



CITY OF POMONA

COUNCIL REPORT

February 7, 2022

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Anita D. Gutierrez, AICP, Development Services Director

SUBJECT: ADOPTION OF “PRO HOUSING POMONA,” THE CITY’S UPDATE TO THE HOUSING ELEMENT OF THE POMONA GENERAL PLAN FOR THE SIXTH CYCLE, 2021-2029 (GENERAL PLAN AMENDMENT 17271-2021)

RECOMMENDATION:

It is recommended that the City Council adopt the following Resolution (Attachment No. 1):

CITY COUNCIL RESOLUTION NO 2022-26 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA APPROVING “PRO HOUSING POMONA,” THE SIXTH CYCLE UPDATE TO THE HOUSING ELEMENT OF THE POMONA GENERAL PLAN

EXECUTIVE SUMMARY:

The City is updating its Housing Element, one of the seven State-mandated elements included in the Pomona General Plan. Housing Elements are updated every eight years, in “cycles.” Pomona is currently in the sixth cycle, covering the time period of 2021 to 2029. The purpose of this document is twofold. First, to function as the City’s “Housing Element” that fully complies with State law. Second, to establish Pomona’s vision for “Pro Housing Pomona.” This action adopts “Pro Housing Pomona” as the City’s “Housing Element” and directs Staff to transmit the document to the California Department of Housing and Community Development (HCD) for a 60-day certification review and authorizes the Development Services Department to administratively address any minor additional comments received by HCD. Pro Housing Pomona will be the definitive City vision for housing policy in Pomona through 2029. The HCD submitted documents are contained in Attachments No. 2 through 10.

FISCAL IMPACT:

No fiscal impact at this time.

PUBLIC NOTICING:

As required by law, public hearing notice for Citywide consideration of the General Plan Amendment (GPA 17271-2021) was published in the Inland Valley Daily Bulletin on January 28, 2022 (Attachment No. 11).

ENVIRONMENTAL IMPACT:

The proposed project is exempt under State CEQA Guidelines §15061(b)(3) common sense exemption, because the Project involves the City's policies, programs, and actions to update their Housing Element and meet their RHNA allocation that either would not cause a significant effect on the environment or were previously analyzed adequately in the City of Pomona General Plan Update, Corridors Specific Plan, Active Transportation Plan and Green Plan EIR (SCH No. 2012051025). Given their nature and scope, the proposed Housing Element Update programs and policies would not result in physical environmental impacts. Additionally, the Housing Element Update does not grant any development entitlements or authorize development beyond what is allowed under the City's current General Plan and Zoning Ordinance.

Pursuant to State CEQA Guidelines §15162, the Housing Element Update does not meet the requirements that would trigger the need for the Lead Agency (City of Pomona) to prepare subsequent environmental review. The City of Pomona General Plan Update, Corridors Specific Plan, Active Transportation Plan and Green Plan EIR provided environmental clearance for land use and density changes that increased the City's housing development capacity. Therefore, the City's existing General Plan land use designations and Municipal Code zoning/maximum density limits could accommodate the 2021-2029 RHNA allocation. The HEU does not include any substantial changes that would require major revisions to the previous EIR. Further no new information of substantial importance has been identified that was not included at the time of the previous EIR, therefore the HEU does not trigger the need for additional environmental review.

Future housing development pursuant to the Housing Element Update would be subject to compliance with the established regulatory framework, namely federal, state, regional, and local (i.e., General Plan policies, Municipal Code standards, and Standard Conditions of Approval). Moreover, except by-right housing development, future housing development pursuant to the Housing Element Update would be subject to further discretionary review or approval by the City, including environmental review under CEQA. Based on these factors, it can be seen with certainty that there is no possibility that the proposed 2021-2029 Housing Element Update would have a significant effect on the environment; therefore, the 2021-2029 Housing Element is exempt from CEQA under the common sense exemption.

Moreover, the Project is not barred from the application of a Categorical Exemption, pursuant to State CEQA Guidelines §15300.2. Therefore, it has been determined that the proposed project would not have a significant effect on the environment and a Categorical Exemption is the appropriate CEQA documentation.

DISCUSSION:

The purpose of this document is twofold. First, to function as the City’s **“Housing Element”** that fully complies with State law. Second, to establish Pomona’s vision for **“Pro Housing Pomona.”**

“Housing Element”

The Housing Element is one of the seven State mandated elements included in the City of Pomona’s General Plan. The purpose of the Housing Element is to identify and plan for the City’s existing and projected housing needs; it contains a detailed outline and work program of the City’s goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for a sustainable future. Each eight-year planning cycle, the City is allocated a specific number of housing units through the Regional Housing Needs Allocation (RHNA). The RHNA quantifies current and future housing growth within a city and allows for synchronization with the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Through research and analysis, the Housing Element identifies available candidate housing sites and establishes the City’s official housing policies and programs to accommodate the City of Pomona’s RHNA as determined by the Southern California Association of Governments (SCAG). The RHNA allocation given to each jurisdiction intends to accomplish the following:

- ▶ Increase the housing supply and the mix of housing types, tenure (rental or ownership), and affordability in all cities and counties within the region in an equitable manner.
- ▶ Promote infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.
- ▶ Promote an improved intraregional relationship between jobs and housing.

What is the RHNA for Pomona?

The California Department of Housing and Community Development (HCD) established the planning period for the current 6th Cycle RHNA from October 15, 2021 to October 15, 2029. For the 2021-2029 planning period the City is allocated a total of 10,558 units, including 2,799 units affordable to very low-income households, 1,339 units affordable to low-income, 1,510 units affordable to moderate-income, and 4,910 units affordable to above-moderate (market-rate) income households.

What does “Pro Housing Pomona” mean?

“Pro Housing” is a specific term defined by State law that is intended to give cities like Pomona a clear pathway to establish housing policy that addresses Statewide housing needs. Cities designated “pro housing” by the State receive priority on grant funding applications.

Pro Housing Pomona is based on the following ten action steps:

1. Establish financial incentives for housing, including a housing trust fund.

2. Improve development standards to reduce barriers to on-site housing production.
3. Allow residential land uses by-right.
4. Maximize zoning density for residential units.
5. Streamline the production of accessory dwelling units and duplexes.
6. Improve permit processes to reduce time and cost for housing construction.
7. Establish objective design standards and pre-approved site plans for housing permits.
8. Establish development standards for affordability, choice, and equity, including inclusionary housing.
9. Develop a Housing Element with policies that are pro-housing and anti-racist.
10. Engage the public, including advocacy groups and State, County, and local partners, early and often.

The document is organized with an Executive Summary (Attachment No. 2) that was written intentionally for the general public, and a series of Appendices (Attachments No. 3 through 10), which contain more detailed analysis and explanation. The following is a summary of those appendices.

A. Housing Needs Assessment (Attachment No. 3)

The Housing Needs Assessment for the City of Pomona provides an overview of publicly available data and public engagement and surveying about the City's housing and population conditions. The needs assessment develops context for the goals, programs, and policies, developed in the Housing Element. Specifically, the needs assessment describes the community's population, employment, economics and household characteristics; special Needs groups and housing stock characteristics are also described. The needs assessment also summarizes public engagement and surveying conducted in the Pomona community and describes the results.

The key findings are:

- Population is growing and aging, with changing racial demographics, and an increase of college students
- Households are increasingly female-headed, non-family, large, and multigenerational
- Housing needs to address disabilities, extreme poverty, and homelessness
- Employment trends are increasing the need for middle income housing
- Limited housing options aside from single detached units on single lots
- Existing residential uses within industrial zones face increased environmental justice concerns and pollution burden
- Community has concerns about displacement, unstable rent prices, tenant protections, and housing affordability

Additional details on Housing Needs Assessment can be found in Appendix A.1 (Attachment No. 3)

B. Community Engagement (Attachment No. 4)

As part of the 6th Cycle Housing Element Update process, the City conducted extensive public outreach activities beginning in Spring 2021. These engagement efforts included a housing leadership academy, virtual community workshops, City Council and Planning Commission study sessions, a community survey, online and social media outreach, tabling at community events, meetings with stakeholders, and digital information through the Housing Element Update webpage. A Public Review Draft was circulated for 30 days from September 30, 2021 to November 1, 2021.

The key findings of this engagement are:

- Need more affordable housing, student housing, and multigenerational housing.
- Provide a variety of housing types
 - Townhomes and condos,
 - Mixed-use housing, and
 - Efficiency units.
- Update land use and zoning requirement for flexibility.
- Consider the environmental health impacts of housing sites.
- Develop under-utilized land.
- Partner with local organizations.

Additional details on Community Engagement can be found in Appendix A.2 (Attachment No. 4).

C. Housing Constraints (Attachment No. 5)

A variety of constraints may affect the provisions and opportunities for adequate housing in the City of Pomona. Housing constraints consist of both governmental constraints, including, but not limited to, development standards and building codes, land use controls, and permitting processes; as well as nongovernmental or market constraints, including but not limited to land costs, construction costs, and availability of finances. Combined, these factors can create barriers to availability and affordability of new housing, especially for lower and moderate-income households.

The key findings are:

- The constraints analyzed can all impact the supply and affordability of housing.
- Zoning regulations include outdated development standards and land use definitions.
- Lack of universal design and reasonable accommodations for persons with disabilities.
- Housing market presents economic challenges as housing values rise.
- Wildland fire risk limits potential development in some areas.

Additional details on Housing Constraints can be found in Appendix B (Attachment No. 5).

D. Housing Resources (Attachment No. 6)

This section contains the key findings on existing housing and financial resources that can support and mitigate the conclusions of the Housing Needs Assessment. Additionally, this section contains a summary of the adequate sites analysis to accommodate the City's 2021-2029 Regional Housing Needs Assessment (RHNA) allocation.

The key findings are:

- City has available, suitable land currently zoned to meet its RHNA allocation without the risk of housing displacement.
- City's CEQA streamlining process for housing projects has significantly reduced the time period for discretionary reviews.
- City utilizes state legislation accelerating housing production.
- City actively provides public subsidies, programs, and education to support affordable and fair housing.
- City's inclusionary housing ordinance provides a permanent source of affordable housing production.

The City of Pomona updated its General Plan in 2014, one year after the start of its fifth RHNA cycle (2013-2021). The 2014 Pomona General Plan coincided with the adoption of the Pomona Corridors Specific Plan, which implemented zoning for new housing density and mixed-used opportunities along Pomona's corridors of Garey and Holt Avenues and Mission and Foothill Boulevards. In 2019, the City updated the Downtown Pomona Specific Plan, which regulates approximately 250 acres in the center of the City, to also implement zoning for housing density and mixed-use called out in the General Plan.

In 2020, in response to Senate Bill 330 (SB 330), the City adopted the "SB 330 Overlay District," an urgency ordinance (Ordinance No. 4306) that implemented General Plan densities across all eligible parcels that had not yet been zoned after the 2014 General Plan. This action enables the City to pursue immediate housing development at densities consistent with the General Plan without the need for rezoning actions. An update to the "SB 330 Overlay District," is also on the February 7, 2022 Council agenda.

The City of Pomona has identified sites with sufficient capacity to accommodate the 2021-2029 RHNA and demonstrates additional capacity beyond State requirements.

- ▶ **Pomona Corridors Specific Plan.** The City has identified 89 parcels within the Pomona Corridors Specific Plan (PCSP), which runs along major corridors in Pomona going both east/west and north/south.
- ▶ **Downtown Pomona Specific Plan.** Additionally, the City has identified 38 parcels within the Downtown Pomona Specific Plan (DPSP), which is located at the center of the City and is adjacent to the Downtown Metrolink Station.
- ▶ **SB 330 Overlay District.** The City has identified 63 parcels that are within the SB 330 Overlay District.
- ▶ **Phillips Ranch Specific Plan:** The City has identified 2 parcels that are within the Phillips Ranch Specific Plan.

- **Accessory Dwelling Units.** The City of Pomona has determined based on past performance that it is appropriate to anticipate the development of 1,253 accessory dwelling units from 2021 to 2029. This projection is based primarily on the significant increase in permitting that the City has experienced between 2018 and 2021 and the calculation is outlined within Appendix B.

As shown in Table 1, the identified sites have been evaluated based on surrounding and existing onsite development to determine the extent to which on-site uses are likely to redevelop within the planning period (2021-2029).

To ensure compliance with recent amendments to State law under Senate Bill 330, none of the sites identified for statutory compliance would create a risk of displacement, as they do not currently contain a housing development. The City is submitting that it has adequate capacity to address its RHNA allocation, and a total buffer of 41 percent of additional parcels that accommodate additional housing development, which represents a buffer of 12 percent for below moderate housing, 19 percent for moderate housing, and 72 percent for market rate housing.

Table 1. *Summary of RHNA Status and Sites Inventory (referred to as Table C-3 in document)*

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
RHNA (2021-2029)	2,799	1,339	1,510	4,910	10,558
Unit Capacity on Site Inventory					
Unit Capacity on Projects in the Pipeline (In review, on entitled land, issued permits, or in construction since June 30, 2021)	310		8	2,234	2,552
Unit Capacity on Existing Residentially Zoned Land	3,459		1,759	5,855	11,073
Projected ADU Construction					
Projected ADU Construction	853		26	373	1,253
Sites Inventory Total					
Total Units towards RHNA	4,622		1,793	8,462	14,878
Total Unit Capacity Over RHNA	484		283	3,552	4,320
<i>Pro Housing Pomona Percentage</i>	12%		19%	72%	41%

Additional details on Housing Resources and Candidate Sites can be found in Appendix C (Attachment No. 6).

E. Affirmatively Furthering Fair Housing (Attachment No. 7)

This section contains the key findings of fair housing issues and concerns, as well as local contributing factors which were identified in the fair housing analysis. Key findings were derived using local, State and Federal data, as well as include a consideration of public feedback received during the update process.

The key findings are:

- Housing discrimination based on race and disability.
- Housing Choice vouchers rejected by landlords.
- Residents may face more barriers to securing mortgages than other communities.
- City has 2 census tracts of racial or ethnic concentrations of poverty (R/ECAPs).
- Environmental health and quality is low.
- Residents have a moderate to low level of access to opportunity.

Additional details on Affirmatively Furthering Fair Housing can be found in Appendix D (Attachment No. 7)

F. The Plan for Pro Housing Pomona (Attachment No. 2, Section 5)

This section describes the City of Pomona's housing strategy and policy plan for the 6th Cycle planning period (2021-2029). The goals policies and programs were developed using key data, community feedback, and a review of the City's past performance. The goals are intended to address the concerns and key findings identified in the Pro Housing Pomona

An important component of the Housing Element is an evaluation and reconsideration of the goals and policies that serve as the framework for more detailed implementing actions and programs. The goals and policies described in this plan support the State of California's overarching goal of providing "decent housing and a suitable living environment for every Californian" (Government Code Section 65580). Consistent with the City of Pomona's past practices, the housing goals embody the State's established goals for required local action (Government Code Section 65583).

The City of Pomona has identified the following housing goals as part of this Housing Element Update:

- ▶ **HOUSING GOAL #1:** Pomona's land use regulations encourage the development and preservation of safe, healthy, affordable housing as well as a variety of housing types, home ownership models, and designs.
- ▶ **HOUSING GOAL #2:** The City and Pomona Housing Authority actively support Pomona residents with financial resources and housing education to secure safe, decent, and sanitary housing.
- ▶ **HOUSING GOAL #3:** Pomona's households have the resources to improve their property, to continue living in Pomona across multiple generations, to build income and equity, and to be shielded from displacement and rapid changes in affordability.
- ▶ **HOUSING GOAL #4:** Pomona's households are supported by a strong network of resources and amenities that encourage quality public health outcomes.
- ▶ **HOUSING GOAL #5:** Pomona's housing policy actively supports fair and equal housing opportunity for all persons regardless of race, religion, sex, marital status, ancestry, national origin, family status, physical challenges, or color.

The full description of goals, policies, and actions for the Plan for Pro Housing Pomona can be found in the Pro Housing Pomona executive summary ([Attachment No. 2](#)).

PLANNING COMMISSION & HCD CERTIFICATION PROCESS

Planning Commission Recommendation

On November 11, 2021, the City timely submitted a draft Housing Element to HCD for an initial 60-day review. During this time period, the Planning Division brought forward the associated General Plan Amendment for Planning Commission consideration at its regularly scheduled meeting of December 8, 2021. The Planning Commission approved the General Plan Amendment recommending City Council approval (7-0-0-0), including the ability for Planning Division staff to make necessary revisions as outlined in any letter received from HCD as part of its review ([Attachment No. 12](#)).

HCD 60-Day Review

On January 11, 2022, the City received its first HCD review letter ([Attachment No. 13](#)). Subsequently, Staff conducted two follow-up calls with HCD on January 20 and 25, 2022, for guidance on addressing the comments. HCD's primary concern in the letter relates to the City forecasting the production of 2,181 accessory dwelling units (ADUs) between 2021 and 2029 as part of its RHNA site inventory. HCD believes this number is aggressive, and the annual growth rate is unrealistic, even after factoring in Pomona's uniquely large growth in ADU permitting over the last two years. Staff has revised this assumption to 1,253 ADUs, based upon historical permit data and the number of total applications received, and revised its annual growth rate to flatten growth assumptions. HCD generally accepted this methodology in its meeting with Staff. The concern related to ADUs, along with all other concerns raised in the letter, have been addressed and incorporated into the revised draft for Council consideration.

Next Steps

Upon Council adoption, the final document will be transmitted to HCD for its certification review. As indicated in the draft resolution, any additional comment letters received by HCD will be addressed administratively by the Development Services Department without necessitating additional Council action. Staff expects certification by Summer 2022. Moreover, the Development Services Department has prepared its Prohousing application to submit to the State for designation. The application will be submitted on the week of January 31, 2022, with comments on the application expected by the first week of March.

COUNCIL PRIORITIES & GOALS:

This item supports Priority #3 of the 2021 City Council Priorities and Goals, "*Increased Opportunity and Housing Stability*," which seeks to "*take steps to increase opportunities for*

housing, provide access to stable housing and home ownership to lower income residents, and reduce the number of people experiencing homelessness.”

Prepared by:



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ATTACHMENT(S):

- Attachment No. 1: Draft Resolution No. 2022-26
- Attachment No. 2: Pro Housing Pomona (Executive Summary)
- Attachment No. 3: Appendix A.1, Housing Needs Assessment
- Attachment No. 4: Appendix A.2, Community Engagement Summary
- Attachment No. 5: Appendix B, Housing Constraints
- Attachment No. 6: Appendix C, Housing Resources & Candidate Sites
- Attachment No. 7: Appendix D, Affirmatively Furthering Fair Housing
- Attachment No. 8: Appendix E, Review of Past Performance
- Attachment No. 9: Appendix F, Consistency Check
- Attachment No. 10: Appendix G, Glossary of Terms
- Attachment No. 11: Copy of Public Hearing Notice Published in IVDB
- Attachment No. 12: Planning Commission Resolution No. 21-035 (Unsigned Copy)
- Attachment No. 13: 60-Day Letter Received from HCD on January 10, 2022