

RESOLUTION NO. 3644

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
ESTABLISHING FINDINGS IN SUPPORT OF THE ADOPTION OF AN
INCLUSIONARY HOUSING ORDINANCE**

WHEREAS, since 2003, the Soledad Planning Commission and Soledad City Council have been considering the preparation and adoption of an “Inclusionary Housing Ordinance”; and

WHEREAS, the proposed Ordinance, developed over the course of six joint-study sessions between the Commission and Council, has a stated purpose of promoting the public welfare by increasing the production and availability of affordable housing units by requiring new development in the City to construct established minimum amounts of housing affordable to moderate, low and very low income households, and

WHEREAS, the Council believes it is appropriate to make specific findings in support of its decision to consider adoption of an “Inclusionary Housing Ordinance.”

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows.

1 The City Council makes the following findings

A. Soledad General Plan

In approving Ordinance No 620, which will add Chapter 17 41- “Inclusionary Housing” to Title 17- “Zoning” of the Soledad Municipal Code, the City will establish a requirement that new development provide specific percentages of new housing units affordable to moderate, low and very low income households. The Council finds that the Inclusionary Housing Ordinance furthers achievement of the following City of Soledad Housing Element Goals and Policies. Said goals and policies were adopted as a means of attaining State imposed housing goals, as implemented by “Fair Share Allocations” promulgated for the City by the Association of Monterey Bay Area Governments (“AMBAG”)

Housing Element Goals and Policies

Goals

- 4.1 To provide an adequate supply of sound, affordable housing in a safe and satisfying environment for all residents of the City of Soledad, consistent with the housing allocation adopted by the Association of Monterey Bay Area Governments.
- 4.2 To promote community character, livability, affordability and housing choice, by requiring an integrated mix of housing types in new residential areas.

- 4.5 To maintain balance in land use regulation so as to refrain from unnecessary governmental constraints on the production of affordable housing and to create incentive for the production of affordable housing.

Policies

- H-3 The City of Soledad shall require new residential areas to contain a mix of housing types targeted to very low, low, moderate, and above moderate households in approximately the proportion that each of these income categories represent in the AMBAG Fair Share Housing Allocation.

Analysis. The above-referenced policies and goals support implementation of the proposed Inclusionary Housing Ordinance as a means to achieve the goal of providing housing throughout the City to all income levels at various prices. The Ordinance establishes a comprehensive program whereby developers will be required to provide affordable housing units, or to dedicate property or pay in-lieu fees to be used for the development of the same, provides incentives for the development of such units, establishes a policy to avoid the over-concentration of such units in a single area, and enacts requirements that will keep affordable units as a part of the City's housing stock for at least forty-five years. Based on the foregoing, the Council finds that new Chapter 17 41- "Inclusionary Housing" is consistent with and furthers the goals established in the Housing Element of the Soledad General Plan.

B. California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the City Council declares that Ordinance No. 620, passage of which will result in the adoption of new Chapter 17 41- "Inclusionary Housing" of the Soledad Municipal Code, is exempt from CEQA based on the following findings

Ordinance No 620 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Ordinance No 620 is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in a physical change in the environment, directly or ultimately Ordinance No 620 does not, in itself, allow the construction of any building or structure. As such, Ordinance No. 620 has no potential for resulting in physical change in the environment, directly or ultimately For the reasons set forth herein, it can be seen with certainty that there is no possibility that Ordinance No 620 will have a significant effect on the environment, and therefore, said ordinance is not subject to CEQA.

2. **Annual Review:** The Planning Commission and City Council have expressed a desire to receive an annual report on the status of the implementation of Ordinance No 620 in order to gauge its success in providing affordable housing and to determine whether modification of the Ordinance is warranted. As such, Staff is hereby directed to provide and present an annual report on the status of the City's implementation of Ordinance No 620, and any recommended modifications thereto, until otherwise directed.

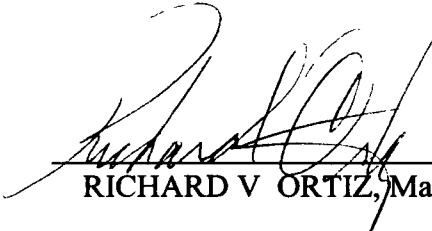
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 20th day of July 2005 by the following vote:

AYES, and in favor thereof, Councilmembers. Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem Juan Saavedra, Mayor Richard Ortiz

NOES, Councilmembers. None

ABSTAIN, Councilmembers. None

ABSENT, Councilmembers. None



RICHARD V. ORTIZ, Mayor

ATTEST



NOELIA F. CHAPA, City Clerk

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