




**COUNCILMEMBER SEAN ELO-RIVERA
NINTH COUNCIL DISTRICT**

M E M O R A N D U M

DATE: January 13, 2021

TO: Council President Pro Tempore Stephen Whitburn, Chair, Land Use & Housing Committee

FROM: Councilmember Sean Elo-Rivera 

SUBJECT: 2021 Land Use & Housing Committee Priorities

Housing is a human right and the foundation for a quality life. My priorities support our shared goal of ensuring that quality affordable housing is available for all. But it's about more than affordability. A home means family, it means security and peace of mind. A quality, affordable home allows people to thrive and achieve their highest potential. Everyone in San Diego deserves this opportunity.

How we plan and develop the limited space within our City boundaries speaks to our priorities and values as a City. Land use decisions impact generations to come and decisions must be made with our children and our children's children in mind. In a post-COVID-19 world, we must look to the past and re-examine our land use planning through a racial equity and justice lens, and to the future with the impacts of climate change at the forefront of our minds.

A long history of intentional racial discrimination in housing policies continues to create unacceptable contrasts in the rates of homelessness for Black people, access to housing for Black and Brown families, and opportunities to build wealth through home and land ownership opportunities. Accordingly, I request that this Committee utilize a racial equity tool in determining our priorities and making decisions. I earnestly offer our office's support to assist in that effort.

I look forward to supporting a robust conversation on how we immediately address the threat of displacement resulting from COVID-19, increase housing opportunities, and reconsider our land use practices through an equity lens. My priorities for this Committee reflect my values and represent the voices of the community members and stakeholders who have submitted their input to my office:

Prevent COVID-19 Displacement

- **Extension of Eviction Moratorium** – Evictions during a pandemic that aren't related to an imminent threat to public health or safety will unnecessarily exacerbate our current public health and economic crisis. The Committee should discuss an extension of the City's eviction moratorium until at least the end of 2021, including commercial tenants, while aggressively advocating for state and federal measures to make property owners whole.

- **Provide Support to Prevent Foreclosures** – The Committee should proactively discuss initiatives to mitigate a local foreclosure crisis and the subsequent loss of generational wealth resulting from the COVID-19 pandemic. This should include an analysis of vulnerable homeowners, policies and programs to provide support, and outreach to provide awareness of available relief.
- **Provide Relief and Flexibility for Renters, Commercial Tenants, and Small Landlords** - Explore in the Committee ways to encourage lease flexibility when COVID-19 has resulted in economic impacts that require a tenant to move. The Committee should also address “Do-It-Yourself” evictions where landlords have been illicitly forcing tenants out of units despite an existing moratorium and protections.

Produce Homelessness Solutions

- **Hotel / Motel Conversions for Affordable Housing & Project Homekey** - The Committee should work towards the creation of an inventory of all hotels and motels throughout the City that could be available for acquisition and use for housing. The Committee should also coordinate with the County to expand and improve the program locally.
- **Modify Vehicle Habitation Ordinance** - The Committee should consider modifying the vehicle habitation ordinance. This policy has been defended as a mechanism to “preserve community character”, yet there is no character in a community that antagonizes individuals who have been forced to live in their cars. The Committee should discuss ways to decriminalize this living situation, including the possibility of establishing “safe parking zones” in all non-residential communities.
- **Expand Safe Parking Program** – There are several safe parking lots in the City that provide relief, services, and stability to residents living out of their vehicles, including showers and restrooms. The Committee should identify City properties and potential partnerships for expanding access to safe parking lots.
- **Review of Homeless Outreach Strategy** – The Committee should review and discuss our current Citywide strategy for providing outreach to unsheltered individuals. The Committee should also open the discussion up to non-profit partners to solicit their input on outreach policies and programs.
- **Review of City Shelter Operations** – Our existing city-funded shelters can be exclusive, difficult to access, and be hostile for those in need of support. The Committee should discuss programmatic changes to shelter operations including safe spaces for mothers, children, and LGBTQ youth, transportation for daily chores, keeping families together, and reducing barriers to access, and determine how to apply them in city shelter contracts.

Preserve Affordability, Protect Tenants and Communities, and Provide Housing Opportunities

- **Remove Draconian Barriers to Housing Opportunities** – Prospective tenants are often required to provide portfolios of personal information when pursuing housing. This includes information that is often the product of racist and economically unjust systems, including the criminal justice and financial systems. The Committee should evaluate and consider prohibition of prejudiced housing application restrictions. This evaluation should also address evictions that

can result from a tenant, a member of the household, or even a guest committing a crime off-site of the premises.

- **Rent Registry** - The City of San Diego should explore the creation of a rent registry, which would track all rental units in the city, actual monthly rent amounts, and whether they are vacant or occupied, and document low-income housing by community. Procurement of personal information should be limited to ensure privacy. For each registered unit, a small fee administered equitably should be remitted to help fund housing studies.
- **Tenants' Right to Counsel & Tenant Board** - The Committee should explore partnerships and potentially the creation of additional city positions to represent tenants in lease disputes. Additionally, the Committee should explore the opportunity for creating a neutral 3rd-party board or ombudsman for handling tenant-landlord disputes. A tenant protection board will provide oversight and guide implementation of AB 1482, bring forward proposals such as allowing rent payments to be used to build credit, develop and maintain the rent registry with staff support, and create a map to track evictions.
- **Tenant Opportunity to Purchase** - Anti-displacement strategies are needed across San Diego hand in hand with strategies to increase the development of housing for all. Tenant Opportunity to Purchase creates the opportunity for homeownership for tenants through right of first offer and refusal when the landlord decides to sell the rental property. Different models for homeownership in a Tenant Opportunity to Purchase policy should be explored in the Committee.
- **Discuss Options for Rental Assistance in Perpetuity** – The City of San Diego had been in an affordable housing crisis for years prior to COVID-19, and affordable housing will remain a significant issue in the years ahead. The City should discuss funding mechanisms for a flexible rent subsidy pool and permanent rent relief options that are not funded through the State and Federal government, which would allow for undocumented tenants and families with mixed status to receive assistance.
- **Permit Now Program** - In 2019, the Development Services Department (DSD) established the Permit Now Program, which streamlines permit issuance for certain developments. This program has been very successful in reducing development costs and review time. The Committee should discuss the status of this new program and opportunities to expand it to other types of developments.
- **Monitor Affordable Housing Development by Community** – Our Committee should receive a presentation and discuss the community balance of affordable housing development, transitional housing, and permanent supportive housing throughout the City by Community Planning areas. This discussion should shape the development of policies that would further our goal of equitable affordable housing distribution throughout the City.
- **Affordable Senior Housing Units and Development** - Low Income Housing Tax Credits are nearing the end of their cycle, and Section 202 vouchers are limited. Because of this, the preservation and construction of affordable senior housing units is currently in jeopardy. The Committee should collaborate with the SDHC and senior groups to discuss strategies to mitigate a potential crisis.
- **Permanent Supportive Housing (PSH) Request for Proposals (RFP) Monitoring** – The Committee should discuss opportunities to provide more transparency and information for the public to monitor PSH projects, particularly as they move through the RFP process. The

Committee should receive a report from the Real Estate Assets Department on current RFPs to understand the phasing and timing of these projects.

- **Discussion of Community Reinvestment Act** – The Community Reinvestment Act helps provide capital to low-income and moderate-income neighborhoods and the San Diego City-County Reinvestment Task Force works to implement it. I request a presentation and discussion regarding the implementation of the Community Reinvestment Act and San Diego’s Community Reinvestment Master Plan. This discussion will illuminate the role and potential for financial institution’s reinvestment programs, which may include affordable housing development and rehabilitation.

Equitable Opportunities and Land Uses

- **Community Housing Study** - While action must be taken at the state and federal level to support the development of a public housing strategy in the City of San Diego, it is incumbent upon us to develop and invest in long term solutions. The Committee should analyze the benefits, barriers and potential avenues for pursuing various models of public housing, including but not limited to generating new revenue sources, exploring the expansion of Section 8 project-based vouchers, and developing a municipal real estate trust.
- **Culture Mapping in Historically Underserved Communities** - The recent General Plan Housing Element Update identified culture mapping as a strategy for supporting underserved communities. Marginalized groups have cultural assets and local knowledge of their own communities, and the Committee should discuss the development of this tool.
- **Community Land Trusts** - The Committee should develop a plan that facilitates the creation of community land trusts throughout San Diego and should explore opportunities to utilize public land for affordable housing by vesting stewardship in community land trusts.
- **Discussion of Equitable and Sustainable Land Use Practices** – The Committee should discuss how an equitable and sustainable San Diego would look like in a post COVID-19 environment. Trends in commercial and office space have shifted dramatically and warrant a closer look to ensure that our goals as a Council of confronting inequities in our built environment and the threat of climate change align with our land use practices. This should include the encouragement of the conversion of commercial and office space into housing.
- **Community Gardens and Urban Green Space** – Buildings and vacant lots are a blank canvas for community gardens, vertical gardens, and urban vegetation. City policies and permit costs are prohibitive for residents interested in beautifying their communities. The Committee should discuss initiatives to reduce costs and barriers to expand green space on private property, particularly underinvested and under-parked communities, as an affordable option to achieve environmental justice.
- **Cannabis Equity Program** – Marijuana facilities require Conditional Use Permits and are limited per district. The Committee should pursue updating the City’s Land Development Code to permit more facilities, work with community and industry to create a Cannabis Equity Program, and pursue remedying the damage inflicted upon Black communities that resulted from the criminalization of cannabis through economic opportunities
- **Discussion of Community Plan Updates & Progress** - The Committee should identify opportunities to expedite and reduce costs for community plan updates, of which the City is far

behind its goals. Several of our community plans are several decades old, including the Mid-Cities Community Plan. Focused Plan Amendments should be considered for various communities. The Committee should also discuss the progress of community plan updates that are currently in progress, including:

- Barrio Logan
 - Clairemont Mesa
 - Kearny Mesa
 - Mira Mesa
 - Mission Valley
 - University
- **Strengthen Community Participation** – Community Planning Groups (CPGs) are the City’s direct line to the community to ensure that we solicit input and listen to the residents and businesses most impacted by our land use decisions. We must ensure that CPGs are provided the support needed to operate during the COVID-19 crisis, proactively increase community participation and representation within CPGs, and that CPGs are legally compliant with the City Charter and other regulations.
 - **Housing and Services for Victims of Domestic Violence** – The Committee should discuss our City’s current inventory of domestic violence shelters, explore opportunities to expand access to services and housing for victims of domestic abuse, and determine where there are gaps in providing this resource.