

RESOLUTION NO. 2022-5781

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF YORBA LINDA APPROVAL OF AN UPDATE TO THE HOUSING ELEMENT FOR 2021-2029

WHEREAS, the original General Plan of the City of Yorba Linda was adopted in 1971, under City Council Resolution No. 328; and,

WHEREAS, the City of Yorba Linda General Plan was updated and approved under City Council Resolution No. 93-2815 on June 1, 1993; and,

WHEREAS, the City of Yorba Linda General Plan was updated and approved under City Council Resolution No. 2015-5412 on October 28, 2016; and

WHEREAS, Government Code Section 65580 et seq. (Housing Element Law) requires that every city prepare and periodically update the housing element of the general plan; every city is mandated to include statutory requirements in the housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development (HCD) for review and comment as to whether the city's draft 2021-2029 Housing Element substantially complies with Housing Element Law; and

WHEREAS, the City's Housing Element will cover the 2021-2029 planning period and plan for the provision of housing accessible to all income categories; and

WHEREAS, the City's draft 2021-2029 Housing Element was structured to adhere to the Housing Element Building Blocks created by HCD to assist jurisdictions in preparing the document; and

WHEREAS, the Housing Element is a policy document intended to facilitate decision making relative to the physical development of the City and to reflect the existing conditions, requirements, and constraints of the City, specifically as it relates to housing; and,

WHEREAS, public workshops were held on the following dates in order to receive to receive input from community stakeholders and residents relative to the Housing Element update:

- October 20, 2020
- February 24, 2021
- March 24, 2021
- April 22, 2021
- April 28, 2021
- June 2, 2021
- June 9, 2021
- July 14, 2021 July 28, 2021
- August 3, 2021
- October 27, 2021

WHEREAS, on August 27, 2021, the City submitted its draft Housing Element to HCD for its 60-day review and received comments back from HCD on October 26, 2021; and

WHEREAS, on December 8, 2021, the City resubmitted its Housing Element to HCD after addressing all of the comments provided by HCD in its October 26, 2021 letter; and

WHEREAS, the General Plan would not approve any development project or any other physical change to the environment; therefore, it is covered by the “common sense” exemption (CEQA Guidelines Section 15061(b)(3)) which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Subsequent to the adoption of the Housing Element, amendments to the Zoning Ordinance and Zoning Map will be necessary in order to implement Housing Element programs, and appropriate CEQA analysis and compliance with Measure B (“The Yorba Linda Right-to-Vote Initiative”) will be prepared in connection with those amendments; and,

WHEREAS, this General Plan Update requires a public hearing before the Planning Commission, and public notice has been provided in accordance with State law; and,

WHEREAS, on January 12, 2022, the Planning Commission held a public hearing concerning the General Plan Amendment and unanimously recommended that the City Council adopt the Housing Element update; and,

WHEREAS, on February 1, 2022, the City Council held a public hearing concerning the General Plan Amendment; and,

WHEREAS, after consideration of the staff report and all information, testimony, and evidence presented at the public hearing, the City Council finds and determines as follows:

SECTION 1. The General Plan would not approve any development project or any other physical change to the environment; therefore, it is covered by the “common sense” exemption (CEQA Guidelines Section 15061(b)(3)) which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Subsequent to the adoption of the Housing Element, amendments to the Zoning Ordinance and Zoning Map will be necessary in order to implement Housing Element programs, and appropriate CEQA analysis and compliance with Measure B (“The Yorba Linda Right-to-Vote Initiative”) will be prepared in connection with those amendments.

SECTION 2. The findings in support of the update of the General Plan are as follows:

- A) The proposed General Plan Amendment is consistent with other elements of the City’s General Plan pursuant to Government Code Section 65300.5. The 2021-2029 Housing Element is a general plan amendment required by Housing Element Law. Furthermore, the proposed General Plan Amendment is consistent with the other elements of the City of Irvine General Plan.

- B) The proposed General Plan Amendment responds to changes in state and/or federal law pursuant to Government Code Section 65300.9. The 2021-2029 Housing Element has been initiated in response to state law and the requirements of Housing Element Law.
- C) The proposed general plan amendment has been referred to the County of Orange and any adjacent cities abutting or affected by the proposed action and any other federal agency whose operations or lands may be affected by the proposed decision pursuant to Government Code Section 65352. Notification of a public hearing for the proposed General Plan Amendment was sent to the County of Orange and several adjacent cities that may be affected by the proposed action.
- D) The proposed General Plan Amendment will not be detrimental to the public health, safety, and welfare of the community. The 2021-2029 Housing Element will not result in any surrounding uses or activities that would impact the public health, safety, or welfare of the community. The General Plan Amendment implementing the Housing Element will ensure the provision of housing accessible to all income categories and will ensure consistency with applicable provisions of the Zoning Code.

SECTION 3. The City Council approves the 2021-2029 Housing Element in its amended form as contained in Exhibit A that has addressed and incorporated the findings from HCD, as presented to the Planning Commission on the date of this Resolution and on file with the Community Development Department.

SECTION 4. The City Council hereby finds that Yorba Linda Municipal Code Chapter 18.01 (the Yorba Linda Right-to-Vote Amendment also known as Measure B) is inapplicable to this General Plan Update; however, subsequent to the adoption of the Housing Element, amendments to the Zoning Ordinance and Zoning Map will be necessary in order to implement Housing Element programs, and compliance with Measure B (“The Yorba Linda Right-to-Vote Initiative”) will be prepared in connection with those amendments.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Yorba Linda on the 1st day of February, 2022.

CARLOS RODRIGUEZ, MAYOR
CITY OF YORBA LINDA

ATTEST:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

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APPROVED AS TO FORM:
RUTAN & TUCKER, LLP

CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF YORBA LINDA)

I, MARCIA BROWN, City Clerk of the City of Yorba Linda, **HEREBY DO CERTIFY** that the foregoing Resolution was duly adopted at a regular meeting of the City Council of the City of Yorba Linda, held on the 1st day of February, 2022.

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA