

RESOLUTION NO. 09-62

RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH ADOPTING A NEGATIVE DECLARATION AND AMENDING THE HILLSBOROUGH GENERAL PLAN FOR PURPOSES OF ADOPTING THE 2009 HILLSBOROUGH HOUSING ELEMENT AND REVISITING SECTIONS OF THE LAND USE ELEMENT FOR INTERNAL CONSISTENCY

WHEREAS, California State Law requires that all California jurisdictions adopt and forward a Housing Element to the California Department of Housing and Community Development (HCD) by June 30, 2009; and

WHEREAS, a key part of every Housing Element is the Regional Housing Needs Allocation (RHNA), which is the number and affordability levels of housing units to be provided by each jurisdiction. Additionally, State Law requires emergency shelter for the homeless and transitional and supportive housing opportunities; and

WHEREAS, The Town's housing allocation requires that the Town plan for the creation of 86 new housing units between 2007 and 2014. Of these units, 34 units would need to be affordable to lower income households. The 2009 Housing Element demonstrates that the Town can meet the RHNA requirements for the 2009 Housing Element cycle by providing lower income units within second units and on institutional (private school and country club) properties and the remaining units on vacant and subdividable properties. Additionally, the 2009 Housing Element includes programs for emergency shelter for the homeless and transitional and supportive housing; and

WHEREAS, in February of 2008, the Mayor appointed a Housing Element Steering Committee including citizens from different geographic areas, professional fields and economic segments within the Town to identify key policies and develop strategies to maximize affordable housing opportunities for the community; and

WHEREAS, the Housing Element Steering Committee met from March of 2008 through May of 2009 to review and develop housing policies and programs; and

WHEREAS, the 2009 Housing Element is the result of work by the Housing Element Steering Committee, extensive public outreach including invitations to over 15 housing advocacy organizations to participate in the Housing Element update process, publication of three community newsletters, individual mailers to every Hillsborough household, and two community-wide meetings; and

WHEREAS, on April 15, 2009, and May 28, 2009, the Housing Element Steering Committee unanimously recommended approval of the 2009 Housing Element; and

WHEREAS, while adoption of the 2009 Housing Element results in no direct physical impacts on the environment, the Town has prepared and publicly noticed an Initial Study and Negative Declaration to analyze potential environmental impacts to traffic, air quality, public services, biological and cultural resources, and climate change; and

WHEREAS, as a highest case/conservative scenario, the program objectives within the 2009 Housing Element result in the potential for 206 new units or a 5% increase over a seven-year period. However, 82 of these units are incidental/secondary dwelling units, resulting in the potential for 124 new primary residences (including 15 multi-family units on institutional lands) and 36 units (9 primary residences and 27 second units) have already been constructed. This results in a growth potential of primary residences of approximately 3%. Additionally, the majority of these projects are speculative as no specific application is before the Town and do not, therefore, constitute "reasonably foreseeable projects" under the California Environmental Quality Act (CEQA); and

WHEREAS, cumulative effects of the 2009 Housing Element do not present a considerable contribution to environmental impacts. Specific projects will involve individual and cumulative environmental analyses consistent with CEQA; and

WHEREAS, on the basis of the whole record there is no substantial evidence that the project will have a significant effect on the environment and the Negative Declaration reflects the lead agency's independent judgment and analysis; and

WHEREAS, the 2009 Housing Element does not conflict with the relevant recommended guidance from the *California Airport Land Use Planning Handbook January 2002*, and the relevant Sections of California Public Utilities Code Division 9, Part 1, Chapter 4, Article 3.5, and the applicable airport/land use compatibility criteria for San Francisco International Airport, as contained in the *San Mateo County Comprehensive Airport Land Use Plan*, as amended, for San Francisco International Airport, since the 2009 Housing Element does not result in height, use of airspace, airspace compatibility, aircraft noise and safety impacts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Hillsborough in regular session assembled on June 8, 2009, based on the evidence presented, both written and oral, including written and oral testimony given at public hearings held by the Town of Hillsborough, hereby adopts the Negative Declaration and

amends the Hillsborough General Plan to include the 2009 Housing Element and revise the Land Use Element for internal consistency based on the following findings and for the following reasons:

1. *The General Plan acknowledges the preservation and enhancement of the Town's unique residential character as an important Town goal.*

The 2009 Housing Element continues to preserve the Town's unique single-family residential character while allowing incidental second dwelling units which provide affordable, sustainable housing that allows the Town's youth, elderly, disabled, and employees to remain within the community.

2. *The 2009 Housing Element is not in conflict with the General Plan as a whole.*

Various references to the 2002 Housing Element shall be revised throughout the 2005 General Plan as a result of adoption of the 2009 Housing Element. Section (C)(1) on pages LU-8 and LU-9 of the Land Use Section would specifically be amended to read as follows:

"Future Development Potential

This section discusses the future development potential in Hillsborough as allowed under this General Plan.

Residential

Future development in Hillsborough is limited since the Town is for the most part built out. Based on past development trends, an analysis of available sites for new development and policies contained in the 2009 Housing Element, it appears that there is the potential for about 206 new units to be constructed in Hillsborough. However, 82 of these units are incidental/secondary dwelling units, resulting in the potential for 124 new primary residences (including 15 multi-family units on institutional lands) and 36 units (9 primary residences and 27 second units) have already been constructed. The major development opportunities are the two remaining large estate properties, consisting of the 49-acre Regan Property and the 47-acre De Guigne Property. The Town estimates that the two estates would accommodate about 20 new lots total, plus any additional units resulting from a density bonus for the provision of affordable units as allowed by the policies contained in the Housing Element. The low number of anticipated units is due to the environmental constraints found on each property, such as creeks, steep slopes and limited access.

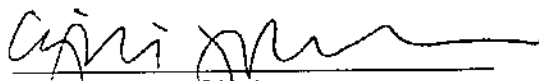
The other residential development possibilities in the Town include smaller subdividable areas; several properties that have been subdivided and are under construction or waiting for individuals to purchase lots, such as the Stonebridge Subdivision; and a few remaining vacant parcels within developed areas. The

Housing Element estimates a potential for about 119 residential units on these lots.

Implementation of the General Plan policies may also result in the construction of dwelling units on non-residential properties, additional second units and increases in density due to density bonuses. If the anticipated number of employee housing units are constructed on the non-residential private school and country club properties, there will be an additional 15 units. Based on past development trends and the number of new homes that may be developed, there is the potential for 82 additional second units. Finally, the Housing Element assumes that there is the potential for six additional units resulting from density bonuses. Figure 15 of the 2009 Housing Element summarizes the potential for total future residential growth in the community if the Town is ever completely built-out. Additionally, Figure 16 of the 2009 Housing Element summarizes the Housing Element goals, policies and programs.

The last major source of new residential development is tear-down and rebuilding on lots with existing homes. This type of development does not net any new units for the Town, unless new construction involves the addition of a new second dwelling unit.

To ensure that larger subdivisions occur in a manner that enhances community character, a conceptual plan is required as a condition for any development project resulting in five or more units. The information that the conceptual plans should address is outlined in more detail in the Goals, Policies and Actions section below."


Attest: City Clerk


Mayor of the Town of Hillsborough

This resolution was adopted by the City Council of the Town of Hillsborough at its regular meeting held on the 8th of June 2009, by the following vote of the members thereof:

AYES:	Councilmembers	<u>Krolik, Kasten, Fannon, Benton</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>Regan</u>
ABSTAIN:	Councilmembers	<u>None</u>