

CITY COUNCIL RESOLUTION NO. 2022-1778

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS APPROVING A REVISED 2021-2029 HOUSING ELEMENT UPDATE TO THE CALABASAS 2030 GENERAL PLAN, CONSISTENT WITH STATUTORY REQUIREMENTS OF CALIFORNIA HOUSING ELEMENT LAW

Section 1. The City Council has considered all of the evidence submitted into the administrative record which includes, and is not limited to:

1. Agenda reports, inclusive of all exhibits and attachments, prepared by the Community Development Department for the public hearing conducted by the City Council on March 30, 2022;
2. Staff presentation at the public hearing conducted by the City Council on March 30, 2022;
3. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes;
4. All previous staff reports, staff presentations, oral and written public testimony and comments and agency comments provided at or before public hearings conducted by the City Council on September 28, 2021 and October 13, 2021, and by the Planning Commission on September 13, 2021, regarding the 2021 – 2029 Housing Element Update, as was adopted by the City Council on October 13, 2021;
5. The Final Environmental Impact Report for the 2021 – 2029 Housing Element update and associated updates to the Land Use, Safety, and Circulation Elements, which was approved and certified by the City Council on September 28, 2021, and was re-certified by the City Council on October 13, 2021;
5. Public and agency comments, both written and oral, received and/or submitted at or prior to the March 30, 2022 public hearing, supporting and/or opposing the project; and,
6. All related documents received and/or submitted at or prior to the public hearing.

Section 2. Based on the foregoing evidence, the City Council finds that:

1. The Housing Element is a required element of the General Plan per State law (Government Code Section 65302).
2. Per California Government Code Section 65588, the Housing Element must be updated as appropriate, but not less than every eight years.
3. On March 4, 2021, SCAG's Regional Council formally adopted the 6th Cycle Final RHNA Allocation Plan.
4. State law stipulates that the 6th RHNA cycle housing element update must be approved by the City no later than October 15, 2021, and in compliance with the State law the City Council adopted the 2021 – 2029 Housing Element update on October 13, 2021.
5. The California Department of Housing and Community Development reviewed the Draft 2021-2029 Housing Element update and provided comments to staff on September 3, 2021, and the agency comments were addressed in the final 2021 – 2029 Housing Element update approved and adopted by the City Council on October 13, 2021.
6. Following City Council adoption of the 2021-2029 Housing Element update, the California Department of Housing and Community Development reviewed the document and provided additional comments to staff via a letter dated January 24, 2022; the letter further stated that the agency would not certify the 2021 – 2029 Housing Element update unless the City would revise the 2021 – 2029 Housing Element to address the additional agency comments.
7. All comments from the California Department of Housing and Community Development, as related in the agency's letter dated January 24, 2022, are addressed in the Revised 2021 – 2029 Housing Element update.
8. Notice of the March 30, 2022 City Council public hearing, which included the notice requirements set forth in Government Code Section 65009 (b)(2), was posted at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's market and at Calabasas City Hall, and was otherwise distributed as required by law.

Section 3. In view of all of the evidence presented and based on the following findings and conclusions, the City Council finds that the proposed revisions to the adopted 2021 – 2029 Housing Element update are not so substantial that additional environmental impact review and analysis is required, and, therefore, the Final Environmental Impact Report

(EIR) certified by the City Council on September 28, 2021 and re-certified on October 13, 2021 is adequate for consideration of the revised 2021 – 2029 Housing Element update.

Section 4. In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:

FINDINGS

Section 17.76.050 of the Calabasas Municipal Code (CMC) allows the City Council to approve a proposed **General Plan Amendment** provided that the following findings are made:

1. *The proposed amendment is internally consistent with the General Plan;*

When the City Council approved and adopted the 2021-2029 Housing Element update, and the associated land Use Element update, on October 13, 2021, the Council found the updated general Plan elements consistent with one another, and consistent with all other elements of the General Plan. The proposed revisions to the Housing Element update consist of additional explanations and details of the future housing development policies, objectives, and programs within the adopted element. The revisions do not modify, relocate, enlarge, or eliminate any of the twelve identified future housing sites; the expected densities on those sites are not modified in any way; and, no substantive changes are made to any of the specified housing programs and policies. As a result, the proposed amendments are internally consistent with the General Plan and meet this finding.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city;*

The proposed revisions to the housing element update are required by the California Department of Housing and Community Development to assure that the City of Calabasas has adequately planned for future housing development to meet the existing and projected housing needs of all economic segments of the community. Calabasas' Housing Element identifies planned future housing development sites and provides strategies and programs that focus on: 1) conserving and improving existing housing; 2) providing adequate housing sites; 3) assisting in the provision of affordable housing; 4) removing governmental constraints to housing development; and 5) promoting fair and equal housing opportunities. The proposed revisions to the 2021 – 2029 Housing Element further elaborate

upon and strengthen all of the foregoing; therefore, the revised housing element update is beneficial to the public interest, convenience and welfare of the City and meets this finding.

3. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/anticipated land use development(s); and*

The City plans to fulfill its share of regional housing needs using a combination of residential projects with development entitlements, vacant residential sites, underutilized residentially zoned and mixed-use zoned sites, and accessory residential dwelling units. Based on a variety of factors, including development trends, confirmed property owner interest, structure age, property valuation, and development capacity, existing uses on developed sites identified in the site inventory to accommodate the lower-income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the 2021 – 2029 Housing Element.

Furthermore, the RHNA is being met using existing sites and existing zoning, with increased allowable densities in the Mixed Use and Multi-Family zones, as necessary to be consistent with State housing laws regarding affordable housing units. The proposed revisions to the Housing Element update consist of additional explanations and details of the future housing development policies, objectives, and programs within the adopted element. The revisions do not modify, relocate, enlarge, or eliminate any of the twelve identified future housing sites; the expected densities on those sites are not modified in any way; and, no substantive changes are made to any of the specified housing programs and policies. As a result, the proposed amendments meet this finding.

4. *The General Plan amendment complies with the provisions of the California Environmental Quality Act (CEQA).*

Pursuant to CEQA and the CEQA Guidelines, a Program Environmental Impact Report (EIR) was prepared for the 2021-2029 Housing Element Update and the associated updates to the Land Use, Circulation and Safety Elements. On September 28, 2021, the City Council determined that the Final Program EIR was consistent with CEQA and that it was adequate for informing the Council of the potential environmental impacts associated with the General Plan updates, including the updated Housing Element. The proposed revisions to the adopted 2021 – 2029 Housing Element consist of only minor edits and clarifications in response to HCD's outstanding comments on the adopted Element. No changes are proposed to the identified future housing sites, the expected densities on those sites, or to

the specified housing programs and policies. Accordingly, the adopted Final EIR adequately accomplishes the environmental impact review necessary for this project, and no additional analysis is required. As a result, the proposed General Plan amendment meet this finding.

The City Council further finds that the Revised 2021-2029 Housing Element Update meets all applicable requirements of California law.

Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Revised 2021-2029 Housing Element update (Attachment A) to the Calabasas 2030 General Plan, consistent with statutory requirements of California Housing Element law. The City further hereby declares that, in the event of any conflict between the City of Calabasas Revised 2021-2029 Housing Element and any other provision of the City’s General Plan, the revised 2021-2029 Housing Element shall prevail.

Section 5. All documents described in Section 1 of Resolution No. 2021-1778 are deemed incorporated by reference as set forth at length.

CITY COUNCIL RESOLUTION NO. 2021-1778 IS PASSED, APPROVED AND ADOPTED this 30th day of March, 2022.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, City Clerk

APPROVED AS TO FORM:

Matthew Summers, City Attorney

City Council Resolution No. 2021-1778, was adopted by the City Council at a regular meeting held on March 30, 2022, and that it was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Attachments:

A. Revised 2021-2029 Housing Element