



City of Chula Vista

Staff Report

File#: 15-0180, **Item#:** 4.

RESOLUTION NO. 2015-102 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI) AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO CERTIFY AND SUBMIT THE AI TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

The Department of Housing and Urban Development (HUD) requires that all entitlement communities receiving Community Development Block Grant (CDBG) funds prepare an Analysis to Impediments to Fair Housing Choice (AI) and update the report every five years. 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 "Projects" 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 activities qualify 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 at this time.

BOARD/COMMISSION RECOMMENDATION

Not applicable

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 analyses 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 2015-2019 Five-Year Consolidated Plan (Con Plan). The Con Plan is on this evening's City Council agenda for final approval and will be submitted to HUD by May 15, 2015.

The AI covers the entire San Diego County, and includes the 18 incorporated cities and all unincorporated areas. The City of Chula Vista, along with the 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.

The San Diego Regional Analysis to Fair Housing Choice (AI) is included as Attachment No. 1 to this report. 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 2015 AI identifies four recommended actions. These recommended actions, as well as staff's efforts over the coming years, are as follows:

1. Amend the City's Zoning Ordinance to comply with recent updates to State law, including extending the affordability period from 30 years to 55 years and a one-for-one replacement of housing units being replaced or converted which were occupied by lower income households. (AB 2222).

Efforts: Staff will bring forward an amendment to Chula Vista Municipal Code (CVMC) 19.90 (Affordable Housing Incentives-Density Bonus) and update the City's For Sale Policy 453-02 by the end of 2016 for consistency with AB 2222.

2. Amend the City's Zoning Ordinance to expressly address and permit licensed residential care facilities consistent with the Lanterman Developmental Disabilities Services Act.

Efforts: An amendment to Title 19 of CVMC (Planning and Zoning) to define residential care facilities as a use and to permit such facilities within residential zones is scheduled to be presented for City Council consideration by the end of 2015. While residential care facilities are not expressly defined within the City's Zoning ordinance, the City of Chula Vista has a number of residential care facilities and has recently approved the following residential care facilities:

- St. Paul's Plaza at Otay Ranch (2015)
- Westmount at San Miguel Ranch (2014)
- ActiveCare at Rolling Hills Ranch (2013)

3. Amend the City's Zoning Ordinance to explicitly address and permit by right or with a Conditional

Use permit licensed residential care facilities serving seven or more people in any residential zoning district.

Efforts: An amendment to Title 19 of CVMC (Planning and Zoning) to define licensed residential care facilities as a use and to permit such facilities within residential zones is scheduled to be presented for City Council consideration by the end of 2015.

4. Chula Vista does not have zoning ordinances that permit transitional housing and supportive housing consistent with the requirements of SB2.

Efforts: An amendment to Title 19 of CVMC (Planning and Zoning) to define transitional housing and supportive housing as a use and to permit such housing within residential zones is scheduled to be presented for City Council consideration by the end of 2015.

To overcome the impediments to Fair Housing Choice, the City supports these ongoing fair and affordable housing programs and policies as outlined within the AI.

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.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site specific and consequently, the 500-foot rule found in the California Code of Regulations section 18704.02(a)(1) is not applicable to this decision. Staff is not independently aware, and has not been informed by any Council member, of any other fact that may constitute a basis for a decision maker conflict in this matter.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The AI supports the Economic Vitality goal 2.1.2 as it seeks to lower barriers to housing in the City of Chula Vista.

CURRENT YEAR FISCAL IMPACT

The City's share of the cost to prepare the AI was \$9,900, which was funded through the Chula Vista Housing Authority budget. There is no fiscal impact resulting from accepting of the report and submittal 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

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providing services and monitoring for fair housing related actions are covered by the Community Development Block Grant (CDBG) program.

ATTACHMENTS

2015- San Diego Regional Analysis of Impediments to Fair Housing Choice & Appendices A-D

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