RESOLUTION NO. 2024-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DETERMINING THE HOUSING ELEMENT PROJECT WAS ADEQUATELY ASSESSED IN THE NEGATIVE DECLARATION ADOPTED ON AUGUST 11, 2022, AS AMENDED BY ADDENDUM NO. 1, ADOPTING A GENERAL PLAN AMENDMENT FOR THE 2021-2029 HOUSING ELEMENT (CASE NO. PLGP2022-0001), AS REVISED MARCH 15, 2024, APPROVING RELATED GENERAL PLAN AMENDMENTS OF THE LAND USE ELEMENT AND LAND USE MAP, AND APPROVING RELATED LOCAL COASTAL PLAN (COASTAL SPECIFIC PLAN) AMENDMENTS TO EFFECTUATE THE 2021-2029 HOUSING ELEMENT

WHEREAS, the City of Rancho Palos Verdes is required by State law to update the Housing Element of its General Plan for the next planning period covering 2021-2029 (6th Cycle) to include policies, strategies, and actions to facilitate the construction of new housing and preservation of existing housing to meet the needs of the City's population during the 6th Cycle period, as well as to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation for new housing units in various income categories throughout the City; and

WHEREAS, on August 24, 2021, the City Council and the Planning Commission conducted a noticed joint-study session as part of an extensive community engagement process, which also included on-line surveying, messaging, stakeholder interviews and workshops to collect public comments on the drafting of the 2021-2029 Housing Element Update; and

WHEREAS, on October 12, 2021, the Planning Commission held a duly noticed public hearing to hear public testimony, reviewed and commented on the Draft Housing Element, and forwarded the document to the City Council for consideration; and

WHEREAS, on October 19, 2021, the City Council held a duly noticed public hearing to hear public testimony and to review and comment on the Draft Housing Element. The City Council directed City staff to make minor modifications and forward the revised Draft Housing Element to the California Department of Housing and Community Development (HCD) for review; and

WHEREAS, on November 19, 2021, the Draft Housing Element was transmitted to HCD for review and comment; and

WHEREAS, on January 18, 2022, HCD provided written comments to the City on the Draft Housing Element; and

WHEREAS, on May 17, 2022, HCD staff visited the City of Rancho Palos Verdes, which included a tour of the City to better understand site constraints and challenges facing the City in the identification of new housing sites; and

WHEREAS, on July 26, 2022, a public notice was published in the *Daily Breeze* informing the public of the City Council's consideration to adopt a Negative Declaration and approve a General Plan Amendment for the City's 2021-2029 Final Draft Housing Element; and

WHEREAS, on August 9, 2022, the Planning Commission conducted a public hearing to consider adopting a resolution forwarding recommendations to the City Council to consider adopting a Negative Declaration and approving a General Plan Amendment for the City's 2021-2029 Final Draft Housing Element; and

WHEREAS, the Initial Study and Negative Declaration were prepared and distributed for circulation and review from January 13, 2022 through February 14, 2022; and

WHEREAS, after issuing notice pursuant to the requirements of the City's Zoning Code and the State CEQA Guidelines, the City Council of the City of Rancho Palos Verdes held a public hearing on August 11, 2022, at which time all interested parties were given an opportunity to be heard and present evidence; and

WHEREAS, the City Council adopted the Negative Declaration and the 2021-2029 Final Draft Housing Element on August 11, 2022 and City staff submitted the documents to HCD; and

WHEREAS, on October 14, 2022 HCD issued a letter to the City acknowledging receipt of the 2021-2029 Final Draft Housing Element on August 30, 2022, and reporting the results of HCD's review, noting that the adopted element addressed many statutory requirements described in HCD's prior review, but that further revisions were necessary to comply with the State Housing Element Law; and

WHEREAS, between October 14, 2022 and September 14, 2023 the City coordinated with HCD through an informal review process to revise the Housing Element for compliance with State Housing Element Law, leading the City to prepare a comprehensive site by site analysis prepared by its consultant Dudek that provides details and justification for each site's feasibility as a housing site; and

WHEREAS, on September 14, 2023 the City submitted for informal review a 2021-2029 Revised Final Housing Element; and

WHEREAS, on November 17, 2023 City staff and HCD staff discussed the revisions and the City explained the comprehensive site by site analysis; and

WHEREAS, on November 30, 2023 HCD confirmed and finalized via email the list of concerns that were discussed on November 17, 2023; and

WHEREAS, on December 15, 2023 City staff and HCD staff discussed the City's responses to the November 30, 2023 list of concerns and HCD had to still review the comprehensive site by site analysis; and

WHEREAS, on January 25, 2024 City staff and HCD staff discussed the City's responses to HCD's November 30, 2023 list of concerns, and HCD staff recommended the City submit the revised document for formal review; and

WHEREAS, on February 7, 2024, following the required posting and noticing period, the City submitted to HCD for formal review the Revised Final 2021-2029 Housing Element dated January 30, 2024, both electronically and hard copy; and

WHEREAS, on March 11, 2024 City staff and HCD staff discussed the formal review and HCD verbally provided final revisions to be made; and

WHEREAS, on March 14, 2024 City staff submitted the final revisions and HCD staff confirmed that there were no additional comments and provided instructions to post the revisions on the City's website and email the link to all individuals and organizations that have previously requested notices relating to the City's housing element for at least 7 days, and then officially submit the revisions as part of the formal review; and

WHEREAS, on March 15, 2024 City staff posted the final revisions on the City's website and emailed the link to all individuals and organizations that had previously requested notices. Since March 15, 2024, no substantive revisions have been made; and

WHEREAS, on March 22, 2024, seven days following the posting and emailing of the revised document, City staff submitted the Revised Final 2021-2029 Housing Element as revised March 15, 2024 to HCD staff to complete the formal review; and

WHEREAS, to effectuate the Housing Element by implementing zoning revisions that will accommodate the capacity for the housing as proposed in the Housing Element Update to meet the City's RHNA obligation, City staff prepared amendments to the General Plan Land Use Element, Local Coastal Program (Coastal Specific Plan), Zoning Code, Zoning Map, and Development Standards for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs); and

WHEREAS, on March 26, 2024, the Planning Commission conducted a duly noticed public hearing to consider adopting a resolution forwarding recommendations to the City Council to consider making a determination the Negative Declaration, as amended by Addendum No. 1, adequately assessed the reasonably foreseeable environmental impacts from the adoption and implementation of the revised Housing

Element, approving a General Plan Amendment for the City's Revised Final 2021-2029 Housing Element, approving a General Plan Amendment for the Land Use Element, approving a Local Coastal Plan (Coastal Specific Plan) Amendment, and approving zoning amendments inclusive of Zoning Map amendments and amendments to the development standards for ADUs and JADUs, to effectuate the Housing Element, including additional recommendations in the resolution for City Council to consider; and

WHEREAS, on March 21, 2024 a public notice was published in the *Palos Verdes Peninsula News* informing the public of a public hearing before the City Council on April 16, 2024, for its consideration to adopt an addendum to the Negative Declaration and approve a General Plan Amendment for the City's Revised Final 2021-2029 Housing Element, a General Plan Amendment for the Land Use Element, a Local Coastal Plan (Coastal Specific Plan Amendment), and zoning amendments inclusive of Zoning Map amendments and development standards for ADUs and JADUs, to effectuate the Housing Element; and

WHEREAS, Addendum No. 1 to the adopted Negative Declaration has been prepared to address revisions to the Housing Element document to reflect HCD requested revisions to the 6th Cycle Housing Element and evaluate the potential environmental effects that could occur as a result of the revisions and Housing Program implementation measures, including, but not limited to the related General Plan Land Use Element, the Coastal Specific Plan, and the zoning implementing of the Housing Element; and

WHEREAS, throughout the entirety of this process the City has engaged the community in the planning process, including making information regularly available through a designated webpage on the City's website, establishing a listserv distribution system for this particular project to provide regular updates throughout the planning process, conducting a community survey and hosting an in-person and virtual open house at the beginning of the planning process, publishing notice of and hosting numerous public hearings at the Planning Commission and City Council levels, accepting public comments throughout the process to share with the Planning Commission and City Council as they deliberated, and hosting a virtual open house for the Revised Final 2021-2029 Housing Element and implementation programs for a 5 week span in advance of City Council consideration of adoption; and

WHEREAS, on April 5, 2024 HCD issued a letter notifying the City that the Revised Final 2021-2029 Housing Element as revised on March 15, 2024 meets the statutory requirements, yet cannot be found in full compliance until the City has completed Program 1 (Zoning Amendments to Increase Housing Development Potential) to rezone sites to accommodate the City's RHNA; and

WHEREAS, on April 16, 2024 the City Council held a public hearing regarding making a determination the Housing Element Project was adequately analyzed in the Negative Declaration adopted on August 11, 2022 as amended by Addendum No. 1 to the Negative Declaration and to approve a General Plan Amendment for the City's

Revised Final 2021-2029 Housing Element, a General Plan Amendment for the Land Use Element and Land Use Map, a Local Coastal Plan (Coastal Specific Plan) Amendment, and zoning amendments inclusive of Zoning Map amendments and development standards for ADUs and JADUs, to effectuate the Housing Element, including consideration of Planning Commission recommendations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: The above recitals are true and correct and are hereby incorporated into this Resolution as though set forth in full.

Section 2: The update to the City's General Plan Housing Element and related actions to effectuate the updated Housing Element are necessary to comply with State law and are consistent with the General Plan.

Section 3: Based on factors and substantial evidence described in the sites inventory of the updated Housing Element in the Realistic Capacity of Sites subsection of the Housing Sites Inventory section of the document, and in the detailed analysis of the site by site analysis prepared by Dudek as Appendix F of the Housing Element that tested and demonstrated the feasibility for the residential development to be located on each site of the sites inventory utilizing the methodology and criteria documented in the Housing Element under the Housing Sites subsection of the Housing Sites Inventory section of the document, the existing uses on sites identified to accommodate lower income RHNA allocation are likely to be discontinued during the planning period or allow for the mix of uses appropriate to accommodate the units and therefore do not constitute an impediment to additional residential development during the planning period;

Section 4: The proposed project is an amendment to the Rancho Palos Verdes General Plan Housing Element, and corresponding General Plan Land Use Element, Local Coastal Plan, and Zoning Code revisions, in accordance with State Law requirements. The Housing Element, Land Use Element, and Local Coastal Plan are policy documents that include policies, strategies, and actions to facilitate the construction of new housing and preservation of existing housing to meet the needs of the City's population. As such, the proposed amendment will not create or result in any significant impacts to the General Plan, Local Coastal Plan, or Zoning Code, nor be in conflict with any applicable environmental plans or policies, be incompatible with existing land uses, affect agricultural resources, or disrupt the physical arrangement of the established community. Therefore, there will be no significant land use or planning impacts associated with this project.

Section 5: As discussed in the Negative Declaration and Addendum No. 1, which are incorporated herein by reference, the project does not have any potential to achieve short-term, to the disadvantage of long-term, environmental goals, nor will the project have impacts which are individually limited, but cumulatively considerable.

Section 6: The City Council finds that the Revised Final 2021-2029 Housing Element as revised March 15, 2024, which includes all revisions based on HCD's comments from the October 14, 2022 letter on the Draft Housing Element adopted on August 11, 2022,subsequent informal review discussions, and the formal review process from February 7, 2024 through April 5, 2024, adequately responds to the concerns addressed by HCD and is substantially compliant with the State Housing Element Law.

Based on the April 5, 2024 HCD issued a letter notifying the City that the Revised Final 2021-2029 Housing Element as revised on March 15, 2024 meets the statutory requirements, yet cannot be found in full compliance until the City has completed Program 1 (Zoning Amendments to Increase Housing Development Potential) to rezone sites to accommodate the regional housing needs allocation (RHNA), adoption of the Revised Final 2021-2029 Housing Element as revised March 15, 2024 and the rezoning of the sites to accommodate the City's RHNA obligation will bring the City's housing element into substantial compliance with State law.

Section 7: Based on its independent judgment, after consideration of the whole of the administrative record, the City Council determines the project was adequately assessed in the Negative Declaration adopted on August 11, 2022; and pursuant to CEQA Guidelines 15162 and 15164, and Addendum No. 1 attached as Exhibit A, the City Council finds no major revisions are required to the Negative Declaration and no subsequent EIR or negative declaration is required for approval of the project.

Section 8: The City Council adopts the Revised Final 2021-2029 Housing Element as revised March 15, 2024 (Exhibit B), which includes revisions requested by HCD, in order to further encourage the provision of housing in a manner which adequately serves the needs of all present and future community residents in substantial compliance with State law. City Council authorizes any non-substantive modifications to address editing or HCD final comments.

Section 9: The City Council approves amendments to the 2018 General Plan Land Use Element (Exhibit C) to include a Mixed Use Overlay, a Residential Overlay, and an amendment to the Land Use Map to include those overlays and to reclassify two residential properties to a higher density to effectuate the Revised Final 2021-2029 Housing Element as revised March 15, 2024.

Section 10: The City Council approves the Local Coastal Program (LCP) (Coastal Specific Plan) Amendments (Exhibit D) to change the land use of one residentially-designated property in Subregion 4 to allow for higher density up to 22 dwelling units per acre.

Section 11: Exhibits A through D, attached hereto, are incorporated herein by reference.

Section 12: The City Council finds that the public and affected agencies have had ample opportunity to participate in the LCP amendment process because as part of the public hearing process, the public notice was circulated, inviting participation and comments, for both the March 26, 2024 Planning Commission meeting and the April 16, 2024 City Council meeting.

Section 13: As well, City Council finds that the LCP amendment conforms to the requirements of the Coastal Act and that the proposed text amendment and map to the LCP to revise the density of one residentially-designated property will not adversely impact public access to the coast or to public amenities, will not result in a significant alteration to the coastline, and will not introduce a pattern of development that will adversely impact the coastline.

The property corresponding to the LCP amendment is not located between the sea and the first public road, and therefore not within the appealable area of the City's Coastal Zone. A Coastal Development Permit (CDP) is required for such residential development, and it is through that review that certain findings will be made to ensure that the proposal conforms to the City's coastal policies.

Section 14: Any challenge for judicial review of this Resolution and the findings set forth therein, must be filed within the 90-day statute of limitations set forth in Code of Civil Procedure §1094.6 and §17.86.100(B) of the RPVMC.

Section 15: The City Clerk shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and the City Clerk's certification to be entered in the Book of Resolutions of the City Council.

PASSED, APPROVED, and ADOPTED this 16th day of April 2024.

John Cruikshank, Mayor

Attest:

Teresa Takaoka, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss
CITY OF RANCHO PALOS VERDES)

I, Teresa Takaoka, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2024-16, was duly adopted by the City Council of said City at a regular meeting thereof held on April 16, 2024.

Teresa Takaoka, City Clerk