

## **RESOLUTION NO. 2022-107**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, MAKING ADDITIONAL FINDINGS TO SUPPORT THE CITY'S APPROVAL OF GPA2021-0001, AN AMENDMENT TO THE CITY'S GENERAL PLAN TO UPDATE THE HOUSING ELEMENT FOR THE 6<sup>TH</sup> CYCLE COVERING PLANNING PERIOD 2021-2029, AS ADOPTED BY RESOLUTION NO. 2021-121**

**WHEREAS**, Government Code Section 65580 et seq. ("Housing Element Law") requires that every city prepare and periodically update the housing element of the general plan; every city is mandated to include statutory requirements in the housing element, and every city is required to submit a draft of its housing element to the California Department of Housing and Community Development ("HCD") for review and comment as to whether the housing element substantially complies with the Housing Element Law; and

**WHEREAS**, on January 21, 2021, the City Council and the Planning Commission opened a duly noticed public study session to introduce GPA2021-0001, an amendment to the General Plan to update the Housing Element for Planning Period 2021-2029 for the 6<sup>th</sup> Cycle Regional Housing Needs Assessment ("Housing Element Update"), the Regional Housing Needs Assessment ("RHNA") process, various state legislation governing Housing Element law, and the information contained in the Housing Element; and

**WHEREAS**, on February 16 and 18, 2021, the City held two stakeholder workshops with special interest groups, including organizations and agencies that provide housing or assist special needs groups with housing opportunities (low-income persons, senior citizens, persons with disabilities, persons needing rehabilitation, persons experiencing homelessness, persons of domestic violence, etc.) on the Housing Element Update; and

**WHEREAS**, at the request of the City Council, staff provided an administrative report at the March 17, 2021 City Council meeting on the RHNA and state law regarding the implementation of the RHNA; and

**WHEREAS**, on May 27, 2021, the City held a community meeting on the Housing Element Update and provided an overview of the purpose of the Housing Element, the City's RHNA allocation, and the housing sites inventory; and

**WHEREAS**, on June 21, 2021, the Planning Commission received an administrative report regarding the release of the draft Housing Element Update, which was posted on the City's website and available to the public for a period of 60 days for review and public comment; and

# **EXHIBIT 1**

**WHEREAS**, on June 23, 2021, the City Council opened a duly noticed public study session on the Housing Element Update and provided an update on the status of the Housing Element Update and the housing sites inventory; and

**WHEREAS**, on July 1, 2021, the City submitted its draft Housing Element Update to the California Department of Housing and Community Development (“HCD”) to initiate a 60-day review by the HCD; and

**WHEREAS**, on August 30, 2021, HCD provided findings and recommended changes to bring the Housing Element Update into compliance with the Housing Element Law; and

**WHEREAS**, the Housing Element Update was revised to address HCD’s comments and on September 27, 2021, the revised Housing Element Update was posted on the City’s Housing Element Update webpage; and

**WHEREAS**, Government Code Section 65354 requires that the Planning Commission make a written recommendation to the City Council on the Housing Element Update and further provides that a recommendation for approval be made by the affirmative vote of not less than a majority of the total membership of the Planning Commission; and

**WHEREAS**, in connection with GPA2021-0001, the City prepared an environmental evaluation to analyze the potential environmental impacts associated with the Housing Element Update and determine whether such impacts were adequately addressed in the Corona General Plan Technical Update Environmental Impact Report (SCH# 20180081039) (“General Plan EIR”) certified on June 3, 2020. The evaluation indicated that the Housing Element Update will not result in impacts beyond what was previously analyzed in the General Plan EIR and will not require additional mitigation measures not otherwise included in the General Plan EIR because the Housing Element Update will not have new or substantially more severe significant environmental impacts. In accordance with the requirements of the California Environmental Quality Act (Pub. Res. Code Section 21000 et seq.), together with the State Guidelines (14 Cal. Code Regs. Section 15000 et seq.) and local guidelines implementing said Act (collectively, “CEQA”) the City prepared an addendum to the General Plan EIR (“General Plan EIR Addendum”); and

**WHEREAS**, on October 21, 2021, the City’s Planning Commission adopted Planning and Housing Commission Resolution No. 2578, by a vote of 2-1, recommending approval of the revised Housing Element Update; and

**WHEREAS**, because Planning and Housing Commission Resolution No. 2578 was not adopted by an affirmative vote of at least a majority of the total membership of the Planning Commission, pursuant to the requirements of Government Code Section 65354 the written recommendation from the Planning Commission is not a recommendation for approval; and

**WHEREAS**, on November 3, 2021, the City Council held a duly noticed public hearing at which all persons wishing to testify in connection with the revised Housing Element Update were heard and the revised Housing Element Update and the General Plan EIR Addendum was comprehensively reviewed and adopted; and

**WHEREAS**, the City Council authorized the City's Planning and Development Director to make non-legislative changes to the Housing Element Update to address final comments received from HCD; and

**WHEREAS**, on November 5, 2021, the City submitted its adopted Housing Element Update to the HCD to initiate another review by the HCD; and

**WHEREAS**, on February 3, 2022, HCD provided findings and additional recommended changes to bring the adopted Housing Element Update into compliance with the Housing Element Law; and

**WHEREAS**, City staff has determined that HCD's recommended changes to the adopted Housing Element Update are non-legislative in nature and, as such, can be made by the City's Planning and Development Director pursuant to the authority provided by the City Council on November 3, 2021; and

**WHEREAS**, according to Government Code Section 65583.2(g)(2) if a city is relying on nonvacant sites to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use of such sites does not constitute an impediment to additional residential development during the period covered by the housing element;

**WHEREAS**, Government Code Section 65583.2(g)(2) further provides that an existing use is presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period; and

**WHEREAS**, because the City's adopted Housing Element Update identifies nonvacant sites to accommodate at least 50 percent of the City's RHNA allocation, the City is required to make findings, based upon substantial evidence, that the existing uses on such nonvacant sites do not constitute an impediment to additional residential development during the 2021-2029 planning period for the adopted Housing Element Update in order to be in compliance with the Housing Element Law.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, AS FOLLOWS:**

**SECTION 1. CEQA Findings.** As the decision-making body for this Resolution, the City Council has reviewed and considered the information contained in the General Plan EIR Addendum, the initial study and the administrative record for this Resolution, including all written and oral evidence provided to the City Council. Based upon the facts and information contained

in the General Plan EIR Addendum, the initial study and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds that the approval of this Resolution is consistent with and in furtherance of the General Plan EIR Addendum because this Resolution simply makes findings that are required by Government Code Section 65583.2(g)(2) to ensure that the Housing Element Update complies with the Housing Element Law. The City Council further finds, on the basis of substantial evidence in the light of the whole record, that the approval of this Resolution would not have a significant effect on the environment and none of the conditions described in State CEQA Guidelines Section 15162 exist. Therefore, the prior analysis is adequate and no further environmental review is required.

**SECTION 2.** Government Code Section 65583.2(g)(2) Findings. The City Council hereby finds that the existing uses on the nonvacant sites identified in the Housing Element Update to accommodate the housing need for lower income households does not constitute an impediment to additional residential development during the 2021-2029 planning period for the Housing Element Update because such uses are likely to be discontinued during the planning period based upon recent recycling trends for the conversion of nonvacant commercial properties to residential, including the integration of commercial uses with residential uses, increased vacancies in retail storefronts due to market transition to more online retail sales, the age and condition of non-residential structures on nonvacant sites, the low floor to area ratio on the nonvacant sites, and the improvement-to-land value ratio on the nonvacant sites being less than one. Additionally, as discussed in the Housing Element Update, the City's rezoning program to accommodate the planning of lower income units and additional housing units is designed to encourage the development of housing units on properties that previously did not allow residential, including the nonvacant sites identified in the Housing Element Update to accommodate the housing need for lower income households. The Housing Element Update discusses contributing factors to fair housing issues and identifies the lack of zoning for higher density residential as a constraint. The rezoning program removes this governmental constraint by establishing by-right zoning that is intended to support the development of higher density housing.

**SECTION 3.** Custodian of Records. The documents and materials that constitute the record of proceedings on which the findings set forth in this Resolution have been based are located at City of Corona City Hall, 400 S. Vicentia Avenue, Corona, California 92882. The custodian for these records is Joanne Coletta, Planning and Development Director.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** this 3rd day of August 2022.

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Mayor of the City of Corona, California

**ATTEST:**

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City Clerk of the City of Corona, California

**CERTIFICATION**

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 3rd day of August 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

**IN WITNESS THEREOF**, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 3rd day of August 2022.

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City Clerk of the City of Corona, California

[SEAL]