

June 7, 2021

Planning Commission and City of Davis
Davis, CA

Dear Commissioners and City officials,

As I understand the HEU process, the Planning Commission and the City are separately and simultaneously asking for comments on the draft Housing Element Update.

As drafted, the Housing Element does not reflect my concerns about housing. It is narrowly focused on accommodating the dictates of regional government — it continues weak support for affordable housing and nothing to slow or reverse the crushing pressure on Davis housing by UCD. And to make the situation worse, the City chose to undermine community concerns by appointing and selecting an HEU Committee who embraced the selfish interests of profit-oriented developers, and more subtly, the University's desire to grow.

Here are a few specific problem areas in the draft HEU:

Shifting responsibility for housing pressures — page 1 of the draft tries to shift responsibility for housing availability and affordability onto senior residents. By definition, residents who are “aging in place” are not putting pressure on the housing market because we came here a long time ago. Unless the City means we are not dying fast enough. And for the City to boldly say a significant part of declining school enrollment is because seniors are staying in Davis is to have blinders to state, national, and worldwide demographic trends (California's birth rate is the lowest it has been in 100 years).

campus projects as well as projects in the City itself) in the last several years in response to strong student housing demand, there has been limited new rental apartment construction specifically targeted to non-student households. This, combined with the generally high cost of the existing single-family for-sale housing stock, has led to concerns that as the City's existing homeowners age in place, the lack of housing suitable and affordable to families has been changing the community demographics, forcing increasing numbers of local workers to commute in from surrounding areas, and contributing to related community issues, such as declining school enrollment.

UC Davis wants to grow and has been growing — I can't twist the logical sequence away from a simple equation — more students mean more people want to live in or around Davis. Obviously not just students but also faculty, staff, and support services — and their families. And even more obviously, if UCD isn't building housing for ALL these new people, then the new people get in line to compete for Davis housing. And what a surprise, more demand for housing means developers can make even more money by raising prices and building in our town. Obtaining enrollment concessions from UCD **must** be a major part of solving the Davis housing problem.

Is this RHNA process just bureaucratic hoop-jumping? If a significant rationale for RHNA allocations is to address racial and economic problems, why is Davis being driven to grow if the statement on pg 95 is true? Have these RHNA allocations drifted into the State and City bureaucracy and away from the principles of Affirmatively Furthering Fair Housing? Palo Alto is the only other city I looked at, and their allocation was reduced significantly when they challenged their regional government — how much push-back has Davis offered?

Race and Ethnicity

The 2020 AI prepared by the Sacramento Valley Fair Housing Collaborative evaluated segregation in participating jurisdictions based on three types of residential settlement patterns, including patterns of racial and/or ethnic segregation; patterns of segregation of foreign-born and Limited English Proficiency (LEP) populations; and concentrations of housing and households by tenure in otherwise segregated or integrated areas. The analysis concluded that the Davis community features relatively low levels of racial and ethnic segregation, as evidenced by the data, as well as public input and stakeholder consultations.

Who are all these “elderly” people? I guess I missed that meeting where all the UCD profs and others over 65 are “elderly” as referenced on pg 126. Although that truth hurts sometimes, it’s untrue to say more than half of Davis households are 65+ (which you might think by reading the excerpt below. Actually, Table 42 shows there are more than three times as many households under 45 yrs old (bottom three age groups). Senior households are about 20 percent of all Davis households and our population has proportionally fewer seniors than for the state as a whole (US Census Quick Facts).

Compared to 2010, the number of households with an elderly householder increased by 47 percent among all households, including 51 percent among owner households and 36 percent among renter households. This makes the elderly one of the fastest growing demographic categories within the City of Davis.

The central focus instead is a minor sidelight — Page 221 shouts the problem as loud as can be done if only someone would pay attention. It says the only housing strategy the City can think of to help people who work in Davis is to... focus **only** on City employees and offer a little bit of help. Just to be clear, there are seven strategies for helping the homeless; one strategy for helping people who work in Davis; and of all the employees and employers, only **one** employer needs help? Even UCD should be offended by this narrow focus.

Program Actions	Objectives	Responsible Agencies	Time Frame	Potential Funding
Policy 2.6: Provide housing for Davis' workforce, including but not limited to teachers, UC Davis faculty and staff, retail and service workers, healthcare workers, and City employees				
2.6.1. Explore programs to assist members of the City's workforce with securing housing in Davis, including but not limited to expanding the local employee incentive system to include rental developments, and continue to utilize local employee incentive system as a means of connecting local employees to local affordable and middle ownership opportunities.	a. Continue use of Local Workforce Incentive System b. Explore additional mechanisms to assist the workforce in securing affordable housing and adopt associated policies as appropriate	a. Housing staff b. Housing staff, with action by the Social Services Commission, Planning Commission, and City Council	a. Upon application for development with inclusionary requirements. b. 2025	Already budgeted staff time

Why isn't Davis receiving credit for by-the-bed rentals? The City Council sent a letter to SACOG two years ago, but it isn't resolved (pg 222) and the City's strategy is to... send them the methodology again?

Policy 2.8: Ensure that the City receives appropriate RHNA credit for by-the-bed rental developments				
2.8.1. Calculate the City's RHNA credit for by-the-bed rental developments in accordance with the methodology that the City of Davis has submitted to HCD for conversion of affordable bed rentals into affordable RHNA credit. This methodology is detailed in Appendix B of this Housing Element document.	a. Use conversion methodology	a. Housing Staff	Ongoing	Already budgeted staff time

Unless affordable housing is permanent, it's just a game that developers win (pg 223). How many decades have passed by without this fundamental rule becoming crystal clear? I thought the state requirement was keep affordable designations for 55 years; what has the City been doing to let affordable designations be negotiable?

Policy 3.3: Strive to ensure that all new subsidized affordable housing and the land on which it is located remain affordable permanently. In a case in which that is infeasible, assure affordability for the longest feasible time and recapture of the local subsidies. Also, should economic circumstances or state and federal subsidies dictate that permanent affordability requirements be released for a specific development project, then appropriate recapture mechanisms for the subsidies and owner occupancy for the longest period feasible shall be imposed. Specific findings for release of the permanent affordability requirement shall be established in the Affordable Housing Ordinance.
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Why is the City undermining the established 1% growth cap? (pg 227) Certainly the City of Davis can imagine a world where we change what needs to be changed — if indeed State law constrains our actions at the moment, let's explore strategies to change this usurpation of local decision-making.

Policy 4.4: Suspend enforcement of the one-percent growth policy as required by State law				
4.4.1. Prohibit enforcement of the City's one percent growth policy until at least January 1, 2025, consistent with SB 330, which prohibits certain limits on the number of building permits that a jurisdiction will issue (see the Constraints to Housing Production chapter for more information). Evaluate repealing the policy on a more permanent basis.	a. Prohibit enforcement until at least 2025 b. Evaluate permanent repeal	a. Community Development Department, with action by City Council b. Community Development Department, with action by Planning Commission and City Council	a. 2021 b. By 2025	Already budgeted staff time

What is the potential fiscal impact? (pg 229)
I'm happy the City is trying to encourage the retention of affordable housing but the legal and fiscal impacts should be fully understood in the short and long term. If the City is giving away free money, why wouldn't landlords want it? Where is the promise to analyze these topics?

5.2.7. Provide financial incentives to rental property owners with affordable units that are at risk of conversion to market-rate on the condition of making individual units permanently affordable, when appropriate.	a. Offer incentives to owners of expiring affordable units	a. Housing staff, with action by the Social Services Commission, Planning Commission and City Council	As units become at-risk and resources are available	Housing Trust Fund
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HEU Committee

At the previous Planning Commission meeting there was confusion whether they need to respond to the alleged recommendations of the HEU Committee. Despite assurances by City staff, the minutes of their last meeting are still not publicly available on the City web site. Given the controversial nature of the HEU Committee and their recommendations, this lack of transparency feels like manipulation in another game to avoid public scrutiny. All the more reason to ignore their pleas to build, build, build.

The City's draft Housing Element update does not reflect my concerns about housing. The draft should be revised to repair flaws, bolster affordable housing, push back on SACOG allocations, and demand more and faster construction of housing by UC Davis. Thank you for the opportunity to comment.

Sincerely,

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