

RESOLUTION NO. 6288

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL RE-ADOPTING THE 2023-2031 HOUSING ELEMENT TO THE CITY'S GENERAL PLAN, AND DETERMINING THAT THE 2023- 2031 HOUSING ELEMENT RE-ADOPTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Carpinteria is required to update the Housing Element of the General Plan for the 2023-2031 planning period pursuant to Government Code Section 65580 *et seq.*; and

WHEREAS, on June 6 and August 1, 2022, the Carpinteria Planning Commission conducted duly noticed public meetings to discuss the Draft 2023-2031 Housing Element, at which time all interested parties were invited to participate and provide comments; and

WHEREAS, in accordance with Government Code Section 65585(b), on October 10, 2022, the City posted the draft Housing Element and requested public comment for a 30-day review period, and on November 23, 2022, after responding to public comments, the Draft 2023-2031 Housing Element was transmitted to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on October 17, 2022, the Carpinteria City Council and Planning Commission jointly conducted a duly noticed public meeting to consider the Draft 2023-2031 Housing Element, at which time all interested parties were invited to participate and provide comments; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on March 20, 2023 to consider the Draft 2023-2031 Housing Element, and at the conclusion of the hearing approved a recommendation that the City Council adopt the 2023-2031 Housing Element as may be further revised to address HCD comments; and

WHEREAS, on April 10, 2023, the City Council adopted the 6th Cycle 2023-2031 Housing Element, which was then submitted to HCD for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, a seven-day public comment period was held from November 6 through November 13, 2023 to receive public comments on revisions to the 2023-2031 Housing Element. The revised 2023-2031 Housing Element was made available in redline and clean versions, along with staff's responses to HCD comments, on the project webpage and interested parties were contacted to encourage public comments; and

WHEREAS, on November 14, 2023, the City submitted the revised 2023-2031 Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, the proposed revised 2023-2031 Housing Element land inventory relies on nonvacant sites to accommodate more than 50 percent of the housing needs for lower income households, which triggers requirements under Government Code Section 65583.2 (g)(2) to make findings based on substantial evidence that the existing uses are not an impediment and will likely discontinue in the planning period; and

WHEREAS, the City Council finds that the factors and substantial evidence that the existing uses on underutilized sites identified in Tables B-5 and B-6 of the Appendix B (Residential Land Inventory) in the Technical Report will not impede residential development are described on Pages B-3 to B-6 and in Tables B-5 and B-6 of the Technical Report and include, but are not limited to:

- a. Historical evidence of recent residential development trends on parcels with non-residential zoning designations, as described in Table B-2 and analyzed in Table B-2a of the Technical Report, showing a history of residential and mixed-use development on underutilized sites in Carpinteria and the densities at which they have been developed;
- b. Existing uses on many sites include older buildings that show signs of deferred maintenance or functional obsolescence, vacant space, or lower-value uses such as storage that could be replaced with higher-value residential development;
- c. Existing buildings have a relatively low site coverage that would allow residential development without requiring demolition of existing buildings;
- d. Property owners who have expressed interest in residential development;
- e. The City is unaware of existing leases or other private constraints that would prevent development on underutilized sites during the planning period;
- f. Close proximity to amenities such as services, schools, recreation, employment and public transit; and
- g. The site specific analysis for each site contained in Figure B-3; and

WHEREAS, the City Council finds the proposed revised 2023-2031 Housing Element contains policies and programs, supported by substantial evidence, to support housing for special needs populations, such as:

- a. Emergency Shelters (Program 11);
- b. Low Barrier Navigation Centers (Program 11);
- c. Transitional and Supportive Housing (Program 11);
- d. Single Room Occupancy (SRO) housing (Program 11);
- e. Farmworker Housing (Programs 4, 5, and 9);
- f. Residential Care Facilities (Program 11);
- g. Skilled Nursing Facilities (Program 9);
- h. Reasonable Accommodation for Persons with Disabilities (Program 11);
- i. Funding for Housing Rehabilitation (Programs 15 and 16)
- j. Accessory Dwelling Units (Program 2);
- k. Rental Assistance (Program 4);
- l. Affordable Rental Housing (Programs 5 and 12);
- m. Density Bonus (Program 7);
- n. Regulatory Concessions and Incentives for Affordable Housing (Program 9 and 10);
- o. Affirmatively Furthering Fair Housing (Program 17);
- p. Adequate Sites to Accommodate Regional Housing Needs (Program 1);
and
- q. Workforce Homebuyer Down Payment Loans (Program 18); and

WHEREAS, the proposed revised 2023-2031 Housing Element includes an analysis of fair housing in Appendix D to the Technical Report and numerous policies and programs, supported by substantial evidence, to affirmatively further fair housing, as summarized in Table D-6 of Appendix D and Program 17 of the Housing Plan and which include programs targeted to address housing affordability and access to opportunity and mobility; homelessness; fair housing education and outreach; and

WHEREAS, Appendix E to the Technical Report contains the 2023-2031 Housing Element Implementation Plan, which summarizes the programs and timeframe to implement the 2023-2031 Housing Element in accordance with applicable law; and

WHEREAS, in accordance with Government Code Section 65585, the City Council has reviewed the comments from HCD and finds the proposed revised 2023-2031 Housing Element, based on the factors and substantial evidence included therein, complies with applicable law; and

WHEREAS, the re-adoption of the 2023-2031 Housing Element is exempt from the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.), pursuant to the “common sense exemption” (Cal. Code Regs., Tit. 14, Sec. 15061(b)(3)), because it can be seen with certainty that there is no possibility that the proposed re-adoption of the revised 2023-2031 Housing Element may have a significant effect on the environment because it does not approve any development project or other physical change to the environment. Rather, the proposed revised 2023-2031

Housing Element is a document that sets forth the City's policies to plan for the City's regional housing needs allocation. Additionally, the 2023-2031 Housing Element does not grant any development entitlements or authorize development beyond what is allowed under the City's current General Plan and Zoning Code. Approval of any subsequent zoning amendments or housing development projects in accordance with the policies set forth in the proposed revised 2023-2031 Housing Element will comply with CEQA. Based on these factors, it can be seen with certainty that the programs and policies set forth in the 2023-2031 Housing Element would not have a significant effect on the environment; and

WHEREAS, the City Council has reviewed the policies of the General Plan/Coastal Land Use Plan and finds the proposed revised 2023-2031 Housing Element Update to be consistent with the General Plan/Coastal Land Use Plan and re-adoption of the proposed revised 2023-2031 Housing Element is in the public interest; and

WHEREAS, the City Council conducted a duly noticed public hearing and received public testimony regarding the proposed revised 2023-2031 Housing Element as part of a regularly scheduled meeting held on January 22, 2024 at the City Council Chambers located at City Hall, 5775 Carpinteria Avenue, Carpinteria, California 93013.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

Section 2. After full consideration of the entire public record, the City Council finds that the 2023-2031 Housing Element has been revised to fully address the comments of HCD in substantial compliance with all requirements of State law. The City Council hereby re-adopts the 2023-2031 Housing Element, as attached hereto as Exhibit 1 and incorporated herein by this reference.

Section 3. The City Council hereby directs the City Manager to transmit the revised 2023-2031 Housing Element to HCD for certification and to take any other reasonable actions necessary to obtain HCD certification of the re-adopted 2023-2031 Housing Element.

Section 4. The re-adoption of the 2023-2031 Housing Element is exempt from the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq.*), pursuant to the "common sense exemption" (Cal. Code Regs. Tit. 14, Sec. 15061(b)(3)), because it can be seen with certainty that there is no possibility that the re-adoption of the revised 2023-2031 Housing Element may have a significant effect on the environment because it does not approve any development project or other physical change to the

environment. Rather, the revised 2023-2031 Housing Element is a document that sets forth the City's policies to plan for the City's regional housing needs allocation. Additionally, the 2023-2031 Housing Element does not grant any development entitlements or authorize development beyond what is allowed under the City's current General Plan and Zoning Code. Approval of any subsequent zoning amendments or housing development projects in accordance with the policies set forth in the re-adopted 2023-2031 Housing Element will comply with CEQA. Based on these factors, it can be seen with certainty that the programs and policies set forth in the 2023-2031 Housing Element would not have a significant effect on the environment. Accordingly, the 2023-2031 Housing Element is exempt from CEQA pursuant to the common sense exemption.


PASSED, APPROVED AND ADOPTED this 22nd day of January 2024 by the following vote:

AYES: COUNCILMEMBER(S): Lee, Nomura, Solórzano, Alarcon, Clark
NOES: COUNCILMEMBER(S): None
ABSENT: COUNCILMEMBER(S): None
ABSTAIN: COUNCILMEMBER(S): None



Mayor, City of Carpinteria

ATTEST:



Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

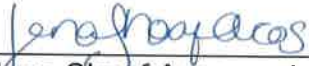


I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 22, 2024.



Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:



Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria