

RESOLUTION NO. 7468

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, REVISING RESOLUTION NO. 7407 (SIXTH CYCLE HOUSING ELEMENT ADOPTION) WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

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, on February 15, 2022, a duly noticed public hearing was held before the City Council on the draft Housing Element Update, and the associated Initial Study and Negative Declaration, at which time 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, on February 15, 2022, the City Council, having determined that all legal prerequisites had been fulfilled, adopted Resolution No. 7407 on a 4-0 vote, thereby adopting the 2021-2029 Housing Element, directing the Staff to submit the Housing Element and all associated materials to HCD, and authorizing changes to the adopted documents based on HCD review; and,

WHEREAS, after reviewing the 2021-2029 Housing Element in its entirety and suggesting revisions and clarifying language over several iterations, HCD directed the City to revise Resolution No. 7407 to include additional language, which is provided in four additional Recitals; and

WHEREAS, in the interest of obtaining a HCD's certification of the City of Arcadia's

2021-2029 Housing Element, the City Council hereby adopts this Resolution in order to insert four new Recitals into Resolution No. 7407, with no other technical changes and no substantive changes to the City Council's prior action.

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

SECTION 1. As shown in the attached REVISED Resolution No. 7407, the following Recitals are hereby inserted into Resolution No. 7407:

"WHEREAS, the City has prepared a draft 2021-2029 Housing Element in accordance with California Housing Element Law, Government Code section 65580 *et seq.* ("Housing Element Law"), that may be further revised through consultation and review by the California Department of Housing and Community Development ("HCD") to comply with state law; and

WHEREAS, the City Council authorizes staff to make subsequent revisions or modifications to the draft 2021-2029 Housing Element to comply with state law as requested by the California Department of Housing and Community Development ("HCD"); and

WHEREAS, the 2021-2029 Housing Element complies with the duty to Affirmatively Further Fair Housing as required by Government Code Section 65583; and

WHEREAS, pursuant to Government Code Section 65583.2(g)(2), based on substantial evidence set forth in Appendix A of the Technical Background Report of the adopted 2021 – 2029 Housing Element, any existing uses on sites identified to accommodate affordable housing 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 Housing Element. This finding is based, in part, upon a comprehensive review of all possible opportunities for additional residential development

that can accommodate affordable housing during the planning period. This review includes a review of any sites identified to accommodate 2020-2029 RHNA need that have existing structures, improvements and/or activities demonstrate a likelihood for redevelopment during the 2021-2029 planning period. Examples of existing development projects of non vacant sites for residential uses were evaluated as shown in Table A-3 of Appendix A and redevelopment assumptions were analyzed for each of the specific Focus areas and strategies within the document. Based on an analysis of land value ratios, age of existing structures, the history of development in the zone, and how each zone is envisioned to be developed, parcels with existing uses or activities that were not likely to be discontinued during the planning period were generally removed if they had conditions suggesting continued use during the planning period. These included newly built parcels, sites that were not physically able to support housing in place of or in addition to existing uses, or sites that included recent entitlement applications or development plans. Additionally, Table A-24 of Appendix A (the "Adequate Sites Table"), provides a description of existing land uses and a justification for the redevelopment potential of each of the identified sites. This analysis utilized the Southern California Association of Government's HELPR tool, as well as additional site by site analysis, to provide an accurate picture of each site within each Focus/Strategy Area; and".

SECTION 2. The proposed action does not constitute a project under the California Environmental Quality Act ("CEQA"), because it is an action that will not have an impact on the environment. (State CEQA Guidelines, section 15378.) Even if the action were a project under CEQA, it is exempt under State CEQA Guidelines, section 15061(b)(3) because it can be seen with certainty that the project would not have an impact on the environment. Thus, no further environmental review is required. The City Council directs staff to prepare,

execute and file a Notice of Exemption within five (5) working days of the approval of this Resolution.

SECTION 3. The City Clerk shall certify as to the adoption of this Resolution.

[SIGNATURES ON THE NEXT PAGE]


Passed, approved and adopted this 1st day of November, 2022.

/s/ Tom Beck
Mayor of City of Arcadia

ATTEST:

/s/ Gene Glasco
City Clerk

APPROVED AS TO FORM:


_____ for
Stephen P. Deitsch
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF ARCADIA)

I, GENE GLASCO, City Clerk of the City of Arcadia, hereby certifies that the foregoing Resolution No. 7468 was passed and adopted by the City Council of the City of Arcadia, signed by the Mayor and attested to by the City Clerk at a regular meeting of said Council held on the 1st day of November, 2022 and that said Resolution was adopted by the following vote, to wit:

AYES: Danielson, Tay, Verlato, Cheng, and Beck

NOES: None

ABSENT: None

/s/ Gene Glasco
City Clerk of the City of Arcadia

RESOLUTION NO. 7407

(REVISED NOV. 1, 2022

By

RESOLUTION NO. 7468)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. GPA 21-02 WITH A NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") UPDATING THE HOUSING ELEMENT FOR THE 2021-2029 HOUSING CYCLE.

WHEREAS, California Government Code Section 65358(a) authorizes the City Council to amend the General Plan if it is deemed to be in the public interest or required by State law; and

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Arcadia; and by its very nature, the General Plan is subject to update and revision to account for current and future community needs; 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 certified 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, pursuant to the California Environmental Quality Act ("CEQA"), an Initial Study/Negative Declaration ("IS/ND") was prepared for General Plan Amendment No. GPA 21-02 (the "draft Housing Element Update") in compliance with CEQA and the local environmental review guidelines, and a Notice of Intent to Adopt a Negative Declaration for the draft Housing Element Update was posted with the Los Angeles County Clerk's Office on December 17, 2021; and

WHEREAS, on January 25, 2022, a duly noticed public hearing was held before the Planning Commission on the draft Housing Element Update, at which time all interested persons were given full opportunity to be heard and to present evidence, and the Planning Commission subsequently voted 4-0, with one member absent, to recommend approval of the draft Housing Element Update to the City Council; and

WHEREAS, on February 15, 2022, a duly noticed public hearing was held before the City Council on the draft Housing Element Update, and the associated Initial Study and Negative Declaration, at which time 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, the City has prepared a draft 2021-2029 Housing Element in accordance with California Housing Element Law, Government Code section 65580 *et seq.* ("Housing Element Law"), that may be further revised through consultation and review by the California Department of Housing and Community Development ("HCD") to comply with state law; and

WHEREAS, the City Council authorizes staff to make subsequent revisions or modifications to the draft 2021-2029 Housing Element to comply with state law as requested

by the California Department of Housing and Community Development (“HCD”); and

WHEREAS, the 2021-2029 Housing Element complies with the duty to Affirmatively Further Fair Housing as required by Government Code Section 65583; and

WHEREAS, pursuant to Government Code Section 65583.2(g)(2), based on substantial evidence set forth in Appendix A of the Technical Background Report of the adopted 2021 – 2029 Housing Element, any existing uses on sites identified to accommodate affordable housing 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 Housing Element. This finding is based, in part, upon a comprehensive review of all possible opportunities for additional residential development that can accommodate affordable housing during the planning period. This review includes a review of any sites identified to accommodate 2020-2029 RHNA need that have existing structures, improvements and/or activities demonstrate a likelihood for redevelopment during the 2021-2029 planning period. Examples of existing development projects of non vacant sites for residential uses were evaluated as shown in Table A-3 of Appendix A and redevelopment assumptions were analyzed for each of the specific Focus areas and strategies within the document. Based on an analysis of land value ratios, age of existing structures, the history of development in the zone, and how each zone is envisioned to be developed, parcels with existing uses or activities that were not likely to be discontinued during the planning period were generally removed if they had conditions suggesting continued use during the planning period. These included newly built parcels, sites that were not physically able to support housing in place of or in addition to existing uses, or sites that included recent entitlement applications or development plans. Additionally, Table A-24 of Appendix A (the “Adequate Sites Table”), provides a description of existing land uses and a

justification for the redevelopment potential of each of the identified sites. This analysis utilized the Southern California Association of Government's HELPR tool, as well as additional site by site analysis, to provide an accurate picture of each site within each Focus/Strategy Area; and".

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

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

SECTION 1. The factual data submitted by the Development Services Department in the Staff Report dated February 15, 2022, and associated attachments, are true and correct.

SECTION 2. The City Council finds that based upon the entire record, including all written and oral evidence presented, pursuant to Section 9108.03.060 of the Arcadia Development Code, all of the following findings can be made.

1. The amendment is internally consistent with all other provisions of the General Plan.

FACTS TO SUPPORT THE FINDING: The Housing Element would make the General Plan consistent with state law requirements per Government Code Section 65580 that requires the Housing Element to be updated every eight years upon the adoption of a region's RHNA. The Housing Element Update identifies goals, policies, and implementation programs addressing housing opportunities, removal of governmental constraints, improving the condition of existing housing, and providing equal housing opportunities for all Arcadia residents. These goals, policies and program actions are consistent with all other Elements of the General Plan in that they further the City's overall goals to create a diverse,

sustainable, and balanced community by implementing strategies and programs that contribute to economic and socially diverse housing opportunities that preserve and enhance Arcadia's character.

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

FACTS TO SUPPORT THE FINDING: The proposed amendments are in the public interest and reflect the input of residents, decision makers, and other stakeholders in the community. No zone changes are proposed under the Housing Element Update that would reduce or compromise existing standards that protect the health, safety or general welfare of the City. The 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. Therefore, the proposed General Plan amendment for the Housing Element Update would not be detrimental to the public health and welfare, and in fact, the promotion and encouragement of diverse and varied housing types throughout the City furthers the public interest and convenience of residents by providing housing options and choices over time.

SECTION 3. The draft Housing Element Update has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA") and CEQA Guidelines. An Initial Study/Negative Declaration ("IS/ND") has been prepared for the project for the City, as the lead agency. The IS/ND 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 General Plan Amendment GPA 21-02, updating the General Plan's Housing Element, and approving the associated Initial Study / Negative Declaration prepared for the project.

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

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 15th day of February, 2022.

Mayor of City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:

Stephen P. Deitsch
City Attorney