

RESOLUTION NO. 2022-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH APPROVING GENERAL PLAN AMENDMENT NO. 21-003 (2021-2029 HOUSING ELEMENT UPDATE)

WHEREAS, the City Council of the City of Huntington Beach desires to update the Housing Element of the General Plan in order to facilitate the provision of housing for all economic segments of the community and ensure consistency with state legislative mandates; and

Pursuant to California Government Code Sections 65587 and 65588, the City must complete the revision to its Housing Element to meet the provisions of Title 7, Division 1, Chapter 3, Article 10.6, commencing with Section 65580 et seq; and

On March 1, 2021, a joint study session of the Planning Commission and City Council was held and on September 13, 2022, September 27, 2022, and October 11, 2022 study sessions were held with the Planning Commission for consideration of revisions to the adopted Housing Element; and

From March 2021 through November 2021, public outreach was conducted to gather public input and feedback regarding community needs and objectives of the Housing Element; and

On October 28, 2021, a 30-day public review and comment period was held on the draft Housing Element update for interested parties; and

The Planning Commission, after giving notice as prescribed by law, held at least one public hearing to consider General Plan Amendment No. 21-003; and

The Planning Commission found pursuant to the California Environmental Quality Act that General Plan Amendment No. 21-003 may have significant adverse effects on the environment and recommended approval of a statement of overriding considerations.

A Subsequent Environmental Impact Report (“SEIR”) No. 2022-002, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations were prepared for the Project in accordance with the California Environmental Quality Act and the California Environmental Quality Act Guidelines (“CEQA”). Thereafter, City staff circulated a Notice of Completion indicating the public comment period and intent to adopt the SEIR as required by law. The public comment period commenced on June 29, 2022 and concluded on August 15,

2022. The Notice of Availability was also sent to the State Clearinghouse (SCH #2021080104), responsible agencies, trustee agencies, and interest parties, and posted on the City's website for review and comment on the Subsequent Environmental Impact Report for the Project.

On November 16, 2022, the Planning Commission conducted a duly noticed public hearing to consider the Project and the Final SEIR, reviewed the staff report, accepted and considered public testimony. After due consideration, the Planning Commission found that agencies and interested members of the public were afforded ample notice and opportunity to comment on the SEIR and the Project and recommending that City Council certify the Final SEIR, adopt findings of fact pursuant to CEQA, adopt a Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations for the Project.

On November 29, 2022, the City Council, at a duly noticed public hearing, considered the proposed Project and the Final SEIR, at which time the City staff presented its report and interested persons had an opportunity to be heard and to present evidence regarding the proposed Project and the Final SEIR. Based upon the evidence presented at the hearing, including the staff report and oral testimony, the City Council, by separate Resolution No. 2022-63, certified the Final SEIR, adopted findings pursuant to CEQA for the Project.

All actions taken by City have been duly taken in accordance with all applicable legal requirements, including CEQA, and all other requirements for notice, public hearings, findings, votes and other procedural matters.

The custodian of records for the Final SEIR, Mitigation Monitoring and Reporting Program, Findings of Fact and Statement of Overriding Considerations and all other materials that constitute the record of proceedings upon which the City Council's decision was based, including, without limitation, the staff reports for the Project, all of the materials that comprise and support the Final SEIR and all of the materials that support the staff reports for Project, is the City Clerk of the City of Huntington Beach. Those documents are available for public examination during normal business hours at the Office of the City Clerk, City of Huntington Beach, 2000 Main Street, Huntington Beach, California, 92648.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. The recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. The City Council does hereby approve General Plan Amendment No. 2021-003 adopting the 6th Cycle Housing Element covering the period 2021- 2029 which is attached hereto as Exhibit “A,” and incorporated herein by reference. The City Council directs staff to transmit the adopted 6th Cycle Housing Element to HCD for certification.

SECTION 3. The City Council finds that, since March 2021, the City engaged in a robust discussion with the public regarding the 6th Cycle Housing Element including, holding three community workshops, an online survey, a Spanish Language input session, one joint Planning Commission and City Council study session, three Planning Commission study sessions, one Planning Commission public hearing, and one City Council public hearing where the 6th Cycle Housing Element was publicly reviewed and discussed.

SECTION 3. In compliance with Government Code Section 65585(e), the City Council considered the findings and recommendations set forth in HCD's letters dated February 4, 2022 and June 9, 2022, respectively, which determined, in part, that the Draft 6th Cycle Housing Element required revision to substantially comply with State Housing Element Law. In accordance with Government Code Section 65585(f)(1), the 6th Cycle Housing Element was revised to incorporate HCD's required changes and comments. The City's compliance with Government Code Section 65585(e) is further substantiated by HCD's September 30, 2022 letter indicating the 6th Cycle Housing Element meets the statutory requirements of State Law.

SECTION 4. The City Council finds that pursuant to Government Code Section 65583.2 (g)(2), based on substantial evidence set forth in Section 4 (Housing Plan), Appendix B (Adequate Sites Analysis), and Appendix D (Economic Memo) of the Housing Element, the existing uses on the sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the Housing Element. This finding is based, in part, upon the following, which sets forth the comprehensive review of all possible opportunities for additional residential development that can accommodate the lower income RHNA during the planning period considered by the City including, but not limited to, review of past performance of residential development at maximum density, past performance of redevelopment of non-vacant sites for residential uses, analysis of existing on-site uses on the identified non-vacant sites, and analysis of market demand, economic conditions, and past residential development trends in the City. In reviewing the possible residential

development opportunities, considerations included of each of the areas and their individual traits support a likelihood for redevelopment, as noted below.

A. Beach and Edinger Corridor Specific Plan Affordable Housing Overlay Sites.

Based upon the parameters set forth in the State Housing Element Law, feedback from stakeholders and the public outreach process, non-vacant sites within the Beach and Edinger Corridor Specific Plan (SP14) were identified to accommodate the City's lower income RHNA allocation. The non-vacant SP14 sites were identified based on review of past performance of residential development at maximum density, past performance of redevelopment of non-vacant sites for residential uses, developer interest in residential redevelopment, analysis of existing on-site uses on the identified non-vacant sites, and analysis of market demand, economic conditions, and past residential development trends in the City. The SP14 planning area has an extensive history of constructing higher density residential development projects that are economically viable to construct on-site affordable housing units. The identified non-vacant sites share similar characteristics with past residential redevelopment projects on non-vacant sites in SP14, including existing development consisting of aging commercial buildings (primarily constructed in the 1960's, '70's and 80's) with the same use types and similar occupancy rates; assemblage of consolidated lots; large areas of surface parking; similar site layouts consisting of one and two story buildings generally within a FAR range of 0.2 to 0.4; and location along a SCAG-designated high quality transit area. The characteristics of the non-vacant properties previously redeveloped within SP14 established a development trend that has extended to the non-vacant sites identified in the sites inventory. Additionally, market demand for the existing on-site uses on the identified non-vacant sites is marginal while market demand for residential development is very strong, as supported by the Economic Memo in Appendix D. Given the similarities between the previously redeveloped non-vacant SP14 past performance sites and the non-vacant sites identified in the adequate sites inventory, the City expects that the development trend will continue into the planning period. Past development trends and the similarities between previously redeveloped non-vacant sites and the identified non-vacant Beach and Edinger Corridor Specific Plan Affordable Housing Overlay sites, market demand, economic forces, and the City's performance in conversion of non-vacant sites to residential development provide substantial evidence that existing uses on the non-vacant sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period,

and therefore do not constitute an impediment to additional residential development during the 2021-2029 planning period.

B. Affordable Housing Overlay Sites.

Based upon the parameters set forth in the State Housing Element Law, feedback from stakeholders and the public outreach process, non-vacant sites with existing Zoning designations of Holly-Seacliff Specific Plan (SP9), Research and Technology (RT), Public-Semipublic (PS), Industrial (I), and Commercial General (CG) were identified to accommodate the City's lower income RHNA allocation by application of an Affordable Housing Overlay. The non-vacant sites were identified based on review of past performance of residential development at maximum density, developer interest in residential redevelopment, past performance of redevelopment of non-vacant sites for residential uses, analysis of existing on-site uses on the identified non-vacant sites, and analysis of market demand, economic conditions, and past residential development trends in the City. The identified non-vacant sites share similar characteristics with past residential redevelopment projects on non-vacant sites improved with commercial, industrial, educational, and oil-related uses. These characteristics include improved with aging buildings, marginally used properties with low FAR, immediate vehicular access to a street, access to utilities, and were occupied with similar uses (commercial, industrial, vehicle storage, oil, and/or educational). As supported by the Economic Memo in Appendix D, several factors such as high land value and market forces contribute to the likelihood that these identified non-vacant sites will be sold, on-site uses will discontinue, and residential development will occur. Past development trends and the similarities between previously redeveloped non-vacant sites and the identified non-vacant Affordable Housing Overlay sites, market demand, economic forces, and the City's performance in conversion of non-vacant sites to residential development provide substantial evidence that existing uses on the non-vacant sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the 2021-2029 planning period.

C. Residential High Density (RH) Overlay Sites.

Based upon the parameters set forth in the State Housing Element Law, feedback from stakeholders and the public outreach process, non-vacant sites within the Holly Seacliff Specific Plan (SP9) were identified to accommodate the City's lower income RHNA allocation by

application of Residential High Density (RH) Overlay. The non-vacant sites were identified based on review of past performance of residential development at maximum density, developer interest in residential redevelopment, past performance of redevelopment of non-vacant sites for residential uses, analysis of existing on-site uses on the identified non-vacant sites, and analysis of market demand, economic conditions, and past residential development trends in the City. The identified non-vacant sites share similar characteristics with past residential redevelopment projects on non-vacant sites such as those improved with industrial businesses, large contiguous lot size, frontage on an arterial street and/or local street, and has access to utilities. Additionally, residential development within the vicinity of the SP9 site has occurred at higher densities, demonstrating that market demand for housing at higher densities is present. As supported by the Economic Memo in Appendix D, several factors such as high land value and market forces contribute to the likelihood that these identified non-vacant sites will be sold, on-site uses will discontinue, and residential development will occur. Past development trends and the similarities between previously redeveloped non-vacant sites and the identified non-vacant RH Overlay sites, market demand, economic forces, and the City's performance in conversion of non-vacant sites to residential development provide substantial evidence that existing uses on the non-vacant sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the 2021-2029 planning period.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2022.

Mayor

REVIEWED AND APPROVED:

City Manager

APPROVED AS TO FORM:

City Attorney *NU*

INITIATED AND APPROVED:

Director of Community Development

Exhibit A – 2021-2029 Housing Element Update

2021-2029

General Plan

Housing Element available on the
website:

[https://](https://www.huntingtonbeachca.gov/files/users/housing-element-update/City-of-Huntington-Beach-Revised-Draft-6th-Cycle-Housing-Element-11-10-22.pdf)

[www.huntingtonbeachca.gov/files/
users/housing-element-update/City-
of-Huntington-Beach-Revised-
Draft-6th-Cycle-Housing-
Element-11-10-22.pdf](https://www.huntingtonbeachca.gov/files/users/housing-element-update/City-of-Huntington-Beach-Revised-Draft-6th-Cycle-Housing-Element-11-10-22.pdf)