

# C3 Views

translating vision into action

## Rancho Del Mar

### Citizen's Managed Growth Initiative Under Assault

In the flood plain directly North of the Polo Fields East of Del Mar there is a proposal on nearly 24 acres to build 224 dwelling units ranging in size from studio apartments to over 2,200 square foot "Casitas". The Project is referred to as Rancho Del Mar. A December 8, 2011 report to the City of San Diego Planning Commission indicates there will be "on site restaurant, lounges, bars and other amenities."

There is one "minor" detail about this effort. The project is located in the North City Future Urbanizing Area (FUA) on land intended to be preserved as open space and/or undeveloped until and unless development is approved by a public vote. Proposition A was a grassroots effort supported by many local organizations including C3, the Sierra Club, Common Cause, and the League of Women Voters. The petition was circulated largely by volunteers who could actually tell the signer what was in the proposed initiative and why it was important. The measure qualified as Proposition A and was passed by the Voters in November 1985.

What was Proposition A: The Managed Growth Initiative? The Managed Growth Initiative had three major implementation elements: 1) required voter approval to shift lands designated in the City General Plan as future urbanizing i.e. not anticipated to be needed until after 1995; 2) directed the City to take any and all actions reasonably necessary to carry out the purpose and intent of the Initiative; 3) created an initial threshold level determination of need for urbanization that had to be approved by the voters.

One of its purposes was to bring the discussion of public benefits versus costs out into the public arena and to thereby facilitate consensus on opening up agriculturally zoned area for urban uses that



*La Costa Glenn Continuing Care Community located in Carlsbad (CA State License #374600637)*

would require public facility obligations and the preservation of other areas such as open space. The area was to remain in an agricultural zoning with only minimal development rights conveyed by that zoning, unless the voters approved a shift of the land to a Planned Urbanizing designation.

There have been only 8 votes to allow such projects and only one has failed, Proposition C in 1994, which proposed to shift the entire North City Future Urbanizing Area to a Planned Urbanizing status. The other measures have resulted in considerable open space preservation, provision of affordable housing, and completion of regional transportation facilities.

What is Rancho Del Mar? In July 2011 the application for the "Rancho Del Mar" project was deemed complete by the City of San Diego Development Services Department (DSD) to develop 224 units of housing as a so-called "Continuing Care Residential Community". The original proposal was submitted for review about two years prior to July 2011. It is in the floodplain of Sub Area II in the North City Future Urbanizing Area (FUA). A Continuing Care Residential Community contains a mix of housing units and types from Skilled Nursing, Assisted Living, and Independent Units in one location; residents pay a one time and monthly fee and are guaranteed a range of supportive services at one location for the remaining years of their lives. Local examples of such projects, which are licensed by the State of California, are: La Costa Glenn (Carlsbad), Vi at La Jolla Village, and Emeritus Senior Living in Carmel Valley.

## C3 Views

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## Spring C3 Views President's Message

On Saturday, January 21st of this year the 2012 C3 board of directors met at the offices of the San Diego Foundation to brainstorm and plan for the priorities of the organization over a two-year span. The issue priorities included: membership, advocacy, financial strength, communications, the Breakfast Dialogue program, C3 events and other "in-house" administrative issues. Trudy Sopp, Founder & Consulting Partner of The Centre for Organization Effectiveness was most helpful in the planning and facilitation of this mini-strategic planning retreat. Kudos to C3 member Trudy Sopp for her assistance throughout the process.

In no prioritized order of importance . . . because they are all important . . . the board agreed that the following objectives need action:

- C3 needs a larger, re-vitalized membership. Specific efforts need to be taken to increase the membership with respect to ethnicity, young professionals, and diverse communities.
- C3 should continue to push policy positions that are consistent with the organization's principles relating to good planning, social equity, regional economic health, and environmental sustainability. Also, we need to try to be as early in the issue and/or design study process as possible in order that projects may be in the "yes" column more often.
- C3 needs to expand its outreach efforts to more effectively communicate its positions on issues and the important role the organization provides in the civic engagement process. Maintaining and upgrading our website, developing and expanding media relationships, exploring a possible collaborative arrangement(s) with KPBS and/or other partnerships are just a few of the opportunities that, if developed, would broaden the C3 brand.
- C3's Breakfast Dialogue program is a highly important program of the organization. It generated a lot of discussion among the directors as to ways that it can be improved as well as to help ac-

complish other organizational goals, i.e. membership growth, increased public awareness of C3's mission, as well as helping with the financial support of the organization's administrative costs.

With all brain-storming/strategic planning retreat efforts, it is the delivery on the promise that is the real work of organizational improvement. And with most non-profits, particularly those that have very limited professional staff to help with administrative functions, results and outcomes are the result of "heavy lifting" by board members and the tremendous commitment of several C3 members to the organization.

I continue to be optimistic of this 50-year young organization. As a result of our mini-retreat the current board has a clear idea of what needs to happen to accomplish the noble mission of this organization. The objective is to translate goals into actions and onto measurable achievements. Not an easy thing in any environment. Definitely a challenge when experienced within the context of this current economic and political environment.

If you wish to help the organization achieve the aforementioned goals my suggestions include the following: (i) Continue your C3 membership and consider upgrading your level of financial support; (ii) Sponsor a Breakfast Dialogue program; (iii) Send emails to decision-makers when C3 takes a strong advocacy position on an issue that the organization has been tracking and is based upon an embedded principle of C3; (iv) Join a committee, bring a friend to a Breakfast Dialogue, and/or simply give me a call with your thoughts and ideas.

Thank you for being a member of C3.

Sincerely,

*John Lomac*  
2012 President

### PLAZA DE PANAMA BALBOA PARK WORKSHOP

Saturday, May 19, 2012 • 8:30 to 11:00 am

Mission Valley Library • 2123 Fenton Parkway (adjacent to Ikea)

A free 2-hour Workshop will be held to explore the history of Balboa Park's Central Mesa planning and review key details of the Plaza de Panama Project plus selected Alternatives (of 13 studied in the Draft EIR) to the main Project proposal. The purpose of the Workshop is education only - no position on the Project or Project Alternatives will be taken at the Workshop.

#### Speakers include:

**Vickie Estrada**, *Estrada Land Planning* (1989 Balboa Park Master Plan; 1992 Central Mesa Precise Plan)  
**Mark Johnson**, FASLA, *CIVITAS* (Plaza de Panama Project)  
**Jay Shumaker**, AIA, *Shumaker Architecture and Planning* (Half-Plaza Alternative)  
**Bruce Coons**, Executive Director *SOHO* (Modified Central Mesa Precise Plan)  
**John Ziebarth**, AIA, *John Ziebarth Associates* (Gold Gulch Parking Structure Alternative)

#### Sponsoring organizations:

Citizens Coordinate for Century Three (C3) • League of Women Voters of San Diego • NewSchool of Architecture and Design  
 San Diego Architectural Foundation (SDAF) • San Diego Chapter, AIA • San Diego Chapter, ASLA • San Diego Section, APA  
 San Diego Council of Design Professionals • Society for Marketing Professional Services



# Opinion: A Better Way for the Navy Broadway Complex

*The following is a letter submitted to our New "Navy Mayor" Admiral Dixon Smith*

Welcome to our city and best wishes for a successful tour. This is a beautiful city that has greatly benefited from the vision of many citizens and non-citizens alike, including past Presidents. The Port and adjacent land is shared by many, including businesses, the Navy, tourists and an ever burgeoning and often underrepresented resident downtown population, projected to reach 70,000 in the not too distant future. It is now your turn to show real leadership and vision. That vision transforms the Navy-Broadway complex into an area that will be looked upon in 100 years as a magnificent place, rather than a city block of old and tired office buildings and hotels that could have easily been located elsewhere. The planned buildings would encumber one of the last and most beautiful properties along San Diego's bay. The property was given to the Navy many years ago when it was really needed by our military. Now, this property should be returned to the city for a park with unobstructed bay views; a space that promotes healthy recreation, art, culture, and historical monuments, rather than being turned into a monument to greed and old style development as it was practiced decades ago.

Many do not understand the Navy's decision to lease precious waterfront land for further private high-rise development, nor the Navy's decision to put a new Navy office building in an insecure and outlier location. There have been many positive developments in downtown San Diego, with important efforts to keep some green space for parks. The parks that do exist are very well-used, but few in number and often linear or small corners. If we want a growing downtown population, it is critical to provide services for a stable, diverse population. The newer public spaces that have been created downtown are too small for recreation activities. Even the proposed parks either side of the San Diego County Administration Building will not be big enough to serve as a community center with tennis, basketball, volleyball courts, and a field large enough for diverse community events. The Navy-Broadway Complex is a perfect location for recreation, summer symphony and other cultural events, as well as a location for historical "monuments" and events involving the Navy. Yet, despite the major changes this century in naval strategic warfare strategies and equipment, and changes in the security guidelines for military facilities, the Navy continues to plan for this stunning public land to be given to a developer to build high-rise hotels, offices, and retail spaces that will wall off the bay and for which there was no real public vetting, proper environmental examination or cost-benefit analysis. The Navy should ally itself with other stakeholders and public representatives to designate this land for public use. This land is too precious to be used as currently proposed. There is plenty of space, not to mention current vacancies and unrented



*Manchester Proposal for Our Waterfront*

property downtown for hotels and office space. A well-designed recreation area would be a tremendous asset and complement to commercial and tourist activity including the Midway, the convention center, Gas Lamp, the historic tuna harbor, armed forces' memorials, Seaport Village, downtown, and Little Italy. It would draw the population and visitors to existing hotels, shops and the proposed market in the old Police Station. While we are told that high-rise, multiuse buildings are important for tax revenue (should it really be collectable from Federal property), more people using what has already been built would increase sales and tax revenue, as would new structures built in other locations. San Diego has a stunning harbor. Other cities have made sure that their citizens and tourists can walk or bike for miles around their harbors, enjoying unobstructed views. This is prime land. Another high-rise development competes with existing developments which are already struggling for full occupancy, will block sunlight, create chillier wind channels, and reduce space where citizens can congregate and experience healthy outdoor activity on their harbor. We are left with concrete buildings instead of space and beauty forever. This is an excellent time for the Navy to cancel its proposed long-term lease since the current plan must be dramatically revised, as stated by the Coastal Commission, among others. But, it needs to be revisited from scratch, with a visionary plan that you can lead with the full participation of all stakeholders.

We hope that when our children, grandchildren, and their progeny think about Navy-Broadway and San Diego, Admiral Dixon Smith will be in their thoughts along with Roosevelt, Horton, Sessions, Marston and others who were instrumental in giving Americans great public space, parks and monuments.

With regards,

*Dick and Heather Goldman*

**Continued from Page 1**

The table below depicts the Rancho Del Mar Project and its summary characteristics:

Project Characteristics	Units	Square Foot Range	Other Features
Assisted Living	50	504-604	Underground-Surface Parking
Courtyard Suites	133	1,278-2,079	Underground parking
Casitas	41	1,645-1,566	Plus 737 sq. ft. balcony & 258 sq. ft. garage
Pool House	N/A	1,773	1,836 square foot pool

Rancho Del Mar will require 14 feet of fill, will include an underground parking structure, and is located in the San Dieguito river valley flood plain. The parcel is zoned for agriculture (AR-1-1), which would permit a maximum of two dwelling units under the current zoning and is designated as Open Space in the City's General Plan.

Why is the Project Important to C3? C3's mission is to ensure good land use planning, development of good government practices and respect for a citizen's initiative. The processing of the application for this project would set the stage for manipulation of the land use code and attempts to circumvent the Prop A vote requirement. If the provisions of Prop A are not enforced, there will surely be additional exploitation of the remaining open space and imposition of adverse impacts from inappropriate urbanization and building in areas such as floodplains.

How is the Developer/Applicant trying to Circumvent the Voter Approval Requirements of Proposition A?

Prior to submitting a project application to the City, the subject applicant over the last several years had a series of meetings and correspondence with City staff regarding the interpretation of Proposition A. The focus was on the proposed use as a Continuing Care Residential Community and the zoning code, and whether the use should be permitted as it was most like an Intermediate Care Facility, which was permitted when the Initiative passed. The original opinion of City staff was the project would require a public vote to increase the intensity of use beyond what is allowed in the zone i.e. 2 units, as required by Proposition A.

Miraculously, the City Development Services working with the Developer had a change of heart, docketed an item before the Planning Commission Hearing on December 15, 2011 and obtained a Planning Commission advisory determination that a "Continuing Care Residential Community" is consistent with an "Intermediate Care Facility" as permitted in the 1984 Municipal Code. The City staff report concluded that if the uses for the Continuing Care Facility are similar to an intermediate care facility, although currently not allowed on the parcel, it could be allowed with a Conditional Use Permit without a public vote, if the Land Use Code was amended. The Planning Commission provided its advisory vote for City staff to draft changes in the Land Use Code and allow Continuing Care Residential Communities in the Future Urbanizing Area. Amendments to the Land Use Code and a Conditional Use Permit would require Planning Commission and City Council approval, but not the Prop A public vote. Four of the six

Commissioners in effect determined that a Continuing Care Residential Community is analogous to an Intermediate Care Facility.

What is Wrong with the "Revisionist History" approach of Rancho Del Mar? One of the primary purposes of this article has been to put an historical context of the Managed Growth Initiative to the current proposal for Rancho Del Mar. Well the simple answer to what is wrong with this approach, before you get into the specific language of the Initiative and its 2012 interpretation, is to ask those volunteers like Jay Powell, David Kreitzer, Diane Coombs, and countless others who spent an enormous time collecting signatures whether this is the type of process and project they envisioned to implement restrictions on development in the Future Urbanizing Area. The obvious answer is no way.

With that being said, the basic problem with this proposed project is that it ignores the Initiative language. Specifically Proposition A states that "the provisions restricting development in the future urbanizing area shall not be amended except by a majority vote of the people voting on the change or amendment at a city wide election thereon."

The City's General Plan Land Use and Community Planning Element also addresses Proposition A lands and specifies the requirement of a phase shift vote for any intensification of use on Proposition A lands that is inconsistent with uses under the existing zoning. Furthermore, the General Plan calls for river valleys to be preserved for agriculture and open space uses."

Secondly there is a misguided interpretation of the August 1, 1984 date cited in the Initiative. Proposition A did not freeze allowable uses on August 1, 1984 but rather was the date that established the benchmark date of land use regulations for which an amendment could be made either more restrictive by a City Council Vote or more intensive if approved by the vote of the people.

After Proposition A was passed and as directed in the proposition language, the City did modify the zoning to be more restrictive and prohibit certain conditional uses in the FUA. One of those municipal code changes was the 1990 amendment to Section 141.0413 of the zoning code (that addresses uses allowed with a CUP) to prohibit hospitals, intermediate care facilities, and nursing facilities in the agricultural zone on Proposition A lands. Prior to the passage of Proposition A those uses were allowed in the agricultural zone with a CUP.

What is the contention of the Developer/Applicant and the City of San Diego Development Services Department? The Developer/Applicant and City of San Diego are contending that the Land Use



*Looking South at Site-Corner Via De La Valle/El Camino Real*



Code amendments approved in 1990 to further implement the Managed Growth Initiative can be reversed and made less restrictive to allow a Continuing Care Residential Community, with a simple amendment to the Land Use Code and approval of a Conditional Use Permit by the City Council i.e. without a public vote.

The City Attorney has supported the actions taken by the Development Services Department as within their authority and has provided previous City Attorney reports from the 1980's and 1990's related to the interpretations of Proposition A. This has occurred in response letters to the Carmel Valley Community Planning Board and Proposition A proponents.

The Developer/Applicant is effectively saying if you don't like what is allowed now in Proposition A lands just modify/reverse the underlying Land Use Code to allow uses you "think" would have been allowed in the Agricultural Zone/Future Urbanizing Area, regardless of what the City Council did to enforce Proposition A in 1990. The staff report and discussion at the Planning Commission centered on how the

Continuing Care Residential Community is like an Intermediate Care Facility. Unfortunately, the discussion at the Planning Commission did not center on the real issue, does the Planning Commission and City Council have the authority to amend the Land Use Code to allow more intense development than presently permitted in the Future Urbanizing Area.

What is next for Rancho Del Mar? The wheels of concern and objections have already started on this project. Since the property and its development has a direct relationship to the San Dieguito River Valley Regional Open Space Park, the Joint Powers Authority weighed in on the matter on April 20, 2012. Board Member Pam Slater-Price called the City's actions "an out of control monster". With a unanimous vote, the JPA adopted staff's recommendation which stated "Send letter that the City of San Diego Land Use and Housing Council Committee docket this issue for an upcoming meeting to investigate the applicability of Prop A on the Rancho Del Mar Property and consider a moratorium on processing this and any other development proposals in the NCFUA until a joint Land Use and Housing/Planning Commission public workshop is held to review the status and procedures on remaining undeveloped Prop A lands."

The San Dieguito River Valley Joint Powers Authority is not the only voice in opposition to this project. Other opponents include C3, Carmel Valley Community Planning Board, the San Dieguito JPA Project Review Committee (consisting of some original au-

thors of the Initiative such as Dave Kreitzer), Sierra Club, League of Women Voters, Friends of the San Dieguito River Valley and individual citizens who testified before the Planning Commission and JPA. Project opponents have created an organization "Protect San Dieguito River Valley" to follow thru and "bulldog" this project until reason and the will of the voters prevail.

What are the policy issues raised by the Rancho Del Mar Project? One of the fundamental rights of Citizens is to address laws, regulations and perceived bad policy through the Initiative process. The Initiative process is not easy and recent vintages have often been characterized by Special Interests who pay per signature to have a measure

on the ballot. Proposition A was different. It was a grassroots effort led by volunteers who had the interest of the region at heart. Proposition A created a certainty of the rules and procedures that citizens and property owners alike could depend upon. That certainty is severely compromised, if the intent of the Initiative and the voter approval provision is not followed.

The convoluted logic of the City Develop-

ment Services Department should be brought into question, particularly their change in position on the project from requiring a vote to one that can be handled through administrative measures, code changes and a simple Conditional Use Permit. What was the real reason for the change of heart by the Development Services Department which is under the control of the Office of the Mayor? In addition, the City Attorney response to this project raises the issue of a potential conflict between City staff interpretation of the Strong Mayor Charter authority and their discretion to make land use consistency determinations versus the Proposition A citizen's initiative requirements within the General Plan.

Rather than looking at this Project from the Managed Growth Initiative Language and intent, the City has gone out of their way with the Developer/Applicant to find a way around the need for a public vote. Paying attention to the actual language and intent of the Managed Growth Initiative is within the wheelhouse of a true Planning Department. Finding a way around the law and code set forth to implement the Citizen's Managed Growth Initiative may be construed as part of the mission of a department that is entitled Development Services, but it highlights the cost of losing an independent Planning Department.

For more information on this issue or the Committee to Protect San Dieguito River Valley contact: Protect San Dieguito River Valley Coalition c/o M. Brown Controller PO. Box 321 Solana Beach, CA 92075



*Aerial View of Rancho Del Mar Facing North*

## C3 Seeks Cooperation in Fostering Future North Embarcadero Improvements



Ground Breaking Phase 1

*The following is an excerpt from a Position Paper and its recommendations recently adopted by the C3 Board of Directors:*

**Issues:** Should Citizens Coordinate for Century Three (C3) take a proactive leadership role in working with local and State Agencies in developing a Plan and Strategy for financing future North Embarcadero improvements?

Should C3 promote economic development within and near the North Embarcadero area that would assist financing of public improvements consistent with good urban planning and preserving our Waterfront?

**Summary:** With the demise of redevelopment and the significant additional costs associated with the infrastructure development of North Embarcadero, there is an opportunity for C3 to take a leadership role in exploring options and strategies to fund these improvements. This would include but not limited to economic development as a tool for generating revenue that could be earmarked to infrastructure improvements. Such an approach is consistent with a portion of our Mission Statement which states: "To weigh all matters in view of the contribution toward achieving the highest standards of environmental quality, physical design, economic benefit, and social progress."

**Recommendation:** The C3 President should send a letter to members of the North Embarcadero Joint Powers Authority, the County of San Diego, Navy and the local State and Congressional delegations requesting that a North Embarcade-

ro Advisory Committee be formed specifically charged with: 1) identifying the timing and amount of future North Embarcadero Improvements 2) analyzing financing options for improvements and required future actions for implementation including economic development in the North Embarcadero to generate revenue for infrastructure improvements 3) identifying alternative government structures which would facilitate implementation of the financing mechanisms.

**Background:** The last estimate of the total cost of North Embarcadero Improvements was \$225 million for the 2005 Schematic Design Plan prepared by Ehrenkrantz Eckstut & Kuhn Architects. Adjusted for inflation these costs rise in rough term to \$275 million in today's dollars (escalated by Engineering News Record National Construction Cost Index).

**Current Funding Relationships.** The costs for these improvements will change depending on the outcome of the pending North Embarcadero Master Plan Amendment. \$28.6 million is funded for Phase I with no available funding sources for additional phases. Part of the Port's funding of Phase I Improvements was an advance by the City of San Diego Redevelopment Agency with the agreement that these revenues would eventually be paid back from future revenue related to Lane Field private development.

**North Embarcadero Visionary Plan Principles.** The original 1996 North Embarcadero Visionary Plan considered the following criteria to be critical in developing an approach to funding and implementation:

- Participation by both the public sector (Alliance which evolved to JPA) and private interests that will benefit from the implementation of the North Embarcadero.

- Fairness in the assignment of costs among Alliance members with a clear relationship between financial responsibilities and the benefits received from implementation of the Plan.
- Predictability in respect to the costs that will be borne by each entity.
- Ability to fund key improvements in the near term, with implementation preceding rather than lagging development.

Costs among Alliance members were to be shared based upon their estimated value of property within the North Embarcadero, referred to as the Asset Base Approach. The estimated pro-rata share of asset value/cost sharing by Agency would have been as follows:

- County 14.4%
- City 32.7%
- CCDC 10.6%
- Port 42.3%

The Navy said they were prohibited from participating financially even though they were part of the Alliance. The County exited the North Embarcadero Alliance in 2002. Funding from both the City and CCDC was to come from tax increment revenue and CCDC would "pay" the City's share. Port revenue was primarily from their tidelands leases.

**Recent Developments.** There was some renewed discussion of the potential economic issues regarding North Embarcadero at a meeting of the Port Master Plan Amendment Citizens Advisory Committee Meeting. Attachment A provides an excerpt from the presentation presented by David Zehnder of Economic Planning Associates, a subconsultant to Owen Lang.

With the demise of redevelopment resulting from the legislative actions of 2011 and the Supreme Court Decision there simply is no source of revenue from the City/CCDC i.e. no tax increment. Redevelopment as we knew it is dead. As a result the dialogue on "what next" for redevelopment has begun as evident by our recent Breakfast Dialogue and a similar event the next day at the San Diego Partnership.



## National Conflict Resolution Center Announces Environmental Mediation Group

The National Conflict Resolution Center has announced creation of the Land Use and Environmental Mediation Group specializing in resolving disputes involving development, the environment, and related issues.

NCRC is a nonprofit corporation that provides mediation and other conflict resolution tools to resolve a broad range of conflicts, such as business, real estate, personal injury, probate, neighborhood, and other disputes, whether arising from lawsuits or initiated by private parties. It also provides conflict resolution training. Headquartered in San Diego, NCRC provides services around the US and several countries.

In mediation, unlike in court or in an arbitration, the mediator does not rule in favor of one side or the other. The mediator's job, rather, is to facilitate a negotiation among the parties and assist them to reach a mutually acceptable agreement. Sometimes the settlement results from compromise, but just as often it involves finding creative solutions.

Mediation is particularly useful because it allows exploration of settlement terms that cannot be considered in litigation. For example, one of the Group's mediators mediated a California Environmental Quality Act lawsuit between a municipality and a business. The city was expanding a road, and the project threatened the business adversely, so the business sued the city claiming that the environmental review was inadequate. If the CEQA lawsuit had proceeded, either the environmental review would have been upheld and the project would go ahead; or the environmental review would have been found deficient, it would have been done over, and the project would then go ahead; in both cases there would have been increased cost because of the litigation and delay. By contrast, through mediation,

the parties identified a change to the project that minimized the impact to the business while reducing the city's project cost, and the business dismissed its lawsuit.

Mediation can also be valuable by minimizing strains when the parties in dispute have a continuing relationship. Another of the Group's mediators was able to resolve a long-running (and very public) conflict between neighborhood residents and a popular restaurant and bar regarding late night noise.

A typical mediation involves just a few parties and their attorneys, and the process is confidential. However, land use and environmental mediations are different because there are often many parties involved, often with differing perspectives. In addition, the mediations may

be conducted in public rather than in a confidential meeting. Finally, the subject matter can often be technical.

As pressure on limited resources increases, the frequency and intensity of disputes is growing. Mediation can reduce litigation, minimize conflicts, and provide more satisfactory solutions. The Group's mediators have individually mediated such issues as proposed changes to a public park, school siting, the impact of a waste treatment plant on surrounding residents, neighborhood view and nuisance claims, contamination and related insurance issues, and public and private development conflicts. Mediation could also be used to resolve disputes concerning aquifer overdraft and water wars, Clean Water Act violations, stormwater runoff, fireworks, siting for renewable and other energy facilities, climate change, and false "green" advertising, and can be an effective way to assist government and other regulators to refine plans and proposals by addressing stakeholders' interests early in the review process.

NCRC's Land Use and Environmental Mediation Group consists of five mediators with unique skills. John Reaves and Cary Lowe are attorneys with more than sixty years combined experience in the overlapping fields of environmental and land use law. Barbara Filner is a highly experienced mediator with specific expertise in multi-party mediation and facilitation. Michael Jenkins, also an attorney, has extensive experience with public agencies. Richard Caputo is an engineer, a former Technical Manager with Jet Propulsion Labs, and brings expertise in renewable energy. All have prior land use and environmental mediation experience that they bring to the Group.

For more information, visit [www.ncrconline.com/Mediation/EnvironmentalLandUse.php](http://www.ncrconline.com/Mediation/EnvironmentalLandUse.php).

*Author: Michael Jenkins*



### THE NATIONAL CONFLICT RESOLUTION CENTER

*announces the formation of its*

### LAND USE & ENVIRONMENTAL MEDIATION GROUP

dedicated to resolving disputes involving development, environmental regulation, natural resources, energy facilities, contamination, climate change, environmental insurance claims, green advertising, neighborhood conflicts, public policy issues, and other land use issues.

**Richard Caputo**, MSME 760-765-3157 / [richardcaputo@sbcglobal.net](mailto:richardcaputo@sbcglobal.net)

**Barbara Filner**, MAT 619-840-5039 / [renlifb@gmail.com](mailto:renlifb@gmail.com)

**Michael Jenkins**, Attorney 619-871-7498 / [eradbami@cox.net](mailto:eradbami@cox.net)

**Cary Lowe**, Ph.D., AICP, Attorney 619-255-3078 / [caryl原因@cox.net](mailto:caryl原因@cox.net)

**John Reaves**, Attorney 619-525-0035 / [john@lawreaves.com](mailto:john@lawreaves.com)



NCRC, 625 Broadway, Suite 1221, San Diego, California 92101 619-238-2400 / [www.ncrconline.com](http://www.ncrconline.com)

RETURN SERVICE REQUESTED

## Opinion: Support Still Needed for Affordable Housing and SB 1220

No one can argue that San Diego is a highly desirable place to visit. San Diego has for many decades capitalized on its optimal weather and picturesque landscape to foster a healthy local tourism and hospitality sector.

For hospitality and tourism industry employees and thousands of other San Diegans, however, their ability to enjoy our natural assets is undermined by the region's high housing costs.

According to a study released last year by the Center for Housing Policy, a household in San Diego County must earn almost \$46,000 annually to afford a one-bedroom apartment, and \$56,000 for a two-bedroom unit. That's a large sum when the household is comprised of one or two people working at or near minimum wage. This may explain why 83,000 families in San Diego County are currently on waiting lists for safe and affordable housing.

For decades, the market has been unable to produce housing that meets the needs of these folks--the 40% of San Diegans that are considered low-income. The situation became even worse last December when the California Supreme Court issued an opinion, which resulted in the elimination of Redevelopment. That's because, under that law, redevelopment agencies were required to spend 20 percent of their

revenue to build and preserve affordable homes. Over the decades, the policy yielded more than 15,000 affordable homes in San Diego County, and 98,000 statewide.



With the loss of that funding, our region's ability to provide a safe and affordable apartment for the waitress, dishwasher, cashier, housekeeper, or janitor in our community is severely compromised.

To prevent this situation from becoming worse, state legislation has been introduced that would generate up to \$500 million annually to stabilize California's housing market, put tens of thousands of construction workers back on the job, and create millions of dollars in new economic activity. This is the kind of catalyst we need to restore our economy and improve stability

in our families and communities.

Senate Bill 1220 will support the development of affordable homes for Californians by assessing a \$75 fee on real estate transactions (e.g. deeds of trust, quit claim deed, reconveyance), excluding property sales. The bill's passage is urgent because funding for affordable housing is disappearing, including redevelopment and the \$5 billion in affordable housing bonds approved by state voters in 2000 and 2006 that are nearly exhausted.

Our region's citizens and businesses agree we must address the inadequate supply of affordable housing. According to the San Diego Foundation's recent survey of 30,000 local residents, the second-most pressing concern in the county is the lack of affordable homes. In addition, a group of San Diego economists testified before a San Diego City Council committee in February 2012 that the region's high housing costs is one of the county's main impediments to growth. We hope that our state leaders will recognize the importance of this issue to hardworking San Diegans and vote to support affordable housing for our workforce. Please contact your State Senator and ask them to support SB 1220.

*Author: Susan Riggs Tinsky, Executive Director  
San Diego Housing Federation*