

## Appendix A - AFFH Assessment

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**City of Del Rey Oaks**  
**6<sup>th</sup> 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 Before the 2016 federal rule was repealed in 2019, entitlement jurisdictions were required to prepare an Assessment of Fair Housing (AFH) or Analysis of Impediments to Fair Housing Choice (AI).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.<sup>1</sup> 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.

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<sup>1</sup> <https://files.monterey.org/Document%20Center/CommDev/Housing%20Programs/Plans%20&%20Reports/FINAL-Monterey-County-AI-Report.pdf> (Monterey County 2019 AI Report link).

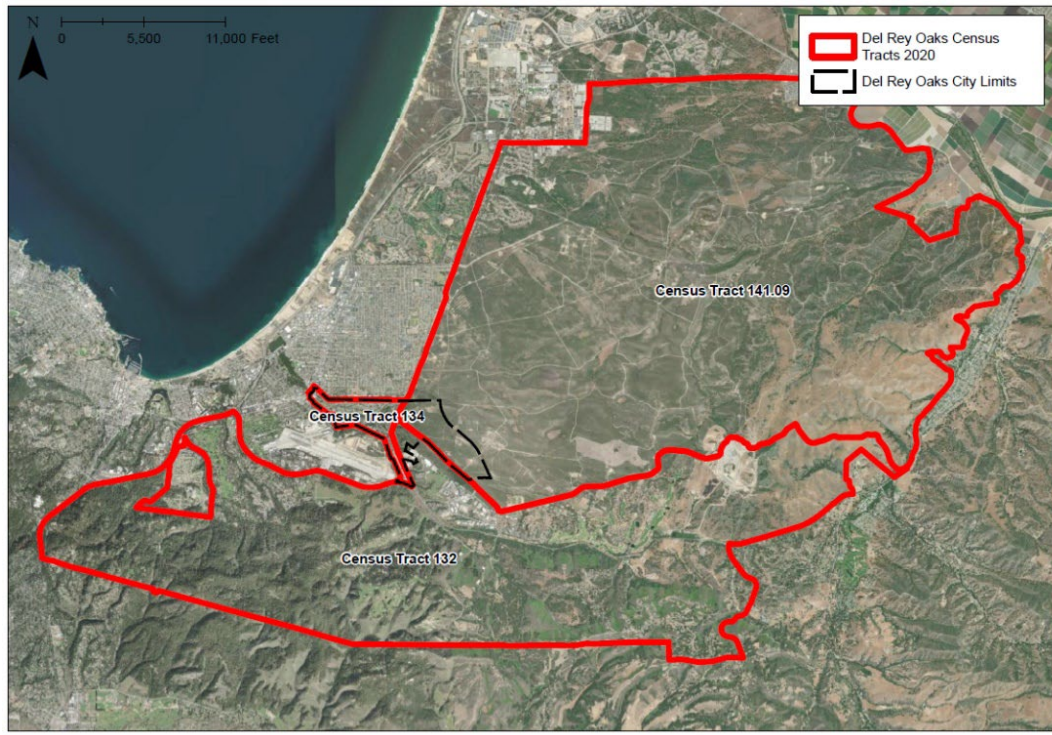
AB 686 also creates new requirements for housing elements due on or after January 2021, including (1) outreach to community stakeholders in the housing element public participation process, (2) an assessment of fair housing practices, (3) an analysis of the relationship between available sites and areas 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.

<b>Inquiry Type</b>	<b># of Inquiries</b>
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.<sup>2</sup> In the fiscal year beginning July 2022, HACM has an allocation of 4,771 HCVs.<sup>3</sup>

Table A3 Demographics of HACM Waiting Lists (2015)		
	Housing Choice Vouchers	Public Housing <sup>2</sup>
Number of Families on Waiting List	1,459	6,521
Extremely Low Income (0-30% AMI) <sup>1</sup>	70%	80%

<sup>2</sup> Monterey County Analysis of Impediments to Fair Housing Choice, 2019.

<sup>3</sup> HACM, 2022. PHA Annual Plan FY July 2022.

Table A3 Demographics of HACM Waiting Lists (2015)		
	Housing Choice Vouchers	Public Housing <sup>2</sup>
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.<sup>4</sup>

- 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

<sup>4</sup> 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.<sup>5</sup>

<sup>5</sup> 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.<sup>6</sup>

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.<sup>7</sup>

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

<sup>6</sup> California Department of Housing and Community Development Guidance, 2021.

<sup>7</sup> 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](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."<sup>8</sup>

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.

<b>Ethnicity/Race</b>	<b>Number</b>	<b>Percent (%)</b>
White	1,155	76.1%
Black or African American	30	2.0%
American Indian or Alaska Native	-	0.0%
Asian <sup>1</sup>	94	6.2%
Native Hawaiian and Other Pacific Islander	5	0.3%
Some Other Race	-	0.0%

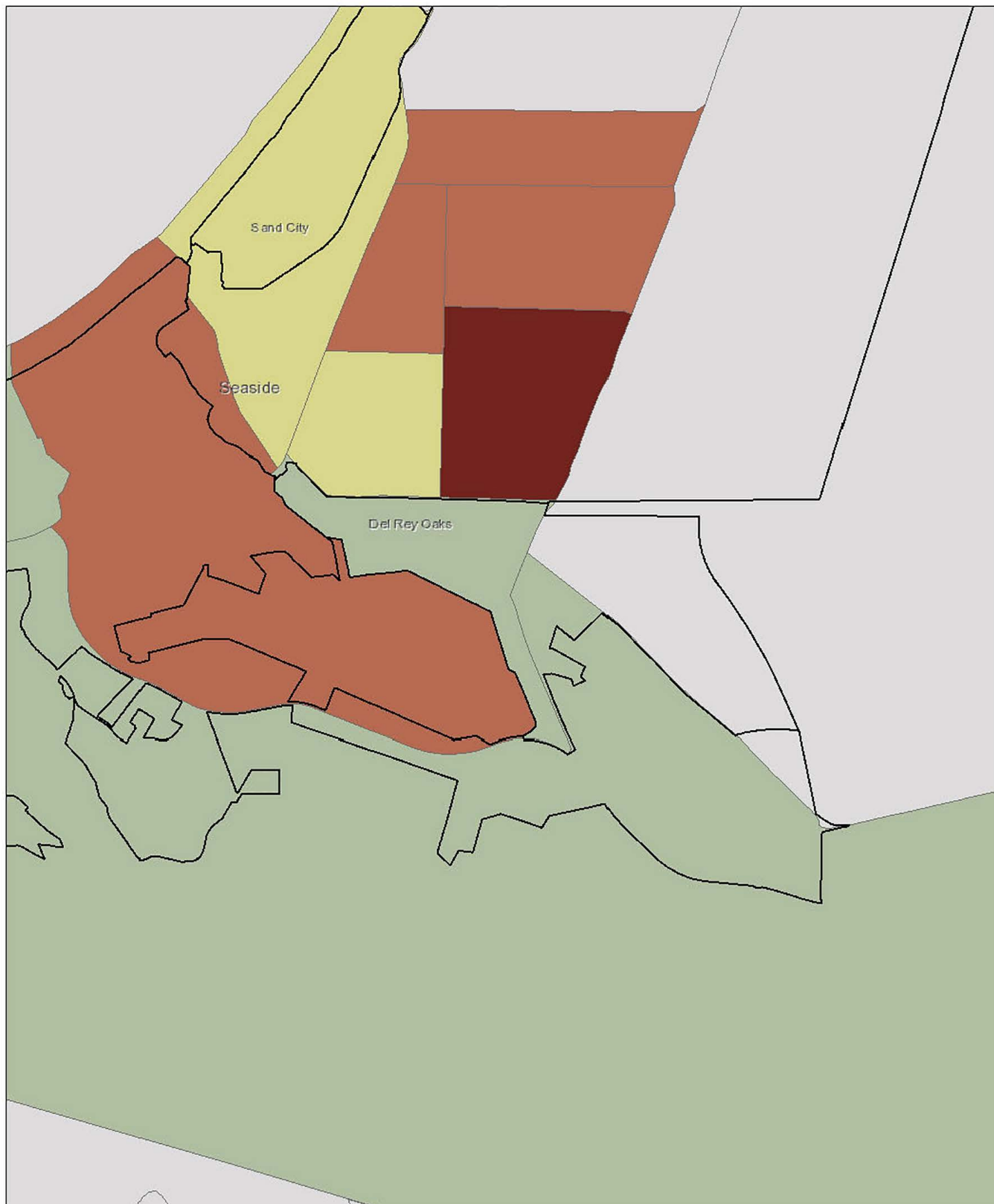
<sup>8</sup> McKibben, 2011. Racial Beachhead: Diversity and Democracy in a Military Town.

Table A5 Del Rey Oaks Ethnicity and Racial Composition, 2020		
Ethnicity/Race	Number	Percent (%)
Two or More Races	79	5.2%
<b>TOTAL</b>	<b>1,518</b>	<b>100%</b>
Hispanic or Latino <sup>2</sup>	155	10.2%
Source: U.S. Census Bureau, 2020		
<sup>1</sup> Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, Other Asian.		
<sup>2</sup> 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**.<sup>9</sup> 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.<sup>10</sup> 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.**

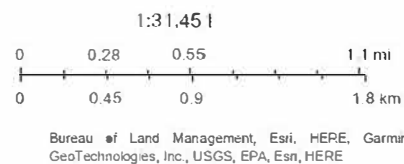
<sup>9</sup> OBI, 2023. <https://belonging.berkeley.edu/roots-structural-racism>

<sup>10</sup> 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.<sup>11</sup> 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.

Table A6 Del Rey Oaks Households by Type, 2020		
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
<b>Total Households</b>	633	100
<b>Average Household Size</b>	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.		

<sup>11</sup> 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**

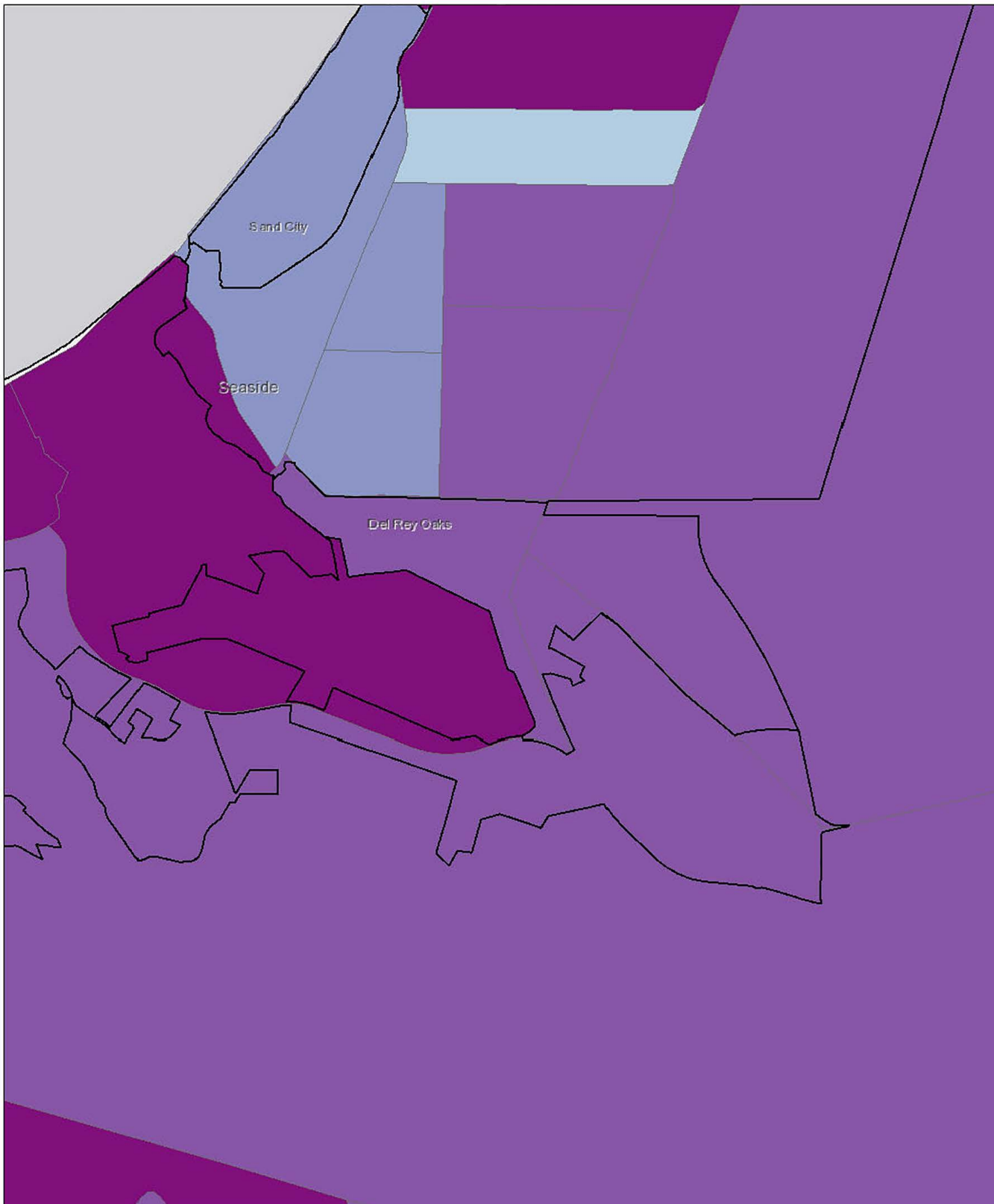
	1 Person		2–4 Persons		5+ Persons		Total	
	Number	%	Number	%	Number	%	Number	%
Owner	168	36.1	272	58.5	25	5.4	465	100
Renter	56	33.3	95	56.6	17	10.1	168	100
Total	224	35.4	367	58.0	42	6.6	633	100

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.

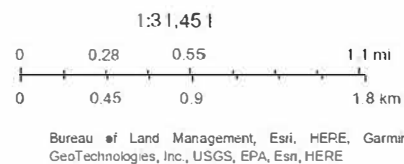
**Table A8** shows the comparison between female-headed households in Del Rey Oaks and Monterey County.



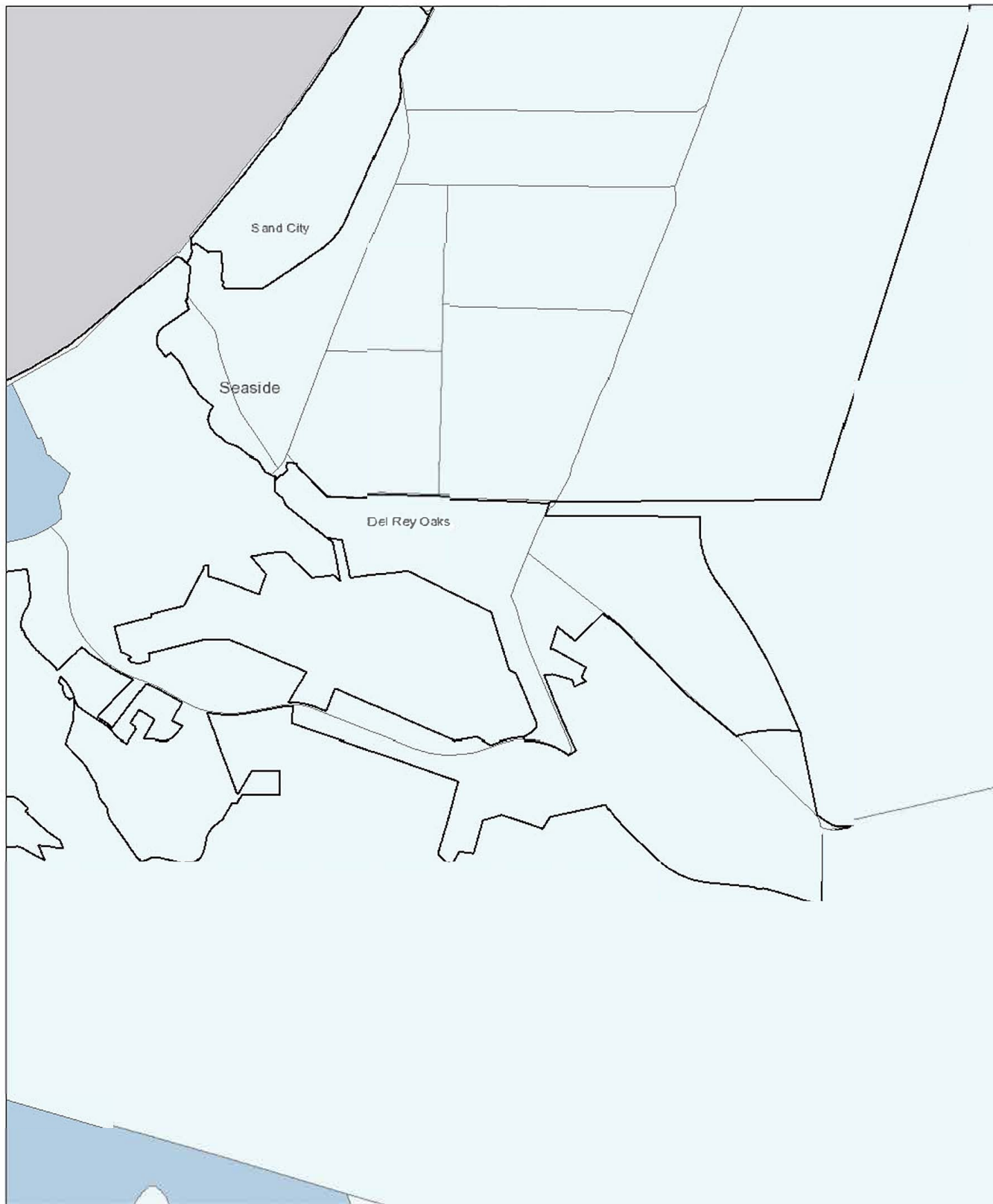
Source

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%

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 A8 Female Headed Households, 2020				
Householder Type	Monterey County		Del Rey Oaks City	
	Number	Percent	Number	Percent
<b>Female Headed Householders</b>	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%
<b>Total Householders</b>	92,948	100.00%	384	100.00%
Female Headed Householders Under the Poverty Level	3,756	4.04%	<b>0</b>	<b>0.0%</b>
Total families Under the Poverty Level	8,196	8.82%	<b>7</b>	<b>1.82%</b>

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***

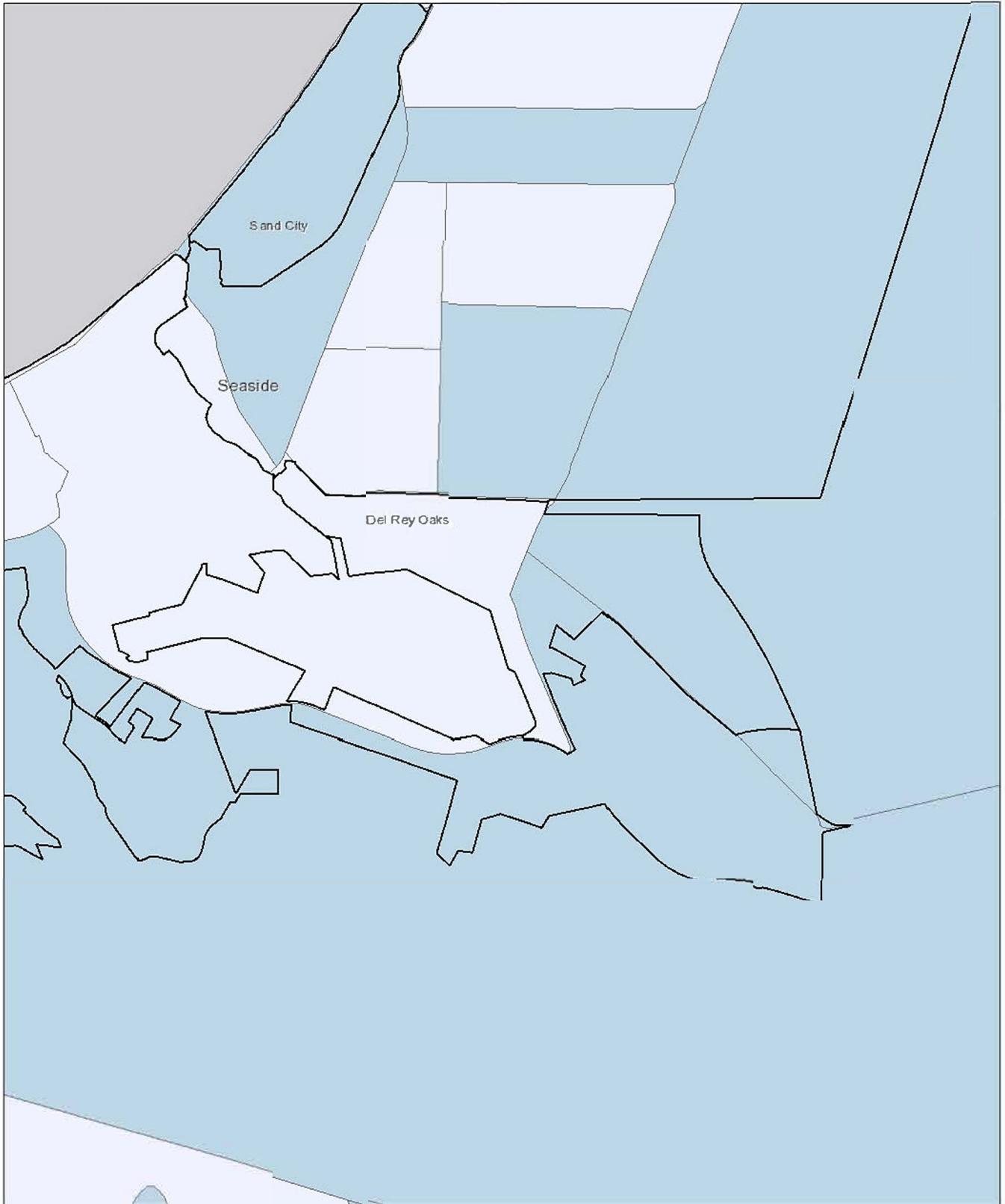
The Americans with Disabilities Act (ADA) defines a disability as a “physical or mental impairment that substantially limits one or more major life activities.” People with disabilities have special needs, meaning that many earn very low incomes, have higher health care costs, and are often dependent 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%
<b>Del Rey Oaks</b>	<b>76</b>	<b>22</b>	<b>88</b>	<b>66</b>	<b>15</b>	<b>42</b>	<b>309</b>	<b>19.41%</b>
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

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
<b>Total</b>	<b>25</b>	<b>158</b>	<b>126</b>	<b>309</b>

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.)

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
<b>Total Households</b>	<b>633</b>	<b>128,003</b>
<b>Median Household Income</b>	<b>\$ 101,458</b>	<b>\$ 76,943</b>

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**

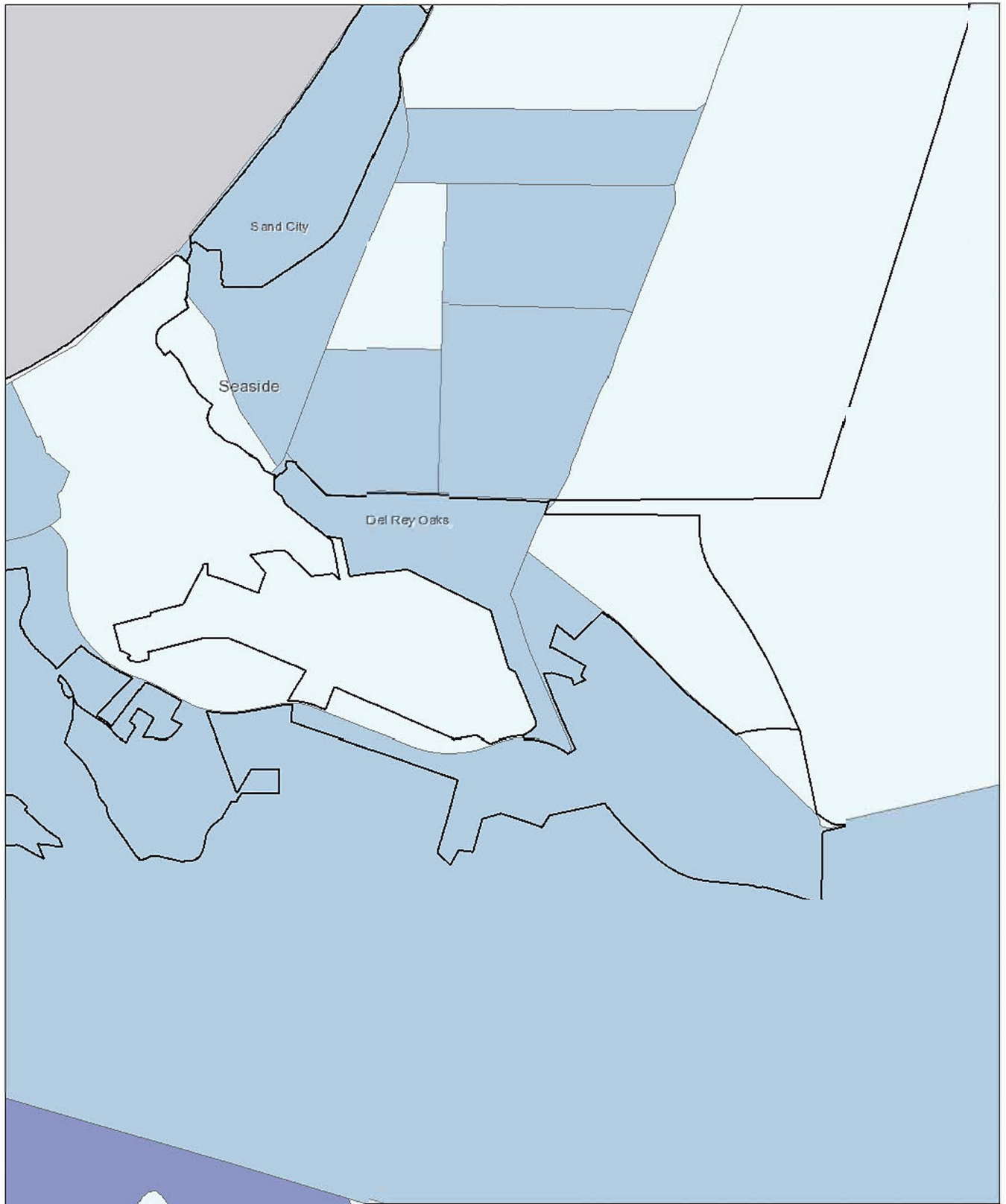
concentration of lower income households compared to the County overall and the Salinas Valley Cities. Half of Seaside's households are lower income (<80% AMI). Seaside has a concentration of tracts with a high percentage of LMI population (50% to 75%) in its neighborhoods west of Noche Buena Street. 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.<sup>12</sup>

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.

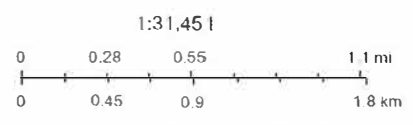
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<sup>12</sup> City of Seaside, 2023.



Source  
Population With a Disability (ACS, 2017-2021) - Tract

Light Blue	< 10%
Medium Blue	10% - 20%
Dark Blue	20% - 30%



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.

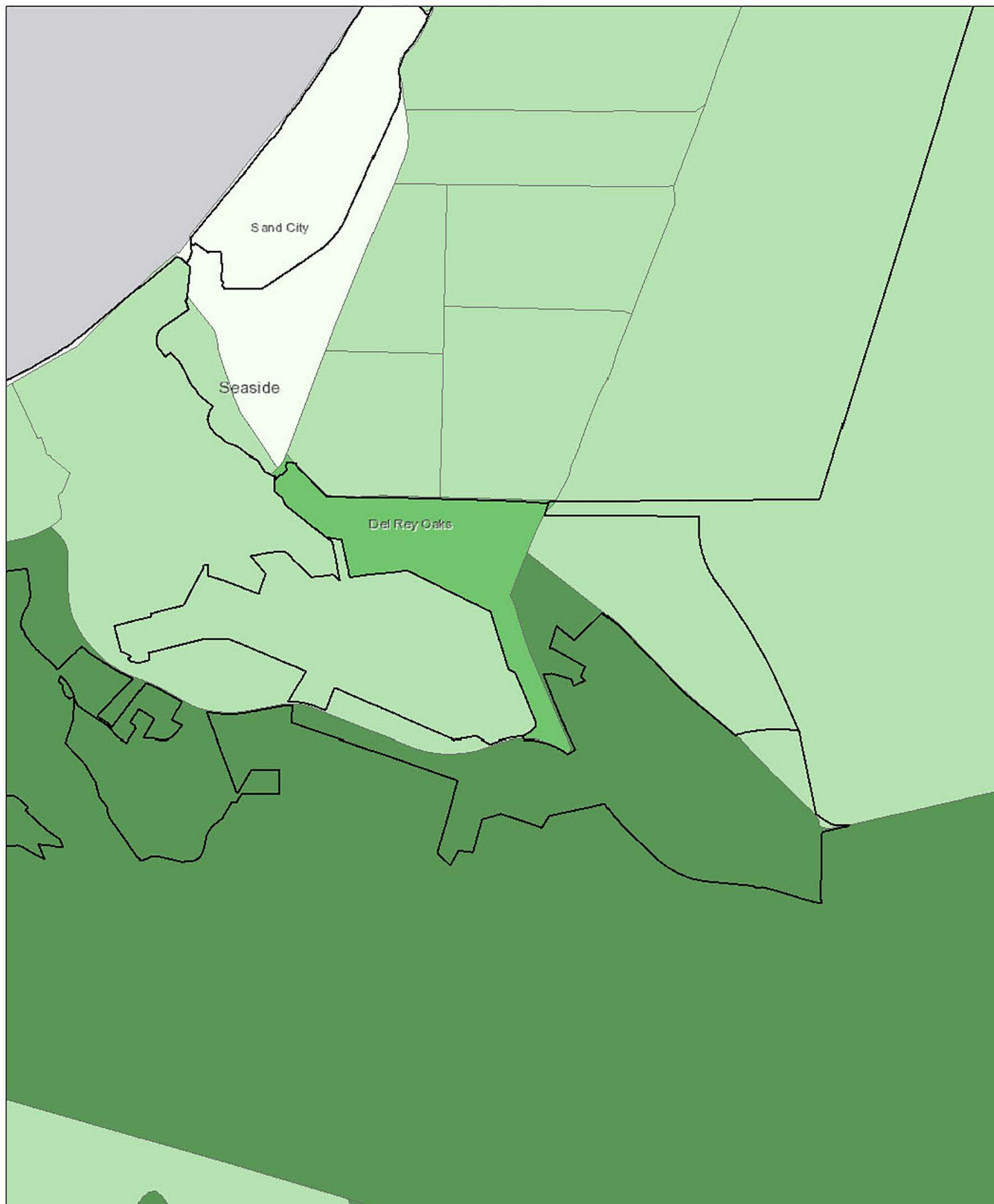
Population and household growth, combined with moderately rising incomes, in the 2- and 3-mile radius of Del Rey Oaks point to continued growth in demand for new housing, while a growing cohort of seniors in the City points to a potential need for specialized housing types and health and social services 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.<sup>13</sup>

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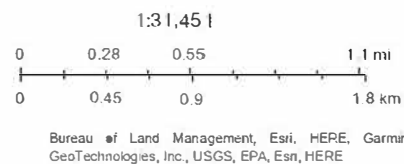
<sup>13</sup> California Department of Housing and Community Development Guidance, 2021.



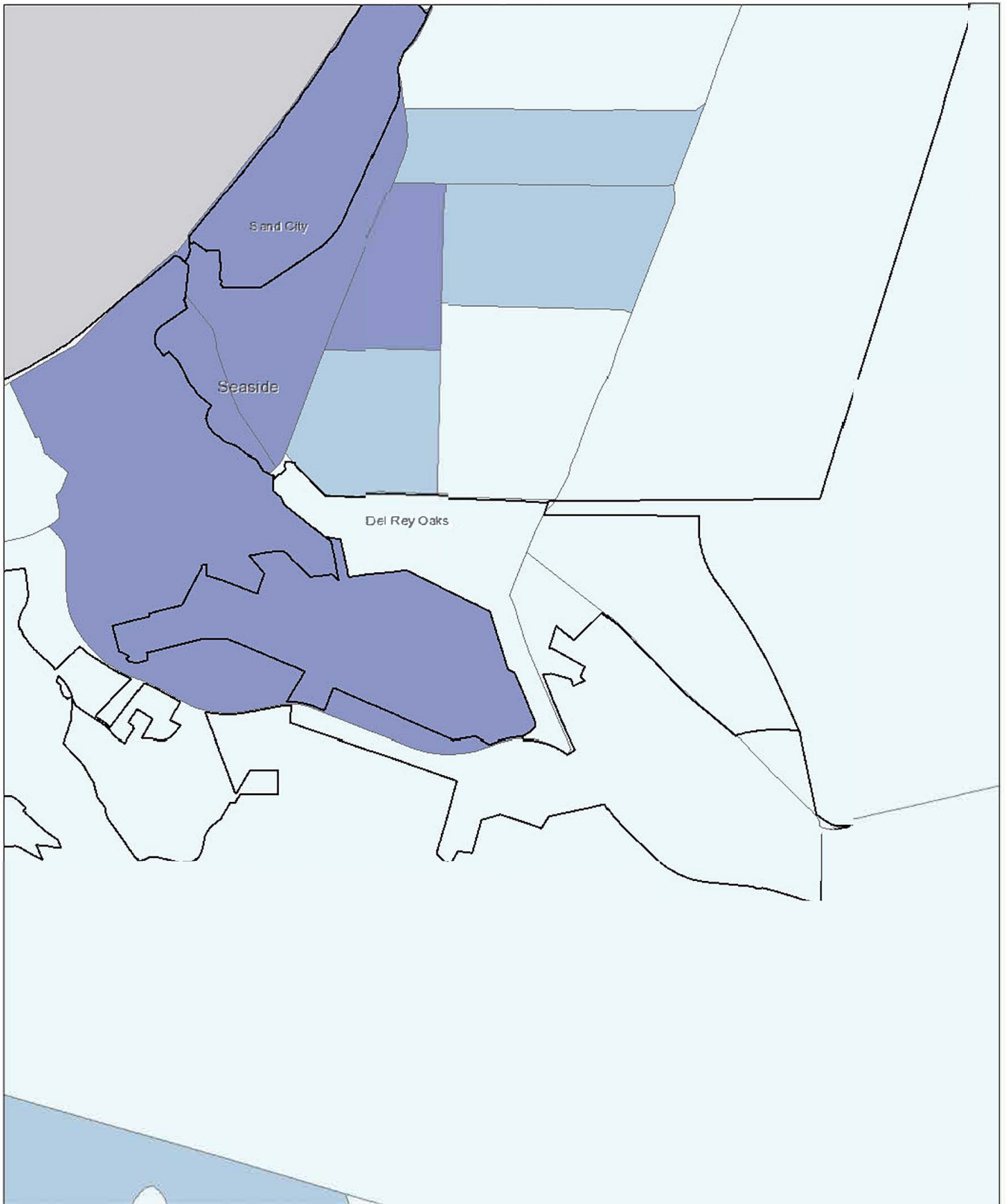
Source

Median Income (ACS, 2017-2021) - Tract

- Less than \$55,000
- \$55,000 - \$90,100
- \$90,100 - \$120,000
- \$120,000 - \$175,000






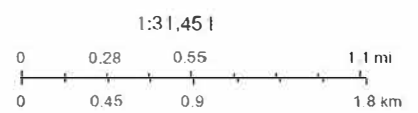




Source

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.<sup>14</sup> 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.

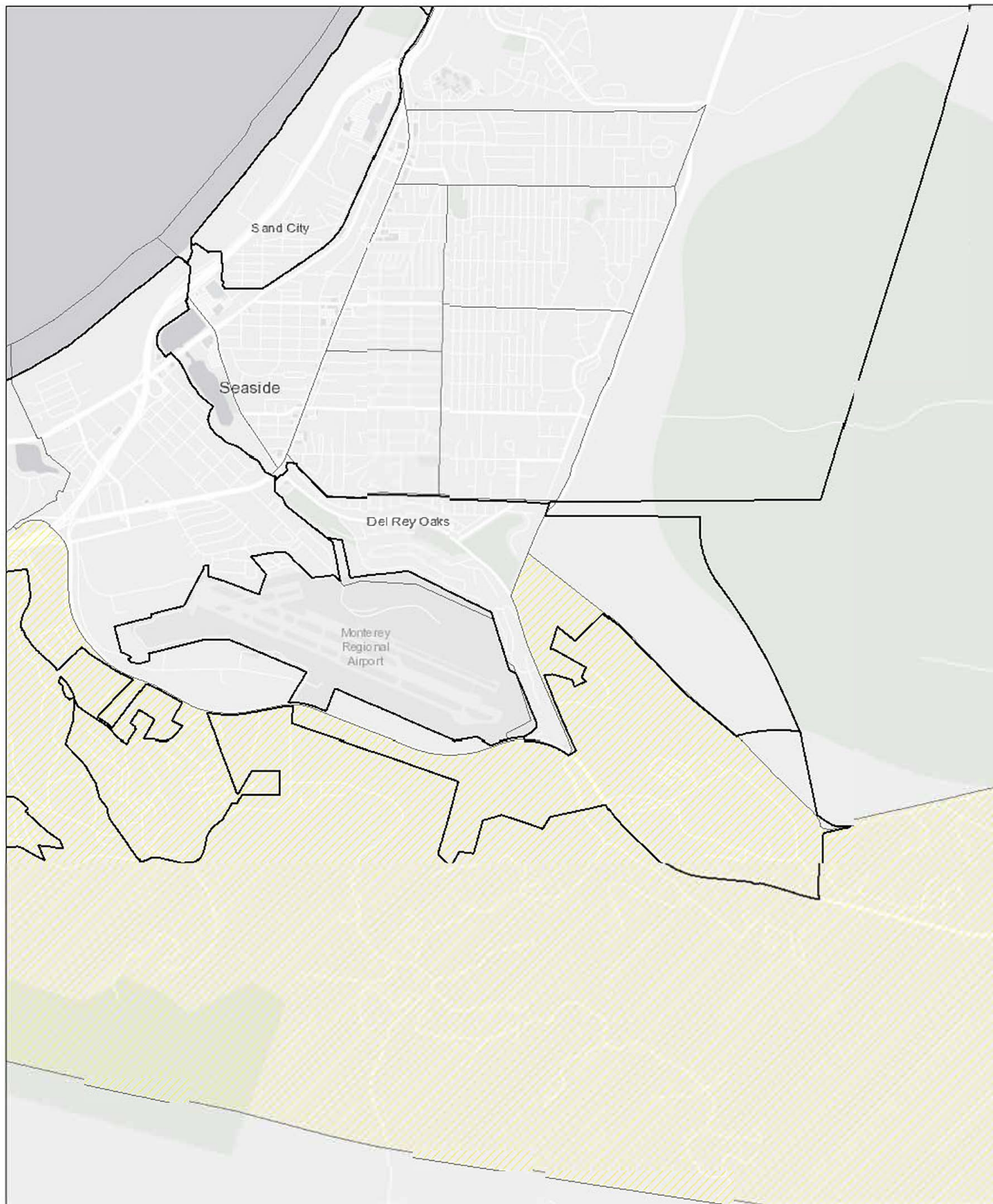
The High Segregation & Poverty category in the TCAC/HCD Opportunity Area Map may also be used in identifying R/ECAPs. Much like the R/ECAP, the High Segregation and Poverty category uses an absolute threshold for poverty. However, instead of a threshold for race, the TCAC/HCD approach uses a location 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.**

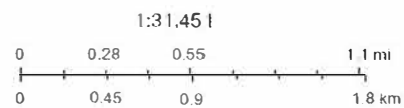
<sup>14</sup> Goetz, E. G., Damiano, A., & Williams, R. A. (2019). Racially Concentrated Areas of Affluence: A Preliminary Investigation. *Cityscape: A Journal of Policy Development and Research*, 21(1), 99–124.



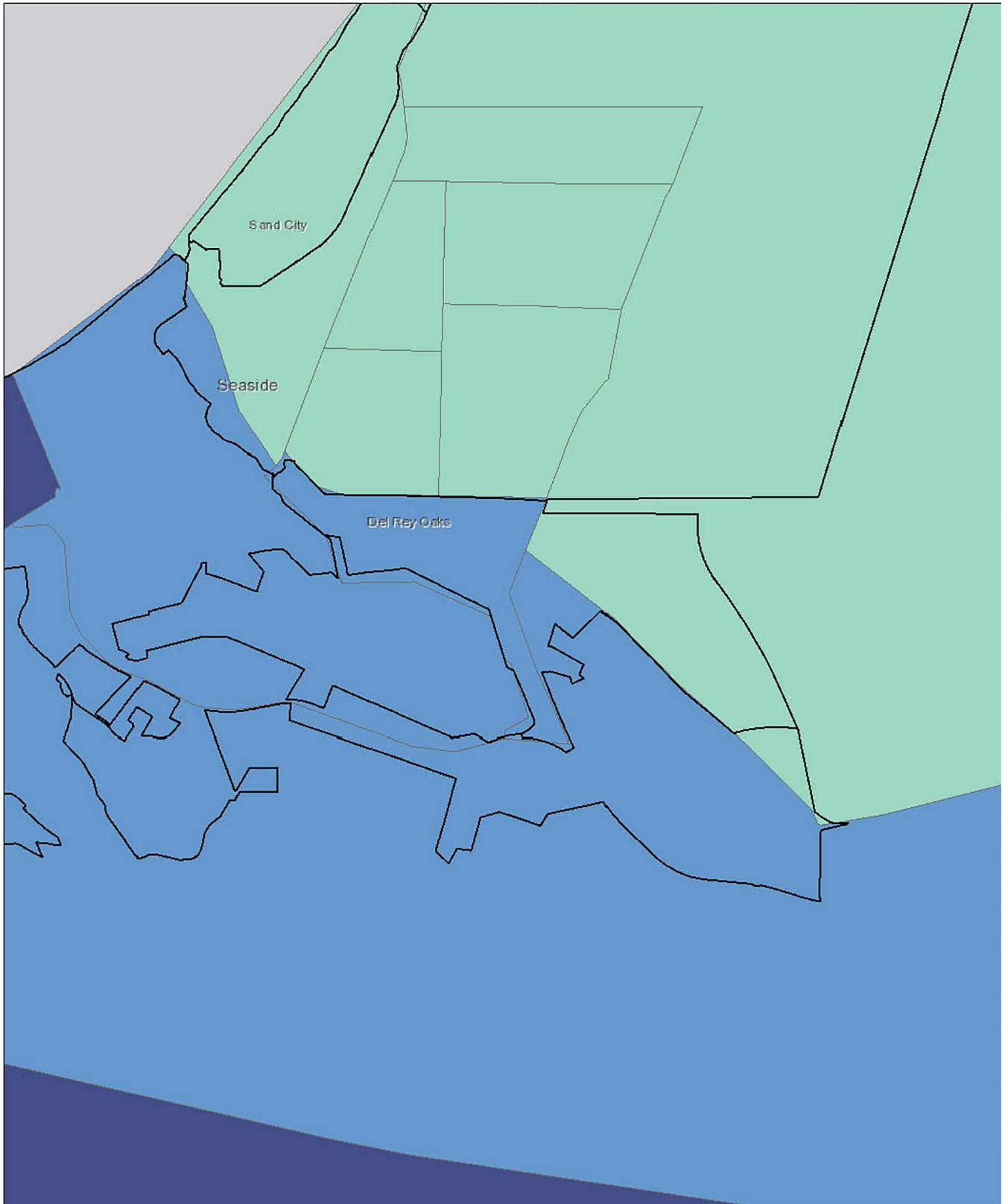
Source

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.<sup>15</sup> 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.

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<sup>15</sup> 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
<b>Del Rey Oaks</b>	705	748	753	774	794	815	129	18%
<b>Monterey County</b>	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.

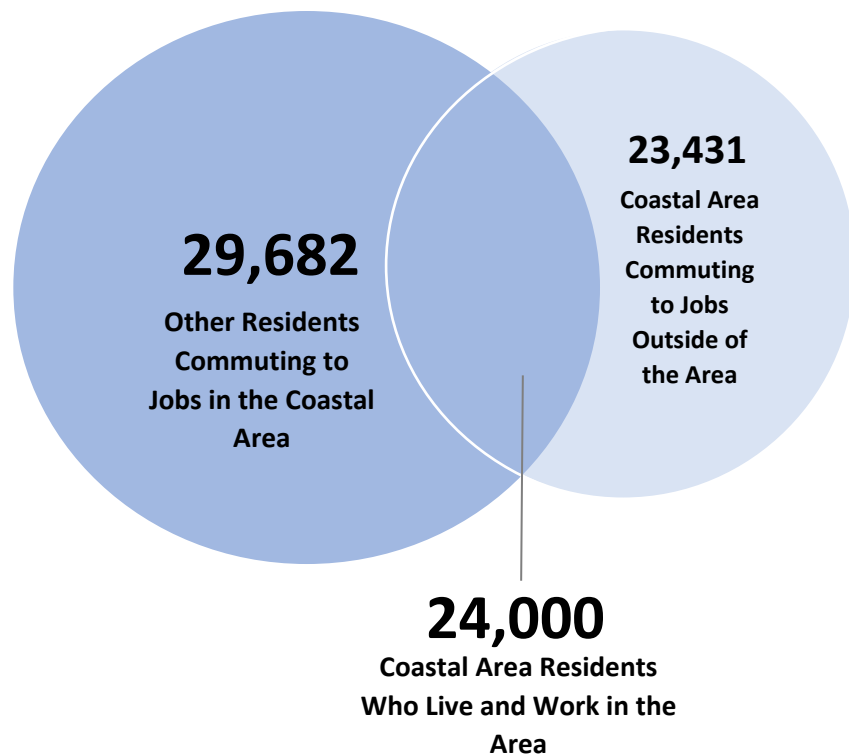
In other Monterey Bay cities, accommodation and food services, which make up more than a quarter of all jobs, experienced 37.3 percent growth between 2010 and 2018, highlighting the recovery of the

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.

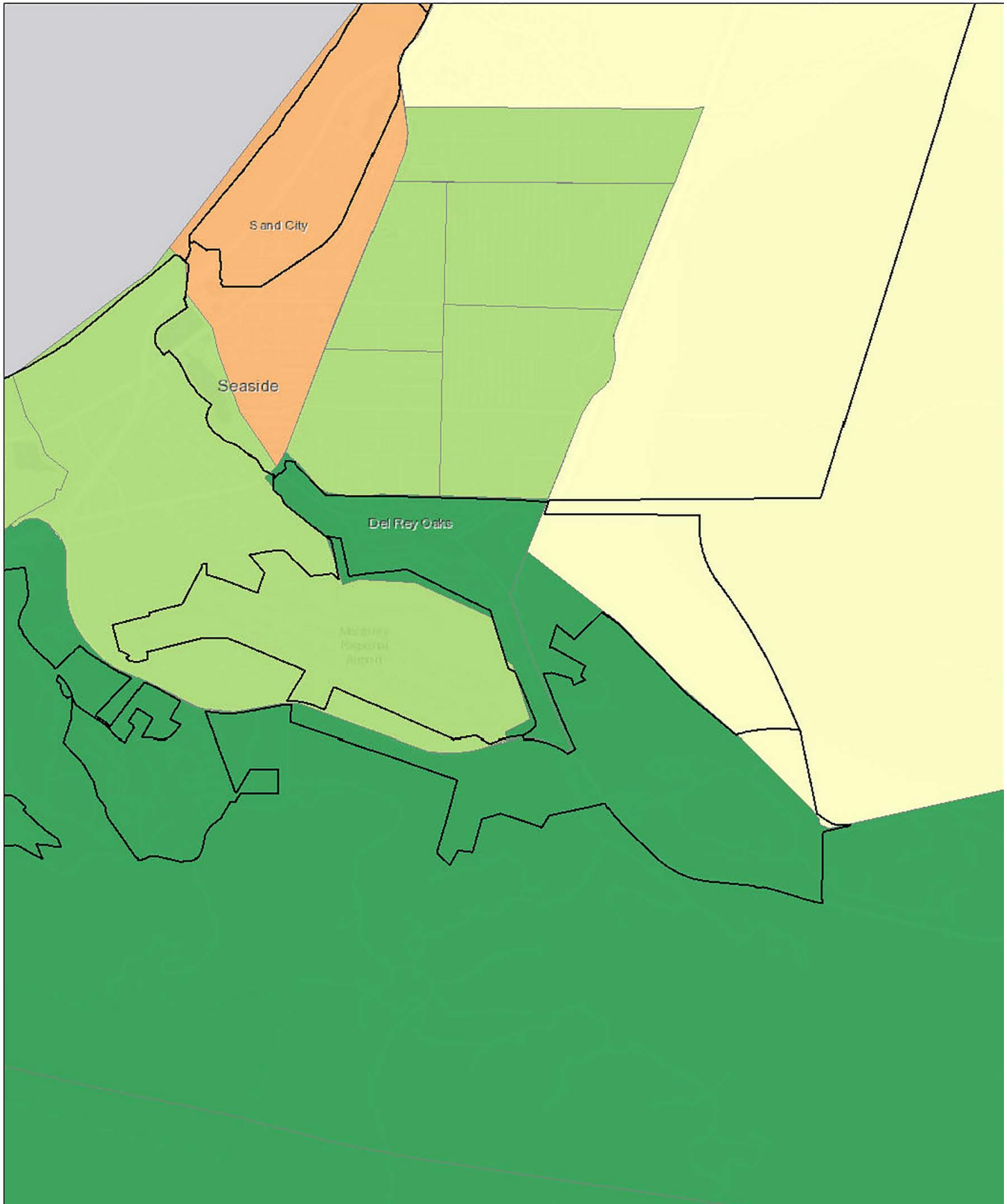
### ***Regional and Local Patterns and Trends***

#### *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<sub>2.5</sub>, 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 66<sup>th</sup> 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 12<sup>th</sup> Grade to residents of Del Rey Oaks. MPUSD comprises 17 schools (six elementary schools, four transitional kindergarten – 8<sup>th</sup> grade schools, two junior high schools with 7<sup>th</sup> and 8<sup>th</sup> grade, one junior high school with 8<sup>th</sup> grade, three comprehensive high schools and one alternative education high school).<sup>16</sup> There are no schools within the boundaries of Del Rey Oaks, therefore educational opportunities and resources within the city are limited.

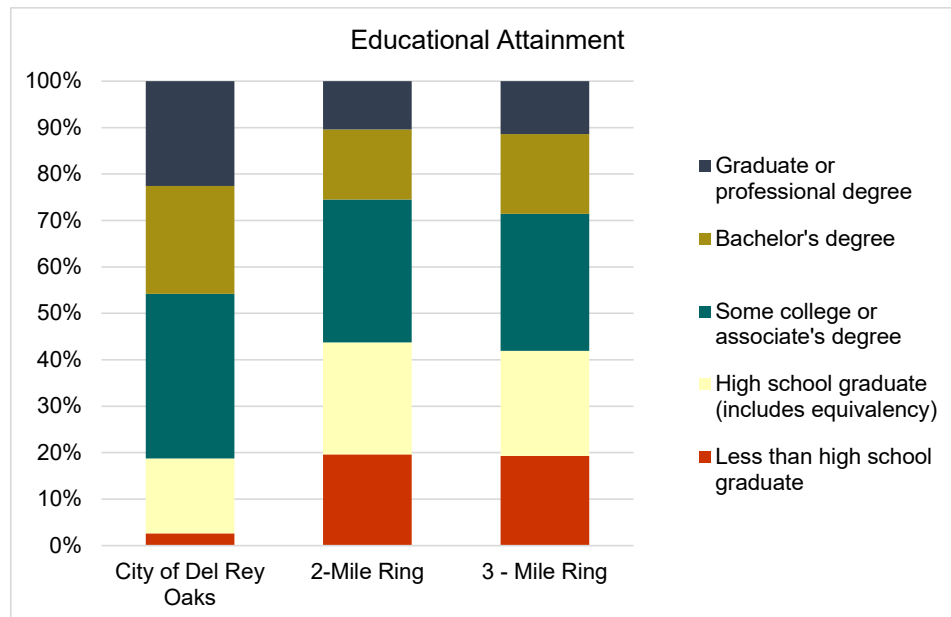
The California Department of Education displays the performance of educational agencies and schools using an online tool called the California School Dashboard.<sup>17</sup> According to the Dashboard, the MPUSD 2021/22 school year included the following: Enrollment was 9,349 students, 65.4% of students 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.

<sup>16</sup> MPUSD, 2023. [https://www.mpusd.net/apps/pages/index.jsp?uREC\\_ID=3698185&type=d&pREC\\_ID=2423741](https://www.mpusd.net/apps/pages/index.jsp?uREC_ID=3698185&type=d&pREC_ID=2423741)

<sup>17</sup> 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,<sup>18</sup> 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

<sup>18</sup> Public Policy Institute of California, 2019. <https://www.ppic.org/blog/geography-of-educational-attainment-in-california/>

in the south.<sup>19</sup> 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.<sup>20</sup>

- 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.<sup>21</sup> 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

<sup>19</sup> Monterey-Salinas Transit (MST), 2022. [https://mst.org/wp-content/media/MST\\_2022\\_Annual\\_Report.pdf](https://mst.org/wp-content/media/MST_2022_Annual_Report.pdf)

<sup>20</sup> MST, 2023. <https://www.mstmobility.org/taxi-vouchers.htm>

<sup>21</sup> 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”.**<sup>22</sup> 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.**<sup>23</sup>

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.<sup>24</sup>

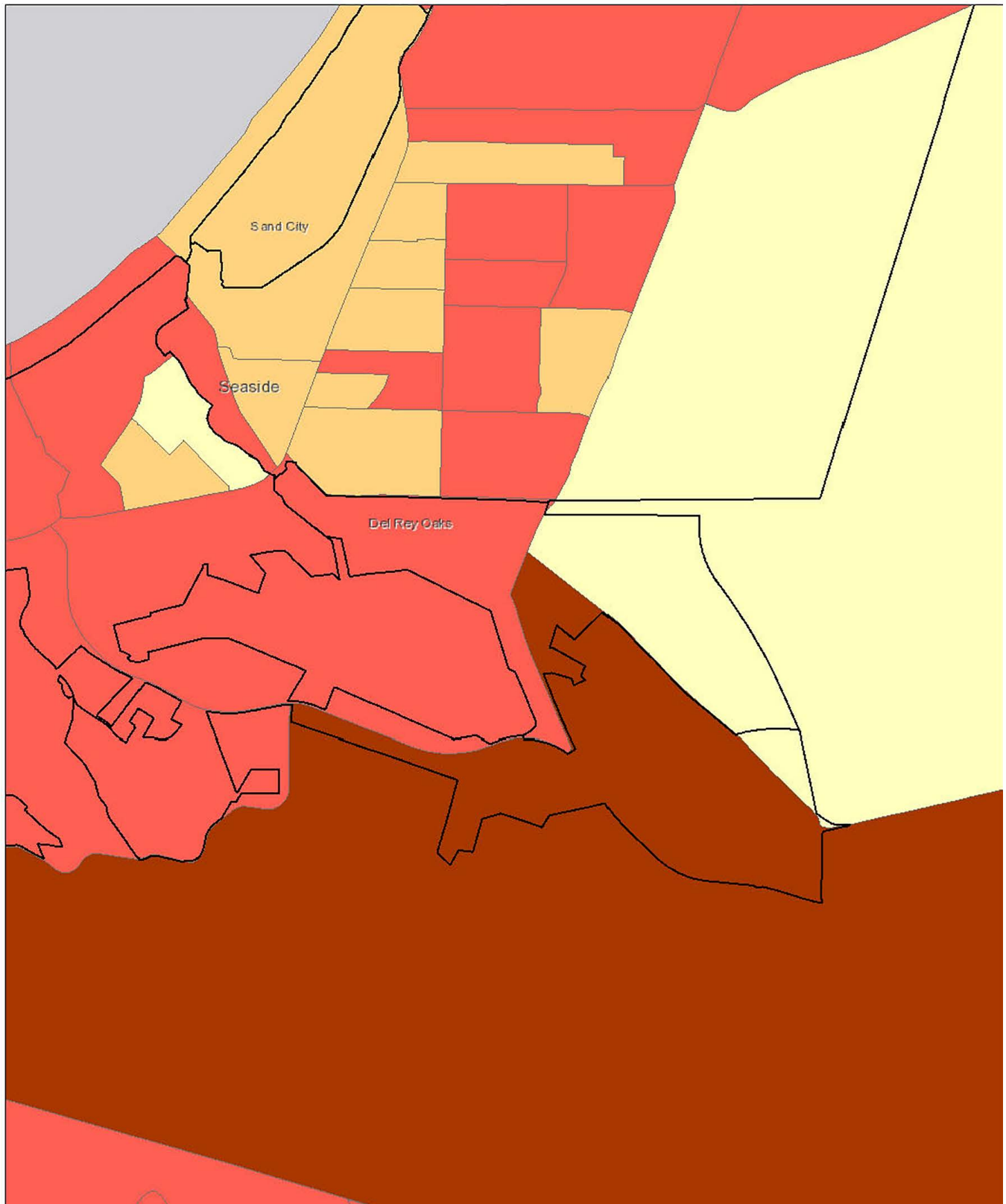
Caltrans encourages early collaboration with the City on future transit and complete streets concepts located within the State right-of-way.<sup>25</sup>

<sup>22</sup> MST, 2023. <https://www.mstmobility.org/senior-shuttle.htm>

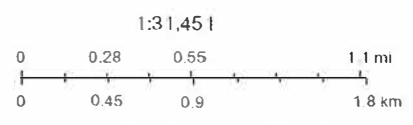
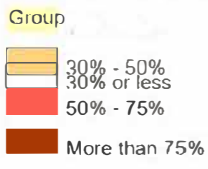
<sup>23</sup> MST, 2023. Correspondence.

<sup>24</sup> Ibid.

<sup>25</sup> Caltrans, 2023. Correspondence.

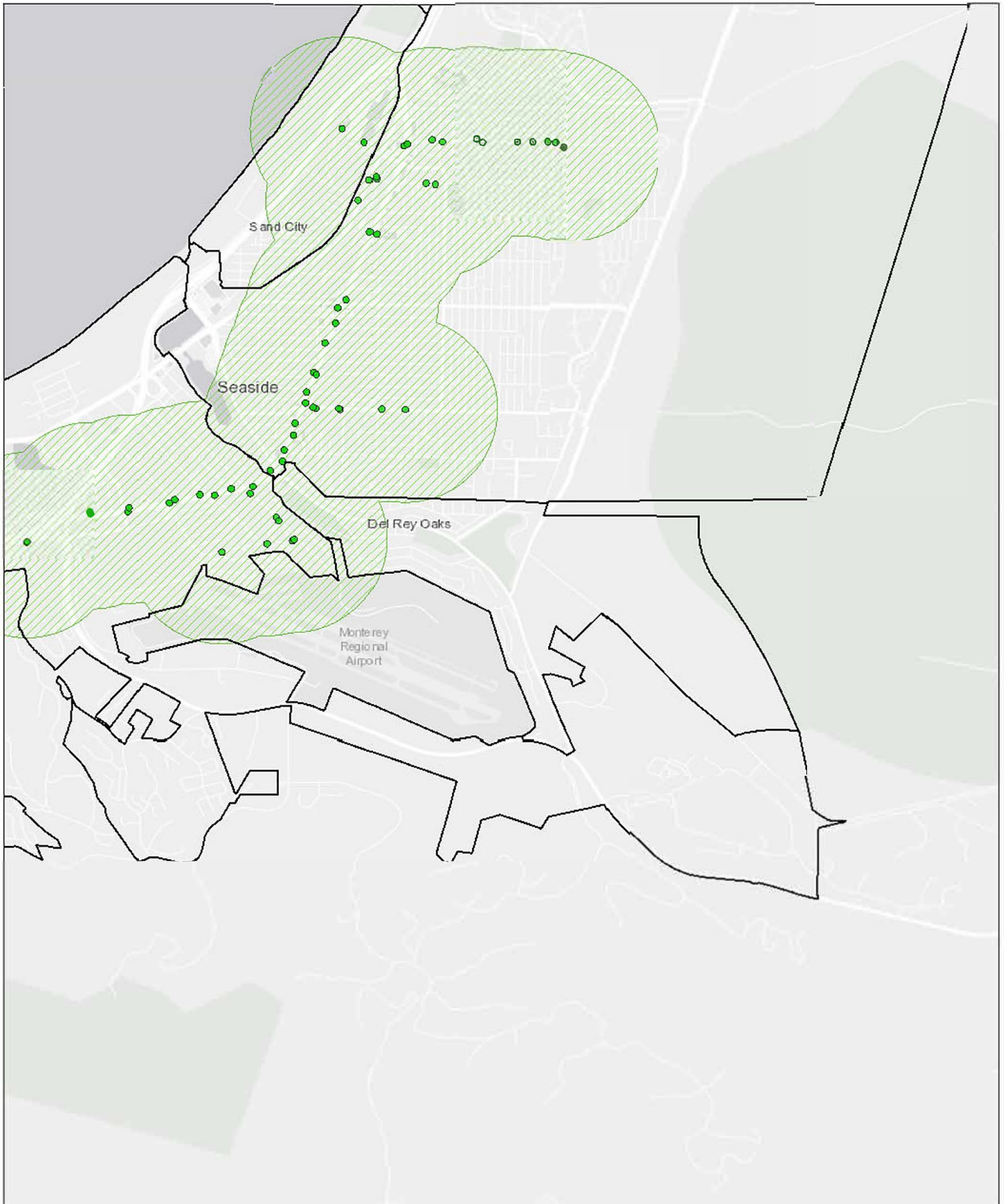


Source  
Housing and Transportation Index (CNT, 2022) - Block



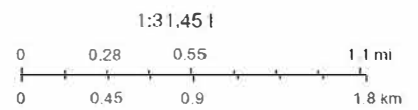
Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE





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.

<b>Income Level</b>	<b>Cost Burdened &gt; 30%</b>	<b>Cost Burdened &gt; 50%</b>	<b>Total Households</b>	<b>Cost Burdened &gt; 30% Percent</b>	<b>Cost Burdened &gt; 50% Percent</b>
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.

	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.

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%
<b>Del Rey Oaks</b>	<b>714</b>	<b>17.5%</b>	<b>25.4%</b>
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.<sup>26</sup>

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.<sup>27</sup> **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).

Jurisdiction	Unsheltered					Sheltered				
	2015	2017	2019	2022	Net Change	2015	2017	2019	2022	Net Change
<b>Del Rey Oaks</b>	55	111	0	2	-96%	0	0	0	0	--
<b>Monterey County Total</b>	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.

<sup>26</sup> 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).

<sup>27</sup> 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 <sup>28</sup>		
Shelters and Clients	Population Served	Beds and/or Services
<b>Day/Resource Centers</b>		
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.
<b>Emergency Shelter</b>		
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.
<b>Transitional Housing</b>		
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
<b>Rental Support Services</b>		
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.
<b>Health and Wellness</b>		

<sup>28</sup> 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 <sup>28</sup>		
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.<sup>29</sup>

### **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.

<sup>29</sup> 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.

Table A20 Distribution by Income Group					
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 <sup>1</sup>	10,600	13.4%	16.4%	20.2%	50.0%
City of Del Rey Oaks <sup>2</sup>	635	6.1%	6.3%	13.4%	73.2%
Monterey County <sup>1</sup>	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.

<sup>1</sup> Source: CHAS Data, 2015-2019.  
<sup>2</sup> 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.

Table A21 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%
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.<sup>30</sup> 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.<sup>31</sup>

<sup>30</sup> Chapple, K., & Thomas, T., and Zuk, M. University of California, Berkeley Urban Displacement Project, 2021.

<sup>31</sup> 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.

<b>Table A-22: Fair Housing Issues and Contributing Factors</b>		
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).<sup>32</sup> The Monterey area including the City also has high to very high Location Affordability Index rates.<sup>33</sup>

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

<sup>32</sup> CHAS Data, 2016-2020.

<sup>33</sup> <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"> <li>Facilitate the provision of housing for special needs groups and support efforts to provide housing for elderly and disabled (Program D.2)</li> <li>Review and amend the Zoning Code to incorporate accessible design (Program D.3)</li> </ul>
	Displacement of residents	Medium	<ul style="list-style-type: none"> <li>Facilitate affordable housing for all income levels and persons with disabilities (Program B.2)</li> <li>Adopt a universal design element for new development (Program D.7)</li> </ul>
Disproportionate Housing Needs, Including Displacement Risks	Availability of affordable units in a range of sizes	High	<ul style="list-style-type: none"> <li>Facilitate affordable rental units (Program B.6)</li> <li>Encourage the construction of Accessory Dwelling Units (Program C.2)</li> </ul>
	Aging population, ELI Population	Medium	<ul style="list-style-type: none"> <li>Consider adoption of ordinance requiring new inclusionary housing be provided on a preferential basis to Del Rey Oaks residents and workers (Program B.4)</li> <li>Adopt a universal design element for new development (Program D.7)</li> </ul>
	Land use and zoning laws	High	<ul style="list-style-type: none"> <li>Develop a mixed-use zoning designation (Program A.2)</li> </ul>

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"> <li>• Allow small lot residential Planned Unit Developments (PUD) (Program A.3)</li> <li>• Consider development of an inclusionary housing policy option or developer agreement template (Program B.1)</li> <li>• Streamline permitting consistent with SB 35 (Program C.1)</li> <li>• Amend the zoning code to mitigate constraints (Program C.3)</li> <li>• Review zoning code and develop objective design and development standards (Program D.8)</li> </ul>
	Availability, type, frequency, and reliability of public transportation	Low	<ul style="list-style-type: none"> <li>• 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.</li> </ul>



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.<sup>34</sup> 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

<sup>34</sup> [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.<sup>35</sup>

### ***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.

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<sup>35</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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**

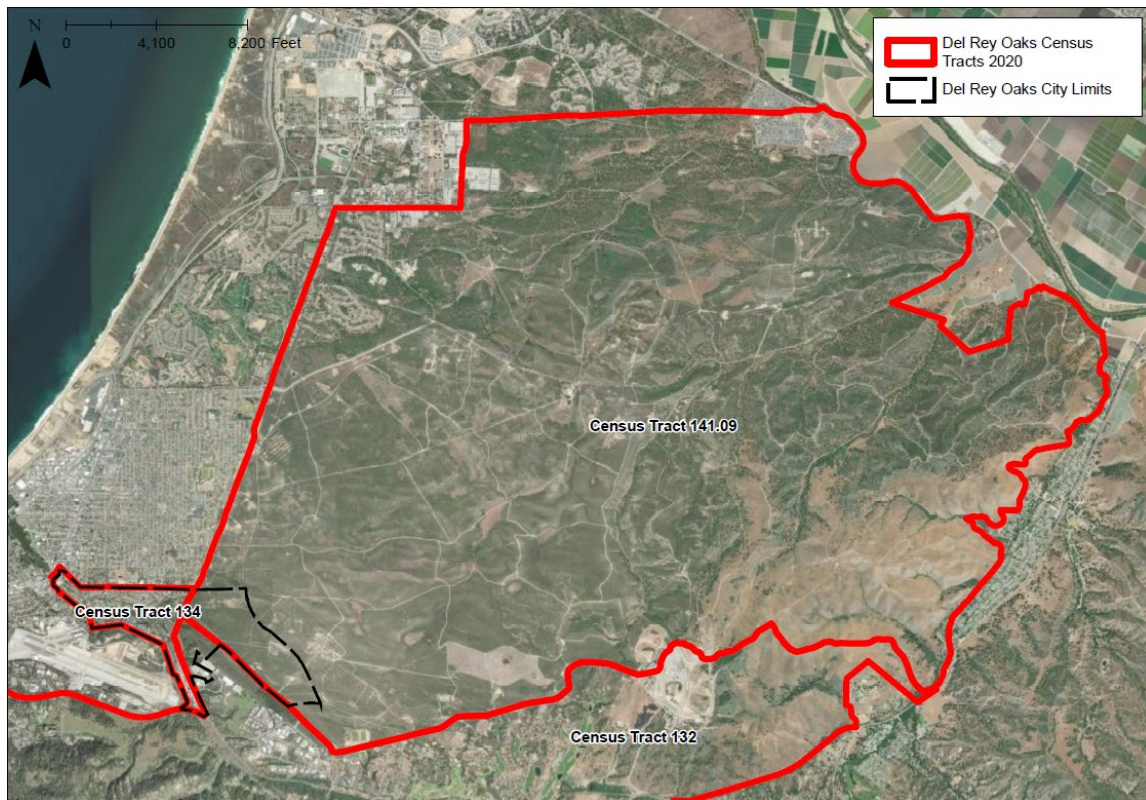




Table A24															
AFFH Sites Inventory Analysis															
Sites Location			Sites Inventory Capacity				Census and AFFH Data Estimates <sup>2</sup>								
Site Name	Assessor Parcel Number	Census Tract <sup>1</sup>	Very Low-Income <sup>36</sup>	Low-Income	Moderate-and Above-Income	Total Capacity	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.  
<sup>1</sup> Tract 141.09 includes a portion of Seaside and former Fort Ord.  
<sup>2</sup> Data is presented at the census tract level

Table A24															
AFFH Sites Inventory Analysis															
Sites Location			Sites Inventory Capacity			Census and AFFH Data Estimates <sup>2</sup>									
Site Name	Assessor Parcel Number	Census Tract <sup>1</sup>	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											

<sup>36</sup> 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.  
<sup>1</sup> Tract 141.09 includes a portion of Seaside and former Fort Ord.  
<sup>2</sup> 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**

### **6<sup>th</sup> Cycle**

The following links to workshops, meetings and public documents provide background on public outreach for the 6<sup>th</sup> 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: [6<sup>th</sup> Cycle Public Review Draft Housing Element Update](#)
- June 26, 2023, 30-Day Public Comment Period Concludes: [Comment Letters 6<sup>th</sup> 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 <sup>th</sup> Cycle Update?	How is this topic also addressing AFFH?
March 16, 2023, Workshop; March 28, 2023, Public Meeting on 6 <sup>th</sup> 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 <b>New Program A.2</b>	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 <b>Program C.2.</b>	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. <b>New program D.6.</b>	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 <b>Program D.7</b> 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 <sup>th</sup> 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 <b>Program D.7</b> to Adopt Universal Design Ordinance. Updated ADU program, <b>Program C.2</b> , 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 <b>Program A.1</b> 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 <sup>th</sup> 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 <b>Program. B.1</b> 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 <b>Program C.3</b> ). Site Inventory for potential	Transportation section in AFFH (access, closer to employment, retail, services) Added <b>Program A.2</b> for mixed use , and <b>Program B.7</b> 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 <sup>th</sup> Cycle Update?	How is this topic also addressing AFFH?
			development locations. <b>Policy A.2, Program D.5</b>	
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 <b>Program D.10</b> concerning ELI housing and additional programs to address special needs (See <b>Programs B.2, D.2, D.3, D.4, D.6, and D.9</b> ).
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 <b>Program C.4</b> for water infrastructure and require proof of water to ensure long term supply <sup>1</sup> .

<sup>1</sup> 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"> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>City added program on preferential housing for MPUSD employees.</li> <li>See Chapter 7.0, Program Revisions</li> </ul>	<ul style="list-style-type: none"> <li>Ordinance will provide ministerial approval of multi-family infill housing that meets objective development and design review standards.</li> <li>First priority is MPUSD employees, then public agency employees, then members of public.</li> </ul>
<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"> <li>Letter suggests site inventory inadequate due to infeasibility of development on former Fort Ord Sites 1 and 1A.</li> <li>Letter suggests that other areas in the City should be where affordable housing is located.</li> <li>Suggests assigning RHNA to sites outside Fort Ord in Program A1.</li> </ul>	<ul style="list-style-type: none"> <li>Provided further information in Chapter 4.0 Housing Constraints.</li> <li>Added mapping and information on constraints in Chapter 4.0 and in Appendix C.</li> <li>The City added programs with specific timetables to ensure that the land is feasible for development</li> </ul>	<ul style="list-style-type: none"> <li>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]).</li> <li>Selection of sites addressed in Chapter 3.0 and in multiple public meetings.</li> <li>See further responses and specific actions/additions to Housing Element by issue area below.</li> </ul>
<p>6/15/2023</p> <p>LandWatch</p>	<p>Housing, Policies and Programs</p>	<ul style="list-style-type: none"> <li>Suggests enforceable language, measurable objectives or objective standards for policies and programs.</li> </ul>	<ul style="list-style-type: none"> <li>Added more specificity, and program and timeline to meeting objectives.</li> <li>See Chapter 7.0, Program Revisions</li> </ul>	<ul style="list-style-type: none"> <li>See Chapter 7.0, Program Revisions</li> </ul>
<p>6/15/2023</p> <p>LandWatch</p>	<p>Hazardous Materials precludes residential use</p>	<ul style="list-style-type: none"> <li>Notes land use covenants restricting approval for residential use.</li> <li>Letter inquires about sites, costs and feasibility of cleanup.</li> </ul>	<ul style="list-style-type: none"> <li>Added Figure 5 showing No Residential Restriction</li> <li>Added text in Chapter 4 Housing Constraints for Site 1 residential use.</li> <li>Added program to address</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> </ul>

<p>6/15/2023 LandWatch</p>	<p>Water Supply Adequacy</p>	<ul style="list-style-type: none"> <li>• Comment objects to the term water “allocation” from MCWD UWMP.</li> <li>• Letter states there is no FORA relevance and allocations as basis for water supply for former Fort Ord.</li> <li>• Questions water availability for Site 1 and if water would continue to be available due to a 6,160-unit water “cap”.</li> </ul>	<ul style="list-style-type: none"> <li>• Deleted “allocated” language in reference to UWMP in Chapter 4 Housing Constraints.</li> <li>• Added information on approved water projects.</li> <li>• Added reference to MCWD Can &amp; Will serve letter and water agreement w/City</li> <li>• Added program to address timing for water development</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 4.0 and MCWD added Water agreement address the 6,160-unit cap</li> <li>• Water can be available from other sources, not necessarily the Salinas Valley groundwater.</li> <li>• The M1W and MPWSP approved projects will provide adequate water supply for development.</li> <li>• See revisions in Chapter 4.0 Constraints and revised program for water in Chapter 7.0, Program Revisions</li> </ul>
<p>6/15/2023 LandWatch</p>	<p>Policies and Programs: density</p>	<ul style="list-style-type: none"> <li>• Suggests higher densities in Program A2.</li> <li>• Suggests ministerial approval or PUD permits in Program A3.</li> </ul>	<ul style="list-style-type: none"> <li>• See comments above.</li> <li>• The City follows State law for by right and ministerial permitting.</li> <li>• The City is adding program for employer-sponsored housing (modeled on AB 2295 and SB 35) per MPUSD request.</li> </ul>	<ul style="list-style-type: none"> <li>• Program A.2 revised to cite density and higher density required</li> <li>• City notes meeting RHNA is possible on the portion of Site 1 without the restriction on residential use.</li> <li>• 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.</li> <li>• Comment addressing ministerial approvals referred to City decision makers</li> </ul>
<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"> <li>• States Program B2 lacks measurable objectives or standards and objects to Program B2 for RHNA.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• See Chapter 7.0, Program Revisions</li> <li>• Added measurable objectives in Program B1, and Program B2</li> </ul>

		<ul style="list-style-type: none"> <li>• Recommends revising Program B3 to specify housing voucher incentives.</li> <li>• Recommends revising Program B4 to state why program for preferential housing for City residents and workers would meet RHNA.</li> <li>• States Program B5 should be revised for a density bonus above minimum requirements under State Law.</li> <li>• States Program B5 should be revised for density bonuses in all zones permitting residential uses.</li> </ul>	<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"> <li>• See Chapter 7.0, Program Revisions</li> <li>• Added measurable objectives and timelines for Program B3.</li> <li>• Reviewed Program B4 regarding request to state why program for preferential housing for City residents and workers would meet RHNA.</li> <li>• 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.</li> </ul>
6/15/2023 LandWatch	Policies and Programs	<ul style="list-style-type: none"> <li>• Suggests Program C2 should be revised to specify the time period for ADU ministerial permit and approval.</li> </ul>	<ul style="list-style-type: none"> <li>• Added ADU and JADU development annual review in Timeline and Objective of Program C2.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
6/15/2023 LandWatch	Policies and Programs	<ul style="list-style-type: none"> <li>• Suggests a new program to identify and upzone existing residential areas.</li> <li>• Recommends eliminating R-1 zoning and allowing multifamily residential uses in all residential areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Added a program to develop objective design standards for the review of multi-family housing and</li> </ul>	<ul style="list-style-type: none"> <li>• ADUs and state law allow for additional units on residential and commercial sites. Amend ADU program per above comment.</li> </ul>

		<ul style="list-style-type: none"> <li>• Recommends the Housing Element require the development of objective development and design review standards for streamlining.</li> <li>• Suggests requiring by-right ministerial permitting in all zones permitting residential uses.</li> </ul>	<p>mixed-use development applications.</p> <ul style="list-style-type: none"> <li>• Added a program for development of SB 35 ordinance and compliance per HCD letter and advice.</li> </ul>	<ul style="list-style-type: none"> <li>• Elimination of R-1 or other additional programs are not considered needed to meet RHNA.</li> <li>• The City follows State law for by right and ministerial permitting.</li> </ul>
6/15/2023 LandWatch		<ul style="list-style-type: none"> <li>• Suggests a series of revisions to Zoning Code related to ministerial approvals</li> </ul>	<ul style="list-style-type: none"> <li>• Added a program for objective design standards.</li> <li>• Added a program to address SB 35 per comment</li> </ul>	<ul style="list-style-type: none"> <li>• Specifics of comment can be considered when hearings and public comments on these ordinances and updates are underway.</li> </ul>
Public Comment received 7/12/2023	Policies and Programs	<ul style="list-style-type: none"> <li>• Verbal comment to include square foot fees versus by value to incentivize smaller and more affordable units</li> </ul>	<ul style="list-style-type: none"> <li>• Add a program for fees to address comment.</li> </ul>	<ul style="list-style-type: none"> <li>• Added program for fees including by square foot to assist with creation of more affordable housing.</li> </ul>
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"> <li>• States environmental constraints of Sites 1 and 1a.</li> <li>• Objects to use of former Fort Ord for development of housing.</li> </ul>	<ul style="list-style-type: none"> <li>• See response to LW Sites 1 and 1a comment and hazardous materials responses to LW comment, above.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
9/26/2023 CNPS	Biological Resources	<ul style="list-style-type: none"> <li>• Describes special-status plant and wildlife species potentially on Sites 1 and 1a.</li> <li>• Suggests tiered-EIR program -wants more site-specific plant and wildlife surveys on these sites now.</li> <li>• Cites biological impacts as rationale for no development on former Fort Ord.</li> </ul>	<ul style="list-style-type: none"> <li>• Added biological constraints information to Chapter 4.0, Housing Constraints.</li> <li>• 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.</li> <li>• The biological analysis includes the evaluation of</li> </ul>	<ul style="list-style-type: none"> <li>• 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</li> </ul>

			<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"> <li>Final EIR responses to comment fully address all comments from CNPS. Mitigation is proposed</li> </ul>	<p>avoided through site design or other project design features<sup>1</sup>.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>
9/26/2023 CNPS	Hazards and Hazardous Materials	<ul style="list-style-type: none"> <li>Describes UXO and hazardous materials history for former Fort Ord as rationale for no development of residential uses on these sites.</li> <li>Includes environmental justice information and suggests no residential use for this property due to safety concerns.</li> </ul>	<ul style="list-style-type: none"> <li>Added additional text and mapping to show the large portion of former Parcel E29a (Site 1) without residential.</li> <li>No residential use would be allowed without the lifting of restrictions and clean up, similar to other sites in former Fort Ord.</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>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).</li> <li>6<sup>th</sup> Cycle Housing Element Appendix A provides a discussion of Affirmatively Further Fair Housing (AFFH) analysis related to environmental justice.</li> </ul>

<sup>1</sup> 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 6<sup>th</sup> Cycle Housing Element was available for public review for 30 days starting on May 26, 2023 on the City's webpage: [6<sup>th</sup> 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 6<sup>th</sup> 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



<b>Group</b>	<b>Contact Person</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
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

<b>Group</b>	<b>Contact Person</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
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

<b>Group</b>	<b>Contact Person</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
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

<b>Group</b>	<b>Contact Person</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>ZIP</b>
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

City Address List

ROBIN MCCRAE  
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

City Address List

JEREMY HALLOCK  
979 VIA VERDE  
DEL REY OAKS CA 93940

ERA ABRAHAM  
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

City Address List

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](mailto: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](mailto: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](http://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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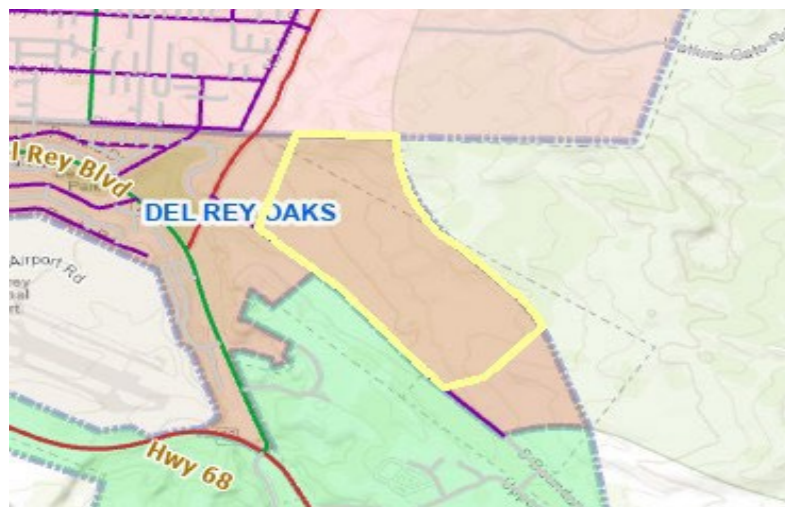
## Appendix C-1

### Site Inventory Tables

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## Land Inventory/Summary of Key Sites

<b>Location</b>	1
<b>Map Designation</b>	Figure 4, Site 1
<b>APN</b>	031-191-026-000
<b>Acreage</b>	232.03
<b>Description of Existing Use</b>	The site is currently undeveloped, and a part of former Fort Ord.
<b>General Plan Designation</b>	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
<b>Zoning</b>	Neighborhood Commercial with Visitor Overlay – (C-1-V)
<b>Realistic Capacity</b>	200 units, conservative estimate, assuming an area or areas would be subdivided of up to ten acres at 20 units/acre density.
<b>Proposed for Rezoning</b>	This area is proposed for rezoning through an overlay zone to allow for residential to meet RHNA 6th Cycle, including shortfall from 5th Cycle.



<b>Summary Description</b>	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.
<b>Surrounding Land Uses</b>	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.
<b>Access/Circulation</b>	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.
<b>Infrastructure</b>	<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.
<b>Development constraints (environmental, floodplains, etc.)</b>	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.
<b>Development Restrictions (easements/covenants)</b>	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.
<b>Monterey County GIS Data/Potential Concerns</b>	Moderate to High Erosion Hazard, within the 660' buffer of Active/Potentially Active Faults, Moderate Archaeological Sensitivity, and Monterey Spineflower Critical Habitat.
<b>Ownership</b>	City of Del Rey Oaks
<b>Surplus Land Act</b>	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

<b>Location</b>	<b>1a</b>
<b>Map Designation</b>	Figure 4, Site 1a
<b>APNs</b>	031-191-027-000, 031-191-028-000
<b>Acreage</b>	Approximately 18 (6.03, 11.84)
<b>Description of Existing Use</b>	The site is currently undeveloped, and a part of former Fort Ord.
<b>General Plan Designation</b>	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
<b>Zoning</b>	Neighborhood Commercial with Visitor Overlay – (C-1-V)
<b>Realistic Capacity</b>	72 units
<b>Proposed for Rezoning</b>	Yes



<b>Summary Description</b>	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.
<b>Surrounding Land Uses</b>	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>
<b>Access/Circulation</b>	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.
<b>Infrastructure</b>	<b>Water/Sewer:</b> 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).  <b>Other Utilities:</b> 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.
<b>Development constraints (environmental, floodplains, etc.)</b>	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
<b>Development Restrictions (easements/covenants)</b>	Covenants and restrictions required per DTSC requirements for residential use.
<b>Monterey County GIS Data/Potential Concerns</b>	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.
<b>Ownership</b>	City of Del Rey Oaks
<b>Surplus Land Act</b>	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

<b>Location</b>	<b>K1</b>
<b>Map Designation</b>	Figure 4, Site K1
<b>APN</b>	031-191-024-000
<b>Acreage</b>	20
<b>Description of Existing Use</b>	The site is currently undeveloped, and a part of former Fort Ord.
<b>General Plan Designation</b>	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
<b>Zoning</b>	Neighborhood Commercial – (C-1) and Neighborhood Commercial with Visitor Overlay – (C-1-V)
<b>Realistic Capacity</b>	Conservatively assuming 60 units, with mixed use with commercial, and density at 20 units/acre.
<b>Proposed for Rezoning</b>	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.

<b>Summary Description</b>	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.
<b>Surrounding Land Uses</b>	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.
<b>Access/Circulation</b>	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.
<b>Infrastructure</b>	<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.
<b>Development constraints (environmental, floodplains, etc.)</b>	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.
<b>Development Restrictions (easements/covenants)</b>	Covenants and restrictions required per DTSC requirements for residential use.
<b>Monterey County GIS Data/Potential Concerns</b>	Moderate Erosion Hazard, within the 660' buffer of Active/Potentially Active Faults, Moderate Archaeological Sensitivity.
<b>Ownership</b>	Private Ownership

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## Land Inventory/Summary of Key Sites

<b>Location</b>	<b>K2</b>
<b>Map Designation</b>	Figure 4, Site K2
<b>APN</b>	031-191-025-000
<b>Acreege</b>	Approximately 54 acres (53.81)
<b>Description of Existing Use</b>	The site is currently undeveloped, and a part of former Fort Ord.
<b>General Plan Designation</b>	General Commercial – Neighborhood Commercial with Visitor overlay – (GC (C-1-V))
<b>Zoning</b>	Neighborhood Commercial with Visitor Overlay – (C-1-V)
<b>Realistic Capacity</b>	Up to 40 units, based upon use of a portion of the approved project area for small lot, park model or cottage residential.
<b>Proposed for Rezoning</b>	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.



<b>Summary Description</b>	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
<b>Surrounding Land Uses</b>	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.
<b>Access/Circulation</b>	The site has current access via a dirt road on the south side of the parcel on South Boundary Road, a two-lane road.
<b>Infrastructure</b>	<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.
<b>Development constraints (environmental, floodplains, etc.)</b>	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.
<b>Development Restrictions (easements/covenants)</b>	Covenants and restrictions required per DTSC requirements for residential use.
<b>Monterey County GIS Data/Potential Concerns</b>	Moderate to High Erosion Hazard, Moderate Archaeological Sensitivity, and Monterey Spineflower Critical Habitat.
<b>Ownership</b>	Private Ownership under Monterey Peninsula Partners

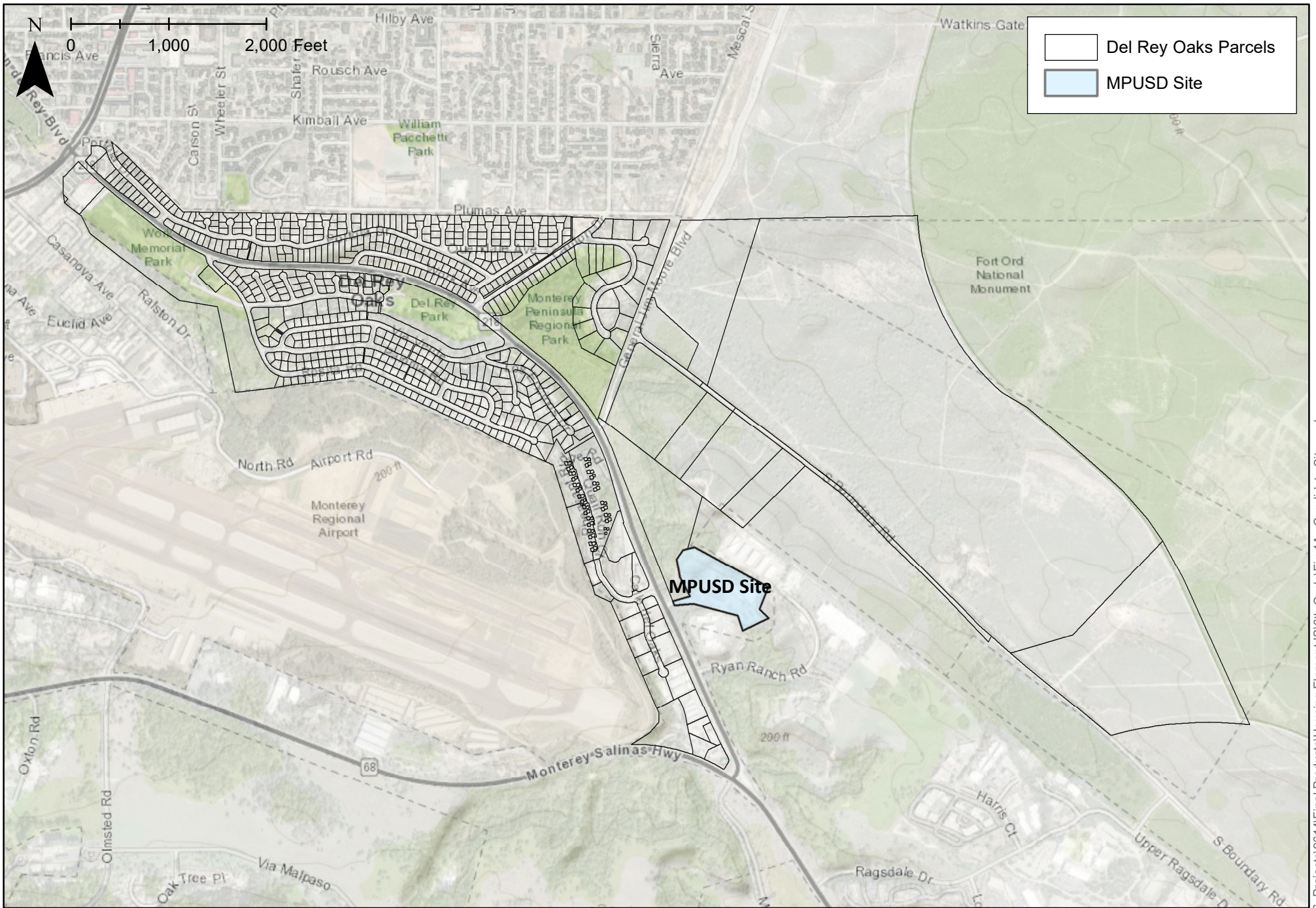
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## Appendix C-1A

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



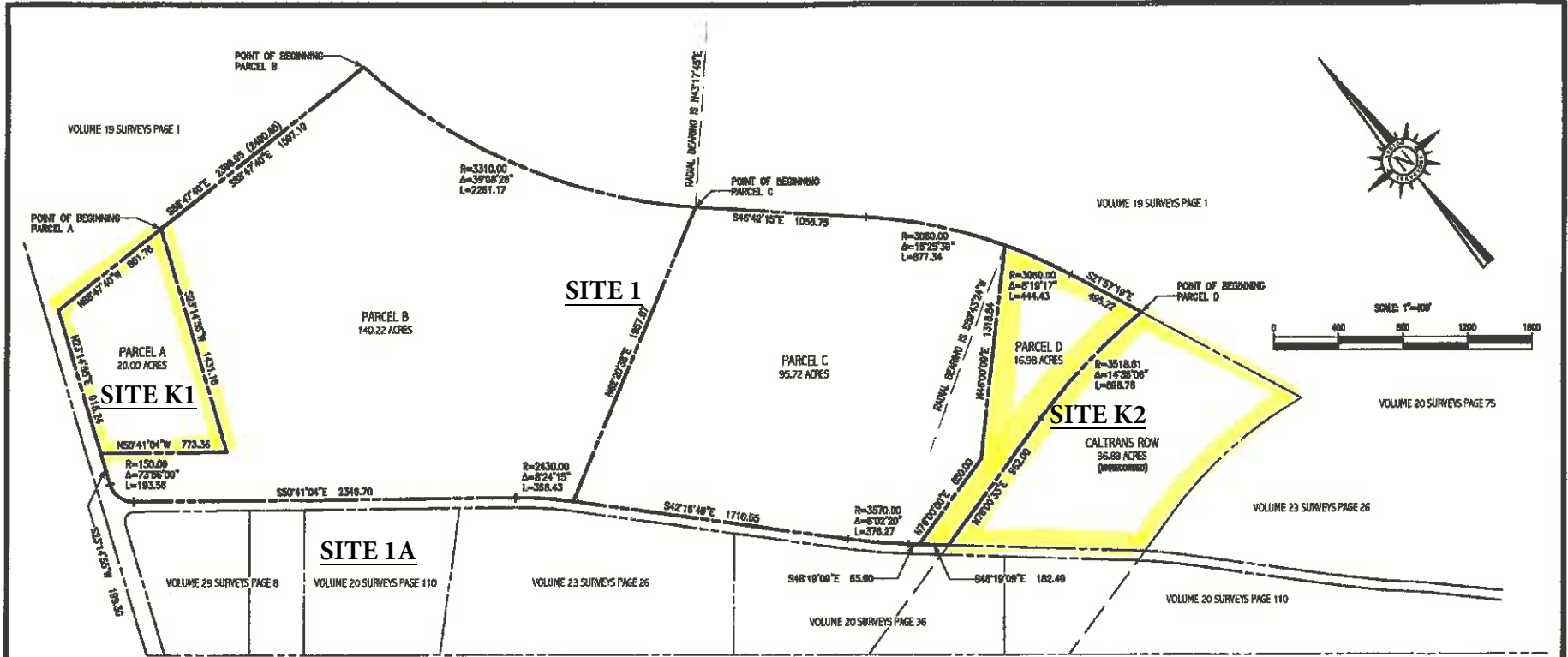
**Denise Duffy & Associates, Inc.**  
Planning and Environmental Consulting

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Appendix C-2

Supplemental Mapping

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# EXHIBIT "A"

FOR THE LEGAL DESCRIPTIONS OF PARCEL A, PARCEL B, PARCEL C, PARCEL D

PRELIMINARY DRAWING  
FOR REVIEW PURPOSES ONLY  
NOT FOR CONSTRUCTION

DATE: MAY 15, 2014

**BASIS OF BEARINGS:**  
 THE BEARINGS OF SOUTH 46°42'15" EAST AS SHOWN ON THE MAP FILED IN VOLUME 23 OF SURVEYS AT PAGE 103, AS FOUND BUT NOT MONUMENTED AND SHOWN ON HEREON IS THE BASIS OF BEARINGS FOR THIS SURVEY.

ONE SHEET ONLY

## TENTATIVE PARCEL MAP

FOR THE  
**CITY OF DEL REY OAKS COMMUNITY DEVELOPMENT**  
 LOT 36, BLOCK 4 IN VOLUME 5 OF CITIES & TOWNS AT PAGE 22  
 RECORDS OF MONTEREY COUNTY  
 APN 012-491-010-000 PER DOCUMENT: 2011035428

CITY OF DEL REY OAKS    COUNTY OF MONTEREY    STATE OF CALIFORNIA

PREPARED FOR  
**Monterey Peninsula Partners**

BY  
**LUCIDO SURVEYORS**  
 Boundary and Construction Surveys · Topographic and Planimetric Mapping  
 ALTA Surveys and GIS Database Management · Land Planning and Consulting

HOME OFFICE: 2 SAUCILO AVENUE, DEL REY OAKS, CALIFORNIA 95040  
 email: info@lucidosurveyors.com

FIELD OFFICE: 245 FOAM STREET, SUITE 210, MONTEREY, CALIFORNIA 93940  
 telephone: 831-432-5323

SCALE: 1"=400'    PROJECT No. 1280    MAY 2014

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

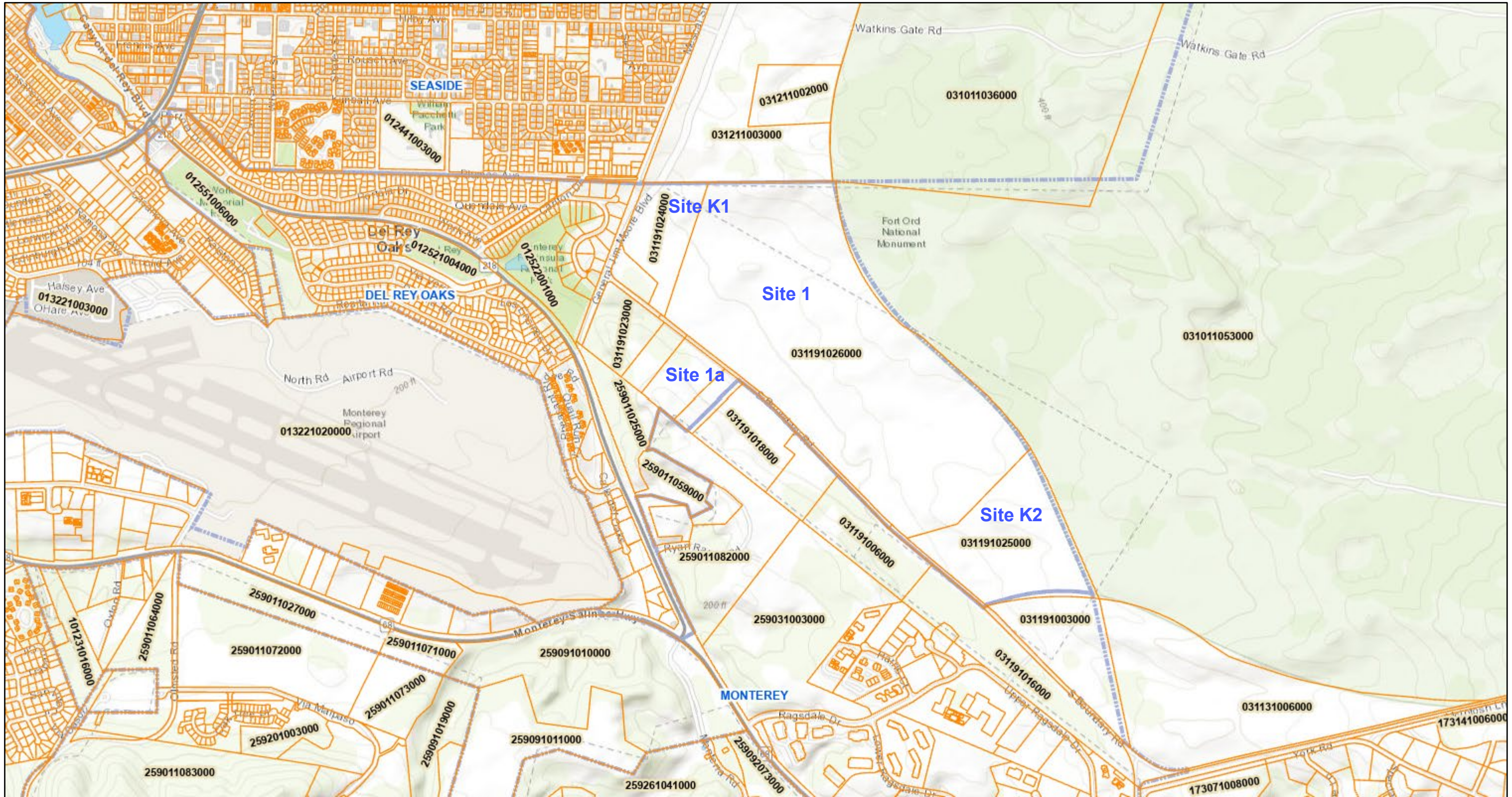
Parcel D of Tentative Parcel Map dated May 14, 2014, consisting of 16.98 acres

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

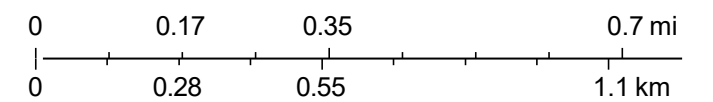


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- MONTEREY CO
- Incorporated Cities\_1
- Rivers and Water Bodies
- Parcels

## Supplemental Mapping Sites Inventory

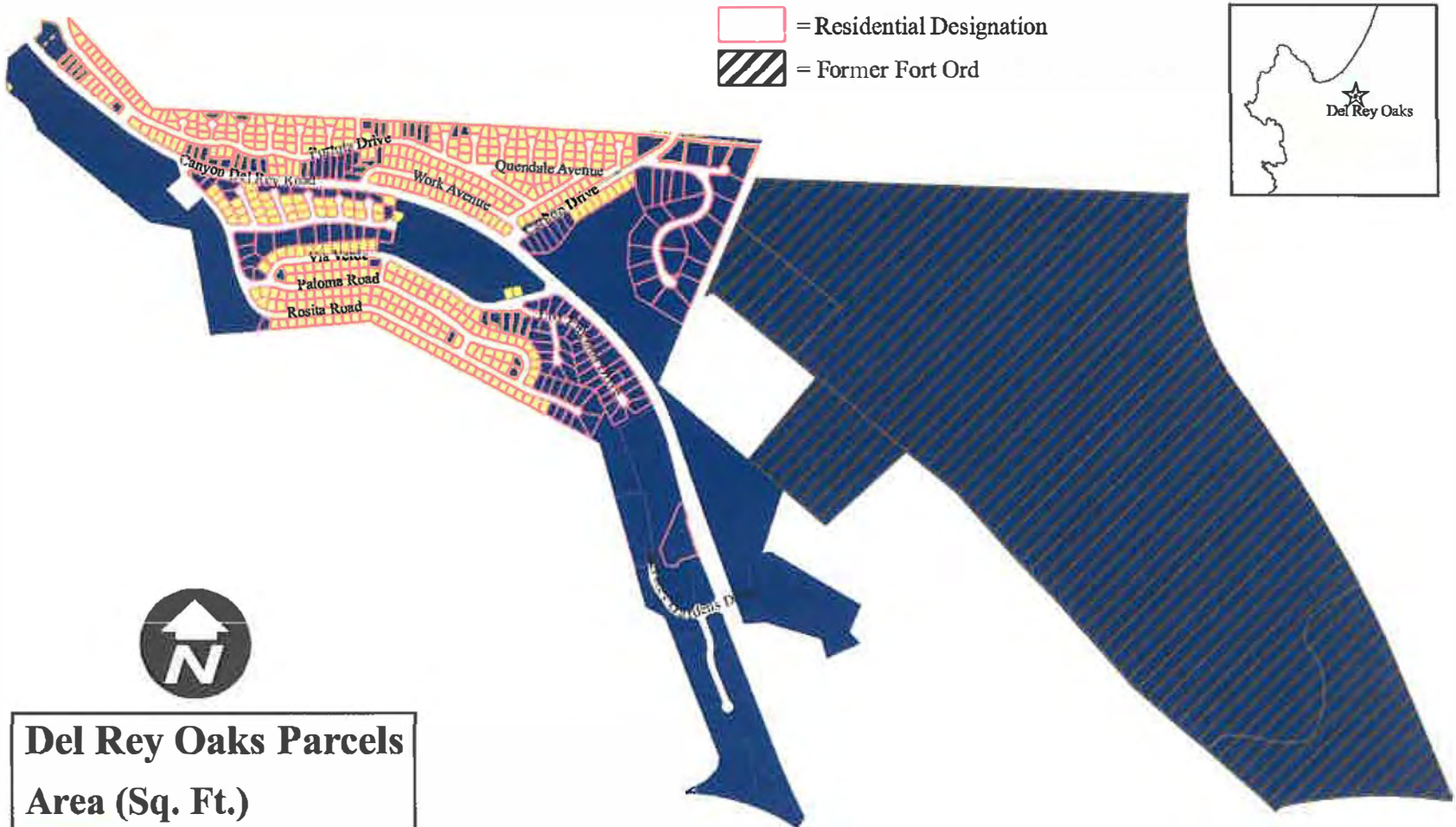


## 6th Cycle Housing Element Update APPENDIX C

Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

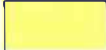



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**Del Rey Oaks Parcels**

**Area (Sq. Ft.)**

	0 - 7,999
	>8000

Lots Over 8000 Sq. Ft.



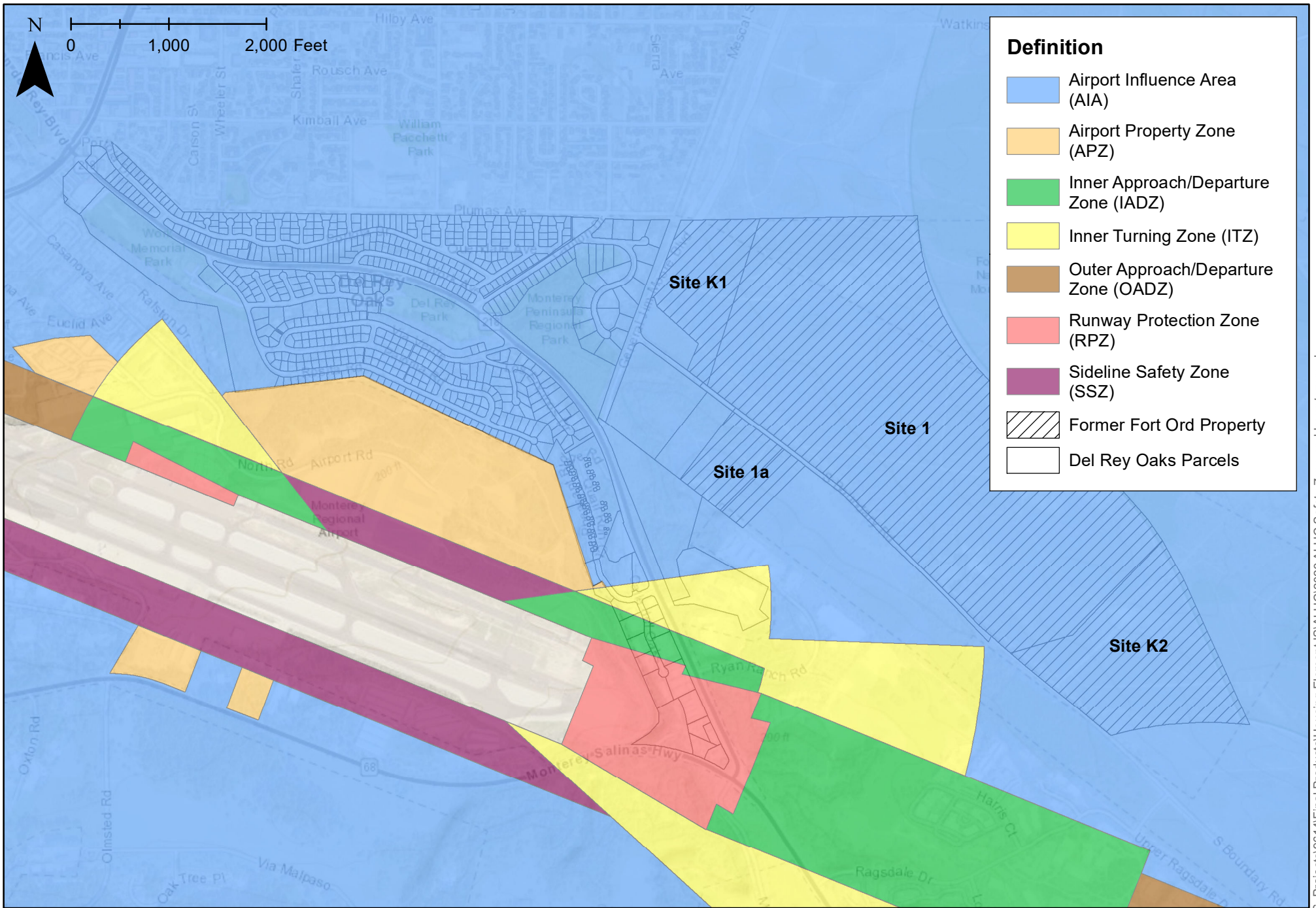
Del Rey Oaks Parcel Map  
Land Use Inventory Parcels

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Appendix C-3  
Additional Information

Airport Safety Zones

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**Airport Safety Zones and Updated Available Land Inventory**  
**City of Dey Rel Oaks, May 2023**

Date  
5/22/2023

Scale  
1 in = 1,000 ft



**Denise Duffy & Associates, Inc.**  
 Planning and Environmental Consulting

Source:  
Monterey  
County  
ALUC

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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 <sup>1</sup>	Maximum Non-residential Intensity <sup>2</sup>	Required Open Land <sup>3</sup>	Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>
Airport Influence Area (AIA)	No Limit	300 persons per acre	10%	<ul style="list-style-type: none"> <li>Hazards to flight<sup>6</sup></li> <li>Outdoor stadiums and similar uses with very high intensity uses</li> </ul>	<ul style="list-style-type: none"> <li>Airport disclosure notice required.</li> <li>Airspace review required for objects &gt;100 ft tall.<sup>9</sup></li> <li>New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 Surfaces.<sup>9</sup></li> <li>New structures require additional airspace analysis required within the 50-ft terrain penetration buffer.<sup>9</sup></li> <li>Proposed uses involve vulnerable occupants<sup>12</sup> 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.</li> <li>Areas designated as Urban on Exhibit 4C are exempt from the density and intensity criteria.<sup>13</sup></li> </ul>

**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 <sup>1</sup>	Maximum Non-residential Intensity <sup>2</sup>	Required Open Land <sup>3</sup>	Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>
Note: Attached map shows safety zone locations.  Inner Turning Zone (ITZ)	1 d.u. per 2 acres	100 persons per acre	20%	<ul style="list-style-type: none"> <li>• Residential, except for low residential and infill in developed areas<sup>11</sup></li> <li>• Hazardous uses (e.g., aboveground bulk fuel storage)</li> <li>• Natural gas &amp; petroleum pipelines<sup>10</sup></li> <li>• Buildings with more than 3 above-ground habitable floors</li> <li>• Children’s schools, day care centers, libraries</li> <li>• Hospitals, nursing homes</li> <li>• Places of worship</li> <li>• Schools</li> <li>• Gas stations</li> <li>• Recreational uses, athletic fields, playgrounds, &amp; riding stables</li> <li>• Theaters, auditoriums, &amp; stadiums</li> <li>• Dumps and landfills</li> <li>• Waterways that create a bird hazard</li> <li>• Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Airport disclosure notice required.</li> <li>• Locate structures maximum distance from extended runway centerline.</li> <li>• Airspace review required for objects &gt;35 ft tall.<sup>8</sup></li> <li>• Clustering is not allowed.</li> </ul>

**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 <sup>1</sup>	Maximum Non-residential Intensity <sup>2</sup>	Required Open Land <sup>3</sup>	Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>
<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"> <li>• Residential, except for very low residential and infill in developed areas<sup>11</sup></li> <li>• Hazardous uses (e.g., aboveground bulk fuel storage)</li> <li>• Natural gas &amp; petroleum pipelines<sup>10</sup></li> <li>• Office buildings greater than 3 stories</li> <li>• Labor-intensive industrial uses</li> <li>• Children’s schools, day care centers, libraries</li> <li>• Hospitals, nursing homes</li> <li>• Places of worship</li> <li>• Schools</li> <li>• Gas stations</li> <li>• Recreational uses, athletic fields, playgrounds, &amp; riding stables</li> <li>• Theaters, auditoriums, &amp; stadiums</li> <li>• Dumps and landfills</li> <li>• Waterways that create a bird hazard</li> <li>• Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Airport disclosure notice required.</li> <li>• Locate structures maximum distance from extended runway centerline.</li> <li>• Airspace review required for objects &gt;35 ft tall.<sup>8</sup></li> <li>• Clustering is not allowed.</li> </ul>

**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 <sup>1</sup>	Maximum Non-residential Intensity <sup>2</sup>	Required Open Land <sup>3</sup>	Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>
Runway Protection Zone (RPZ)	None	None	All unused	<ul style="list-style-type: none"> <li>• All structures except ones with location set by aeronautical function</li> <li>• All assemblages of people</li> <li>• Objects exceeding FAR Part 77 height limits</li> <li>• Natural gas &amp; petroleum pipelines<sup>10</sup></li> <li>• Dumps and landfills</li> <li>• Hazards to flight<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Airport disclosure notice required.</li> <li>• Clustering is not allowed.</li> </ul>

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 amphitheatres 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).

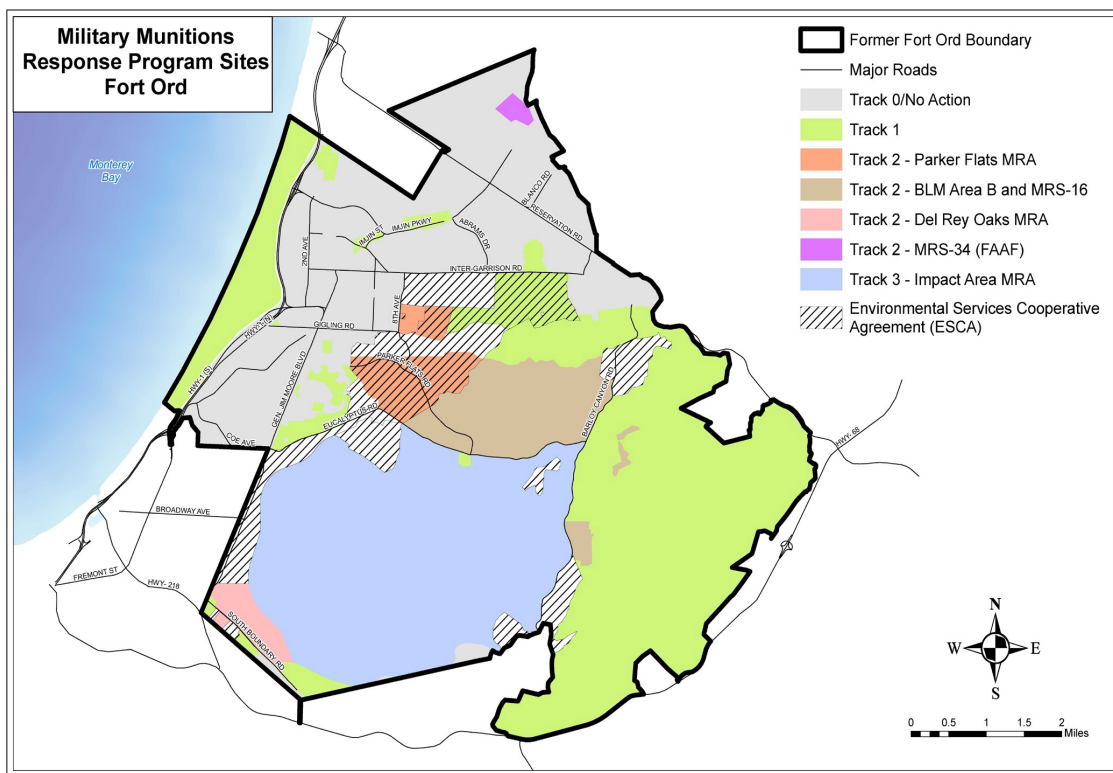
The Army has completed formal review of all in-place cleanup remedies for the Fort Ord and documents results of the base wide reviews every five years since 2002. For the former Fort Ord, the most recent Five-Year Review was conducted in 2022; four previous Five-Year Reviews were conducted in 2002, 2007, 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 Ord<sup>1</sup>.

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

<sup>1</sup> Source: U. S. Department of Army (Army) Five-Year Reviews: [www.fortordcleanup.com](http://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 site<sup>2</sup>.

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.

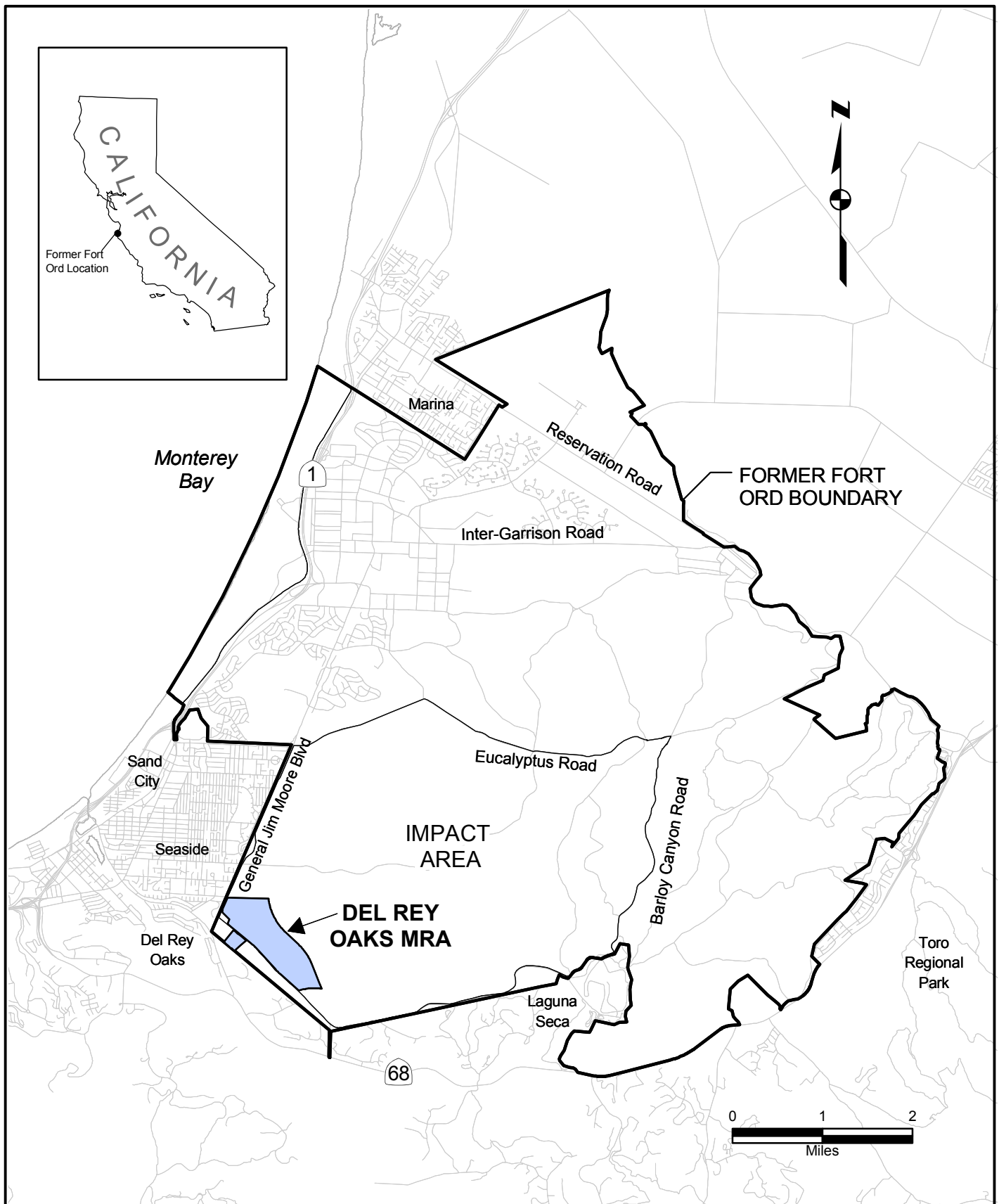
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<sup>2</sup> Army reports document that the Former Fort Ord site that has received geophysical surveys of 100% of the property using the Best Available Detection Technology (BADT) and all confirmed significant anomalies have been removed to the depth 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  
DEPARTMENT OF THE ARMY**

**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**

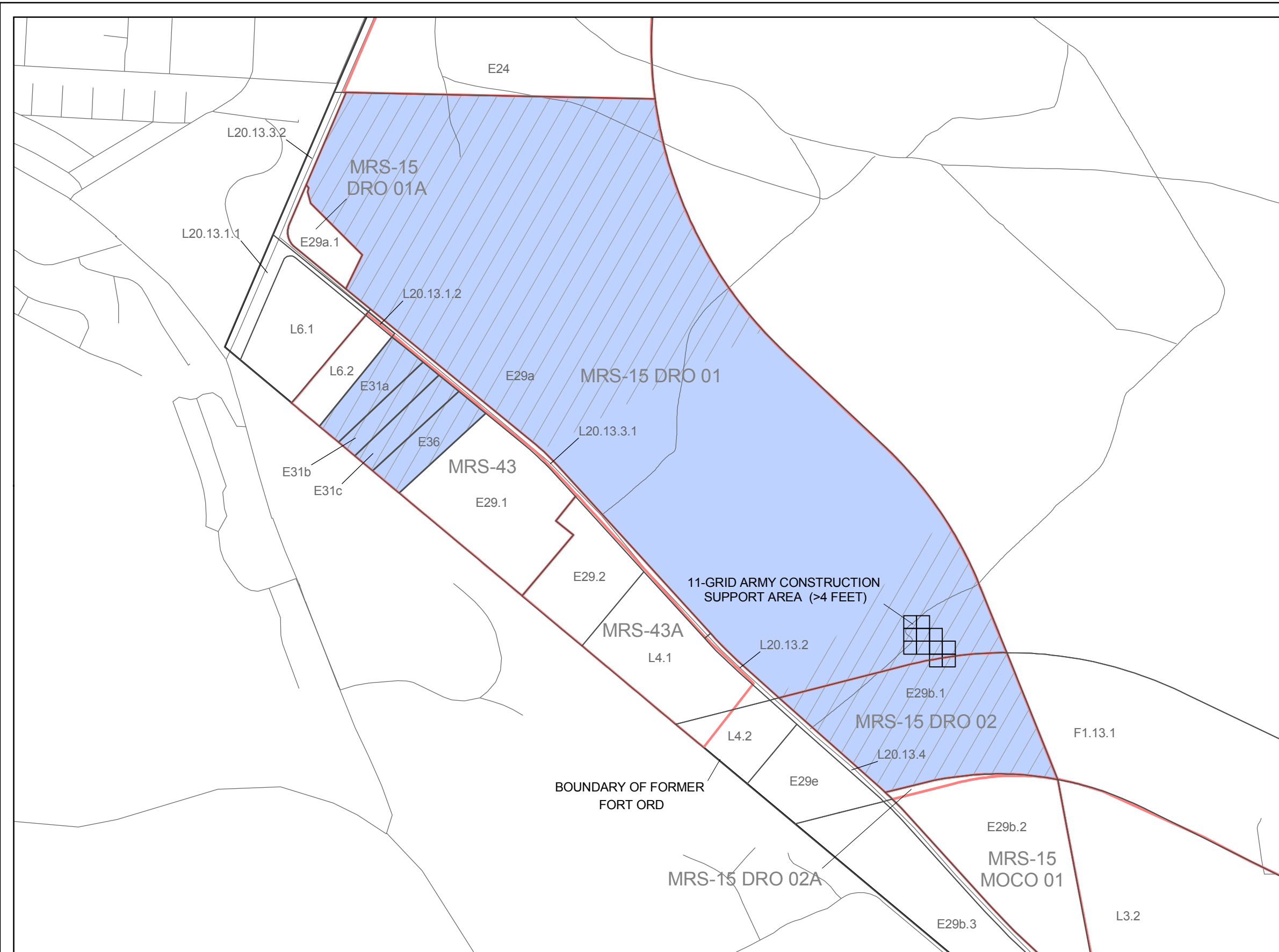
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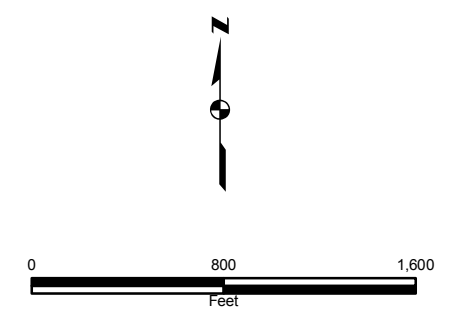
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- EXPLANATION**
- Reuse Areas Evaluated in the Risk Assessment and Feasibility Study
  - Areas Requiring Residential Use Restriction
  - MRS Site Boundary



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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

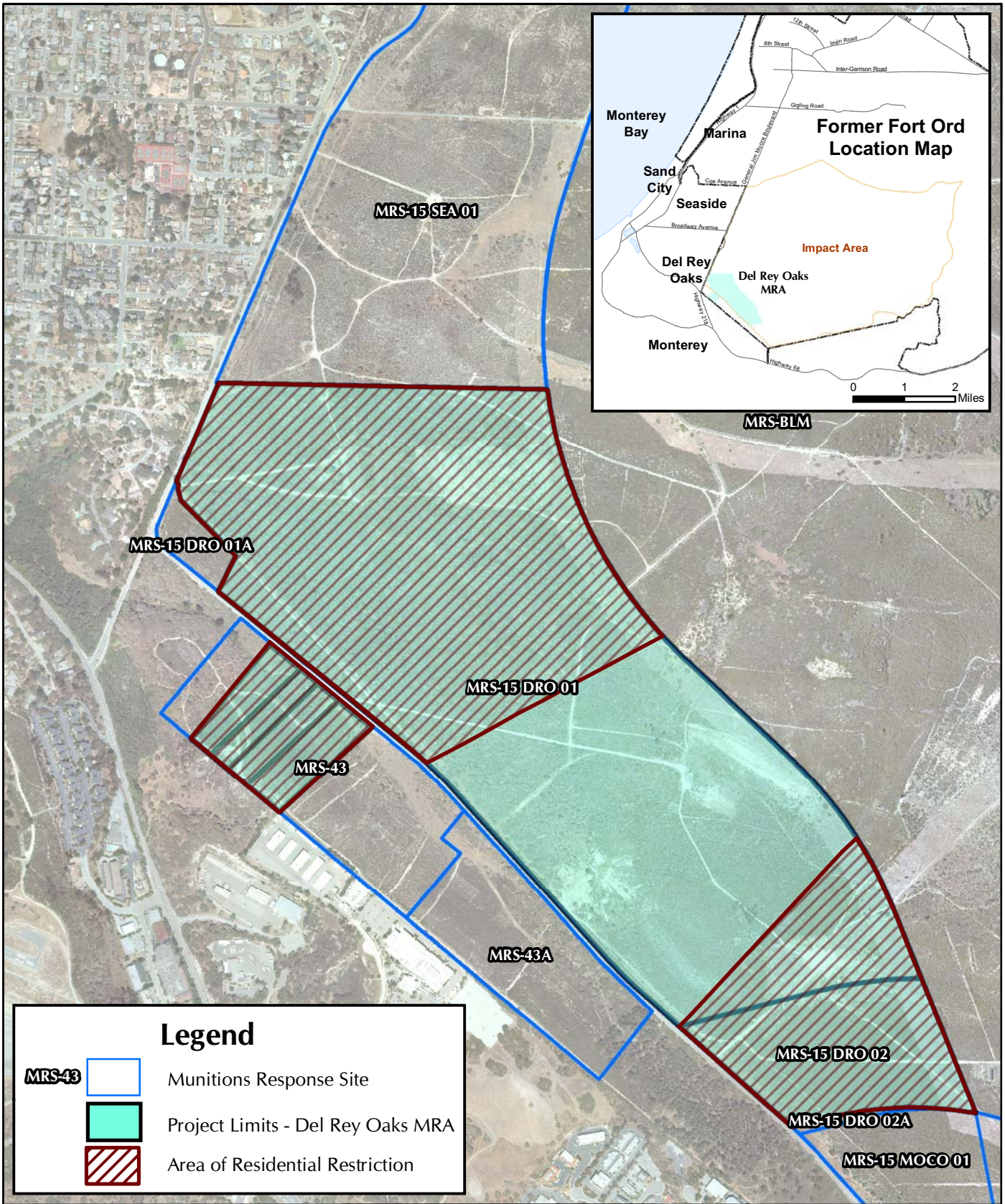
Del Rey Oaks Munitions Response  
Areas and Munitions Response Sites




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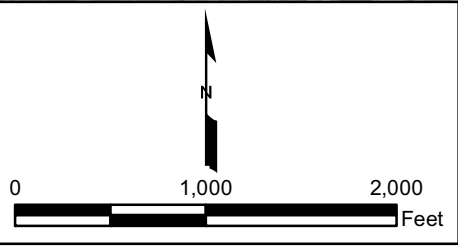
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Legend	
<b>MRS-43</b> 	Munitions Response Site
	Project Limits - Del Rey Oaks MRA
	Area of Residential Restriction




**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**

<b>Program Name</b>	<b>Description</b>	<b>Eligible Activities</b>
<b>1. Federal Programs</b>		
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"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• Home Buyer Assistance</li> <li>• Rental Assistance</li> </ul>
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"> <li>• New Construction</li> <li>• Acquisition</li> <li>• Rehabilitation</li> </ul>
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"> <li>• Home Buyer Assistance</li> </ul>
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"> <li>• Rental Assistance</li> <li>• Home Buyer Assistance</li> </ul>
Section 202	Grants to non-profit developers of supportive housing for the elderly.	<ul style="list-style-type: none"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• New Construction</li> </ul>
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"> <li>• Land Acquisition</li> <li>• Rehabilitation</li> <li>• Relocation of Unit</li> <li>• Refinance Existing Indebtedness</li> </ul>
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"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• New Construction</li> <li>• Rental Assistance</li> </ul>
U.S. Department of Agriculture (USDA) Housing Programs	Below market-rate loans and grants for farmworker rental housing.	<ul style="list-style-type: none"> <li>• New Construction</li> <li>• Rehabilitation</li> </ul>
<b>2. State Programs</b>		
Affordable Housing Partnership Program (AHPP)	Provides lower interest rate CHFA loans to homebuyers who receive local secondary financing.	<ul style="list-style-type: none"> <li>• Home Buyer Assistance</li> </ul>
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"> <li>• Home Buyer Assistance</li> <li>• Rehabilitation</li> <li>• New Construction</li> </ul>
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"> <li>• Home Buyer Assistance</li> </ul>
California Self-Help Housing Program (CSHHP)	Provides grants for the administration of mutual self-help housing projects.	<ul style="list-style-type: none"> <li>• Home Buyer Assistance</li> <li>• New Construction</li> </ul>
Emergency Housing and Assistance Program (EHAP)	Provides grants to support emergency housing.	<ul style="list-style-type: none"> <li>• Shelters &amp; Transitional Housing</li> </ul>

**APPENDIX D TO THE HOUSING ELEMENT**

**Appendix D -Table 1  
Financial and Program Resources Availability**

<b>Program Name</b>	<b>Description</b>	<b>Eligible Activities</b>
Emergency Shelter Program	Grants awarded to non-profit organizations for shelter support services.	<ul style="list-style-type: none"> <li>• Support Services</li> </ul>
Senate Bill 2 – Building Homes and Jobs Act <sup>1</sup>	Provides funding to eligible applicants <sup>2</sup> for a range of housing activities at the local government level including: <ul style="list-style-type: none"> <li>• Updates to general plans, community plans, specific plans, local planning related to the implementation of sustainable communities strategies, and/or local coastal plans.</li> <li>• Updates to local zoning ordinances.</li> <li>• Environmental analyses that eliminate the need for project-specific review.</li> <li>• Local process improvements that expedite local planning and permitting.</li> </ul>	<ul style="list-style-type: none"> <li>• Public Services</li> <li>• Economic Development</li> </ul>
<b>3. Federal/State/Local Programs</b> (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"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• Home Buyer Assistance</li> <li>• Economic Development</li> <li>• Homeless Assistance</li> <li>• Public Services</li> </ul>
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"> <li>• Rehabilitation</li> <li>• Home Buyer Assistance</li> </ul>
<b>4. Private Resources/Financing Programs</b>		
Federal National Mortgage Association (Fannie Mae)	Fixed rate mortgages issued by private mortgage insurers.	<ul style="list-style-type: none"> <li>• Home Buyer Assistance</li> </ul>
	Mortgages, which fund the purchase and rehabilitation of a home.	<ul style="list-style-type: none"> <li>• Home Buyer Assistance</li> <li>• Rehabilitation</li> </ul>
	Low Down-Payment Mortgages for Single-Family Homes in underserved low-income and minority cities.	<ul style="list-style-type: none"> <li>• Home Buyer Assistance</li> </ul>
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"> <li>• Home Buyer Assistance</li> </ul>

<sup>1</sup> <http://www.hcd.ca.gov/grants-funding/active-funding/planning-grants.shtml>

<sup>2</sup> 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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6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Progress in Implementing Programs from the 2019 Housing Element - Background & Summary

Del Rey Oaks’ [5<sup>th</sup> 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 5<sup>th</sup> 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 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
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 <sup>th</sup> Planning Cycle and an allocation of 11 units for the 5 <sup>th</sup> 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 <sup>th</sup> cycle and 4 <sup>th</sup> 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 <del>will occur</del> <a href="#">was completed</a> with final adoption of the 5 <sup>th</sup> Cycle update <a href="#">in October 2023. Additional revisions for upcoming 6<sup>th</sup> 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.</a>	Revise Program as shown in Section 7 <a href="#">to address minimum densities and compliance per HCD review letter.</a>
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 <sup>1</sup> . 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 <a href="#">until a new process is developed.</a>	<a href="#">Moved</a> ; Updated status noted.  <a href="#">Modify Program and update to expedite and</a>

<sup>1</sup> [https://www.hcd.ca.gov/community-development/accountability-enforcement/docs/SB%20330%20Preliminary%20Application%20%20Form\\_Final.pdf](https://www.hcd.ca.gov/community-development/accountability-enforcement/docs/SB%20330%20Preliminary%20Application%20%20Form_Final.pdf)

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	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 <sup>th</sup> 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>
<b>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.</b>				
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 5<sup>th</sup> 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>6<sup>th</sup> 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 6<sup>th</sup> 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 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> 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>

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	feasible, the City will also ensure a portion of the affordable housing units created will be available to extremely low-income households.		<a href="#">is an integral part of the addressing most of the City’s RHNA including the lower-income RHNA.</a>	
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>	<p>City Hall</p> <p>City Manager’s Office</p>	<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. <a href="#">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).</a></p>	<a href="#">Modify program to expand outreach and provide specific timeframes and actions to increase the assistance to special needs identified.</a>
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>	<p>City Council</p> <p>Planning Commission</p> <p>Planning Department</p>	<p><a href="#">No action to date.</a></p> <p><a href="#">The City considered this policy and program during development of 6<sup>th</sup> 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.</a></p> <p><a href="#">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.</a></p>	<a href="#">Continue.</a>
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>	<p>City Council</p> <p>Planning Commission</p> <p>Planning Department</p>	<p>The City has not developed a Density Bonus Ordinance but complies with current State law requirements for density bonuses.</p> <p><a href="#">The City program for 6<sup>th</sup> 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 4<sup>th</sup> 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.</a></p>	<a href="#">Modify program with specific actions and timelines to completion.</a>

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City's fair share of housing needs.</b>				
	<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 5<sup>th</sup> 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 6<sup>th</sup> 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>
<b>Work to remove governmental and non-governmental constraints to housing development.</b>				
<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 6<sup>th</sup> 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 before completion.</u></p>

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	approval processes in municipalities not meeting the RHNA.		<a href="#">provision for the special needs target groups identified in Chapter 2.0 and Appendix A, No action to date.</a>	
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><a href="#">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.</a></p> <p><a href="#">The City annually reviews ADUs and monitors their completion, reporting annually to the City Planning Commission, Council and to HCD during the APR process.</a></p>	Updated status noted. <a href="#">Continue and expand program (revised to show monitor results annually with specific timelines, actions and monitoring reporting)</a> ; 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"> <li>Amend the Zoning Ordinance to eliminate limits on number of persons allowed to live in housing unit under definition of “Family.”</li> <li>Amend the Zoning Ordinance to include language on density bonuses to comply with State requirements.</li> <li>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.</li> </ul>	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. <a href="#">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.</a></p> <p>Per requirements, the City <del>will provide</del><a href="#">provided</a> 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 <a href="#">by 2025</a> . <a href="#">Continue; modify to</a>

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	<ul style="list-style-type: none"> <li>Review and amend the Zoning Ordinance to conditionally permit SRO housing in the C-1 (Commercial) zone.</li> <li>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.</li> </ul>		<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, <del>FORA</del>, 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><del>Minor update to delete reference to FORA.</del> <u>Modify to add specific measures to address water needs. See Section 7.</u></p>
<b>Promote equal housing opportunities for all persons.</b>				
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 6<sup>th</sup> 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 6<sup>th</sup> Cycle and continue program; <u>modify to identify actions and timeframes.</u></p>



6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	<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"> <li>1) Require new multi-family development to be in compliance with Title 24 of the California Code of Regulations,</li> <li>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</li> <li>3) Allow reduced parking standards for all transitional housing and homeless shelters, for age-restricted housing (regardless of affordability), and for persons with disabilities.</li> </ol> <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 <del>provide for</del><u>provide</u> accommodation for persons with disabilities as identified in the program.</p> <p>The zoning code also <del>continue</del><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 6<sup>th</sup> Cycle and <del>continue modify</del> <u>programs to address new program for reasonable accommodation ordinance, SRO,</u></p>

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	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.		<a href="#">The City drafted a reasonable accommodation ordinance and added a program specific to adoption of this ordinance by first quarter 2024.</a>	
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 <b>Figure 4</b>). 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 <a href="#">to address updates to State Law.</a>	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	<a href="#">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.</a>	<del>No change</del> Part of comprehensive zoning ordinance amendments to address special

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
	<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"> <li>• Access to permanent housing.</li> <li>• Use of a coordinated entry system (i.e., Homeless Management Information System).</li> <li>• Use of Housing First according to Welfare and Institutions Code section 8255. (Gov. Code section 65662.)</li> </ul> <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"> <li>• <u>Transitional and Supportive Housing</u></li> <li>• <u>Reasonable Accommodations</u></li> <li>• <u>Single-Room Occupancy (SRO)</u></li> <li>• <u>Employee Housing</u></li> <li>• <u>Low Barrier Navigation Center (LBNC)</u></li> </ul>	<p><u>needs and ELI; identify actions and timeframes</u></p>
<b>Conserve and improve the condition of the existing housing stock to ensure the safety, welfare, and affordability of residents.</b>				
<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 6<sup>th</sup> 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>

6<sup>th</sup> Cycle Housing Element Assessment of Programs from 5<sup>th</sup> Cycle Update

Housing Element Programs	2019 Policy/Program	Responsibility	Progress and Evaluation	6 <sup>th</sup> Cycle Program Revision or Update
<b>Provide adequate sites to build new housing units for all income levels and to meet the City’s fair share of housing needs.</b>				
			<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.</u> The City continues code enforcement however, there are no known areas where code violations pose a threat to life or safety. <u>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&amp;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.</u> <u>Chapter 6.0 in the 6<sup>th</sup> 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
<b>Air Quality</b>				
<b>Impact AQ-2: Criteria Pollutant Emissions</b>	<b>Mitigation Measure 3.3-1:</b> 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"> <li>• Limit grading activity to a maximum of 2.2 acres daily.</li> <li>• 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.</li> <li>• Cover all trucks hauling trucks or maintain at least two feet of freeboard.</li> </ul>	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"> <li>• 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.</li> <li>• Sweep daily all paved access roads, parking areas and staging areas at construction sites.</li> <li>• Sweep streets daily if visible soil material is deposited onto the adjacent roads.</li> <li>• Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).</li> <li>• Enclose, cover, water three times daily or apply (non-toxic) soil binders to exposed stockpiles.</li> <li>• Limit traffic speeds on unpaved roads to 15 mph.</li> <li>• Replant vegetation in disturbed areas as quickly as possible.</li> <li>• Suspend excavation and grading activity when hourly-average winds exceed 15 mph and visible dust clouds cannot be contained within the site.</li> </ul>			
<b>Biological Resources</b>				
<p><b>Impact BIO-1: Special-Status Species.</b></p> <p><b>Impact BIO-5: Adopted Habitat Conservation Plans.</b></p>	<p><b>Mitigation Measure 3.4-1: Project Specific Biological Assessments (HMP Species).</b> 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><b>Mitigation Measure 3.4-2: Project-Specific Biological Assessments (Non-HMP Species).</b> 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><b>Mitigation Measure 3.4-3: Pre-Construction Surveys for Protected Avian Species.</b> 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><b>Mitigation Measure 3.4-4: Implement Open Space Requirements.</b> For open space areas adjacent to the project area, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>▪ <b>Conduct an access assessment to identify necessary access controls.</b> 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.</li> <li>▪ 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</li> </ul>			

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"> <li>▪ <b>Incorporate non-native species control features into site design.</b> 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.</li> <li>▪ 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.</li> <li>▪ <b>Limit artificial lighting at the urban/wildland interface.</b> 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.</li> <li>▪ 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</li> </ul>			

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"> <li>○ Re-contour eroded areas.</li> <li>○ Maintain and grade areas along the reserve perimeter and main roads as appropriate to avoid washouts. Gullies will be repaired as needed.</li> <li>○ Install drainage features such as outlet ditches, rolling dips (similar to waterbars), and berms as needed to facilitate the proper drainage of storm runoff.</li> <li>○ Add soil amendments such as fertilizers and gypsum for designated development areas only.</li> <li>○ Prevent sediments from entering basins or swales that could be used by HMP species during erosion control activities.</li> <li>○ 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.</li> <li>○ 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.</li> </ul> <p><b>Mitigation Measure 3.4-6: Potential Impacts to Western Bumble Bee*</b></p>			

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p><b>3.4-6A</b> 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><b>3.4-6B</b> 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>			
<b>Impact BIO-2: Riparian and Wetland Habitat.</b>	<b>Mitigation Measure 3.4-5: Project-Specific Sensitive Natural Community Assessments.</b> 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>		Project Applicant shall retain qualified biologist to perform biological survey(s) prior to ground disturbance activities.	
<b>Cultural and Tribal Resources</b>				
<b>Impact CTR-2: Archaeological Resources.</b>	<b>Mitigation Measure 3.5-1:</b> 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><b>Impact CTR-4: Tribal Cultural Resources.</b><sup>1</sup></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>

<sup>1</sup> 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><b>Mitigation Measure 3.5-2:</b> 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><b>Impact CTR-3: Disturbance of Human Remains</b></p>	<p><b>Mitigation Measure 3.5-3:</b> 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
	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).		Coroner and NAHC?	
<b>Geology and Soils</b>				
<b>Impact GEO-1: Seismic Hazards</b>	<p><b>Mitigation Measure 3.7-1:</b> 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><b>Mitigation Measure 3.7-2:</b> 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>	City Engineer, Project Applicant, Construction Contractor	Prior to approval of final design plans	City Engineer, Project Applicant, Construction Contractor

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p><b>Mitigation Measure 3.7-3:</b> 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><b>Impact GEO-2: Soil Erosion.</b></p>	<p><b>Mitigation Measure 3.7-4:</b> 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"> <li>1) keep construction machinery off of established vegetation as much as possible, especially the vegetation on the upwind side of the construction site;</li> <li>2) establish specific access routes at the planning phase of the project, and limits of grading prior to development, which should be strictly observed;</li> <li>3) utilize mechanical measures (i.e. walls from sand bags and/or wooden slat or fabric fences) to reduce sand movement;</li> <li>4) immediate revegetation (plus the use of temporary stabilizing sprays), to keep sand movement to a minimum; and</li> <li>5) for larger-scale construction, fabric or wooden slat fences should be placed around the construction location to reduce sand movement.</li> </ol>	<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>

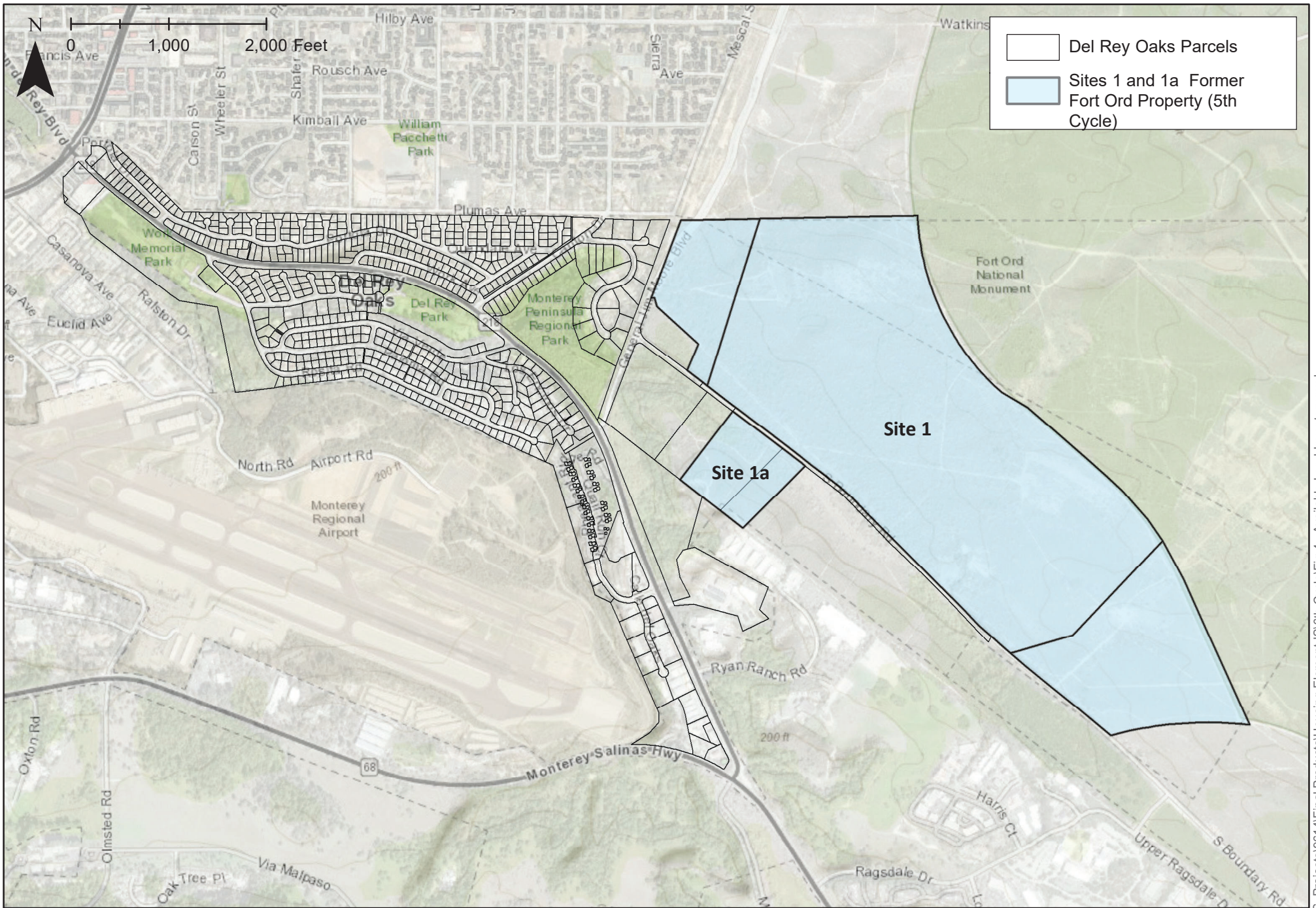
Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
	<p>The erosion control plan and Storm Water Pollution Prevention Plan shall be incorporated into final design plans by the project proponent and submitted to the City Engineer for approval prior to approval of final design plans.</p> <p><b>Mitigation Measure 3.7-5:</b> 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><b>Mitigation Measure 3.7-6:</b> 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>			
<p><b>Impact GEO-4: Expansive Soil.</b></p>	<p><b>Mitigation Measure 3.7-7:</b> 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>	<p>City Engineer, Building Inspector, Project Applicant</p>	<p>Prior to issuance of any grading and/or building permit</p>	<p>City Engineer, Project Applicant, Construction Contractor</p>

Impacts	Mitigation Measures	Implementation Responsibility	Required Timing	Compliance Monitoring
<b>Hazards and Hazardous Materials</b>				
<p><b>Impact HAZ-1: Routine Transport, Use, or Disposal of Hazardous Materials.</b></p> <p><b>Impact HAZ-4: Hazardous Materials Site.</b></p>	<p><b>Mitigation Measure 3.9-1:</b> 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>
<b>Hydrology and Water Quality</b>				
<p><b>Impact HYD-1: Surface Water Quality Standards and Waste Discharge Requirements, Alteration of Stormwater Drainage Pattern, and Conflicting or Obstructing with Plans.</b></p>	<p><b>Mitigation Measure 3.10-1:</b> 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
<b>Transportation</b>				
<b>Impact TR-2: Vehicle Miles Travelled.</b>	<b>Mitigation Measure 3.16-1:</b> 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

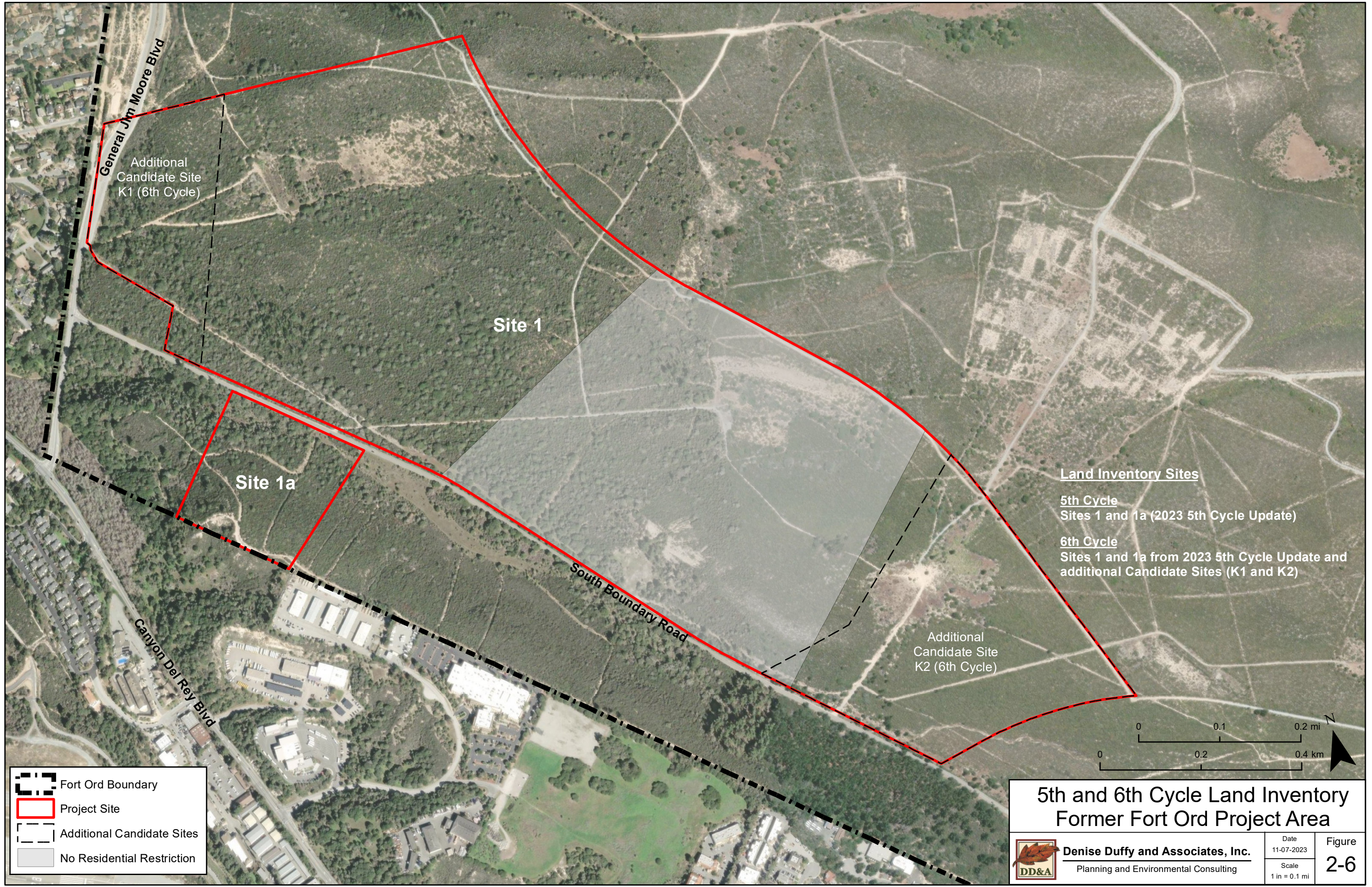
Scale  
1 in = 1,000 ft



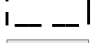



**Denise Duffy & Associates, Inc.**  
 Planning and Environmental Consulting

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)

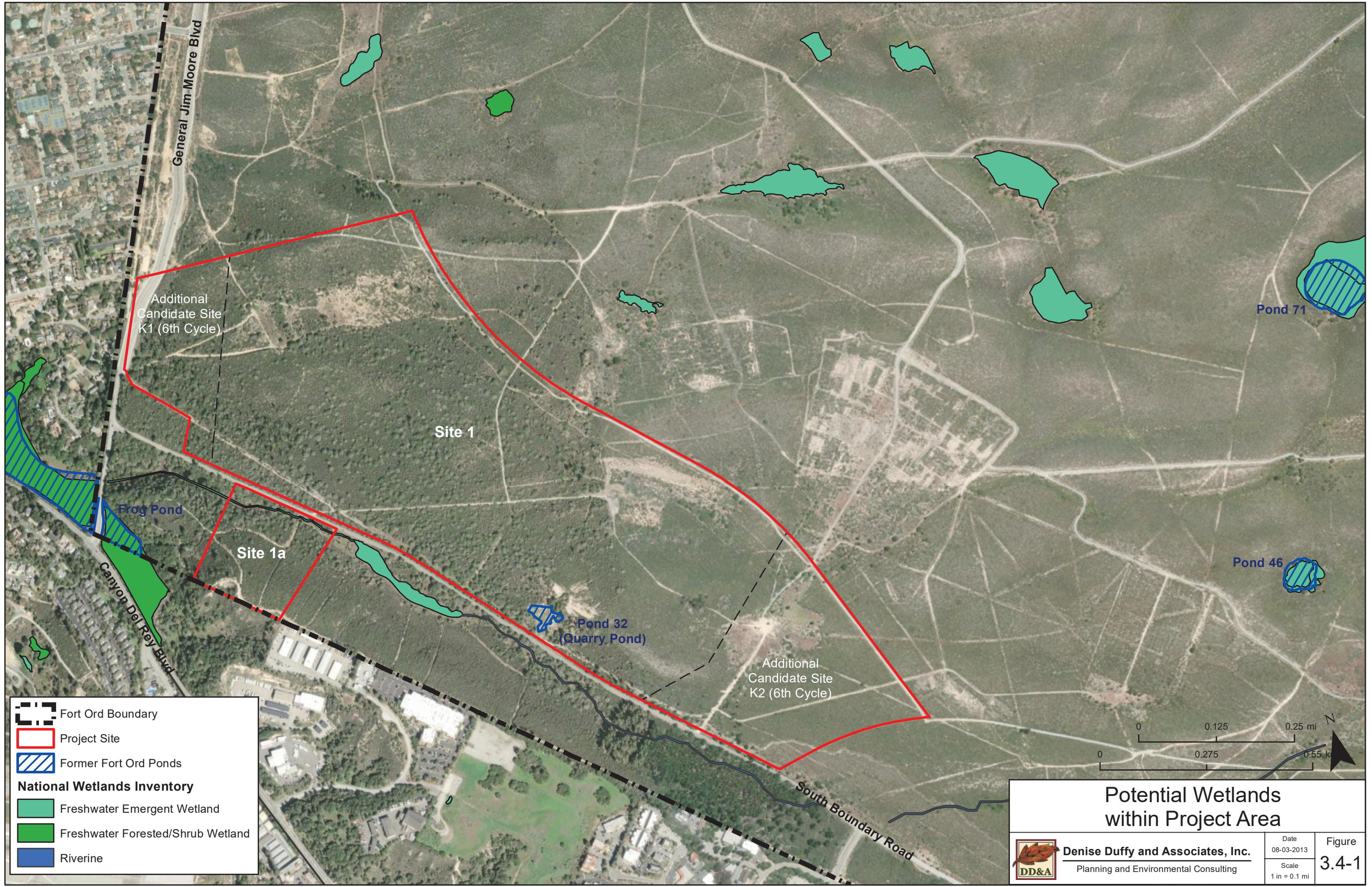
**6th Cycle**  
Sites 1 and 1a from 2023 5th Cycle Update and additional Candidate Sites (K1 and K2)



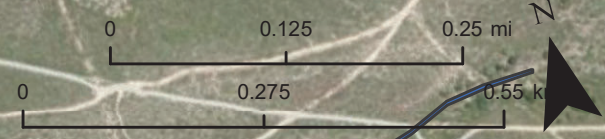
**5th and 6th Cycle Land Inventory  
Former Fort Ord Project Area**

 <b>Denise Duffy and Associates, Inc.</b> Planning and Environmental Consulting	Date 11-07-2023	Figure <b>2-6</b>
	Scale 1 in = 0.1 mi	



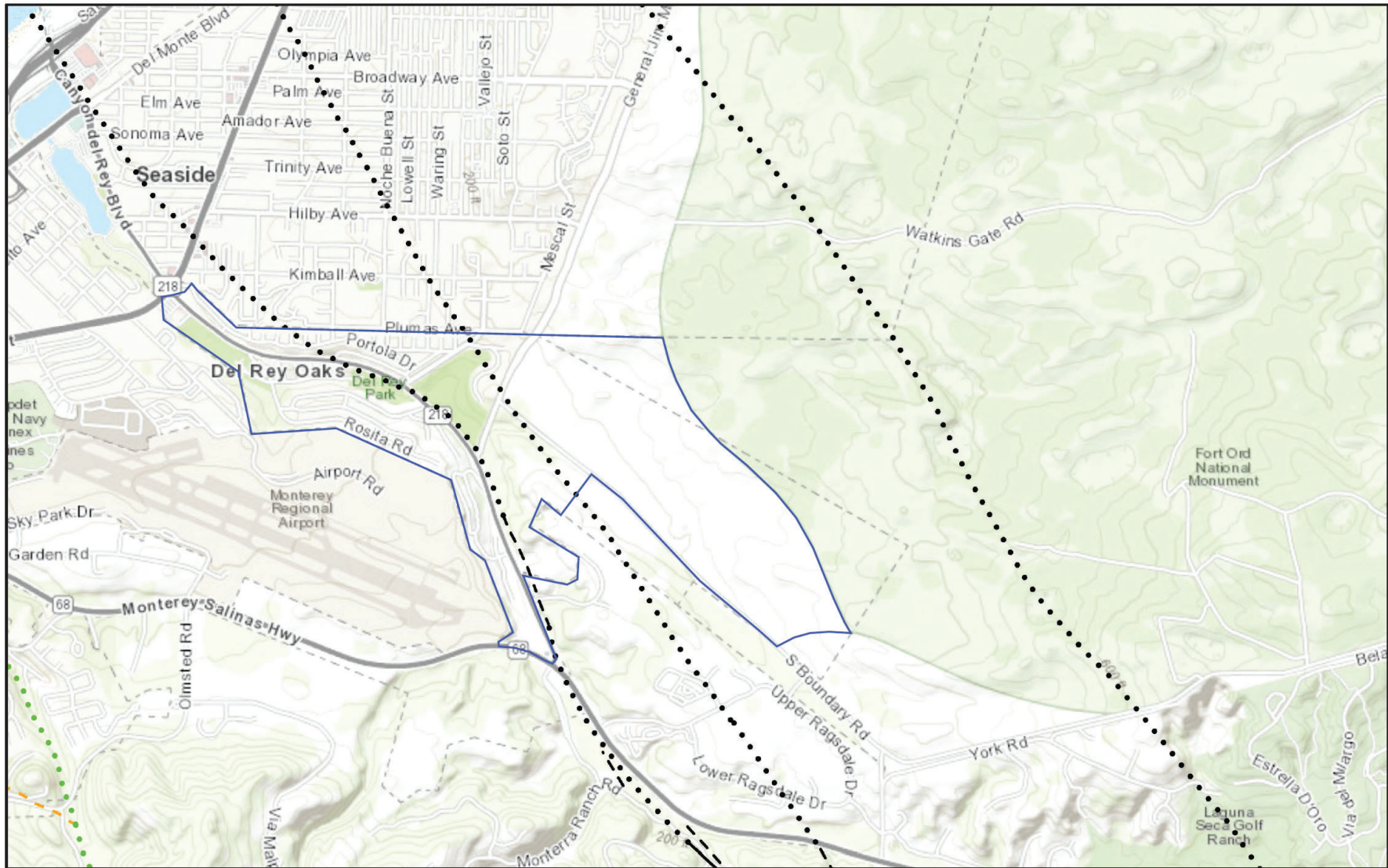


	Fort Ord Boundary
	Project Site
	Former Fort Ord Ponds
<b>National Wetlands Inventory</b>	
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Riverine



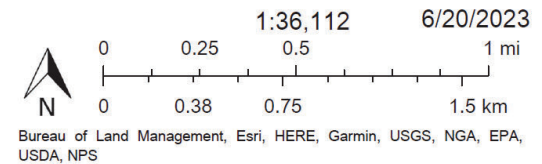
<b>Potential Wetlands within Project Area</b>		
<b>Denise Duffy and Associates, Inc.</b> Planning and Environmental Consulting	Date 08-03-2013	Figure <b>3.4-1</b>
	Scale 1 in = 0.1 mi	





- 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
- City of Del Rey Oaks
- latest Quaternary
- middle and late Quaternary



USGS | Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA | USGS

# U.S. Geological Survey Quaternary Faults

Source: USGS

Date  
6/20/2023

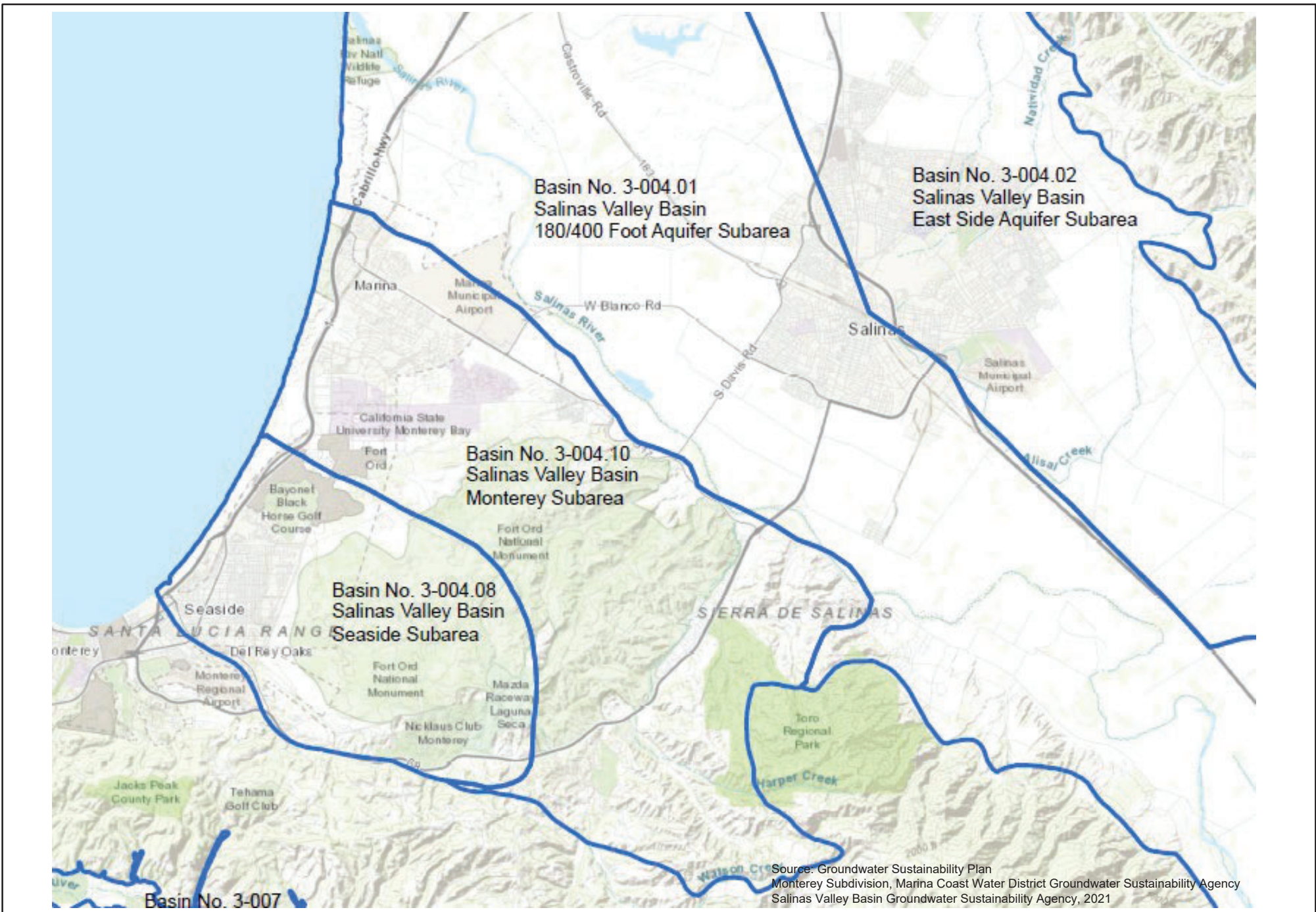
Scale  
N/A



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Planning and Environmental Consulting

Figure  
**3.7-1**





Groundwater Basins

Date  
8/1/2023

Scale  
N/A



**Denise Duffy & Associates, Inc.**  
 Planning and Environmental Consulting

Figure

**3.10-1**

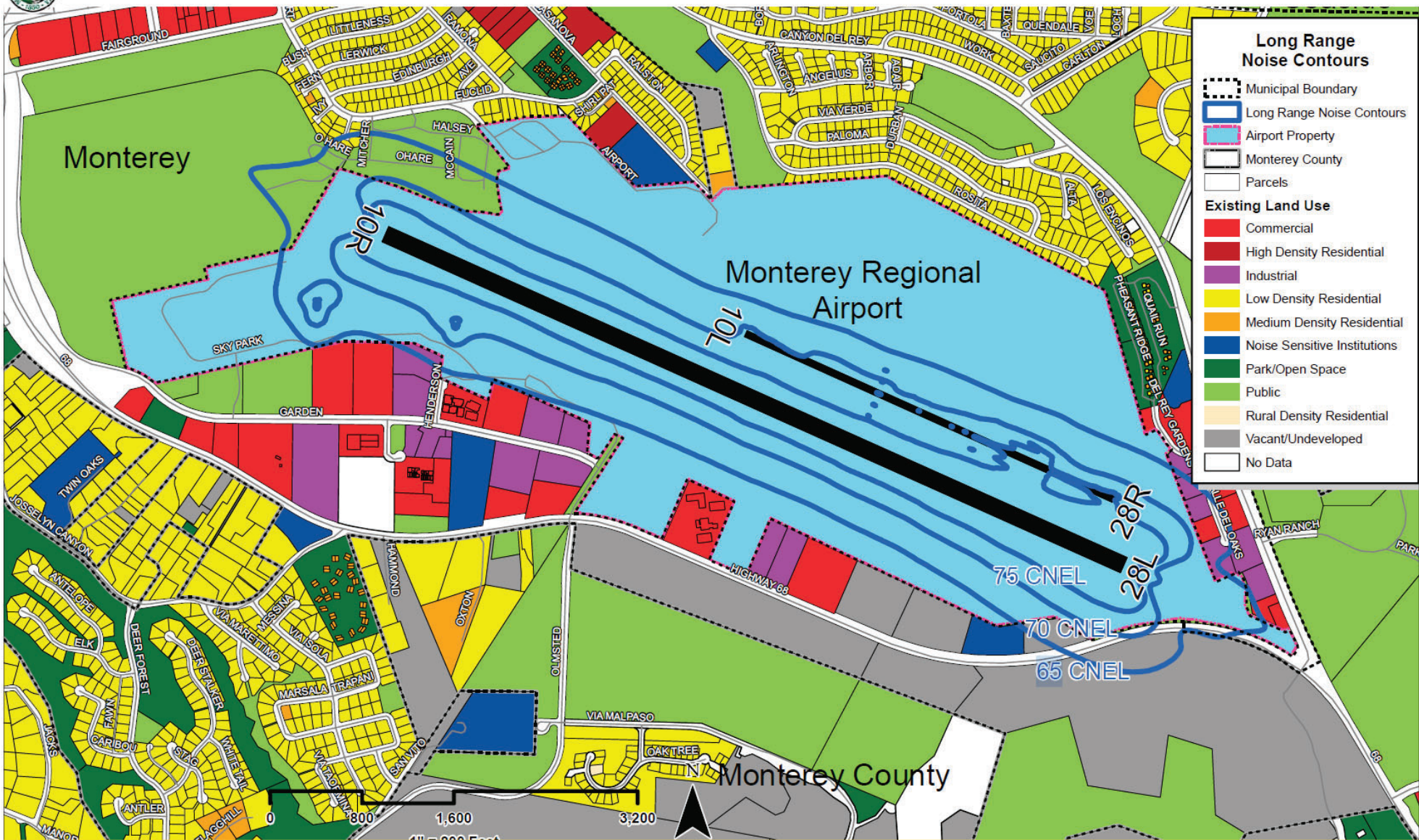




Source: Federal Emergency Management Agency (FEMA)

Flood Map	Date 6/8/2023	 <b>Denise Duffy &amp; Associates, Inc.</b> Planning and Environmental Consulting	Figure <b>3.10-2</b>
	Scale N/A		





# Monterey Regional Airport Long Range Noise Contours

Source: Monterey County Airport Land Use Commission

Date  
7/28/2023

Scale  
N/A



**Denise Duffy & Associates, Inc.**  
Planning and Environmental Consulting

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 5<sup>th</sup> and 6<sup>th</sup> 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 5<sup>th</sup> 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 5<sup>th</sup> Cycle and 6<sup>th</sup> Cycle Housing Element Updates by identifying housing sites with a collective capacity to meet the City's combined 5<sup>th</sup> and 6<sup>th</sup> 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 5<sup>th</sup> Cycle Housing Element Update, the City addressed suitability of sites for 5<sup>th</sup> 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. <sup>1</sup>

Although the City is promoting the use of ADU’s within the Draft 6<sup>th</sup> Cycle Housing Element Update, during the 5<sup>th</sup> 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 5<sup>th</sup> 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 5<sup>th</sup> 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:

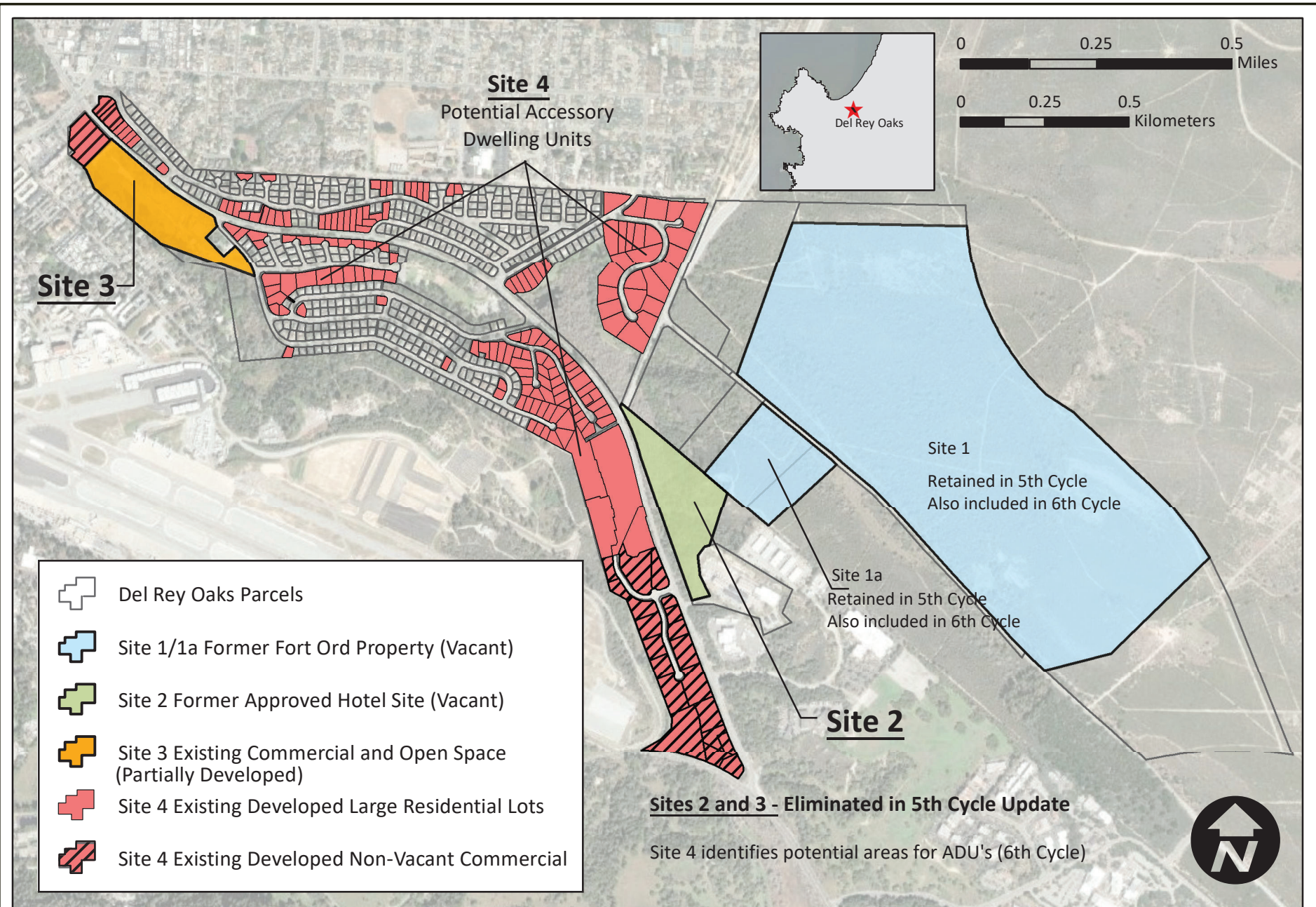
- Alternative 1a: No Project - No Action<sup>2</sup>
- Alternative 1b: No Project - No Rezoning
- Alternative 2: No Development in Former Fort Ord
- Alternative 3: Combined Sites in Former Fort Ord and in City to Meet RHNA

**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.

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<sup>1</sup> 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.

<sup>2</sup> 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**

Boundaries are approximate and for illustrative purposes only.

Figure  
5-1

Table 5-1. Impact Comparison of Alternatives

Area of Impact	Impact under Proposed Project	Alternative 1b <sup>3</sup> : 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

<sup>3</sup> 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 5<sup>th</sup> Cycle Housing Element) would not occur and would not result in rezoning to facilitate development of affordable housing required under the 5<sup>th</sup> Cycle RHNA. Without the rezoning proposed for 5<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 similar<sup>4</sup>.

**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 5<sup>th</sup> Cycle Housing Element, that rezoning is needed to meet the RHNA. Under this alternative, there would be no rezoning and objectives to achieve 5<sup>th</sup> Cycle and 6<sup>th</sup> 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.

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<sup>4</sup> 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 6<sup>th</sup> 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 5<sup>th</sup> Cycle and 6<sup>th</sup> 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 5<sup>th</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> Cycle RHNA. The 6<sup>th</sup> 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 5<sup>th</sup> and 6<sup>th</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> 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 5<sup>th</sup> Cycle Housing Element, that rezoning is needed to meet the RHNA. Under this alternative, there would be no rezoning and objectives to achieve 5<sup>th</sup> Cycle and the objective to achieve HCD compliance for 5<sup>th</sup> Cycle Housing Element in 2023 and meeting 5<sup>th</sup> 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 5<sup>th</sup> and 6<sup>th</sup> Cycle RHNA, through use of the sites in this alternative under 6<sup>th</sup> Cycle RHNA, however, this would require water availability from MPWMD during the 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 5<sup>th</sup> and 6<sup>th</sup> 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 5<sup>th</sup> Cycle, per HCD requirements, can meet the City's objective to adopt the 5<sup>th</sup> 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 5<sup>th</sup> Cycle and 6<sup>th</sup> Cycle Housing Element Updates by identifying housing sites with a collective capacity to meet the City's combined 5<sup>th</sup> and 6<sup>th</sup> 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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