



Monterey County

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Board Order

Resolution No.: 16-011

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution No. 16-011 to:

- a. Adopt the Negative Declaration for the County of Monterey 2015-2023 Housing Element;
- b. Amend the County's General Plan (the 2010 Monterey County General Plan for the non-coastal area and the 1982 General Plan for the coastal zone) to replace the 2009-2014 Housing Element with the County of Monterey 2015-2023 Housing Element; and
- c. Direct staff to submit the County of Monterey 2015-2023 Housing Element to the State Department of Housing and Community Development for certification.

PASSED AND ADOPTED on this 26th day of January 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on January 26, 2016.

Dated: May 12, 2016
File ID: 16-075 Corrected

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By  Deputy

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No.:16-011

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2. Amend the County's General Plan (the 2010 Monterey County General Plan for the non-coastal area and the 1982 General Plan for the coastal zone) to replace the 2009-2014 Housing Element with the County of Monterey 2015-2023 Housing Element; and
3. Direct staff to submit the County of Monterey 2015-2023 Housing Element to the State Department of Housing and Community Development for certification. [REF140087, 2015-2023 Housing Element, County-wide].....

WHEREAS, the Housing Element is one of seven required elements of the County's General Plan. The County's current certified Housing Element, adopted on June 15, 2010, covers the planning period from 2009 to 2014 and applies throughout the unincorporated County;

WHEREAS, Senate Bill 375, enacted in 2008, established an eight-year cycle for future housing element updates if the current document has been certified by the California Department of Housing and Community Development (HCD) as substantially complying with State law (California Government Code 65588 (e)). This update of the Housing Element will be an eight-year plan, covering the planning period of December 31, 2015 through December 31, 2023;

WHEREAS, State law identifies the subjects that must be addressed in the Housing Element. (Article 10.6 of California Government Code (Sections 65580 et seq.)) State law specifies that the Housing Element must assess housing needs and evaluate the current housing market in the County, and then identify programs that will meet housing needs. Included in this evaluation is the community's "Regional Housing Needs Allocation" (RHNA), which provides an estimate of the number of housing units that should be provided in the community to meet its share of new households in the region. As the regional planning agency, the Association of Monterey Bay Area Governments (AMBAG), is responsible for allocating RHNA to jurisdictions within the region. For the 2015-2023 Housing Element update, AMBAG has assigned a RHNA of 1,551 units for the unincorporated area of the County for the 2014-2023 planning period. The Housing Element addresses how the County is accommodating the RHNA;

WHEREAS, the 2015-2023 Housing Element applies countywide, in both the coastal and non-coastal unincorporated areas of the County. The 2010 Monterey County General Plan applies only in the non-coastal area and the certified Local Coastal Program together with the 1982 General Plan apply in the coastal zone. Because the Housing Element is a statutorily required general plan element and applies countywide, the adoption of the Housing Element is

functionally an amendment of both the 2010 General Plan for the non-coastal area and an amendment of the 1982 General Plan for the coastal zone;

WHEREAS, the 2015-2023 Housing Element has been determined to be consistent with the 1982 and the 2010 General Plans;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the County prepared and circulated an Initial Study that resulted in a Negative Declaration. The Initial Study and proposed Negative Declaration were circulated for public review from October 7, 2015 to November 5, 2015. The Initial Study/Negative Declaration concluded that the Housing Element would not result in a significant impact to the environment because the Housing Element does not change zoning or otherwise facilitate new development; rather it identifies sites that can accommodate the RHNA within existing zoning. Two comments were received during the public review process that do not change the significance conclusion. The Board of Supervisors has considered the Initial Study and proposed Negative Declaration together with comments received during the public review process;

WHEREAS, the Board of Supervisors finds, on the basis of the whole record before it, that there is no substantial evidence that the Housing Element will have a significant effect on the environment and finds that the Negative Declaration reflects the County's independent judgment and analysis. The custodian of the documents and materials which constitute the record of proceedings upon which the Board's decision is based is the County Resource Management Agency-Planning, located at 168 West Alisal Street, 2nd Floor, Salinas, California;

WHEREAS, on November 19, 2014 and July 8, 2015, the Housing Advisory Committee (HAC) conducted meetings relative to the Housing Element update. On November 19, 2014, staff solicited input from the HAC on the preparation of the update. On July 8, 2015, the HAC reviewed a draft of the Housing Element and provided additional comments. Related comments were incorporated into the discussions on homeless issues in the Housing Element. On this latter date, the HAC approved a recommendation to transmit the draft Housing Element to the Planning Commission for consideration and submittal to the State Department of Housing and Community Development (HCD) for an initial review;

WHEREAS, on July 29, 2015, the Monterey County Planning Commission conducted a public workshop to review and solicit comments on the draft Housing Element. At the workshop, staff received comments from the Commission which were incorporated into the draft Housing Element, and the Planning Commission recommended that the draft Housing Element be submitted to HCD for initial review;

WHEREAS, State law requires that draft and adopted housing elements be submitted to the State HCD for review in compliance with State law. In September 2015, the County submitted a draft of the 2015-2023 Housing Element to HCD for review. HCD responded with comments on November 3, 2015. Based on the discussions with HCD, the County made further revisions to the draft Housing Element;

WHEREAS, the draft 2015-2023 Housing Element was referred to the Airport Land Use Commission. On October 26, 2015, the ALUC found the Housing Element consistent with the Comprehensive Land Use Plans for the County's airports (Monterey County Airport Land Use Commission Resolution No. 15-003);

WHEREAS, a public hearing before the Monterey County Planning Commission on the proposed 2015-2023 Housing Element was duly noticed for November 18, 2015 in at least a 1/8 page display ad in the *Monterey County Weekly* at least ten days prior to the hearing;

WHEREAS, on November 18, 2015, the Monterey County Planning Commission held a public hearing on the 2015-2023 Housing Element and recommended that the Board of Supervisors: 1) Adopt the Negative Declaration for the County of Monterey 2015-2023 Housing Element; 2) Amend the County's 1982 and 2010 General Plan; 3) Adopt the County of Monterey 2015-2023 Housing Element with the following recommended revisions to be shown in redline format when the draft Housing Element is presented to the Board of Supervisors:

- a. Revise *Goal H-1* to broaden the language of the goal to encompass preservation of all types of affordable housing (i.e., ownership and rental; not just "at risk" developments);
- b. Add an additional implementation measure under Goal H-1 for preservation of affordable housing (*H-1.d Preservation of Affordable Housing*). H-1.d should describe the issues with retention of affordable housing (e.g., loss of affordable housing due to factors such as market conditions, including short-term rentals whether legally permitted or not) and provide, as an action plan, for the County to initiate discussions in 2016 to study options for the retention of affordable housing; and 4) Direct staff to submit the County of Monterey 2015-2023 Housing Element with related documents to the State Department of Housing and Community Development for certification;

WHEREAS, the 2015-2013 Housing Element presented to the Board of Supervisors includes the revisions recommended by the Monterey County Planning Commission, and the changes are shown in redline in the staff report to the Board of Supervisors;

WHEREAS, a public hearing on the proposed 2015-2023 Housing Element was duly noticed for January 26, 2016 for the Monterey County Board of Supervisors in at least 1/8 page display ad in the *Monterey County Weekly* at least ten days prior to the hearing; and

WHEREAS, the Board of Supervisors conducted a public hearing on January 26, 2016 on the proposed Negative Declaration and Housing Element 2015-2023 before rendering this decision.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

1. Find that the foregoing recitals and findings are true and correct;
2. Adopt the Negative Declaration for the County of Monterey 2015-2023 Housing Element;
3. Amend the County's General Plan (the 2010 Monterey County General Plan for the non-coastal area and the 1982 General Plan for the coastal zone) to replace the 2009-2014 Housing Element with the County of Monterey 2015-2023 Housing Element;
and
4. Direct staff to submit the County of Monterey 2015-2023 Housing Element to the State Department of Housing and Community Development for certification.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Armenta carried this 26h day of January 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on January 26, 2016.

Dated: January 29, 2016
File Number: 16-075

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By  _____
Deputy