



CITY OF MENIFEE

SUBJECT: Re-adoption of the City of Meniffee's 6th Cycle, 2021 – 2029 Housing Element Update as Required for State Compliance

MEETING DATE: November 16, 2022

TO: Mayor and City Council

PREPARED BY: Doug Darnell, Principal Planner

REVIEWED BY: Cheryl Kitzerow, Community Development Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Adopt a Resolution approving technical and clarifying revisions to the City of Meniffee's adopted 6th Cycle, 2021-2029 Housing Element Update as required by the Department of Housing and Community Development (HCD) for compliance with State Housing Element Law.

DISCUSSION

Background

On December 15, 2021, the City Council approved General Plan Amendment PLN21-0022 for the City's 6th Cycle (2021-2029) Housing Element Update Project consisting of updates to multiple elements of the City of Meniffee's General Plan. This included updating the Housing, Land Use and Safety Elements, and the addition of Environmental Justice (EJ) policies and programs to these elements.

The Housing Element includes goals and policies, and implementation programs that result in maintenance and expansion of the housing supply to adequately accommodate households currently living and expected to live within the City's boundaries. The Housing Element also addresses existing and projected housing needs through the accommodation of the City's Regional Housing Needs Allocation (RHNA).

HCD Review

The Housing Element is the only element of a general plan that requires approval by the State and must be submitted to the HCD for review. Based on their review, HCD is required to make findings on the City's draft Housing Element's compliance with state law. The State allows for adoption of a housing element prior to HCD's final review and approval of the housing element

as necessary to meet required deadlines for adoption established by the state. The state's deadline for adoption of the 6th cycle housing element updates for jurisdictions in the Southern California Council of Governments (SCAG) region, was October 15, 2021, and allowed an additional 120-day grace period to a mid-February 2022 deadline for jurisdictions that had a compliant 5th Cycle Housing Element.

At the time of Council's adoption of the Housing Element in December 2021, the City's draft Housing Element update had been reviewed twice by HCD, and in which the City had submitted the Housing Element to HCD for a third review on December 14, 2021, in anticipation that HCD would potentially determine the Housing Element to comply with state law and not require further revisions. However, for the City's third review, HCD commented on remaining items that still did not fully comply with state requirements. Therefore, additional minor technical and clarifying revisions have been made to the previously adopted Housing Element to address HCD's comments. Once HCD determines the Housing Element fulfills the state requirements, and upon re-adoption of the Housing Element by the City Council, the final adopted Housing Element will be submitted to HCD for their final certification.

The following provides a timeline of Housing Element submission dates to HCD and date of HCD comment letters to the City:

- June 22, 2021 - Submission of the draft Housing Element to HCD for a first review;
- August 20, 2021 - HCD completed first review and provided written comments to the City;
- September 16, 2021 – Submission of revised Housing Element to HCD for its second review;
- November 15, 2021 - HCD completed its second review of the Housing Element and provided written comments to the City;
- December 14, 2021 - Submission of revised Housing Element to HCD third review;
- **December 15, 2021 - City Council adoption of 6th Cycle Housing Element;**
- February 11, 2022 – HCD provided its third review and provided written comments to the City;
- July 11, 2022 – Submission of 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.

Revisions

The technical and clarifying revisions were made to Housing Element Sections 3 and 4, and Appendix B of the Housing Element. The revisions involved modification and addition to existing programs for clarification but did not change any of the previously adopted Housing Element's goals and policies. The changes are shown in redline, underline/strike-out text in the revised Housing Element weblink attached to this Staff Report. The final revised Housing Element without redlines is attached as Exhibit A of the attached Resolution. The changes address HCD's comments related to the following:

- *Affirmatively furthering fair housing and assessment of fair housing in the City*

- *Additional clarification and justification for the City's site inventory related to:*
 - *Realistic capacity of housing sites to accommodate the City's housing needs.*
 - *Suitability of non-vacant sites and their demonstrated potential for redevelopment.*
 - *Justifying the zoning utilized to accommodate the "lower income households" portion of the City's housing needs (i.e., maximum 24 dwelling unit per-acre density of the City's High Density Residential (HDR) Zone).*
 - *Large Sites - revised Program Action 29 to further provide commitment actions that will facilitate the development of affordable housing on identified large sites.*
- *Revised Program Action 24 related to housing for people with disabilities to clarify the City's commitment to amending the City's development Code to address potential constraints to housing for persons with disabilities.*
- *Analysis of the constraints for impacts on housing supply and choices and approval certainty and objectivity for housing for persons with disabilities and modify Program Action 24 as appropriate.*
- *Program Action 32 (Affirmatively Furthering Fair Housing (AFFH)) and Program Action 33 (Fair Housing Program): Revisions to include measurable and specific action metrics and milestones to target meaningful outcomes and address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.*

In conclusion, the revised draft Housing Element reflects the revisions necessary to comply with state law as required by HCD. Upon re-adoption of the Housing Element by the City Council, staff will submit the adopted Resolution and final adopted Housing Element to HCD for their final review and certification for full compliance with State Housing Element Law.

Environmental Determination

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) ("Project"). 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 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).

Findings

Findings for approval of revisions to the previously adopted General Plan Amendment are included in the draft Resolution attached to this Report.

Public Notice

The proposed Housing Element revisions were noticed on November 4, 2022, for the November 16, 2022, City Council hearing. The public notices were published within *The Press Enterprise*. Notices were also provided to anyone requesting a notice. All relevant public agencies were also notified of the public hearing.

STRATEGIC PLAN OBJECTIVE

Livable and Economically Prosperous Community

FISCAL IMPACT

There is no additional fiscal impact.

ATTACHMENTS

1. Resolution
2. Exhibit A of Resolution – Revised City of Menifee 6th Cycle, 2021-2029 Housing Element
3. Weblink to Redline of Revised Housing Element
4. HCD's February 11, 2022, 3rd Review Comment Letter
5. HCD's September 9, 2022, 4th Review Conditional Compliance Letter