

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

WHEREAS, the City of Pomona has initiated a General Plan Amendment (GPA17271-2021) to update the Housing Element of the Pomona General Plan;

WHEREAS, 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;

WHEREAS, 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);

WHEREAS, 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.

WHEREAS, “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;

WHEREAS, the “Pro Housing Pomona” document and related appendices constitute the sixth cycle update to the Housing Element of the Pomona General Plan;

WHEREAS, a public review draft of this document was circulated on September 30, 2021 through November 1, 2021;

WHEREAS, a revised draft was submitted to HCD on November 11, 2021 for a 60-day review period;

WHEREAS, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, approved GPA 1721-2021 at a public hearing on December 8, 2021 (7-0-0-0);

WHEREAS, on December 20, 2021, HCD conducted a phone meeting with City staff to provide verbal feedback on the draft submittal, in anticipation of a formal 60-day comment letter;

WHEREAS, Staff subsequently made revisions to the draft to address comments received by HCD in anticipation of a formal 60-day comment letter and re-submitted the draft;

WHEREAS, on January 11, 2022, HCD provided the City its first comment letter on the draft;

WHEREAS, HCD and Staff conducted two phone meetings on January 20 and 25, 2022, regarding the 60-day comment letter, and Staff subsequently made necessary revisions to the document based on the feedback provided in these meetings;

WHEREAS, the City Council of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on February 7, 2021 concerning GPA 1721-2021; and

WHEREAS, the City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Pomona, California:

SECTION 1. The City Council, exercising independent judgment, finds that 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.

SECTION 2. Based on consideration of the whole record before it, including but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the City Council hereby finds that the proposed General Plan Amendment is in the public interest and in the interest of the furtherance of the public health, safety, and welfare and is consistent with the goals, objectives, policies, and programs of the Pomona General Plan.

SECTION 3. Based upon the above findings, the City Council hereby approves General Plan Amendment (GPA 17271-2021), and further authorizes the City Manager, in consultation with the Development Services Department and Planning Division, to incorporate any subsequent revisions to the certification submittal that are recommended by HCD that do not significantly change the scope of this approval.

SECTION 4. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND ADOPTED THIS 7TH DAY OF FEBRUARY, 2022

ATTEST:

CITY OF POMONA:

Rosalia A. Butler, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Sonia Carvahlo, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF POMONA)

I, ROSALIA A. BUTLER, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 7th day of February, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rosalia A. Butler, City Clerk

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Section 1094.6.