

TO: Mayor and Council Members
Marlene Best, City Manager
Shawn Hagerty, City Attorney

FROM: Annette Ortiz, CMC, City Clerk

DATE: October 12, 2022

SUBJ: **Updated Council Meeting Materials – October 12, 2022**

PUBLIC HEARING:

- (6) Public Hearing on the Housing Element Rezone Program Implementation Project to Consider Certifying Program Environmental Impact Report AEIS2021-3 and Approving General Plan Amendment GPA2021-2, Town Center Specific Plan Amendment TCSPA2021-2, Rezone R2021-2 and Zoning Ordinance Amendment ZA2021-2. (Development Services – Planning)**

The attached pages reflect changes to the following attachments (revised or added text is underlined).

Resolution to certify Final Program EIR
Resolution to approve General Plan Amendment
Resolution to approve Specific Plan Amendment
Ordinance to approve Rezone
Ordinance to approve Zoning Text Amendment



Resolution to certify Final Program EIR (Pages 5 & 6):

Findings
Page 5 of 212

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTEE:

SECTION 1. The above recitals are true and correct and incorporated herein by reference.]

SECTION 2. Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element; and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

B. The City Council finds that this Resolution permits no greater density than is necessary to accommodate the required housing, including affordable housing requirements. Government Code section 65863 (SB 166 or No Net Loss) requires that cities must maintain adequate sites throughout the eight-year Housing Element planning period so that if a site is developed for another use, the city will have to find new sites to ensure there is an ongoing supply of sites available to accommodate the portion of the RHNA that has not yet been built. To satisfy No Net Loss requirements, the 6th Cycle Sites Inventory includes a 891 housing unit buffer, particularly in the low income category. This buffer would allow development to proceed in the City, while maintaining the City's compliance in meeting its RHNA obligation. Accordingly, no greater density is permitted beyond what is necessary to accommodate the required housing, accounting for No Net Loss pursuant to Government Code section 65863.

C. The City Council finds that the Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation project, have been selected in accordance with state law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy state housing law. Sites included in a housing element

must be real, developable, and adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The City also evaluated undeveloped sites from the 5th Cycle Housing Element Sites Inventory and to plan for laws that affect residential development such as the No Net Loss Law.

SECTION 3. The City Council hereby finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA and the State CEQA Guidelines. The City Council finds that the EIR reflects the independent judgment and analysis of the City. The City Council declares that no evidence of new significant impacts or any new information of "substantial importance" as defined by State CEQA Guidelines section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation. Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

SECTION 4. The City Council hereby adopts the "CEQA Findings of Fact" where were prepared in accordance with State CEQA Guidelines sections 15091 and which are attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 5. Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as **Exhibit B** and incorporated herein by this reference. Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project. In the event of any inconsistencies between the Mitigation Measures set forth in the EIR or the Findings of Fact and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

SECTION 6. Based upon the entire record before it, including the EIR, Findings of Fact, and all written and oral evidence presented, the City Council hereby approves the Project.

SECTION 7. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at City Hall, 10601 N. Magnolia Avenue, Santee, CA 92071. The custodian for these records is the Department of Development Services. This information is provided pursuant to Public Resources Code section 21081.6.

SECTION 8. City staff shall cause a Notice of Determination to be filed and posted with the County Clerk and the State Clearinghouse within five working days of the adoption of this Resolution.

Resolution to approve General Plan Amendment (Pages 4, 5, & Exhibit M):

RESOLUTION _____

SECTION 4: The General Plan Amendment (GPA2021-2) furthers the State-wide goal of providing additional housing and is consistent with the adopted Housing Element of the General Plan. In the current 6th Housing Element cycle (2021-2029), Santee is required to provide capacity to add 1,219 housing units serving a variety of income levels. To achieve this, vacant and underutilized properties are identified in the Housing Element for potential residential development. The change in General Plan Land Use Designations would provide the capacity for approximately 498 additional housing units which assists the City in achieving the State-mandated housing targets.

SECTION 5. Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element; and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

B. The City Council finds that this Resolution permits no greater density than is necessary to accommodate the required housing, including affordable housing requirements. Government Code section 65863 (SB 166 or No Net Loss) requires that cities must maintain adequate sites throughout the eight-year Housing Element planning period so that if a site is developed for another use, the city will have to find new sites to ensure there is an ongoing supply of sites available to accommodate the portion of the RHNA that has not yet been built. To satisfy No Net Loss requirements, the 6th Cycle Sites Inventory includes a 891 housing unit buffer, particularly in the low income category. This buffer would allow development to proceed in the City, while maintaining the City's compliance in meeting its RHNA obligation. Accordingly, no greater density is permitted beyond what is necessary to accommodate the required housing, accounting for No Net Loss pursuant to Government Code section 65863.

C. The City Council finds that the Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation project, have been selected in accordance with state law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy state housing law. Sites included in a housing element must be real, developable, and adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing

RESOLUTION _____

Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The City also evaluated undeveloped sites from the 5th Cycle Housing Element Sites Inventory and to plan for laws that affect residential development such as the No Net Loss Law.

SECTION 6: On October 12, 2022, the City Council certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed Project to the extent feasible, including the General Plan Amendment contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 12th day of October, 2022 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

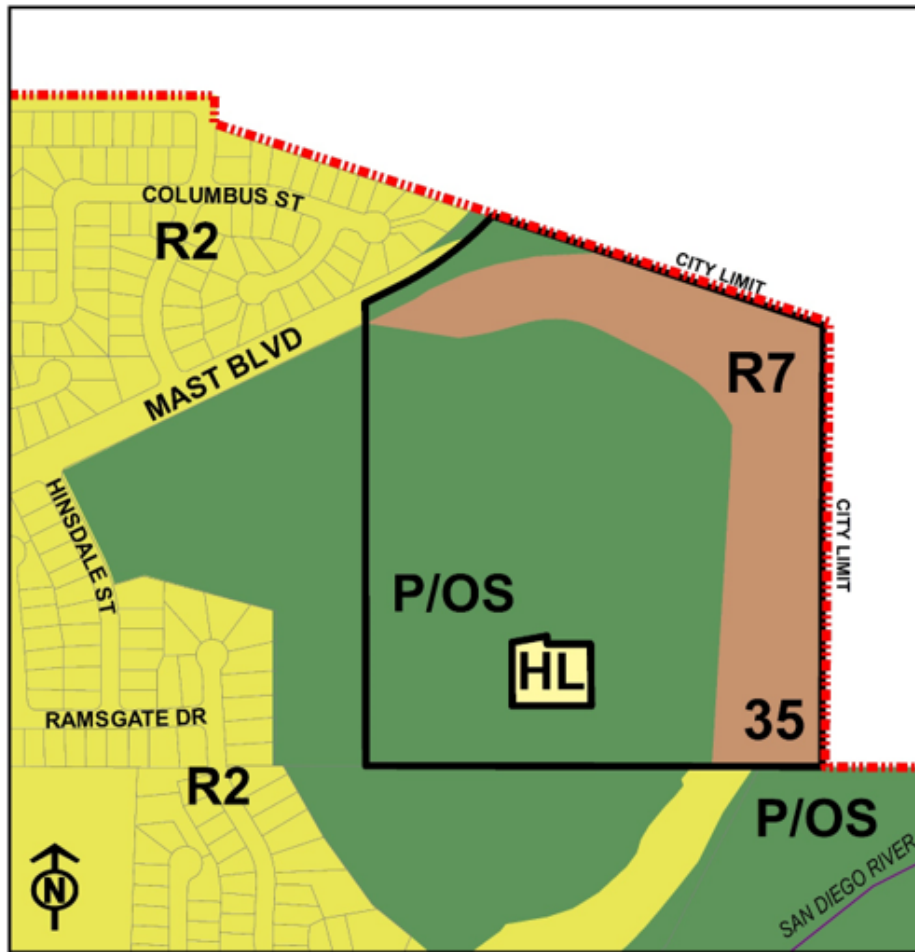
ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

ATTACHMENTS

Exhibit A: General Plan Land Use Amendment Sites List
Exhibits B through O: Existing Land Use Designations and
Proposed Land Use Designations Maps

EXHIBIT M: PROPOSED GENERAL PLAN LAND USE DESIGNATIONS



- Subject Site
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)
- IL (Light Industrial)
- P/OS (Park/Open Space)

Site Map ID #	APN	Address
35	379-030-31	Mast Blvd

Resolution to approve Specific Plan Amendment (Page 4):

RESOLUTION _____

Amendment contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

SECTION 5. Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element, and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

B. The City Council finds that this Resolution permits no greater density than is necessary to accommodate the required housing, including affordable housing requirements. Government Code section 65863 (SB 166 or No Net Loss) requires that cities must maintain adequate sites throughout the eight-year Housing Element planning period so that if a site is developed for another use, the city will have to find new sites to ensure there is an ongoing supply of sites available to accommodate the portion of the RHNA that has not yet been built. To satisfy No Net Loss requirements, the 6th Cycle Sites Inventory includes a 891 housing unit buffer, particularly in the low income category. This buffer would allow development to proceed in the City, while maintaining the City's compliance in meeting its RHNA obligation. Accordingly, no greater density is permitted beyond what is necessary to accommodate the required housing, accounting for No Net Loss pursuant to Government Code section 65863.

C. The City Council finds that the Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation project, have been selected in accordance with state law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy state housing law. Sites included in a housing element must be real, developable, and adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The City also evaluated undeveloped sites from the 5th Cycle Housing Element Sites Inventory and to plan for laws that affect residential development such as the No Net Loss Law.

Ordinance to approve Rezone (Page 4, 5, Exhibit M):

ORDINANCE NO. _____

capacity for approximately 498 additional housing units which assists the City in achieving the State-mandated housing targets.

SECTION 4: On October 12, 2022, the City Council certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed Project to the extent feasible, including the Rezone contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

SECTION 5. Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element; and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

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C. The City Council finds that the Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation project, have

ORDINANCE NO. _____

been selected in accordance with state law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy state housing law. Sites included in a housing element must be real, developable, and adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The City also evaluated undeveloped sites from the 5th Cycle Housing Element Sites Inventory and to plan for laws that affect residential development such as the No Net Loss Law.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 12th day of October, 2022 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

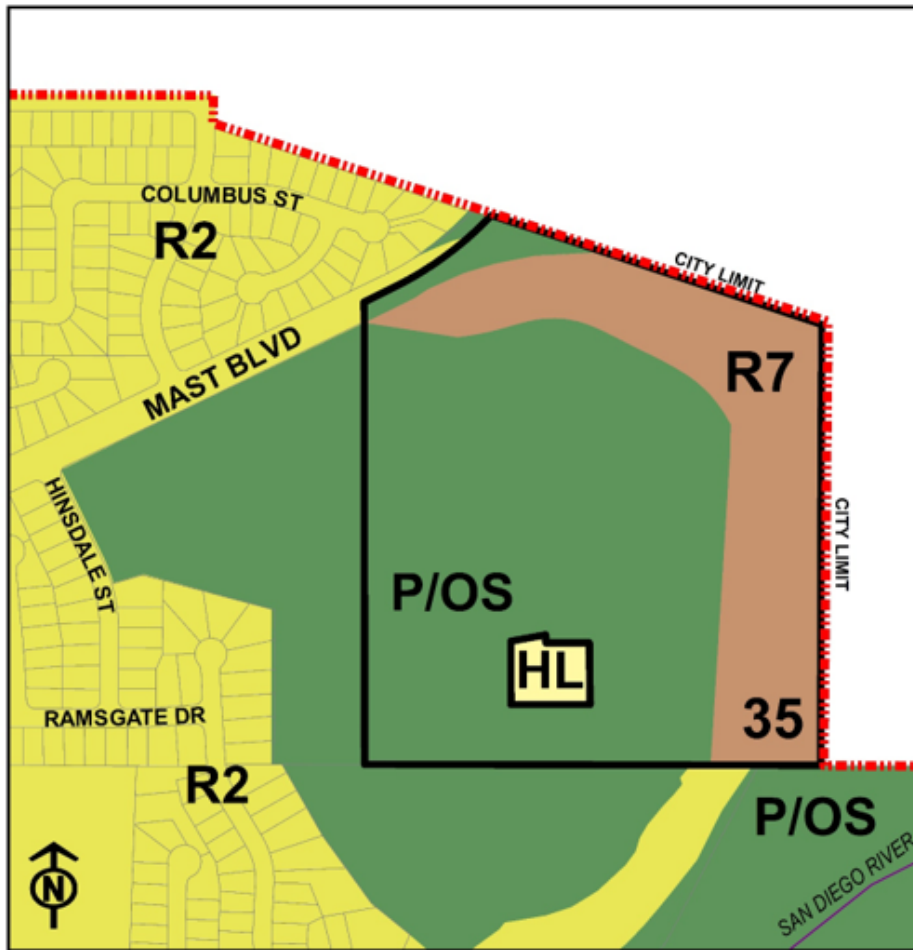
ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

ATTACHMENTS

Exhibit A: Zoning District Map Amendments List
Exhibits B through O: Existing Zones and
Proposed Zones

EXHIBIT M: PROPOSED ZONING CLASSIFICATIONS



-  Subject Site
-  R2 (Low-Medium Density Residential)
-  R7 (Medium Density Residential)
-  IL (Light Industrial)
-  P/OS (Park/Open Space)

Site Map ID #	APN	Address
35	379-030-31	Mast Blvd

Ordinance to approve Rezone (Pages 3 & 4):

ORDINANCE NO.

Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows:

NOW, THEREFORE, the City Council of the City of Santee, California, does ordain as follows:

SECTION 1. Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element, and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

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ORDINANCE NO.

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SECTION 2. On October 12, 2022, the City Council certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed Project to the extent feasible, including the Zoning Ordinance Amendment contemplated in this Ordinance. No further environmental review is required for the City to adopt this Ordinance.

SECTION 3. The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

SECTION 4. Section 13.10.020 ("Residential consistency districts") and Section 13.10.040 ("Site development criteria") of Title 13 ("Zoning Ordinance") of the Santee Municipal Code are hereby amended to add a density range to the R-30 zone as follows (additions shown in underlined text):

Subsection 13.10.020.H:

13.10.020 Residential consistency districts.

...

H. Urban Residential (R-30) — (30 to 36 Dwelling Units/Gross Acre). This designation is intended for residential development characterized by mid-rise apartment and condominium development typical of urban development at higher densities than R-22. This designation is intended for architecturally designed residential development, up to four stories, with parking facilities integrated in the building design. Areas developed under this designation would be located in close proximity to major community facilities, commercial and business centers and streets of at least major capacity. Development amenities would include on-site business centers, fitness and community rooms, and indoor and outdoor recreation facilities. Site design would implement pedestrian-friendly design concepts, including separated sidewalks, landscaped parkways, traffic calming measures, and enhanced access to transit facilities and services. Measures that reduce energy and water consumption are required. New development in this zone is required to meet the minimum density of the zone.

Subsection 13.10.040:

13.10.040 Site development criteria.

...

END