

1. Roll Call, Confirmation of Quorum, Call to Order, Welcome. In-Person: Rob Campbell, Andrea Hetheru, Sheila Minick, Russell Steppe, Marry Young, Jacinta Hinojosa, Dorothy James, Vinetia Jones, **Leslie Dudley**. Zoom: Khalada Salaam-Alaji, Brian Matthews. The meeting was called to order at 6:05 p.m.

Housekeeping: Participants were reminded to be courteous to all. Wait until recognized by the chair to speak whether attending in-person or virtually. If present virtually, MUTE microphone when not speaking. On informational items, CVCPG Board Members will ask questions first followed by the public. *It is timesaving if an answer to your question is acknowledged in a previous speaker's comments.*

2. Adoption of the Agenda: It was M/S/C (Sheila, Marry) to amend Item 4 to reflect Districts 5, 6, and 7 vs. District 1 and to eliminate Item 5 as CVCPG received the resignation of Sally Smull. All approved; there were no abstentions or objections.
3. Info Item: Neighbors for a Better San Diego Presentation on ADU (Accessory Dwelling/"Granny Flats") Units policy and its particular implications in Chollas Valley and other low and moderate resource communities with respect to AFFH (Affirmatively Furthering Fair Housing).

Danna Givot, Vice-Chair, Neighbors for a Better San Diego, presented a Power Point on the topics of affordable housing, transition, and ADU development. Participants were encouraged not to refer to ADUs as granny flats as that is not how they are being used. When 12 or 30 units are being built in a backyard, it is an apartment complex and no one's granny is living there.

Danna stated that affordable housing is not being carried out to AFFH in San Diego. For example, 66% of the land is in the highest resource areas, but accounts for only 26.5% of housing permits (40). High resource communities are not carrying their share of the load. Moderate resource communities carry 38.2% of permits (444). Low resource communities account for 33.5% of permits (146). In CVCPG, 99% of affordable/multi homes are affordable homes. The other 1% has on-site managers. The figures are from 2023 and reflect only multi-unit, deed-restricted housing. In 2023, no one permitted multifamily dwellings that were market-rate. Khalada Salaam-Alaji asked about the length of deed restriction: Danna stated it is 55 year deed restriction. Rancho Penasquitos, San Ysidro, Rancho Bernardo, Black Mountain Ranch, and Clairemont join the CVCPG in having 90% plus in 2023; however, the level of AMI percentage is not known. Danna stated for ADU it is 15 years if moderate (81% to 120%) AMI, 10 years if low/very low AMI).

In relation to transit, the City of San Diego ties zoning to transit (existing and planned). As of 5/2023, the City defines where the Bonus ADU program and Complete Communities apply (Sustainable Development Area - SDA): (1) 1-mile walking distance from transit including future unbudgeted stops; (2) Applies to 60% of the City; (3) Addresses infill sprawl; (4) Is not transit-oriented. These criteria make most of CVCPG eligible for the Bonus ADU program. Danna noted that the 1-mile walking distance is arbitrary and is not recognized by any entity, including MTS. The CVCPG area is saturated by the SDA. Neighbors for a Better San Diego is suing the City for not completing an environmental impact. There are 4,612 acres subject to the Bonus ADU program. Impact to the environment, residents, noise, and pollution were not considered based on previous environmental reports.

Dorene Dias-Pesta expressed concern about the transit stops that are available, mobility, lack of access, etc. Leslie Dudley, CVCPG Board, addressed concern about the lack of trolley service. She stated that during the night, trains use the tracks. The trolley is not full-service and is not available due to trains using the tracks. She further expressed concern about building housing and schools near the tracks. There has been much concern expressed regarding the safety aspect, and she encouraged CVCPG to address concerns regarding mobility and transit to City and to demand answers. Leslie indicated that more SDA translates to less equity.

Danna reported that in 2021, 9% of San Diego single-family homes were bought by investors (13% in 92105, 14% in 92115, 17% in 92102, 17% in 92113, 19% in Lemon Grove, and 20% in 92114). Investors are snapping up single family lots and putting multiple ADUs on them. ADUs were implemented on 11/29/2020 (former Mayor Kevin Faulconer's watch). It was falsely sold as just executing state law, requiring no environmental impact report, and allowing lower income families in high opportunity zones. The State required the City to allow 1 ADU and 1 JADU (junior ADU) on a single-family lot. Since 7/2022, it allows 2 ADUs (1 converted and one detached) and 1 JADU. The City of San Diego allows "unlimited" Bonus ADUs up to floor area ratio (FAR) in SDA. If a party builds one deed-restricted ADU, it can build another market-rate ADU. To date, every affordable ADU from the Bonus program is at 110% AMI (moderate, deed-restricted for 15 years. The rents are \$2300 for a studio, \$2629 for a 1-bedroom, and \$2958 for 2-bedroom. Outside the SDA allows up to 6 units/lot – 2 ADUs (converted and detached), 2 bonus ADUs, a JADU, and a single-family home. Sheila Minick suggested engaging college students at SDSU, UCSD, etc., who work in Planning be engaged to conduct studies of the true affordability of ADUs.

Per Danna, a Bonus ADU can be up to 30 feet tall (3 stories). If it is 1-story (16 feet or less), there are no side and rear setbacks and can be built alongside the property

line. If it is over 16 feet/story, a 4-foot side/rear setback is required if it is abutting residential-zoned property or use. Per CA law, Bonus ADUs pay no Development Impact Fees (DIF) if they are less than 750 square feet. San Diego allows DIFs to be waived for first two ADUs that are 750 square feet or larger. No onsite parking is required and there are no contributions to infrastructure. There is a loss of land-wealth transfer among homeowners when investors purchase property and build ADUS.

Per Danna's Bonus ADU Summary slide, the San Diego Housing Commission reported as of 12/4/24 that District 4 is the fourth most targeted district for the Bonus ADU Program. Per the San Diego Housing Commission, as of 12/2/24, Chollas Valley Community Planning Group's area is the sixth most targeted area for the Bonus ADU Program. There are two 20-unit projects pending and 13 permits for more than one hundred ADUs in the pipeline. Presently, CVCPG is not as impacted by ADUs as some other areas.

Danna reported that 70% of bonus ADUs are built in moderate or lower CTCAC Zones, with almost 50% built in low or poverty zones. Most ADUs are not built for families, they are studios and one-bedroom apartments. There were some 2-3 bedrooms in the CVCPG area. Marry Young requested clarification regarding the high number of investors. ADUs were sold to the community as an opportunity for homeowners to build and get extra income. Danna shared that we know that is not what is going to happen. Investors are going to build ADUs and homeowners are not going to benefit. It is similar to when they said we want people to have 6-bed and under Community Care Licensed Facilities in the community and it was later found the owners were investors, not people who were living in the community. Marry asked if there are 2-3 bedroom ADUs, wouldn't that add to poverty? Danna responded that the 2-3 bedroom dwellings mentioned were one-unit ADUs.

An audience member asked how long it takes to see the permits online for property that has been sold. Danna suggested Googling the DSD permit finder or City of San Diego permit finder to look for "PRJ," which precedes a permit (PRJ indicates a preliminary review). It was asked if an environmental impact lawsuit might impact the ADUs, and Geoff Hueter, Neighbors for a Better San Diego, responded that it might. He indicated that there may be special topics such as slope, sensitive land, protected species, etc. that can be argued.

Rob Campbell asked if the EIR (Environmental Impact Report) is included in the lawsuit. Per Danna and Geoff, the lawsuit is related to the SDA. State law allows 1 ADU and 1 JADU, which increases density by 200%. SB 9 lets individuals split a lot in half, and on each lot, only 4 can be built on each. The City has indicated an

unlimited number can be built. Green space can be 1 tree for 5 houses, and the tree can go in the parkway. The environmental justice element of the Community Plan conflicts with this as well as other projects such as the SANDAG project at Highway 805 and Imperial Avenue (4 lanes across 805 to 2 lanes to accommodate a bike lane). Rob would like to bring this topic to the AFFH committee to consider.

Leslie Dudley asked if the community knows who the buyers and investors are, if they are Americans, etc. Danna and Geoff reported there are LLCs, and entities create different LLCs for each project. For example, SDRE has at least 37 Bonus ADU projects in the City.

Dorene Dias-Pesta asked how can individuals support the lawsuit and requested information regarding ways neighborhood groups can help. Geoff suggested for future action the CPC really needs to get involved and bring all the groups together. He also mentioned that ADU property fees do go up. Rob stated that the Naranja Project is a 100% deed-restricted project.

Sheila Minick mentioned that one of the “selling points” of ADUs was how it would assist students at colleges such as SDSU and UCSD, and there has been no information reported about this. She also shared that developers target vulnerable and elderly homeowners who think they are being offered a lot of money without understanding the value and what developers plan to do with the property. Sheils encouraged people not to sell homes to solicitors or developers.

Vicky Estrella, resident, thanked Neighborhoods for a Better San Diego for all their work.

Jaquelin Ballinas, a UCSD Student who lives in Encanto, is in the Planning program at college and is trying to get a sense of our experiences and concerns.

Jacinta Hinojosa asked if City Planners are required to post early on projects. Geoff indicated that it is not required as the ADU program is ministerial, they don't have to tell us anything. It would only come to the community for something extraordinary. Jacinta shared that her mother has been solicited to sell her property, and the home next door sold and is probably going to be something like ADUs.

Vinetia Jones observed that the builders are getting a pass and the taxpayers are footing the bill. We need to hold our elected officials accountable and start pushing back, demanding they have the builders pay their fair share.

4. Info Item: CEQA Finding for PRJ-1107880/5702 Old Memory Lane in Emerald Hills: Swapping out conservation of environmentally sensitive land in Chollas Valley for conservation of environmentally sensitive land in other areas (Carmel Valley, Del Mar Mesa, Pacific Highlands Ranch, and Poway). Andrea Hetheru shared that this is part of a project in pre-development, preliminary issues and findings are issued sometime before it comes to CVCPG. The most recent document had preliminary CEQA findings, so it is not yet appealable. The Multiple Species Conservation Plan (MSCP) of 1987 is to implement state laws that conserve the environment. There are many governmental jurisdictions that come up with a plan to conserve and protect the land. D.R. Horton is planning to take advantage of areas in Districts 5, 6, 7 and the Poway area and plans to swap sensitive Radio Towers property for preservation in those areas. If we are in an environmental justice area, our community should be keeping our land for preserved species and it should not be exchanged to a high resource area. Rob Campbell stated that this topic falls into the AFFH bucket. It is common that somewhere in La Jolla or another high resource area will get the preservation for our area as off-site mitigation parcels. Basically, developers are saying “we’re doing harm but we’re limiting harm by preserving property in another area.” Dorene Dias-Pesta asked why can’t the land stay within District 4, if this is a done deal, or is it something that can be changed? Andrea stated that a quick review shows that it looks like it can be changed. Evelyn Smith, Emerald Hills Neighborhood Council Chair, came on board in 2016. She was part of the CBA and met with Mayor Kevin Faulconer and made it a priority to keep Radio Towers as open space and also recommended this to Park and Rec. Mayor Gloria and Monica Montgomery-Steppe said the property was sold before they came into office. Susan Baldwin, Sierra Club, doesn’t know about MSCP, but she works with a lot of people who are knowledgeable about these issues and would be happy to set up a meeting with Andrea, Rob, other interested parties to discuss the topic. Andrea requested Susan send an e-mail to the CVCPG e-mail and Rob Campbell to facilitate this.
5. Action Item: Hearing. This item was eliminated as previously noted.
6. Chair’s Report
 - a. Part-time paid internships with CVCPG. We have part-time paid internships available and need help with administrative items, public records requests, etc., perhaps 10 hours per week.

- b. Community Planners Endorsement Letter of CVCPG Request for Executive Order to halt enforcement of and nullify Footnote 7 for Table 131-04D in the San Diego Land Development Municipal Code. The CPC endorsed our request to Mayor Gloria to halt Footnote 7.
- c. AFFH Committee 5:30 p.m. next Tuesday at Malcolm X Library. The committee will kick off some good work and begin to pursue research-driven work to inform our community. It has been tied with Footnote 7, which is not done yet. On 12/19/24 at 9 a.m. at City Council Chambers, Footnote 7 will begin its death. It will be the first hearing to remove it from the Municipal Code. This is half the battle. In the other half, Mayor Gloria has taken no action on stopping the projects that are already relying on Footnote 7. We need to push forward with this illegal action. She encouraged everyone to monitor our website (chollasvalleycommunityplanning.com) for information. Meetings are listed and documents are included on the website.

Unfinished business shall be tabled and placed on the agenda for a following meeting.

Meeting adjournment. It was M/S/C (Rob Campbell, Russell Steppe) to adjourn the meeting. All approved; there were no abstentions or objections. The meeting adjourned at 7:56 p.m.

NEXT CVCPG General Meeting: December 16, 2024, 6:30 p.m. at KIPP Adelante Preparatory Academy, 426 Euclid Ave., San Diego, CA 92114.

Respectfully submitted,

Sheila Minick

Sheila Minick
Recording Secretary