



Legislation Text

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**REQUEST FOR CITY COUNCIL ACTION**

DATE: 08/03/2022

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

**SUBJECT:**

Resolution making additional findings to support the City's approval of the Housing Element of General Plan Amendment GPA2021-0001.

**EXECUTIVE SUMMARY:**

The City Council adopted the City's General Plan Housing Element on November 3, 2021. The Housing Element is a mandatory element of the General Plan and is required to be updated every eight years. The California Department of Housing and Community Development is requiring revisions to the City's Housing Element to bring it into compliance with Housing Element Law prior to final review.

**RECOMMENDED ACTION:**

**That the City Council** adopt Resolution No. 2022-107 making additional findings to support the City's approval of GPA2021-0001, an amendment to the City's General Plan to update the Housing Element for the 6<sup>th</sup> Cycle covering planning period 2021-2029, as adopted by Resolution No. 2021-121.

**BACKGROUND & HISTORY:**

The City's General Plan Housing Element Update for Planning Period 2021-2029 was approved as General Plan Amendment 2021-0001 (GPA2021-0001) by the City Council on November 3, 2021. The City Council, as part of its recommended action, approved Resolution No. 2021-121, which is an amendment to the City General Plan to update the Housing Element. The Planning and Development Director is permitted to make non-legislative changes to the Housing Element Update that address final comments made from the State Department of Housing and Community Development.

The City's adopted Housing Element was submitted to the California Department of Housing and Community Development (HCD) for review on November 5, 2021. HCD completed its review on February 3, 2022 and issued a letter to the City requesting certain revisions to the Housing Element.

Most of the revisions to the Housing Element fall within the scope of the Planning and Development Director's authority to make non-legislative changes except for the adoption of certain findings in the City Council's Resolution approving GPA2021-0001.

Resolution No. 2021-121 should have included a finding that the existing uses on the nonvacant sites used to accommodate 50 percent or more of the housing needs for lower-income households is not an impediment for additional housing. As such, a subsequent resolution to the previously adopted resolution (Resolution No. 2021-121) has been prepared to address the finding required by HCD. The resolution requires adoption by the City Council.

### **ANALYSIS:**

Resolution No. 2022-107 is a subsequent resolution to Resolution 2021-121, which was adopted by the City Council on November 3, 2021, adopting an addendum to the General Plan Environmental Impact Report and approving an amendment to the City General Plan to update the Housing Element for the 6<sup>th</sup> Cycle Regional Housing Needs Assessment covering Planning Period 2021-2029 (GPA2021-0001).

Resolution No. 2022-107 includes the finding that the existing uses on the nonvacant sites used to accommodate the housing need for lower income units are not an impediment to additional residential development during the period covered by the Housing Element. This finding was mistakenly not included in Resolution No. 2021-121 that approved GPA2021-0001. The finding within the resolution relies upon substantial evidence presented in the Housing Element, which discusses recent recycling trends on nonvacant commercial properties to residential, which includes the integration of commercial uses with residential uses, vacancies in retail storefronts due to market transitions to more online retail sales, the age of structures, the site having a low floor to area ratio, and the improvement-to-land value ratio is less than one.

Additionally, the Housing Element discusses the City's rezoning program to accommodate the planning of lower income units and additional housing units. The rezoning program is designed to encourage the development of housing units on properties that previously did not allow residential. The Housing Element discusses contributing factors to fair housing issues and identifies the lack of zoning for higher density residential as a constraint. The rezoning program removes this governmental constraint by establishing by-right zoning that is intended to support the development of higher density housing.

### **FINANCIAL IMPACT:**

The adoption of Resolution No. 2022-107 will not have a negative financial impact on the General Fund.

### **ENVIRONMENTAL ANALYSIS:**

The City prepared a General Plan EIR Addendum for the Housing Element Update, which was approved by the City Council on November 3, 2021. The approval of this Resolution is consistent with and in furtherance of the General Plan EIR Addendum because this Resolution simply makes findings that are required by Government Code Section 65583.2(g)(2) to ensure that the Housing Element

Update complies with the Housing Element Law. Based on substantial evidence in the light of the whole record, the approval of this Resolution would not have a significant effect on the environment and none of the conditions described in State CEQA Guidelines Section 15162 exist. Therefore, the prior analysis is adequate and no further environmental review is required.

**PREPARED BY:** JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

**Attachments:**

1. Exhibit 1 - Resolution No. 2022-107