

RESOLUTION R2023-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, ADOPTING A GENERAL PLAN AMENDMENT TO REPEAL THE FIFTH CYCLE HOUSING ELEMENT AND ADOPT THE SIXTH CYCLE HOUSING ELEMENT FOR THE PERIOD OF 2023-2031 IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis 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” (Gov. 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” (Gov. 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 City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City Napa’s regional housing need allocation (RHNA) of 2,669 housing units, comprised of 770 very-low income units, 444 low-income units, 405 moderate-income units, and 1,050 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Napa has prepared a Sixth Cycle Housing Element for the period of 2023-2031 in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the City’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 City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, no California Native American tribe requested consultation; and

WHEREAS, the City conducted extensive community outreach throughout the Housing Element update process including surveys, Balancing Act online simulation platform, and Housing Week events in July 2022; and

WHEREAS, in accordance with Government Code Section 65585 (b), on December 22, 2022, the City posted the draft Housing Element and requested public comment for a 30-day review period, and on February 16, 2023, after responding to public comments, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on May 17, 2023, the City received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on August 25, 2023, the City published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, on September 7, 2023, the Planning Commission held noticed public hearings, considered comments from the public and members of the Commission, and recommended the City Council adopt the Housing Element; and

WHEREAS, on September 20, 2022, by City Council Resolution R2022-085, the City Council certified that certain Environmental Impact Report for the City of Napa 2040 General Plan (SCH #2021010255) (the "General Plan EIR"), and on October 18, 2022, by City Council Resolution R2022-098, the City Council approved and adopted an Addendum to the General Plan EIR and adopted the City of Napa 2040 General Plan ("2040 General Plan"). The General Plan EIR is available for public review [here](#); and

WHEREAS, the Public Resources Code Section 21083.3 and Section 15183 of Title 14 of the California Code of Regulations provide that projects that are consistent with the land use designations and density established by a general plan for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project ("CEQA Community Plan Exemption"); and

WHEREAS, to comply with the California Environmental Quality Act (Public Resources Code §§ 21000—21189.70.10) ("CEQA") and its implementing regulations (14 California Code of Regulations §§ 15000—15387) (the "CEQA Guidelines"), the City caused the preparation an Initial Study dated August 31, 2023 and included as Attachment 4 to the Staff Report and incorporated by this reference as though fully set forth in this Resolution (the "Housing Element CEQA Analysis") to assess the consistency of the proposed Housing Element with the 2040 General Plan; and

WHEREAS, the Housing Element CEQA Analysis demonstrates that the Housing Element, goals, policies, and programs are internally consistent with the 2040 General Plan, the majority of which would not result in physical environmental effects. In addition, the Housing Element CEQA Analysis demonstrates that pipeline projects and opportunity sites identified for housing development are consistent with the 2040 General Plan's land use and density designations. Therefore, as explained in detail in the Housing Element CEQA Analysis, adoption and implementation of the Housing Element would not result in any new or more severe environmental effects than were identified in the certified General Plan EIR, and there are no potentially significant environmental effects that (1) are peculiar to the Housing Element, (2) were not analyzed as significant effects in the 2040 General Plan EIR, (3) are potentially significant off-site impacts and cumulative impacts which were not discussed in the General Plan EIR, or (4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the 2040 General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the General Plan EIR. Accordingly, adoption of the Housing Element is exempt from CEQA under the Community Plan Exemption, and no further environmental review is required to comply with CEQA in connection with the Housing Element; and

WHEREAS, the City Council held a public hearing on the Housing Element on October 17, 2023, has considered all information related to this matter as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, testimony from the public, the recommendations of the Planning Commission and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa as follows:

Section 1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

Section 2. Based on evidence in the entire record, including, but not limited to, all Staff reports relating to the Housing Element, and the written and oral testimony received at the hearings for the Housing Element, the City Council finds and determines that it has reviewed and considered the information in the Housing Element and Appendices, and the recommendations of the Planning Commission in making its decision to adopt the Housing Element.

Section 3. The City Council hereby finds that the Housing Element is consistent with the 2040 General Plan adopted by the City Council on October 18, 2022 and is exempt from CEQA pursuant to the Community Plan Exemption.

Section 4. The City Council hereby finds that the Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law.

ATTACHMENT 1

Section 5. As required by Government Code Section 65585(e), the City Council has considered the findings made by the Department of Housing and Community Development included in the Department's letter to the City of Napa dated May 17, 2023, consistent with Government Code Section 65585(f), and as described in Exhibit "A" to this resolution, incorporated herein, and hereby determines that with the revisions made to the Housing Element in response to the findings of the Department, the Housing Element substantially complies with the requirements of State Housing Element Law as interpreted by HCD.

Section 6. The City Council hereby repeals the City of Napa 5th Cycle Housing Element in its entirety, and adopts the City of Napa 6th Cycle Housing Element, as shown in Exhibit "B" to this Resolution and incorporated herein by reference.

Section 7. The City Council hereby directs the Community Development Director or designee to submit the adopted Housing Element to HCD in accordance with Government Code Section 65585(g).

Section 8. The City Council hereby directs the Community Development Director or designee to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

Section 9. The City Council hereby directs the Community Development Director or designee to file a Notice of Exemption with the County Recorder and the Governor's Office of Planning and Research's CEQA Clearinghouse website.

Section 10. This Resolution shall take effect immediately upon its adoption.

ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 17th day of October, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney

Exhibit A

HCD Initial Findings Letter, May 17, 2023

([LINK](#))

Exhibit B

City of Napa 6th Cycle Housing Element

([LINK](#))