

RESOLUTION NO. RES-2023-066

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO COMPLY WITH STATE HOUSING LAWS

WHEREAS, the San Francisco region has the highest housing costs in the United States; and

WHEREAS, the Bay Area produced less than 30% of the need for low- and moderate-income housing units from 2007-2014, and is on track to similarly underproduce low-income units during the 2015-2023 time period; and

WHEREAS, there are limited funding sources available to secure land for the construction of low- and moderate-income housing; and

WHEREAS, public lands can play a critical role in increasing the supply of land for affordable housing; and

WHEREAS, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) provide an important option to increase the availability and affordability of housing, especially in existing, lower density neighborhoods; and

WHEREAS, density bonuses are an effective tool to increase the financial feasibility of housing and incentivize the creation of affordable housing; and

WHEREAS, the Metropolitan Transportation Commission adopted Resolution No. 4505, outlining the programming policy and project selection criteria for the One Bay Area Grant Program (OBAG 3), including certain requirements to access these funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Santa Rosa, State of California, as follows:

1. That the City of Santa Rosa agrees to comply with the terms of Surplus Land Act (California Government Code § 54220 et seq.), as exists now or may be amended in the future, including, but not limited to, AB 1255 (Rivas, 2019), which requires jurisdictions to compile and report annually an inventory of surplus lands to the California Department of Housing and Community Development; and
2. That the City of Santa Rosa agrees to comply with state laws related to ADUs and JADUs, as it exists now or may be amended in the future, including, but not limited to California Government Code §§ 65852.150, 65852.2, 65852.22, et seq. and California Health & Safety Code §§ 17980.12; and
3. That the City of Santa Rosa agrees to comply with state Density Bonus Law (California Government Code § 65915 et seq.), as exists now or may be amended in the future; and

4. That the City of Santa Rosa warrant and represents that is in compliance with the aforementioned state housing laws, except as noted in Exhibit A, attached to this resolution and made a part herein, and there are no claims, actions, suits, or proceedings pending to the best of the City of Santa Rosa’s knowledge, alleging violations of the state housing laws by the City of Santa Rosa.

IN COUNCIL DULY PASSED this 11th day of April, 2023.

AYES: (7) Mayor N. Rogers, Vice Mayor MacDonald, Council Members Alvarez, Fleming, Okrepkie, C. Rogers, Stapp

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Housing Element Status

Exhibit A

The City of Santa Rosa acknowledges the importance and confirms commitment in complying with applicable housing laws. Supporting and streamlining housing for all has remained a tier one priority of the City Council. The following describes local efforts to comply with state law.

1. On February 14, 2023, the City Council adopted an updated Housing Element for the 6th Cycle for the years of 2023-2031. The Housing Element is currently under review for certification by the State Housing and Community Development Department.
2. In 2022, two bills governing Accessory Dwelling Units (ADUs) were signed by the Governor of California. These State bills limit local control of ADUs and create further opportunities for the development of Junior ADUs (JADUs), necessitating revisions to the City of Santa Rosa Zoning Code for consistency. The Council approved an urgency ordinance on March 14, 2023, amending City Code Sections 20-42.130 to allow Accessory Dwelling Units and Junior Accessory Dwelling Units in compliance with State law.
3. In 2022, one bill governing Density Bonus was signed by the Governor of California. The Council will consider revisions to the City of Santa Rosa Zoning Code for consistency with state law in an upcoming meeting.
4. The Council will consider revisions to the City of Santa Rosa Zoning Code for consistency with state law in response to the following 2022 legislation: AB 2234, AB 2097, AB 2244, AB 2011, SB 6, AB 682, AB 2334, and AB 2295 in an upcoming meeting.