**DISCLAIMER:** This document is to assist jurisdictions that want to adopt a housing element before January 31, 2023. To be in substantial compliance with state law, a housing element must contain all of the elements mandated by state housing element law.

# City Council or Board of Supervisors Resolution Template for Adopting the Housing Element

## How to Use the Resolution Template

This City Council/Board of Supervisors Resolution Template is meant to be used in conjunction with the Housing Element Staff Report Template, the Response to HCD Findings Template, and the Housing Element Statutory Provisions Checklist. These documents can all be found on [[this page of the ABAG website](https://abag.ca.gov/technical-assistance/housing-element-adoption-templates)](https://abag.ca.gov/technical-assistance/housing-element-adoption-templates).

The templates can be used in one of two ways:

**Scenario A:** Jurisdictions can use this template to present their final Housing Element for adoption by their City Council/Board of Supervisors**after** they have a letter from HCD, stating that their Housing Element has been found to be in substantial compliance with state law.

**Scenario B:** Jurisdictions can use this template to present their Housing Element for adoption by their City Council/Board of Supervisors after receiving an initial letter but **before** they receive a letter from HCD, stating that their Housing Element has been found to be in substantial compliance with state law.

Regardless of which scenario a jurisdiction uses this template for, there are a few things to note:

Instructions, notes and information to be customized by jurisdiction staff are shaded yellow and in brackets. Staff will need to change [City/County] to “City” or “County” and [City Council/Board of Supervisors] to “City Council” or “Board of Supervisors.” Please read through the document carefully for other information that needs to be updated by staff.

It is assumed that cities/counties will prepare separate resolutions (for both the Planning Commission and the City Council or Board of Supervisors) for:

* CEQA approval
* Approval of any other General Plan amendments, such as those for the Land Use Element or Safety Element, or specific plan amendments
* Approval of any zoning or other development code amendments being adopted concurrently with the Housing Element.

# City Council or Board of Supervisors Resolution Template

[CITY COUNCIL/BOARD OF SUPERVISORS] RESOLUTION NO. [number]

A RESOLUTION OF THE [CITY COUNCIL/BOARD OF SUPERVISORS] OF [CITY/COUNTY], ADOPTING A GENERAL PLAN AMENDMENT TO REPEAL THE 2015-2023 [NAME] HOUSING ELEMENT AND ADOPT THE [NAME] HOUSING ELEMENT OF THE GENERAL PLAN FOR THE PERIOD OF 2023-2031 AND [OTHER ITEMS BEING BROUGHT FOR ADOPTION, IF ANY], IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW.

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives” (Government Code Section 65589.5.); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Government Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita… California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years;” and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the [City Council/Board of Supervisors] adopt a Housing Element for the eight-year period 2023-2031 to accommodate the [City/County] ([City/County]) regional housing need allocation (RHNA) of [number] housing units, comprised of [number] very-low income units, [number] low-income units, [number] moderate-income units, and [number] above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, [City/County]has prepared the Housing Element 2023-2031 (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the [City/County]’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, a provided in Government Code sections 65352 – 65352.5 the [City/County] mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, [Either, “No California Native American tribe requested consultation”; or describe consultation and result. **Note:** Cities can add another WHEREAS statement if consultation with any tribes occurred.]

WHEREAS, the [City/County] conducted extensive community outreach over the last [timeframe] including [number] public workshops before the [Boards/Commissions names]; and

WHEREAS, in accordance with Government Code Section 65585 (b), on [date], the [City/County] posted the draft Housing Element and requested public comment for a 30-day review period, and on [date], after responding to public comments, the [City/County] submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

[Note: For the WHEREAS statements that refer to HCD review and coordination, each jurisdiction will need to revise language to reflect their process. Or, remove text if not pertinent.]

WHEREAS, [date/month], HCD contacted the [City/County] to discuss the adequacy of the draft Housing Element, and based upon this, [City/County] staff revised the draft Housing Element to include additional information and data; and

WHEREAS, on [date], the [City/County] received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on [date], the [City/County] published a revised draft Housing Element responding to HCD’s findings and requested public comment on the draft; and

[**Note:** Indicate any additional dates of posting of drafts.]

WHEREAS, on [date], the [City/County] received a letter from HCD stating that the draft Housing Element is in substantial compliance with State Housing Element Law, and will comply with State Housing Element Law when it is adopted; and

WHEREAS, on [date], the [City/County] published the final draft Housing Element (determined to be in substantial compliance by HCD) on the [City/County] website and requested public comment on the final draft; and

WHEREAS, on [date], the Planning Commission held a duly and properly noticed public hearing and recommended that the [City Council/Board of Supervisors] adopt the Housing Element and [insert other zoning/development regulation updates being brought for approval with the Housing Element]; and

WHEREAS, on [date], the [City Council/Board of Supervisors] conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD’s findings, the [City/County]’s response to HCD’s findings, the staff report, and all attachments, and oral and written public comments.

**[Note**: if HCD has not yet found your jurisdiction’s Housing Element to be in substantial compliance, include the ‘BE IT FURTHER RESOLVED’ statement below.]

NOW, THEREFORE, BE IT RESOLVED, that the [City Council/Board of Supervisors] hereby finds that, based on substantial evidence in the record:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. [Insert jurisdiction’s required findings related to General Plan Amendment.]
3. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law, as shown in Exhibit C to this resolution, incorporated herein.
4. [**Note:** If more than 50% of sites designated for lower income housing are non-vacant, add this finding:]
Based on substantial evidence in the record [cite whatever evidence was relied upon, such as location, existing use, low building to land value, market demand, etc.],the existing uses on the non-vacant sites identified in the site inventory to accommodate the RHNA are likely to be discontinued during the planning period and therefore do not constitute an impediment to planned residential development on the site during the planning period.
5. As required by Government Code Section 65585(e), the [City Council/Board of Supervisors] has considered the findings made by the Department of Housing and Community Development included in the Department’s letter to the [City/County] dated [date], consistent with Government Code Section 65585(f), and as described in Attachment B to this resolution, incorporated herein, the [City Council/Board of Supervisors] has changed the Housing Element in response to the findings of the Department to substantially comply with the requirements of State Housing Element Law as interpreted by HCD.
6. The 2015-2023 [name] Housing Element is hereby repealed in its entirety, and the 2023-2031 [name] Housing Element, as shown in Exhibit A to this Resolution, incorporated herein, is adopted.
7. This Resolution shall become effective upon adoption by the [City Council/Board of Supervisors].
8. The [title/position, e.g. CDD] or designee is hereby directed to file all necessary material with the Department of Housing and Community Development for the Department to find that the Housing Element is in conformance with State Housing Element Law and is further directed and authorized to make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the Department to achieve certification.
9. The [title/position, e.g. CDD] or designee is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

**[Note**: if HCD has already found your jurisdiction’s Housing Element to be in substantial compliance, add the ‘BE IT FURTHER RESOLVED’ statement below.]

BE IT FURTHER RESOLVED, that the [City Council/Board of Supervisors] hereby approves the 2023-2031 Housing Element in its current form, which has been found by HCD to be in substantial compliance.

Exhibit A: 2023-2031 [name] Housing Element

Exhibit B: HCD Finding Letter, dated [date]

Exhibit C: [Response to HCD Findings](https://abag.ca.gov/technical-assistance/housing-element-adoption-templates) [date]

Exhibit D: [Housing Element Statutory Provisions Checklist](https://abag.ca.gov/technical-assistance/housing-element-adoption-templates)

[Include other Exhibits/Attachments as needed]