



City of Imperial Beach, California

OFFICE OF THE MAYOR

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 423-8303 Fax: (619) 628-1395

December 12, 2019

San Diego Association of Governments (SANDAG)
401 B Street, Suite 800
San Diego, CA 92101
ATTN: Hasan Ikharta, Executive Director

Dear Director Ikharta:

On behalf of our residents and the City of Imperial Beach, in accordance with applicable Government Code provisions, I would like to submit the following appeal for a revision of the share of the regional housing need proposed to be allocated to the City and other local governments under the Regional Housing Needs Assessment (RHNA) methodology adopted for the 6th cycle. I would appreciate and encourage you to review the appeal outlined below because a revision of the draft allocation is necessary to further the intent of the statutorily mandated objects listed in subdivision (d) of Government Code Section 65584. In addition, this appeal is consistent with, and not to the detriment of, the development pattern in the applicable sustainable communities strategy developed pursuant to paragraph (2) of subdivision (b) of Government Code Section 65080. This appeal is brought on the grounds that:

(1) SANDAG failed to adequately consider the information submitted pursuant to subdivision (b) of Government Code Section 65584.04; and

(2) SANDAG failed to determine the share of the regional housing need in accordance with the information described in, and the methodology established pursuant to, Section 65584.04, and in a manner that furthers, and does not undermine, the intent of the objectives listed in subdivision (d) of Section 65584.

The Draft Allocation Undermines Statutory Objectives

Pursuant to Government Code Section 65584(d), and as submitted pursuant to Section 65584.04(b), the regional housing needs allocation plan shall further all of the following objectives:

- (1) Statutory Objective: Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low and very low-income households.

Unaddressed Imperial Beach Concern: The RHNA methodology places 95% of all “Major Transit Stops” housing units south of I-8, which comprises only about 25% of the County, while placing only 5% north of I-8, which contains approximately 75% of the County. Only four of the County’s 18 communities are located south of I-8: Imperial Beach, National City, Chula Vista and portions of San Diego. This methodology exacerbates the concentration of low-income housing in communities that currently already have more affordable housing than the average in the region.



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- (2) Statutory Objective: Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.

Unaddressed Imperial Beach Concern: The major job centers in San Diego County is located north of Interstate 8 and the regions worst traffic congestion is from the South Bay (south of I-8) to the job centers in Sorrento Valley and Mira Mesa. Transit options from the South Bay to these job centers are limited with no light rail service to these areas and the need to make several bus transfers. Vehicular commuting is essentially the only viable option. Due to the flawed methodology resulting in 95% of all Major Transit Stop housing units being allocated to 4 communities south of I-8, the vehicle miles traveled for residents south of I-8 will be disproportionately increased from those north of I-8, resulting in greater emissions and decreased air quality for economically disadvantaged communities. Moreover, Imperial Beach is a border community impacted by the San Ysidro International Border Crossing, the busiest vehicular international border crossing in the world, with tens of thousands of idling cars daily and significant traffic impacts. Additional vehicles in this portion of the County is simply not environmentally just.

- (3) Statutory Objective: Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.

Unaddressed Imperial Beach Concern: The San Diego region's major employment centers are not south of I-8, so the residents living south of I-8 will need to commute on already overburdened and under-capacity routes causing further congestion, increased emissions, and longer commute times. To disproportionately allocate 95% of the entire region's Major Transit Stop housing units is inequitable and counter to proper land use and transportation planning principles.

- (4) Statutory Objective: Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.

Unaddressed Imperial Beach Concern: While the SANDAG methodology provides for an equity calibration for communities, the inflated and disproportionate allocation resulting from the Major Transit Stop distribution, negates any meaningful impacts. For instance, the City of Imperial Beach is allocated 1,375 units for this RHNA cycle, compared to the previous RHNA cycle, which allocated 254 units. Comparatively, most communities in the region, north of I-8 did not receive any Major Transit Stops housing unit allocation, which is contrary to the statutory objective. Without question, Imperial Beach is the lowest median income and lowest housing price beach community in Southern California.

- (5) Statutory Objective: Affirmatively furthering fair housing. Government Code Section 65584(e) provides that "affirmatively furthering fair housing" means taking meaningful



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actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

Unaddressed Imperial Beach Concern: Unfortunately, the draft allocation produces the opposite of affirmatively furthering fair housing. Any methodology that results in 95% of all the Major Transit Stops residential unit allocation in one subregion is flawed, especially when those communities receiving that allocation are south of I-8, which in the regional context has a significantly higher proportion of populations in need of policies that affirmatively further fair housing. The draft allocation is contrary to advancing this statutory requirement and contrary to sound land use and planning principles deployed by regional governments across the United States.

The Draft Allocation Failed to Adequately Consider the Information IB Submitted:

Pursuant to Government Code Section 65584.04, SANDAG was required to include the following statutory factors to develop the methodology to allocate regional housing needs:

- (1) Statutory Factor: Each member jurisdiction's existing and projected jobs and housing relationship. This shall include an estimate based on readily available data on the number of low-wage jobs within the jurisdiction and how many housing units within the jurisdiction are affordable to low-wage workers as well as an estimate based on readily available data, of projected job growth and projected household growth by income level within each member jurisdiction during the planning period.

Information Not Considered: The allocation, especially after the transition to the use of SANDAG's utilization of Major Transit Stops, which is a low investment bus stop that does not procure development opportunities because it is easily moved, and may be moved without City consent, places a skewed allocation of units upon Imperial Beach. The 1,375 unit allocation is not balanced relative to existing and projected jobs and housing.

- (2) Statutory Factor: The opportunities and constraints to development of additional housing in each member jurisdiction....

Information Not Considered: Achievability. Based upon the 1,375 units allocated, Imperial Beach would need approximately 172 housing units constructed each year. This yearly allocation is not realistic based upon past units constructed and the fact that Imperial Beach is a "built out City" with primarily redevelopment occurring as "greenfield" development is effectively non-existent. For example, from 2013 through 2016, a total of only 59 units were constructed or approximately 15 per year. From 2017



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to date, Imperial Beach has experienced the largest residential development projects in its history, including one project with approximately 167 units, resulting in 292 total units, or approximately 98 per year. Additionally, a funding mechanism to assist with the achievement of the housing allocation is needed as a way to incentivize housing development as the City currently does not have any financial incentives to offer. Furthermore, based upon development trends and economics, the ability to realize the allocated units appears unrealistic. Any allocation that is disproportional AND is not attainable, does not further the statutory requirements and is patently flawed.

- (3) Statutory Factor: The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.

Information Not Considered: Bus Stops aka Major Transit Stops. The number and location of Major Transit Stops is likely to vary and those impacts are significant because one Major Transit Stop allocates 199.3 units per location. This illustrates three significant unaddressed concerns:

- a. The impact of transit, when compressed into only four cities is disproportional. The seemingly simple change from High Frequency Transit to Major Transit Stop resulted in the allocation in Imperial Beach increasing from 569 units, to almost 1,400 units. If, as likely, Imperial Beach bus stops are modified by just a couple of stops, the result is literally hundreds of additional units. This is clearly an unanticipated breakdown in the allocation.
- b. The placement of bus stops is not only beyond the jurisdiction of SANDAG and the local municipality, it is subject to change at any time without the approval of SANDAG or the local municipality. Several locations in Imperial Beach have been relocated or changed from a single route stop to a two route stop in just the past few years. The policies of the Metropolitan Transit System (MTS) and the North County Transit District (NCTD) are independent, vary greatly and can change drastically with very little input from SANDAG or the local municipality. Using these placements and unreliable policies is arbitrary at best.
- c. The exorbitant allocation of units for major transit stops is not in alignment with the Affordable Housing and Sustainable Communities (AHSC) Guidelines that identifies a preference for high quality transit, such as dedicated bus lanes, bus rapid transit, and rail. Major Transit Stops do not as a high-quality transit but rather an Integrated Connectivity Project with more onerous requirements and competitiveness. This unalignment has the practical impact of Imperial Beach being less competitive for major grants, which raises social equity issues and is patently wrong.

- (4) Statutory Factor: The region's greenhouse gas emissions targets provided by the State Air Resources Board pursuant to Section 65080.



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Information Not Considered: The absence of high quality transit such as rail, BRT, and dedicated bus lanes, and its corresponding investment, hinders investment and development opportunities that impede the ability to achieve the 1,375 unit allocation. This will exacerbate the emissions due to the raw number of trips and vehicle miles traveled and the increased emissions related to the congestion associated with 1,375 units. The Institute of Traffic Engineers Trip Generation Manual 10th edition would allocate approximately 5 daily trips per unit resulting in approximately 6,875 trips per day. Furthermore, using the ITE Multifamily Housing Mid-Rise rate allocation, the AM Peak Hour generation would be 495 trips and the PM Peak Hour generation would be 605 trips. All of this additional traffic generation will lower the level of service at intersections thereby increasing the automobile emissions. In addition, because the job centers are located outside of Imperial Beach, the overall vehicle miles traveled (VMT) in the region will increase, making it more difficult for the region to meet its GHG targets.

Imperial Beach's Additional Unaddressed Concerns

Mission Statement: The IB mission statement is as follows: "To maintain and enhance Imperial Beach as "Classic Southern California"; a beach-oriented community with a safe, small town, family atmosphere, rich in natural and cultural resources." The 1,375 units allocated results in a land use form that is contrary to IB's Mission Statement – See **Attachment A**, which depicts a potential community form necessary to meet the RHNA allocation.

Imperial Beach's Request:

The City of Imperial Beach respectfully requests that SANDAG modify the allocations to assign affordable units to all bus stops equally and thereby result in a more equitable and fair distribution of affordable housing units throughout the entire County. One such correction would be to distribute the housing units based on transit between all bus stops, not just those that serve two different bus routes.

Please note that Imperial Beach is not requesting special treatment, small city or otherwise, but rather a more equitable distribution of affordable units. Imperial Beach is a model of providing affordable housing in the region, especially as a coastal community.

Respectfully Submitted,

Serge Dedina,
Imperial Beach Mayor



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