

CITY OF BELVEDERE

RESOLUTION NO. 2024-02

A RESOLUTION OF THE CITY OF BELVEDERE CITY COUNCIL
APPROVING THE DRAFT REVISED 6TH CYCLE HOUSING ELEMENT
UPDATE 2023 - 2031 FOR SUBMITTAL TO THE CALIFORNIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, California State legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront the crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental climate objectives.” (Government Code 65589.5); and

WHEREAS, the legislature recently adopted the Housing Crisis Act of 2019 (Senate Bill 330), which states that “In 2018, California ranked 49th out of 50 states in housing per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years; and

WHEREAS, State Housing Element Law (Article 10.6 of Title 7, Division 1, Chapter 3 of the California Government Code) requires that the City adopt a Sixth Cycle Housing Element Update for the eight-year period 2023-2031 on or before January 31, 2023 to accommodate the City of Belvedere’s regional housing needs allocation (RHNA) of 160 units as determined by the California Housing and Community Development Department (HCD) and the Association of Bay Area Governments (“ABAG”); and

WHEREAS, State law requires that the Housing Element Update include meaningful steps to promote and affirmatively further fair housing (California Government Code § 65583 (c)(5)); and

WHEREAS, the City of Belvedere’s Sixth Cycle Housing Element update process started in October of 2021 when the council approved a Professional Service Agreement for the Housing Element Update; and

WHEREAS, on January 24, 2022, at the Council & Senior Management Retreat an update of the Housing Element was provided and discussed. The discussion included what’s necessary in the Housing Element and the new requirements from the State for this cycle as well as next steps, and

WHEREAS, on March 15, 2022, a presentation and introduction to the Housing Element update was provided at a Planning Commission meeting, and

WHEREAS, on April 13, 2022, the Planning Commission held a workshop of the Housing Element at a special meeting; and

WHEREAS, on May 21, 2022, City consultants and staff held an Open House in Community Park to provide an in-person opportunity for the public to ask questions about the process and to discuss the sites analysis map along with a discussion of equity, and

WHEREAS, the City held a focus group meeting on September 21, 2022, to solicit input from persons who have secured affordable housing in the neighboring community and to gain new policy ideas when considering future affordable housing development in Belvedere; and

WHEREAS, on September 12, 2022, staff and the consultants provided an update to the City Council and the public on the milestones achieved and the next steps in the update process; and

WHEREAS, the City Council and the Planning Commission held a joint meeting on October 20, 2022, to hear an overview of the updated draft that the City had released for the 30-day public review and comment, and

WHEREAS, the Planning Commission held a special meeting on November 15, 2022, to hear verbal comments from the public on the draft Housing Element Update, as well as an opportunity to ask questions; and

WHEREAS, the City developed a website (Blueprint for Belvedere) to provide updated information on milestones and next steps and an opportunity for comments, and the city provided updates via the City website and the City newsletters; and

WHEREAS, The 2023-31 Housing Element was adopted by the City Council on January 24, 2023, and submitted to the California Department of Housing and Community Development ("HCD") for a 90-day review ("2023 Housing Element"); and

WHEREAS, on May 1, 2023 HCD sent a letter requesting modifications to the 2023 Housing Element to include additional analysis of the 2023 Housing Element goals, policies, and programs to meet the City's RHNA and to better demonstrate compliance with State law; and

WHEREAS, in July 2023 the City engaged a new consulting firm, Dyett and Bhatia to revise the 2023 Housing Element to reflect HCD's comments; and

WHEREAS, on November 3, 2023, the City published the draft Revised Sixth Cycle Housing Element Update ("Revised Housing Element") for ten days for public review and comment; and

WHEREAS, on November 9, 2023, the City held a public workshop to present the Revised Housing Element concepts for meeting Belvedere's housing needs to the community and receive comments; and

WHEREAS, on November 21, 2023, staff presented the draft Revised Housing Element at a Planning Commission study session, where the Planning Commissioners heard public comments, considered the draft and requested multiple revisions' and

WHEREAS, the draft Revised Housing Element includes new goals, policies and programs directing at stimulating the development of units to meet the City's RHNA, which require the City to take further action to implement the Revised Housing Element ("Implementing Actions"); and

WHEREAS, the Implementing Actions include amending the City's Zoning Ordinance to ensure that sufficient units will develop to satisfy the City's RHNA ("Zoning Ordinance Amendments"); and

WHEREAS, on December 28, 2023, the City published for public review and comment a draft Initial Study and Mitigated Negative Declaration ("IS/MND") for the Revised Housing Element and Implementing Actions, which contains mitigation measures expected to avoid or reduce any significant environmental impacts to a level of insignificance; and

WHEREAS, on January 3, 2024, the Planning Commission held a duly noticed public hearing on the Revised Draft Housing Element and the draft IS/MND, took public comment and, after requesting additional changes, adopted the following Resolutions:

- Resolution No. 2024-01, recommending that the City Council adopt the IS/MND;
- Resolution No. 2024-02, recommending that the City Council approve the draft Revised Housing Element; and
- Ordinance No. 2024-01, recommending that the City Council adopt the Zoning Ordinance Amendments.

WHEREAS, on January 4, 2024, the City published notice of the City Council's public hearing on the IS/MND, Revised Housing Element and Zoning Ordinance Amendments, as required by law; and

WHEREAS, on January 16, 2024, the City Council held a duly noticed public hearing on the IS/MND, Revised Housing Element and Zoning Ordinance Amendments and heard public comment, at which meeting the City council considered and adopted Resolution No.2024-01, approving the IS/MND as the environmental document for the Revised Housing Element and Implementing Actions and further approving a mitigation monitoring program, all as required by the California Environmental Quality Act, Public Resources Code Sections 21000 *et seq.* ("CEQA").

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Belvedere does hereby find and resolve as follows:

1. The City Council adopts the foregoing recitals as findings of fact.

2. The Revised Housing Element substantially complies with State Housing Element Law, as provided in Government Code Section 65580 et seq., and contains all provisions required by State Housing Element Law.

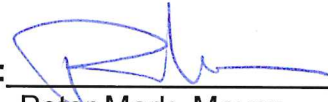
3. As described in detail in Appendix A of the Revised Housing Element, and based on criteria, such as developer or property owner interest; underutilized sites or vacant buildings; existing uses similar to those redeveloped in the past; buildings at least 50 years old, substantial evidence in the record demonstrates that the existing uses on the non-vacant sites identified in the site inventory to accommodate the Town's lower income RHNA are likely to be discontinued during the planning period and or otherwise do not constitute an impediment to planned residential development on the site during the planning period.

4. The Director of Planning and Building is hereby directed to submit the draft Revised Housing Element to HCD for review and comment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on January 16, 2024, by the following vote:

AYES: Cooper, Lynch, Wilkinson, Mark
NOES: None
ABSENT: Kemnitzer
ABSTAIN: None

APPROVED:



Peter Mark, Mayor

ATTEST:


Beth Haener, City Clerk

EXHIBIT A

**City of Belvedere
6th Cycle Housing Element Update 2023-2031**

Draft
December 23, 2023