RESOLUTION NO. 23-165, SERIES 2023

RESOLUTION OF THE CITY OF DAVIS CITY COUNCIL ADOPTING VERSION 3 OF THE 2021-2029 HOUSING ELEMENT OF THE GENERAL PLAN AND DIRECTING STAFF TO SUBMIT THE UPDATED HOUSING ELEMENT TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, on August 31, 2021, the City Council approved Resolution 21-128 adopting an updated Housing Element (Version 1) for the 2021-2029 cycle and submitted it to the State Department of Housing and Community Development (HCD) on September 10, 2021; and

WHEREAS, on December 8, 2021, the HCD sent a letter to the City of Davis stating that the adopted plan did not meet the requirements of state law; and

WHEREAS, the City of Davis worked with HCD to refine the responses to their comments and drafted revisions to the Housing Element (Version 2) and also began working on a rezone for housing sites to meet the City's Regional Housing Needs Allocation (RHNA), as identified in the adopted Housing Element; and

WHEREAS, on January 31, 2023, the City Council of the City of Davis approved Resolution 23-008 adopting an updated Housing Element (Version 2) for the 2021-2029 cycle and submitted it to HCD on February 2, 2023; and

WHEREAS, on April 3, 2023, HCD sent a letter to the City of Davis stating that Version 2 of the City's Housing Element addressed many statutory requirements but that revisions would be necessary for the City's Housing Element to comply with State Housing Element Law; and

WHEREAS, the City began working on additional revisions to the Housing Element to address HCD's comments while also continuing to work on the rezone for housing sites; and

WHEREAS, on August 31, 2023, HCD sent a letter to the City of Davis reiterating that the adopted plan (Version 2) did not meet the requirements of state law; and

WHEREAS, the City's revised Housing Element (Version 3) has been updated and a diligent effort made to address HCD's comments, including outreach and public participation of all economic segments, updating the inventory of suitable land for residential development, identifying actions to make the sites available, undertaking a rezone of sites to accommodate the City's RHNA, and clarifying and refining the schedule of program actions for the City to implement the policies and to achieve the goals and objectives of the Housing Element; and

WHEREAS, on August 31, 2021, the City's approval of Housing Element (Version 1) included adoption of Negative Declaration #04-21, which was prepared for the update and determined that the update will not result in a significant effect on the environment; and

WHEREAS, on January 31, 2023, the City's approval of the updated Housing Element (Version 2) determined that update was consistent with Negative Declaration #04-21 and that no further environmental review was required; and

WHEREAS, the updated Housing Element (Version 3) remains consistent with Negative Declaration #04-21, which determined that the update will not result in a significant effect on the environment and that no further environmental review is required; and

WHEREAS, furthermore the City has prepared Negative Declaration #03-22 (2023100491) in accordance with the California Environmental Quality Act, which evaluated the potential environmental impacts of updated Housing Element (Version 3) and the rezone of housing sites for the related general plan amendment and rezoning and determined that it will not result in a significant effect on the environment and that no further environmental review is required; and

WHEREAS, on November 8, 2023, the Planning Commission of the City of Davis held a duly noticed public hearing to review Initial Study/Negative Declaration #03-22 and consider public comment and voted to recommend adoption; and

WHEREAS, on December 5, 2023, the City Council of the City of Davis held a duly noticed public hearing to review Initial Study/Negative Declaration #03-22 and the 2021-2029 Housing Element (Version 3) and consider public comment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby:

- 1. Find that the update to the City of Davis 2021-2029 Housing Element (Version 3) is consistent with previously adopted Negative Declaration #04-21 and that it was further evaluated in Negative Declaration #03-22 (2023100491), which were prepared in accordance with the California Environmental Quality Act and which adequately evaluated the potential environmental impacts of the project and determined that there are no significant impacts with the project and no mitigation is required, and therefore no further environmental analysis is required;
- 2. Find that 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 follows:
 - a. As required by Government Code Section 65585(e), the City Council has considered the findings made by HCD in its review letter dated April 3, 2023. Consistent with Government Code Section 65585(f), the City Council has revised the Housing Element in response to HCD's comments to ensure that the Housing Element substantially complies with the requirements of state law. In addition, the City has considered written comments provided by members of the public and revised the Housing Element as needed to provide clarity, comply with state law, and/or improve City policies and programs.

- b. The City is relying on vacant sites for more than 50 percent of its Lower Income RHNA and therefore, does not need to make the findings identified in Section 65585(g)(2). In compliance with state law, however, the Housing Element explains the methodology used to determine additional development potential on the non-vacant sites identified as available for accommodating the City's Lower Income RHNA. The Housing Element's conservative estimates of the development potential on non-vacant sites is based on the analysis in the record and the Housing Element itself, as well as the following factors: developer interest, pending applications and development trends, existing vacancies and deteriorating structures on specific sites, and City-owned properties that can serve to catalyze new development on certain sites.
- 3. Find that the revised 2021-2029 Housing Element (Version 3) maintains internal consistency within the City's General Plan because it is consistent with the goals, objectives, and policies of the sections of the General Plan that are not being amended, including but not limited to, the following:
 - a. General Plan Principle 2. Focus growth inward to accommodate population increases. Infill development is supported as an appropriate means of meeting some of the city's housing needs.
 - b. General Plan Principle 3. Create and maintain housing patterns that promote energy conserving transportation methods.
 - c. General Plan Principle 5. Support the opportunity for efficient public transit by siting large apartment complexes on arterial streets, in the core and near neighborhood centers and the University.
 - d. General Plan Principle 6. Site local services, retail and recreation strategically to minimize the lengths of trips and to facilitate walking, bicycling and transit use as alternatives to auto use.
 - e. General Plan Policy LU A.3: Require a mix of housing types, densities, prices and rents, and designs in each new development area.
 - f. General Plan Policy LU U.1: Promote compact development patterns, mixed-uses, and higher-development intensities that use land efficiently; reduce greenhouse gas emissions and auto dependence and the expenditure of energy and other resources; and that promote walking bicycling, and transit use, consistent with SACOG's strategies to facilitate and streamline the development of residential mixed-use projects and Transit Priority Projects.
 - g. General Plan Policy UD 2.4: Create affordable and multi-family residential areas that include innovative designs and on-site open space amenities that are linked with public bicycle/pedestrian ways, neighborhood centers and transit stops.
- 4. Adopt the revised 2021-2029 Housing Element (Version 3), which includes changes in response to the State Department of Housing and Community Development (HCD)'s review of the document in accordance with state law.

5. Direct staff to file all necessary material with HCD to find that the Housing Element is in conformance with state law and further directs and authorizes staff to make all non-substantive changes to the Housing Element to make it internally consistent and/or to address any non-substantive changes or amendments requested by HCD to achieve a finding of substantial compliance with state law.

PASSED AND ADOPTED by the City Council of the City of Davis on this 5th day of December, 2023, by the following vote:

AYES:

Chapman, Neville, Partida, Vaitla, Arnold

NOES:

None

Will Arnold Mayor

ATTEST:

Zoe S. Mirabile, CMC

City Clerk