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Resolution regarding revisions to the Sixth Cycle Housing Element

Revisions to the Housing Element Amendment of the Napa County General Plan for the Sixth Cycle Planning Period

RESOLUTION NO. 2023-_____

A RESOLUTION OF THE NAPA COUNTY PLANNING COMMISSION, STATE OF CALIFORNIA, RECOMMENDING THAT THE NAPA COUNTY BOARD OF SUPERVISORS APPROVE REVISIONS TO THE 2023-2031 ADOPTED HOUSING ELEMENT

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to confront this crisis effectively and aggressively 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 and climate objectives” (Government Code Section 65589.5); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Government Code Section 65589.5); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units 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 (Government Code Sections 65580 et seq.) requires that the Napa County Board of Supervisors adopt a Housing Element for the eight-year period 2023-2031 to accommodate Napa County's ("County") regional housing need allocation ("RHNA") of, initially, 1,014 housing units, which was reduced to 106 by transfer agreements with the cities of Napa, American Canyon, and Saint Helena, approved by ABAG on March 17, 2022, in accordance with Government Code Section 65584.07; and

WHEREAS, the RHNA is comprised of 23 extremely low income units, 22 very low income units, 16 low income units, 14 moderate income units, and 31 above moderate income units; and

WHEREAS, the County prepared its 2023-2031 Housing Element in accordance with California Housing Element Law (Government Code Section 65580 et seq) and included a sites inventory that would accommodate the County’s RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, as provided in Government Code Sections 65352 – 65352.5, the County referred the Housing Element to all California Native American tribes on the contact list provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, no California Native American tribe requested consultation; and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; and

WHEREAS, the County conducted extensive community outreach over 15 months, beginning in October 2021, as described in detail in Appendix A to the proposed Housing Element Update; and

WHEREAS, in accordance with Government Code Section 65585(b), on June 9, 2022, the County posted the draft Housing Element and requested public comment for a 30-day review period, extended the public comment period for an additional two weeks thereafter, and on August 9, 2022, after responding to public comments, the County submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on November 7, 2022, the County received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on December 30, 2022, the County published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on January 11, 2023 the Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider the proposed Housing Element and recommended that the Napa County Board of Supervisors adopt the Housing Element; and

WHEREAS, on January 24, 2023, the Board of Supervisors conducted a duly and properly noticed hearing, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the County's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be consistent with State law and the General Plan; and

WHEREAS, on January 24, 2023, the Board of Supervisors adopted Resolution No. 2023-18 certifying the Final Environmental Impact Report for the Housing Element Update; and

WHEREAS, on January 24, 2023, the Board of Supervisors, by Resolution No. 2023-19, adopted the 2023-2031 Housing Element, finding that the 2023-2031 Housing Element substantially complies with State Housing Element Law, and directed the Director of Planning, Building and Environmental Services or designee to file all necessary materials with HCD and to make the adopted Housing Element internally consistent or to address any non-substantive changes or amendments requested by HCD to achieve certification; and

WHEREAS, on March 1, 2023, the County timely transmitted the Adopted 2023-2031 Housing Element to HCD for post-adoption review; and

WHEREAS, on April 27, 2023, the County received a comment letter from HCD stating that while the draft Housing Element addresses many statutory requirements, enhancements will be necessary to achieve certification from HCD; and

WHEREAS, since the receipt of the comment letter through November, 2023, the County has met with HCD staff to discuss proposed edits intended to address HCD's requested changes and obtain preliminary feedback on those edits; and

WHEREAS, pursuant to such preliminary feedback from HCD, the County prepared revisions to the 2023-2031 Housing Element to address the changes requested by HCD; the revisions contain additional clarifications and programs to serve the policies and goals previously adopted in the 2023-2031 Housing Element,. The additional clarifications and programs are also responsive to changes requested by HCD pursuant to discussions between the County and HCD; and

WHEREAS, the County has provided a seven-day public review period for the Revisions which commenced November 25, 2023; notice was sent to all interested parties who requested notice in writing as required by state law, and such notice and the Revisions were posted on the County's website on November 21, 2023 for public review. In addition, the Planning Commission considered the Revisions pursuant to a public meeting held on December 6, 2023, at which time it considered the entirety of the reports and record before it and provided an opportunity for members of the public and all interested parties to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby finds, based on substantial evidence in the record, that:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. No subsequent or supplemental EIR is needed for the proposed revisions to the Housing Element, in that the revisions do not add or remove sites for multifamily

housing, and no revisions are proposed which would alter or modify regulations in regard to density of development, scale of buildings, infrastructure, land uses or location which were not analyzed under the Final EIR certified by the Board on January 24, 2023. The proposed revisions to the Element are not substantial; and no substantial evidence exists showing that: (1) the changes in the Element will involve any new significant environmental effects or a substantial increase in the severity of previously identified environmental effects; (2) circumstances have changed since the FEIR was certified; or (3) new information is available, which was not known and could not have been known when the FEIR was certified, that shows that the Housing Element will have significant impacts not considered in the FEIR. (CEQA Guidelines Section 15162.)

3. The Revised Housing Element contains additional clarifications and enhanced programs to serve the policies and goals previously adopted in the 2023-2031 Housing Element. These clarifications and enhancements are set forth in Exhibit A, attached hereto and incorporated here by reference. The clarifications and enhancements contained in the Revised Housing Element substantially comply with State Housing Element Law as provided in Government Code section 65580 et seq. ("Housing Element Law").
4. Pursuant to Government Section 65585, the Revised Housing Element incorporates input from the public, and considered the findings, comments, and discussions made by HCD and by and between the County and HCD, inclusive of the most recent discussions between HCD and the County between April 2023 and November 2023. In accordance with Government Code Sections 65585(e) and (f)(1), the Planning Commission has considered HCD's findings and has found that the proposed changes to the adopted Housing Element substantially comply with Housing Element Law, as shown in the Revision Matrix attached to the staff report as Exhibit E.
5. Adoption of the Revised Housing Element continues to be in substantial compliance with State Housing Element Law based on substantial evidence in the record, is in the public interest, and is necessary for the public health, safety and welfare of Napa County. Accordingly, the Planning Commission recommends that the Napa County Board of Supervisors adopt the Revised Housing Element attached hereto as Exhibit A, incorporated by this reference.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED
by the Planning Commission of Napa County, State of California, at a regular meeting of the

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Commission held on the 6th day of December, 2023, by the following vote:

AYES: COMMISSIONERS _____

NOES: COMMISSIONERS _____

ABSTAIN: COMMISSIONERS _____

ABSENT: COMMISSIONERS _____

NAPA COUNTY PLANNING COMMISSION

DAVID WHITMER, Chair

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <i>S. Darbinian</i> Deputy County Counsel</p> <p>Date: November 28, 2023</p>	<p>APPROVED BY THE NAPA COUNTY PLANNING COMMISSION</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Deputy Clerk of the Commission</p>	<p>ATTEST: ALEXANDRIA QUACKENBUSH Clerk of the Planning Commission</p> <p>By: _____</p>
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