

RESOLUTION NO. 2022-R____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ADOPTING THE 2021-2029 HOUSING ELEMENT ADDENDUM TO THE NEGATIVE DECLARATION AND THE 2021-2029 HOUSING ELEMENT, APPROVING THE SUBMITTAL OF THE 2021-2029 HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR REVIEW FOR SUBSTANTIAL COMPLIANCE WITH STATE LAW; AND AUTHORIZING THE CITY MANAGER TO APPROVE MINOR UPDATES TO THE 2021-2029 HOUSING ELEMENT AS NECESSARY TO OBTAIN CERTIFICATION.

(General Plan Text Amendment, P2022-0222-GPTA)

WHEREAS, California Government Code Section 65302(c) mandates that each City shall include a Housing Element in its General Plan, and that the Housing Element be updated regularly on a schedule set forth in the law to reflect current conditions and legal requirements; and,

WHEREAS, the Housing Element must comply with the statutory provisions of California Government Code Section 65580 et seq. and is required to identify and analyze existing and projected housing needs, and include statements of the City of Culver City's ("City") goals, policies, quantified objectives, and programs for the preservation, improvement, and development of the City's share of the regional housing need in Southern California; and,

WHEREAS, the previous 2013-2021 Housing Element was adopted on January 27, 2014 and the information in the 2013-2021 Housing Element has been revised and expanded to provide a current assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs; and,

1 WHEREAS, the City prepared the update of its Housing Element of the City's
2 General Plan in conformance with State and local planning law and practices, considering
3 local conditions and context, including economic, environmental, and fiscal factors; and,

4 WHEREAS, in accordance with Government Code Section 65583, the City finds
5 that the 2021-2029 Housing Element complies with the duty to affirmatively further fair
6 housing; and,

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8 WHEREAS, the City has been assigned an allocation of 3,341 new housing
9 units as its share of the regional housing need assessment (RHNA), including 1,108 very-low,
10 604 low, 560 moderate, and 1,069 above moderate units; and,

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12 WHEREAS, in accordance with Government Code Section 65583.2, the City
13 finds that the sites identified in the site inventory to accommodate RHNA are likely to result in
14 additional residential development during the period covered by the housing element; and,

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16 WHEREAS, the City does not currently have sufficient existing zones to
17 accommodate the production of the City's RHNA allocation; and,

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19 WHEREAS, the community met to provide feedback on topics related to the
20 2021-2029 Housing Element, including land use and housing at public workshops held on:
21 January 27, 2021; April 29, 2021; and May 5, 2021; and,

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23 WHEREAS, the Housing Technical Advisory Committee met to provide
24 feedback on topics related to the 2021-2029 Housing Element, including land use, housing,
25 and the draft 2021-2029 Housing Element, at the meetings held on: December 8, 2020;
26 March 11, 2021; April 20, 2021; and July 28, 2021; and,

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28 WHEREAS, the General Plan Advisory Committee met to provide feedback on
29 topics related to the 2021-2029 Housing Element, including land use, housing, and the draft

1 2021-2029 Housing Element, at the meetings held on: August 13, 2020; October 8, 2020;
2 April 8, 2021; June 10, 2021; and July 22, 2021; and,

3 WHEREAS, the City Council and Planning Commission held joint meetings to
4 provide feedback on topics related to the 2021-2029 Housing Element, including land use,
5 housing, and the draft 2021-2029 Housing Element, at the meetings held on: January 27,
6 2021 and June 23 and 28, 2021; and,

8 WHEREAS, the Planning Commission met to provide feedback on topics
9 related to the 2021-2029 Housing Element, including land use, housing, and the draft 2021-
10 2029 Housing Element, at the meetings held on: May 12, 2021; July 28, 2021; and November
11 30, 2021; and,

13 WHEREAS, the City Council met to provide feedback on topics related to the
14 2021-2029 Housing Element, including land use, housing, and the draft 2021-2029 Housing
15 Element, at the meetings held on: April 12, 2021; September 27, 2021; and December 10,
16 2021; and,

18 WHEREAS, on January 6, 2022, after conducting a duly noticed public hearing
19 on the General Plan Housing Element Amendment, including full consideration of the 2021–
20 2029 Housing Element (“Project”), staff report, environmental information, and all testimony
21 presented, the Planning Commission (i) by a vote of 4 to 1, adopted a Negative Declaration,
22 in accordance with the California Environmental Quality Act (CEQA), finding the Project will
23 not result in significant adverse environmental impacts; (ii) by a vote of 4 to 1, recommended
24 to the City Council adoption of the 2021–2029 Housing Element (General Plan Element
25 Amendment, P2021-0241-GPE); and (iii) by a vote of 4 to 1, recommended to the City
26 Council submittal of the 2021–2029 Housing Element to the California Department of
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1 Housing and Community Development (HCD) for review for substantial compliance with State
2 law; and,

3 WHEREAS, on January 24, 2022, after conducting a duly noticed public hearing
4 on the General Plan Housing Element Amendment, including full consideration of the 2021-
5 2029 Housing Element, staff report, environmental information and all testimony presented,
6 and the City Council (i) by a vote of 3 to 2, adopted a Negative Declaration, in accordance
7 with the California Environmental Quality Act (CEQA), finding the Project will not result in
8 significant adverse environmental impacts; (ii) by a vote of 3 to 2, adopted the 2021-2029
9 Housing Element (General Plan Element Amendment, P2021-0241-GPE); and (iii) by a vote
10 of 3 to 2, approved submittal of the 2021–2029 Housing Element to the California Department
11 of Housing and Community Development (HCD) for review for substantial compliance with
12 State law; and,

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15 WHEREAS, on February 22, 2022 the City submitted the adopted 2021-2029
16 Housing Element to HCD for certification; and,

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18 WHEREAS, on April 21, 2022 the City received a comment letter from HCD
19 reporting the Housing Element requires further updates to obtain compliance with state law;
20 and,

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22 WHEREAS, on July 26, 2022 the City received an updated comment letter from
23 HCD that listed an additional commenter, but made no other revisions to the April 21, 2022
24 letter; and

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26 WHEREAS, the new deadline for adoption and submittal of the 2021-2029
27 Housing Element to HCD for certification is October 15, 2022 (“certification” means that HCD
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1 finds the Housing Element to be in substantial compliance with the State's legal
2 requirements); and,

3 WHEREAS, the City prepared minor updates to the 2021-2029 Housing
4 Element in order to address comments received by HCD, and prepared an Addendum to the
5 Negative Declaration in order to address the minor updates to the Housing Element, and,
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7 WHEREAS, the updates to the 2021-2029 Housing Element do not
8 substantially modify the previously-adopted 2021-2029 Housing Element; and,

9 WHEREAS, pursuant to Culver City Municipal Code (CCMC) section 3.03.035,
10 the City Council retains jurisdiction over the updates to the 2021-2029 Housing Element and
11 has determined to make a decision on the updates to the 2021-2029 Housing Element; and,
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13 WHEREAS, on July 21, 2022 a notice of the City Council public hearing on the
14 updated 2021-2029 Housing Element was sent to individuals and organizations that have
15 previously requested notices relating to the Housing Element and was posted on the City's
16 website and social media pages; and,
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18 WHEREAS, on July 21, 2022 a notice of the City Council public hearing on the
19 updated 2021-2029 Housing Element was published in Culver City News; and,
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21 WHEREAS, on August 2, 2022 the draft updated Housing Element was posted
22 online for public review; and,

23 WHEREAS, on August 8, 2022, after conducting a duly noticed public hearing
24 on the General Plan Housing Text Amendment, including full consideration of the updated
25 2021-2029 Housing Element ("Project"), staff report, environmental information and all
26 testimony presented, the City Council (i) by a vote of ___ to ___, adopted an Addendum to the
27 Negative Declaration, in accordance with the California Environmental Quality Act (CEQA),
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1 finding the Project will not result in significant adverse environmental impacts; (ii) by a vote of
2 __ to __, adopted the updated 2021-2029 Housing Element (General Plan Text Amendment,
3 P2022-0222-GPTA); and (iii) by a vote of __ to __, approved submittal of the updated 2021–
4 2029 Housing Element to the California Department of Housing and Community
5 Development (HCD) for review for substantial compliance with State law and authorized the
6 City Manager to approve minor changes to the updated 2021-2029 Housing Element as may
7 be necessary to obtain certification from HCD.
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9 NOW, THEREFORE, the City Council of the City of Culver City, DOES
10 HEREBY RESOLVE, as follows:
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12 SECTION 1. Pursuant to the foregoing recitations and the provisions of the
13 Culver City Municipal Code (CCMC), as outlined in CCMC Title 17, Section 17.620.030, the
14 following findings for a General Plan Element Amendment are hereby made:
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- 16 **1. The proposed amendment ensures and maintains internal consistency with the**
17 **goals, policies, and strategies of all elements of the General Plan and will not**
18 **create any inconsistencies with this Title, in the case of a Zoning Code**
19 **Amendment.**

20 The General Plan is undergoing a comprehensive update and is scheduled for
21 adoption after the 2021-2029 Housing Element's anticipated adoption. The 2021-2029
22 Housing Element was updated in coordination with the other elements as they are
23 being updated. This is meant to ensure that the goals, policies, and strategies of all the
24 updated elements are consistent. Before the other elements in the GPU are adopted,
25 their goals, policies, and strategies will be reviewed to ensure consistency with the
26 2021-2029 Housing Element.

27 The Zoning Code will then undergo a comprehensive update after the General Plan is
28 adopted. During that process, the Zoning Code will be updated to address constraints
29 to housing production, as outlined in Measure 4.J of the 2021-2029 Housing Element.
Under the Housing Programs section of the Housing Element, Measure 4.J is
scheduled to begin in 2023.

- 2. The proposed amendment would not be detrimental to the public interest,**
health, safety, convenience, or welfare of the city.

1 The proposed General Plan Housing Element Amendment is not detrimental to the
2 public interest, health, safety, convenience, or welfare of the city because adoption of
3 the 2021-2029 Housing Element will not entitle any new development projects. The
4 2021–2029 Housing Element will be consistent with the objectives of the General Plan,
5 the CCMC, and State housing law.

6 **3. The proposed amendment complies with the provisions of the California**
7 **Environmental Quality Act (CEQA).**

8 The proposed General Plan Housing Element Amendment complies with CEQA as
9 outlined in the Addendum to the Negative Declaration, Negative Declaration, and
10 related documentation. The City Council's adoption of the Addendum to the Negative
11 Declaration is made herein by approval of this Resolution. The Addendum to the
12 Negative Declaration reflects the independent judgment of the City Council.

13 SECTION 2. Because the 2021-2029 Housing Element relies on nonvacant sites to
14 accommodate 50% or more of its RHNA for lower income households, the following
15 additional finding, as required by HCD, is hereby made substantiating that the use will likely
16 be discontinued during the planning period:

17 Based on existing uses, existing floor area ratio, age of structures (year structure
18 built), improvement-to-land ratio, lot size, adjacency to parcels with redevelopment
19 potential and lot consolidation potential, and expressed interest of developers or
20 property owners, the existing uses on the sites identified in the site inventory to
21 accommodate the lower income RHNA are likely to be discontinued during the
22 planning period, and therefore do not constitute an impediment to additional residential
23 development during the period covered by the housing element.

24 SECTION 3. Pursuant to the foregoing recitations and findings, the City Council of the
25 City of Culver City, California, hereby (i) adopts the 2021-2029 Housing Element Addendum
26 to the Negative Declaration; (ii) adopts the updated 2021-2029 Housing Element (General
27 Plan Element Amendment, P2022-0222-GPTA); (iii) authorizes staff to submit the updated
28 2021-2029 Housing Element to HCD for review for substantial compliance, in accordance
29 with the procedures set forth by State law; and (iv) authorizes the City Manager to approve

1 minor changes to the updated 2021-2029 Housing Element as may be necessary to obtain
2 certification from HCD.

3 APPROVED and ADOPTED this 8th day of August, 2022.
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6 DR. DANIEL LEE, MAYOR
7 City of Culver City, California

8 ATTEST:

9 APPROVED AS TO FORM:

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11 JEREMY BOCCHINO, City Clerk

12 HEATHER BAKER, City Attorney
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