

CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL

RESOLUTION NO. 2024-028

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL--BY-THE-SEA  
ADOPTING A MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE 2023-2031 HOUSING ELEMENT  
UPDATE**

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Carmel-by-the-Sea City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Carmel-by-the-Sea regional housing need allocation (RHNA) of 349 housing units, comprised of 113 very-low-income units, 74 low-income units, 44 moderate-income units, and 118 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Carmel-by-the-Sea has prepared the 2023-2031 Housing Element in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the City's RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City completed an Initial Study and prepared a draft Mitigated Negative Declaration, which was circulated for public review from February 23, 2024, to March 25, 2024, using both the State clearinghouse and the regional clearinghouse for distribution; and

WHEREAS, two public comments were received from responsible agencies and responded to, included as **Exhibit C**; and

WHEREAS, on March 29, 2024, a notice of the public hearing scheduled for April 8, 2024, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) indicating the date and time of the public hearing; and

WHEREAS, on or before April 5, 2024, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on April 8, 2024, the Planning Commission adopted Resolution 2024-024-PC recommending City Council adoption of a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program; and

WHEREAS, on April 8, 2024, the City Council held a duly noticed public hearing to receive public testimony regarding the 6th cycle 2023-2031 Housing Element update and Initial Study/Mitigation Negative Declaration including the associated Mitigation Monitoring and

Reporting Program, including, without limitation, the information provided to the City Council by City staff and through public testimony; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Council at the hearing, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Carmel-by-the-Sea does hereby adopt the Mitigated Negative Declaration, included as **Exhibit A**, and associated Mitigation Monitoring and Reporting Program for the 2023-2031 Housing Element update, included as **Exhibit B**.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 8th day of April 2024, by the following vote:**

AYES: Councilmembers Baron, Ferlito, Richards, and Mayor Potter

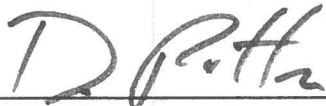
NOES: Councilmember Dramov

ABSENT: None

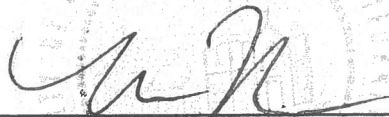
ABSTAIN: None

APPROVED:

ATTEST:



Dave Potter  
Mayor



Nova Romero, MMC  
City Clerk

EXHIBIT A: Initial Study/Mitigated Negative Declaration  
EXHIBIT B: Mitigation Monitoring and Reporting Program  
EXHIBIT C: Response to Comments