

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE 2015 GENERAL PLAN HOUSING ELEMENT UPDATE INCORPORATING REVISIONS REQUESTED BY THE PLANNING COMMISSION AND CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, California Housing Element Law requires local jurisdictions to update the Housing Element of the General Plan periodically and submit documents to the California Department of Housing and Community Development (HCD) for review and certification;

WHEREAS, Senate Bill 375, adopted by the State Legislature in 2008, established an eight-year update cycle for Housing Elements concurrent with every other update to the Regional Transportation Plan;

WHEREAS, to comply with the new statutory due date for the fifth-cycle Housing Element Update, the City was required to prepare and adopt an updated 2015 Housing Element no later 120 days from the statutory deadline of February 15, 2015;

WHEREAS, ON May 8, 2014, the Planning Commission held a duly noticed public hearing to initiate a General Plan Amendment to update the Housing Element in accordance with State housing element law;

WHEREAS, on June 11, 2014, the City entered into an agreement with J.H. Douglas & Associates to assist the City in preparing the 2015 Housing Element Update;

WHEREAS, on October 22, 2014, the City held a community workshop related to the Draft 2015 Housing Element, which included an open house, a presentation and public comment;

WHEREAS, on October 23, 2014, the Planning Commission held a duly noticed public hearing to consider the Draft 2015 Housing element Update, receive public comment and unanimously recommended that Council adopt the 2015 Housing Element Update as revised;

WHEREAS, a Final Program Environmental Impact Report (EIR) was certified for the 2011 General Plan Update and EIR Addenda were prepared and considered by City Council as part of adoption for the final 2011 General Plan (12-1-11), Climate Action

Plan (9-18-12), Historic Resources Element (10-2-12), and Safety Element Update (12-11-13);

WHEREAS, an Addendum to the 2011 Program EIR dated October 14, 2014, was prepared for the 2015 Housing Element Update documenting that the update would result in no substantial changes in environmental impacts previously identified in the Program EIR for the 2011 General Plan Update;

WHEREAS, on November 5, 2014, the Draft 2015 Housing Element Update was submitted to HCD for their required 60-day review;

WHEREAS, on December 12, 2014, City Staff, City Consultant John Douglas and HCD Staff held a telephone conference to help facilitate HCD's review of the Draft 2015 Housing Element;

WHEREAS, on December 16, 2014, City Staff submitted to HCD minor technical revisions to provide further clarification to the Needs Assessment and Eight-Year Work Program of the Housing Element;

WHEREAS, on December 24, 2014, HCD sent a letter stating that the revisions submitted by City Staff addressed statutory requirements and that the 2015 Housing Element Update including the minor technical revisions was found to be in compliance with State housing element law;

WHEREAS, on February 10, 2015, the City Council reviewed and considered the revisions recommended by the Planning Commission and minor technical clarifications required by HCD, as well as the correspondence from HCD dated December 24, 2014, stating the City's 2015 Housing Element Update meets the statutory requirements of State housing element law

WHEREAS, the City Planner is the custodian of the record of proceedings for the 2011 General Plan Update, Final Program EIR for the General Plan Update and EIR Addenda, and 2015 Housing Element Update. The documents and other materials which constitute the record of proceedings for these City actions are located at the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, California. Copies of these documents are available for public review during normal business hours upon request at the City Planning Division office.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT AS FOLLOWS:

I. Adoption of the 2015 Housing Element Update and Findings

The City Council hereby adopts the 2015 General Plan Housing Element Update attached hereto as Exhibit A making the following findings:

A. Charter Finding

The goals, policies, and implementation actions of the 2015 Housing Element Update meet the intent of Charter Section 1507, “living within our resource limits.” Policies and programs included in the 2015 Housing Element Update are designed to protect, preserve and manage residential development so as not to exceed public services or resource capacities.

B. California Environmental Quality Act (CEQA) Findings

1. CEQA Findings for City Council Consideration of Certified Final General Plan Program Environmental Impact Report (EIR) and EIR Addendum pursuant to CCR §§15090 and 15162.

The FEIR Addendum dated October 14, 2014, for the 2015 Housing Element Update together with the certified FEIR for the 2011 General Plan, were made available to the City Council, and the City Council has reviewed and considered the information contained therein prior to adopting the 2015 Housing Element Update. The CEQA documentation for the 2015 Housing Element Update constitutes adequate environmental review under CEQA and reflects the Lead Agency’s independent judgment and analysis.

2. CEQA Findings for use of Certified Final General Plan Program Environmental Impact Report (EIR) and EIR Addendum, pursuant to CEQA Guidelines §§15162 and 15164.

The 2015 Housing Element Update is consistent with and implements the 2011 General Plan policies, and is within the comprehensive scope of analysis of the Program EIR and Addenda for the 2011 General Plan and 2015 Housing Element Update.

The EIR Addendum dated October 14, 2014, documents that the 2015 Housing Element Update would not result in new environmental issues, circumstances, or information, additional significant environmental impacts beyond those identified in the General Plan Program EIR, a substantial increase in the severity of impacts identified in the EIR, or new mitigation measures. None of the conditions described in CEQA Guidelines §15162 calling for the preparation of a subsequent EIR is applicable.

3. Council Resolution 11-079 and 12—65 Findings per PRC §21082 and CCR §15091 apply to this action.

Findings regarding Class 1 significant impacts, Class 2 mitigation impacts, overriding considerations, and infeasibility of some mitigation measures and alternatives all remain applicable for adoption of the 2015 Housing Element Update and are incorporated herein by reference.

4. Findings for the Fish & Game Code pursuant to PRC §21089(b) and Fish & Game Code §§711.4 and 753.5.

The General Plan Program EIR evaluated the potential for the 2011 General Plan to result in adverse impacts on wildlife resources. For this purpose, wildlife is defined as “all wild animals, birds, plants, fish, amphibians, and related ecological communities, including habitat upon which the wildlife depends for its continued viability.” The General Plan has the potential to result in adverse but not significant effects on upland, creek/riparian, and coastal habitats and associated species. Mitigation measures have been incorporated into the General Plan such that potential impacts will be less than significant.

As documented in the EIR Addendum dated October 14, 2014, the 2015 Housing Element Update will implement the 2011 General Plan policies and would not result in additional environmental effects beyond those identified in the EIR. Pursuant to the Fish and Game Code §753.5(e)(3), only one fee is required when an existing certified EIR is used in multiple project approvals that would result in no additional effects to fish and wildlife. Because the City paid the fee for the 2011 General Plan, no fee is required with the current implementing amendment

II. This Resolution shall become effective upon Council adoption.