



Legislation Text

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REQUEST FOR CITY COUNCIL ACTION

DATE: 06/07/2023

TO: Honorable Mayor and City Council Members

FROM: Planning & Development Department

SUBJECT:

RESOLUTION ADOPTING THE 2023 LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

EXECUTIVE SUMMARY:

This staff report asks the City Council to adopt the State California Environmental Quality Act Guidelines for the Year 2023. The 2023 Local Guidelines for Implementing the California Environmental Quality Act for the City of Corona reflect recent changes to CEQA, including objective criteria and procedures to implement the requirements of the law.

RECOMMENDED ACTION:

That the City Council adopt Resolution 2023-045 approving the 2023 Local Guidelines for Implementing the California Environmental Quality Act for the City of Corona.

BACKGROUND & HISTORY:

California Environmental Quality Act (CEQA) is California's comprehensive environmental law codified in Public Resources Code Section 21000, et seq. CEQA is used by public agencies to evaluate the environmental effects of their actions before they are taken. Actions normally involving decisions on new developments, capital improvement projects, public works projects, transportation projects and certain regulatory agreements require an evaluation pursuant to CEQA.

CEQA aims to prevent significant environmental effects from occurring as a result of actions from a public agency by requiring the agency to avoid or reduce, when feasible, the significant environmental impacts of its decisions. To this end, CEQA requires public agencies to adopt specific objectives, criteria, and procedures for evaluating public and private projects that are undertaken or approved by the public agency.

ANALYSIS:

The City's Local CEQA Guidelines reflect recent changes in the law and also provide instructions and forms for preparing all environmental documents required by CEQA. The following is a summary of the changes to the Guidelines due to the adoption of recently enacted state legislation.

Transit Prioritization Projects (Section 3.20)

Senate Bill 922 amended Public Resources Code Section 21080.25 to exempt from CEQA certain transit, bicycle, and pedestrian projects that meet specified criteria and do not induce single-occupancy vehicle trips. Examples include but are not limited to 1) pedestrian and bicycle facilities, 2) transit prioritization projects, such as the installation of traffic signs or new signals, 3) a project for the institution or increase of bus rapid transit, bus, or light rail service; 4) a public project to construct or maintain infrastructure or facilities to charge, refuel, or maintain zero-emission public transit buses, trains or ferries, and 5) a decision to reduce or eliminate minimum parking requirements or institute parking maximums.

Transportation Plan, Pedestrian Plans, and Bicycle Transportation Plans (Section 3.21)

The California Legislature amended Public Resources Code Section 21080.20 to exempt active transportation plans and pedestrian plans from CEQA. An active transportation plan refers to a plan developed by a local jurisdiction that promotes and encourages people to choose walking, bicycling or rolling networks as an alternative to single occupancy vehicle trips. A pedestrian plan is a comprehensive, coordinated approach to improving pedestrian infrastructure and safety.

Water System Wells and Domestic Well Projects (Section 3.22)

Assembly Bill 1642 was codified in Public Resources Code Section 21080.31, which allows the construction, maintenance, repair, or replacement of wells where certain conditions are met to qualify as a statutory exemption under CEQA. A well project will qualify for the exemption if (1) the domestic well or water system to which the well project is connected is designated by the State Water Resources Control Board ("State Board") as high risk or medium risk in the State Board's drinking water needs assessment; (2) the well project is designed to mitigate or prevent a circumstance where residents that rely on the well or the water system to which the well is connected would be left without an adequate supply of safe drinking water; (3) the well project is not designed primarily to serve irrigation or future growth; and (4) a series of other conditions required by the law.

Affordable Housing Developments in Commercial Zones (Section 9.08)

The State Legislature with the adoption of Assembly Bill 2011 created a new CEQA-exempt, ministerial approval process for multifamily housing developments meeting specified criteria. This law is codified in Public Resources Code Section 65912.110, et seq. For a proposed multifamily housing development project to qualify for this exemption, the project must (1) ensure that 100 percent of the project's units, excluding managers' units, be dedicated to lower-income households at an affordable cost or affordable rent; (2) meet applicable objective zoning standards, objective subdivision standards, and objective design review standards, as defined; (3) be located in a zone where office, retail, or parking are a principally permitted use; (4) meet certain labor standards; and (5) meet a list of other conditions, specified in the Local Guidelines.

Mixed-Income Housing Developments Along Commercial Corridors (Section 9.09)

The State Legislature with the adoption of AB 2011 created a CEQA-exempt, ministerial approval process for proposed multifamily housing development projects that meet certain affordability criteria, set forth in Public Resources Code Section 65912.120, et seq. In addition to meeting the specified affordability criteria, the proposed project must (1) abut a commercial corridor and have frontage along the commercial corridor of at least fifty feet; (2) not be located on a project site greater than 20 acres; (3) be located in a zone where office, retail, or parking is a principally permitted use; (4) meet certain labor standards; and (5) meet a list of over twenty other conditions, specified in the Local Guidelines.

FINANCIAL IMPACT:

No fiscal impact is associated with amending the City's Local CEQA Guidelines.

ENVIRONMENTAL ANALYSIS:

The City's adoption of the Resolution approving the Local CEQA Guidelines is not a project under State CEQA Guidelines Section 15378(b)(5) because it involves an administrative activity and would not result in any environmental impacts.

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Attachments:

1. Exhibit 1 - Resolution 2023-045