

**RESOLUTION NO. 10-2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA ADOPTING AN INITIAL STUDY/NEGATIVE DECLARATION TO COMPLY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND AN UPDATE TO THE HOUSING ELEMENT OF THE GENERAL PLAN FOR THE 6<sup>TH</sup> CYCLE REGIONAL HOUSING NEEDS ALLOCATION COVERING THE PERIOD 2023-2031 AS PROVIDED IN STATE LAW.**

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**WHEREAS**, State Housing Element Law (Government Code Sections 655580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Pacifica's (City) regional housing need allocation (RHNA) of 1,892 units, comprised of 538 very-low income units (of which 269 units are designate for extremely-low income), 310 low-income units, 291 moderate-income units, and 753 above moderate-income units; and

**WHEREAS**, the City has prepared a Housing Element Update (HEU) for the period 2023-2031 in compliance with State Housing Element Law, with input from the public, and has identified sites that can accommodate housing units meeting the City's RHNA; and

**WHEREAS**, the City released the first public review draft of the Housing Element Update for the period 2023-0231 for public review on February 24, 2023 and held a Joint Study Session with the City Council/Planning Commission on March 21, 2023; and

**WHEREAS**, the City submitted the first draft to the State of California Department of Housing and Community Development ("HCD") on May 10, 2023 and received comments from HCD on August 8, 2023; and

**WHEREAS**, the City held a Joint Study Session with City Council/Planning Commission on September 25, 2023 and October 16, 2023 to review HCD's comments on the first draft of the Housing Element; and

**WHEREAS**, the City released a second public review draft of the Housing Element for public review on December 8, 2023; and

**WHEREAS**, in order to allow for flexibility in future housing development, to create additional opportunities to address the housing crisis, and to increase opportunities for affordable housing to be constructed at the benefit of lower-income households, the Housing Element update sets a target of 36 percent over the required RHNA, or approximately 2,574 total housing units, comprised of 1,271 very-low and low-income units, 437 moderate-income units, and 866 above-moderate income units; and

**WHEREAS**, City of Pacifica is the Lead Agency for preparing the environmental review for the Project pursuant to the California Environmental Quality Act (CEQA); and

**WHEREAS**, the City of Pacifica Planning Division issued a Notice of Intent to adopt a Negative Declaration on November 16, 2023, for the Housing Element Update for the period of 2023-2031, which was distributed in compliance with CEQA Guidelines Section 15072; and

**WHEREAS**, on November 16, 2023, the City of Pacifica distributed copies of the Negative Declaration to public agencies which have jurisdiction by law with respect to the Housing Element Update and to publicly accessible repositories including the Sharp Park and Sanchez branches of the Pacifica Library and invited comments on the Negative Declaration in compliance with CEQA Guidelines Sections 15082; and

**WHEREAS**, the 30-day minimum public review and comment period for the Negative Declaration was from November 16, 2023 through December 18, 2023; and

**WHEREAS**, written comments on the Negative Declaration were collected and considered; and

**WHEREAS**, the Planning Commission of the City of Pacifica held a duly noticed public hearing to consider a recommendation on the Negative Declaration and the Housing Element Update (HEU) at a special meeting on January 4, 2024, at which time it adopted Resolution No. 2024-001 recommending City Council adoption of an Initial Study/Negative Declaration (IS/ND) and adoption of the 2023-2031 Housing Element Update; and

**WHEREAS**, the City Council of the City of Pacifica did hold a duly noticed public hearing to consider the Negative Declaration and the HEU at a regular meeting on January 22, 2024, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Pacifica does hereby find as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings and adopting this resolution, the City Council relied upon and hereby incorporates by reference all correspondence, oral and written comments, staff reports, and other related materials in connection with this agenda item.

**BE IT FURTHER RESOLVED**, that, with respect to the Negative Declaration, the City Council of the City of Pacifica hereby:

1. Finds that (a) it has independently reviewed, analyzed, and considered the Negative Declaration and all written documentation and public comments prior to approval of the Housing Element Update, (b) the Negative Declaration has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA, (c) the revisions to the Housing Element since the time of original circulation of the Negative Declaration do not require amendment or recirculation of the Negative Declaration pursuant to CEQA Guidelines Section 15073.5, since the revisions do not alter any of the findings or conclusions of the Negative Declaration, (d) the Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project, and (e) that on the basis of the whole record there is no substantial evidence in the record that the Housing Element will have a significant effect on the environment.
2. Adopts the Negative Declaration, which is attached to the staff report, in accordance with the California Environmental Quality Act.

3. Declares that the custodian of the documents and other materials which constitute the record of proceedings upon which this decision is based is the Planning Department of the City of Pacifica, 540 Crespi Drive, Pacifica, CA 94044.

**BE IT FURTHER RESOLVED**, that the City Council of the City of Pacifica does hereby:

1. Find that the public health, safety, and general welfare are best served by adoption of the Housing Element.
2. 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, as set forth in Exhibit “A” to this Resolution, which is incorporated herein by this reference and which identifies where each applicable requirement of the Government Code is addressed in the document.
3. Finds that the Housing Element substantially complies with all requirements of State Housing Element Law as interpreted by HCD. As required by Government Code Section 65585(e), the City Council has considered the findings made by HCD included in its letter dated August 8, 2023, as required by Government Code Section 65585(f). The City has revised the Housing Element to address each of the findings in the HCD letter. The revisions, and the manner in which the Housing Element addresses HCD comments, have been listed in Exhibit “B” to this Resolution, which is incorporated herein by reference.
4. Adopts the Housing Element Update for the period of 2023-2031, in substantially similar form to that included as Exhibit “C” to this Resolution. The City Council further authorizes staff to make revisions to the Housing Element Update that are requested by HCD to achieve certification and that are consistent with Council action and direction.

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**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Pacifica, California, held on the 22<sup>nd</sup> day of January 2024.

AYES, Council Members: Beckmeyer, Bier, Bigstych, Boles, Vaterlaus

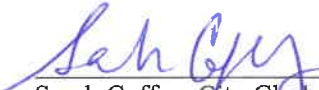
NOES, Council Members: n/a

ABSENT, Council Members: n/a

ABSTAIN, Council Members: n/a

  
Sue Vaterlaus, Mayor

ATTEST:

  
Sarah Coffey, City Clerk

APPROVED AS TO FORM:

  
Michelle Marchetta Kenyon, City Attorney