



CITY COUNCIL AGENDA STATEMENT



June 23, 2020

File ID: 20-0203

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2020 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI) AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CERTIFY AND SUBMIT THE AI TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

RECOMMENDED ACTION

Council accept the report and adopt the Resolution.

SUMMARY

The Department of Housing and Urban Development (HUD) requires that all entitlement communities receiving Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds prepare an Analysis to Impediments to Fair Housing Choice (AI) and update the report every five years. In addition, all Housing Element updates require jurisdictions to affirmatively further fair housing and include an AI. The AI identifies the fair housing impediments that affect both the region and the City of Chula Vista and provides recommendations to remedy the impediments and to affirmatively further fair housing.

ENVIRONMENTAL REVIEW

The Development Services Director has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The proposed activity is not considered a "Project" as defined under Section 15378(b)(5) of the State CEQA Guidelines because the proposal consist of a reporting action, is not for a site specific project and will not result in a direct or indirect physical change in the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, these activities are not subject to CEQA. Under NEPA, the activity qualifies for a Certification of Exemption pursuant to Title 24, Part 58.34(a)(2)&(3) of the Code of Federal Regulations and pursuant to the U.S. Department of Housing and Urban Development Environmental Guidelines. Thus, no further environmental review is necessary.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

The Housing Advisory Commission did not meet to discuss the AI due to the County of San Diego's Public Health Order limiting gatherings of any size as of April 8, 2020 and in effect until further notice.

DISCUSSION

The Analysis of Impediments to Fair Housing Choice (commonly known as the “AI”), presents a demographic profile of San Diego County, assesses the extent of housing needs among specific income groups, and evaluates the range of available housing choices for residents. The AI also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person’s access to housing. More importantly, this AI identifies impediments that may prevent equal housing access and develops solutions to mitigate or remove such impediments.

The AI is prepared as a condition of receiving Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The City is required to complete this update in conjunction with the adoption of City’s 2020-2024 Five-Year Consolidated Plan (Con Plan). In addition, in accordance with California Government Code 65583(b)(10), as a component of a jurisdiction’s Housing Element (HE), a jurisdiction must affirmatively further fair housing and include an Analysis of Impediments to Fair Housing Choice.

As in years past, HUD encourages a collaborative approach when completing the AI. On January 2, 2019, all San Diego County jurisdictions entered into a Collaboration Agreement. The collaborating jurisdictions includes the County of San Diego (including the unincorporated areas) and the 18 incorporated cities. A regional approach to the AI acknowledges that many housing policies and market conditions are not bound by jurisdictional boundaries and provides a cost-effective approach to meeting the AI requirements. The AI is included as Attachment 1-4 of this Agenda Statement.

The City of Chula Vista, along with other CDBG entitlement communities, contracted with Veronica Tam and Associates (VTA) to prepare the AI. In preparing the report, VTA reviewed previous Fair Housing Reports, Housing Elements, regional planning documents, and housing industry research for the San Diego region and the respective cities. VTA also held interviews with City and County staff, housing providers, members of private housing industry, fair housing service providers, members of the San Diego Regional Alliance for Fair Housing, and other oversight agencies. Community outreach consisted of several regional community meetings, online and paper surveys, and social media posts. These efforts are further described in Appendix A of the AI (see Attachment 2).

Public Comment Period

The 2020-2024 was released for a 30-day review and comment period per the City’s HUD approved Citizen Participation Plan and applicable Federal regulations. The AI comment period began on May 22, 2020 and will close on June 22, 2020. Residents and other parties are able to comment per the City’s adopted procedures for virtual meetings and as posted on the Development Services website at <https://www.chulavistaca.gov/departments/development-services/planning/public-notice/public-notice>.

Once approved by City Council and any comments incorporated into the document, the final AI will be submitted to HUD by June 30, 2020. AI recommendations will also be incorporated into the HE that is due to

the California Department of Housing and Community Development (HCD) by April 2021 (unless extended by the Legislature).

AI Analysis Recommendations for City of Chula Vista

The AI has identified public policies at the jurisdictional level (see Chapter 5 of the AI) that can affect housing development, and therefore, may impact the range and location of housing choices available to residents. The 2020 AI identifies four recommended actions. These recommended actions, as well as staff's efforts over the coming years, are as follows:

1. Amend the Chula Vista Municipal Code (CVMC) Chapter 19.90 (Affordable Housing Incentives-Density Bonus) to be consistent with recent updates to California State Density Bonus Law (found in California Government Code Sections 65915 – 65918).

Efforts: Staff will bring forward an amendment to CVMC Chapter 19.90 by the Fall of 2020

2. Amend the CVMC Sections 19.58.022 and 19.58.023 Accessory Dwelling Unit (ADU) and Jr. ADU to be consistent with recent updates to California Government Code Section 65852.2.

Efforts: Staff will bring forward an amendment to the CVMC Sections 19.58.022 and 19.58.023 by the Winter of 2020

3. Amend Title 19 of the CVMC to address Low Barrier Navigation Centers consistent with Assembly Bill 101 and found in California Government Code Sections 65660 – 65668 and Emergency Shelter Capacity and Parking Standards found in Government Code Section 65583.

Efforts: Staff will bring forward an amendment to the CVMC Sections 19.58.022 and 19.58.023 by the Winter of 2020

4. Update the City's ADA Transition Plan as required by the Rehabilitation Act of 1973. The Transition Plan (also known as a Program Access Plan) identifies physical obstacles that limit the accessibility of facilities to individuals with disabilities, describes the prescribed methods to make the facilities accessible, provides a schedule for making the access modifications, and identifies the public officials responsible for implementation of the transition plan.

Efforts: Meet with staff to go over the requirements to update the plan and determine next steps.

Conclusion

The City of Chula Vista is committed to fair housing practices that protect against housing discrimination due to race, color, religion, national origin, sex, disability, familial status, age, marital status, or sexual orientation, and places a high priority on promoting and ensuring open and free choice in housing for all persons. The City recognizes that free and equal access to residential housing (housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment or other goals. It is the City's intent to maintain and promote a nondiscriminatory environment in all aspects of the private and publicly funded housing markets within Chula Vista, and to foster compliance with the nondiscrimination provisions of the Fair Housing Act. The City will take the necessary steps to overcome these possible impediments to fair housing choice and continues to support its on ongoing fair housing

efforts to educate residents as well as support affordable housing programs and policies as outlined within the AI.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

Costs for the preparation of the AI is \$175,000. The City's share of such costs is \$14,605, which was funded through the Chula Vista Housing Authority Budget. There is no fiscal impact resulting from accepting the report and its transmittal to HUD.

ONGOING FISCAL IMPACT

As a planning document, acceptance of the report will have no direct fiscal impact to the City. No additional costs will be incurred in the submittal of the report to HUD. Costs associated with providing services and monitoring fair housing related actions are covered by the Community Development Block Grant Program.

ATTACHMENTS

1. 2020-2024 San Diego Regional Analysis of Impediments to Fair Housing Choice
2. Appendix A – Public Outreach
3. Appendix B – Detailed Home Mortgage Disclosure Act Data
4. Appendix C – Outreach Events
5. Appendix D – Evaluation of Progress

Staff Contact: Jose Dorado, Senior Management Analyst-Chula Vista Housing Division