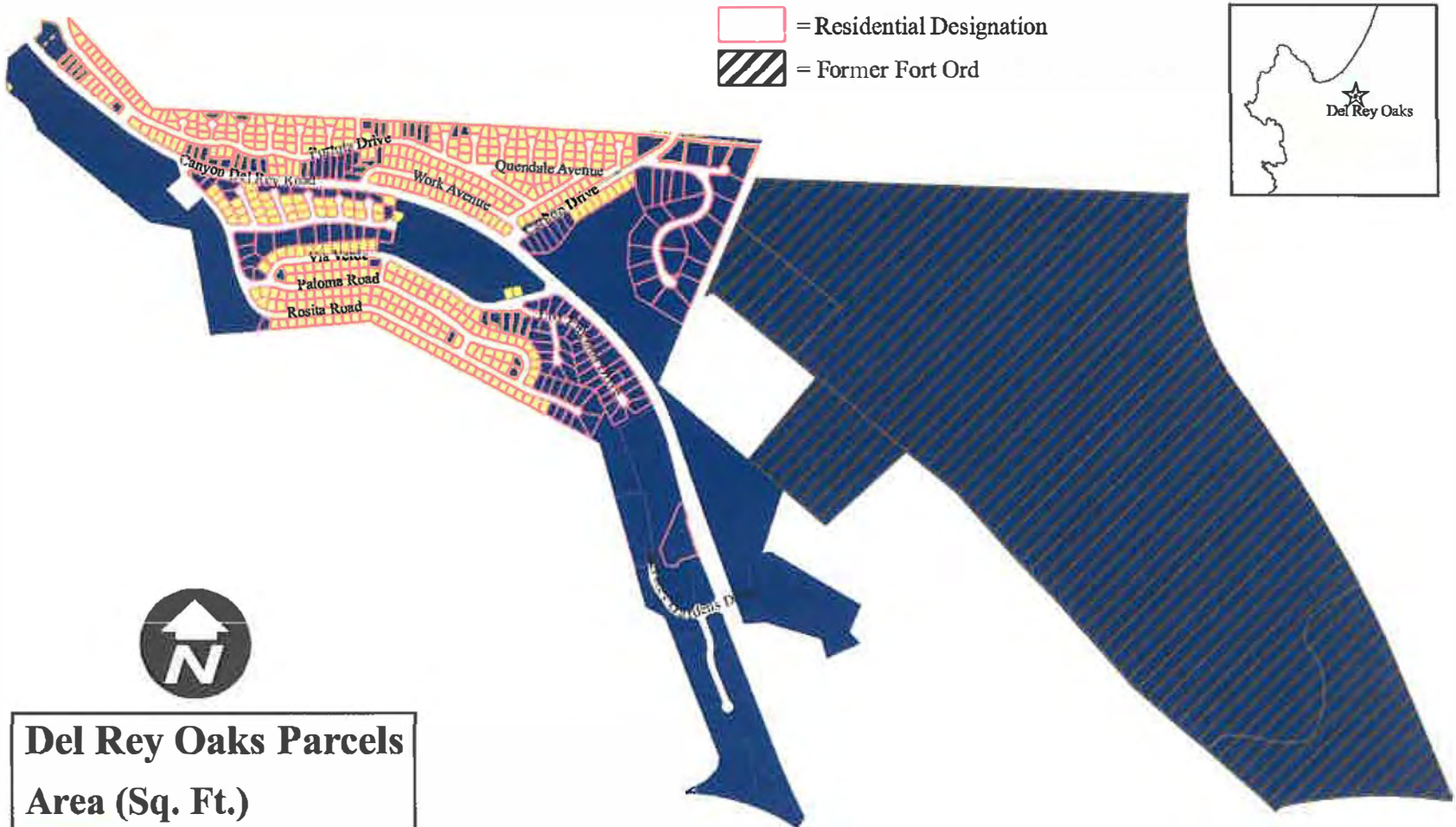
Supplemental Mapping Sites Inventory



6th Cycle Housing Element Update APPENDIX C

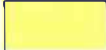

Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

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Del Rey Oaks Parcels

Area (Sq. Ft.)

	0 - 7,999
	>8000

Lots Over 8000 Sq. Ft.



Del Rey Oaks Parcel Map
Land Use Inventory Parcels

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Appendix C-3
Additional Information

Airport Safety Zones

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Del Rey Oaks – Monterey Airport Safety Zones
Airport Land Use Compatibility Plan for the Monterey Regional Airport

Airport Safety Zone Designation Note: Attached map shows safety zone locations.	Maximum Densities/Intensities/ Required Open Land			Additional Criteria	
	Dwelling Units per Acre ¹	Maximum Non-residential Intensity ²	Required Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
Airport Influence Area (AIA)	No Limit	300 persons per acre	10%	<ul style="list-style-type: none"> • Hazards to flight⁶ • Outdoor stadiums and similar uses with very high intensity uses 	<ul style="list-style-type: none"> • Airport disclosure notice required. • Airspace review required for objects >100 ft tall.⁹ • New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 Surfaces.⁹ • New structures require additional airspace analysis required within the 50-ft terrain penetration buffer.⁹ • Proposed uses involve vulnerable occupants¹² within 6,000 ft from the side of the runway and 10,000 ft from the end of the runway shall require ALUC review. In addition to the prohibited uses listed within Table 4B, any use involving vulnerable occupants in the area described above is strongly discouraged. • Areas designated as Urban on Exhibit 4C are exempt from the density and intensity criteria.¹³

Del Rey Oaks – Monterey Airport Safety Zones
Airport Land Use Compatibility Plan for the Monterey Regional Airport

Airport Safety Zone Designation	Maximum Densities/Intensities/ Required Open Land			Additional Criteria	
	Dwelling Units per Acre ¹	Maximum Non-residential Intensity ²	Required Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
<p>Note: Attached map shows safety zone locations.</p> <p>Inner Turning Zone (ITZ)</p>	1 d.u. per 2 acres	100 persons per acre	20%	<ul style="list-style-type: none"> • Residential, except for low residential and infill in developed areas¹¹ • Hazardous uses (e.g., aboveground bulk fuel storage) • Natural gas & petroleum pipelines¹⁰ • Buildings with more than 3 above-ground habitable floors • Children’s schools, day care centers, libraries • Hospitals, nursing homes • Places of worship • Schools • Gas stations • Recreational uses, athletic fields, playgrounds, & riding stables • Theaters, auditoriums, & stadiums • Dumps and landfills • Waterways that create a bird hazard • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required. • Locate structures maximum distance from extended runway centerline. • Airspace review required for objects >35 ft tall.⁸ • Clustering is not allowed.

Del Rey Oaks – Monterey Airport Safety Zones
Airport Land Use Compatibility Plan for the Monterey Regional Airport

Airport Safety Zone Designation	Maximum Densities/Intensities/ Required Open Land			Additional Criteria	
	Dwelling Units per Acre ¹	Maximum Non-residential Intensity ²	Required Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
<p>Note: Attached map shows safety zone locations.</p> <p style="text-align: center;">Inner Approach/ Departure Zone (IADZ)</p>	1 d.u. per 10 acres	60 persons per acre	30%	<ul style="list-style-type: none"> • Residential, except for very low residential and infill in developed areas¹¹ • Hazardous uses (e.g., aboveground bulk fuel storage) • Natural gas & petroleum pipelines¹⁰ • Office buildings greater than 3 stories • Labor-intensive industrial uses • Children’s schools, day care centers, libraries • Hospitals, nursing homes • Places of worship • Schools • Gas stations • Recreational uses, athletic fields, playgrounds, & riding stables • Theaters, auditoriums, & stadiums • Dumps and landfills • Waterways that create a bird hazard • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required. • Locate structures maximum distance from extended runway centerline. • Airspace review required for objects >35 ft tall.⁸ • Clustering is not allowed.

Del Rey Oaks – Monterey Airport Safety Zones
Airport Land Use Compatibility Plan for the Monterey Regional Airport

Airport Safety Zone Designation Note: Attached map shows safety zone locations.	Maximum Densities/Intensities/ Required Open Land			Additional Criteria	
	Dwelling Units per Acre ¹	Maximum Non-residential Intensity ²	Required Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
Runway Protection Zone (RPZ)	None	None	All unused	<ul style="list-style-type: none"> • All structures except ones with location set by aeronautical function • All assemblages of people • Objects exceeding FAR Part 77 height limits • Natural gas & petroleum pipelines¹⁰ • Dumps and landfills • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required. • Clustering is not allowed.

1. Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre (d.u./ac). Clustering of units is encouraged. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands associated with the property.
2. Usage intensity calculations shall include the maximum number of people (e.g., employees, customers/visitors, etc.) who may be on the parcels or site at a single point in time, whether indoors or outside.
3. Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects.
4. The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria. Also see Section 4.1.6 for policies on similar uses.
5. As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law.
6. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops as outlined in FAA's Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports*, that may cause the attraction of birds to increase is also prohibited.
7. Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
8. Objects up to 35 feet in height are permitted. However, the FAA may require Form 7460-1, marking, and lighting of certain objects.
9. This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport (See examples 1, 2 & 3 on Exhibit 4D). Taller objects may be acceptable if determined not to be obstructions. Developers proposing structures that could penetrate 14 CFR Part 77 elevations must file Form 7460 with the FAA.
10. Natural gas & petroleum pipelines less than 36 inches below the surface.
11. The definition of infill can be found in Section 4.2.2.3.
Residential infill development is defined in the Airport Land Use Plan as development of a parcel of 10 acres or less that is at least 65 percent bounded by existing similar uses (or more intensive uses) and where development would occur entirely within the area defined by the surrounding, already developed, incompatible uses. To be considered infill development, further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics of a parcel are prohibited, and the parcel cannot have previously been set aside as open land unless replacement open land is provided within the same compatibility zone. In addition, the average development density of a site shall not exceed the average density represented existing lots that lie within a distance of 300 feet from the boundary of the parcel to be divided.
12. Vulnerable occupants include children, the elderly, and people with disabilities.
13. These urban areas are the "mixed used use areas" identified in the City of Monterey General Plan dated August 2013.

NOTE: Refer to attached map for locations of Airport Safety Zones. Source: Monterey County Airport Land Use Commission, February 2019. Airport Land Use Compatibility Plan for the Monterey Regional Airport

4.2.2.3 Infill Development

Where development that already exists is not in conformance with the criteria set forth in this compatibility plan analysis, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone.

This exception does not apply within RPZ zones.

(a) A parcel can be considered for infill development if it meets all of the following criteria, plus the applicable provisions of either Sub-policy (b) or (c) below:

(1) The parcel size is no larger than 10.0 acres.

(2) At least 65 percent of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed. For projects adjacent to an undeveloped parcel, the closest developed lot may be used.

(3) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.

(4) Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics (e.g., through use permits, density transfers, addition of second units on the same parcel, height variances, or other strategy) are prohibited.

(5) The area to be developed cannot previously have been set aside as open land in accordance with policies contained in this compatibility plan analysis unless replacement open land is provided within the same compatibility zone.

(b) For residential development, the average development density (dwelling units per gross acre) of the project site shall not exceed the average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided.

(c) For nonresidential development, the average land use intensity (the number of people per gross acre) of the site's proposed use shall not exceed the lesser of:

(1) The average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; or

(2) Double the intensity permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, Table 4B.

(d) Infill development on some parcels should not enable additional parcels to then meet the qualifications for infill. The Airport Land Use Commission's intent is that parcels eligible for infill be determined just once. Thus, in order for the Airport Land Use Commission to consider proposed development under these infill criteria, the entity having land use authority (Monterey County or affected cities) must first identify the qualifying locations in its general plan or other adopted planning document approved by the Airport Land Use Commission. This action may take place in conjunction with the process of amending a general plan for consistency with the compatibility plan analysis or may be submitted by the local agency for consideration by the Airport Land Use Commission at the time of initial adoption of this compatibility plan analysis. In either case, the burden for demonstrating that a proposed development qualifies as infill rests with the affected land use jurisdiction and/or project proponent.

Source: Monterey County Airport Land Use Commission, February 2019. Airport Land Use Compatibility Plan for the Monterey Regional Airport.

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Appendix C-4

Del Rey Oaks
Munitions Response Area

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Appendix C-4

Del Rey Oaks

Munitions Response Area

Fort Ord served primarily as a training and staging facility for infantry troops beginning in 1917 until its deactivation in 1994. During its active history, up to 40,000 military and civilians worked or lived on Fort Ord. Activities conducted throughout the base, including industrial activities and military munitions training, have resulted in the identification of numerous sites where hazardous substances have been detected in soil and groundwater. Munitions and explosives of concern (MEC) have been detected in former munitions training areas. Investigation and cleanup recommendations and monitoring are addressed in a series of documents, reports and overseen by numerous local, state and federal agencies.

The Army has been conducting investigation and cleanup actions at the former Fort Ord since 1986. Initially, the studies concentrated on identifying chemical contaminants in soil and groundwater, generally as a result of industrial and waste disposal activities. In 1993, the Army also began investigating sites where munitions and explosives of concern (MEC) were suspected to be present. Sites were characterized during Remedial Investigations (RI) and the cleanup alternatives were evaluated in a Feasibility Study (FS). These documents have received regulatory agency and public review. Cleanup remedy decisions are documented in the Records of Decisions (RODs).

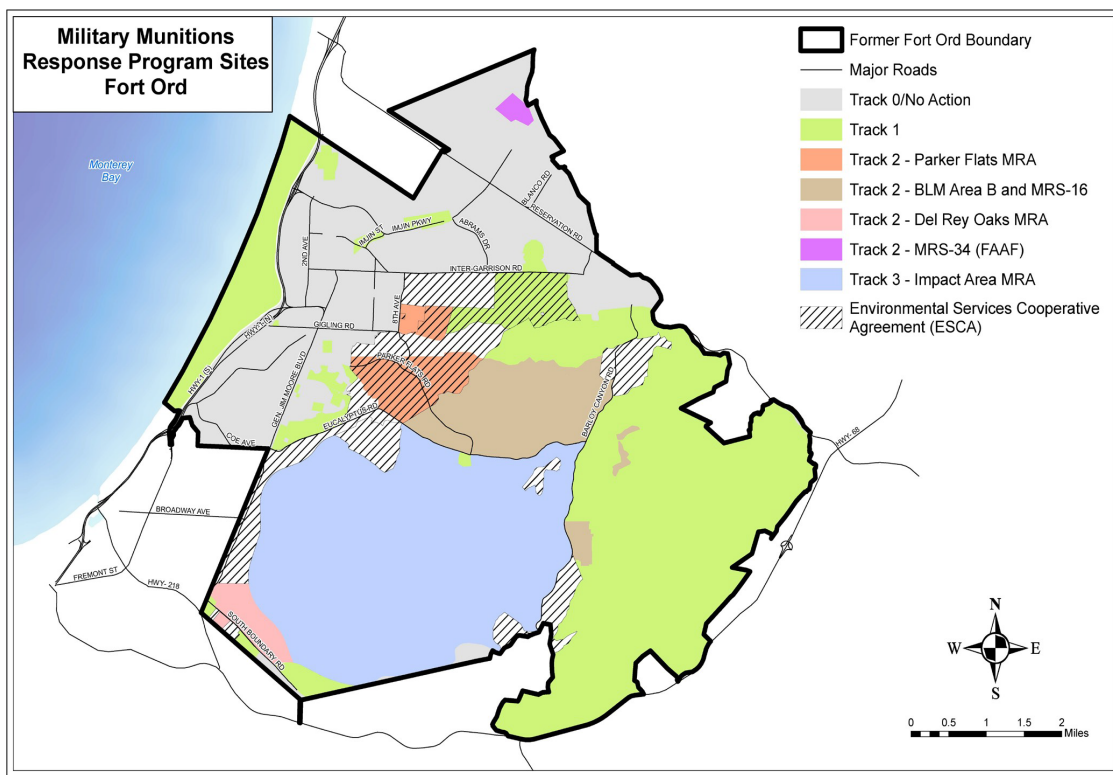
The Army has completed formal review of all in-place cleanup remedies for the Fort Ord and documents results of the base wide reviews every five years since 2002. For the former Fort Ord, the most recent Five-Year Review was conducted in 2022; four previous Five-Year Reviews were conducted in 2002, 2007, 2012 and 2017. The Army is the lead agency and is responsible for conducting the Five-Year Reviews. The U.S. Environmental Protection Agency (EPA) reviews and comment on the report in cooperation with the California Department of Toxic Substances Control (DTSC), and the Central Coast Regional Water Quality Control Board (RWQCB). Regulatory agencies overseeing the Fort Ord cleanup include: The EPA, the DTSC, and the RWQCB. Remedial actions are being or have been implemented at the former Fort Ord sites in accordance with the RODs.

With the closure of Fort Ord, federal responsibility for the remaining Army activities were transferred to the Office of Assistant Chief of Staff for Installation Management (ACSIM), Base Realignment and Closure (BRAC) Division. The cleanup of the former Fort Ord is managed under contracts through the U.S. Army Corps of Engineers.

In connection with the early transfer of a portion of the former Fort Ord, in 2007 the Fort Ord Reuse Authority (FORA) assumed some of the Army's cleanup obligations under an Environmental Services Cooperative Agreement (ESCA) grant. Pursuant to the ESCA, FORA agreed to conduct the evaluation of MEC hazards on approximately 3,300 acres of the former Fort Ord and conduct remedial actions deemed necessary to protect human health and the environment under future uses.

FORA completed its ESCA remediation program in five groups defined as Group 1, Group 2, Group 3, Group 4, and the Interim Action Ranges MRA (see ESCA sites figure below). The Group 1 MRAs are comprised of the Seaside MRA and Parker Flats MRA Phase II. Group 2 includes the CSUMB Off- Campus MRA. The

Group 3 MRAs comprises the Del Rey Oaks/Monterey MRA, the Laguna Seca Parking MRA, and the Military Operations in Urban Terrain (MOUT) Site MRA. Group 4 includes the Future East Garrison MRA. The Interim Action Ranges MRA was evaluated as a separate site. The selected remedies for the Group 1, Group 2, Group 3, Group 4, and Interim Action Ranges MRAs consist of land use controls that include munitions recognition and safety training for people engaged in ground-disturbing or intrusive activities, construction support, restriction on residential use in specified areas, and access management and restriction against inconsistent uses (applicable to some habitat reserve areas). The County North MRA was documented as a Track 1 plug-in site (no further action). Track 2 sites are areas where MEC items were present and where MEC removal actions have been conducted. Four RODs have been signed for Track 2 sites, including the Parker Flats MRA ROD and the Del Rey Oaks MRA ROD, which implemented land use controls to include MEC safety education programs for site users, construction support, and restrictions on residential use for specified areas.



Map above shows munitions response sites at the former Fort Ord¹.

Initial implementation of selected remedies (land use controls) was completed by FORA, and in April 2020 the EPA provided a site-wide remedial action completion letter for the ESCA project. The underlying properties have been transferred from FORA to the designated recipients. In June 2020 FORA ceased to exist, and the City of Seaside became the ESCA successor. As the successor, the City of Seaside coordinates and manages the long-term implementation of the land use controls on the ESCA properties and oversees the local land use controls and requirements for use of the properties.

A RI/FS for the Del Rey Oaks MRA has been prepared by the U.S. Army detailing actions to address residual MEC hazards within the project area. The RI/FS for the Del Rey Oaks MRA was prepared to identify the

¹ Source: U. S. Department of Army (Army) Five-Year Reviews: www.fortordcleanup.com

physical and explosive risks associated with residual MEC hazards located within portions of the project site and to identify a series of alternatives to address these hazards. According to the RI/FS, risks associated with MEC remaining on the project site are considered very low and limited to receptors causing intrusive activities. The RI/FS, however, noted that the detection efficiency of the MEC-clearance equipment is less than 100%; therefore, there is the potential that MEC and munitions debris are still present within specified areas of the project site².

Due to the presence of potential residual MEC hazards, the RI/FS indicates that residential use restrictions are warranted for the northern and southern portions of the MRA due to the type of munitions that may be present in the subsurface. The central portion of the project site, however, was determined to be suitable for residential uses. In order to permit residential uses on the remaining portions of the site, the deed restricting residential uses would need to be modified. The attached figures illustrate areas of the former Fort Ord that would be subject to future residential restrictions, as well as areas that are considered suitable for residential uses. RI/FS indicated that the DTSC Residential Protocol, once approved by DTSC, would be considered an adequate mechanism to verify that the site is safe for human health and the environment, and, upon successful implementation of the DTSC Residential Protocol, the regulatory agencies would allow for the removal of the residential use restriction on the remainder of the project site.

The purpose of the Protocol is to document what constitutes acceptable munitions and explosives of concern (MEC) clearance for portions of the former Fort Ord site of Del Rey Oaks at the former Fort Ord, such that once the portions of the former Fort Ord site have been cleared using this agreed upon process, those portions are suitable for residential reuse. Prior to approval of residential development plans on the project site, environmental agencies, including the state lead regulatory agency, DTSC, shall confirm that the clearances conducted to date together with approved remedial actions, as required, will be sufficient to allow the Former Fort Ord site to be developed for residential reuse.

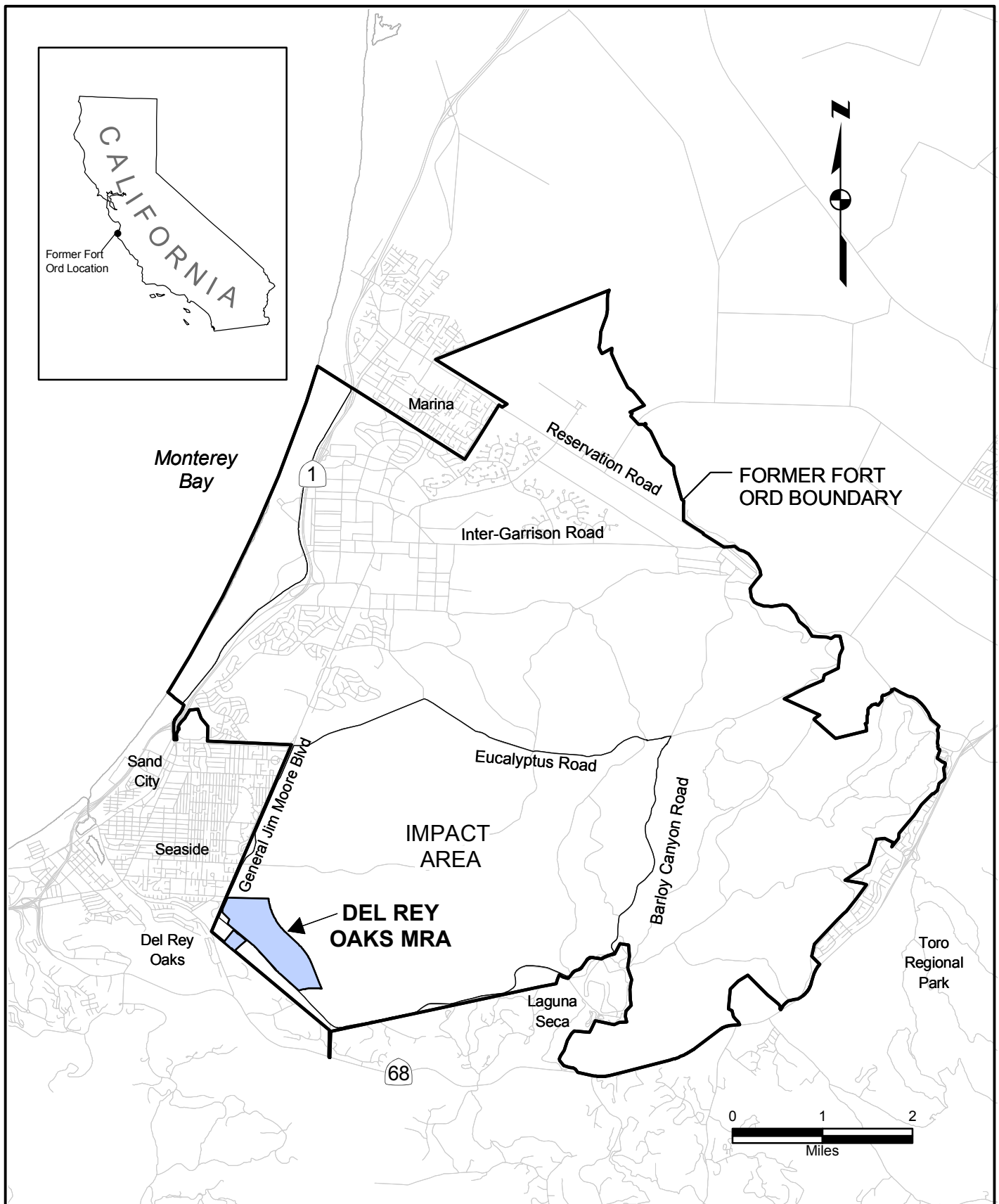
The redevelopment area within the City limits at Fort Ord was designated for commercial/hotel development consistent with the Fort Ord Reuse Plan. The additional assignment of residential designation in this particular area is constrained by the former use as a military range and related unexploded ordnance issues. A deed restriction or "Covenant to Restrict Use of the Property (CRUP)" was placed onto the former Fort Ord site that provides in pertinent part that residential use of the property is not currently authorized and would require additional approvals prior to authorization of this area. Per the Protocol, the Former Fort Ord site regulators, DTSC and US EPA, must confirm that the risk of exposure to hazardous materials can be reduced through active MEC removal actions in concert with public education, continuing land use controls (such as the grading and excavation ordinance under DRO Municipal Code Chapter 15.48) and continued active agency oversight and involvement in any MEC actions at the Former Fort Ord site.

² Army reports document that the Former Fort Ord site that has received geophysical surveys of 100% of the property using the Best Available Detection Technology (BADT) and all confirmed significant anomalies have been removed to the depth at which they were detected. Based on this work, the Department of Toxic Substance Control (DTSC) and U.S. Environmental Protection Agency (U.S. EPA), the federal regulatory agencies for the Former Fort Ord site concluded that the parcel was safe for redevelopment and reuse for most purposes (e.g., hotel, time-share, recreation, commercial). However, the state lead regulatory agency, DTSC, did not agree that the clearances conducted to date were sufficient to allow the Former Fort Ord site to be developed for residential reuse. Hence, a Covenant to Restrict Use of the Property (CRUP) was placed onto the Former Fort Ord site that provides in pertinent part that residential use of the property is not currently authorized.

As summarized in **Chapter 4.0 Housing Constraints** and shown on maps on the following pages, a large area of the former Fort Ord is not currently restricted by deed restriction for residential uses. The City of Del Rey Oaks grading and excavation ordinance also addresses ground disturbance activities located within the former Fort Ord. This ordinance, in addition to other agreements with DTSC and the Army, provide measures, including munitions identification training for construction workers, and other protocols in the event that munitions are uncovered during the course of construction. DTSC has indicated that these measures are adequate in order to ensure that the public health and the environment are safeguarded from munitions related hazards in the area unrestricted by covenants against residential use.

For properties under the covenant/deed, prior to approval of residential development plans on the project site, environmental agencies, including the state lead regulatory agency, DTSC, shall confirm that the clearances conducted to date together with the approved remedial actions required will be sufficient to allow the former Fort Ord site to be developed for residential uses.

Future development of residential uses shall be in accordance with the requirements of DTSC and specific MEC actions shall be conducted including implementation of the Protocol prepared for the California Environmental Protection Agency and DTSC prior to the construction activities on the former Fort Ord property within the City of Del Rey Oaks.



**UNITED STATES
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Del Rey Oaks MRA and Fort Ord Location Map
 Record of Decision
 Del Rey Oaks Munitions Response Area
 Track 2 Munitions Response Site
 Former Fort Ord, California

PLATE
1

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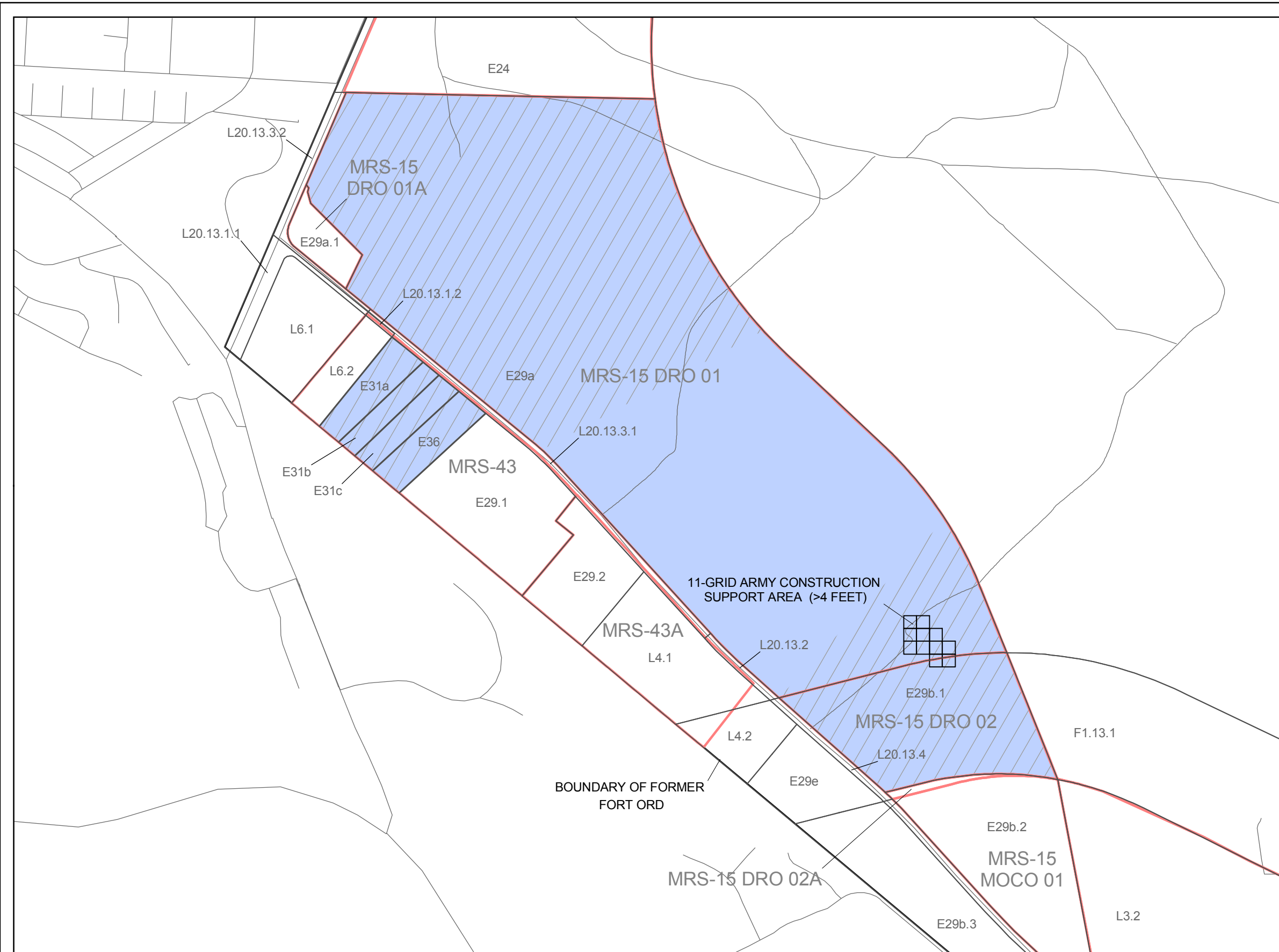
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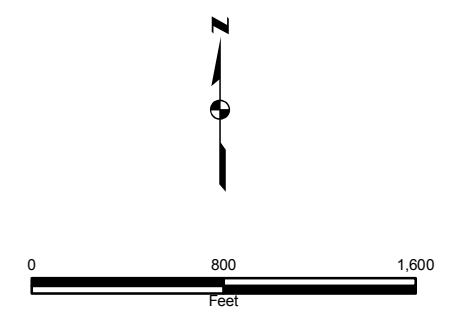
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- EXPLANATION**
- Reuse Areas Evaluated in the Risk Assessment and Feasibility Study
 - Areas Requiring Residential Use Restriction
 - MRS Site Boundary



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**UNITED STATES
DEPARTMENT OF THE ARMY**

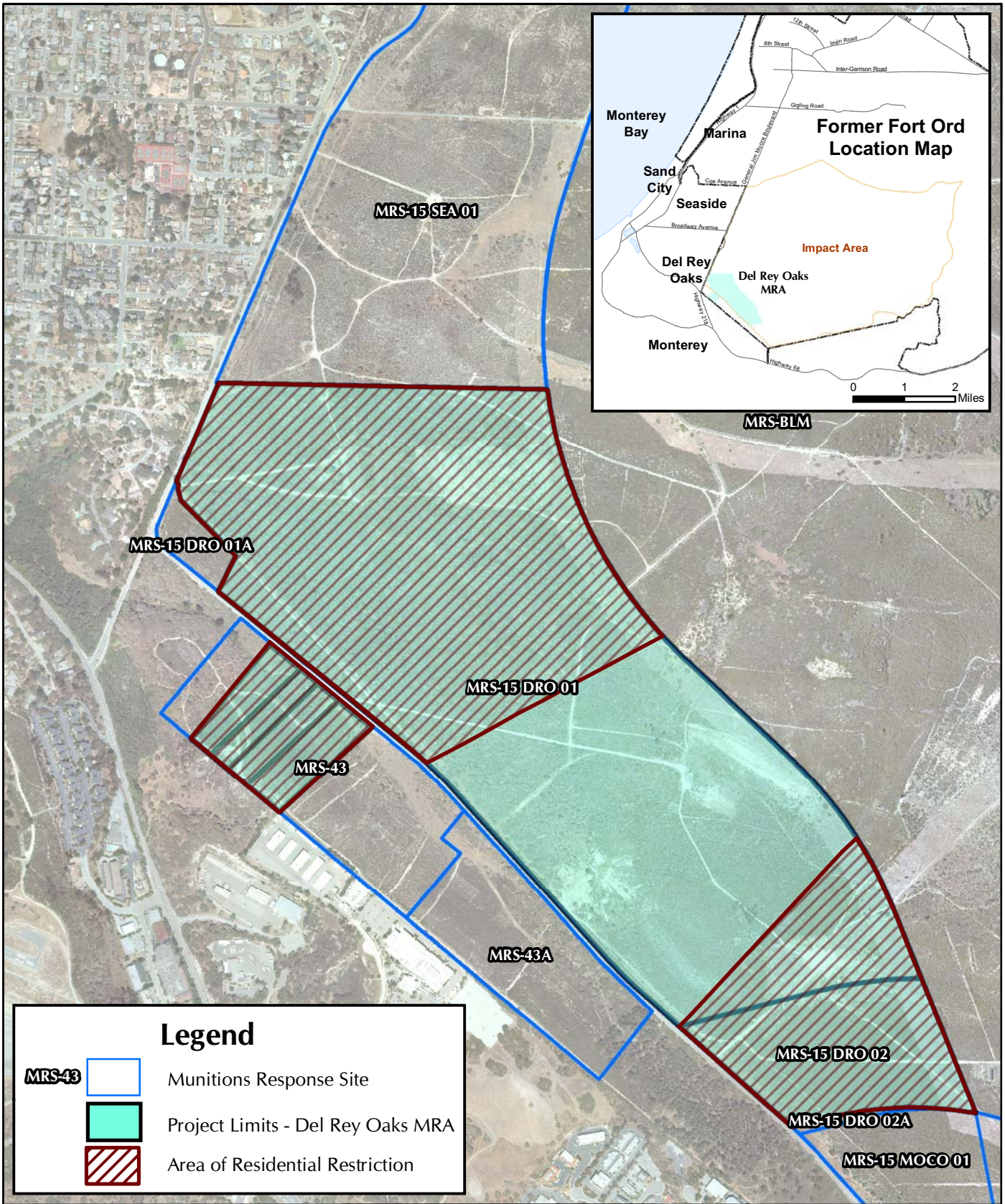
Record of Decision
Del Rey Oaks Munitions Response Area
Track 2 Munitions Response Site
Former Fort Ord, California




Del Rey Oaks Munitions Response
Areas and Munitions Response Sites

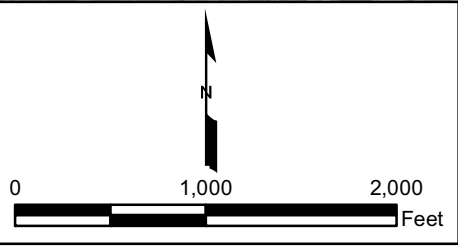
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Legend	
MRS-43 	Munitions Response Site
	Project Limits - Del Rey Oaks MRA
	Area of Residential Restriction




Areas of Residential Restriction

Del Rey Oaks MRA, Del Rey Oaks, California

Figure 3

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Appendix D - Funding Resources

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Funding and Administrative Resources

Overview

A variety of resources are available to landowners and developers seeking to provide housing within the City and vicinity. The information below identifies several of the major programs and resources available within the region for use with residential developments. Resources are grouped under local providers, private nonprofit agencies, and state or federal programs.

Housing Authority of the County of Monterey

The Housing Authority of the County of Monterey (HACM or Housing Authority) provides administration of housing programs for residents of the City and the County. The Housing Authority located in nearby Salinas has been helping the residents of Monterey County and the City of Del Rey Oaks for over 75 years. Programs administered by the Housing Authority include Section 8 Housing Choice Vouchers and other affordable housing programs to address the housing shortage, including provision and assistance in providing public housing, farm labor housing and providing information and assistance on tax credit and other affordable housing programs. The Housing Authority partners with a broad spectrum of community non-profits, city and county agencies, and state organizations to address affordable housing and housing shortage issues. See HACM information at <https://hamonterey.org/>.

Community Development Block Grant (CDBG) Program

The CDBG program provides funds for a range of community development activities. CDBG funds are administered by the State Department of Housing and Community Development (HCD) through a variety of competitive and non-competitive programs. These programs can provide funding for a range of activities. The eligible activities include, but are not limited to acquisition and/or disposition of real estate or property, public facilities and improvements, relocation, rehabilitation and construction of housing, homeownership assistance, and also clearance activities. Funding levels for individual programs can vary by year, and decisions to pursue funding for each program are made by the City based on potential projects and competitive factors. Currently Del Rey Oaks is not eligible to participate in CDBG program but is working to rectify this.

HOME Investment Partnership Program Funds (HOME)

Federal HOME funds can be used for activities that promote affordable rental housing and homeownership for lower-income households. HOME funds are administered by HCD, through a variety of competitive and non-competitive programs. Activities eligible to receive HOME funds include building acquisition, new construction, reconstruction, moderate/substantial rehabilitation, first-time homebuyer assistance, and tenant-based assistance. A federal priority for the use of HOME funds is preservation of the at-risk housing stock. As with CDBG funds, funding levels for individual programs can vary by year, and decisions to pursue funding for each program are made by the City based on potential projects and competitive factors.

Mortgage Credit Certificate (MCC) Program

Federally funded program administered by the State offers MCCs through an annual application process, which provides first-time homebuyers a credit on their federal income taxes up to 20 percent of the mortgage interest

paid for the year. The credit can be deducted from the income tax owed, while the remaining 80 percent of the interest paid on the mortgage remains available as an income tax deduction.

Cal Home Program

Authorized by SB 1656 in 2002, the Cal Home Program offers financial assistance to cities and non-profits for first-time homebuyer assistance, rehabilitation programs, or homeownership development projects. Specialized components of the Program assist owners of manufactured housing units and shared housing operators.

Project-Based Section 8

Project-Based Section 8 is a rent subsidy program in which tenants pay no more than 30% of their income for rent with HUD paying the difference up to the contract rent amount. Project- Based Section 8 provides for contracts that have terms of up to 20 years, except for those financed by the California Housing Finance Agency, which have terms of 30 years.

Section 202 Supportive Housing for the Elderly

This section helps expand the supply of affordable housing with supportive services for the elderly. It provides very low-income elderly with options that allow them to live independently but in an environment, that provides support activities such as cleaning, cooking, transportation, etc. The program is similar to Supportive Housing for Persons with Disabilities (Section 811).

Section 811 Supportive Housing for Persons with Disabilities

This program allows persons with disabilities the opportunity to live as independently as possible by increasing the supply of rental housing with the availability of supportive services. The program also provides project rental assistance, which covers the difference between the HUD approved operating costs of the project and the tenants' contribution toward rent. The program is similar to Supportive Housing for the Elderly (Section 202).

Low Income Housing Tax Credits

This program (LIHTC) encourages the construction and rehabilitation of low-income rental housing by providing a federal income tax credit as an incentive to investors. Investors receive tax credits for a specified number of years in return for investing equity capital. This program requires a 55-year affordability period.

APPENDIX D TO THE HOUSING ELEMENT

**Appendix D -Table 1
Financial and Program Resources Availability**

Program Name	Description	Eligible Activities
1. Federal Programs		
HOME	Grant program available to the City on a competitive basis for housing activities. City competes for funds through the State’s allocation process.	<ul style="list-style-type: none"> • Acquisition • Rehabilitation • Home Buyer Assistance • Rental Assistance
Low-income Housing Tax Credits (LIHTC)	Tax credits are available to persons and corporations that invest in low income rental housing. Proceeds from the sales are typically used to create housing.	<ul style="list-style-type: none"> • New Construction • Acquisition • Rehabilitation
Mortgage Credit Certificate (MCC) Program	Income tax credits available to first-time homebuyers to buy new or existing single-family housing.	<ul style="list-style-type: none"> • Home Buyer Assistance
Housing Choice Voucher Program	Rental assistance payments from Monterey County Housing Authority to owners of private market rate units on behalf of very low-income tenants.	<ul style="list-style-type: none"> • Rental Assistance • Home Buyer Assistance
Section 202	Grants to non-profit developers of supportive housing for the elderly.	<ul style="list-style-type: none"> • Acquisition • Rehabilitation • New Construction
Section 203(k)	Provides long-term, low interest loans at fixed rate to finance acquisition and rehabilitation of eligible property.	<ul style="list-style-type: none"> • Land Acquisition • Rehabilitation • Relocation of Unit • Refinance Existing Indebtedness
Section 811	Grants to non-profit developers of supportive housing for persons with disabilities, including group homes, independent living facilities and intermediate care facilities.	<ul style="list-style-type: none"> • Acquisition • Rehabilitation • New Construction • Rental Assistance
U.S. Department of Agriculture (USDA) Housing Programs	Below market-rate loans and grants for farmworker rental housing.	<ul style="list-style-type: none"> • New Construction • Rehabilitation
2. State Programs		
Affordable Housing Partnership Program (AHPP)	Provides lower interest rate CHFA loans to homebuyers who receive local secondary financing.	<ul style="list-style-type: none"> • Home Buyer Assistance
CalHOME	Provides grants to local governments and non-profit agencies for local homebuyer assistance and owner occupied rehabilitation programs and new home development projects. Will finance the acquisition, rehabilitation, and replacement of manufactured homes.	<ul style="list-style-type: none"> • Home Buyer Assistance • Rehabilitation • New Construction
California Housing Assistance Program	Provides 3 percent silent second loans in conjunction with 97 percent CHFA first loans to give eligible buyers 100 percent financing.	<ul style="list-style-type: none"> • Home Buyer Assistance
California Self-Help Housing Program (CSHHP)	Provides grants for the administration of mutual self-help housing projects.	<ul style="list-style-type: none"> • Home Buyer Assistance • New Construction
Emergency Housing and Assistance Program (EHAP)	Provides grants to support emergency housing.	<ul style="list-style-type: none"> • Shelters & Transitional Housing

APPENDIX D TO THE HOUSING ELEMENT

**Appendix D -Table 1
Financial and Program Resources Availability**

Program Name	Description	Eligible Activities
Emergency Shelter Program	Grants awarded to non-profit organizations for shelter support services.	<ul style="list-style-type: none"> • Support Services
Senate Bill 2 – Building Homes and Jobs Act ¹	<p>Provides funding to eligible applicants² for a range of housing activities at the local government level including:</p> <ul style="list-style-type: none"> • Updates to general plans, community plans, specific plans, local planning related to the implementation of sustainable communities strategies, and/or local coastal plans. • Updates to local zoning ordinances. • Environmental analyses that eliminate the need for project-specific review. • Local process improvements that expedite local planning and permitting. 	<ul style="list-style-type: none"> • Public Services • Economic Development
3. Federal/State/Local Programs (See Footnote 2)		
Community Development Block Grant (CDBG)	Grants could be available to a City on a competitive basis for a variety of housing and community development activities.	<ul style="list-style-type: none"> • Acquisition • Rehabilitation • Home Buyer Assistance • Economic Development • Homeless Assistance • Public Services
CDBG Revolving Loan Funds	This program rehabilitation loans that are administered by jurisdictions locally; also offers low-income families to obtain low interest loans for down payment assistance when purchasing a home.	<ul style="list-style-type: none"> • Rehabilitation • Home Buyer Assistance
4. Private Resources/Financing Programs		
Federal National Mortgage Association (Fannie Mae)	Fixed rate mortgages issued by private mortgage insurers.	<ul style="list-style-type: none"> • Home Buyer Assistance
	Mortgages, which fund the purchase and rehabilitation of a home.	<ul style="list-style-type: none"> • Home Buyer Assistance • Rehabilitation
	Low Down-Payment Mortgages for Single-Family Homes in underserved low-income and minority cities.	<ul style="list-style-type: none"> • Home Buyer Assistance
Freddie Mac Home Works	Provides first and second mortgages that include rehabilitation loan. City provides gap financing for rehabilitation component.	<ul style="list-style-type: none"> • Home Buyer Assistance

¹ <http://www.hcd.ca.gov/grants-funding/active-funding/planning-grants.shtml>

² Eligible applicants as defined by the California Department of Housing and Community Development must have an HCD-compliant housing element, have submitted a recent annual progress report, demonstrate a nexus to accelerating housing production, and demonstrate consistency with State Planning Priorities (Government Code Section 65041.1) or other planning priorities. The City previously was able to offer housing rehabilitation loans using program income from CDBG grants. The City no longer has eligibility for this program but is moving to compliance working with HCD.

Appendix E - Review of Previous Housing Element

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6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Progress in Implementing Programs from the 2019 Housing Element - Background & Summary

Del Rey Oaks’ [5th Cycle](#) Housing Element was adopted in December 2019. The 1992 Housing Element was the last HCD-certified Housing Element for Del Rey Oaks. Del Rey Oaks’ 2019 Housing Element also sets forth goals, policy statements, and housing programs to implement those policies. The following provides progress on programs since City Council adoption of the 2019 Housing Element [and also considers the final adoption of the 5th Cycle Update and rezoning completed by the City in October 2023.](#)

Goals and Policies of 2019 Housing Element

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
Program A.1	Accommodate the City’s RHNA According to the RHNA, the City has an affordable housing shortfall of 59 units for the 4 th Planning Cycle and an allocation of 11 units for the 5 th Planning Cycle for low and very low-income categories. Rezoning will meet the requirements of Government Code section 65583.2(h) and (i). The City must also accommodate its moderate and above moderate RHNA. The City has described 4 sites under consideration to meet the City’s RHNA, see Chapter 3 and Appendix C. All sites must have access to dry utilities, sewer, and water.	City Council Planning Commission	Program A.1 has been updated and revised language identifying Sites 1 and 1a only and adding requirement for rezoning and general plan amendment to allow for residential uses to accommodate the City’s RHNA for 5 th cycle and 4 th cycle shortfall. The City drafted a rezoning overlay zone for RHNA in Sites 1 and 1a. City submitted revised 2023 Housing Element for approval by HCD with overlay zoning. Rezoning will occur was completed with final adoption of the 5 th Cycle update in October 2023. Additional revisions for upcoming 6th Cycle will address requirements for minimum densities and compliance per HCD review letter. Since the rezoning was recently adopted, progress will be seen in next cycle regarding the ability to provide affordable housing to meet the needs of the special need’s groups identified. See also Program B2 below.	Revise Program as shown in Section 7 to address minimum densities and compliance per HCD review letter.
Program A.2	Develop written process for continued compliance with AB 2162 The City shall continue to comply with the requirements of state law AB 2162 (Chapter 753, statutes of 2018) and will develop a written process to adhere to the statutory requirements in accordance with state law ¹ . AB 2162	City Council Planning Commission	The City Council approved a zoning ordinance amendment adopting an emergency shelter ordinance in March 2023. The City complies with all requirements of state law but has not developed a written process for compliance with AB 2162. No applications have been requested, however, if so, the City uses the HCD-approved form for streamlined application processing for qualified projects as applicable until a new process is developed.	Moved ; Updated status noted. Modify Program and update to expedite and

¹ https://www.hcd.ca.gov/community-development/accountability-enforcement/docs/SB%20330%20Preliminary%20Application%20%20Form_Final.pdf

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	streamlines and expedites the approval of supportive housing to better address the need of Californians experiencing homelessness. The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria.		-6 th Cycle moved this program to D.6 and will add specific provisions to meet homelessness and special needs. The City progress on this program will be part of a comprehensive zoning amendment to address Programs D.4, D.5, D.6 and D7 addressing reducing barriers and increasing opportunities for special needs groups. Special needs groups include seniors, disabled, homeless and single, head of household families.	<u>remove constraints to supportive housing in City.</u>
Encourage the provision of a wide range of housing by location, type of unit, and price to meet the existing and future housing needs in the City.				
Program B.1	<p>Develop Inclusionary and Affordable Housing Requirements</p> <p>The City will adopt an Inclusionary and Affordable Housing Ordinance that will require new residential development or redevelopment in the City to meet the City’s RHNA requirements as identified in the AMBAG RHNA. The City’s RHNA requirement are identified in the 5th Cycle Housing Element.</p>	<p>City Council</p> <p>Planning Commission</p> <p>Planning Department</p>	<p>The City has not developed an Inclusionary Housing Ordinance and has not received any development applications for residential development. <u>6th Cycle revised this program to add specific timeframes and deadlines to this program, as well as provide flexibility to allow development agreements to ensure affordability with development.</u></p>	<p><u>Modify Program and update to provide timeline and actions</u></p>
Program B.2	<p>Facilitate Affordable Housing for All Income Levels</p> <p>The City will support housing for low-income, extremely low-income, and moderate-income households and persons with disabilities (including developmental disabilities). The City will actively seek to participate in and promote housing assistance service provided by such agencies as the Monterey County Housing Authority and the U.S. Department of Housing and Urban Development. As opportunities arise, new funding sources for lower-income housing will be sought from available non-profit, local, State, and federal programs. Planning and entitlements should consider how to position an affordable project to qualify for future grant applications.</p> <p>The City will also work with developers to facilitate affordable housing development. Specifically, as funding permits, the City will provide gap financing to leverage State, federal, and other public affordable funding sources. Gap financing will focus on rental housing units affordable to lower-income households and households with special needs (such as seniors and disabled, including people with developmental disabilities). To the extent</p>	<p>City Hall</p> <p>City Manager’s Office</p>	<p>The City continues to support housing for low-income, extremely low-income, and moderate-income households and persons with disabilities (including developmental disabilities).</p> <p>The City has revised programs to accommodate the RHNA. See Program A-1 above. The City Council and Planning Commission workshops indicate Sites 1 and 1a are suitable for rezoning to residential to provide for affordable housing to meet RHNA.</p> <p>The City continues to communicate with developers to facilitate affordable housing development on Sites 1 and 1a. Additional sites that are vacant are being considered for 6th Cycle.</p> <p><u>The City completed a request for proposal (RFP) process to engage developers for Site 1. The City also declared Sites 1 and 1a properties as Surplus Lands and completed the Surplus Land Act (SLA) process. RFPs were sent out to a broad list of developers to facilitate affordable housing development. The City completed the SLA process and received three letters of interest, one from an experienced affordable housing developer. The City hired an economic consultant to address funding methods and work with developer on financing, and present options for funding and gap financing. The element identified the Fort Ord sites to accommodate the City’s 4th, 5th and 6th cycle RHNA. This site</u></p>	<p><u>Continue program.</u></p> <p><u>Update and modify to provide specific timeframes and actions -to facilitate and encourage development, including actions and a schedule to facilitate development of Sites 1 and 1a.</u></p>

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	feasible, the City will also ensure a portion of the affordable housing units created will be available to extremely low-income households.		is an integral part of the addressing most of the City’s RHNA including the lower-income RHNA.	
Program B.3	<p>Utilize Section 8 Housing Choice Vouchers</p> <p>The Housing Authority of Monterey County (HAMC) which administers the Section 8 Certificate/Voucher Program for Del Rey Oaks and throughout Monterey County provides rental subsidies to very low-income families and elderly households that spend more than 30 percent of their gross income on housing.</p> <p>To help overcome the reluctance of many landlords to sign Section 8 agreements, the City shall work with the Housing Authority to offer incentives to property owners that sign Section 8 agreements.</p>	City Hall City Manager’s Office	<p>The Housing Choice Voucher Program (HCV), formerly known as “Section 8”, provides assistance for very low-income households (single or family), the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market, administered through the HAMC.</p> <p>Effective January 1, 2020, it is illegal in California for landlords to refuse to rent to prospective tenants solely because they have a Housing Choice Voucher (formally known as Section 8).</p> <p>The City currently does not offer incentive programs. The City is supportive of the Housing Authority and HCV’s. The City researched history of the Voucher program and continues to work with HAMC to address assistance for very low-income households (single or family), the elderly, and the disabled (special needs groups identified in Appendix A and Chapter 2.0).</p>	Modify program to expand outreach and provide specific timeframes and actions to increase the assistance to special needs identified.
Program B.4	<p>Preferential Housing for Del Rey Oaks Residents and Workers</p> <p>To the extent that such policy can be legally implemented, the City shall consider adoption of a new ordinance in compliance with the Fair Housing Law, requiring that all newly constructed inclusionary dwelling units for below-market-rate income, moderate-income, and lower-income households within the City, and all first-time homebuyer programs, be provided on a preferential basis to Del Rey Oaks residents and workers.</p>	City Council Planning Commission Planning Department	<p>No action to date.</p> <p>The City considered this policy and program during development of 6th Cycle program changes during the 2023 outreach. The City will retain this program as long as it is legal to implement it in accordance with comments received during 2023.</p> <p>The element identified the Fort Ord sites to accommodate the City’s 4th, 5th and 6th cycle RHNA. This site is an integral part of the addressing most of the City’s RHNA including the lower-income RHNA.</p>	Continue.
Program B.5	<p>Develop a Density Bonus Ordinance consistent with State law</p> <p>Government Code section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State Density Bonus Law requires a local jurisdiction to grant an increase in density, if requested by a developer, for providing affordable housing as part of a development project. Key provisions of the law include incremental density bonuses that correspond to</p>	City Council Planning Commission Planning Department	<p>The City has not developed a Density Bonus Ordinance but complies with current State law requirements for density bonuses.</p> <p>The City program for 6th Cycle will be amended to require that the City shall develop and adopt a Density Bonus Ordinance consistent with the current Government Code and State Density Bonus Law by fourth quarter 2024. Subsequently, by completion of 4th quarter annually, the City shall review any future amendments to State Density Bonus law to ensure that its local ordinance remains consistent with State law.</p>	Modify program with specific actions and timelines to completion.

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City's fair share of housing needs.				
	<p>the percentage of housing set aside as affordable units. The City shall develop and adopt a Density Bonus Ordinance consistent with the current Government Code and State Density Bonus Law. Once passed, the City will review any future amendments to State Density Bonus law to ensure that its local ordinance remains consistent with State law. Once passed the City shall commit to consider 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.</p>		<p><u>The City adopted an Affordable Housing Overlay Zoning District applicable to the former Fort Ord Sites 1 and 1a, allowing residential densities at period when the City ordinance is being developed. Requests include those for incentives, concessions, waivers, and parking reductions.</u></p>	
<p>Program B.6</p>	<p>Facilitate Affordable Rental Units</p> <p>The City will apply for low interest loans, grants, and rent subsidies through the U.S. Department of Housing and Urban Development, the California Housing Finance Agency, Farmers Home Administration, and the HCD. The City will apply for at least one funding opportunity per year within the 5th Cycle Planning period. In addition, the City will provide funding through use of tax increment funding for a housing fund as such funds are available.</p>	<p>City Council and City Manager</p>	<p><u>City annually addresses priorities through a visioning process with the City Council and City Staff. Grant funding and funding available for grants have been researched but no applications provided. City grant funding under LEAP and REAP has been received to assist with Housing Element implementation and outreach efforts. The City researched tax increment funding through an economic consultant and will continue to consider opportunities during development of 6th cycle, focusing on meeting affordability for special needs groups identified in Appendix A and Chapter 2.0. No action to date.</u></p>	<p><u>Continue program with specific actions and timelines to completion.</u></p>
Work to remove governmental and non-governmental constraints to housing development.				
<p>Program C.1</p>	<p>Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35, or where appropriate, waiving City fees or regulatory requirements.</p> <p>The City will continue to find opportunities to streamline the permitting process to remove unnecessary barriers, without compromising public health, safety and community character. In order to do this, as part of the City's Zoning Ordinance update, site improvement standards and development procedures will be reviewed and, as needed, revised to ensure that such standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing. This Zoning Ordinance update will ensure compliance with SB 35 which allows streamlined</p>	<p>City Council Planning Commission Planning Department</p>	<p><u>The City conducted an updated comprehensive review of the permitting process to identify unnecessary barriers. The City found areas of subjective language in the Design Review process and is revising this section as part of the City's Zoning Ordinance update. The 6th Cycle programs include updated and expanded programs on revisions to Zoning Code site improvement standards and design approval procedures to ensure such standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing. New program is proposed for development of procedures and compliance with SB 35. While no applications related to SB 35 received in the City during the last planning cycle, the City follows state guidelines for compliance and has state processing information available for applicants should any come forth. The new program will support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35. Where appropriate, the City supports waiving City fees or regulatory requirements to ensure compliance with SB 35 and increase housing</u></p>	<p><u>Revise program and new program specific to SB 35 per HCD letter and example.</u></p> <p><u>Modify program to streamline permitting process with specific actions and timelines for completion.</u></p>

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	approval processes in municipalities not meeting the RHNA.		provision for the special needs target groups identified in Chapter 2.0 and Appendix A, No action to date.	
Program C.2	<p>Update the Accessory Dwelling Unit Ordinance to Existing Standards</p> <p>A major constraint to housing in the City is affordability. ADUs help meet the City’s needs for housing that is affordable by providing a housing resource for seniors and low- and moderate-income households. State ADU law has been updated since the passage of the City ADU ordinance. The City will update their ADU Ordinance (also known as auxiliary housing) to be compliant with updated State regulations that promote the development of ADUs. The City will encourage the construction of ADUs by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications. Further, information to all eligible property owners concerning the City’s amended ordinance will be provided at City Hall.</p>	City Council, Planning Commission, and Planning Department	<p>Update the Accessory Dwelling Unit Ordinance to Existing Standards</p> <p>The City adopted an ADU compliant with updated State regulations that promote the development of ADUs.</p> <p>The City provides information regularly to eligible property owners concerning the City’s amended ordinance.</p> <p>The City enables expedited permit processing for ADU applications. Further, information to all eligible property owners concerning the City’s amended ordinance is available at City Hall. The City conducted workshops and meetings with ADU information during the review and development of the ADU ordinance, and regularly provides outreach, addresses questions and provides efficient processing of ADU applications.</p> <p>The City annually reviews ADUs and monitors their completion, reporting annually to the City Planning Commission, Council and to HCD during the APR process.</p>	Updated status noted. Continue and expand program (revised to show monitor results annually with specific timelines, actions and monitoring reporting) ; see Section 7.
Program C.3	<p>Mitigating Constraints</p> <p>Based upon this review of the City’s standards, the following additional Zoning Ordinance amendments will be considered:</p> <ul style="list-style-type: none"> Amend the Zoning Ordinance to eliminate limits on number of persons allowed to live in housing unit under definition of “Family.” Amend the Zoning Ordinance to include language on density bonuses to comply with State requirements. Review Zoning Ordinance to ensure that transitional and supportive housing is allowed in the same way other residential uses are allowed in all zoning districts allowing residential uses. 	City Council, Planning Commission, City Hall, and Planning Department	<p>The City updated the zoning ordinance to allow year-round emergency shelters-by-right and amend the definition of family in March 2023. Specifically, the City amended the Zoning Ordinance to change definition of Family. The City revisions have been sent to HCD for review to determine if language is adequate to address this program item. The City did eliminate limits on number of persons allowed to live in housing unit under definition of “Family”. After HCD, the City will amend the definition within the first quarter of 2024 if needed per HCD.</p> <p>Per requirements, the City will provideprovided the Emergency Shelter Ordinance to HCD. HCD will review and issue correspondence identifying the updated status of the City’s 2019 Housing Element compliance or required amendments.</p> <p>See discussion in Program A.2, B.5 and C.2 above.</p>	Updated status noted. Update for 6th Cycle and continue program. Update timeframe by 2025 . Continue; modify to

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	<ul style="list-style-type: none"> Review and amend the Zoning Ordinance to conditionally permit SRO housing in the C-1 (Commercial) zone. Consistent with the California Employee Housing Act, amend the Zoning Ordinance to update standard that requires that housing for six or fewer employees be treated as a regular residential use. 		<p>The City will be updating the Zoning Ordinance for Transitional and Supportive Housing and SRO housing, as well as housing for employees.</p> <p><u>These modifications and programs are specific to assisting in efforts of the City to provide affordable housing for those experiencing homelessness, the elderly and disabled, as well as the special needs groups identified.</u></p>	<p><u>Identify actions and timeframes. Also modify to update actions completed to date by the City.</u></p>
Program C.4	<p>Ensure the Availability of an Adequate Water Supply to Serve the Long-Term Housing Needs of the City</p> <p>A major constraint to development within the City is water supply. The City will continue to work with the MPWMD, MCWD, FORA, and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development</p>	City Council City Manager Planning	<p>The City continues to work with the MPWMD, MCWD, M1W and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development. MCWD and MPWMD provided updates to the City Council in a public forum in 2021. The City Manager meets regularly with MCWD management on water issues.</p>	<p>Minor update to delete reference to FORA. <u>Modify to add specific measures to address water needs. See Section 7.</u></p>
Promote equal housing opportunities for all persons.				
Program D.1	<p>Promote Fair Housing by Providing Educational and Referral Materials</p> <p>The City will continue to provide Fair Housing education and outreach, making information available in multiple languages, and refer persons with fair housing questions to the Housing Authority, Department of Equal Housing and Employment, and California Rural Legal Assistance on an as-needed basis. The City will make information about fair housing services available at City offices and on the City’s website.</p>	City Hall, Planning and Building Departments	<p><u>The City continues to provide Fair Housing education and outreach information and refers persons with fair housing questions to the Housing Authority, Department of Equal Housing and Employment, and California Rural Legal Assistance on an as-needed basis. The City has compiled information about fair housing services available at City offices but not on the City’s website. No action to date.</u></p>	<p>Updated status noted. Update for 6th Cycle and continue program; <u>modify to identify actions and timeframes</u></p>
Program D.2	<p>Provide Opportunity for and Encourage the Development of Adequate Housing for the City’s Special Needs Groups.</p> <p>The City shall facilitate the provision of housing for the elderly and disabled, including developmental disabilities, and other special needs housing by modifying the Zoning Ordinance to define licensed residential care facilities, to explicitly allow small residential care homes by right in all residential zone districts, allow group homes of six or fewer to be allowed in all zones allowing single-family uses (not limited to residential uses), and to permit larger</p>	City Council, Planning Commission, and Planning Department	<p>The City did not update the Zoning Ordinance <u>for the development of these housing needs for the elderly and disabled, including developmental disabilities and other special needs housing. The City will update this program to specify this revision to the Zoning Ordinance will be completed by first quarter 2024.-</u></p> <p><u>See also D.3 below also. The City currently allows housing for the elderly and disabled, including developmental disabilities, and other special needs housing under licensed residential care facilities in all residential zones. The zoning code is not explicit in this allowable use, however. Thus, while this existing practice supports housing for the elderly and disabled, including</u></p>	<p>Updated status noted. Update for 6th Cycle and continue program; <u>modify to identify actions and timeframes.</u></p>

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	<p>residential care homes (seven or more) in the City’s R-2 and C-1 districts consistent with the standards of these districts.</p> <p>The City shall also support the efforts of public and private groups to provide housing for the elderly and disabled. Such support may include staff assistance in obtaining permits or financing, or, where appropriate, the waiver of City fees or regulatory requirements, some combination of these, or other tangible measures of support.</p>		<p><u>developmental disabilities, and other special needs, the zoning code needs to be revised. Current zoning does not explicitly allow small residential care homes by right in all residential zone districts, including allowing group homes of six or fewer in all zones allowing single-family uses (which is not limited to residential uses in the City of Del Rey Oaks). The Zoning Code will be revised to permit larger residential care homes (seven or more) in the City’s R-2 and C-1 districts consistent with the standards of these districts.</u></p> <p><u>The City complies with this ongoing program to support the efforts of public and private groups to provide housing for the elderly and disabled. Staff assistance in obtaining permits is regularly provided to all applicants. No requests for assistance with financing, fee waivers or reduction of regulatory requirements have been received; -However, -the City is open to review on a case-by-case basis of any requests to provide this support, or other tangible means of support for special needs housing.</u></p>	
<p>Program D.3</p>	<p>Special Needs Housing for Disabled Persons</p> <p>The City shall amend the Zoning Ordinance to ensure that future projects incorporate accessible design. Specifically, the zoning ordinance will be amended to:</p> <ol style="list-style-type: none"> 1) Require new multi-family development to be in compliance with Title 24 of the California Code of Regulations, 2) Eliminate restrictions on occupancy standards for group homes by amending the definition of family to comply with section 801(c) and 801(k) of the Fair Housing Act; and 3) Allow reduced parking standards for all transitional housing and homeless shelters, for age-restricted housing (regardless of affordability), and for persons with disabilities. <p>The zoning code will be further reviewed to identify and remove any additional constraints and ensure that reasonable accommodations are provided with regard to housing designed for persons with disabilities. This update will expressly allow exceptions to zoning and development</p>	<p>City Council, Planning Commission, and Planning Department</p>	<p><u>See also D.2 above.</u> The City updated the Zoning Ordinance to include amendment to the definition of family– <u>in March 2023. The City revisions have been sent to HCD to review to determine if language is adequate to address this program to comply with section 801(c) and 801(k) of the Fair Housing Act”.</u> <u>If not, the City will amend the definition within the first quarter of 2024.</u></p> <p>The City adopted an Emergency Shelter Ordinance with required reduced parking standards <u>in March 2023. This ordinance will be reviewed by HCD to determine compliance with updated parking standards.</u></p> <p><u>The City is currently reviewing reduced parking standards and commits to a proposed new program to allow reduced parking standards for all transitional housing and homeless shelters, for age-restricted housing (regardless of affordability), and for persons with disabilities.</u></p> <p>The City continues to allow and provide for<u>provide</u> accommodation for persons with disabilities as identified in the program.</p> <p>The zoning code also continue<u>continues</u> to identify and remove any additional constraints and ensure that reasonable accommodations are provided for persons with disabilities.</p>	<p>Updated status noted. Update for 6th Cycle and continue modify <u>programs to address new program for reasonable accommodation ordinance, SRO,</u></p>

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	standards including, but not limited to, ramps as a permitted encroachment into required front and rear yards in order to ensure accessibility for persons with disabilities.		The City drafted a reasonable accommodation ordinance and added a program specific to adoption of this ordinance by first quarter 2024.	
Program D.4	<p>Support Programs to Reduce Homelessness</p> <p>The City shall identify adequate sites for emergency shelters and then amend its Zoning Ordinance to make appropriate zone changes, if needed, to provide for the zoning for the site to allow for the emergency shelters in the City’s zoning districts consistent with State law. Zoning changes may not be necessary as certain zones may allow emergency shelters currently. Adequate sites for these housing types are available throughout the City in C zones outside of the former Fort Ord that allow residential use with a permit (acreages and vacant sites in these zones are shown in Figure 4). Although the City has constraints due to lack of water and available land sites, the C zone outside could be developed into emergency shelters, most of the City is within a mile of transit stops and community services. Specifically, the City has adequate capacity on vacant and underutilized parcels (approximately 12 acres) within the C-1 zoning districts outside of former Fort Ord near Canyon Del Rey (see Figure 4), which are suitable for the development of emergency shelters due to their proximity to public transit lines, social services, and personal services.</p> <p>To the extent that funds are available, the City will provide financial support to sponsor or assist emergency shelter facilities inside City limits or outside within a reasonable proximity to the City, as well as encourage or support facilities by providing grants, or low-cost loans, to operating agencies.</p>	City Council and Planning Commission	Pursuant to Government Code Section 65583 subdivision (a) (4) (A), the City amended the Zoning Ordinance to permit year-round emergency shelters without discretionary action within the city limits in the C.1 zone. Revised D.4 Program as shown in Section 7 to address updates to State Law.	Revised D.4 Program as shown in Section 7.
Program D.5	<p>Develop written process for continued compliance with AB 101</p> <p>The City shall continue to comply with the requirements of AB 101 and develop a written process to adhere to the statutory requirements in accordance with state law. AB 101 requires a Low Barrier Navigation Center (LBNC) be a</p>	City Council, Planning Commission	6th Cycle moved program to D.6 and will add specific provisions to meet homelessness and special needs. The City progress on this program will be part of a comprehensive zoning amendment to address Programs D.4, D.5, D.6 -and D7 addressing reducing barriers and increasing opportunities for special needs groups. Special needs groups include seniors, disabled, homeless and single, head of household families.	No change Part of comprehensive zoning ordinance amendments to address special

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
	<p>use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses if it meets specified requirements, including:</p> <ul style="list-style-type: none"> • Access to permanent housing. • Use of a coordinated entry system (i.e., Homeless Management Information System). • Use of Housing First according to Welfare and Institutions Code section 8255. (Gov. Code section 65662.) <p>A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy. (Gov. Code section 65660).</p>		<p><u>The Zoning Ordinance comprehensive update is a tool that can be used to encourage the development of housing for extremely low income and special needs households (including persons with developmental disabilities). The City is committed to updating the ordinance by the end of 2025 and as part of the comprehensive update to address special needs groups and housing-related code amendments related to:</u></p> <ul style="list-style-type: none"> • <u>Transitional and Supportive Housing</u> • <u>Reasonable Accommodations</u> • <u>Single-Room Occupancy (SRO)</u> • <u>Employee Housing</u> • <u>Low Barrier Navigation Center (LBNC)</u> 	<p><u>needs and ELI; identify actions and timeframes</u></p>
Conserve and improve the condition of the existing housing stock to ensure the safety, welfare, and affordability of residents.				
<p>Program E.1</p>	<p>Assist in Rehabilitating Housing</p> <p>The City will investigate available low-interest loans, subsidies, and grants from federal and State agencies to provide rehabilitation funds. As funding becomes available, the City shall provide grants and/or low interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities. Rehabilitation funds will be available to low-income homeowners and to owners of rental units that will rent to low-income households. Subject to federal funding the City will look to assist an average of one to two households (ranging from single-family, multi-family, and mobile homes), dependent on need.</p>	<p>City Council and City Manager</p>	<p><u>The City conducted a windshield survey in October 2023 to survey all residential neighborhoods and residential buildings within the City to assess need for rehabilitation of homes and to assess if any violations of building codes were evident. The survey also reviewed buildings for signs of needed major repairs or known visible health and safety issues. The City Manager, Police Chief and Building Inspector were also contacted for any local knowledge of housing in need of rehabilitation or repair, or housing units with violations related to health and safety. There were no residential homes or areas of required rehabilitation based upon the survey and review conducted in 2023. Thus, no rehabilitation funds were needed to be made available to low-income homeowners and to owners of rental units that will rent to low-income households to assist in rehabilitation of housing.</u></p> <p><u>There were no units projected to be conserved or rehabilitated during the planning period because the City did not have any at-risk units. However, quantified objectives are not limited to at-risk preservation, so this will be amended in 6th Cycle to address rehabilitation units. Conservation and rehabilitation conducted during the planning cycle includes the variety of</u></p>	<p>Continue program.</p> <p><u>Modify to include ELI in objectives.</u></p>

6th Cycle Housing Element Assessment of Programs from 5th Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 th Cycle Program Revision or Update
Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.				
			<u>strategies employed by the City to promote tenant stability, code enforcement and repair programs that conserve the housing stock. City continues code enforcement, however, there are no known areas where code violations pose a threat to life or safety.</u>	
Program E.2	<p>Continue Code Enforcement</p> <p>The City will continue to perform code enforcement for areas or homes with building code violations posing life and/or safety to occupants and/or significant property maintenance concerns, and ensure that such violations are adequately abated. When violations are cited, enforcement officers will provide a list of potential funding sources to homeowners.</p>	<p>Police Department <u>/Building Inspector</u></p>	<p><u>The City continued ongoing code enforcement by reviewing building permits, reviewing and following up with any code enforcement complaints. The City continues code enforcement however, there are no known areas where code violations pose a threat to life or safety. Should there be a need, the City enforcement officers will work with City Managers and housing resource providers to provide a list of potential funding sources to homeowners..</u></p>	<p>Continue program. <u>Modify to include ELI in objectives if needed per HCD</u></p>
Program E.3	<p>Energy Conservation and Energy Efficient Opportunities</p> <p>The City will promote subsidy and incentive programs for energy conservation available to residents. Some of these programs include PG&E’s rebates, Energy Watch Partnerships, and Energy Savings Assistance Program; CARE/FERA program, and the California FIRST program. The City will promote these programs in their newsletter and on their website.</p>	<p><u>Police City Hall Department</u></p>	<p><u>No action to date. Chapter 6.0 in the 6th Cycle Housing Element identifies subsidies and programs for energy conservation. Also, in early 2021, the City began service with Central Coast Community Energy (3CE, formerly Monterey Bay Community Power (MBCP)), a cooperative Community Choice Aggregation (CCA) that provides energy from renewable sources to residents, businesses, and the City. During this process, the City conducted outreach to the community to better understand 3CE programs. 3CE provides carbon-free electricity to residents and businesses.</u></p>	<p>Continue program.</p>

Appendix F - City of Del Rey Oaks Housing Element Update
Final Environmental Impact Report
Materials

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Appendix F-1

Final EIR Mitigation Monitoring and Reporting Program

Appendix A
Final EIR Mitigation Monitoring and Reporting Program

APPENDIX A

Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) and CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed by the District are completed at the appropriate time, specific to the future connection process. The mitigation measures identified in the Draft EIR are listed in the MMRP along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and confirmation the mitigation measure has been implemented. The following mitigation measures are specific to the City of Del Rey Oaks 2023 Cycle Housing Element Update Environmental Impact Report (EIR) project.

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
Air Quality				
Impact AQ-2: Criteria Pollutant Emissions	Mitigation Measure 3.3-1: Prior to start of construction, the project applicant or contractor shall submit a construction dust mitigation plan to the City of Del Rey Oaks for review and approval. This plan shall specify the methods of dust control that would be utilized, demonstrate the availability of needed equipment and personnel, use reclaimed water for dust control, and identify a responsible individual who, if needed, can authorize implementation of additional measures. The construction dust mitigation plan shall, at a minimum, include the following measures: <ul style="list-style-type: none"> • Limit grading activity to a maximum of 2.2 acres daily. • Water all active construction areas at least three times daily and more often during windy periods. Active areas adjacent to existing businesses should be kept damp at all times. If necessary, during windy periods, watering is to occur on all days of the week regardless of onsite activities. • Cover all trucks hauling trucks or maintain at least two feet of freeboard. 	Project Applicant or Construction Contractor	Prior to start of construction	City of Del Rey Oaks

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<ul style="list-style-type: none"> • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily if visible soil material is deposited onto the adjacent roads. • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water three times daily or apply (non-toxic) soil binders to exposed stockpiles. • Limit traffic speeds on unpaved roads to 15 mph. • Replant vegetation in disturbed areas as quickly as possible. • Suspend excavation and grading activity when hourly-average winds exceed 15 mph and visible dust clouds cannot be contained within the site. 			
Biological Resources				
<p>Impact BIO-1: Special-Status Species.</p> <p>Impact BIO-5: Adopted Habitat Conservation Plans.</p>	<p>Mitigation Measure 3.4-1: Project Specific Biological Assessments (HMP Species). The City shall require that a biological survey of development sites be conducted by a qualified biologist to determine if the development could potentially impact HMP species of potential habitat. A report describing the results of the surveys will be provided to the City prior to any ground disturbing activities. The report will include, but not be limited to: 1) a description of the biological conditions at the site; 2) identification of the potential for HMP species to occur or HMP species observed, if any; and 3) maps of the locations of HMP species or potential habitat, if observed.</p>	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to ground disturbing activities</p> <p>Project Applicant shall retain qualified biologist to perform biological survey(s) prior</p>	<p>City of Del Rey Oaks, Project Applicant, Qualified Biologist</p>

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>If HMP species that do not require take authorization from the USFWS or CDFW are identified within the development site, salvage efforts for these species will be evaluated by a qualified biologist in coordination with the City’s consulting biologist to further reduce impacts per the requirements of the HMP and BO. Where salvage is determined feasible and proposed, seed collection should occur from plants within the development site and/or topsoil should be salvaged within occupied areas to be disturbed. Seeds should be collected during the appropriate time of year for each species by qualified biologists. The collected seeds and topsoil should be used to revegetate temporarily disturbed construction areas and reseeded and restoration efforts on- or off-site, as determined appropriate by the qualified biologist and the City.</p> <p>If HMP species that require take authorization from the USFWS and/or CDFW are identified within the development site, the City will ensure that developers comply with ESA and CESA and obtain necessary permits prior to construction.</p> <p>Mitigation Measure 3.4-2: Project-Specific Biological Assessments (Non-HMP Species). The City shall require that a biological survey of development sites be conducted by a qualified biologist to determine if the development could potentially impact a special-status species or their habitat. A report describing the results of the surveys will be provided to the City prior to any ground disturbing activities. The report will include, but not be limited to: 1) a description of the biological conditions at the site; 2) an search of relevant resources to generate an updated list of special-status species known within the project vicinity; 3) identification of the potential for special-status species to occur or special-status species observed, if any; 4) maps of the locations of special-status species or potential habitat, if observed; and 5) recommended mitigation measures, if applicable.</p>		to ground disturbance activities.	

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>If special-status species are determined not to occur at the development site, no additional mitigation is necessary.</p> <p>If special-status species are observed or determined to have the potential to occur, the project biologist shall recommend measures necessary to avoid, minimize, and/or compensate for identified impacts. Measures may include, but are not limited to, revisions to the project design and project modifications, pre-construction surveys, construction buffers, construction best management practices, monitoring, non-native species control, restoration and preservation, and salvage and relocation.</p> <p>If species that require take authorization from the USFWS and/or CDFW are identified within the development site, the City will comply with ESA and CESA and obtain necessary permits prior to construction.</p> <p>Mitigation Measure 3.4-3: Pre-Construction Surveys for Protected Avian Species. Construction activities that may directly (e.g., vegetation removal) or indirectly (e.g., noise/ground disturbance) affect protected nesting avian species will be timed to avoid the breeding and nesting season. Specifically, vegetation and/or tree removal can be scheduled after August 31 and before January 31. Alternatively, a qualified biologist will be retained by the City to conduct pre-construction surveys for nesting raptors and other protected avian species within 500 feet of proposed construction activities if construction occurs between February 1 and August 31. Pre-construction surveys will be conducted no more than 14 days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). Because some bird species</p>			

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>nest early in spring and others nest later in summer, surveys for nesting birds may be required to continue during construction to address new arrivals, and because some species breed multiple times in a season. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans and in coordination with the USFWS and CDFW, as needed.</p> <p>If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist will notify the City and an appropriate no-disturbance buffer will be imposed within which no construction activities or disturbance shall take place (generally 500 feet in all directions for raptors; other avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.</p> <p>Mitigation Measure 3.4-4: Implement Open Space Requirements. For open space areas adjacent to the project area, the following measures shall be implemented:</p> <ul style="list-style-type: none"> ▪ Conduct an access assessment to identify necessary access controls. In some cases, structures including fences or other appropriate barriers may be required within the future development to control access into the habitat areas. An assessment of access issues and necessary controls will be completed as part of planning for the development and submitted to the City for review and approval, prior to development. ▪ Signs, interpretive displays, trailhead markers, or other information will be installed and maintained at identified urban/wildland interface that illustrate the importance of the adjacent habitat area and prohibit trespass, motor vehicle entry, dumping of trash or yard 			

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>wastes, pets off-leash, capture or harassment of wildlife, impacts to special-status species, and other unauthorized activities.</p> <ul style="list-style-type: none"> ▪ Incorporate non-native species control features into site design. Detention ponds or other water features associated with future development will be sited as far from the urban/wildland interface as possible. Suitable barriers will be located between these features and the habitat area boundary to prevent these features from becoming “sinks” for special-status wildlife species, as well as sources for invasive non-natives that could then move into the adjacent habitat area. If detention ponds or other waterbodies must be located at the urban/wildland interface, a specific management program addressing control of non-native animals (e.g., bullfrogs) must be prepared and submitted for review and approval by the City, prior to development. ▪ Landscaping within the areas adjacent to open space areas will consist of native or non-native plant species that will not colonize reserve areas in the former Fort Ord outside the project area. Any landscaping or replanting required for the project will not use species listed as noxious by the California Department of Food and Agriculture (CDFA). All landscape plans will be reviewed by the City. ▪ Limit artificial lighting at the urban/wildland interface. Outdoor lighting associated with future development will be low intensity, focused, and directional to preclude night illumination of the adjacent habitat area. Outdoor lighting will be placed as far from the urban/wildland interface as possible given safety constraints. High-intensity lighting facing the habitat areas will be directional and as low to the ground as possible to minimize long distance glare. ▪ Develop and implement erosion control measures to prevent sediment transport into and within habitat areas. Erosion control measures will be required where vegetation removal or soil 			

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>disturbance occurs as a result of all construction and maintenance, including trail, road, or fuelbreak construction/maintenance, access controls, or stormwater management, consistent with existing stormwater management plans. Specific measures to be implemented shall be detailed in an erosion control plan. The erosion control plan will include, at a minimum, the following measures.</p> <ul style="list-style-type: none"> ○ Re-contour eroded areas. ○ Maintain and grade areas along the reserve perimeter and main roads as appropriate to avoid washouts. Gullies will be repaired as needed. ○ Install drainage features such as outlet ditches, rolling dips (similar to waterbars), and berms as needed to facilitate the proper drainage of storm runoff. ○ Add soil amendments such as fertilizers and gypsum for designated development areas only. ○ Prevent sediments from entering basins or swales that could be used by HMP species during erosion control activities. ○ Design and conduct erosion control measures to minimize the footprint of the structures and repairs, and design structures to minimize potential impacts on California tiger salamander and California red-legged frog that may be moving between breeding and upland habitats. ○ Use weed-free mulch, weed-free rice, sterile barley straw, or other similar functioning product where needed for erosion control. Seed native plant species to stabilize soils disturbed by erosion control activities and prevent colonization by invasive weeds. Incorporate native plant species to the extent practicable. <p>Mitigation Measure 3.4-6: Potential Impacts to Western Bumble Bee*</p>			

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>3.4-6A A qualified biologist shall determine if suitable habitat is present within the Project site. If suitable habitat is present, a qualified biologist shall conduct focused surveys for WBB and their requisite habitat features to evaluate potential impacts resulting from ground- and vegetation-disturbance associated with the Project.</p> <p>3.4-6B If surveys cannot be completed, all small mammal burrows and thatched/bunch grasses shall be avoided by a minimum of 50 feet to avoid and minimize take and potentially significant impacts any detection of WBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take, or if take cannot be avoided, what take authorization may be necessary to comply with CESA.</p> <p>*Special Status Wildlife Species – Western Bumble Bee: WBB was once common throughout most of California. Potential impacts to WBB were analyzed in the Draft EIR. The Draft EIR determined that WBB was unlikely to occur within the survey area and be impacted by the project. However, based on consultation with CDFW, the CDFW suggested a higher level be identified in the EIR regarding the WBB due to the more recent listing of WBB and that potential ground-disturbing activities associated with future development have the potential to impact WBB and the EIR should identify specific avoidance and minimization measures. These are listed above</p>			
Impact BIO-2: Riparian and Wetland Habitat.	Mitigation Measure 3.4-5: Project-Specific Sensitive Natural Community Assessments. The City shall require that any development that could potentially impact a sensitive natural community shall be required to conduct a survey of the site by a qualified biologist. A report describing the results of the survey will be provided to the City prior to any ground disturbing activities. The report will include, but is not	Project Applicant, Qualified Biologist	Prior to ground disturbing activities, prior to construction.	City of Del Rey Oaks, Project Applicant, Qualified Biologist

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>limited to: 1) a description of the biological conditions at the site; 2) identification of the potential for sensitive habitats or sensitive habitats observed, if any; 3) maps of the locations of sensitive habitats or potential sensitive habitat, if observed; and 4) recommended avoidance and minimization measures, if applicable. If a potential state or federally protected wetland or other are identified to be present on the site, a formal wetland delineation will be conducted in accordance to ACOE methodology.</p> <p>If a proposed development cannot avoid impacts to sensitive habitat areas, the City shall require a compensatory habitat-based mitigation to reduce impacts. Compensatory mitigation must involve the preservation, restoration, or purchase of off-site mitigation credits for impacts to sensitive habitats. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (i.e., CDFW, ACOE, or SWRCB) on a project-by-project basis.</p> <p>Impacts to sensitive habitats, including but not limited to, vernal pools, streambeds, waterways, or riparian habitat, protected under Section 1600 of Fish and Wildlife Code and Sections 401 and 404 of the CWA, require regulatory permitting to reduce impacts. Acquisition of permits and implementation of the approved mitigation strategy would ensure impacts are fully mitigated and “no net loss” of wetland habitat would occur.</p>		<p>Project Applicant shall retain qualified biologist to perform biological survey(s) prior to ground disturbance activities.</p>	
Cultural and Tribal Resources				
Impact CTR-2: Archaeological Resources.	Mitigation Measure 3.5-1: The following measures would be implemented in the event of an unanticipated discovery of cultural resources:	Construction Contractor, Qualified	During construction	Construction Contractor, Qualified

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
<p>Impact CTR-4: Tribal Cultural Resources.¹</p>	<p>a. If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgement. A Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, shall be required if the nature of the unanticipated discovery is prehistoric.</p> <p>Work cannot continue within the no-work radius until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either: 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR.</p> <p>b. If a potentially eligible resource is encountered, then the archaeologist and lead agency shall arrange for either: 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility.</p> <p>If found to be eligible for either the NRHP or CRHR, then significant impacts would be resolved/mitigated through data recovery excavations to the extent of obtaining enough information to address applicable research questions.</p> <p>If data recovery is necessary, a data recovery plan will be prepared, reviewed by the lead agency, and implemented. Determinations of</p>	<p>Archaeologist Monitor</p>	<p>Contractor or assigned Monitor shall be responsible for reporting compliance to the City of Del Rey Oaks and County Coroner</p>	<p>Archaeologist Monitor, City of Del Rey Oaks</p>

¹ see also Mitigation Measure 3.5-3

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>eligibility and completion of data recovery (if necessary) shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.</p> <p>Mitigation Measure 3.5-2: Worker Awareness Training will be developed and conducted prior to any construction operations for development within the portion of the project area within former Fort Ord. The training program will inform crew members of the potential for archaeological finds and the protocols to be followed in the event of the discovery of archaeological materials. The program will be presented by a Professional Archaeologist and include an ALERT Sheet with visual aids with a focus on archaeological objects and other cultural materials that could be present within the project area. The training will also provide protocols in the event of an unexpected discovery and points of contact in the event of an unexpected find including Native American burials. The training will include a briefing to supervisory construction personnel and “tailgate” training to field personnel.</p>			
<p>Impact CTR-3: Disturbance of Human Remains</p>	<p>Mitigation Measure 3.5-3: In the event that evidence of human remains is discovered, construction activities within 100 meters of the discovery shall be halted or diverted and the requirements of Mitigation Measure 3.5-1 will be implemented. In addition, the County Coroner shall be notified in accordance with provisions of PRC Sections 5097.98-99. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four hours of the determination, as required by California Health and Safety Code Section 7050.5(c) and PRC 5097. The NAHC shall identify the person or persons it believes to be most likely descended (MLD) from the deceased Native American (PRC Section</p>	<p>Construction Contractor, Qualified Archaeologist Monitor</p>	<p>During construction, Contractor or assigned Monitor shall be responsible for reporting compliance to the City of Del Rey Oaks and County</p>	<p>Construction Contractor, Qualified Archaeologist Monitor, City of Del Rey Oaks</p>

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>5097.98). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641).</p>		Coroner and NAHC?	
Geology and Soils				
<p>Impact GEO-1: Seismic Hazards</p>	<p>Mitigation Measure 3.7-1: To minimize the potential effects from strong seismic ground shaking on project components, a geotechnical engineer report shall be prepared for the site specific area of future construction of housing. At a minimum, all recommendations from the project’s Preliminary Geotechnical Design Report prepared by LFR Inc. (November 2007) shall be incorporated by the project proponent into final design plans for future construction, subject to review of the City Engineer prior to construction activities.</p> <p>Mitigation Measure 3.7-2: In order to minimize strong seismic shaking on project components, the project proponent shall incorporate the recommendations of the Preliminary Geotechnical Design Report prepared by LFR Inc. (November 2007) into project design. In addition, the project engineer shall ensure all structures will be designed to the most current standards of the California Building Code, at a minimum. Adherence into final design plans shall be reviewed by the City Engineer prior to future construction activities.</p>	<p>City Engineer, Project Applicant, Construction Contractor</p>	<p>Prior to approval of final design plans</p>	<p>City Engineer, Project Applicant, Construction Contractor</p>

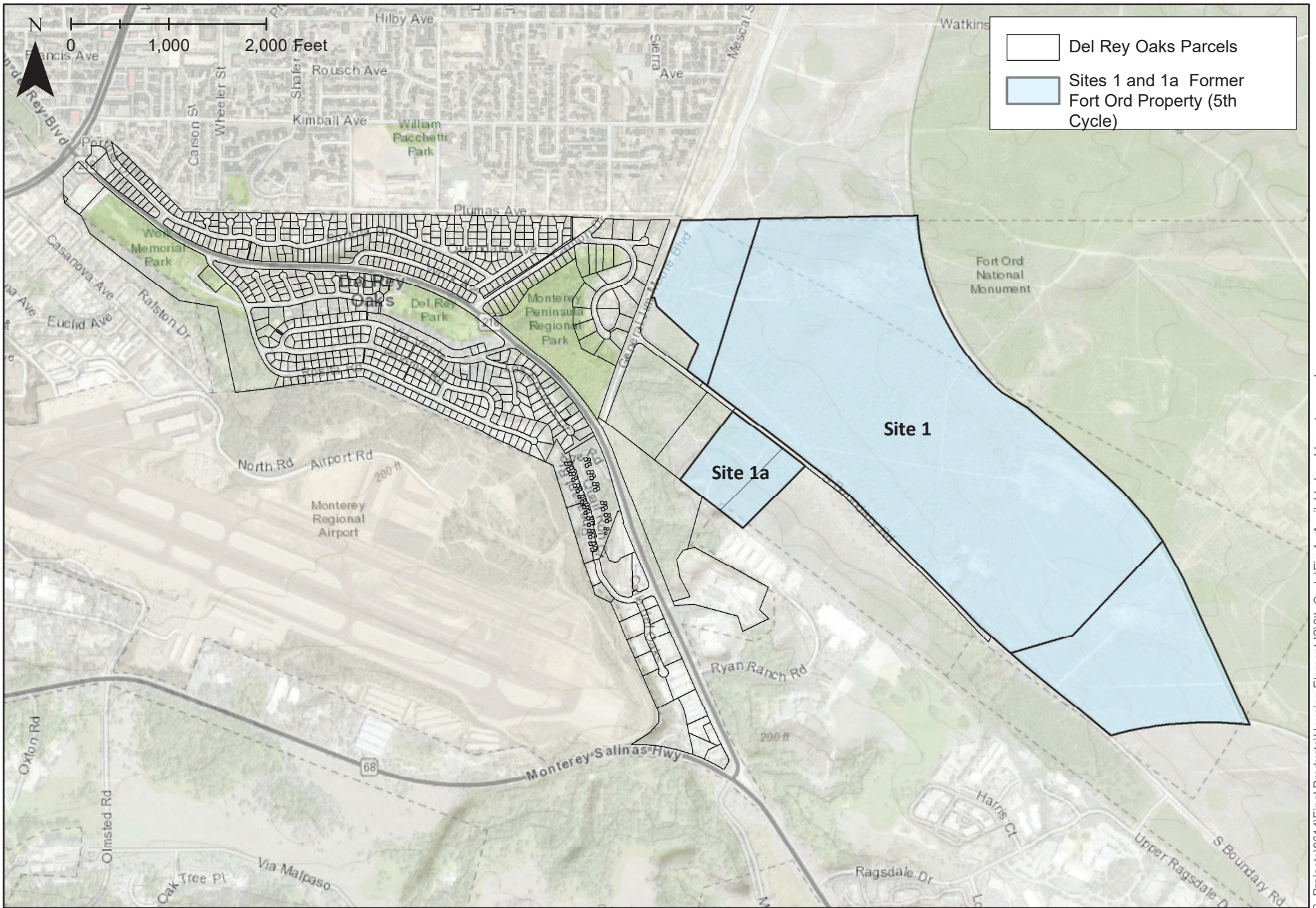
Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>Mitigation Measure 3.7-3: Future development projects shall be required to prepare geologic/geotechnical investigations by a registered geologist/geotechnical engineer to provide recommendations and requirements for site preparation and grading, excavations, utility trench excavation and backfill, site drainage, building foundations, pavements, and concrete slabs-on-grade. All recommendations from the site-specific report shall be incorporated by the project proponent into final design plans for future construction, subject to review of the City Engineer prior to construction activities.</p>			
<p>Impact GEO-2: Soil Erosion.</p>	<p>Mitigation Measure 3.7-4: In order to reduce wind and water erosion, an erosion control plan and/or Storm Water Pollution Prevention Plan shall be prepared for the site preparation, construction, and post-construction periods by the project proponent. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The following measures shall be implemented, where appropriate, to control erosion:</p> <ol style="list-style-type: none"> 1) keep construction machinery off of established vegetation as much as possible, especially the vegetation on the upwind side of the construction site; 2) establish specific access routes at the planning phase of the project, and limits of grading prior to development, which should be strictly observed; 3) utilize mechanical measures (i.e. walls from sand bags and/or wooden slat or fabric fences) to reduce sand movement; 4) immediate revegetation (plus the use of temporary stabilizing sprays), to keep sand movement to a minimum; and 5) for larger-scale construction, fabric or wooden slat fences should be placed around the construction location to reduce sand movement. 	<p>City Engineer, Project Applicant, Construction Contractor, Landscape Architect</p>	<p>Prior to approval of final design plans</p>	<p>City Engineer, Project Applicant, Construction Contractor</p>

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>The erosion control plan and Storm Water Pollution Prevention Plan shall be incorporated into final design plans by the project proponent and submitted to the City Engineer for approval prior to approval of final design plans.</p> <p>Mitigation Measure 3.7-5: Areas disturbed by grading shall be stabilized with adequate landscaping vegetative cover. A re-vegetation and landscaping plan shall be prepared by a landscape architect with experience in working with the type of soils that are characteristic of the site. The project proponent shall be responsible for retaining a landscape professional and for incorporating the landscaping plan into final design plans.</p> <p>Mitigation Measure 3.7-6: All drainage from improved surfaces shall be captured by closed pipe or lined ditches and carried to neighborhood storm sewers or natural drainages. At no time shall any concentrated discharge be allowed to spill directly onto the ground adjacent to structures or to fall directly onto steep slopes.</p>			
Impact GEO-4: Expansive Soil.	<p>Mitigation Measure 3.7-7: In order to minimize potential safety risks associated with seismic hazards and on-site soils, a design-level geotechnical analysis by a registered engineer shall be prepared prior to the issuance of any grading and/or building permit. The design-level analysis shall address site preparation measures and foundation design requirements appropriate for on-site soils. The design-level analysis shall be approved by the City of Del Rey Oaks Engineer and Consulting Building Inspector prior to the issuance of any grading and/or building permit. Final design-level project plans shall be designed in accordance with the approved geotechnical analysis.</p>	City Engineer, Building Inspector, Project Applicant	Prior to issuance of any grading and/or building permit	City Engineer, Project Applicant, Construction Contractor

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
Hazards and Hazardous Materials				
<p>Impact HAZ-1: Routine Transport, Use, or Disposal of Hazardous Materials.</p> <p>Impact HAZ-4: Hazardous Materials Site.</p>	<p>Mitigation Measure 3.9-1: Prior to approval of residential development plans on the project area, environmental agencies, including the Army, and the state lead regulatory agency, DTSC, shall confirm that the clearances to be conducted and those conducted to date together with approved remedial actions, as required, will be sufficient to allow the Former Fort Ord site to be developed for residential reuse.</p> <p>Residential use for the specified areas identified herein will be prohibited until the landowner provides advance notification to the Army, EPA, and DTSC of its intent to change a designated area’s use to residential, and until DTSC concurs that residential use is appropriate. DTSC’s evaluation may consider the Residential Protocol or further site evaluation incorporating new information (e.g., geophysical mapping, site development).</p>	<p>Environmental agencies (including Army, EPA and DTSC), City of Del Rey Oaks</p>	<p>Prior to approval of final plans</p>	<p>Environmental agencies (including Army, EPA and DTSC)</p>
Hydrology and Water Quality				
<p>Impact HYD-1: Surface Water Quality Standards and Waste Discharge Requirements, Alteration of Stormwater Drainage Pattern, and Conflicting or Obstructing with Plans.</p>	<p>Mitigation Measure 3.10-1: Prior to construction, further analysis shall be completed to confirm that proposed drainage facilities such as storm drains, pipes and future engineered drainage basins to retain or detain waters, (such as retention basins/detention basins) have the capacity to contain runoff from a 100-year storm event, subject to the review and approval of the City Consulting Engineer.</p>	<p>Project Applicant, City Engineer</p>	<p>Prior to issuance of a grading permit</p>	<p>City Engineer</p>

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
Transportation				
Impact TR-2: Vehicle Miles Travelled.	Mitigation Measure 3.16-1: Future development projects shall maintain bicycle, pedestrian, and public transit access during construction and provide bicycle storage facilities at all residential developments. All future development would be subject to and implement City guidelines and General Plan policies applicable to transit, bicycle, and pedestrian facilities. Specifically, any modifications or new transit, bicycle, and pedestrian facilities would be subject to and designed in accordance with all applicable General Plan policies.	Project Applicant	Prior to approval of final project plans.	City of Del Rey Oaks, Project Applicant

Appendix F-2
Additional Mapping EIR



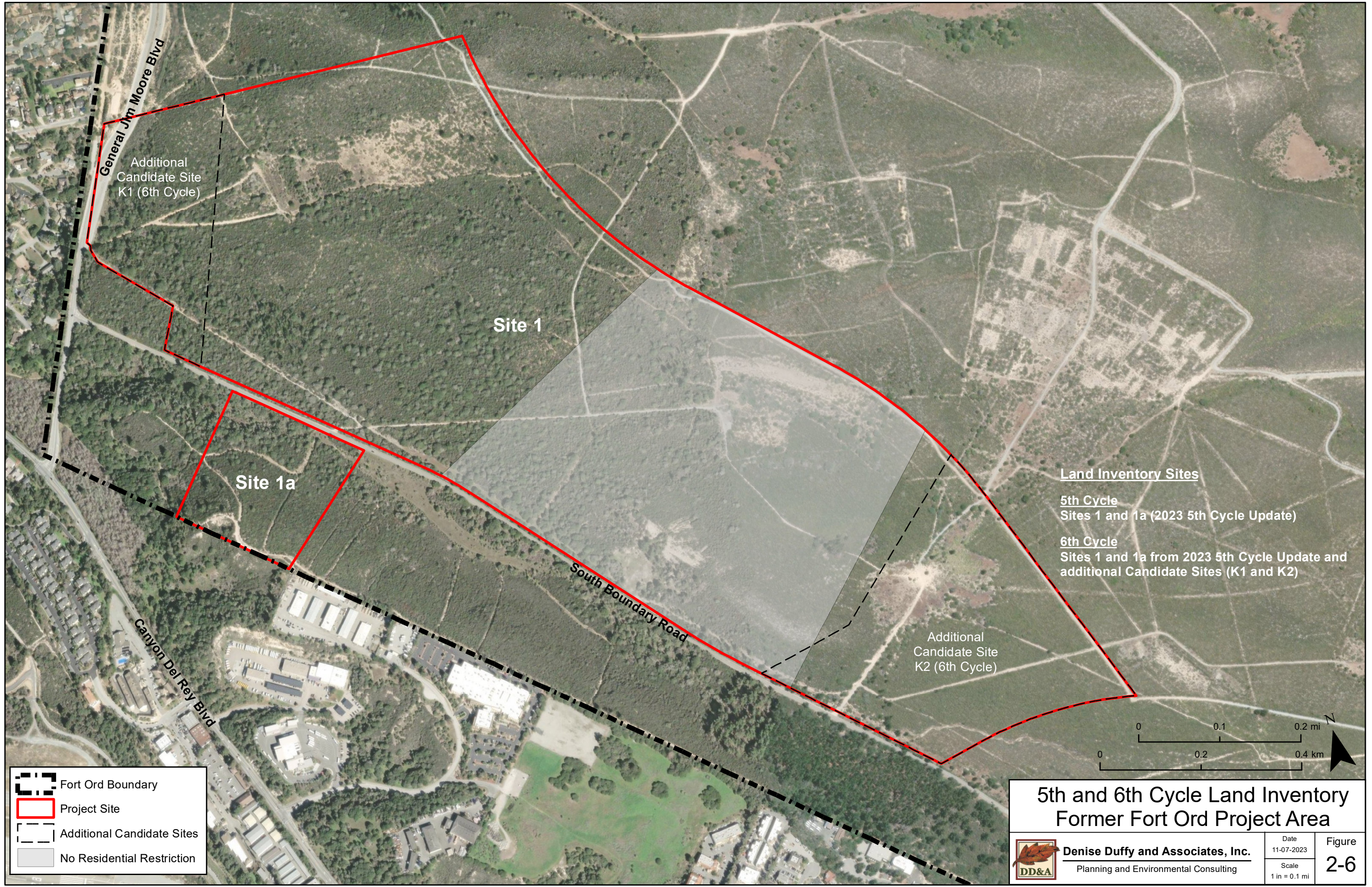
Updated Available Land Inventory, 5th Cycle Update 2023
 City of Del Rey Oaks

Date
 3/16/2023
 Scale
 1 in = 1,000 ft



Denise Duffy & Associates, Inc.
 Planning and Environmental Consulting

Figure
 2-5



	Fort Ord Boundary
	Project Site
	Additional Candidate Sites
	No Residential Restriction

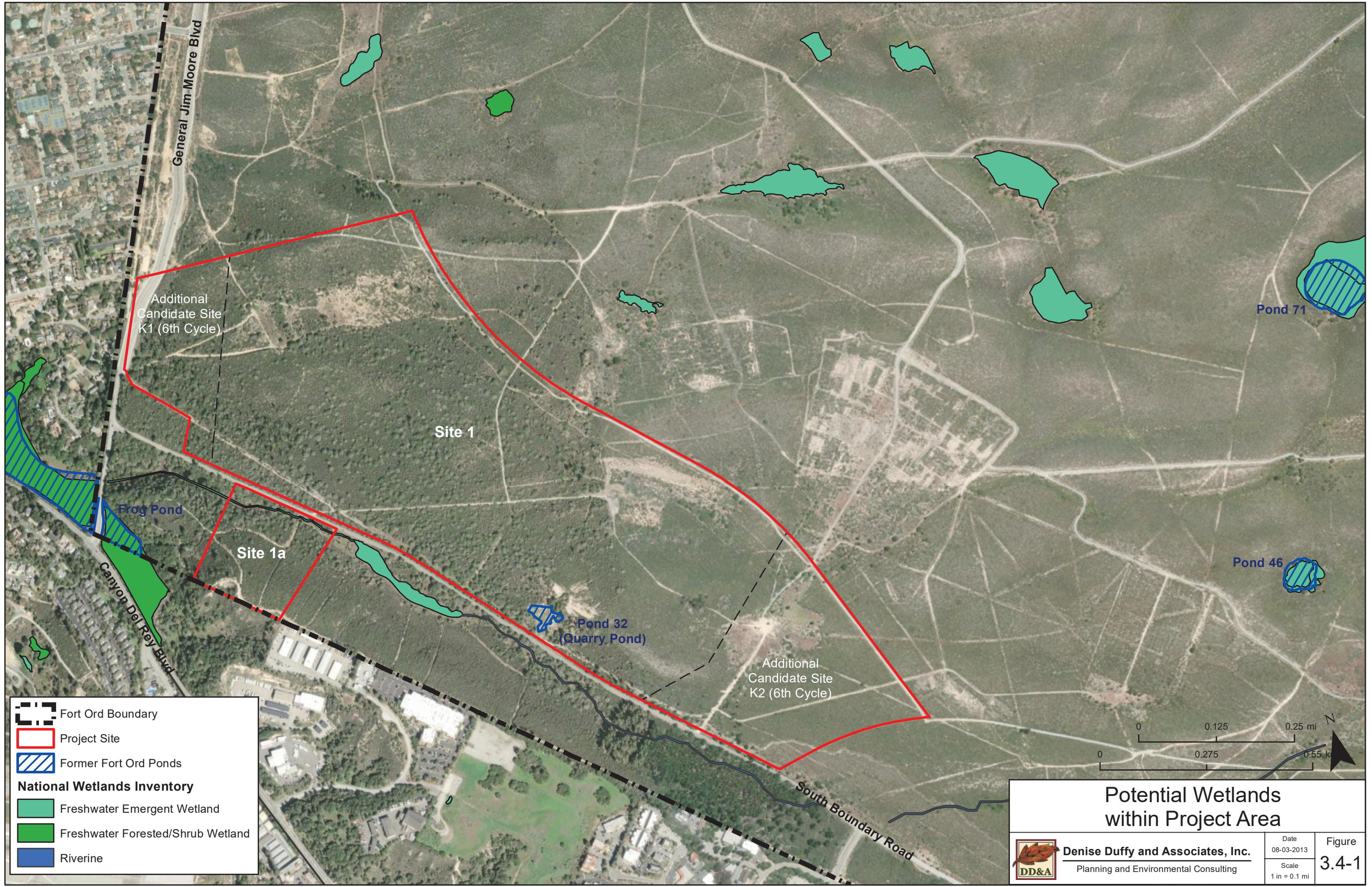
Land Inventory Sites

5th Cycle
Sites 1 and 1a (2023 5th Cycle Update)

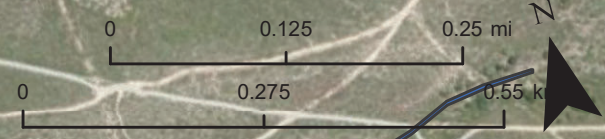
6th Cycle
Sites 1 and 1a from 2023 5th Cycle Update and additional Candidate Sites (K1 and K2)



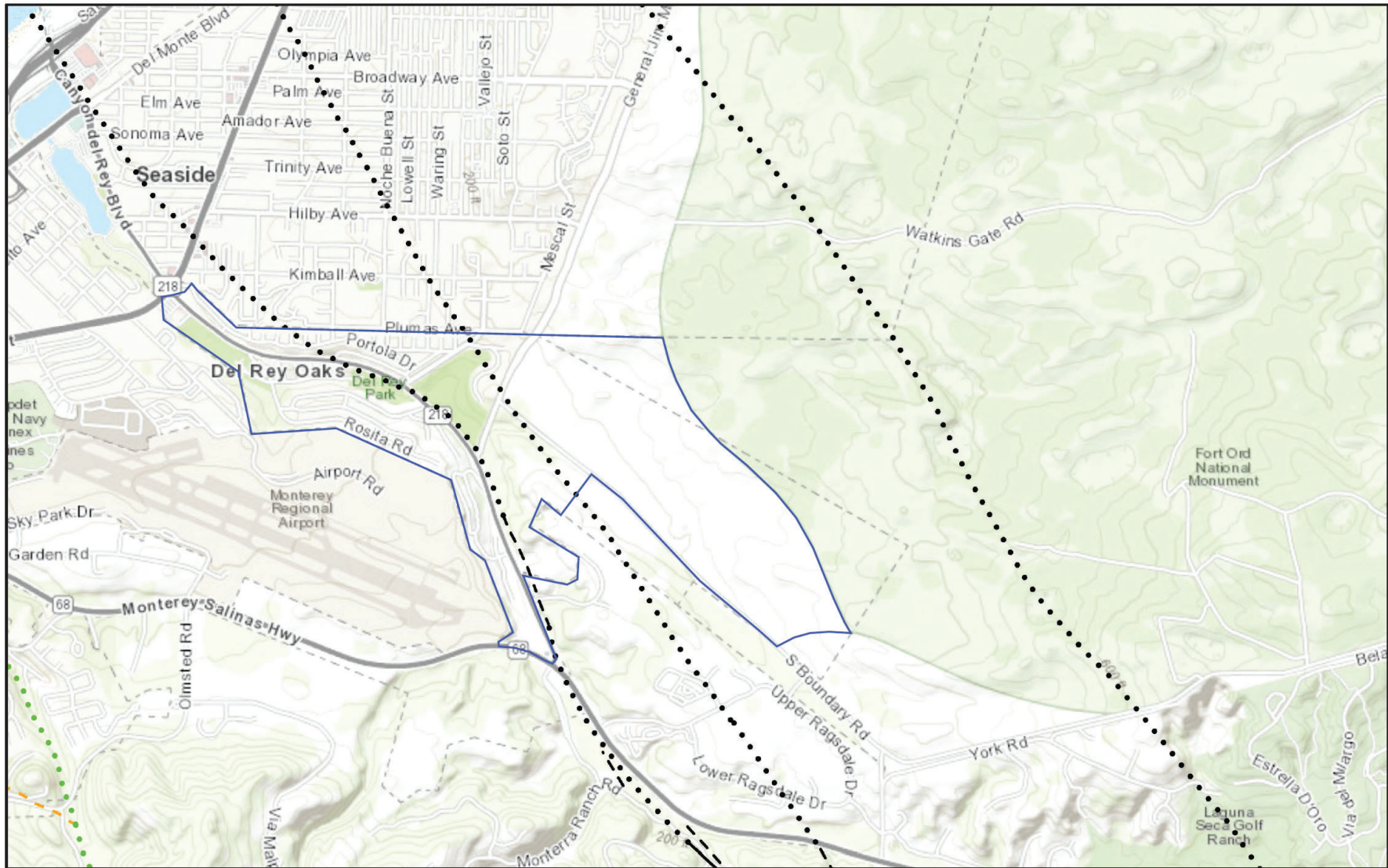
5th and 6th Cycle Land Inventory Former Fort Ord Project Area		
Denise Duffy and Associates, Inc. Planning and Environmental Consulting	Date 11-07-2023	Figure 2-6
	Scale 1 in = 0.1 mi	



	Fort Ord Boundary
	Project Site
	Former Fort Ord Ponds
National Wetlands Inventory	
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Riverine

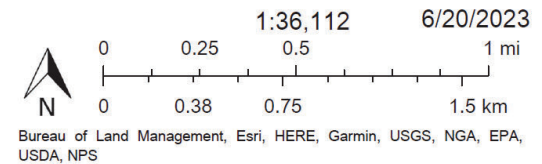


Potential Wetlands within Project Area		
Denise Duffy and Associates, Inc. Planning and Environmental Consulting	Date 08-03-2013	Figure 3.4-1
	Scale 1 in = 0.1 mi	



- Historic (< 150 years), well constrained location
- - - Historic (< 150 years), moderately constrained location
- Undifferentiated Quaternary (< 1.6 million years), well constrained location
- - - Undifferentiated Quaternary (< 1.6 million years), moderately constrained location
- Undifferentiated Quaternary (< 1.6 million years), well constrained location

- Fault Areas
 - late Quaternary
 - Class B
 - historic
 - middle and late Quaternary
- City of Del Rey Oaks



USGS
USGS | Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA |

U.S. Geological Survey Quaternary Faults

Source: USGS

Date
6/20/2023

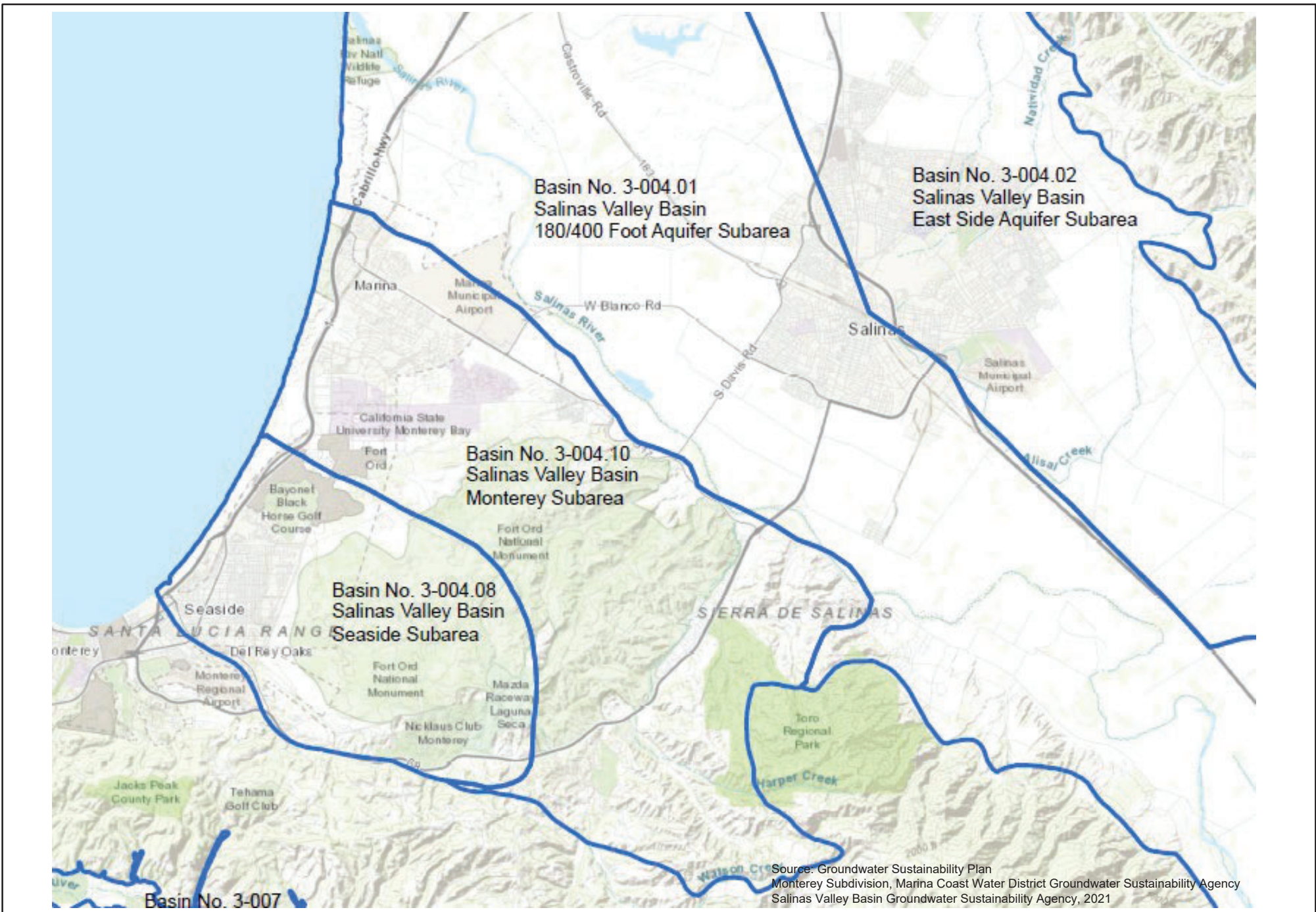
Scale
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Figure

3.7-1



Groundwater Basins

Date
8/1/2023

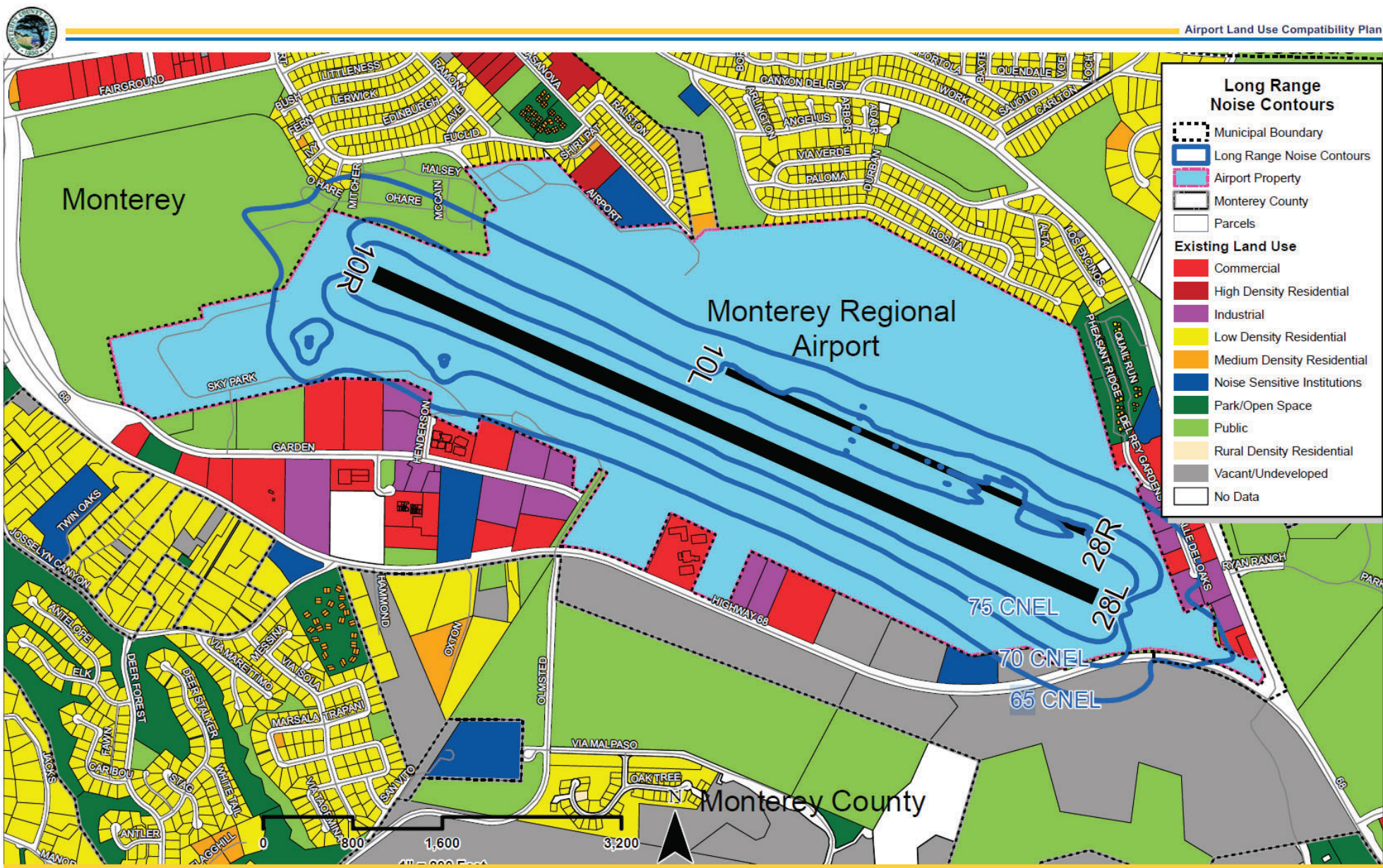
Scale
N/A



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Figure

3.10-1



Monterey Regional Airport Long Range Noise Contours

Source: Monterey County Airport Land Use Commission

Date
7/28/2023

Scale
N/A



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Figure
3.13-1

Appendix F-3

EIR Alternatives

CHAPTER 5 ALTERNATIVES

5.1 INTRODUCTION

This chapter identifies feasible alternatives to the proposed project that may attain some of the project objectives. This chapter also discusses whether these alternatives could avoid or lessen significant environmental impacts identified in this document. In addition, the No Project Alternative is discussed. This chapter also identifies the environmentally superior alternative.

5.2 BACKGROUND

According to CEQA, an EIR must describe a reasonable range of alternatives to a proposed project that could feasibly attain most of the basic project objectives and would avoid or substantially lessen any of the proposed project’s significant effects. Additionally, a “No Project” alternative must be analyzed. An EIR must evaluate the comparative merits of the alternatives compared to the proposed project and identify an environmentally superior alternative.

The range of alternatives in an EIR is governed by a “rule of reason” that requires an EIR to set forth only those alternatives necessary to permit a reasonable choice. An EIR need not consider every conceivable alternative to a project. Rather, the alternatives must be limited to ones that meet the project objectives, are feasible, and would avoid or substantially lessen at least one of the significant environmental effects of the project. To be considered “feasible”, a proposed alternative must be capable of being accomplished in a successful manner within a reasonable period of time, while taking into account economic, environmental, legal, social and technological factors.

An EIR must briefly describe the rationale for selection and rejection of alternatives and the information the Lead Agency relied on when making the selection. It also should identify any alternatives considered, but rejected as infeasible by the lead agency during the scoping process and briefly explain the reasons for the exclusion. Alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects.

5.3 PROJECT OBJECTIVES

As discussed in **Chapter 2, Project Description**, the Housing Element contains goals and policies to meet RHNA and State Law. The goals for the City’s adopted Housing Element Update are identified below:

- Goal A: The City Will Provide Adequate Sites to Build New Housing Units for All Income Levels and to Meet the City’s Fair Share of Housing Needs;
- Goal B: The City Will Encourage the Provision of a Wide Range of Housing by Location, Type of Unit, and Price to Meet the Existing and Future Housing Needs in the City;
- Goal C: The City Will Work to Remove Governmental and Non-Governmental Constraints to Housing Development;
- Goal D: The City Will Promote Equal Housing Opportunities for All Persons; and,
- Goal E: The City Will Continue to Conserve and Improve the Condition of the Existing Housing Stock to Ensure the Safety, Welfare, and Affordability of Residents.

Per the Housing Element Update for both 5th and 6th Cycle, as identified in **Chapter 2, Project Description**, the following objectives for the Housing Element Update are identified below:

- Maintain and improve a range of housing opportunities to address the existing and projected needs of the community;
- Maintain and improve existing neighborhoods and housing;
- Promote the development of housing to meet the needs of all segments of the population; and
- Continue to ensure that all segments of the community have access to safe and decent housing that meets their special needs.

The City has also identified the following objectives of the proposed project:

- Adopt 5th Cycle Housing Element and complete rezoning actions necessary for an HCD compliant Housing Element by December 15, 2023.
- Meet the State required Regional Housing Needs Assessment (RHNA) allocation for the 5th Cycle and 6th Cycle Housing Element Updates by identifying housing sites with a collective capacity to meet the City's combined 5th and 6th Cycle RHNA.

5.4 PROJECT ALTERNATIVES CONSIDERED BUT REJECTED

An EIR must briefly describe the rationale for selection and rejection of alternatives. The Lead Agency may make an initial determination as to which alternatives are potentially feasible and, therefore, merit in-depth consideration, and which are clearly infeasible. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (CEQA Guidelines, Section 15126.6(f)(3)). This section identifies alternatives considered by the Lead Agency, but rejected as infeasible, and provides a brief explanation of the reasons for their exclusion. As noted above, alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects (CEQA Guidelines, Section 15126.6(c)).

CEQA Guidelines Section 15126.6(f)(2) also require examination of an alternative location for a project if such locations would result in the avoidance of or lessening of significant impacts.

5.4.1 Alternatives Eliminated from Further Consideration

The City evaluated various potential locations for affordable housing to meet RHNA unit requirements during the process of adopting the 2019 Housing Element Update. HCD reviewed the December 2019 adopted Housing Element Update and directed the City to the former Fort Ord area as the most suitable site for future development required to meet the City's RHNA goals for the 5th Cycle. HCD's review letter on the 2019 Housing Element specified former Fort Ord Sites 1 and 1a as appropriate for meeting RHNA. During the 2023 5th Cycle Housing Element Update, the City addressed suitability of sites for 5th Cycle. The City determined Sites 2 and 3 were not available for affordable housing due to environmental constraints, limited area for development, land use and deed restrictions, water availability within the planning period and access issues that would require large investments to address. Development on Site 2 is constrained by available road access, steep terrain, and natural resources including wetlands and oak tree canopy. Environmental constraints for Site 3 include wetlands in major portions of the property and restrictions due to the proximity of creek and riparian corridor. Site 3 is also deed-restricted and may not be available for

residential development. Additionally, water is not currently available under the City’s allocation from the MPWMD areas within the CalAm service for Sites 2 and 3. ¹

Although the City is promoting the use of ADU’s within the Draft 6th Cycle Housing Element Update, during the 5th Cycle, HCD determined that the City did not have the required history of ADU development to support using ADU’s for achieving RHNA in the 5th Cycle.

Therefore, water, infrastructure, environmental, regulatory and land use restrictions restrict use of the properties within the majority of the City (i.e. all properties within MPWMD boundaries). Thus, Sites 2 and 3 and the location of ADU’s under Site 4 on **Figure 5-1**, these alternatives were rejected as alternative locations capable of meeting the objectives of the proposed project during the 5th Cycle review. Sites 2 and 3 would also increase the impacts related to development on wetlands and have a greater impact to biological resources. Thus, under CEQA Guidelines Section 15126.6(f)(2) these alternatives for the proposed project would not result in the avoidance of or lessening of significant impacts.

5.5 CEQA ALTERNATIVES CONSIDERED

The following provides an overview of project alternatives, description and analysis of CEQA project alternatives, and discussion of environmentally superior alternative.

Included in this analysis are three alternatives, including the CEQA-required “no project” alternative. Alternatives have been developed to provide a reasonable range of feasible options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project.

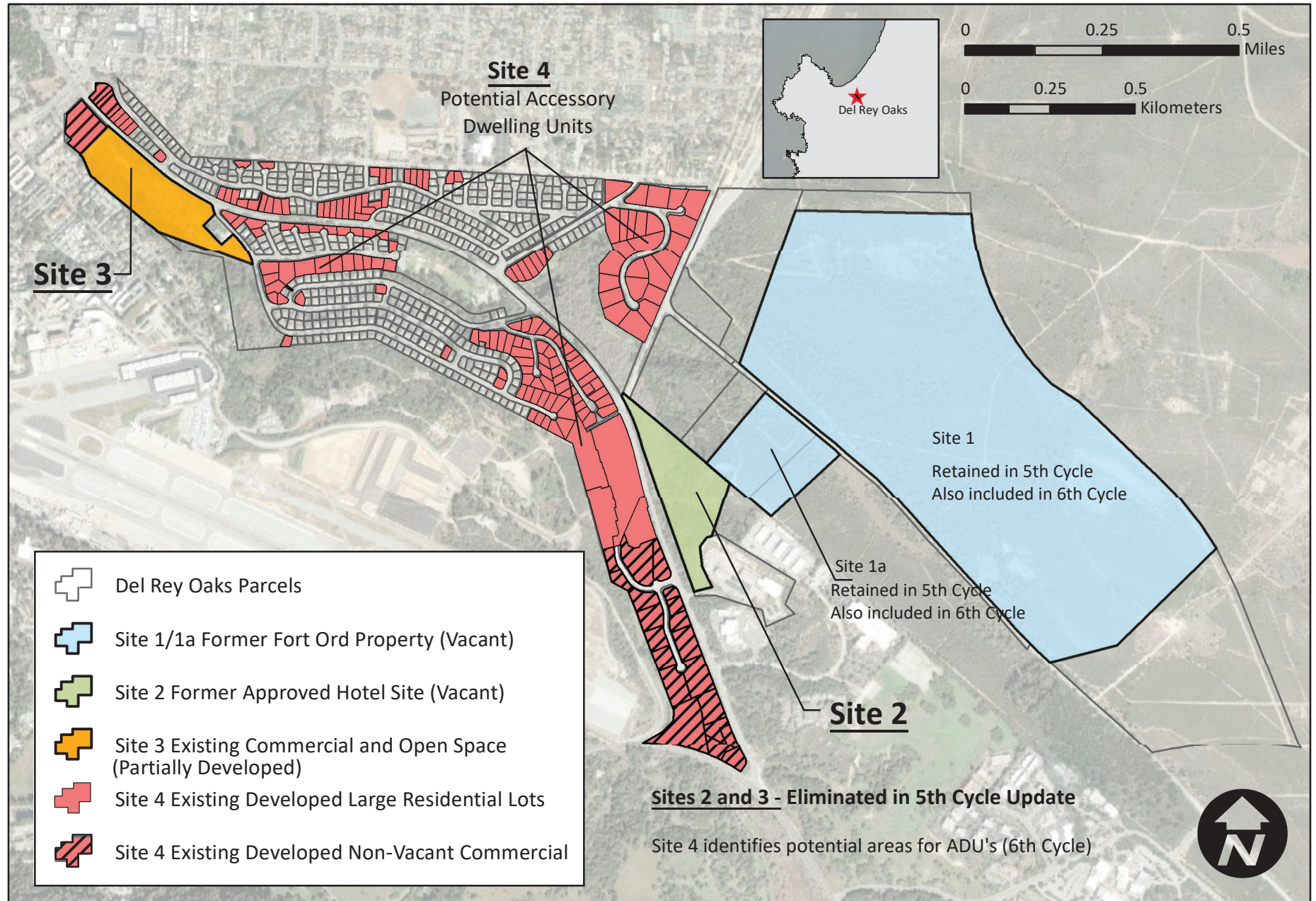
The following alternatives are evaluated in this EIR:

- Alternative 1a: No Project - No Action²
- Alternative 1b: No Project - No Rezoning
- Alternative 2: No Development in Former Fort Ord
- Alternative 3: Combined Sites in Former Fort Ord and in City to Meet RHNA

Table 5-1 provides an overview of summary of impacts for the proposed project and each of the alternatives. The following provides a summary project description of the alternatives and an analysis of their potential environmental impacts.

¹ The MPWMD has a stringent allocation program that prohibits the addition of new unit fixtures or new units without an available City allocation for such expansion of uses or fixtures. The City does not have any remaining water allocation for the development and construction of residential units or accessory units within the City, other than the former Fort Ord area (Sites 1 and 1a), which is outside of MPWMD’s jurisdiction. The entire City, outside of former Fort Ord, is under a moratorium on new water connections until additional water allocation from MPWMD is available to the City.

² The No Project/“No Action” alternative is not evaluated for each impact area as no action would take place, and no impacts of future development in the City to provide affordable housing would occur. All impacts related to indirect impacts of future development would be reduced in comparison to the proposed project. This alternative also would not meet any of the objectives for the proposed project.



**Site Alternatives Eliminated from Consideration
5th Cycle Housing Element Update, March 2023**

Figure
5-1

Boundaries are approximate and for illustrative purposes only.

Table 5-1. Impact Comparison of Alternatives

Area of Impact	Impact under Proposed Project	Alternative 1b ³ : No Project (No Rezoning)	Alternative 2: No Rezoning in Former Fort Ord	Alternative 3: Areas in Former Fort Ord and Within City (Combined)
Aesthetics	Less than significant	=	=/+	=/+
Agricultural Resources	No Impact	=	=	=
Air Quality	Less than significant with mitigation incorporated	=	=	=
Biological Resources	Less than significant with mitigation incorporated	=	=/-	=/+
Cultural and Tribal Resources	Less than significant with mitigation incorporated	=	=	=
Energy	Less than significant	=	=	=
Geology and Soils	Less than significant with mitigation incorporated	=	+	=
Greenhouse Gas Emissions	Less than significant	=	=	=
Hazards and Hazardous Materials	Less than significant with mitigation incorporated	=/-	-	=
Hydrology and Water Quality	Less than significant with mitigation incorporated	=	=	=
Land Use and Planning	Less than significant	+	=/+	=
Mineral Resources	No Impact	=	=	=
Noise	Less than significant	=	+	=
Population and Housing	Less than significant	+	=/+	=
Public Services and Recreation	Less than significant	=	=	=
Transportation	Less than significant with mitigation incorporated	=	=	=
Utilities and Service Systems	Less than significant	=	=	=
Wildfire	Less than significant	=	-	=/-
Able to Meet Project Objectives?		No	Partially	Partially
- Reduced level of impact in comparison to the proposed project (less impact) + Increased level of impact in comparison to the proposed project (greater impact) = Similar level of impact in comparison to the proposed project (similar)				

5.5.1 Alternative 1a: No Project - No Action

An EIR is required to evaluate and analyze the impacts of a No Project to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.

Under the “No Project - No Action Alternative” the properties proposed to be rezoned to accommodate RHNA as described in the EIR would remain in their current state (vacant and undeveloped). Under this

³ Under the No Project/No Action alternative (Alternative 1a), no action would occur on the proposed project. This assumes a no-build approach where all City lands would remain in existing condition, including former Fort Ord lands that would remain vacant. Impacts would be reduced in comparison to the proposed project and other alternatives.

alternative, there would be no approval of a Housing Element Update, no rezoning and no future development of any kind on the site. All potential impacts as outlined in **Table 5-1** would not occur. Under the No Project - No Action Alternative, there would be no action and City objectives to achieve RHNA would not be met. This No Project - No Action Alternative would also not meet the other objectives related to implementation of policies in the Housing Element to achieve affordable housing for all income levels.

The No Project Alternative analysis must discuss the existing conditions and what would be reasonably expected to occur in the foreseeable future if the project were not approved based on current plans and/or available infrastructure and community services (CEQA Guidelines, Section 15126.6(e)(2)). This approach is discussed under Alternative 1b, No Project - No Rezoning presented below.

5.5.2 Alternative 1b: No Project - No Rezoning

Description

The “No Project - No Rezoning” Alternative involves continued implementation of the existing 2015-2023 Housing Element adopted in 2019 as well as the City’s existing plans and policies that would accommodate development in accordance with the existing land use designations. This alternative assumes that the proposed project (implementation of the revised Program A.1 of the 5th Cycle Housing Element) would not occur and would not result in rezoning to facilitate development of affordable housing required under the 5th Cycle RHNA. Without the rezoning proposed for 5th Cycle, approximately 86 units of affordable housing in the former Fort Ord would not be built and the City would not adopt the Housing Element Update 2023.

This alternative also assumes that the City’s Housing Element for 6th Cycle RHNA, which is currently under HCD review, would not be implemented as required by State Law. Under the No Project - No Rezoning Alternative, the proposed project would not be implemented, and thus, no facilitation of future development of the 184 affordable housing units required under the 6th Cycle RHNA.

Sites 1 and 1a would continue to have designations for visitor-serving and commercial uses under the current General Plan as described in **Section 3.11, Land Use**. Under the existing designation, the sites could be developed in the future with a total of over 500,000 sq. ft. of commercial development, golf course development and over 520 visitor-serving (hotel type) units. As previously noted, under the Redevelopment Plan adopted for the former Fort Ord area, the City also assigned 200 residential units to the area. However, the implementation of this plan would require rezoning to allow residential uses. Thus, under the No Project - No Rezoning Alternative, the former Fort Ord properties would be assumed to be developed in the future under existing planned allowed uses. Properties within the City would retain their existing zoning. This alternative assumes Future residential development of these sites for affordable housing, including the former Fort Ord, would require rezoning.

Impacts

Alternative 1b, Aesthetics. The EIR identified a less than significant impact for aesthetics under the proposed project. Under Alternative 1b, development would occur under the existing designation in former Fort Ord. The development area would occur in the same areas proposed for future affordable housing development under the proposed project, however, without residential uses of affordable housing. Similar to the proposed project, development would be required to comply with the City’s development standards and requirements under the City’s General Plan that govern visual resources and aesthetic quality. However, an increased impact in comparison to the proposed project could occur depending on the setting, design, height, building mass and location of future development.

Alternative 1b, Agricultural Resources. The EIR identified no impacts related to agricultural resources, as none exist within the project area. This alternative would also have no impact on agricultural resources.

Alternative 1b, Air Quality - The EIR identified a less than significant impact with mitigation incorporated for air quality and exposure of sensitive receptors to particulate matter and TAC emissions were found to be less than significant with mitigation. This alternative would have similar overall air quality emissions under future development in accordance with existing plans compared to future development under the proposed project. Development under this alternative would occur in former Fort Ord area under existing planned uses, without residential use allowed. Similar to the proposed project, development under this alternative would be required to comply with the Air District's BMPs for emission reduction during construction and operation and the City's development standards and requirements that govern air quality, as well as other federal, state, and regional air quality standards.

Alternative 1b, Biological Resources. The EIR identified a less than significant impact with mitigation incorporated for biological resources under the proposed project. Development under this alternative would occur in former Fort Ord area under existing planned uses, without residential use allowed unless rezoned. In comparison to the proposed project and other alternatives with future housing in non-vacant land, this alternative would have greater impacts due to development on vacant land. The land use and zoning designations currently in place would continue and development would be subject to policies and standards that currently exist in the City. Similar to the proposed project, development would be required to comply with the City's development standards and requirements under the City's General Plan that govern biological resources, mitigation developed specific to the site and future plans, as well as other applicable federal and state regulations.

Alternative 1b, Cultural and Tribal Resources. The EIR identified a less than significant impact with mitigation incorporated for cultural and tribal resources under the proposed project. Under this Alternative, development could still take place, with associated grading and land disturbance. Potential impacts to tribal cultural resources would be subject to the same tribal consultation and regulatory requirements as the other alternatives. Impacts would therefore be similar to that of the other alternatives. Projects would be required to comply with the City's development standards and requirements under the City's General Plan that govern cultural and tribal resources, as well as other applicable federal and state regulations, which would reduce the potential for discovery of unknown cultural and tribal resources and impacts.

Alternative 1b, Energy. The EIR identified a less than significant impact for energy under the proposed project. Potential impacts related to energy under the proposed project and this alternative would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar. Development would be required to comply with the City's development standards and requirements for energy, as well as other applicable federal and state regulations.

Alternative 1b, Geology and Soils. The EIR identified a less than significant impact with mitigation incorporated for geology and soils under the proposed project. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, though these sites could still be developed with non-residential uses under the existing zoning. Construction and operational related geology and soils impacts from future development under this alternative would be expected to be similar to impacts for future residential development under the proposed project, and the impacts under each would therefore be similar.

Alternative 1b, Greenhouse Gas Emissions. The EIR identified a less than significant impact for greenhouse gas emissions. Potential impacts related to greenhouse gas emissions from non-residential development on the former Fort Ord under this alternative would be subject to the same standards and regulatory requirements identified for future residential development facilitated by the proposed project. The impacts under this alternative would therefore be similar to those identified for the proposed project.

Alternative 1b, Hazardous and Hazardous Materials. The EIR identified a less than significant impact with mitigation incorporated for hazards and hazardous materials under the proposed project. Since no rezoning would occur and this alternative would not include residential planning areas that have potential for exposure of future residents to undiscovered MEC, this alternative would have less potential for increased risk to residential population compared to the proposed project. However, potential impacts related to hazardous response, emergency response and evacuation under the proposed project would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar.

Alternative 1b, Hydrology and Water Quality. The EIR identified a less than significant impact with mitigation incorporated for hydrology and water quality under the proposed project. This alternative would still result in development but without future housing. Impacts related to hydrology and water quality would depend on plans, siting, drainage facilities and proposed development intensity. Potential impacts related to hydrology and water quality under the proposed project would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar.

Alternative 1b, Land Use and Planning. The EIR identified a less than significant impact for land use and planning under the proposed project. Future development under this alternative would occur in former Fort Ord area under existing planned uses, without residential use allowed unless rezoned. Similar to the proposed project, development would be required to comply with the City's development standards and requirements for land use and planning. The land use and zoning designations currently in place would continue and development would be subject to policies and standards that currently exist in the City. This alternative would not preclude additional development in the City under existing land use and zoning regulations. However, this alternative would not provide housing to fulfill the requirements of State law or to meet the City's RHNA requirements, which would be a significant and unavoidable impact, as compared to the less-than-significant impacts associated with the other alternatives.

Alternative 1b, Mineral Resources. The EIR identified no impacts related to mineral resources, as none exist within the project area. This alternative would also have no impact on mineral resources.

Alternative 1b, Noise. The EIR identified a less than significant impact for noise under the proposed project. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, though these sites could still be developed with non-residential uses under the existing zoning. Construction and operational related noise impacts from future development under this alternative would be expected to be similar to noise impacts for future residential development under the proposed project, and the impacts under each would therefore be similar.

Alternative 1b, Population and Housing. The EIR identified a less than significant impact for population and housing under the proposed project. As with development under the proposed project, development under this alternative would occur in former Fort Ord area under existing planned uses, with no residential use allowed unless rezoned. The Housing Element would not be adopted and the goals and policies within the City's existing Housing Element would remain unchanged. This alternative's resulting population growth would be less. The City would continue to develop consistent with the City's current General Plan and zoning but with reduced housing opportunities. The land use and zoning designations currently in place would continue under the land use decisions and development parameters that currently exist in the City. However, this alternative would not provide housing to fulfill the requirements of State law or to meet the City's RHNA requirements, which would have a significant impact, as compared to the proposed project and other alternatives.

Alternative 1b, Public Service and Recreation. The EIR identified a less than significant impact for public services and recreation under the proposed project. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, though these sites could still be developed with non-residential uses under the existing zoning. Police and fire protection would be required for future

development under this alternative and impacts to these services would be expected to be similar to those under the proposed project. However, demand for libraries, schools, and recreational facilities would be less under this alternative than under the proposed project, as this alternative would not facilitate new residential uses whose occupants would place an increased demand on these services. Overall, impacts compared to the proposed project would be similar.

Alternative 1b, Transportation. The EIR identified a less than significant impact with mitigation incorporated for transportation under the proposed project. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, though the former Fort Ord area could still be developed with non-residential uses under the existing zoning as described above. The addition of residential uses to the commercial and visitor serving development allowed under the existing zoning would potentially decrease employee-based trips. This alternative would have reduced impacts related to VMT and similar impacts related to safety to the proposed project.

Alternative 1b, Utilities and Service Systems. The EIR identified a less than significant impact with mitigation incorporated for utilities and service systems. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, though these sites could still be developed with non-residential uses under the existing zoning. Non-residential development on these sites under this alternative would also require the extension of utilities and service systems, similar to the impacts to utilities and service systems for future residential development under the proposed project, and the impacts under each would therefore be similar⁴.

Alternative 1b, Wildfire. The EIR identified a less than significant impact with mitigation under the proposed project. This alternative would not include residential planning areas that are in Very High Fire Severity Zones, and would therefore have less impact related to the potential for increased risk compared to the proposed project. Potential impacts related to emergency response and evacuation under the proposed project and each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar. A portion of the project area within former Fort Ord is designated as a VSHSZ in a local responsibility area. Under this alternative, the impact would be reduced for wildfire as there are no residential areas and housing with no rezoning. Thus, no housing could be located in a VSHSZ. Similar to the proposed project, development would be required to comply with the City's development standards and requirements for wildfire, as well as other applicable federal and state regulations.

Ability to Meet Project Objectives -Alternative 1b

As stated in **Chapter 2, Project Description**, the City has determined, based on the site inventory analysis and HCD review letters on the 5th Cycle Housing Element, that rezoning is needed to meet the RHNA. Under this alternative, there would be no rezoning and objectives to achieve 5th Cycle and 6th Cycle RHNA requirements would not be met. The No Project - No Rezoning Alternative would also not meet the other objectives of the proposed project, including implementation of policies in the Housing Element to achieve affordable housing for all income levels. The general plan amendment adopting the Housing Element Update 2023 would not be achieved and no residential development designation would be placed on Sites 1 and 1a in the former Fort Ord area.

⁴ Additionally, water use would be limited to the allocation available to the City as discussed in the IS/ND adopted for the 2019 Housing Element under all alternatives. Adopted urban water management plans and environmental documents including EIRs approved by the City, FORA, and MCWD considered this area of the former Fort Ord as proposed future development, with a previous Water Supply Assessment approved for a large residential and commercial development on these sites.

5.5.3 Alternative 2: No Rezoning in Former Fort Ord

Description

The “No Rezoning in Former Fort Ord” Alternative focuses development of affordable housing to meet RHNA in developed areas of the City, and outside of the former Fort Ord area. One potential candidate site in the 6th Cycle Housing Element is the Monterey Peninsula Unified School District (MPUSD) site east of Highway 218/Canyon Del Rey Boulevard. The site is approximately 10 acres of land currently used by MPUSD as a vehicle storage, office and bus facility, parking and board meeting room by MPUSD. The parcel is bordered by vacant land and a City of Monterey vehicle maintenance facility to the north, Highway 218/Canyon Del Rey Boulevard to the west, undeveloped land to the east, and Monterey-Salinas Transit (MST) office to the south. All utilities exist onsite. The site is accessed via Del Rey Gardens Drive directly off Highway 218/Canyon Del Rey Boulevard. A portion of this site (approximately 2.5 acres) is within the Airport Influence Area (AIA) for the Monterey Peninsula Airport. The AIA designation is outside the ALUC airport safety zones restricting certain densities of residential use. The remainder of the site is within the Inner Turning Zone (ITZ) Airport Safety Zones per Exhibit 4C of the Monterey Regional Airport Land Use Compatibility Plan (Refer to **Appendix B-3** for mapping detailing the ALUC zones on this site). Restrictions on water use on this site would need to be lifted within the current 5th Cycle and 6th Cycle 2023-2031 planning period to allow future residential uses, or water would otherwise need to be made available through reduction of existing uses on site. Rezoning to allow residential uses would likely be required, however, as a non-vacant site owned by a school district, opportunities may be available for expediting permitting for affordable housing for MPUSD employees. Under this alternative, higher residential density would need to be achieved, due to limited size of the parcels.

Figure 5-1 identifies other potential areas for residential development in the area of Calle Del Oaks, accessed via Del Rey Gardens Drive on the west side of Highway 218/Canyon Del Rey Boulevard. Properties in this area include offices, storage facilities and parking. This area also includes meeting rooms, buildings, parking and recreational facilities associated with the Moose Lodge. Although there has been no interest shown by the property owners, this area is outside the restricted safety zones of the Airport and a portion of this area is designated for residential land uses within this site (See **Figure 2-4, Land Use Designation Map**). Under this alternative, higher residential density would need to be achieved, due to limited size of the properties.

This alternative assumes that the proposed project (implementation of the revised Program A.1 of the 5th Cycle Housing Element) would not occur and thus, there would be no rezoning of Sites 1 and 1a in the former Fort Ord area to facilitate development of affordable housing required under the 5th Cycle RHNA. Under this alternative, sites within the existing City on either side of Canyon Del Rey Boulevard described above would accommodate affordable housing. This alternative also assumes that there would be no rezoning in former Fort Ord under the City’s Housing Element for 6th Cycle RHNA. The 6th Cycle Housing Element currently under HCD review, includes Sites 1 and 1a and additional candidate sites (K1 and K2) located in the former Fort Ord, as shown on **Figure 2-6**. Under this alternative, the existing land use designations and zoning applicable to former Fort Ord would be unchanged, with the potential for development without residential use, as discussed in Alternative 1b, above.

Impacts

Alternative 2, Aesthetics - The EIR identified a less than significant impact for aesthetics under the proposed project. Under Alternative 2, the impact would be similar or slightly decreased depending on the location and density of development. This alternative would concentrate development in the developed area of the City, on the MPUSD site and the area of the City developed with offices near the Moose Lodge on the east side of Canyon Del Rey Boulevard. The resulting densification could result in substantial changes to the area

through increased density, greater scale, and increased height as well as development of residential structures in a commercial and light industrial area. However, residential development could be mixed-use with these other uses and could be designed to reduce aesthetics impacts. Similar to the proposed project, future development would be required to comply with the City's development standards and policies under the City's General Plan that govern visual resources from public viewing areas. Depending on site design, development along Canyon Del Rey would be highly visible in comparison to the existing visual setting, an increase in impacts compared to the proposed project due to the limited area available for development of the combined 270 residential units under 5th and 6th RHNA. However, impacts from light and glare under this alternative would be reduced in comparison to the proposed project since development would occur in urban areas with existing buildings and lighting. Overall, this alternative would be considered to have similar to slightly greater impacts compared to the proposed project.

Alternative 2, Agricultural Resources. The EIR identified no impacts related to agricultural resources, as none exist within the project area. This alternative would also have no impact on agricultural resources.

Alternative 2, Air Quality. The EIR identified a less than significant impact with mitigation incorporated for air quality and exposure of sensitive receptors to particulate matter and TAC emissions were found to be less than significant with mitigation. This alternative would have similar overall air quality emissions under future development in accordance with existing plans compared to future development under the proposed project. Similar to the proposed project, development under this alternative would be required to comply with MBARD's BMPs for emission reduction during construction and operation and the City's development standards and requirements that govern air quality, as well as other federal, state, and regional air quality standards.

Alternative 2, Biological Resources. The EIR identified a less than significant impact with mitigation incorporated for biological resources under the proposed project. In comparison with development under the proposed project, residential development under this alternative would not occur in former Fort Ord area, and would be located within the existing developed area of the City. Development of future housing within urbanized areas and non-vacant land would have reduced impacts in comparison to the proposed project and other alternatives due to the urbanized areas proposed as potential residential housing under this alternative. However, as noted in Alternative 1b, development could still occur on the former Fort Ord area under the existing zoning and land use designations. Similar to the proposed project, future development under this alternative would be required to comply with the City's development standards and requirements under the City's General Plan that govern biological resources, mitigation developed specific to the site, as well as other applicable federal and state regulations. Overall, this alternative is assumed to have a similar to reduced level of impact compared to the proposed project due to development of urbanized areas.

Alternative 2, Cultural and Tribal Resources. The EIR identified a less than significant impact with mitigation incorporated for cultural and tribal resources under the proposed project. Under this alternative, the impact would be similar for cultural resources due to potential for grading and development unearthing cultural resources. Under this, development could still take place, and potential impacts to tribal cultural resources would be subject to the same mitigations, tribal consultation and regulatory requirements as the other alternatives. The impacts would therefore be similar to that of the proposed project and other alternatives. Future development projects would be required to comply with the City's development standards and requirements under the City's General Plan that govern cultural and tribal resources, as well as other applicable federal and state regulations, which would reduce the potential for discovery of unknown cultural and tribal resources and impacts.

Alternative 2, Energy. The EIR identified a less than significant impact for energy under the proposed project. Potential impacts related to energy under the proposed project and each of the alternatives would

be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar. Development would be required to comply with the City's development standards and requirements for energy, as well as other applicable federal and state regulations.

Alternative 2, Geology and Soils. The EIR identified a less than significant impact with mitigation incorporated for geology and soils under the proposed project. The development of the areas in this alternative identified above would require site specific geotechnical reports, similar to other areas of the proposed project. However, the sites are already developed and would not require as much grading or soil disturbance as the proposed project. Construction and operational related geology and soils impacts from future development under this alternative would be expected to be less than the proposed project. Development would be required to comply with the UBC code for construction and development standards and requirements for development, as well as other applicable federal and state regulations.

Alternative 2, Greenhouse Gas Emissions. Potential impacts related to greenhouse gas emissions under each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar to the proposed project.

Alternative 2, Hazardous and Hazardous Materials. No residential development would occur on the former Fort Ord, and this alternative would not include residential planning areas that have potential for MEC, and would therefore have less impact related to the potential for increased risk compared to the proposed project. Potential impacts related to hazardous response, emergency response and evacuation under the proposed project would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar.

Alternative 2, Land Use and Planning. The EIR identified a less than significant impact for land use and planning under the proposed project. Future development under this alternative would only occur in areas outside former Fort Ord. Similar to the proposed project, land use amendment and rezoning would be required to designate lands for residential or mixed use in existing areas of the City. However, sites identified under this alternative may not be of adequate size to provide enough housing units to fulfill the requirements of State law or to meet the City's RHNA requirements, which would be an increased impact compared to the less-than-significant impacts associated proposed project. This alternative would also require increased densities and heights of buildings due to the limited land area available for development that is outside the ALUC safety zones. This alternative may also conflict with City General Plan policies regarding protecting views along Canyon Del Rey Boulevard, depending on siting, densities, and bulk and massing of future buildings. This alternative would not preclude additional development in the City under existing land use and zoning regulations for ADUs and any development allowed under SB 9, which could provide additional affordable housing within the City. Overall, this alternative is considered to have greater impacts under Land Use and Planning compared to the proposed project.

Alternative 2, Mineral Resources. The EIR identified no impacts related to mineral resources, as none exist within the project area. This alternative would also have no impact on mineral resources.

Alternative 2, Noise. The EIR identified a less than significant impact for noise under the proposed project. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur and future residential development would be within the developed City. Construction and operational related noise impacts from future development under this alternative would be expected to be similar to noise impacts for future residential development under the proposed project, and the impacts under each would therefore be similar.

Alternative 2, Population and Housing. The EIR identified a less than significant impact for population and housing under the proposed project. No development under this alternative would occur in former Fort Ord area; instead, development of affordable housing would be located within the City of Del Rey Oaks,

located on either side of Canyon Del Rey Boulevard on the MPUSD site and in the Calle del Oaks area of Moose Lodge. As these sites may not have adequate land areas to be able to accommodate the full 270 units required under the 5th and 6th Cycle RHNA, impacts to population and housing would be greater under this alternative than the proposed project.

Alternative 2, Public Services and Recreation. The EIR identified a less than significant impact for public services and recreation. This Alternative would result in similar impacts to public services and recreation, the same as the proposed project and other alternatives. Potential impacts related to public services and recreation for each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar.

Alternative 2, Transportation. The EIR identified a less than significant impact with mitigation incorporated for transportation under the proposed project. This alternative would propose housing on sites served by an existing major roadway, Highway 218/Canyon del Rey Boulevard intersection, with access to sites via Calle Del Oaks. This alternative would likely require intersection improvements for safety related to the additional vehicle trips but with such improvements, impacts would be similar. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, though the former Fort Ord area could still be developed with non-residential uses under the existing zoning as described above. The addition of residential uses to the commercially developed areas within the City could potentially decrease employee-based trips. The addition of residential uses to the commercial and visitor serving development allowed under the existing zoning would potentially decrease employee-based trips, similar to the proposed project. This alternative would have a similar impact related to VMT and a similar impact related to safety compared to the proposed project.

Alternative 2, Utilities and Service Systems. The EIR identified a less than significant impact with mitigation incorporated for utilities and service systems. Future residential development would occur on areas outside former Fort Ord, within the urbanized area of the City, where there is existing utility service. However, water supply would not be available for new residential development under the current conditions, as described previously, due to the CDO within the area served by Cal-Am and under MPWMD allocation system. Under this alternative, no rezoning of the portion of the project area within former Fort Ord would occur, and water would not be supplied by MCWD for affordable housing units within the former Fort Ord area. However, water service from MCWD would still be required for non-residential uses under the existing zoning on former Fort Ord. Residential development on the MPUSD and Calle de Oaks/Moose Lodge sites would be served by existing utilities but expansion of service would be required. Under this alternative for 5th Cycle, there is no water available under the MPWMD allocation system during this current planning cycle due to the moratorium on new hookups within the Cal-Am service area. If current water planning projects come online in the 6th Cycle planning period, 2023-2031, and the CDO is lifted, this alternative may be able to provide water from Cal-Am for the 184 RHNA units, assuming there is adequate allocation from MPWMD. This alternative would also require additional water use and extension of systems, which may have limitations related to water service. Other services are similar to the impacts to utilities and service systems for future residential development under the proposed project. Overall, the impacts under this alternative are considered to be similar to the proposed project.

Alternative 2, Wildfire. The EIR identified a less than significant impact with mitigation under the proposed project. Future residential development would occur on the MPUSD and Calle del Oaks/Moose Lodge sites, which are located outside of Very High Fire Hazard Severity Zones. This alternative would not include residential planning areas that are in Very High Fire Severity Zones, and would therefore have less impact related to the potential for increased risk compared to the proposed project. Potential impacts related to emergency response and evacuation under the proposed project and each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each would therefore

be similar. A portion of the project area within former Fort Ord is designated as a VHSHSZ in a local responsibility area. Under this alternative, the impact would be reduced for wildfire as there are no residential areas and housing with no rezoning. Thus, no housing could be located in a VHSHSZ. Similar to the proposed project, development would be required to comply with the City's development standards and requirements for wildfire, as well as other applicable federal and state regulations.

Ability to Meet Project Objectives -Alternative 2

As stated in **Chapter 2, Project Description**, the City has determined, based on the site inventory analysis and HCD review letters on the 5th Cycle Housing Element, that rezoning is needed to meet the RHNA. Under this alternative, there would be no rezoning and objectives to achieve 5th Cycle and the objective to achieve HCD compliance for 5th Cycle Housing Element in 2023 and meeting 5th Cycle RHNA requirements would not be met. This alternative may be able to partially achieve the City objective of identifying housing sites with a collective capacity to meet the City's combined 5th and 6th Cycle RHNA, through use of the sites in this alternative under 6th Cycle RHNA, however, this would require water availability from MPWMD during the 6th Cycle planning period. Thus, this alternative is found to partially achieve the objectives of the proposed project.

5.5.4 Alternative 3: Areas in Former Fort Ord and Within City (Combined)

Description

The "Areas in Former Fort Ord and Within City" (Combined) Alternative involves development within the former Fort Ord and also within the City to meet RHNA. This alternative assumes that K1 and K2 sites, within former Fort Ord, as presented in 6th Cycle, as well as land available within the developed City as presented in Alternative 2, would be used to meet RHNA. **Figure 2-6** identifies the former Fort Ord areas. **Figure 5-1** identifies potential areas of development within the City under Alternative 2.

Site K1 is approximately 20 acres of vacant, undeveloped land with gradual slopes dominated by chaparral and oak trees/oak woodland in the interior of the site. The site is currently owned by Monterey Peninsula Partners. This site is zoned Neighborhood Commercial with Visitor Overlay, and would require rezoning for residential/mixed use development on both sites K1 and K2. Site K1 is bordered by the City of Seaside to the north, Fort Ord National Monument to the east, and City of Monterey to the south along South Boundary Road. Water and sewer service would need to be extended; pipeline infrastructure is available adjacent to the site along General Jim Moore Boulevard, near the City limits of Del Rey Oaks.

Site K2 is approximately 53.81 acres of vacant, undeveloped land with gradual slopes dominated by chaparral and oak trees/oak woodland in the interior of the site. This site is currently owned by Monterey Peninsula Partners. In May 2016, the City Council adopted an Initiative Measure amending the City's General Plan and Zoning Ordinance Chapter 17.32, Visitor Commercial Overlay recreational uses, to include recreational vehicle (RV) parks, within the former Fort Ord, within the designated area of the Initiative Measure. Approval of the Initiative measure allows the construction of an RV park (Monument RV Resort) of up to 210 total guest sites, including accessory and auxiliary uses. Each site is on a 3,000 square foot "lot". The Initiative resulted in an amendment to the City's General Plan to specifically allow RVs. The City would need to complete a general plan amendment and rezoning to specifically allow residential development. The parcel is bordered by Fort Ord National Monument to the north and east, and the City of Monterey to the south along South Boundary Road. Similar to Sites 1 and 1a, water is planned to be extended on South Boundary Road to serve this site.

These sites are also in the City's Housing Element for 6th Cycle RHNA, which is currently under HCD review.

Impacts

Alternative 3, Aesthetics. The EIR identified a less than significant impact for aesthetics under the proposed project. The EIR identified a less than significant impact for aesthetics under the proposed project. Development under this alternative would concentrate some residential development in the Downtown area on either side of Canyon Del Rey Boulevard with some in former Fort Ord sites. The impact would be similar for aesthetics because the area available for development in both the developed City and former Fort Ord. Similar to the proposed project, development would be required to comply with the City's development standards and requirements under the City's General Plan that govern visual resources and aesthetic quality.

Alternative 3, Agricultural Resources. The EIR identified no impacts related to agricultural resources, as none exist within the project area. This alternative would also have no impact on agricultural resources.

Alternative 3, Air Quality. The EIR identified a less than significant impact with mitigation incorporated for air quality and exposure of sensitive receptors to particulate matter and TAC emissions were found to be less than significant with mitigation. Under this alternative, the impact would be similar for air quality due to potential for grading and development in the same area. Under this alternative, development could still take place and would be required to comply with the Air District's BMPs for emission reduction during construction and operation and the City's development standards and requirements that govern air quality, as well as other federal, state, and regional air quality standards.

Alternative 3, Biological Resources. The EIR identified a less than significant impact with mitigation incorporated for biological resources under the proposed project. Development under this alternative would concentrate some residential development in the developed area on either side of Canyon Del Rey Boulevard with some in former Fort Ord sites. As with development under the proposed project, development under this alternative would occur in portions of the vacant lands of former Fort Ord. In addition, a portion of the future housing is planned on non-vacant lands within the developed City. Similar to the proposed project, development would be required to comply with the City's development standards and requirements under the City's General Plan that govern biological resources, mitigation developed specific to the site and future plans, as well as other applicable federal and state regulations. Under this alternative, improvements and development would occur within the urbanized area of the City as well as former Fort Ord areas identified on **Figure 5-1**. Due to the additional areas under each of these sites that would be disturbed, this alternative would be similar to greater impacts to biological resources.

Alternative 3, Cultural and Tribal Resources. The EIR identified a less than significant impact with mitigation incorporated for cultural and tribal resources under the proposed project. Under this alternative, the impact would be similar to the proposed project for cultural resources due to potential for grading and earthmoving activities. Under this alternative, development could still take place and potential impacts to tribal cultural resources would be subject to the same tribal consultation and regulatory requirements as the other alternatives. Projects would be required to comply with the City's development standards and requirements under the City's General Plan that govern cultural and tribal resources, as well as other applicable federal and state regulations, which would reduce the potential for discovery of unknown cultural and tribal resources and impacts.

Alternative 3, Energy. The EIR identified a less than significant impact for energy under the proposed project. Potential impacts related to energy under the proposed project and this alternative would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar. Development would be required to comply with the City's development standards and requirements for energy, as well as other applicable federal and state regulations.

Alternative 3, Geology and Soils. The EIR identified a less than significant impact with mitigation incorporated for geology and soils under the proposed project. Development under this alternative would concentrate some residential development in the developed area on either side of Canyon Del Rey Boulevard with some in former Fort Ord sites. The development of the sites under this alternative as identified above would require site specific geotechnical reports, similar to other areas of the proposed project. However, the non-vacant sites within the City are already developed and would not require as much grading or soils disturbance as the proposed project. Construction and operational related geology and soils impacts from future development under this alternative would be expected to be less than the proposed project. Development would be required to comply with the UBC code for construction and development standards and requirements for development, as well as other applicable federal and state regulations.

Alternative 3, Greenhouse Gas Emissions. Potential impacts related to greenhouse gas emissions under each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each alternative would therefore be similar to the proposed project.

Alternative 3, Hazardous and Hazardous Materials. This alternative could include residential planning areas that have potential for MEC and would therefore have similar impact related to the potential for increased risk compared to the proposed project. Potential impacts related to hazardous response, emergency response and evacuation under the proposed project would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar.

Alternative 3, Hydrology and Water Quality. The EIR identified a less than significant impact with mitigation incorporated for hydrology and water quality under the proposed project. Development would be required to comply with the BMPs for reduced impacts to water quality during construction. Adherence to mitigation and development standards, as well as other applicable federal and state regulations would be required. Under this alternative, improvements and development would occur within the urbanized area of the City as well as former Fort Ord areas identified on **Figure 5-1**. Due to the additional areas under each of these sites that would be disturbed, this alternative would be similar to greater impacts to hydrology and water quality.

Alternative 3, Land Use and Planning. The EIR identified a less than significant impact for land use and planning under the proposed project.

Alternative 3, Mineral Resources. The EIR identified no impacts related to mineral resources, as none exist within the project area. This alternative would also have no impact on mineral resources.

Alternative 3, Noise. The EIR identified a less than significant impact for noise under the proposed project. Potential impacts under this alternative related to noise and vibration would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar to the proposed project.

Alternative 3, Population and Housing. The EIR identified a less than significant impact for population and housing under the proposed project. Under this alternative, the combination of the identified sites would have adequate land areas to accommodate the full 270 units required under the 5th and 6th Cycle RHNA. Therefore, impacts to population and housing are considered to be similar to the proposed project.

Alternative 3, Public Services and Recreation. The EIR identified a less than significant impact for public services and recreation. This Alternative would result in similar impacts to public services and recreation, the same as the proposed project and other alternatives. Potential impacts related to public services and recreation for each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar to the proposed project.

Alternative 3, Transportation. The EIR identified a less than significant impact with mitigation incorporated for transportation under the proposed project. Under this alternative, rezoning of a portion of the project area within former Fort Ord would occur, though the remainder of the former Fort Ord area could still be developed with non-residential uses under the existing zoning as described above. The addition of residential uses to the commercial and visitor serving development allowed under the existing zoning would potentially decrease employee-based trips, similar to Alternative 2 and comparable to the proposed project.

Alternative 3, Utilities and Service Systems. The EIR identified a less than significant impact with mitigation incorporated for utilities and service systems. This impact is dependent upon the availability of water for areas within the MPWMD, similar to Alternative 2. Utility extension would still be required under this alternative to extend utility service to sites K1 and K2 in former Fort Ord. As a result, impacts to utilities and service systems under this alternative would be similar to the proposed project.

Alternative 3, Wildfire. The EIR identified a less than significant impact with mitigation under the proposed project. This alternative would include a portion of the residential planning areas that are in Very High Fire Severity Zones, and would therefore have the same impact related to the potential for increased risk compared to the proposed project. Potential impacts related to emergency response and evacuation under the proposed project and each of the alternatives would be subject to the same standards and regulatory requirements, and the impacts under each would therefore be similar. A portion of the project area is outside the area of former Fort Ord designated as a VSHSZ. Under this alternative, the impact would be less compared to the proposed project if residential is not located in the former Fort Ord area. Urban development areas would still be required to comply with the City's development standards and requirements for wildfire, as well as other applicable federal and state regulations.

Ability to Meet Project Objectives -Alternative 3

Under this alternative, the combination of the identified sites provides adequate land areas to accommodate the full 270 units required under the 5th and 6th Cycle RHNA. Assuming the City can utilize Sites 1 and 1a for 5th Cycle, per HCD requirements, can meet the City's objective to adopt the 5th Cycle Housing Element and complete rezoning actions necessary for an HCD compliant Housing Element by December 15, 2023. The second City objective may also be met under this alternative: Meet the State required RHNA allocation for the 5th Cycle and 6th Cycle Housing Element Updates by identifying housing sites with a collective capacity to meet the City's combined 5th and 6th Cycle RHNA. Therefore, this alternative can meet the project objectives.

5.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

A comparison of the impacts of each alternative relative to the proposed project is presented in **Table 5-1**.

CEQA requires that an environmentally superior alternative to the proposed project be specified. In general, the environmentally superior alternative is that which minimizes the adverse impacts of the project to the greatest extent, while achieving the basic objectives of the project.

The No Project – No Action alternative could be considered the environmentally superior alternative because any adverse impacts associated with project construction and operation would be avoided. However, the No Project – No Action alternative does not satisfy the primary project objective to:

- Adopt 5th Cycle Housing Element and complete rezoning actions necessary for an HCD compliant Housing Element by December 15, 2023.

- Meet the State required Regional Housing Needs Assessment (RHNA) allocation for the 5th Cycle and 6th Cycle Housing Element Updates by identifying housing sites with a collective capacity to meet the City’s combined 5th and 6th Cycle RHNA.

In addition, CEQA Guidelines section 15126.6(e)(2) states: “If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Among the remaining alternatives, Alternatives 1b and 2 would either not meet or only partially meet the basic objectives of the proposed project. Alternative 2 would reduce some of the level of impacts as shown on **Table 5-1**, compared to the proposed project. However, under any alternative, development would still likely occur at former Fort Ord under existing land use designations, so this alternative is not considered to be environmentally superior to the proposed project. The only alternative that meets the project objectives is Alternative 3, however as shown on **Table 5-1**, some of the identified impacts are increased compared to the proposed project. Therefore, the proposed project is selected as the environmentally superior alternative that can also meet the project objectives.

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