

RESOLUTION NO. 2024 - 7696

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
ADOPTING THE 2023-2031 HOUSING ELEMENT**

WHEREAS, the California Government Code Section 65300 et. seq. requires every city, town, and county in California to adopt a General Plan for their long-range development, and further; to periodically update that Plan to reflect current conditions and issues;

The Current Housing Affordability Crisis

WHEREAS, the California legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.);

WHEREAS, the legislature has further found that “[a]mong the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.);

The Town’s RHNA Allocation

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the Town Council adopt a Housing Element for the eight-year period between 2023 and 2031 to accommodate the Town of Woodside’s (Town) Regional Housing Need Allocation (RHNA) of 328 housing units, comprised of 90 very-low income units, 52 low-income units, 52 moderate-income units, and 134 above moderate-income units, with an appropriate planning buffer (approximately 20% additional units in each category for a total of 394 units) to ensure compliance with the RHNA allocation;

Housing Element Law Requirements

WHEREAS, State law requires that the Town conduct an assessment of housing needs and prepare an inventory of resources and constraints relevant to meeting these needs, including analysis of population and employment trends, household characteristics, inventory of land suitable and available for residential development (Gov. Code Section 65583(a));

WHEREAS, State law requires the Town to identify a zone or zones where emergency shelters are allowed as a permitted use with sufficient capacity to accommodate the need for emergency shelters identified in the assessment of housing needs (Gov. Code Section 65583(a)(4));

WHEREAS, State law requires that the Town analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including for special needs housing and persons with disabilities, land use controls, fees, and permit procedures, along with efforts to remove governmental constraints (Gov. Code Section 65583(a)(5));

WHEREAS, State law requires that the Town analyze potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those identified in the sites inventory, along with local efforts to remove nongovernmental constraints (Gov. Code Section 65583(a)(6));

WHEREAS, State law requires that the Town analyze special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter (Gov. Code Section 65583(a)(7));

WHEREAS, State law requires that the Town analyze opportunities for energy conservation with respect to residential development (Gov. Code Section 65583(a)(8));

WHEREAS, State law requires that the Town analyze existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years (Gov. Code Section 65583(a)(9));

WHEREAS, State law requires the Town to prepare a statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing (Gov. Code Section 65583(b));

WHEREAS, State law requires that the Town prepare a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing (Gov. Code Section 65583(c));

WHEREAS, State law requires that the Town identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the Town's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory without rezoning (Gov. Code Section 65583(c)(1));

WHEREAS, State law requires that, where the Town identifies inadequate sites in the inventory to accommodate the need for groups of all household income levels, that the rezoning

of those sites, including adoption of minimum density and development standards must be completed pursuant to Gov. Code Section 65588(e)(4)(C);

WHEREAS, State law requires that the Town identify programs that assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households (Gov. Code Section 65583(c)(2));

WHEREAS, State law requires that the Town identify programs that address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities (Gov. Code Section 65583(c)(3));

WHEREAS, State law requires that the Town identify programs that conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action (Gov. Code Section 65583(c)(4));

WHEREAS, State law requires that the Town identify programs that promote and Affirmatively Further Fair Housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other protected characteristics, and any other state and federal fair housing and planning law (Gov. Code Section 65583(c)(5));

WHEREAS, State law requires that the Town identify programs that preserve for lower income households the assisted housing developments that are eligible to change from low-income housing uses during the next 10 years (Gov. Code Section 65583(c)(6));

WHEREAS, State law requires that the Town develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low-, or moderate-income households (Gov. Code Section 65583(c)(7));

WHEREAS, State law requires that the Town identify the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other General Plan Elements and community goals (Gov. Code Section 65583(c)(8));

Public Outreach and Review Process

WHEREAS, the Town conducted extensive community outreach starting in December 2020, through January 2023, including a total of thirteen public hearings conducted by the Town Council and a total of nine public hearings conducted by the Planning Commission related to the States’s housing mandates which include RHNA, Senate Bill 9 (SB9) requiring ministerial residential lot splits and duplex development on all single-family residential lots, and the Town’s Cycle 6 Housing Element.

WHEREAS, a RHNA Subcommittee, made up of two Council members and two

Planning Commissioners, held a total of three public hearings to formulate recommendations to the Planning Commission and Town Council, including a plan to meet the RHNA targets and Housing Element requirements (e.g., changes in regulations to meet housing unit construction targets among different income levels and varied housing types to meet Affirmatively Furthering Fair Housing (AFFH) criteria) and all of the Subcommittee's meetings were duly noticed public hearings;

WHEREAS, on July 18, 2022, the Town submitted Draft 1 of the Housing Element to the State Department of Housing and Community Development (HCD) for review;

WHEREAS, the Town submitted a total of four formal Draft Housing Element submittals to HCD, with the last dated May 10, 2024;

WHEREAS, on May 14, 2024, HCD provided a formal comment letter in response to the last formal draft submitted by the Town;

WHEREAS, on June 18, 2024, HCD recommended specific language changes to Program H3.1.a to address one of the few remaining comments included in the May 14, 2024, comment letter;

WHEREAS, the Council has included the language required by HCD;

WHEREAS, Town staff has drafted minor amendments to address all other comments included in HCD's May 14, 2024, comment letter;

WHEREAS, on July 23, 2024, the Town Council reviewed the comments included in HCD's May 14, 2024, comment letter and the revisions to the draft Housing Element to resolve those comments;

WHEREAS, the Town Council finds, based on the guidance provided by HCD, that the attached draft of the Housing Element substantially complies with State Housing Element Law and should be certified as compliant upon HCD's final review;

Environmental Review Process

WHEREAS, the Planning Commission held an Environmental Impact Report (EIR) Scoping Session on June 7, 2023, and received comments on the scope of the EIR from the public;

WHEREAS, a Draft EIR was prepared by the Town of Woodside for the Housing Element Update and associated planning and zoning changes in accordance with the requirements of the California Environmental Quality Act (CEQA), and the State CEQA Guidelines adopted by the Secretary of Natural Resources;

WHEREAS, the Town transmitted for filing a Notice of Completion of the Draft EIR and, in accordance with CEQA, forwarded the Draft EIR to the State Clearinghouse for

distribution to those state agencies that have discretionary approval or jurisdiction by law over natural resources potentially affected by the Housing Element plan;

WHEREAS, the Town provided notice of the Draft EIR to all interested persons and agencies, inviting comments on the Draft EIR in accordance with the provisions of CEQA and the State CEQA Guidelines;

WHEREAS, a Notice of Availability of the Draft EIR was distributed to public agencies and neighboring properties and the Draft EIR was made available at Woodside Town Hall, the San Mateo County Recorder's Office, and on the Woodside Town website to the general public for a 45-day public comment period beginning May 4, 2024, and ending June 17, 2024;

WHEREAS, the Town received and considered comments on the Draft EIR and provided responses to those comments in the Final EIR;

WHEREAS, a Notice of Public Hearing was posted and published for consideration of the EIR at the Planning Commission Meeting of June 26, 2024, and Town Council Meeting of July 9, 2024;

WHEREAS, the EIR consists of the Draft EIR dated May 3, 2024, and circulated for public review and comment and the Final EIR dated June 24, 2024, containing responses to the comments received on the Draft EIR;

WHEREAS, on June 26, 2024, the Planning Commission conducted a duly noticed public hearing on the EIR and Project, at which time oral and written comments and a staff recommendation for certification of the EIR and approval of the Project were presented to the Planning Commission;

WHEREAS, the Planning Commission of the Town of Woodside, based on facts and analysis in the EIR, written and oral testimony, mitigation measures included in the EIR to be imposed, staff reports, and exhibits presented, found that: it independently reviewed and analyzed the EIR and other information in the record; the EIR was completed in accordance with CEQA, the State CEQA Guidelines, and the Woodside Municipal Code; the EIR adequately described the environmental impacts of the Housing Element; and the EIR reflected the independent judgment and analysis of the Town. Accordingly, the Planning Commission recommended that the Town Council certify the EIR by Planning Commission Resolution No. 2024-006;

WHEREAS, on July 9, 2024, the Town Council continued its consideration of the EIR to July 23, 2024, and reposted and published the Notice of Public Hearing for the continued date of the meeting;

WHEREAS, on July 23, 2024, the Town Council conducted a duly noticed public hearing to review the EIR and Housing Element, at which time oral and written comments and the Planning Commission's recommendation for certification of the EIR and approval of the Housing Element were presented to the Town Council, which reviewed and considered the

information in the administrative record;

WHEREAS, the Town Council reviewed all comments received on the Housing Element to determine whether significant new information was added to the EIR after Notice of Availability of the Draft EIR and, based on the evaluation of the EIR, the Town determined that no significant new information was added to the EIR and therefore, no revisions affecting the conclusions of the Draft EIR were made and additional circulation of the EIR was not required prior to presenting the EIR for approval; and,

WHEREAS, on July 23, 2024, the Town Council passed Resolution No. 2024-7695, certifying the EIR for the Project, adopting the Mitigation Monitoring and Reporting Program, and adopting the Findings of Fact and Statement of Overriding Considerations.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Woodside California, as follows:

A. The Town Council finds as follows:

1. The Housing Element 2023-2031 (**Exhibit A**) has been prepared in compliance with all provisions of Government Code 65580 et seq. and contains all provisions required by State Housing Element Law.
2. The Housing Element articulates the Town's goals, policies, and programs for the preservation, improvement, and development of housing to meet the needs of all economic sectors of the community.

B. Based on the foregoing findings, the Town Council adopts the Housing Element 2023-2031 (**Exhibit A**) and directs staff to submit the approved Housing Element to the State Department of Housing and Community Development for final certification.

PASSED AND ADOPTED by the Town Council of the Town of Woodside, California, at a duly noticed public hearing held on the 23rd day of July 2024, by the following vote of the members thereof:

AYES: Councilmembers Dombkowski, Fluet, Shaw, and Mayor Wall
 NOES: Councilmember Goeld
 ABSENT:
 RECUSED: Councilmember Brown

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 Mayor of the Town of Woodside

ATTEST:



 Clerk of the Town of Woodside

Exhibit A Town of Woodside Housing Element 2023-2031

Exhibit B Highlighted Changes to the draft Housing Element since the last formal draft submission to HCD on May 10, 2024