



# CITY OF DEL MAR



June 12, 2023

Honorable Michael T. Smyth, Presiding Judge  
Superior Court of California, San Diego County  
Central Courthouse  
1100 Union Street, Tenth Floor  
San Diego, CA 92101

**Subject: City of Del Mar Response to Grand Jury Report - "Housing in San Diego County"**

Dear Judge Smyth:

Below is the City of Del Mar's response to the Grand Jury's Findings and Recommendations as published in their May 2023 Report titled "Housing in San Diego County". This information is being provided on behalf of the City of Del Mar in compliance with the California Penal Code Section 933.05.

Following is a response to each of the six stated Grand Jury Findings:

<b>City of Del Mar Response to GRAND JURY FACTS AND FINDINGS</b>		
	<b><i>Findings</i></b>	<b><i>Response</i></b>
<b>Finding 1</b>	The City of Lemon Grove met its housing allocation for all the income categories identified by SANDAG in the fifth RHNA Cycle.	Respondent agrees with the finding
<b>Finding 2</b>	The County of San Diego failed to meet their housing allocation for all income levels.	Respondent agrees with the finding
<b>Finding 3</b>	The following cities did not meet their housing allocations for all income categories: Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach and Vista.	Respondent agrees with the finding
<b>Finding 4</b>	The San Diego region failed to meet its housing allocations for each of the income categories identified by SANDAG in the fifth RHNA Cycle.	Respondent agrees with the finding
<b>Finding 5</b>	Specific plans are useful tools in spurring development, including housing development, and have been used by El Cajon and Chula Vista among others.	Respondent agrees with the finding
<b>Finding 6</b>	Both transit agencies in San Diego County (NCTD and MTS) have made land available for development and are actively developing projects that include housing, among other uses.	Respondent agrees with the finding

Honorable Michael T. Smyth

June 12, 2023

Page 2

Following is a response to Grand Jury Recommendations 23-01 through 23-06 as applicable to Del Mar:

<b>City of Del Mar Response to GRAND JURY RECOMMENDATIONS</b>		
	<b><i>Grand Jury Recommendations</i></b>	<b><i>Response</i></b>
<b>23-01</b>	Consider, if they have not done so, using specific plans (as defined by the Governor's Office of Planning and Research) to facilitate the permitting and development of housing, particularly affordable housing, in their jurisdictions.	<b>Recommendation has been implemented.</b> <ul style="list-style-type: none"><li>• The Del Mar City Council adopted the 941 Camino del Mar Specific Plan on July 2, 2018, which facilitated entitlements for an 8-unit project, including two low income units in the downtown village/commercial corridor.</li><li>• Specific plans are not a priority strategy in Del Mar because they are subject to discretionary review which can increase the timing and cost of development. Instead, in accordance with multiple action programs in the certified 6<sup>th</sup> Cycle Housing Element, the City is creating other streamlining and development incentives to facilitate production of affordable housing. These ordinances will be presented to the City Council by December 2023.</li></ul>
<b>23-02</b>	Consider working with school districts and community college districts within their jurisdictions to identify developable land for housing, particularly affordable housing.	<b>Recommendation will not be implemented.</b> There are no public schools or community colleges with land in the City of Del Mar. The City concurs this is a sensible goal for the region as a whole.
<b>23-03</b>	Consider working with religious institutions within their jurisdictions to identify land developable for housing, particularly affordable housing.	<b>Recommendation will not be implemented.</b> This is not a program in the City's certified Housing Element. The City will continue to encourage local faith-based organizations to participate with the Interfaith Shelter Network Rotating Shelter and encourage Saint Peter's Episcopal Church to continue its Helping Hands program per Housing Element Program 7B. Religious institutions are able to propose projects to accommodate housing on their properties in accordance with the Municipal Code. Currently, there is only one religious institution facility in Del Mar (Saint Peters) and the owner has not expressed interest in developing housing.

	<b>Grand Jury Recommendations</b>	<b>Response</b>
<b>23-04</b>	Consider drafting revenue-generating legislation at the jurisdiction level, if feasible and legal e.g., the Seattle Jumpstart Tax. Monies generated by such a tax to fund or assist in funding the construction of housing, particularly affordable housing.	<b>Recommendation has been implemented.</b> <ul style="list-style-type: none"><li>• In accordance with Housing Element Program 7A, the City will continue to make the funds accrued in the City's Housing Reserve Fund (directly funded by City Council from the General Fund) and Housing Assistance Fund (funded by housing mitigation fees from private development applications) available for implementation of affordable housing. Through these funds, the City will continue to make funds available for rental subsidy and/or other programs such as the acquisition of land and construction of affordable units to be made available for individuals or families of extremely low, very low or low-income levels. The City currently accommodates four lower income households in existing housing through a rental subsidy program. Through Housing Program 7A, the City will ensure that the funds accrued in the City's Housing Reserve Fund and Housing Assistance Fund remain available during the 6<sup>th</sup> Cycle for implementation of at least four lower income households via rental subsidy and/or new affordable housing (i.e., for the acquisition of land and construction of affordable units to be made available for individuals or families of extremely low, very low or low-income levels).</li><li>• In accordance with the Housing Element Program 5C plan to establish new Short-Term Rental regulations as a strategy to preserve long term housing, the City will be considering whether to implement a housing mitigation fee. The associated ordinance will be processed through the Del Mar City Council and California Coastal Commission in 2023-2024.</li></ul>

Honorable Michael T. Smyth

June 12, 2023

Page 4

	<b>Grand Jury Recommendations</b>	<b>Response</b>
<b>23-05</b>	Consider providing legislative support to re-introducing in the State legislature SB 1105, or similar legislation, to create a San Diego County agency that could raise revenue for housing.	<b>Recommendation will not be implemented.</b> This is not a program in the City's certified 6 <sup>th</sup> Cycle Housing Element. The City Council consensus in May 2022 was to defer consideration of any City action related to SB 1105 until additional information is available.
<b>23-06</b>	Consider providing legislative support to SB 4, which is currently before the legislature. This bill makes it easier to provide affordable housing on land owned by religious institutions.	<b>Recommendation will not be implemented.</b> As indicated under response 23-03, this is not a program in the City's certified 6 <sup>th</sup> Cycle Housing Element. Further, it is the City's desire to maintain local control over land use and housing to ensure consistency with the goals and policies in the City's General Plan.

Thank you for your consideration. Please contact Principal Planner Amanda Lee at [alee@delmar.ca.us](mailto:alee@delmar.ca.us) or (858) 704-3645, if you have follow up questions or would like to discuss the City's response to the May 2023 Grand Jury Report on housing in the San Diego County region as described in this letter.

Sincerely,



Ashley Jones  
City Manager