

RESOLUTION NO. NS-30,259

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ ADOPTING A GENERAL PLAN AMENDMENT REPEALING THE 5<sup>TH</sup> CYCLE 2015-2023 HOUSING ELEMENT AND ADOPTING THE 6<sup>TH</sup> CYCLE HOUSING ELEMENT FOR THE PERIOD OF 2023-2031 AND ASSOCIATED UPDATES TO THE SAFETY ELEMENT OF THE GENERAL PLAN AND FIND THAT THE PROPOSED CHANGES ARE EXEMPT FROM CEQA UNDER SECTION 15061(b)(3) AND FINDING THAT THE CHANGES ARE COVERED UNDER CEQA THROUGH A REUSE OF THE GENERAL PLAN EIR IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW AND RESCINDING RESOLUTION NO. NS-29,076

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives” (Government Code Section 65589.5.); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Government Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49<sup>th</sup> out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years;” and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council of the City of Santa Cruz (City) to adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City’s regional housing need allocation (RHNA) of 3,736 housing units, comprised of 859 very-low income units, 562 low-income units, 709 moderate-income units, and 1,606 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City has prepared the Housing Element 2023-2031 (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the City’s RHNA, as attached to the December 12, 2023, City Council Agenda Report and incorporated by reference herein; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, as provided in Government Code sections 65352 – 65352.5 the City noticed all California Native American tribes on the contact list provided by the Native American Heritage

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Commission, to the jurisdiction abutting the City's borders (County of Santa Cruz), to the school district, and the City of Santa Cruz Water Department. No California Native American tribe requested consultation; and

WHEREAS, the City conducted extensive community outreach over the last 18 months including but not limited to: a study session before the City Council on June 12, 2022; two public workshops on September 29, 2022 and April 4, 2023; a survey made available to the public from September 29, 2022 to November 10, 2022; and the first public review draft of the Housing Element presented before the Planning Commission on April 20, 2023 and the City Council and April 25, 2023; and

WHEREAS, in accordance with Government Code Section 65585 (b), on March 24, 2023, the City posted the draft Housing Element and requested public comment for a 30-day review period, and on May 10, 2023, after responding to public comments, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on July 11, 2023, HCD met with the City to discuss the adequacy of the draft Housing Element, and based upon this, City staff revised the draft Housing Element to include additional information and data; and

WHEREAS, on July 18, 2023, the City published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on July 25, 2023, after responding to public comments, the City submitted a revised draft Housing Element to HCD for its review; and

WHEREAS, on August 8, 2023, the City received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on August 21, 2023, the City published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on August 30, 2023, after responding to public comments, the City submitted a revised draft Housing Element to HCD for its review; and

WHEREAS, on October 4, 2023, HCD met with the City to discuss the adequacy of the draft Housing Element, and based upon this, City staff revised the draft Housing Element to include additional information and data; and

WHEREAS, on October 12, 2023, the City published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on October 20, 2023, after responding to public comments, the City submitted a revised draft Housing Element to HCD for its review; and

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WHEREAS, on October 27, 2023, the City received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on November 3, 2023, the City published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on November 14, 2023, after responding to public comments, the City submitted a revised draft Housing Element to HCD for its review; and

WHEREAS, on November 16, the Planning Commission held a duly and properly noticed public hearing and recommended that the City Council adopt the Housing Element and associated updates to the Safety Element of the General Plan and find that the proposed changes are exempt from CEQA under section 15601(b)(3) and finding that the changes are covered under CEQA through reuse of the General Plan EIR; and

WHEREAS, on December 7, 2023, the City received a letter from HCD stating that the draft Housing Element is in substantial compliance with State Housing Element Law and will comply with the State Housing Element Law when it is adopted; and

WHEREAS, on December 12, 2023, the City Council conducted a duly and properly noticed public hearing to take public testimony and consider this resolution regarding the proposed Housing Element and reviewed the Housing Element and all pertinent maps, documents and exhibits, including findings by The State Department of Housing and Community Development (HCD), the City's response to HCD's findings, the staff report, and all attachments, and oral and written public comments.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds that, based on substantial evidence in the record:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. General Plan Amendment Findings. The City Council hereby finds that the proposed amendment is deemed to be a public necessity in that the proposed amendment serves and furthers the general community welfare and good zoning practice and that the proposed amendment is in general conformance with the principles, policies and land use designations set forth in the General Plan, Local Coastal Plan and any adopted area or specific plan.
3. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law, as determined by HCD.
4. Based on substantial evidence in the record, existing uses on the nonvacant sites identified in the site inventory to accommodate the RHNA are likely to be discontinued during the planning period and, therefore, do not constitute an impediment to planned residential development on the site during the planning period. This finding is based on the methodology, market conditions, development trends, recent experience with approved and

pipeline projects redeveloping non-vacant sites, development interest, and existing site-specific conditions. This analysis is further detailed in Appendix G of the Housing Element in the Development Trends and Demand section and the Infill Opportunity Areas section.

5. The 2015-2023 5<sup>th</sup> Cycle Housing Element is hereby repealed in its entirety.
6. The City Council considered the supporting documentation and approves the 2023-2031 6<sup>th</sup> Cycle Housing Element, as shown in the attachments to the Council's December 12, 2023 agenda materials, plus any non-substantive edits or corrections made as part of a submittal to HCD or as directed by HCD after their review of a submittal.
7. This Resolution shall become effective upon adoption by the City Council.
8. Resolution No. NS-29,076 is hereby rescinded.
9. The Director of Planning and Community Development or designee is hereby directed to file all necessary material with the Department of Housing and Community Development for the Department to find that the Housing Element is in conformance with State Housing Element Law and is further directed and authorized to make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the Department to achieve certification.
10. The Director of Planning and Community Development or designee is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council approves the 2023-2031 Housing Element, which has been found by HCD to be in substantial compliance.

PASSED AND ADOPTED this 12<sup>th</sup> day of December 2023, by the following vote:

AYES: Councilmembers Newsome, Brown, Watkins, Brunner, Kalantari-Johnson;  
Vice Mayor Golder; Mayor Keeley.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: \_\_\_\_\_

Fred Keeley, Mayor

ATTEST: \_\_\_\_\_

Bonnie Bush, City Clerk Administrator