

RESOLUTION NUMBER R- 286857  
ADOPTED ON JAN 30 1996

WHEREAS, Government Code section 65302(c) requires all cities and counties within the State of California to include a Housing Element in their General Plans and to prepare an Update to the Housing Element every five (5) years; and

WHEREAS, the City of San Diego's most recent Housing Element Update was adopted by the City on March 21, 1995, and approved by the California Department of Housing and Community Development on April 21, 1995; and

WHEREAS, since that time, the adequacy of the City's March 21, 1995, adopted Housing Element Update was challenged in Superior Court, State of California, County of San Diego, on the basis that it does not comply with Government Code section 65583(c)(1); and

WHEREAS, on October 30, 1995, the Court issued an order requiring the City to amend its March 21, 1995, adopted Housing Element Update, pursuant to Government Code section 65583(c)(1), within one hundred twenty (120) days of the court order; and

WHEREAS, on November 28, 1995, the Court approved an action plan and timeline submitted by the City for compliance with the October 30, 1995, court order; and

WHEREAS, this amendment to the City's Housing Element identifies adequate sites to accommodate housing for all economic segments of the population, including those in need of emergency shelters and transitional facilities; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That this amendment to the Housing Element is hereby adopted as an amendment to the City's Progress Guide and General Plan with the following specific changes to the amended document as proposed by staff at the hearing:

A. The following sentence which appears on page 137 of the amended document as proposed by staff at the hearing shall be stricken and changed to read as follows (strikeout represents deleted language and redline represents substituted language): ~~Larger facilities of seven or more beds may be sited by right if they comply with the underlying zoning and do not offer any services on site.~~ Other residential buildings may be sited by right if they comply with the underlying zoning and do not meet the definition of residential care facilities.

B. The following sentence which appears on page 130 of the amended document as proposed by staff at the hearing shall be stricken (strikeout represents deleted language): ~~Larger facilities of seven or more beds may be sited by right if they comply with the underlying zoning and do not offer any services on site.~~

C. The following sentence shall be added to page 130 of the amended document as proposed by staff at the hearing and numbered as paragraph 30 (redline represents new language): 30. Other residential buildings may be sited by right if they comply with the underlying zoning and do not meet the definition of residential care facilities.

D. Paragraph 30 of the amended document as proposed by staff at the hearing shall be renumbered to become paragraph 31.

2. That a copy of this amendment to the Housing Element, as modified in accordance with paragraph 1 above, shall be placed on file in the office of the City Clerk as Document No. RR- 286857.

3. That the San Diego Housing Commission is authorized to submit a copy of the adopted amendment to the California Department of Housing and Community Development.

BE IT FURTHER RESOLED, that the City Manager is hereby directed to consult with appropriate officials from the County of San Diego and the State of California to collect the following information and to return to the Council within 30 days with a report: (1) a breakdown of the number of housing units that are now being used for rehabilitation programs in each Council district and in the Community Planning areas within each Council district; and (2) based on those numbers, make a recommendation for a fair share formula by district for housing homeless individuals - the fair share is not to include housing for low income individuals.

APPROVED: JOHN W. WITT, City Attorney

By

  
Richard A. Duvernay  
Deputy City Attorney

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