

RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE SANTA ANA GENERAL PLAN AMENDMENT FOR THE 6<sup>TH</sup> CYCLE HOUSING ELEMENT UPDATE (GPA NO. 2021-01) AND ADOPTING AN ADDENDUM TO THE PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN UPDATE (SCH #2020029087)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

**Section 1.** The City Council of the City of Santa Ana hereby finds, determines, and declares as follows:

- A. California Government Code Section 65302(c) mandates that each city include a housing element in its general plan. The housing element sets forth goals, policies, and programs that address the future housing needs for all income levels.
- B. In 2022, the City Council of the City of Santa Ana approved the General Plan Update and adopted a Program Environmental Impact Report (SCH #2020029087) pursuant to the California Environmental Quality Act ("CEQA").
- C. Given the priority to address California's critical housing needs, the Housing Element is required to be updated every eight (8) years.
- D. The 6<sup>th</sup> Cycle Housing Element Update sets forth the housing policies for the City, facilitates the preservation and development of housing, and establishes programs to accommodate the City's share of the regional housing need.
- E. Pursuant to state law, the Housing Element must include the following provisions:
  - a. An analysis of existing and projected housing needs
  - b. An analysis of potential constraints on housing
  - c. An analysis of assisted housing developments that are "at-risk" and eligible to change from low-income housing uses
  - d. An inventory of sites suitable for housing development
  - e. An analysis of the plan's conformance with affirmatively furthering fair housing (AFFH) requirements

- f. An analysis of any special housing needs
  - g. An evaluation of the previous Housing Element
  - h. Goals, objectives, policies, and implementation programs
- F. The General Plan Amendment for the 6<sup>th</sup> Cycle Housing Element Update was initially circulated for public review on October 11, 2021, and submitted to the California Department of Housing and Community Development (HCD) on October 21, 2021, for its required review. The City subsequently submitted a revised element to HCD on February 24, 2022, for its required review. City staff worked closely with HCD staff assigned to review Santa Ana's draft Housing Element to address comments and revise the element to ensure compliance with state housing law.
- G. Pursuant to CEQA, City staff evaluated the proposed changes in the General Plan Amendment for the 6<sup>th</sup> Cycle Housing Element Update in light of the standards for subsequent environmental review outlined in State CEQA Guidelines section 15162, and concluded that the proposed changes would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects that were previously disclosed in the Program Environmental Impact Report. In addition, the City concluded there is no new information of substantial importance showing that the General Plan Amendment for the 6<sup>th</sup> Cycle Housing Element will have significant effects not previously identified; that previously examined significant effects will be more severe; or that mitigation measures previously found infeasible are now feasible. As such, no subsequent EIR or mitigated negative declaration is required. Nonetheless, the proposed changes would necessitate minor technical changes or additions to the Program Environmental Impact Report, and thus the City has prepared an Addendum to the Program Environmental Impact Report pursuant to State CEQA Guidelines section 15164.
- H. On December 20, 2021, the Planning Commission held a duly-noticed public hearing and considered the CEQA document, staff report, recommendations by staff, and public testimony concerning GPA No. 2021-01. The Planning Commission voted to recommend that the City Council adopt a resolution approving GPA No. 2021-01.
- I. On July 19, 2022, the City Council held a duly-noticed public hearing and considered the Program Environmental Impact Report, Addendum, staff report, recommendations by staff, and public testimony concerning GPA No. 2021-01.

- J. All statements and findings contained in the 6<sup>th</sup> Cycle Housing Element Update are incorporated herein by this reference as though fully set forth.

**Section 2.** State CEQA Guidelines section 15164 requires lead agencies to prepare an addendum to a previously certified EIR or approved negative declaration if some changes or additions to the project are necessary but none of the conditions requiring preparation of a subsequent EIR are present. The City Council has reviewed and considered the General Plan Update Program Environmental Impact Report and the Addendum, and finds that these documents taken together contain a complete and accurate reporting of all of the potential environmental impacts associated with the General Plan 6<sup>th</sup> Cycle Housing Element Update. The City Council further finds that the Addendum has been completed in compliance with CEQA and the State CEQA Guidelines. The City Council further finds and determines that the Addendum reflects the City's independent judgment.

**Section 3.** Based on the substantial evidence set forth in the record, including but not limited to the General Plan Update Program Environmental Impact Report and the Addendum, the City Council finds that an addendum is the appropriate document for disclosing the changes to the General Plan 6<sup>th</sup> Cycle Housing Element Update, and that none of the conditions identified in Public Resources Code section 21166 and State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred, because:

- (a) The General Plan 6<sup>th</sup> Cycle Housing Element Update does not constitute a substantial change that would require major revisions of the General Plan Update Program Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (b) There is not a substantial change with respect to the circumstances under which the General Plan 6<sup>th</sup> Cycle Housing Element Update will be developed that would require major revisions of the General Plan Update Program Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects.
- (c) New information of substantial importance has not been presented that was not known and could not have been known with the exercise of reasonable diligence at the time the General Plan Update Program Environmental Impact Report was adopted, showing any of the following:
  - (i) that the modifications would have one or more significant effects not discussed in the earlier environmental documentation;
  - (ii) that significant effects previously examined would be substantially more severe than

shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

**Section 4.** The City Council hereby approves and adopts the Addendum, attached hereto as a link in Exhibit A.

**Section 5.** The City Council hereby approves and adopts General Plan Amendment No. 2021-01. The 6<sup>th</sup> Cycle Housing Element Update is attached hereto as a link in Exhibit B and incorporated herein by reference as though fully set forth herein. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to the Request for City Council Action dated July 19, 2022, and exhibits attached hereto; and the public testimony, all which are incorporated herein by reference.

**Section 6.** The City Council hereby authorizes the Director of the Planning and Building Agency, or his or her designee, to approve ministerial revisions, or conforming edits, in the 6<sup>th</sup> Cycle Housing Element, such as spelling, formatting, punctuation, or revisions of such nature, which are non-legislative and that result from HCD's review for final certification of the Housing Element, without further Planning Commission or City Council consideration or re-adoption of the 6<sup>th</sup> Cycle Housing Element Update.

**Section 7.** This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

**Section 8.** The adopted General Plan Update Program Environmental Impact Report and the Addendum are on file and available for public review at the City's Housing Element website and City Main Library at 20 Civic Center Plaza. The City Clerk is the custodian of these documents.

**Section 9.** City staff is directed to prepare and file a Notice of Determination within five working days of the adoption of this Resolution.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Vicente Sarmiento  
Mayor

Resolution No. 2022-XXX  
Page 4 of 5

APPROVED AS TO FORM:  
Sonia R. Carvalho, City Attorney

By: John M. Funk  
John M. Funk  
Chief Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_  
NOES: Councilmembers \_\_\_\_\_  
ABSTAIN: Councilmembers \_\_\_\_\_  
NOT PRESENT: Councilmembers \_\_\_\_\_

**CERTIFICATION OF ATTESTATION AND ORIGINALITY**

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2022-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Council  
City of Santa Ana

# EXHIBIT A

All materials for Exhibit A, the General Plan Program Environmental Impact Report (PEIR) Addendum, may be accessed at: <https://www.santa-ana.org/general-plan-housing-element-update/> and are also on file and available at the City's Planning and Building Agency.

## EXHIBIT B

All materials for Exhibit B, the Draft General Plan Housing Element Update, may be accessed at: <https://www.santa-ana.org/general-plan-housing-element-update/> and are also on file and available at the City's Planning and Building Agency.