

RESOLUTION NO. 2024-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA ADOPTING THE FINAL SIXTH CYCLE HOUSING ELEMENT

WHEREAS, the City of Marina (City) desires to complete the Sixth Cycle Housing Element, and;

WHEREAS, completion of the Sixth Cycle Housing Element will ensure the City's Regional Housing Needs Allocation (RHNA) obligations as identified by the California Department of Housing and Community Development (State HCD) and the Association of Monterey Bay Area Governments (AMBAG) are met by December 2031; and

WHEREAS, on December 5, 2023, the City Council adopted resolution 2023-131 which directed staff to submit the Housing Element to the California Department of Housing and Community Development (State HCD); and

WHEREAS, City Council Resolution 2023-131 also authorized the City Manager to make non substantive edits to the document to get State HCD certification of the document; and

WHEREAS, on February 9, 2024, State HCD provided recommended edits to the City of Marina; and

WHEREAS, on March 19, 2024, the document was resubmitted to State HCD for additional review; and

WHEREAS, on April 11, 2024, State HCD certified the Marina Sixth Cycle Housing Element; and

WHEREAS, for transparency purposes, city staff are bringing the final document back to the City Council for adoption;

WHEREAS, the Housing Element would not result in a direct or reasonably foreseeable indirect physical change in the environment, and it is not subject to CEQA, pursuant to CEQA Guidelines Section 15060(c)(2). Additionally, it can be seen with certainty that there is no possibility that the Housing Element would have a significant effect on the environment and therefore is not subject to CEQA, pursuant to CEQA Guidelines Section 15061(b)(3). As such, the proposed Housing Element meets the criteria for the commonsense exemption; and

WHEREAS, all the requirements of the Public Resources Code, the State CEQA Guidelines, and the regulations and policies of the City have been satisfied or complied with by the City in connection with the Project; and

WHEREAS, the findings and conclusions made by the City Council in this resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed Project, which is incorporated herein by this reference.

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision are located in the Office of City Clerk; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY RESOLVE AS FOLLOWS:

1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.
2. The Sixth Cycle Housing Element is adopted as amended by the California Department of Housing and Community Development (State HCD).

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 7th of May 2024 by the following vote:

AYES, COUNCILMEMBERS: McAdams, McCarthy, Biala, Delgado

NOES, COUNCILMEMBERS: None

ABSENT, COUNCILMEMBERS: Visscher

ABSTAIN, COUNCILMEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

April 19, 2024

Item No. **10f(6)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
May 7, 2024

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2024-,
APPROVING THE FINAL SIXTH CYCLE HOUSING ELEMENT AS
AMENDED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT AND FIND THAT THE PROJECT IS
EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) OF THE
CEQA GUIDELINES**

RECOMMENDATION:

Recommend that the City Council:

1. Adopt Resolution No. 2024-, adopting the Final Sixth Cycle Housing Element as amended by the California Department of Housing and Community Development (State HCD) and find the project exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines

PROJECT ANALYSIS

On December 5, 2023 the City Council adopted resolution 2023-131 which directed staff to submit the Housing Element to the California Department of Housing and Community Development (State HCD). The City Council also delegated to the City Manager or his designee, the authority to make non substantive edits requested by the state to the Housing Element to get the document certified by HCD. Following a sixty-day review period, HCD provided non substantive edits to the document and City staff resubmitted the Housing Element on March 19, 2024 back to the state. After a series of meetings and clarifying conversations with the state, HCD certified the Marina Housing Element on April 11, 2024. For transparency purposes, City staff are recommending that the City Council adopt a resolution formally approving the Housing Element with the edits made since December, identified as Exhibit C to the attached resolution.

GENERAL PLAN ANALYSIS

The proposed project is consistent with the City of Marina General Plan as detailed in Exhibit A (Findings of Fact).

EX PARTE COMMUNICATION DISCLOSURES

The review of the draft Housing Element is a legislative act of the City Council and therefore the ex parte disclosures do not apply.

ENVIRONMENTAL DETERMINATION

The Housing Element would not facilitate specific development projects nor require zoning or land use changes as part of its adoption or implementation, which could result in physical changes to the environment. The City of Marina currently has enough available sites and appropriate zoning to accommodate the RHNA without zoning or land use changes.

Therefore, it would not facilitate increased development beyond what is allowed in the existing General Plan. The Housing Element would not result in a direct or reasonably foreseeable indirect physical change in the environment, and it is not subject to CEQA, pursuant to CEQA Guidelines Section 15060(c)(2). Additionally, it can be seen with certainty that there is no possibility that the Housing Element would have a significant effect on the environment and therefore is not subject

to CEQA, pursuant to CEQA Guidelines Section 15061(b)(3). As such, the proposed Housing Element meets the criteria for the commonsense exemption as identified above. Therefore, a Notice of Exemption will be prepared for the Final Housing Element.

FISCAL IMPACT:

Now that the City of Marina has a certified Housing Element, the Public Works Department can now file for Active Transportation Program (ATP) funds which can be used to improve sidewalks, roadways and to provide more bicycle and pedestrian opportunities for residents. Additionally, certification also means the City can formally apply for the Pro Housing Designation, making it eligible for additional housing and infrastructure grants.

CONCLUSION

In conclusion, city staff are recommending the City Council adopt the Housing Element as amended by the State, and find the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Respectfully submitted,

Guido F. Persicone
Community Development Director, AICP
City of Marina

REVIWED/CONCUR:

Layne Long
City Manager
City of Marina