Housing Element Update
Comments on the City of Davis Draft (May 26, 2021)

I can see that the City is obediently picking a way through a myriad of complex requirements as part of their housing element update. It also appears the Housing Element Update Committee is attempting to twist those requirements into a pro-developer erosion of Davis community values.

I urge the Planning Commission to recommend that the Council:

1) **Abide by voter preferences** — The report should acknowledge and respect Davis community values as expressed in Measures J,R, and D, as well as the 1% growth limit rather than suspend and undermine those processes (see pg 180). This may require the City to educate state legislators on local impacts and/or sue to prevent punitive usurpation of local decision-making.[1] In any case, the City already has flexibility to pursue affordable housing (see pg 179).

2) **Push-back on RHNA** — The City of Palo Alto pushed back on their RHNA allocations and was able to have them reduced substantially.[2] In Davis, arguments to reduce the allocations could include Davis' unresolved rent-by-the-bed methodology and the distortions in the RHNA statistical analysis resulting from "low income" students who have access to other financial support. Also, it appears that UC Davis was able to use housing construction in West Village to meet Yolo County RHNA allocations[3], so it seems reasonable that the City should get full credit for student-oriented housing projects.

3) **Spur UCD action** — Despite the current feelings of goodwill from UCD's virus testing program, over the long term, the University remains a major, if not the primary reason for ongoing City housing problems. Their discretionary drive for student growth, the consequent increase in staffing, and their languid

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[1] Reportedly, if a city fails to meet RHNA allocations, "a court can order the local government to halt all market rate development until an adequate element is adopted." See: *https://ternercenter.berkeley.edu/wp-content/uploads/2020/10/Enforcement_Housing_Element_Law_Pleasanton.pdf*

[2] Palo Alto set to appeal regional housing allocation; Leaders vote to challenge RHNA process, which charged city with planning for 6,086 new residences
https://www.paloaltoonline.com/news/2021/05/20/palo-alto-set-to-appeal-regional-housing-mandates?utm_source=express-2021-05-20&utm_medium=email&utm_campaign=express&utm_campaign=magnet&utm_source=article_page&utm_medium=related_articles

[3] 2030 Yolo County General Plan Housing Element, pg HO-76 https://www.yolocounty.org/home/showdocument?id=8012

construction of student/staff/worker housing means the City's housing vacancy rate is extremely low, housing prices are high, and many students are dissatisfied with their housing. Although helpful, the City/UCD memorandum of understanding has not restored a housing balance easily achievable through enrollment reductions. The HEU is an opportunity for UCD to commit to increased construction of housing for students, faculty, and staff.

4) **Do our part on Race and Segregation** — For all the state emphasis on correcting racial inequities and segregation (Affirmatively Furthering Fair Housing), for all the consequent analysis in the draft HEU document, I'm surprised there aren't significant proposals for addressing these problems in Davis (in addition to the usual efforts). Looking at recent Davis projects (pg 153), even the City's commitment to affordable housing is tepid (and "affordable" housing allocations are much easier to measure than embedded biases and constraints). Less than a year ago, the City missed a significant opportunity when they agreed with the University Commons developer to set aside only 13 of 264 units as low income (zero units set aside for Very or Extremely Low income rentals), and even made those 13 units a token response because the "affordable" designation isn't permanent. The City's efforts to reduce racism in the community need to be more-than-the-same, and it would be a cynical twist if Commissioners somehow believe that enriching developers by building more was the same as building better housing.

Regarding the HEU Committee, I'm concerned about their embrace of trumpian deregulation and a corporate-flavored, money-making focus. In the last HEU meeting, the Davis Vanguard reports that the big winners were the developers.[4] Included in their list of "wins" was a desire to dissolve fundamental community guardrails coupled with a more-is-better perspective:

- Explore removing R-1, aka single-family home only zoning.
- Explore eliminating parking minimums in new construction of residential.
- "RHNA numbers and goals are a floor, not an aspirational goal. Committee voted 9-1 saying we want to build more than RHNA assignment!"

I believe these outlandish recommendations (many endorsed by all or nearly unanimous) taint the credibility of the Committee and I urge the wholesale rejection of all their recommendations. While a small committee could never

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[4] *Sustainable Growth Yolo* Gets a Number of Changes to the Housing Element https://www.davisvanguard.org/2021/05/sustainable-growth-yolo-gets-a-number-of-changes-to-the-housing-element/#comments

represent the full range of Davis interests, when 9 of 10 members want to "build more" in a City who is known for careful growth, that tells me there wasn't a healthy discussion of issues and alternatives.

The HEU Committee recommendations haven't been released to the public and so the Planning Commission won't hear much from the public tonight. Perhaps this timing isn't coincidental. Subverting the will of the people was the theme of our recent presidential election; it would be unpleasant to find a City-sponsored committee trying the same tactic to enrich developers.

Please contact me with any questions.

Sincerely,

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