

1 RESOLUTION NO. 2022-R____

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY,
4 CALIFORNIA, ADOPTING THE 2021-2029 HOUSING ELEMENT NEGATIVE
5 DECLARATION AND THE 2021-2029 HOUSING ELEMENT, AND APPROVING
6 THE SUBMITTAL OF THE 2021-2029 HOUSING ELEMENT TO THE
7 CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
8 DEVELOPMENT (HCD) FOR REVIEW FOR SUBSTANTIAL COMPLIANCE
9 WITH STATE LAW.

10 (General Plan Housing Element Amendment, P2021-0241-GPE)

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

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

21 WHEREAS, the existing 2013-2021 Housing Element was adopted on January
22 27, 2014 and the information in the 2013-2021 Housing Element has been revised and
23 expanded to provide a current assessment of housing needs and an inventory of resources
24 and constraints relevant to meeting those needs; and,

25 WHEREAS, the City prepared the update of its Housing Element of the City's
26 General Plan in conformance with State and local planning law and practices, considering
27 local conditions and context, including economic, environmental, and fiscal factors; and,
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1 WHEREAS, in accordance with Government Code Section 65583, the City finds
2 that the 2021-2029 Housing Element complies with the duty to affirmatively further fair
3 housing; and

4 WHEREAS, the City has been assigned an allocation of 3,341 new housing
5 units as its share of the regional housing need assessment (RHNA), including 1,108 very-low,
6 604 low, 560 moderate, and 1,069 above moderate units; and

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

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

14 WHEREAS, the community met to provide feedback on topics related to the
15 2021-2029 Housing Element, including land use and housing at public workshops held on:
16 January 27, 2021; April 29, 2021; and May 5, 2021; and,

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

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23 WHEREAS, the General Plan Advisory Committee met to provide feedback on
24 topics related to the 2021-2029 Housing Element, including land use, housing, and the draft
25 2021-2029 Housing Element, at the meetings held on: August 13, 2020; October 8, 2020;
26 April 8, 2021; June 10, 2021; and July 22, 2021; and,

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

5 WHEREAS, the Planning Commission met to provide feedback on topics
6 related to the 2021-2029 Housing Element, including land use, housing, and the draft 2021-
7 2029 Housing Element, at the meetings held on: May 12, 2021; July 28, 2021; and November
8 30, 2021; and,

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

13 WHEREAS, if the City does not complete timely adoption and submittal to HCD
14 by February 12, 2022, for certification of the 2021-2029 Housing Element ("certification"
15 means that HCD finds the Housing Element to be in substantial compliance with the State's
16 legal requirements), the City will be subject to a range of enforcement penalties set forth per
17 State housing law that could negatively impact the City by court orders, lawsuits and fines by
18 the State, legal action by the State Attorney General, fiscal impacts to the General Fund,
19 potential loss of local control over new housing development and risk to State grants in
20 process and ineligibility for future State grant funding; and,

21 WHEREAS, on January 6, 2022, after conducting a duly noticed public hearing
22 on the General Plan Housing Element Amendment, including full consideration of the 2021-
23 2029 Housing Element ("Project"), staff report, environmental information, and all testimony
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1 presented, the Planning Commission (i) by a vote of 4 to 1, adopted a Negative Declaration,
2 in accordance with the California Environmental Quality Act (CEQA), finding the Project will
3 not result in significant adverse environmental impacts; (ii) by a vote of 4 to 1, recommended
4 to the City Council adoption of the 2021–2029 Housing Element (General Plan Element
5 Amendment, P2021-0241-GPE); and (iii) by a vote of 4 to 1, recommended to the City
6 Council submittal of the 2021–2029 Housing Element to the California Department of
7 Housing and Community Development (HCD) for review for substantial compliance with State
8 law; and,
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10 WHEREAS, on January 24, 2022, after conducting a duly noticed public hearing
11 on the General Plan Housing Element Amendment, including full consideration of the 2021-
12 2029 Housing Element (“Project”), staff report, environmental information and all testimony
13 presented, and the City Council (i) by a vote of ___ to ___, adopted a Negative Declaration, in
14 accordance with the California Environmental Quality Act (CEQA), finding the Project will not
15 result in significant adverse environmental impacts; (ii) by a vote of ___ to ___, adopted the
16 2021-2029 Housing Element (General Plan Element Amendment, P2021-0241-GPE); and (iii)
17 by a vote of ___ to ___, approved submittal of the 2021–2029 Housing Element to the California
18 Department of Housing and Community Development (HCD) for review for substantial
19 compliance with State law.
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23 NOW, THEREFORE, the City Council of the City of Culver City, DOES
24 HEREBY RESOLVE, as follows:

25 SECTION 1. Pursuant to the foregoing recitations and the provisions of the
26 Culver City Municipal Code (CCMC), as outlined in CCMC Title 17, Section 17.620.030, the
27 following findings for a General Plan Element Amendment are hereby made:
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1. **The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this Title, in the case of a Zoning Code Amendment.**

The General Plan is undergoing a comprehensive update and is scheduled for adoption in the fall of 2022, after the 2021-2029 Housing Element's anticipated adoption. The 2021-2029 Housing Element was updated in coordination with the other elements as they are being updated. This is meant to ensure that the goals, policies, and strategies of all the updated elements are consistent. Before the other elements in the GPU are adopted, their goals, policies, and strategies will be reviewed to ensure consistency with the 2021-2029 Housing Element.

The Zoning Code will then undergo a comprehensive update after the General Plan is adopted. During that process, the Zoning Code will be updated to address constraints 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. However, if the City does not complete timely adoption and submittal to HCD by February 12, 2022, for certification of the 2021-2029 Housing Element ("certification" means that HCD finds the Housing Element to be in substantial compliance with the State's legal requirements), then the City will be required to rezone to accommodate the RHNA by October 15, 2022.

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

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

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

The proposed General Plan Housing Element Amendment complies with CEQA as outlined in the Initial Study and Negative Declaration environmental finding and related documentation. The Planning Commission's adoption of the Negative Declaration is made herein by approval of this Resolution. The Initial Study/Negative Declaration reflects the independent judgment of the Planning Commission.

SECTION 2. Because the 2021-2029 Housing Element relies on nonvacant sites to accommodate 50% or more of its RHNA for lower income households, the following

1 additional finding, as required by HCD, is hereby made substantiating that the use will likely
2 be discontinued during the planning period:

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

10 SECTION 3. Pursuant to the foregoing recitations and findings, the City Council of the
11 City of Culver City, California, hereby (i) adopts the 2021-2029 Housing Element Negative
12 Declaration; (ii) adopts the 2021-2029 Housing Element (General Plan Element Amendment,
13 P2021-0241-GPE); and (iii) authorizes staff to submit the 2021-2029 Housing Element to
14 HCD for review for substantial compliance, in accordance with the procedures set forth by
15 State law.

16 APPROVED and ADOPTED this 24th day of January, 2022.

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19 _____
20 DR. DANIEL LEE, MAYOR
21 City of Culver City, California

22 ATTEST:

23 APPROVED AS TO FORM:

24 _____
25 JEREMY GREEN, City Clerk

26
27 
28 _____
29 HEATHER BAKER, City Attorney

A22-00016