

ORDINANCE NO. 2399

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, RELATED TO ZONE CHANGE NO. ZC 23-03 AMENDING THE ZONING DESIGNATIONS AND ZONING MAP FOR PROPERTIES CITYWIDE TO IMPLEMENT THE REZONING STRATEGIES WITHIN THE ADOPTED HOUSING ELEMENT FOR THE 2021-2029 HOUSING CYCLE ALONG WITH AN ADDENDUM TO THE ADOPTED NEGATIVE DECLARATION FOR THE HOUSING ELEMENT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

WHEREAS, the City Council is authorized by the Arcadia Municipal Code Section 9108.03 to review and approve amendments to the City’s Zoning Map and zoning designations; and

WHEREAS, the Arcadia Municipal Code, Section 9108.03 provides that the amendment of a zoning designation and/or the Zoning Map shall be accomplished by ordinance; and

WHEREAS, California State Housing Element Law establishes the requirements for Housing Elements, and California Government Code Section 65588 requires that local governments review and revise the Housing Element of their comprehensive General Plans not less than once every eight years, and currently the State is in the “6th Cycle” of Housing Element Updates, covering the time period of 2021-2029; and

WHEREAS, the California State Legislature identifies overall housing policies for the State with the goal of ensuring every resident has access to housing and suitable living environments, and additionally establishes a Regional Housing Needs Assessment (“RHNA”) which establishes projected allocations of housing units through local Councils of Governments that are attributed to each jurisdiction in the State; and

WHEREAS, the updated Housing Element must be adopted by City Council and determined to be substantially compliant by the California State Department of Housing

and Community Development (“HCD”) in concert with statewide housing policies and in compliance with the established RHNA; and

WHEREAS, the subject rezoning efforts (a General Plan Amendment, Zone Change, and Text Amendment -- the “Rezoning Project”) were identified by HCD as being necessary prior to certification of the Housing Element, and the Rezoning Project implements the strategies identified in the updated Housing Element to address the established RHNA; and

WHEREAS, the Rezoning Project amends the Zoning Map and establishes new zoning designations to reflect changes in density and residential allowances to support the rezoning strategies within the updated Housing Element; and

WHEREAS, the Rezoning Project will meet the requirements of Government Code Section 65583.2 (h) and (i) related to the accommodation of affordable housing; specifically in that developments in which at least 20 percent of the units are affordable to lower income households shall be allowed by-right; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), an Addendum to the Adopted Initial Study/Negative Declaration (“IS/ND”) was prepared for the Rezoning Project in compliance with CEQA and the local environmental review guidelines, and a Notice of Intent to Adopt a Negative Declaration for the Rezoning Project was posted with the Los Angeles County Clerk’s Office on December 21, 2023; and

WHEREAS, on January 23, 2024, a duly noticed public hearing was held before the Planning Commission on the Rezoning Project, at which time all interested persons were given full opportunity to be heard and to present evidence, and the Planning

Commission subsequently voted 5-0 to recommend approval of the Rezoning Project to the City Council; and

WHEREAS, on February 6, 2024, a duly noticed public hearing was held before the City Council on the Rezoning Project, and the associated Addendum to the Adopted Initial Study/Negative Declaration, at which time this Ordinance was introduced and all interested persons were given full opportunity to be heard and to present evidence and all public comments on the environmental document were reviewed; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have been fulfilled.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. That the factual data submitted by the Development Services Department in the Staff Report dated February 6, 2024, are true and correct.

SECTION 2. That the City Council finds that based upon the entire record, including all written and oral evidence presented, pursuant to the Arcadia Development Code, all of the following findings can be made.

1. The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan.

Facts to Support This Finding: The proposed Zone Changes are in conformance with the General Plan. The Zone Changes proposed are to implement the City's approved Housing Element, which is an integral part of the General Plan. There are five (5) separate zone change actions being proposed: Expansion of the Downtown Mixed-Use zone, establishment of a Downtown Mixed-Use Overlay, Increasing density in the Mixed Use

zone, Establishment of a Residential Flex Overlay Zone, and Increasing density example, will allow residential development in an urban, mixed-use format, in furtherance of the goals and polices found in the Land Use & Community Design Element, the Economic Development Element, the Circulation and Infrastructure Element and, most importantly, the Housing Element of the General Plan. The upzoning of both of the Mixed-Use Zone and the Multi-Family Residential Zones will enable more dense projects to be built and encourage the development of affordable housing, in furtherance of the goals and polices of the Housing Element and The Land Use & Community Design Element. The City's Housing Element requires that the City meet the State-mandated Regional Housing Needs Allocation. Mixed-use development in what was formerly commercial areas is the most effective and beneficial way to do so. The addition of the Residential Flex Overlay Zone also achieves this purpose. For all of these reasons, the proposed project is consistent with the General Plan.

2. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land uses/developments.

Facts to Support This Finding: The Rezoning Project does not, in and of itself, propose any specific development project. Where applicable, the rezones have been accompanied by text amendments that provide development standards appropriate for each respective zone. Additionally, the proposed rezones for the most part follow existing zoning patterns and simply increase density options or introduce residential development into new areas. The Addendum to the Adopted Initial Study/Negative Declaration submitted along with the Project reviewed all of the rezones proposed and

found them to be consistent with the adopted Housing Element Update and previous environmental review. Of course, any new project that is proposed on a site that has been rezoned will be subject to its own site review to determine compatibility with adjoining land uses and the provision of utilities. In addition, all projects submitted on a rezoned site will be subject to its own CEQA review as well.

3. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

Facts to Support This Finding: The Housing Element Update reflects the input of residents, decision makers, and other stakeholders in the community. The proposed action is to implement the adopted Housing Element rezoning strategies to enable additional residential units (and especially affordable housing units) to be built throughout the City. This is a direct benefit to the public interest in that housing affordability is a regional crisis and all cities need to do their part to accommodate regional housing needs. The rezones proposed do not compromise public health, convenience, or welfare; rather, they provide additional opportunities for new housing of all types to be built in the City of Arcadia.

The Addendum to the Adopted Initial Study/Negative Declaration for the Housing Element Update analyzed all the significant environmental impacts of all candidate housing sites associated with the proposed 6th Cycle Housing Element Update, and it was determined that all the potential impacts would be less than significant. Additionally, the Addendum also documented the fact that the total number of housing units anticipated by the rezoning effort is less than the number anticipated through the original approval of

the Housing Element Update. Therefore, the proposed zone changes would not be detrimental to the public health and welfare.

SECTION 3. The Rezoning Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (“CEQA”) and CEQA Guidelines. An Addendum to the Adopted Initial Study/Negative Declaration (“IS/ND”) has been prepared for the project for the City, as the lead agency. The Addendum was prepared pursuant with the requirements of CEQA on the basis that there was no substantial evidence that there may be significant environmental impacts on specific environmental areas as a result of the project. Subsequent housing developments proposed will, of course, be subject to compliance with CEQA as they are submitted.

SECTION 4. For the foregoing reasons, the City Council approves Zone Change No. ZC 23-03 to amend the zoning designations and Zoning Map for properties citywide to implement the rezoning strategies of the Housing Element as shown in Exhibit “A.” Development Services Staff is authorized to correct typographical errors, spelling, formatting, or codification and to make any minor revisions to improve reader’s comprehension of the Development Code provided that any revisions do not alter the regulatory meaning and intent. The Development Services Director or designee is further authorized to make any technical or clerical revisions or clarifications to the Housing Element and/or Development Code as may be required by HCD in order to be in substantial compliance with State law.

SECTION 5. The City Clerk shall certify as to the adoption of this Resolution.

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 20th day of February, 2024

Mayor of the City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:



Michael J. Maurer
City Attorney

EXHIBIT “A”

Zoning Map/Zoning Designation Change



Zoning Map

