

Jessica Lynch

From: Martha Teeter <teeter@bc.edu>
Sent: Tuesday, June 15, 2021 11:49 AM
To: Jessica Lynch
Subject: Fwd: Response to Housing Element from DOVe, DUMC Social Justice, Sierra Yolano Group and others

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Dear Ms. Lynch,

Please consider the comments on the Davis Housing Element submitted below. Thank you.

Martha Teeter

----- Forwarded Message -----

Subject: Response to Housing Element from DOVe, DUMC Social Justice, Sierra Yolano Group and others
Date: Tue, 15 Jun 2021 10:40:17 -0700
From: Martha Teeter <teeter@bc.edu>
Reply-To: teeter@bc.edu
To: citycouncilmembers@cityofdavis.org
CC: teeter@bc.edu <teeter@bc.edu>

Dear City Council Members,

Thanks to the City Council for providing considerable analysis for the Housing Element 2021-2029. We are deeply concerned that affordable housing actually be built in Davis that can serve all residents. The Housing Element specifies the sites that will be zoned for affordable housing, but it is critically important that the sites and the programs suggested have concrete, achievable goals that support the building of affordable housing.

We are saddened by the fact that many people who work in Davis cannot find housing, and by the lack of housing for those experiencing homelessness, many of whom have long been associated with Davis. Racial and class inequities of Davis housing also need to be better addressed in a Housing Element we can all be proud of.

Our comments pertain to the sections of the Housing Element in the order they appear in the draft document.

1. *Broad Public Participation of Underserved Populations:* Despite the intent of reaching diverse minority populations for feedback on the Housing Element, the web-based, virtual methods for feedback (p.5-6) precluded participation from these groups. For example, the RHNA Virtual Workshop feedback required filling out an overly complex online document. Those experiencing homelessness get access online at libraries, but could not due to COVID closures. Further, the Element was submitted for public review and to HCD at the same time (p.6), making City response to public comments virtually impossible. To counter these issues, we ask the City Council to respond specifically to all public comments made during the review period, including those submitted to the Housing Element Committee, Planning Commission, and City Council. **We urge the City Council to include responses to each of these public comments in the final Housing Element that is submitted to California Housing and Community Development (HCD).**
2. *Preserving Affordable Units:* To preserve affordable housing inventory (Table 30, pp.73-75), **the expiration dates of current affordable units should be publicly available.** In fact, the records of LSNCR indicate several properties will be lost to affordability in 2021-2029, but none are reported in the Element. To avoid expiration of current affordable housing, partnerships with non-profit developers and other funding sources should be sought. This type of collaboration successfully preserved Suntree Apartments as affordable housing (item #48 on Suntree, Table 4 (p.31) on Housing Element Program Actions is incorrect).
3. *Sites inventory (pp.147-162).* In addition to larger sites (0.5 to 10 acres), when private funding is available for building affordable housing, the City should consider sites below 0.5 acre, distributed around Davis, for infill affordable housing. One such project is Paul's Place, built on 0.25 acre. Publicly funded projects may need a larger minimum size of 2-3 acres. Further the city should:
 - a. **Use realistic build-out densities.** Building to 100% density (Element, p.149) in the Core Retail Site is unrealistic. The example given of Trackside is not affordable, but rather market-rate housing; and the development is still in the courts due to neighborhood opposition to the density and build-out of the project.
 - b. Remove inappropriate sites that are non-vacant and un-developable (Table 57, p.158). Many of the non-vacant sites are ones over which the city has no control. For example, the E/F Street sites are 8 units with diverse ownership, and no plan for negotiation with the owners is detailed. **Instead, the city should consider sites with a single owner such as the underutilized PG&E Corp yard and the DJUSD administration building as well as city owned property.** If rezoned, these sites would make a tremendous difference in the development of Davis affordable housing.
 - c. **Remove affordable student bed-leased units from the RHNA total.** In the Housing Element draft, a large number of student bed rentals in the Nishi Student Housing development, for example, are counted towards the RHNA extremely low-income and very low-income allocation (35 and 70 units respectively,

p.153). These bed rentals represent 49% of the lower income units in the “Planned and Approved Projects” category. This is the category of units with the greatest certainty of being constructed. Unfortunately, bed rentals are unsuitable for families. **Individuals and families who qualify for federal housing assistance cannot use their HUD vouchers for group housing and are excluded from these bed rental units. These units thus do not qualify as affordable by Fair Housing criteria.**

- d. The Housing Element draft counts many Auxiliary Dwelling Units (ADUs) towards the lower income RHNA allocation. Based on a SACOG (Sacramento Area Council of Governments) study, the draft projects construction of 44 ADUs affordable to extremely low-income households, 30 units affordable to very low-income households, and 130 units affordable to low-income households. However, the study estimates overall ADU affordability in the six county SACOG region, not specifically Davis. Affordable ADUs in Placer County, for example, are not relevant to the Davis Housing Element. Only one Davis ADU (the Cannery, which is definitely not affordable) was included in the SACOG survey. Eight years ago, City staff surveyed the affordability of Davis ADUs and found over half the ADUs were not rented. **City staff should conduct a new survey of ADU affordability in Davis, and ADUs should only be counted toward the RHNA if they are 1) guaranteed to remain affordable, such as through deed restrictions, 2) meet Fair Housing guidelines of being open to everyone, 3) actually rented, 4) monitored by the city for compliance with the first three guidelines.**

4. *Governmental Constraints to Housing Production (pp.165-201)*

- a. Parking reductions for affordable projects can result in inadequate numbers of parking spaces and require unspecified improvements in alternate transportation. **Instead, the City should permit innovative means to meet housing parking requirements, such as covered or underground parking, and match parking restrictions for affordable housing to the neighborhood.**
- b. Both growth control ordinances and Measure J/R (and its extension to 2030) contribute to the high cost of building affordable housing. **There should be an exemption for growth limits to infill affordable housing.**
- c. Further, **a renewed partnership and a strategic plan should be created between UC Davis and the City of Davis for development of affordable housing**, especially for staff, students, and residents. There are for-profit developers that will work with universities to develop land for a mixture of housing including affordable and commercial use. For example, USC and Fresno State have done this. In fact, there is a history of such collaboration between UC Davis and the City of Davis for considerable development over the years.

- d. The City needs a robust **Affordable Housing Ordinance that includes specific percentages for low- and very low-income households and an updated report on the cost of building affordable housing in Davis from independent academic researchers (i.e., peer-review quality methods).** The last report ("Plescica") is outdated, and the methods used to reach conclusions are of questionable rigor. The City failed to meet the RHNA numbers for the most disadvantaged households in the last cycle. We must do better.
- e. **In-lieu fees must actually cover the cost of building the units.** In-lieu fees are meant to cover the gap between building affordable and market-rate housing, or alternatively the gap between building affordable housing and the income generated by the units. We do not believe the current fee of \$75,000 is adequate to meet either criterion.
- f. Rather than reducing developer requirements to build affordable housing, the City should consider the positive approach of **decreasing permit and design fees for affordable housing to encourage its construction.**
- g. Subsidies are needed in order to afford to develop affordable housing. The Housing Trust Fund may be a source of such funds and **should be attached to the Housing Element 2021-2029 along with plans to increase the size of the Housing Trust Fund to support affordable housing by innovative means** such as linkage/development fees, real estate sale fees, grants, sale of public land, and a parcel tax. Properties supported by the Housing Trust Fund need to have appropriate equity caps to prevent being sold at market rates. The Housing Trust Fund guidelines should include more clearly defined rules on what the funds can be used for.
5. *Non-Governmental Constraints (pp.201-204).* With respect to financing, the fact that low interest loans are available does not mean that those loans are available to people who are underserved, who are in fact the target for low- and very low-income housing. **The City should develop a program to investigate the availability of financing sources for low-income households and consider policy options to ease bottlenecks.**
6. *Zoning for a variety of housing types (pp.204-211),* we suggest the City of Davis:
 - a. Analyze the effect of allowing R-1 uses in all zones permitting multi-family housing. **Consider ways to favor multi-family units in such instances.**
 - b. In Table 72 (pp.204-206), the Emergency Shelter beds in Davis are enumerated. The HEART of Davis Apartment program is not Emergency Shelter and ends July 31, 2021. **These 40 units cannot be counted in the total.** There is a critical need for emergency shelter in Davis.
 - c. Additionally (p.145), **the following sentence should be removed:** "*The Interfaith Rotating Winter Shelter provides cold weather shelter to the Davis homeless population at different member congregations throughout the winter.*"
7. To further increase affordable units to meet the RHNA requirements, the City should:

- a. Permit residential as a conditional use for affordable housing for all strip-malls on a case-by-case basis.
- b. Create Affordable Housing Overlay Zones (like Cambridge, MA approved in 2020) which give affordable housing developers density bonuses and streamlined approval to make them competitive with market-rate developers and allowing affordable housing to be built more quickly.

Thank you for your consideration of our comments. We are grateful for the support of those who have signed this letter.

- Davis Opportunity Village (DOVe) Board: Martha Teeter, Bapu Vaitla, Helen Roland, Mary Anne Kirsch, Roger Kingston, Brent Hawkins, Linda M. Scott
- Davis United Methodist Church Service and Justice Ministry
- The Sierra Club Yolano Group
- Patti Hobbs, HEART of Davis Board Chair
- Hasina Mamtaz, HEART of Davis Board Member
- Don Kalman, Member Social Services Commission