

RESOLUTION NO. 42 - 2014

**A RESOLUTION APPROVING AN
INITIAL STUDY/NEGATIVE DECLARATION AND THE FINAL DRAFT 2015-2023
HOUSING ELEMENT UPDATE OF THE CLAYTON GENERAL PLAN
IN COMPLIANCE WITH REQUIREMENTS OF APPLICABLE STATE LAW
(ENV-02-14 & GPA-02-13)**

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, California Government Code Article 10.6 commencing with section 65583, requires that every jurisdiction in California must adopt a General Plan, and every General Plan must contain a Housing Element. California law lists specific timetables in regard to the schedule for updating the Housing Elements. In previous Housing Elements cycles, the updates were required to occur every five (5) years to address and respond to Regional Housing Needs Allocations (RHNA), site inventory, housing constraints, and any new provisions in State Law. For this current Housing Element update cycle, the State did change the update cycle period to allow up to eight (8) years, from January 31, 2015 to January 31, 2023, provided the document is reviewed and certified by the California Department of Housing and Community Development (HCD); and

WHEREAS, the City of Clayton's share of regional housing need is established by the Association of Bay Area Governments (ABAG) and this period's related "Regional Housing Needs Allocation" (RHNA) was adopted by ABAG in 2013 which determined that Clayton's fair share of the RHNA for the period between 2014 and 2022 is a total of 141 units in the following income categories: 25 extremely-low income, 26 units very low income, 25 low-income, 31 moderate-income and 34 above-moderate income; and

WHEREAS, the City has prepared a Housing Element update, titled "City of Clayton 2015-2023 Housing Element", to comply with applicable requirements of State law and to facilitate the City's capacity to satisfy its RHNA as established for this period by ABAG; and

WHEREAS, on November 5, 2013, the City of Clayton conducted a joint Public Workshop before the City Council and Planning Commission to seek input on the Housing Element update from the community. There were no oral or written comments from the public provided at this workshop; and

WHEREAS, on May 13, 2014, the Planning Commission conducted a public hearing on the draft 2015-2023 Housing Element update and, with minor suggestions, recommended the City Council direct staff to submit the draft 2015-2023 Housing Element update to HCD for review. There were no oral or written comments from the public provided at this meeting; and

WHEREAS, on June 3, 2014, the City Council conducted a public hearing on the draft 2015-2023 Housing Element update and, with suggestions, directed staff to submit the draft 2015-2023 Housing Element update to HCD for its review. There were no oral comments from the public provided at this meeting however, two written communications were submitted and considered; and

WHEREAS, on June 4, 2014, the draft 2015-2023 Housing Element update was transmitted to HCD for review and, on July 31, 2014, HCD provided a letter to the City of Clayton indicating the draft Housing Element meets the statutory requirement of State housing element law; and

WHEREAS, the Planning Commission, at a regular public meeting on October 14, 2014, held a duly noticed public hearing to review and consider the Initial Study/Negative Declaration (IS/ND) and the City of Clayton 2015-2023 Housing Element update and then adopted Resolution No. 04-14, recommending City Council approval of the documents. There were no written comments provided at this meeting, however, oral comments from one member of the public were provided and taken into consideration; and

WHEREAS, the City Council, at a regular public meeting on November 18, 2014, held a duly noticed public hearing to review and consider the Initial Study/Negative Declaration (IS/ND) and the City of Clayton 2015-2023 Housing Element update; and

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15063, an IS/ND was prepared and made available for public review. The IS/ND has concluded there is no substantial evidence to suggest the Housing Element document may have a significant effect on the environment. Accordingly, the Initial Study with a Negative Declaration determination is being considered for adoption by the City of Clayton. The 30-day comment period on this IS/ND began on September 12, 2014, and ended on October 14, 2014; and

WHEREAS, the City Council has determined the proposed revisions to the Housing Element are in general conformance with the Clayton General Plan; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the City Council duly considered and reviewed all written evidence and oral testimony presented to date on its proposed Housing Element for 2015-2023.

NOW, THEREFORE BE IT RESOLVED the City Council of Clayton, California, does hereby find and determine the above Recitals are true and correct statements of fact related to this action and does herewith base its action in part relying on the veracity of said Recitals; and

BE IT FURTHER RESOLVED the Clayton City Council, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby approve the Initial Study/Negative Declaration and the City of Clayton 2015-2023 Housing Element Update, respectively attached hereto as Exhibit A and Exhibit B and incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on November 18, 2014, by the following vote:

AYES: Mayor Stratford, Vice Mayor Shuey, Councilmembers Diaz, Geller and Pierce.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA



Hank Stratford, Mayor

ATTEST



Janet Brown, City Clerk

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I hereby certify that the foregoing resolution was duly adopted and passed by the City Council of the City of Clayton at a regular public meeting thereof held on November 18, 2014.



Janet Brown, City Clerk

ATTACHMENTS

Exhibit A – Initial Study/Negative Declaration, dated September 2014

Exhibit B – City of Clayton 2015-2023 Housing Element, dated August 25, 2014