

## Carmel-by-the-Sea's Housing Element – *Did You Know?*

1. **Every 8 years, by State Law, Carmel-by-the-Sea and every jurisdiction is required to update their Housing Element for the new housing.** Our current AMBAG (Association of Monterey Bay Area Governments) 6<sup>th</sup> Planning Cycle of RHNA (Regional Housing Needs Allocation) runs between July 2023 - June 2031.

Income	RHNA #
Extremely Low	57
Very Low	56
Low	74
Moderate	44
Market Rate	118
<b>total</b>	<b>349</b>

2. **Our City's RHNA allocation to plan for NET NEW housing units is 349 across multiple income categories.** (see chart) Achieving this target is especially challenging given little to no open land in our one square mile.
3. **This year's Housing Element is much more than just a planning exercise to "put on the shelf."** Prior AMBAG issued RHNA Cycles encouraged new and affordable housing but did not include penalties and other enforcement for not certifying and implementing a Housing Element. Cycle 6 is a whole different story with significant penalties and enforcement that would affect the Residential character of Carmel-by-the-Sea forever through things like loss of grant funding, financial penalties, and most severely, the loss of local control over permitting (already in California cities such as Beverly Hills).

4. **City Government is not required to build these housing units.** However, our City Government is required to facilitate construction in the private market by removing regulatory barriers to housing. This is accomplished through a State mandate to create a "plan" (Housing Element) which lists potential sites that could accommodate housing, creates new programs and develops new processes that streamlines permitting to incentivize private development of new housing units.



5. **Since June 2023, newly permitted housing has already decreased our 6<sup>th</sup> Cycle RHNA of 349 by 43 units** (Includes 22 ADUs). If this pace continues with private homeowners adding ADU's, pipeline projects such as 5<sup>th</sup> & Dolores, downtown building owners adding a second story for housing and others – these permitted projects *will be material to achieving* our 349-unit requirements.
6. **Did you know the guardrails set by Council for crafting the Housing Element?** Based on early community input, the guidance given to the city's housing team was to accomplish the goal of planning for 349 new units of housing without allowing multi-family housing (apartments) in our Residential District and without increasing our current building height limit above two stories in our Commercial Districts.
7. **What is the rush to meet the deadline of achieving an approved Housing Element by April 15<sup>th</sup>?** If our Village does not achieve a State certified Housing Element by April 15<sup>th</sup>, we are at increased risk of losing local control and oversight over the issuance of building permits. Part of losing local control includes being subject to "Builders Remedy" applications, fines, and loss of important State grants that we rely on.
8. **What is Builders Remedy?** It is part of the California Housing Authority Act passed in 1982 that allows a developer to submit plans for a multi-unit development, regardless of zoning, where at least 20 percent of units are designated for low-income households or 100 percent are designated for moderate-income households. If a City does not have a certified Housing Element, and becomes subject to Builders Remedy, these projects must be approved administratively (no public hearings).
9. **Did you know that the old Carmel Hospital has a Builders Remedy Project coming?** This property is north of Valley Way in Monterey County. The County of Monterey has not yet submitted a draft Housing Element for State review. A Builders Remedy project has been submitted to the County for this site.
10. **Beyond the County, what is the progress of other cities in our area?** Salinas & Seaside are the only local cities with a certified Housing Element. Marina and Del Rey Oaks have adopted but not yet received certification by the State. Gonzales, Greenfield, King City, City of Monterey, and Pacific Grove, Soledad, Sand City have drafts in process with the California HCD (Housing Community Development) but are not yet finalized. (as of 3/28/24)

11. **Did you know City-owned Vista Lobos, Sunset Center North, and South Lots have never been, and are not now Surplus Land?** Should our community and city leadership ever decide to consider a project on any of these sites, it would be done through the very public RFP (Request for Proposal) process. The State mandated process we must follow is called the Surplus Land Act. This is the name of the law but does not necessarily mean the land becomes “surplus.” These City sites would only be leased, and most likely never be sold, and only if publicly approved through repeated public review and input.
12. **How long ago were these City owned sites targeted in this 6<sup>th</sup> Cycle Housing Element effort?** Since the first complete draft of our Housing Element in June of 2023 these sites were named as possible target locations. In Element drafts beginning in January of 2024 more precision was required by the State in order to certify the document which provided more aggressive timing for how to move ahead. However, there are 22 other sites identified along with Vista Lobos, Sunset North, and Sunset South. The sites are not ranked in priority order...in other words site 1 is the same as site 22. The site numbers simply correspond to their location on a map in the Housing Element.
13. **Can the City remove these City owned sites from our Housing Element?** This would prevent the Housing Element from being adopted by April 15<sup>th</sup>, opening the City to risk of the penalties described earlier. As you review pages 251-253 of our current Housing Element draft, you will see that these locations contribute a significant 149 potential units to achieving our target 349. If we can achieve new housing units by issuing permits for affordable units on other opportunity sites on the list, these sites may not be required.
14. **Once approved, can our Housing Element can be revised?** Yes. It can, as we progress with projects, programs and ideally new housing unit permits continue to be issued. If some opportunities generate more units than expected (e.g.: ADUs), other sites may not be needed as part of the plan later down the road. As long as we are demonstrating progress in our commitments, we can check in with HDC annually to make sure our work-in-progress is adequate to retain our certification as an approved Housing Element. With real penalties including Builders Remedy projects, removal of land use local control, fines and being unable to qualify for State grants at stake - we can't risk decertification.
15. **How can housing be built without water?** It can't. However, all cities have been told by the State not to let the unavailability of water prevent submission and progress to move ahead on our Housing Element commitments (yes, really). The State insists jurisdictions should assume sometime in the next 8 years water will be made available to distribute for housing projects. The City of Carmel-by-the-Sea currently has under one acre foot of water in inventory, yet no new water available for new projects in the City.
16. **How to fight this Housing Mandate?** Our City Staff and Council's efforts have been diligently working on this State requirement, with public engagement since early 2023 to produce a certifiable Housing Element. State Legislators from the 5 largest cities in California (San Diego, Los Angeles, San Francisco, San Jose, and Sacramento) continue to push a set of bills and requirements in a “one size fits all” approach to address the Housing Crisis. Repeated outreach via letters, emails and/or phone calls about legislation degrading local control is the right path. Contact our area's Sacramento Senate and Assembly Representatives **John Laird** 831-657-6315 email [Senator.Laird@senate.ca.gov](mailto:Senator.Laird@senate.ca.gov) and **Dawn Addis** 831-649-2832 email [Assemblymember.Addis@assembly.ca.gov](mailto:Assemblymember.Addis@assembly.ca.gov).
17. **Who else is pushing back on these Housing Mandates?** Statewide organizations including Our Neighborhood Voices, Livable California, CatalystsCA and more – are pushing back on Sacramento's past and coming legislation and legislators that remove local control. To learn more and participate in these efforts visit the Local Control page on [www.carmelresidents.org](http://www.carmelresidents.org).



*This document has been verified for accuracy only by Carmel by the Sea's Planning Department as of 3/28/24.  
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