

RESOLUTION 24-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTAGUE ADOPTING THE 2023-2031 HOUSING ELEMENT UPDATE AS AMENDED TO ADDRESS HCD COMMENTS

WHEREAS, the City of Montague General Plan Housing Element for the 5th cycle planning period was adopted in 2014; and

WHEREAS, state housing element law (Government Code Sec. 65580 et seq.) requires that the City update the Housing Element every eight years; and

WHEREAS, the City prepared an update of the Housing Element for the 6th cycle planning period (2023-2031) that sets forth housing policies and programs to facilitate the preservation and development of housing; and

WHEREAS, Chapter 1 of the 6th cycle Housing Element update describes the public participation effort undertaken to update the Housing Element; and

WHEREAS, in accordance with Government Code Sec. 65585(b), the City posted the draft Housing Element online on September 29, 2023, and requested public comment for a 30-day review period, with the City subsequently extending the public review period until November 3, 2023; and

WHEREAS, on October 18, 2023, the Planning Commission conducted a duly noticed hearing to accept public comment and consider the draft Housing Element, and by unanimous vote adopted Resolution 23-06 and recommending the City Council adopt the 2023-2031 Housing Element; and

WHEREAS, on November 2, 2023, the City Council conducted a duly noticed hearing to accept public comment and consider the draft Housing Element, and by unanimous vote adopted Resolution 23-07, thereby finding the 6th Cycle Housing Element update exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sec. 15061(b)(3) and adopting the 2023-2031 Housing Element; and

WHEREAS, following completion of the 10-business day period required by Government Code Sec. 65585(b)(1), the City's consultant Planwest Partners, Inc. transmitted the adopted 6th Cycle Housing Element to the California Department of Housing and Community Development (HCD) for review on November 20, 2023; and

WHEREAS, on February 13, 2024, HCD issued a letter with the Department's findings regarding the adopted Housing Element, which noted that the City's 6th Cycle Housing Element addresses most of the requirements of state housing element law but that amendments are needed for HCD to consider the Housing Element for certification; and

WHEREAS, the City considered HCD's findings and recommended amendments, and has incorporated draft revisions into the Housing Element to respond to HCD's comments and ensure the Housing Element will substantially comply with state housing element law once readopted; and

WHEREAS, on March 9, 2024, the City's consultant Planwest Partners, Inc. published the revised draft Housing Element update online at <https://www.siskiyou-housing.com/montague-california/> and invited public comment; and

WHEREAS, on March 11, 2024, the City published the revised draft Housing Element update on its website and invited public comment; and

WHEREAS, on March 20, 2024, the Planning Commission of the City of Montague held a duly noticed public hearing as prescribed by law to consider the draft 2023-2031 Housing Element Update; and

WHEREAS, after consideration of the staff report, all public testimony, and evidence presented at the public hearing, by unanimous vote the Planning Commission found the draft 2023-2031 Housing Element Update to be exempt from the CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, and adopted Resolution 24-02 A Resolution of the Planning Commission of the City of Montague Recommending the City Council Adopt the 2023-2031 Housing Element Update; and

WHEREAS, on April 15, 2024, the City Council conducted a duly noticed public hearing to accept public comment and consider the revised draft Housing Element update; and

WHEREAS, the City Council determined the revised draft Housing Element updated housing policies and programs consistent with state law; and

WHEREAS, the City Council further determined the revised draft Housing Element does not have the potential to cause a significant impact to the environment and is exempt from the CEQA pursuant to CEQA Guidelines Sec. 15061(b)(3), because it will not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, nor will it result in: any direct or indirect physical changes to the environment; any changes to the General Plan Land Use Map; modifications to General Plan land use designations, densities, or intensities, nor any changes to intensities or densities beyond those permitted by the General Plan, Zoning Code, and/or state law; and

WHEREAS, the City Council has found that the revised draft Housing Element, and the programs and housing action plan contained therein, take meaningful actions to combat discrimination, overcome patterns of segregation, and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics consistent with the City's obligation to affirmatively further fair housing pursuant to Government Code Sec. 8899.50; and

WHEREAS, the City Council has found that the revised draft Housing Element is in the public interest because it provides the City with a mechanism to further social, economic, housing and other goals that have been adopted by the City Council and the State Legislature. The revised draft Housing Element will help the City achieve the following housing goals:

1. Provide adequate sites.
2. Ensure the availability of a variety of housing types and increase the affordability of housing.
3. Conserve, rehabilitate, and enhance the condition of the existing housing stock and residential neighborhoods.
4. Facilitate the provision of housing suited to persons with special needs.
5. Encourage and support the development of affordable housing.
6. Encourage sustainable housing development and energy conservation.
7. Promote equal and fair housing opportunities for all people.

WHEREAS, the City Council has found that the revised draft Housing Element is consistent with a comprehensive view of the Montague General Plan, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montague:

1. Hold a public hearing in the manner prescribed by law; and
2. Determine that the revised draft Housing Element is exempt from the CEQA pursuant to Sec. 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that it will not have a significant effect on the environment; and
3. As required by Government Code Sec. 65585(e), consider the findings made by HCD in the Department's letter to the City dated February 7, 2024, and find that the 6th Cycle Housing Element was amended to respond to HCD's findings, as set forth in Attachment C to the staff report dated March 19, 2024, and to substantially comply with the requirements of state housing element law as interpreted by HCD; and
4. Adopt the revised draft Housing Element; and
5. In accordance with Government Code Sec. 65585(b)(1), direct the City Clerk or their designee to publish the Housing Element on the City's website and email a link to all individuals and organizations that have previously requested notices regarding the Housing Element at least seven (7) days prior to the Housing Element being resubmitted to HCD; and
6. Authorize city staff and the City's consultant Planwest Partners, Inc. to transmit the adopted Housing Element to HCD for review upon completion of the seven-day period prescribed by Government Code Section 65585(b)(1).

BE IT FURTHER RESOLVED that minor changes to the revised draft Housing Element that do not substantially change the goals, policies, programs, or objectives, that are reasonably based on credible information that is readily accessible to the public, to make the Housing Element internally consistent or to address any non-substantive changes or amendments suggested or requested by HCD, and that are published in accordance with Government Code Section 65585(b)(1) shall not be considered to be substantial changes requiring further review by the City Council. However, should HCD require substantial modifications to the revised draft or adopted Housing Element not previously considered by the City Council, city staff shall bring such modifications back to the City Council for its review, consideration, and recommendation pursuant to Government Code Section 65356.

IT IS HEREBY CERTIFIED that the foregoing Resolution 24-03 was duly adopted on a motion by Council Member Dooley and seconded by Council Member Jackson at a regular meeting of the City of Council held on the 15th day of April 2024, by the following vote:

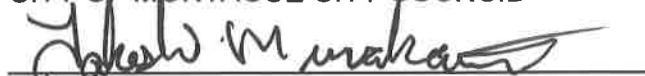
AYES: Murakami, Vela, Dooley, & Jackson

NOES: N/A

ABSENT: N/A

ABSTAIN: N/A

CITY OF MONTAGUE CITY COUNCIL



Takeshi Murakami, Mayor

WITNESS, my hand and seal this 15th day of April 2024

Jessie Monday
Jessie Monday, City Clerk

