

RESOLUTION NO. 22- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA APPROVING REVISIONS TO THE CITY'S ADOPTED 6TH CYCLE, 2021-2029 HOUSING ELEMENT AS REQUIRED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR COMPLIANCE WITH STATE HOUSING ELEMENT LAW

WHEREAS, on December 15, 2021, the City Council approved the City's 6th Cycle (2021-2029) Housing Element Update Project consisting of updates to multiple elements of the City of Menifee's General Plan (GP) including the Housing Element, the Land Use Element, and Safety Element along with the addition of new Environmental Justice (EJ) policies and programs; and

WHEREAS, the approval of the Housing Element Update Project included City Council adoption of Resolution No. 21-1111 approving General Plan Amendment (PLN21-0022); and

WHEREAS, the Housing Element portion of the Housing Element Update Project included updates to the Menifee GP Housing Element in accordance with California Government Code (CGC) §§65580–65589.8 which requires the revision of housing elements every eight years; and

WHEREAS, the Housing Element includes revised goals and policies and new, modified, and continuing implementation programs that result in maintenance and expansion of the housing supply to adequately accommodate households currently living and expected to live in the City. Per CGC §65584(d), the Housing Element also addresses existing and projected housing needs through the accommodation of the City's Regional Housing Needs Assessment (RHNA) allocation; and

WHEREAS, the Housing Element requires review and approval by the California Department of Housing and Community Development (HCD); and

WHEREAS, the City submitted its draft Housing Element update to HCD for their review for compliance with State Housing Element law and received written review comments from HCD on the Housing Element from June 22, 2021, through September 9, 2022, as follows:

- June 22, 2021 – The City submitted its draft Housing Element to HCD for a first review;
- August 20, 2021 – HCD completed its first review of the Housing Element and provided written comments to the City;
- September 16, 2021 – The City submitted its revised draft Housing Element to HCD for a second review;
- November 15, 2021 – HCD completed its second review of the Housing Element and provided written comments to the City;
- December 14, 2021 – The City submitted its revised Housing Element to HCD for a third review;
- December 15, 2021 – City Council adoption of Housing Element;
- February 11, 2022 – HCD completed its third review of the Housing Element and provided written comments to the City;
- July 11, 2022 – The City submitted its revised Housing Element to HCD for a fourth review; and

- September 9, 2022 – HCD completed its fourth review of the Housing Element and provided a written determination letter to the City, finding the City’s revised draft Housing Element satisfactorily addressed all HCD’s February 11, 2022, review comments and to be conditionally compliant with State law; and

WHEREAS, at the time of Council’s adoption of the Housing Element on December 15, 2021, the City’s draft Housing Element update had been reviewed twice by HCD and the City had submitted the Housing Element to HCD for a third review on December 14, 2021; and

WHEREAS, the City Council’s adoption of the Housing Element prior to HCD’s final review and approval of the Housing Element was necessary to meet required deadlines established by the State; and

WHEREAS, once HCD determines the Housing Element fulfills the state requirements, and upon adoption of the Housing Element update by the City Council, the final adopted Housing Element will be submitted to HCD for their final certification; and

WHEREAS, on November 4, 2022, the proposed revisions to the City’s previously adopted 6th Cycle (2021-2029) Housing Element were publicly noticed for a public hearing before the City Council, including notice within a newspaper of general circulation, *The Press Enterprise*, to all relevant public agencies and anyone requesting public notice; and

WHEREAS, on November 4, 2022, the proposed revisions to the City’s previously adopted 6th Cycle (2021-2029) Housing Element, with changes shown in redline text, were made available for public review on the City website; and

WHEREAS, on November 16, 2022, the City of Menifee’s City Council, held a duly noticed public hearing to consider re-adoption and approval of revisions to the City’s 6th Cycle (2021-2029) Housing Element, opened the hearing to receive public testimony; and reviewed all materials in the Staff Report and accompanying documents; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menifee makes the following Findings:

Section 1: The recitals above are true and correct and are incorporated in full herein.

Section 2: *Consistency with the General Plan. The proposed amendments are consistent with the intent of the vision, goals, and policies of the General Plan as a whole.*

The proposal is re-adoption of the City of Menifee’s previously adopted 6th Cycle, 2021 – 2029 Housing Element with revisions required by HCD (“Project,” attached and incorporated in full to this Resolution as Exhibit A). The revisions to the Housing Element were made after the December 15, 2021, adoption of the Housing Element and are minor technical and clarifying revisions to address HCD comments and comply with State law. These revisions do not change any previously adopted Goal or Policy of the adopted Housing Element. The previously adopted Resolution No. 21-1111 approving General Plan Amendment PLN21-0022 for the Housing Element found the General Plan amendment to be consistent with the intent of the vision, goals, and policies of the General Plan as a whole, because they include goal and policy updates and land use amendments intended to comply with State law pertaining to general plans. Per State law, the primary purpose of the Housing Element update is to: 1) evaluate and revise, as

appropriate, the City's housing goals and policies to ensure consistency with and to help attain state housing goals; 2) evaluate the effectiveness of the Housing Element update over the prior planning period (2014-2021); and 3) evaluate the progress of the City in implementation of the Housing Element update.

Section 3: *Reasonable controls and standards. The amendment prescribes reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses.*

The revisions in the Project do not change any previously adopted Goal or Policy of the adopted Housing Element. The previously adopted Resolution No. 21-1111 approving General Plan Amendment PLN21-0022 for the Housing Element found that the General Plan amendment prescribes reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses, because, specific to the proposed land use changes, all sites proposed for General Plan land use amendments are generally infill sites that currently have EDC land use designations that allow for various commercial and mixed uses of similar intensity of urban development as the proposed land uses. Future development under the proposed land uses will be required to meet City zoning and design standards which further ensure compatibility with other established uses.

Section 4: *Health, Safety, and Welfare. The amendment provides for the protection of the general health, safety and/or welfare of the community.*

The revisions in the Project do not change any previously adopted Goal or Policy of the adopted Housing Element. The previously adopted Resolution No. 21-1111 approving General Plan Amendment PLN21-0022 for the Housing Element found that the amendment provided for the protection of the general health, safety and/or welfare of the community, in that the General Plan goal and policy updates including proposed land use amendments will accommodate the City's housing need as identified in the proposed 6th Cycle Housing Element update. In particular, the proposed higher density land use is intended to provide more affordable housing options in the City with future multi-family residential development to address the shortage of housing, particularly affordable housing within the state and meet state requirements. Further, future development under the proposed land use amendments will be required to meet City zoning, building, engineering, and fire standards to ensure the protection of the general health, safety, and welfare of the community.

Section 5: *Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.*

On December 15, 2021, the City Council adopted Resolution No. 21-1110 adopting the Final Programmatic Environmental Impact Report ("FPEIR") for the Housing Element Update Project (State Clearinghouse No. 2022010031). Based on data and analysis and findings of the FPEIR, the Project would not directly result in significant adverse environmental impacts. All potential impacts were determined to be less than significant without mitigation or can be reduced to a less than significant level with implementation of the mitigation measures identified in the FPEIR. Additionally, no cumulative significant impacts were identified in the FPEIR based on findings that the Project's contributions to such impacts are considered not to be cumulatively considerable. The proposed minor technical and clarifying revisions required by HCD in the Project for compliance with State Housing Element law do not result in any significant new impacts that were not previously addressed in the Certified FPEIR for the Housing Element Update Project (State Clearinghouse No. 2022010031).

Section 6. That the City Council determine that the “Findings” set out above are true and correct.

Section 7. That the City Council finds the facts presented within the public record and within this City Council Resolution provide the basis to approve revisions to the City of Menifee’s 6th Cycle, 2021 – 2029 Housing Element (previously adopted with General Plan Amendment No. PLN21-0022), to include minor technical and clarifying revisions as required by the State HCD for compliance with State Housing Element law.

Section 8. That the City Council of the City of Menifee hereby approves revisions to the City’s adopted 6th Cycle, 2021-2029 Housing Element as required by the HCD for compliance with State Housing Element law.

Section 9. That this Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED AND ADOPTED this 16TH day of November, 2022

Bill Zimmerman, Mayor

Approved as to form:

Jeffrey T. Melching, City Attorney

Attest:

Kay Vinson, Acting City Clerk

EXHIBIT A

[INSERT HOUSING ELEMENT UPDATE]