

January 2024 | General Plan EIR Addendum

# ADDENDUM TO THE GENERAL PLAN EIR

SCH No. 2004111132

FOR THE

# 2021–2029 HOUSING ELEMENT UPDATE AND ZONE CHANGE AMENDMENT

City of San Bernardino

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# 1. Addendum to the Certified General Plan EIR

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## 1.1 BACKGROUND

The proposed 2021–2029 Housing Element will replace the existing 2013–2021 Housing Element, which was adopted by City Council on February 10<sup>th</sup>, 2014 (City of San Bernardino, 2014) and serve as the City of San Bernardino’s (City’s) guiding housing policy document to help meet the City’s future housing needs for all economic levels as expressed by the state assigned regional housing needs assessment (RHNA). The Housing Element is one of 13 elements of the City’s General Plan which was adopted by City Council on November 1<sup>st</sup>, 2005 (City of San Bernardino, 2005a).

The General Plan is the foundational development policy document for the City of San Bernardino. It defines the framework by which the physical, economic, and human resources of the City are to be managed and used over time. The General Plan acts to clarify and articulate the intentions of the City with respect to the rights and expectations of the public, property owners, and prospective investors and business interests. The General Plan informs these citizens of the goals, objectives, policies, and standards for development of the City and the responsibilities of all sectors in meeting these. The General Plan Environmental Impact Report (EIR) evaluates the potential environmental impacts resulting from future development anticipated by the City of San Bernardino General Plan Update and Associated Specific Plans (General Plan).

Ordinarily, as a policy document, the Housing Element seeks to account for changes in redevelopment law, and clarify language with the goals, policies, and programs generally remaining intact from the previous Housing Elements. Furthermore, it would not result in physical changes to the environment but rather encourage the provision of affordable housing within the housing development project within the existing land use designations in the Land Use Element of the General Plan. However, in this instance, the City’s ability to meet its 2021-2029 RHNA will require, in part, the rezoning of existing residential and commercial sites. The City’s proposed Housing Element programs along with the zoning change amendment (proposed project) would result in the following:

- A. Revision of the Municipal Code to adopt the revised Chapter 19.04, Residential Zones, the residential districts from Residential Medium High (RMH-) 24 to RMH-32 and Residential High (RH-) 31 to RH-50. The change in number represents the new maximum number of units per acre.
- B. Revise the zoning map to change zone districts for parcels shown in Table 1-1, *Private-owned Land Identified in the Housing Element Inventory for Rezone* and Table 1-2, *City-owned Land Identified in the Housing Element Inventory for Rezone*.
- C. Adopt the City of San Bernardino 2021-2029 Housing Element.

This addendum to the City of San Bernardino’s General Plan EIR, certified on November 1<sup>st</sup>, 2005, (State Clearinghouse Number 2004111132), demonstrates that the analysis in that EIR adequately addresses the potential physical impacts associated with implementation of the proposed project, and the proposed project

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would not trigger any of the conditions described in Public Resources Code Section 21166 or the California Environmental Quality Act (CEQA) Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration. . This Addendum to the General Plan EIR serves as the environmental documentation for the City’s proposed 2021–2029 Housing Element and Zone Change Amendment.

### 1.2 GENERAL PLAN EIR

The General Plan EIR addresses both the General Plan Update and the Associated Specific Plans. For the purposes of this Addendum, the impacts relating to the General Plan Update only are identified and discussed. With regard to the General Plan Update, the General Plan EIR addresses potentially significant impacts related to air quality, cultural resources, noise, traffic and circulation, and utility and service systems (City of San Bernardino, 2005b). The General Plan EIR determined that the following environmental topics were less than significant before mitigation: biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, and recreation (City of San Bernardino, 2005b).

The General Plan EIR determined that implementation of the General Plan would result in significant and unavoidable impacts related to the following environmental topics (City of San Bernardino, 2005b):

- Air Quality
  - GP Impact 5.2-2: Construction activities associated with the proposed project would generate short-term emissions while long-term operation of the project would generate additional vehicle trips and associated emissions in exceedance of the SCAQMD’s threshold criteria.
  - GP Impact 5.2-3: Implementation of the San Bernardino General Plan update would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in a state of non-attainment.
- Noise
  - GP Impact 5.10-4: The San Bernardino International Airport is located within the City of San Bernardino, resulting in exposure of future residents to airport-related noise.
- Traffic and Circulation
  - GP Impact 5.-14-2: General plan related trip generation in combination with existing and proposed cumulative development would result in designated intersections, roads, and/or highways exceeding county congestion management agency service standards.

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### 1.3 PROJECT SUMMARY

#### 1.3.1 Revision of the Municipal Code to Residential Zones

The proposed project would result in the following revision to Chapter 19.04, Residential Zones. Underlined text is used to depict additions to Municipal Code Chapter 19.04, Residential Zones and unit changes. The zone district additions will only apply to the parcels shown in Figures 2 through 8 of this Addendum, and not to the City as a whole.

- RMH-32 (Residential Medium High-32) Zone. This zone requires a minimum lot size of 20,000 square feet with a maximum density of ~~24~~ 32 units per net acre. Lots 14,400-20,000 square feet shall be development at RM density.
- RH-50 (Residential High-50) Zone. This zone requires a minimum lot size of 20,000 square feet with a maximum density of ~~34~~ 50 units per net acre. Lots 14,400-20,000 square feet shall be developed at RM density.
- The proposed project mentions the constraints to allowing max density amongst parcels due to tiering which has limited the number of units a property can have. The tiered density provisions are scheduled to be removed in the comprehensive revision to the Development Code as part of the General Plan Update. However, the above Development Code amendments will remove the tiered density for only the parcels affected by the above zone district changes (Figures 2 through 8 of this Addendum) to allow these properties to achieve maximum density.

#### 1.3.2 Rezoning Housing Sites

California Government Code Section 65584 requires that each city and county plan to accommodate a fair share of the region's housing construction needs. The Southern California Association of Governments (SCAG) prepares the RHNA for the region based on existing and projected regional trends in population growth, household sizes, job accessibility, and transportation access. SCAG determines that the City must plan for and help facilitate the development of 8,123 new housing for the 6<sup>th</sup> cycle Housing Element, from 2021 to 2029. The City's housing allocation is 31 percent lower income (which includes 708 extremely low-, 707 very low-, and 1,097 low-income units), 18 percent moderate-income (1,448 units), and 51 percent above moderate-income (4,163 units). Cities are not required to build or financially subsidize housing development, but they must ensure sufficient sites are available to accommodate housing at designated affordability levels.

In order to meet the City's RHNA, the City will rezone 39 parcels which in total would amount to 27.91 acres as noted in Table 1-1, *Private-owned Land Identified in the Housing Element Inventory for Rezone*, and Table 1-2, *City-owned Land Identified in the Housing Element Inventory for Rezone*. The zoning changes allow the City to be able to meet its lower-income RHNA. The zone changes will allow a density of 32 dwelling units per acre for RMH zoning and 50 dwelling units per acre for RH zoning for those parcels shown in Figures 2 through 8.

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The proposed project mentions the constraints to allowing max density amongst parcels due to tiering which has limited the number of units a property can have. However, the proposed Housing Element introduces Program 2.4 Development Code Update, which removes the tiered density for lots in multi-family residential zones for all parcels in the city, including those shown in Figures 2 through 8 of this Addendum, allowing multi-family properties to achieve maximum density.

The zoning change amendment would modify the City of San Bernardino’s Municipal Code Chapter 19.04 Residential Zones which designates the maximum density that can be built per residential land use. The zones that require change are RH and RMH zones to increase density among sites that are presently designated for multi-family residential use. Currently, the City of San Bernardino has the RH zone which permits residential development at 31 units maximum per net acre. The City also has the RMH zone which permits residential development at 24 units maximum per net acre. To accommodate the low- and very low- income RHNA, the City will rezone the existing RH and RMH zones to allow for higher residential density that will only apply to the parcels shown in Figures 2 through 8 of this Addendum, and not to the City as a whole. The RMH zone will be upzoned to accommodate 32 dwelling units per acres and the RH zone will be upzoned to accommodate 50 dwelling units per acre for these parcels.

As shown in Table 1-1, *Private-owned Land Identified in the Housing Element Inventory for Rezone*, approximately 19.46 acres of private land would change zones from RMH 24 to RMH 32 and RH 31 to RH 50 in order to accommodate 819 housing units, Figure 1, *City of San Bernardino Rezoned Sites Citywide Map* shows the existing and proposed zone changes of these parcels and their location within the city. Table 1-2, *City-owned Land Identified in the Housing Element Inventory for Rezone*, shows that approximately 8.45 acres of city-owned surplus land would be rezoned from residential or commercial zones to either RMH-32 or RH-50 in order to accommodate 335 housing units. Figure 1, *City of San Bernardino Rezoned Sites Citywide Map*, and Figures 2 through 8, *City of San Bernardino Rezoned Sites* (1/7 Map through 7/7 map) show the existing and proposed zone changes of these parcels and their location within the city.

**Table 1-1 Private-owned Land Identified in the Housing Element Inventory for Rezone**

APN	Acres	Existing Zone	Proposed Zone	Max Density	Estimated Units**
013630207	0.68	RMH	RMH-32	32	20
013631118	1.59	RMH	RMH-32	32	48
013631126	0.91	RMH	RMH-32	32	27
013631109	0.92	RMH	RMH-32	32	27
028115164	1.55	RMH	RMH-32	32	46
015515124	6.48	RMH	RH-50	50	306
015515125	2.87	RMH	RH-50	50	135
015044104	1.08	RH	RH-50	50	51
015044130	2.21	RH	RH-50	50	104
015515120	1.14	RH	RH-50	50	54
015044114*	0.03	RH	RH-50	50	1
<b>Total</b>	<b>19.46</b>				<b>819</b>

Source: San Bernardino 2023.

\* This parcel is identified for rezone only for consistency, it is surrounded by parcel 015044130 and the two parcels have the same ownership.

\*\* Estimated units are based on maximum allowed density times 95 percent for realistic capacity based on past projects approved and/or built in the city.



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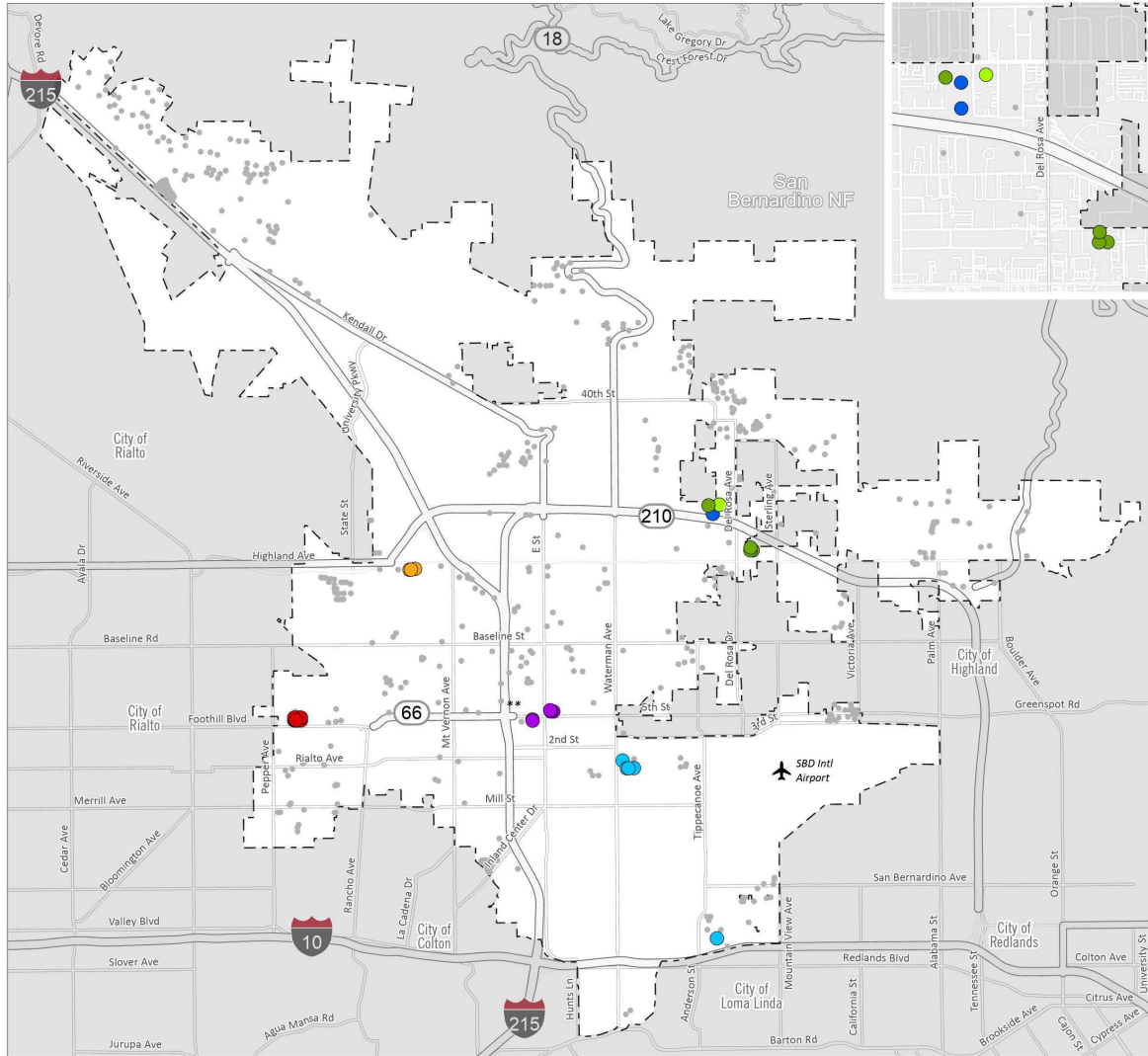
**Table 1-2 City-Owned Land Identified In The Housing Element Inventory For Rezoned Infill Parcels For Rezone To Accommodate Lower Income RHNA**

APN	Acres	Existing Zone	Proposed Zone	Max Density	Estimated Units
13407119	0.21	CR-2	RH-50	50	26
13407124	0.06	CR-2	RH-50	50	
13407126	0.06	CR-2	RH-50	50	
13407158	0.28	CR-2	RH-50	50	
13410109	0.21	CR-2	RH-50	50	23
13410110	0.31	CR-2	RH-50	50	
14252208	0.25	CG-1	RH-50	50	147
14252209	0.24	CG-1	RH-50	50	
14252211	0.24	CG-1	RH-50	50	
14252212	0.24	CG-1	RH-50	50	
14252213	0.24	CG-1	RH-50	50	
14252214	0.24	CG-1	RH-50	50	
14252215	0.24	CG-1	RH-50	50	
14252216	0.24	CG-1	RH-50	50	
14252217	0.25	CG-1	RH-50	50	
14252225	0.21	CG-1	RH-50	50	
14252235	0.2	CG-1	RH-50	50	
14252236	0.2	CG-1	RH-50	50	
14252237	0.2	CG-1	RH-50	50	
14252238	0.2	CG-1	RH-50	50	
14252241	0.2	CG-1	RH-50	50	
14252242	0.21	CG-1	RH-50	50	
14252210	0.24	CG-1	RH-50	50	
14252226	0.19	CG-1	RH-50	50	
14319174	0.75	CO	RMH-32	32	96
14319175	0.27	CO	RMH-32	32	
14301244	0.86	CO	RMH-32	32	
15545110	1.41	RH	RMH-32	32	
<b>Total</b>	<b>8.45</b>				<b>335</b>

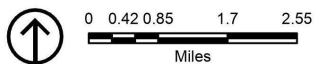
Source: San Bernardino 2023.

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**Figure 1 City of San Bernardino Rezoned Sites Citywide Map**



- |  |                                       |               |
|--|---------------------------------------|---------------|
| San Bernardino City Boundary               | <b>Existing Zone to Proposed Zone</b> | RMH to RMH-32 |
| Other housing sites not requiring rezoning | CG-1 to RH-50                         | RMH to RH-50  |
|  | CO to RMH-32                          | RH to RMH-32  |
|  | CR-2 to RH-50                         | RH to RH-50   |

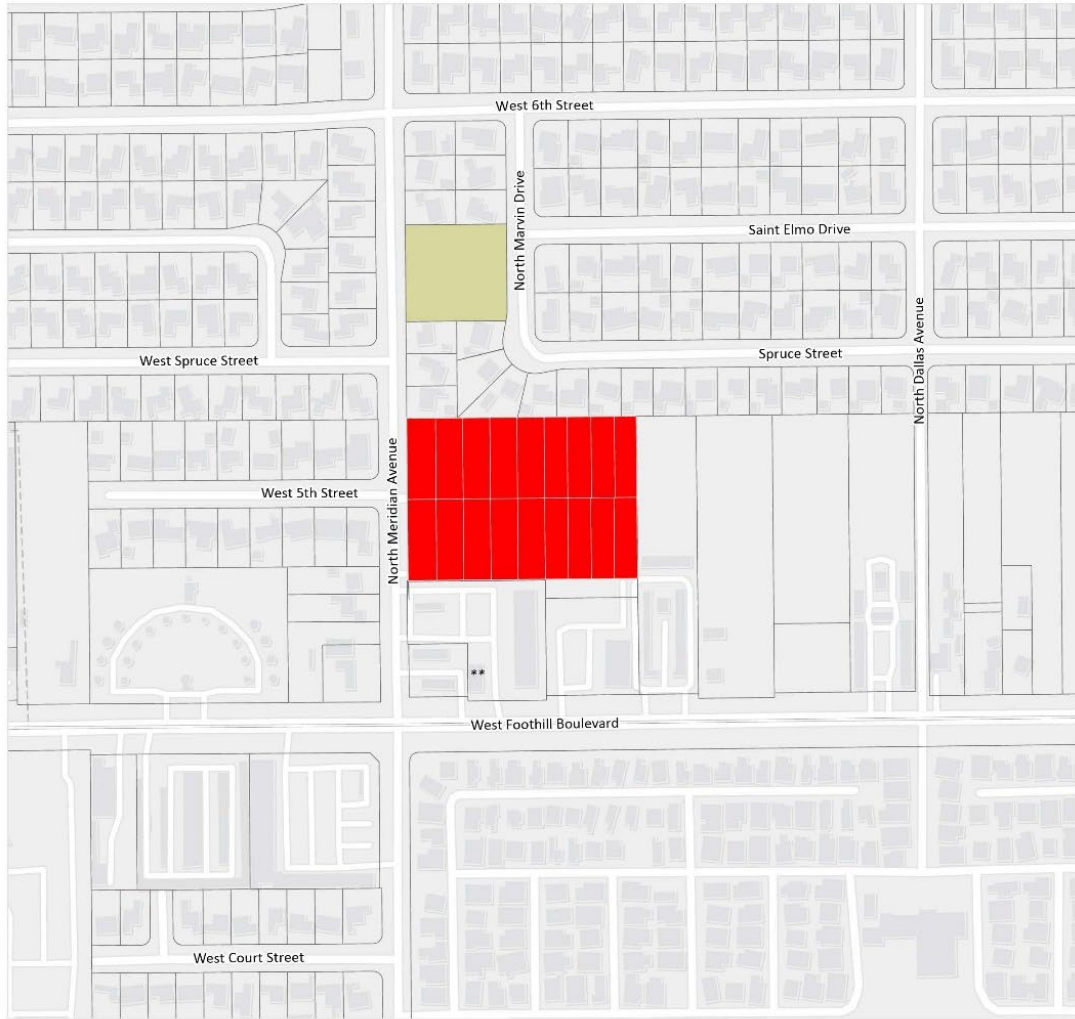


Source: PlaceWorks 2023

## Rezoned Housing Sites

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**Figure 2 City of San Bernardino Rezoned Sites 1/7 Map**



Source: PlaceWorks 2023

**Rezoned Housing Sites**

Existing Zone to Proposed Zone

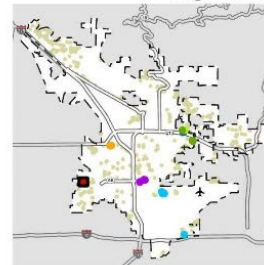
- CO to RMH-32
- CG-1 to RH-50
- CR-2 to RH-50
- RMH to RMH-32
- RMH to RH-50
- RH to RMH-32
- RH to RH-50

San Bernardino City Boundary

Other housing sites not requiring rezoning



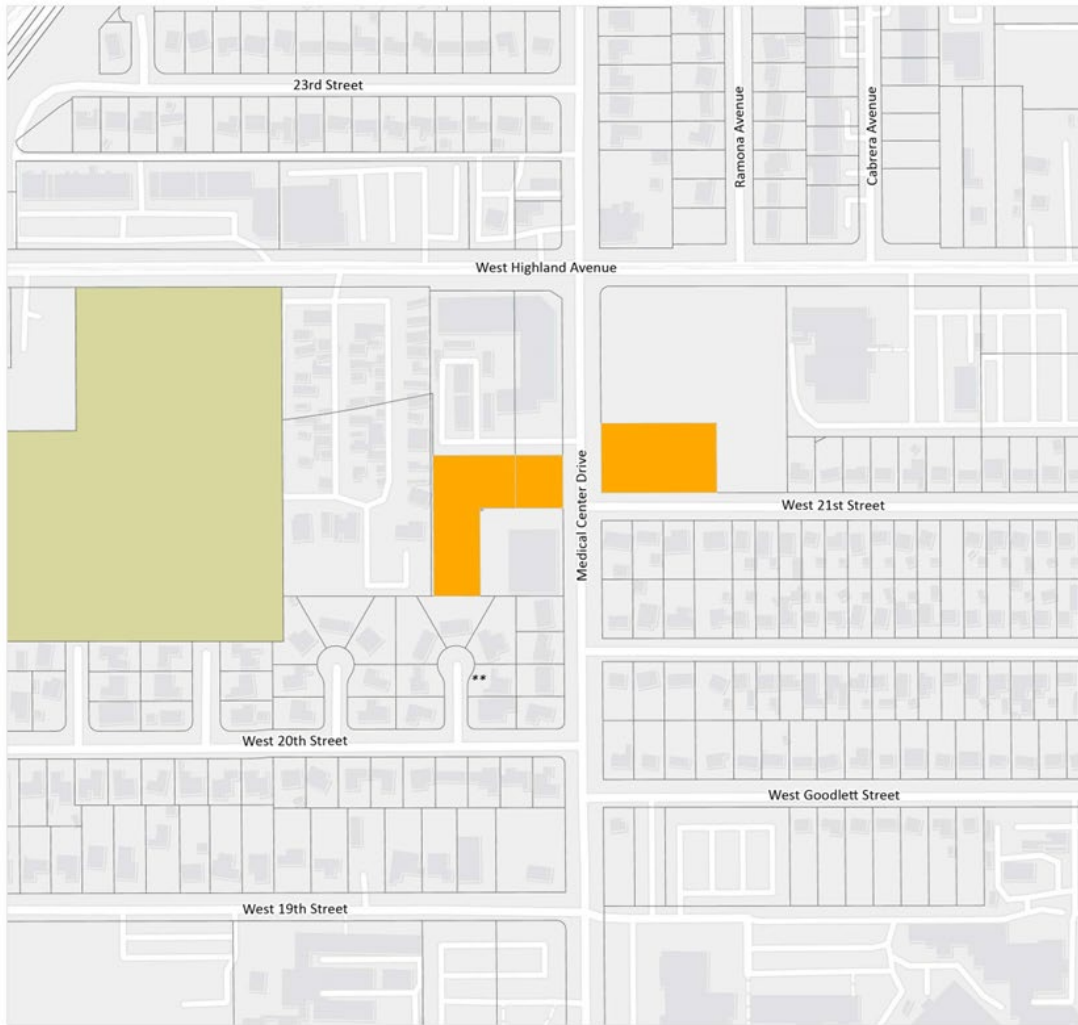
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## Rezoned Housing Sites

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**Figure 3 City of San Bernardino Rezoned Sites 2/7 Map**



Source: PlaceWorks 2023

- Rezoned Housing Sites**
- |  |   |
|--|---|
| Existing Zone to Proposed Zone   | San Bernardino City Boundary  |
| <span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> CO to RMH-32     | <span style="display:inline-block; width:15px; height:15px; background-color:tan; border:1px solid black;"></span> Other housing sites not requiring rezoning |
| <span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> CG-1 to RH-50       |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> CR-2 to RH-50    |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:cyan; border:1px solid black;"></span> RMH to RMH-32      |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> RMH to RH-50       |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightgreen; border:1px solid black;"></span> RH to RMH-32 |   |
| <span style="display:inline-block; width:15px; height:15px; background-color:darkgreen; border:1px solid black;"></span> RH to RH-50   |   |



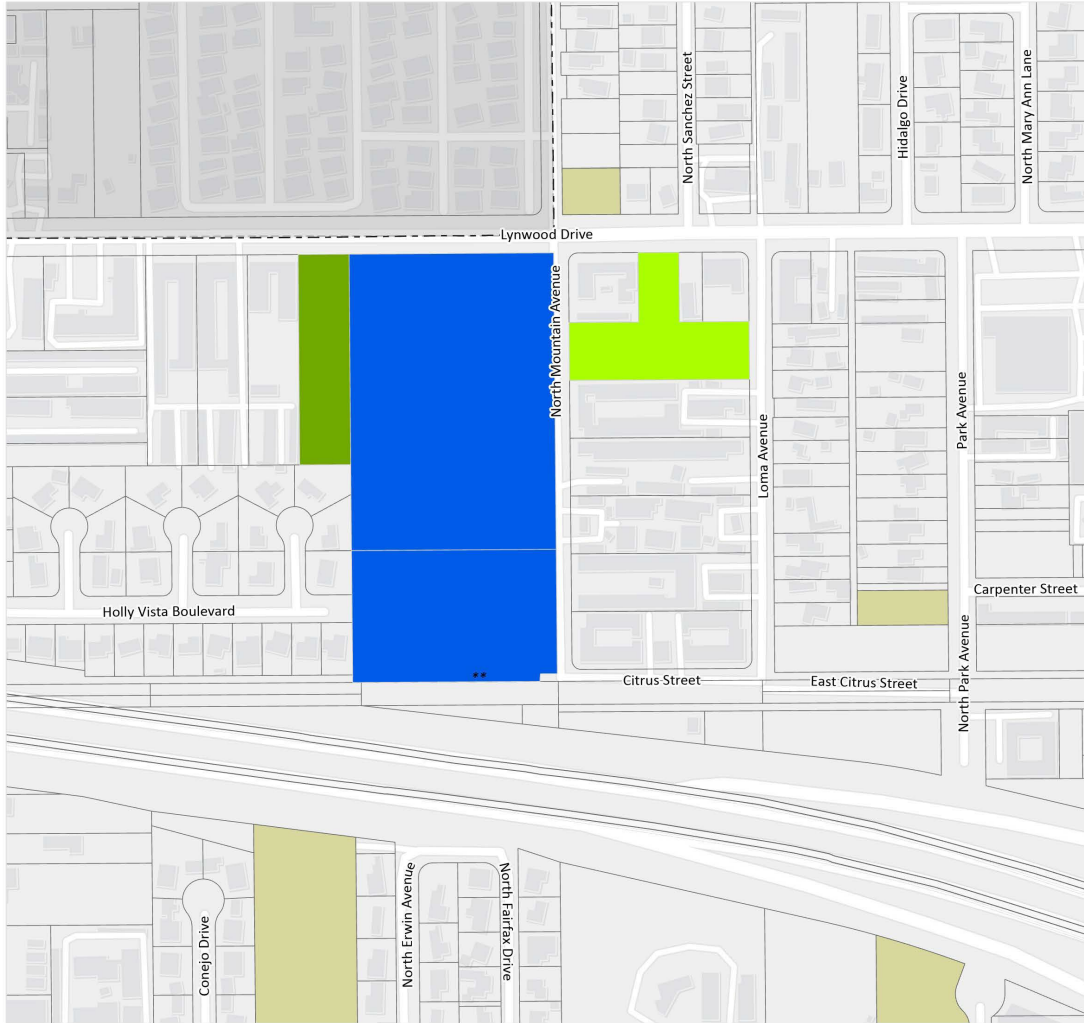
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**Rezoned Housing Sites**

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**Figure 4 City of San Bernardino Rezoned Sites 3/7 Map**



Source: PlaceWorks 2023

**Rezoned Housing Sites**

Existing Zone to Proposed Zone

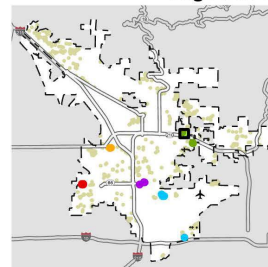
- CO to RMH-32
- CG-1 to RH-50
- CR-2 to RH-50
- RMH to RMH-32
- RMH to RH-50
- RH to RMH-32
- RH to RH-50

San Bernardino City Boundary

Other housing sites not requiring rezoning



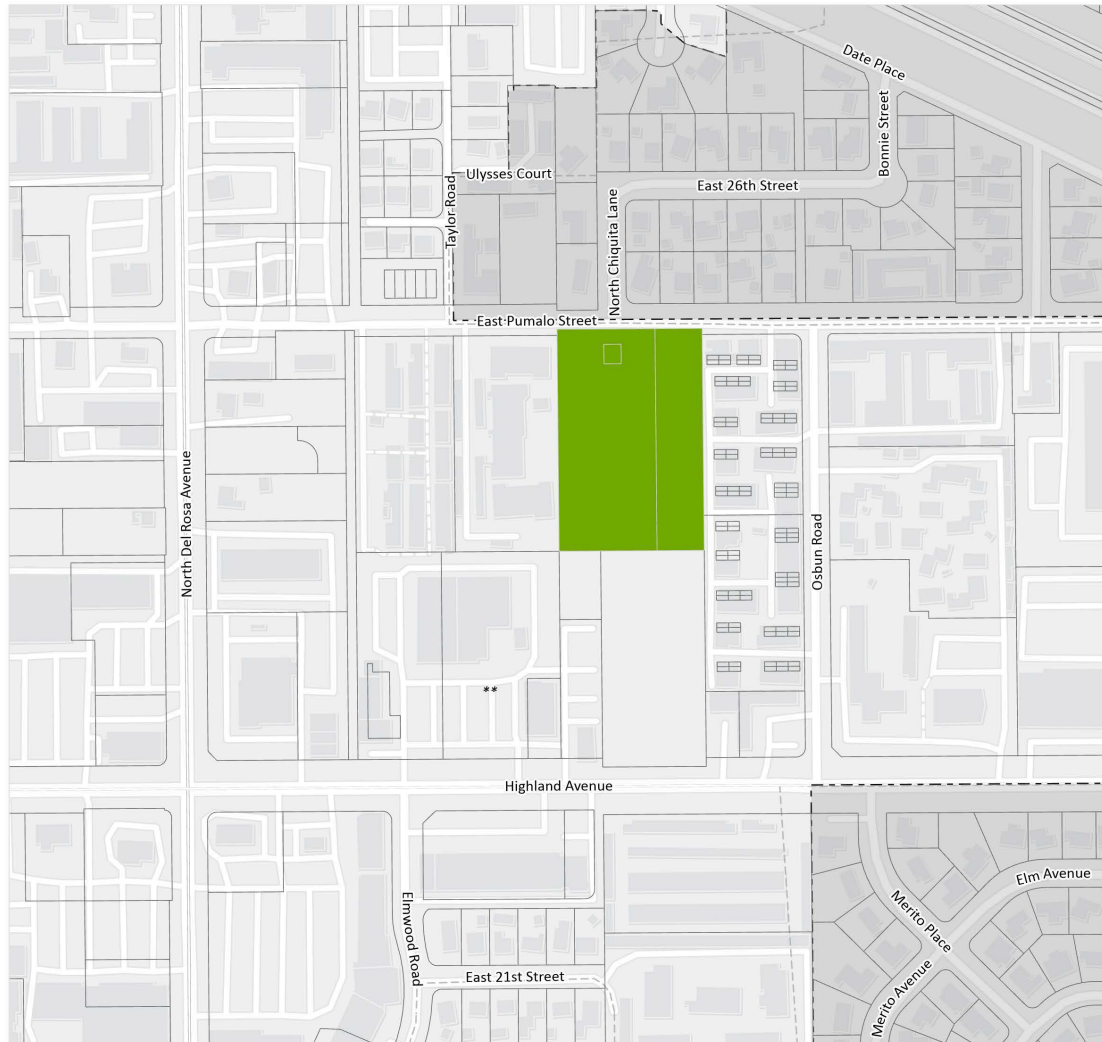
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## Rezoned Housing Sites

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**Figure 5 City of San Bernardino Rezoned Sites 4/7 Map**



Source: PlaceWorks 2023

**Rezoned Housing Sites**

Existing Zone to Proposed Zone

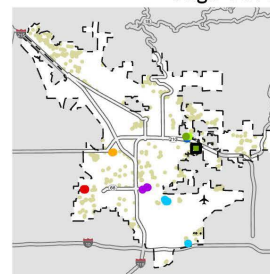
- CO to RMH-32
- CG-1 to RH-50
- CR-2 to RH-50
- RMH to RMH-32
- RMH to RH-50
- RH to RMH-32
- RH to RH-50

San Bernardino City Boundary

Other housing sites not requiring rezoning



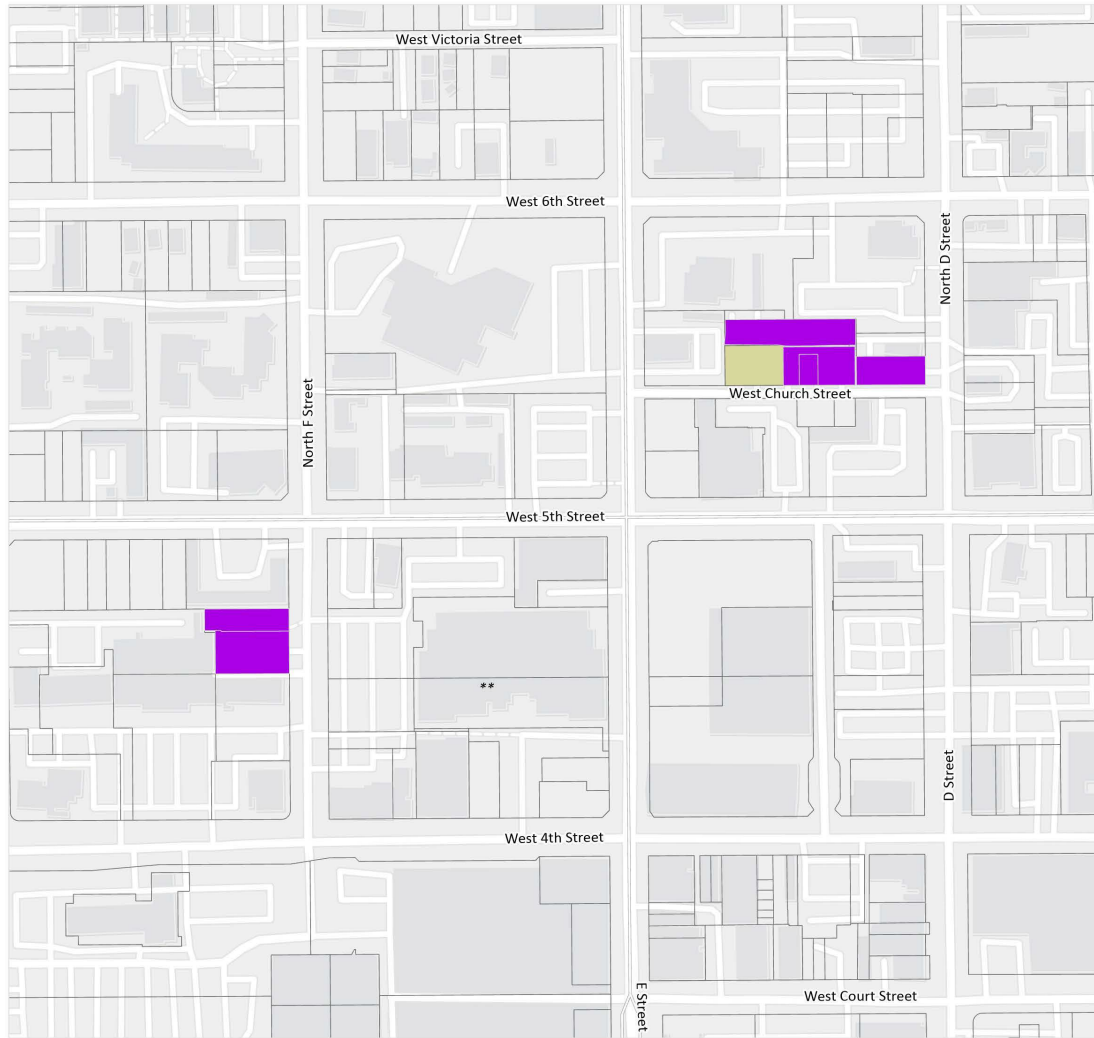
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## Rezoned Housing Sites

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**Figure 6 City of San Bernardino Rezoned Sites 5/7 Map**



Source: PlaceWorks 2023

**Rezoned Housing Sites**

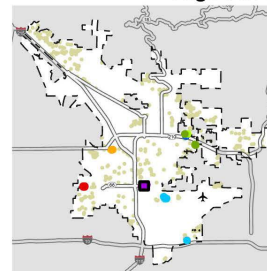
Existing Zone to Proposed Zone

- CO to RMH-32
- CG-1 to RH-50
- CR-2 to RH-50
- RMH to RMH-32
- RMH to RH-50
- RH to RMH-32
- RH to RH-50

- San Bernardino City Boundary
- Other housing sites not requiring rezoning



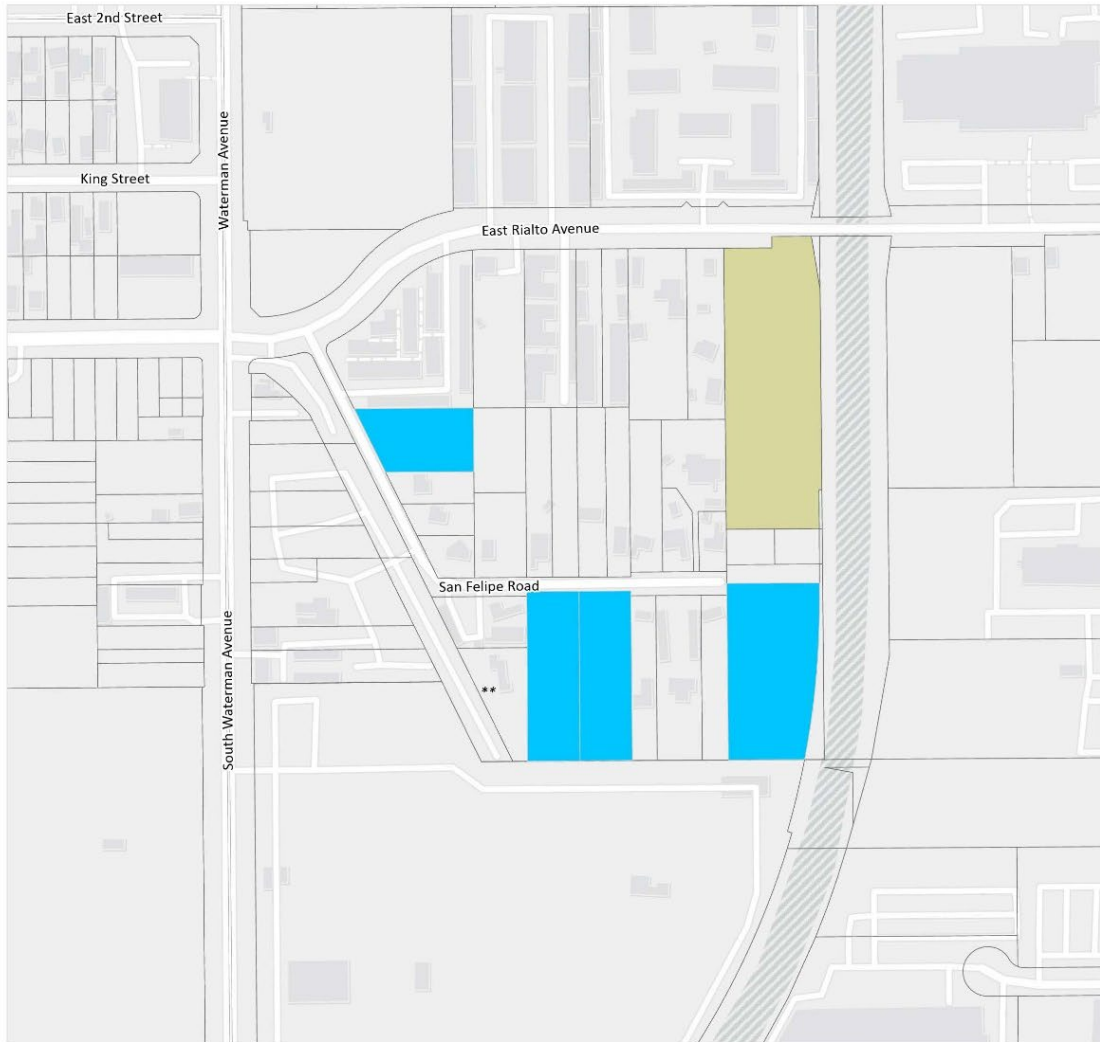
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## Rezoned Housing Sites

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**Figure 7 City of San Bernardino Rezoned Sites 6/7 Map**



Source: PlaceWorks 2023

**Rezoned Housing Sites**

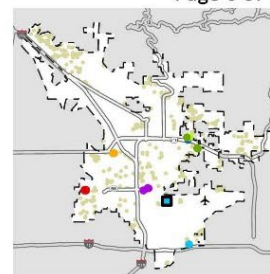
**Existing Zone to Proposed Zone**

- CO to RMH-32
- CG-1 to RH-50
- CR-2 to RH-50
- RMH to RMH-32
- RMH to RH-50
- RH to RMH-32
- RH to RH-50

- San Bernardino City Boundary
- Other housing sites not requiring rezoning



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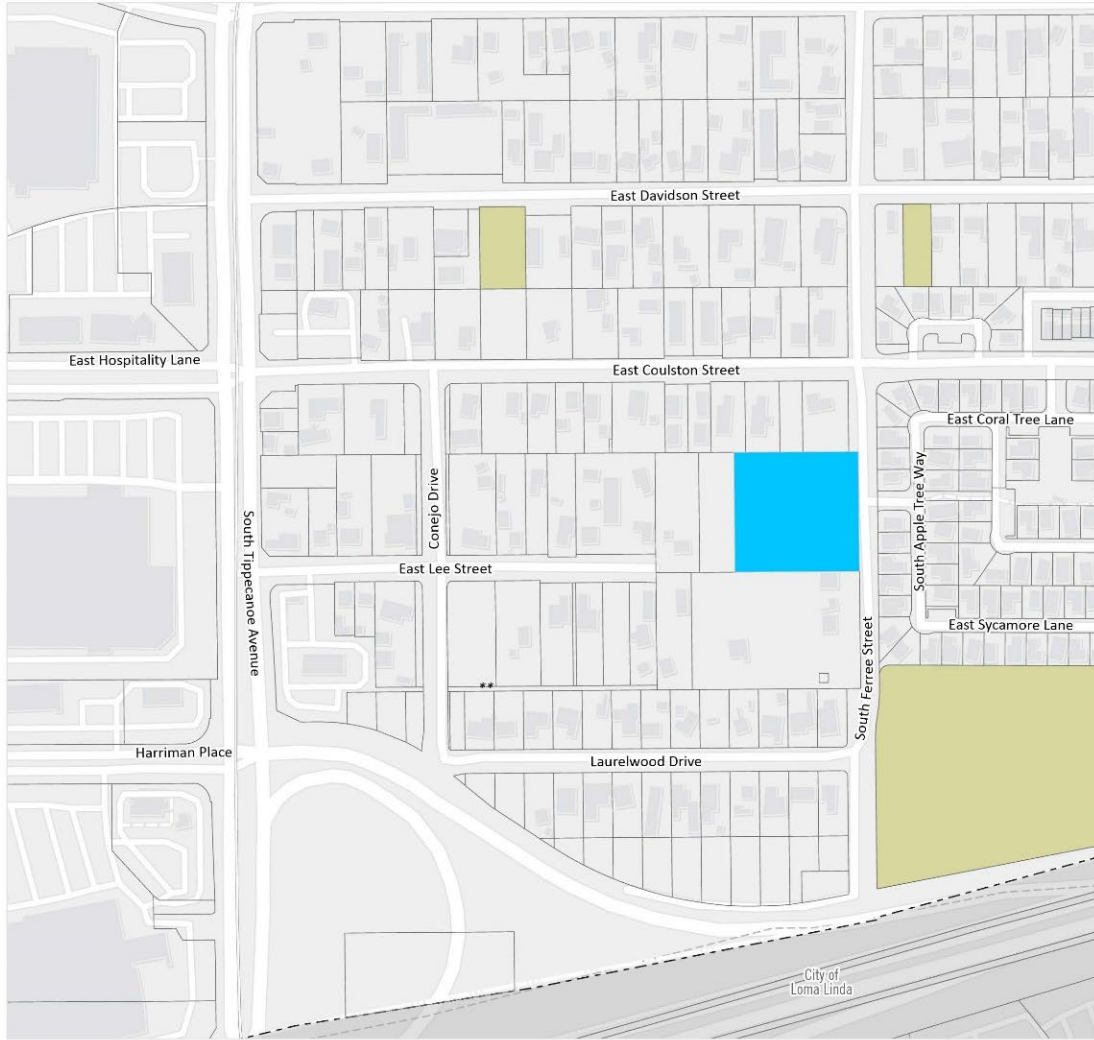


**Rezoned Housing Sites**



# 1. Addendum to the Certified General Plan EIR

**Figure 8 City of San Bernardino Rezoned Sites 7/7 Map**



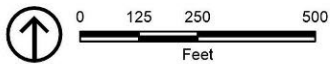
Source: PlaceWorks 2023

**Rezoned Housing Sites**

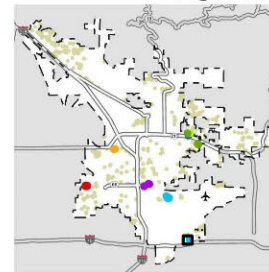
Existing Zone to Proposed Zone

- CO to RMH-32
- CG-1 to RH-50
- CR-2 to RH-50
- RMH to RMH-32
- RMH to RH-50
- RH to RMH-32
- RH to RH-50

- San Bernardino City Boundary
- Other housing sites not requiring rezoning



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## Rezoned Housing Sites

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### 1.3.3 Proposed Housing Element Update Program Changes

CEQA requires the City to evaluate the environmental impacts associated with direct and reasonably foreseeable indirect physical changes to the environment. Table 1-3 *Summary of Program Changes Between Existing Housing Element and 2021–2029 Housing Element*, includes the changes in programs between the existing Housing Element and the 2021–2029 Housing Element. As shown in Table 1-3 many of the programs from the previous Housing Element are continued through to the proposed 2021–2029 Housing Element.

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**Table 1-3 Summary of Program Changes Between Existing Housing Element and 2021-2029 Housing Element**

Program Name	Program Objective from the 2014-2021 Housing Element	Progress in Meeting the 2014-2021 Objectives	Continue/ Modify/Delete
Program 3.1.1 Downtown Housing	Encourage and facilitate the development of new housing in Downtown San Bernardino and along transit lines through the implementation of the Downtown Core Vision.	The City adopted a new vision to lay the groundwork for a future downtown specific plan. The City also executed a contract with National Core to redevelop Waterman Gardens into the Arrowhead Grove affordable housing project.	This program will be continued in the Housing Element. The City will complete the Downtown Specific Plan and the Arrowhead Grove project.
Program 3.1.2 Transit District Overlay	Publicize incentives offered by the Transit District Overlay beginning in 2014. Provide technical assistance to interested developers and property owners.	The City adopted a transit district overlay around 13 transit stations along the SBX Route with the goal of revitalizing station areas. Although the City was available for technical assistance, development did not occur due to the City's economic status.	This program will be continued in the Housing Element as the City envisions the role of transit districts increasing with the General Plan update.
Program 3.1.3 Residential Standards for Commercial Zones	Update the Development Code to identify clear and objective development standards for housing and mixed-use development in the CG-3 and CG-4 zones.	The City did not update the Development Code; work was postponed due to the impending update of the General Plan and Development Code.	The program will be continued in the element. To comply with Govt Code § 65913.4, the ODDS will be drafted as part of the Development Code update after adoption of the updated General Plan.
Program 3.1.4 Corridor Improvement Program	Facilitate investment and intensification along underutilized corridors through codifying the development and lot consolidation incentives proposed in the General Plan Land Use Element.	The City is implementing the Corridor Improvement Program, which provides policy, regulations, and incentives intended to stimulate investment and development in the Corridor Strategic Areas.  However, limited progress has been made to date.	This program can be an effective tool to encourage needed reinvestment if incentives are appropriate. The program will be continued and revised as part of the Development Code update.
Program 3.1.5 General Lot Consolidation Incentive	Amend the Development Code to incentivize lot consolidation for projects committing to management plans and providing on-site management.	The City is in the process of amending the Development Code to simplify development regulations and processes. However, additional lot consolidation incentives may be needed to stimulate housing along corridors or focused areas of the City.	This program will be continued. The City will update the Development Code to implement the General Plan and remove identified potential constraints to facilitate new development.
Program 3.1.6 Density Bonus Provisions	Facilitate higher density and affordable housing development by amending the Development Code to reflect the latest amendments to State density bonus law.	The City has received limited density bonus requests, except for several affordable housing projects. The density bonus ordinance was not revised due to staff shortfall.	This program will be continued in the Housing Element and, specifically, the density bonus ordinance will be updated as part of the update of the Development Code.
Program 3.2.1 Single-Family Housing Acquisition and Rehabilitation Program	Acquire and rehabilitate at least 50 abandoned and foreclosed homes for income-restricted resale to lower-income households.	This program was used in prior cycles with NSP funds, but no longer operational. Efforts are directed at the development of single-family homes on infill lots formerly owned by the City RDA. During the 5th cycle, the City accomplished the following: <ul style="list-style-type: none"> <li>MECH completed 3 infill properties for sale to eligible low income homebuyers—2060 E. 18th Street, 938 N "G" Street, and 140 W 13th Street.</li> <li>Additionally, NPHS seeks to complete two more phases (3 properties in Phase III and 4 properties in Phase IV) pending completion of City transfer of sites to NPHS.</li> </ul>	This program is an important approach to maintaining and improving housing stock and quality as well as expanding single-family housing opportunities within San Bernardino. The City will continue to operate and augment the program as financial resources become available.
Program 3.2.2 Single-Family Rental Property Inspection	Continue to identify code violations and educate owners and tenants about their responsibilities through single-family rental inspections. Refer owners to appropriate City programs to provide technical and financial assistance to address code violations.	The City spearheaded proactive code compliance efforts and provided financial assistance to property owners who cannot afford to maintain or rehab their dwellings. The program was suspended in 2020 due to funding but has now been reinstated with the hiring of additional code enforcement staff.	The program has been refunded and will be implemented for the 6th cycle Housing Element.
Program 3.2.3 Crime-Free Multi-Family Housing (CFMH)	Improve multi-family housing conditions; refer code violators to rehabilitation assistance programs on an as-needed basis.	To date, 65 properties are certified compliant. Recent progress in the program has been affected by budget constraints and staff turnover.	The crime-free multi-housing program was deleted during the housing element update process and replaced by a property maintenance program.
Program 3.2.4 Single-Family Rehabilitation Program	Provide assistance to 20 lower- and moderate-income households annually.	This program was consolidated and operated under Program 3.2.1.	The consolidated program will continue.
Program 3.2.5 Elderly/Special Needs Minor Repair Grants Program	On an annual basis, provide home repair grants for approximately 85 units occupied by senior and disabled households.	The Old Timers Foundation, a local nonprofit organization, used CDBG funds to perform minor and emergency repairs to 109 homes owned by seniors and disabled persons.	This program was discontinued during the 5th cycle. The program will not be reactivated; other rehab programs will cover the scope of this program.
Program 3.2.6 Critical Repair Program	Annually, provide assistance to 10 lower-income households to make critical exterior repairs.	Due to funding shortages, this program is inactive and is duplicated by existing home repair programs.	The program is discontinued for the 6th cycle. Other rehabilitation programs will cover this program.
Program 3.2.7 Preservation of Assisted Multi-family Rental Housing	Work with property owners and qualifying agencies to preserve 1,627 assisted multi-family rental units at risk of converting to market rents. Provide technical assistance to assist property owners to secure funds that preserve affordability of their housing units.	Ten projects totaling 1,257 units were at risk of conversion to market rents. The City assisted in conducting TEFRA hearings, issuing mortgage revenue bonds, and allocating City funds to preserve units, including City funds for fully replacing the Waterman Gardens Public Housing project.	The program is an important way to maintain/increase affordable housing in the City of San Bernardino and will be continued for the present Housing Element.
Program 3.2.8 Multi-family Rental Housing Acquisition/ Rehabilitation	Acquire and rehabilitate 50 multi-family rental units to benefit lower-income households.	The City contracted with MECH to rehabilitate the 52-unit Eastpointe Village. Working with county partners, the Golden Apartments was also acquired and rehabilitated for permanent supportive housing.	The program is an effective way to maintain safe, livable affordable housing in San Bernardino. While funding is no longer available, the City will continue to seek funds for projects that meet City objectives.
Program 3.2.9 Mobile Home Grant Repair Program	On an annual basis, provide home improvement grants to 20 lower-income mobile homeowners.	Program was previously done with Neighborhood Housing Services of the Inland Empire (NHSIE) and Inland Housing Development Corporation (IHDC), but there is no current progress.	The program will not be continued into the 6th cycle given its current status. However, should staffing or funding increase, the program may be reimplemented.

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Program Name	Program Objective from the 2014-2021 Housing Element	Progress in Meeting the 2014-2021 Objectives	Continue/ Modify/Delete
Program 3.3.1 Homebuyer Assistance Program (HAP)	On an annual basis, provide down payment assistance to 50 low-income first-time homebuyers and homebuyer/ homeowner education to 300 households.	The HAP program is implemented by NPHS. NPHS assisted one household in 2021 with HAP funds. Additionally, NPHS received \$350,000 for acquiring properties to develop affordable homeownership opportunities. In 2020 NPHS developed 2 infill homes, with plans to develop 2 more.	The program is an effective and important way to maintain safe, livable affordable housing in San Bernardino and will continue for the 6th cycle.
Program 3.3.2 Emergency Shelter Assistance	Continue to support emergency shelter operations.	The City continues to support the provision of emergency shelters. Several projects (including motel conversions) have been developed, expanded, or approved for development. The following projects will be completed in 2023: <ul style="list-style-type: none"> <li>U.S.VETS Housing: 30 units of permanent supportive housing and supportive services to veterans and their families.</li> </ul>	While the City has made great strides in housing its homeless residents, it remains a critical issue and the program will be continued in the Housing Element.
Program 3.3.3 Transitional Housing	Continue to support transitional housing programs and identify opportunities for expanding the transitional housing inventory to benefit lower- and extremely low-income households.	The City continues to provide funding to address the transitional housing needs in the City. Approved during the prior planning period, the following residential projects will be completed in 2023: <ul style="list-style-type: none"> <li>Mary's Village: Opened the City's first "men's" transitional project that provides housing, behavioral health, medical services, supportive services, job training, GED attainment, and wrap-around services.</li> <li>LSS Wellness Center: LSS will also provide emergency shelter, transitional housing, supportive housing, and wrap-around services.</li> </ul>	The program continues to be an effective way to address the City's transitional housing needs; and therefore, the program will continue in the 6th cycle.
Program 3.4.1 Reasonable Accommodation Ordinance	Reduce governmental constraints to housing for disabled persons through adopting a Reasonable Accommodation Ordinance.	The City completed a Development Code update in May 2021, which included a Reasonable Accommodation Ordinance (Chapter 19.63).	This program was completed during the 5th cycle. The City will maintain a Reasonable Accommodation Ordinance in compliance with state law and continue to implement it in order to support accessible housing development as needed to be updated with the development code update.
Program 3.4.2 Universal Design Features	Explore amending the Development Code or program parameters to incentivize or require universal design features in housing projects that are assisted by City funds.	The City is currently working on a comprehensive update to the Development Code and has begun work on a new General Plan, which is anticipated to be completed by 2024.	This program is targeted to be implemented during the 6th cycle Housing Element.
Program 3.4.3 Fair Housing Mediation	Contract for fair housing mediation services and refer those in need. Distribute fair housing materials at City buildings and on the City website.	The City contracts with Inland Fair Housing Mediation Board to provide education, dispute resolution, and landlord/tenant mediation services to property owners, landlords, and tenants.	The program will be continued during the 6th cycle.
Program 3.4.4 Transitional and Permanent Supportive Housing	Update the Development Code to adequately define transitional and permanent supportive housing, and permit these uses based on unit type, in accordance with SB 2.	While the City has permitted a considerable number of facilities, it will amend the zoning code for consistency with state law	This program is targeted to be complete in the 6th cycle as part of the Development Code update.
Program 3.4.5 Special Needs and Extremely Low-Income Housing	Provide expedited project review and funding priority for projects available for special needs or ELI/VLI households. Continue to refer those in need to available services.	The City continues to fund many projects for these income groups and several are currently approved and in the development pipeline.	This program will continue for the 6th cycle element.
Program 3.5.1 Priority Water and Sewer Service	Facilitate priority water and sewer service to affordable housing proposals.	The City prioritizes water and sewer services to proposed affordable housing projects. Since there was not a shortage of water and sewer, the City did not have to activate its priority approval process.	The program will be continued during the 6th cycle Housing Element because it is both important and effective in supporting the development of affordable housing.
Program 3.5.2 Application Streamlining Opportunities	Continue to explore ways of streamlining residential and mixed-use project permits.	The City continues to strive to streamline the entitlement process, plan check review, and building permit issuance for all development projects, including residential and mixed-use projects. As of 2020, no applications have been submitted for streamlined residential or mixed-use projects.	As a part of the Development Code update, the City will update and include streamlining procedures consistent with state law. Additional measures for creating a one-stop shop will be included.

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### 1.3.4 Modifications to Existing Programs

As shown in Table 1-1, the proposed 2021–2029 Housing Element consolidates some programs from the existing Housing Element to aid in implementation and eliminate redundancy. The programs focus on protecting existing housing stock and ensuring access to housing at all income levels. The City's proposed Housing Element programs along with the zoning change amendment (proposed project) would introduce new housing units and people to vacant parcels and would affect land use patterns in the city; however, the resulting impacts would be identical to the previously certified General Plan EIR.

### 1.3.5 New Programs

The 2021–2029 Housing Element proposes the following new programs.

- **Program 1.1 RHNA Housing Site Inventory:** This Housing Element provides an inventory of residential projects in the development pipeline and vacant sites that, taken together, will accommodate the City's 2021-2029 RHNA. The City will maintain an inventory and map of available sites for residential development and will, in accordance with state law, ensure that requirements for no-net loss and allowance by right for sites used from the prior two planning periods will be adhered to throughout the planning period and that appropriate rezonings will occur within the specified timeframes.

Objective(s)

- 1.1a. Maintain inventory of residential sites to address the 2021-2029 RHNA; periodically review sites for compliance with no-net-loss law.
  - 1.1.b. Upzone 5.65 acres of RMH-designated sites to RM-32, 9.35 acres of RMH designated sites to RH-50, and 4.46 acres of RH-zoned sites to RH-50 (See Table 4-5)
  - 1.1.c. On rezoned sites to meet the lower income RHNA, permit multifamily uses without discretionary action and address reads in Gov't Code 65583, (c)(1) and 65583.2, (h) (i).
  - 1.1.d. Multifamily projects with 20% or more units affordable to lower income will be allowed by right on sites identified in prior planning periods
- **Program 1.2 Downtown Specific Plan:** Downtown San Bernardino is central to the City's future as an urban center. The Downtown Specific Plan will transform the area into a mixed-use and multipurpose node that is connected to City services, employment, housing, and educational facilities, within walking distance and connected to transit. The Specific Plan aims to: restore historic and cultural prevalence to the downtown and its structures; leverage existing transit; restore and enhance civic life in the urban core; and serve as an economic and cultural catalyst to increase jobs, retail, housing, and places of gathering. The Specific Plan is not intended to assist in addressing the 6th cycle RHNA.

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### Objective(s)

- 1.2a. Adopt the Downtown Specific Plan; make associated amendments to the Development Code as needed, and monitor plan effectiveness
  - 1.2b. Issue RFP, comply with the Surplus Land Act, and select a developer(s) for the Carousel Mall catalytic housing sites and others identified in the Specific Plan.
  - 1.2c. Continue to work with residential developers until the catalytic projects are built on residential sites in downtown.
- **Program 1.4 City-Owned and Surplus Site Development:** The City will continue releasing land designated as surplus for development of affordable housing. The City will release surplus sites annually, noticing them via a Notice of Availability consistent with the SLA. All surplus sites are tracked on the City's website. All surplus sites disposed pursuant to the SLA will include a minimum of 15-25 percent affordable units depending on SLA regulations. In addition to completing rezoning by April 17, 2024, the City will facilitate resolution with selected developers of any impediments to receiving entitlements and building permits to ensure that the project can commence construction prior to January 2028.

### Objective(s)

- 1.4a. Dispose RDA sites (Table 4-6) in compliance with SLA; advertise surplus land for sale on the City's website; and consider and award bids to affordable housing developers.
  - 1.4b. Rezone 4.0 acres of CG-1 zoned land to RH-50, 1.9 acres of CO-zoned land and 1.4 acres of RH-zoned land to RMH-32 zoning, and 1.3 acres of CR-2 land to RH-50 zoning.
  - 1.4c. Proactively work with nonprofits or for-profit entities to develop residential uses on the surplus sites with units that are affordable to lower income households.
  - 1.4d. Require any Bice property development on surplus land to reserve at least 15 percent of its units for lower-income households, per state law under the Surplus Lands Act.
- **Program 1.5 Accessory Dwelling Units:** Accessory dwelling units (ADU) are an effective strategy for providing affordable housing and reducing overcrowding and overpayment. In May 2021, the City Council adopted MC-1559 to allow ADUs and JADUs in all residential zones, subject to development review and compatibility with materials and architecture of the primary unit. The ADU Ordinance was subsequently amended again in 2022, resulting in a significant construction boom for ADUs and JADUs. Based on a three-year trend, the City is projecting 1,704 ADUs over the 2021-2029 planning period. To continue this progress, the following actions/objectives are proposed.

### Objective(s)

- 1.5a. Periodically review and revise ADU regulations for consistency with state law. Address changes to the ADU Ordinance noted by HCD's review letter dated October 2023.

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- 15b. Monitor and record progress in ADU production and affordability in the APR to ensure ADU targets are met.
- 1.5c. Adopt development incentives, including online marketing, expedited process, pre-stamped plans, and one-stop permit.
- 1.5d. If ADU production or affordability falls 25 percent below target for two calendar years, rezone sites to address shortfall within 6 months.
- **Program 1.7 Land Use Element/Code Update:** As part of the General Plan update, the Land Use Element will be amended to increase the allowable density range for all medium- and higher-density residential land use designations to leverage the demand for apartments and condominiums, both affordable and market rate. Moreover, new mixed-use designations will be created along major east-west and north-south corridors to facilitate the conversion of underutilized sites to residential and/or mixed uses, create a more intense urban downtown, and support existing commercial uses (see Program 1.6). The General Plan update will provide a policy framework for updating specific plans and mixed-use corridors. To achieve these goals will require amendments of the land use designations and SBMC.

### Objective(s)

- 1.7a. Complete comprehensive updates to the General Plan Land Use Element to further increase opportunities for new housing.
- 1.7b. Revise land use designations of medium- to high-density residential zones; create mixed-use zones to implement the General Plan.
- 1.7c. Increase density ranges for medium-and-higher density zones, and draft density/intensity and development standards for residential and mixed-use projects.
- **Program 1.8 Design Standards:** Design standards are implemented to ensure that residential projects built are of lasting value, provide communitywide benefits, and reduce visual blight. Objective development and design standards (ODDS) are a key part of this process because they provide property owners and builders with the community's expectations for project design, and they improve predictability of the development review and approval process by offering quantifiable standards and regulations that need to be followed. The Development Review Committee, an interdepartmental committee of City staff, reviews all project applications and makes consistency recommendations to the approving body. However, SB 330 requires revisions to the design regulations in the municipal code to provide more specific design guidance for residential/mixed-use projects.

### Objective(s)

- 1.8a. Revise, adopt, and implement ODDS (objective development and design standards) for residential and mixed-use projects to comply with State law.

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- 1.8b. Review and revise the design findings required for the review and approval of projects to allow for greater objectivity, clarity, and certainty in approval.
- 1.8c. Publicize and market the new objective development and design standards on the City's economic and community development website.
- **Program 2.1 Regulatory Incentives:** San Bernardino has many underutilized sites and opportunities for residential development. However, small, individual lots offer limited development potential and generally cannot support on-site management when the lot is developed with residential uses. Residential development opportunities, particularly along corridors and infill on vacant and underused sites in existing neighborhoods, could be increased through a broader incentive program. While the City routinely grants minor modifications and exceptions to facilitate development, the program could be expanded to include lot consolidation incentives, such as density incentives. In tandem with other regulatory incentives, these tools will encourage a more efficient use of the land, offer flexibility for developers, and facilitate quality development. Moreover, such a program will further assist developers in revitalizing corridors given new state laws allowing for residential uses.

### Objective(s)

- 2.1a. Amend Development Code to incentivize lot consolidation, merger, or lot line adjustments to encourage assemblage of lots into larger parcels to facilitate quality housing.
- 2.1b. Allow for minor modifications and exceptions to facilitate and encourage the development of quality residential development.
- **Program 2.3 Development Fee Study:** Development fees support community services and benefits, such as public safety infrastructure, transportation infrastructure, affordable housing, environmental mitigation, libraries, parks, flood control, and other projects. However, if not carefully drafted, impact fees can make it infeasible for developers to build housing or can significantly increase home prices. Development fees can amount to anywhere from 6 to 18 percent of the median price of a home depending on location, according to the AB 602 Senate Floor Analysis. The City has hired a consultant to assess fees. The City will utilize the fee study to determine revisions to balance full-cost recovery, ensure proposed projects are adequately planned for, and consider the cumulative effect on housing development.

### Objective(s)

- 2.3a. Study and implement development and impact fees in accordance with SB 319 and AB 602, as codified in Gov't Code § 66000 et. seq.
- 2.3b. Complete development fee study to assess appropriateness and consistency with state law; revise fees based on the findings.
- 2.3c. Study the feasibility of offering selected fee reductions, where appropriate, to facilitate the development of housing that fills unmet housing need.



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- **Program 2.4 Development Code Update:** As part of the General Plan update, the City has committed to updating the Development Code. Among other items, key provisions include: 1) updating regulatory measures that allow housing types, including special needs housing (Program 2.7); 2) updating the density bonus ordinance (Program 2.2); 3) updating development and design standards to facilitate development along corridors and in downtown (Programs 1.6 and 1.8); and 4) make amendments to facilitate consistency with the General Plan (Program 1.7). However, additional revisions to the Development Code are needed to address potential constraints to development.

### Objective(s)

- 2.4a. Revise residential open space and lot coverage standards to allow more flexibility in satisfying requirements (e.g., use of shared space or transfer of open space requirements)
  - 2.4b. Remove the tiered density reduction standards for lots in multiple-family residential zones, thus facilitating achievement of maximum density in each respective zone.
  - 2.4c. Revise land use tables for all zones to clarify requirements for land use allowance and creating distinct requirements for physical improvements to property.
  - 2.4d. Review and, if needed, revise other code requirements and administrative processes that could impede achievement of maximum density.
- **Program 2.5 Permit Facilitation:** The City’s development review process has three tiers of permits (administrative, development, and conditional permits), each with different decision-making bodies that review, condition, and approve applications. While the City meets its statutory requirements for processing development applications, conversations with developers indicated that further actions, beyond augmenting staffing, can streamline, coordinate, and facilitate the processing of permits. To that end, the City is developing a “one-stop shop” counter that will physically and virtually connect all phases of review for development applications. Additional processes are being implemented, including the objective design standards and permit-expediting process during the planning period.

### Objective(s)

- 2.5a. Establish a written policy or procedure to allow a streamlined approval process and standards for eligible projects, as set forth under Gov’t Code § 65913.4.
- 2.5b. Create a one-stop-shop counter for residential projects to streamline the application submittal and review process, improve consistency, and improve development certainty.
- 2.5c. Monitor status of projects quarterly; for ones not moving forward, contact developers to ascertain issues, facilitate remaining entitlements, and assist in extensions as needed.
- 2.5d. Track project processing to ensure an environmental determination is made pursuant to PRC§21080.1, within the timeframes of the PRC §21080.2 and Gov’t Code 65950(a)(5).

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- **Program 2.6 Site Improvements Assistance:** Site improvements are necessary to prepare land for development and address potential impacts of development on- or off-site. Common improvements include grading, street lighting, and drainage; curb, gutter, and sidewalks; utility poles and connections; roadway improvements; etc. Financing site improvements can be a challenge for developers who propose affordable housing or small projects where infrastructure is lacking. To reduce the constraints and costs associated with site improvements, the City may, on a project-by-project basis, 1) allow developers to defer site improvements to a later date, 2) waive the requirement to underground utilities, or 3) waive or modify requirements for public street improvements if the improvements are cost prohibitive.

### Objective(s)

- 2.6a. Require adequate site improvements for residential and mixed-use projects to ensure that impacts of development are addressed and mitigated.
  - 2.6b. Consider deferral, modification, or waiver of street improvements, undergrounding of utilities, and other features on a project-by-project basis.
- **Program 2.7 Constraints to a Variety of Housing:** Housing Elements must provide for a variety of housing types to accommodate people of all incomes, household types, and disabilities. This includes housing such as single-family homes, multi-family rental housing, factory-built housing, ADUs, mobile homes, housing for agricultural employees, SRO units, emergency shelters, transitional housing, permanent supportive housing, and low barrier navigation centers. The SBMC update will include the following revisions.

### Objective(s)

- 2.7a. Amend the SBMC to define and permit employee housing as a by-right use in zones allowing single-family housing, in accordance with Health and Safety Code § 17021.5.
  - 2.7b. Define/permit ADUs as a by-right use consistent with Gov't Code §65852.2; incorporate changes to the ADU ordinance required by HCD's October 2, 2023 memo to the City.
  - 2.7c. Amend SBMC's permitting, definitions, and associated regulations to facilitate development of emergency shelters, transitional and supportive housing, and low barrier navigation centers per state law (See Program 5.5).
  - 2.7 d. Interview SRO/micro-unit developers and propose ordinance revisions for consideration to the City Council to incentivize both housing types.
- **Program 2.8 Constraints to Housing for People with Disabilities:** In December 2022, HCD issued a technical memorandum that provides guidance on how cities should address group homes and housing for people with disabilities. This guidance addresses how such land uses are defined, permitted in zoning districts, subjected to local regulations, and allowed reasonable accommodation. In addition, AB 2339

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requires additional changes to emergency shelters and other potential constraints to the development of suitable housing. These facilities may also house disabled individuals needing special accommodations.

### Objective(s)

- 2.8a. Amend SBMC to redefine the terms “family,” “dwelling unit,” “dwelling single,” and “disability” and residential/ community care facilities to comply with fair housing law.
- 2.8b. Amend the SBMC to allow group homes or small residential care facilities (RCF) serving six or fewer persons that operate as a single housekeeping unit and that do not provide licensable services in all zones allowing single or multiunit residences.
- 2.8c. Amend the SBMC to allow RCFs operating as a single housekeeping unit that provide licensable services to more than six residents subject to a conditional use permit based on generally applicable, nondiscriminatory findings in all zones allowing residential/mixed uses.
- **Program 3.1 Housing Rehabilitation:** The Owner-Occupied Rehabilitation Program is designed to assist income-eligible San Bernardino homeowners improve the living conditions of their homes. Only owner-occupied single-family detached dwellings, townhomes, and condominiums within the San Bernardino city limits qualify for this program. Health and safety, building code, accessibility, and some general property-related repairs are eligible for reimbursement. Loans are all deferred loans at three percent interest per annum, with no payments due on the loan unless qualifying actions occur. Beyond single-family homes, however, the City also has a need for rehabilitation of mobile homes and apartments. Though there are fewer funding sources available, HCD will release a Multi-family Housing Program (MHP) Super NOFA in late 2023 to provide funding for rehabilitation activities.

### Objective(s)

- 3.1a. Contract with NPHS to implement the owner-occupied housing rehabilitation loan program and report on results annually.
- 3.1b. Consider opportunities to seek and secure funding to expand the housing rehabilitation program to mobile home parks and apartments.
- 3.1c. If program expansion is feasible and approved by council, authorize staffing and financial resources to expand program to cover mobile homes and apartments.
- 3.1d. Conduct a survey to clarify the need for demolition, moderate repairs, and major repairs needed to the housing stock within the city.
- **Program 3.2 Rental Housing Program Maintenance Standards:** On October 4, 2023, the City Council adopted MCC-1619 replacing Chapter 15.27 of the SBMC “Crime Free Rental Housing Program” in its entirety with Rental Housing Program Maintenance Standards. It also amends the chapter to retain the exterior inspections of multi-family rental housing and the eight-hour training class. As part of the stipulated judgment with Promise Gracia et al., the provision for charging for inspections has been

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removed. The ordinance applies to all multi-family rental housing complexes containing four or more units on a single parcel. City code enforcement may be involved in conducting the rental housing course and annual exterior (re)inspections as a lawful exercise of their duties, including but not limited to enforcement responsibilities under Civil Code 1941 et seq. and HS Code 17920.3 and 17975 et seq.

### Objective(s)

- 3.2a. Implement program changes immediately following adoption of the ordinance in 2023 and return to the City Council for action by mid-2024.
- 3.2b. Review ordinance on an annual basis to ensure that it is effective and complies with all state and federal fair housing laws.
- **Program 3.3 Code Enforcement:** The City's Code Enforcement program enforces regulations codified in more than 20 municipal codes that are intended to protect the health, safety, and welfare of the public; maintain quality neighborhoods; maintain quality housing; reduce crime; and ensure a high quality of life. Following the City's exit from bankruptcy and COVID health restrictions, the City has been increasing code enforcement staff to create greater capacity for responding to code violations and inspections. The City will continue to implement its code enforcement program to further the health, safety, and welfare of the community and its residents and business, while also pursuing additional action items as appropriate to address emerging concerns.

### Objective(s)

- 3.3a. Enforce code compliance; increase the number of code enforcement staff to improve capacity to respond to municipal code violations in a timely manner.
- 3.3b. Adopt 2022 California Building Code; Require adherence to local housing, property, vehicle, and other local regulations to ensure the safety and health of residents.
- 3.3c. In conjunction with County Fire, Housing Division, or business licensing program, explore interventions to expand the inspection of multi-family housing.
- 3.3d. Analyze the City's code enforcement programs with respect to Federal and State Fair Housing Law and include or modify programs to ensure compliance.
- **Program 3.4 Affordable Housing Inspection Program:** San Bernardino's Housing Compliance Specialist performs housing and compliance checks on homes and apartments developed using HOME, RDA, or NSP assistance. The scope includes more than 24 projects with more than 2,500 affordable housing units. As part of this effort, the housing compliance specialist will: 1) conduct on-site inspections of affordable units, with assistance from City building inspectors; 2) ensure monitoring and inspection deficiencies are addressed in a timely manner; and 3) review and approval of affirmative marketing and tenant services plans. This requirement only applies to projects required to be inspected under 24 CFR

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92.504(d) and is separate from the City's property maintenance program for single and multiple-family units.

Objective(s)

- 3.4a. Inspect multi-family housing developed using federal HOME or NSP assistance; inspect 20% of projects each year, require compliance with federal housing quality standards.
  - 3.4b. Implement a general multi-family housing inspection program that is separate and covers all multiple-family residential properties in the city.
  - 3.4c. Transition to NSPIRE for consistency with local, state, federal housing inspection criteria
- **Program 3.5 Violence Prevention/Intervention:** The City implements comprehensive violence and crime prevention efforts. The City's Violence Intervention and Prevention (Program addresses root conditions that have driven violence and crime in San Bernardino. Partners include the City, its police department, Loma Linda University, H.O.P.E Culture, Young Visionaries, Urban Peace Institute, Urban Conservation Corps, and others. Violence intervention involves outreaching to gangs/individuals based on crime reports, holding education events, identifying high risk residents to help develop life plans, and personal follow up. In 2019, under its community-oriented policing initiative, the City reorganized its officers into neighborhoods by staffing four substations that will allow officers to work closer with community groups and residents, build greater trust among residents, and reduce crime and violence rates.

Objective(s)

- 3.5a. Implement violence intervention services to reduce crime and gang-related violence, including \$3.8 million in violence intervention grant funds.
  - 3.5b. Implement community-oriented policing to reduce crime and violence, including the \$5.0 million in grants to hire community policing officers
  - 3.5c. Explore the feasibility of implementing a citywide Neighborhood Watch Program to prevent and reduce crime and violence. If such a program is adopted, ensure that it complies with all Federal and State Fair Housing Law as well as the City's duty to AFFH.
- **Program 3.6 Park and Recreational Planning:** San Bernardino's 36 parks provide opportunities for residents to recreate, socialize, and exercise. During the bankruptcy and following decade, many of these resources fell into disrepair due to the inability to fund maintenance and repair. These resources eventually became unsafe to occupy. Since emerging from bankruptcy, the City has been repairing park and recreational facilities throughout the community. The City has worked to secure grants and/or collaborate with partners from the State of California, San Manuel Reservation, Kaboom, and other for-profit and non-profit agencies to fund the revitalization of park and recreational facilities.

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### Objective(s)

- 3.6a. Complete comprehensive update of the General Plan Parks and Recreation Element; Complete Parks/Rec Master Plan; program recommended improvements into the CIP.
- 3.6b. Continue to secure funding, schedule and improve projects, including: Guadalupe, Speicher, Delmann Heights, Seccombe, Nicholson, Encanto Center, and Blair Park
- 3.6c. Complete improvements to two libraries: Paul Villasenor Library and Feldhym Library.
- **Program 3.7 Business and Employment Assistance:** The City will establish an Entrepreneurial Resource Center downtown, supported by IECE at CSUSB, that will provide resources and support for entrepreneurs and small business owners in the City. In 2022, the City was awarded a \$4.2 million grant to hire 70 young and early-career staff members as part of the California Youth Jobs Program. In collaboration with the Inland Empire Small Business Development Center, the City will dedicate \$3.0 million in ARPA funds to assist businesses and organizations impacted by COVID-19 or qualifying as an “underserved small business.”

### Objective(s)

- 3.7a. Expend \$3.0 million in ARA funds to assist small businesses and organizations that were adversely impacted by the COVID pandemic.
- 3.7b. Establish an Entrepreneurial Resource Center (ERC) to provide a central point for resources and support for entrepreneurs and small business owners in the City.
- 3.7c. Implement Youth Workforce grant and employ and train San Bernardino youth for jobs with the City and CBOs to restore services curtailed during the COVID pandemic.
- 3.7d. Prepare a citywide Broadband Master Plan that will position the City for implementation grants from the state and federal government.
- **Program 3.8 Capital Improvements:** Each year the City adopts a Five-Year Capital Improvement Program (CIP) aligning with the 2020 2025 Key Strategic Targets and Goals established by the mayor and city council. The CIP provides a roadmap for developing and maintaining the City’s capital facilities and infrastructure to provide high quality services to residents and the community. Due to the cost and importance of capital projects, significant consideration goes into allocation of resources to these projects. Projects in the CIP are evaluated against a four-point scale of priority and selected based on an assessment of community needs, mayor and city council priorities, and available funding.

### Objective(s)

- 3.8a. Continue annual update of the CIP and implementation of scheduled projects, including accessibility improvements per the City’s Transition Plan.

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- 3.8b. Prioritize capital improvements where disinvestment or disadvantaged areas exist; pursue collaborate efforts where feasible. Complete Vernon Bridge, Muscoy Improvements, State Street Extension, Cross St. Bridge, Mt Vernon Storm Drain., and Del Rosa Fire Station.
- 3.8c. Request estimated \$5 million in grant funding and, if approved, prepare an ADA Plan, Bridge Management Plan, Storm Drain Master Plan, and Facility Management Plan.
- **Program 3.9 Water and Sewer Planning:** San Bernardino’s age and geographic diversity underscores the importance of water and sewer planning to address the needs of existing and future residential development. Gov’t Code 65589.7 requires that jurisdictions have a policy for prioritizing water and sewer services (will serve letters) for residential projects that provide affordable housing to lower income residents. While the City can provide adequate service, a priority policy needs to be adopted to comply with state law. Furthermore, in compliance with state and county codes, infrastructure improvements are needed to: 1) protect the groundwater due to leaking from septic use in more rural areas; and 2) upgrade water lines to remove the potential for lead leaching in compliance with USEPA direction.

### Objective(s)

- 3.9a. Implement septic conversion projects - convert 250 septic tanks in Arrowhead Farms upon receipt of \$24.3 million SWCRB grant.
- 3.9b. Complete \$3.5 million project to replace 300+ lead water service connectors in the Cimmaron and San Anselmo neighborhoods
- 3.9c. Adopt a policy that grants priority for issuing will serve water and sewer service to proposed housing affordable to lower-income households.
- **Program 3.10 Community Health:** For a large, industrialized community, improving and maintaining environmental quality is a high priority for the City. Of the City’s 43 tracts, 13 tracts (33 percent) are considered disadvantaged for pollution burden. Environmental health concerns are broad in type and include environmental justice, air quality, land use adjacency issues, heavy industrial uses, and legacy superfund sites. Improving environmental conditions is complex and costly, oftentimes requiring multiagency cooperation. The Housing Element commits the City to do the following:

### Objective(s)

- 3.10a. Complete a Health/Environmental Justice Element for the 2050 General Plan based on the findings of a technical report and community input.
- 3.10b. Support implementation of the Community Emissions Reduction Plan in Muscoy/West San Bernardino to reduce exposure to pollution.
- 3.10c. Encourage and facilitate the cleanup of active contaminated sites and, for inactive projects, seek funding and partnerships to facilitate cleanup.

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- 3.10d. Complete installation of traffic signal improvement grant (Caltrans' Local Highway Safety Improvement Program (HSIP))
- 3.10e. Implement Selective Traffic Enforcement Program (STEP) grant to improve road safety.
- **Program 4.2 Rent Control/Stabilization:** In 1984, San Bernardino adopted a rent stabilization program that covered all of its 48 mobile home parks where units are not already covered by a lease. The goal of the program is to maintain the affordability of existing mobile home parks as a viable option for affordable living, particularly for lower income seniors and families with children. City provisions regulate rents, and HCD inspects the properties to ensure that State codes are met. Annual rent increases are capped at 80 percent of the change in the consumer price index. Passed in 2023, SB 940 allows locally passed rent protections to apply towards newly constructed mobile home spaces, and creates a 10-year exemption for spaces in those parks. AB1482 also took effect on January 1, 2020, and imposes rent caps, just cause eviction, and other procedures on apartments built more than 15 years ago.

### Objective(s)

- 4.2a. Continue the Mobile Home Rent Stabilization program and ensure that all increase requests go through the proper administrative and hearing process.
- 4.2b. Contract with fair housing providers to educate tenants on their rights and responsibilities with respect to rent stabilization and just cause eviction.
- **Program 4.3 Housing Choice Voucher:** The Housing Authority implements a federally funded rental housing choice voucher (HCV) program. The HCV program provides rental assistance to qualified extremely low- and very low-income households residing in San Bernardino or to properties offering affordable units to these income groups. The program offers a rent “voucher” that is equal to the difference between the current fair market rent for an apartment and what a tenant can afford to pay (based on 30 percent of their household income). A tenant may choose to live in housing that costs more than the normal payment standard if they pay the extra rent. Housing vouchers can be allocated to projects (“project-based”) or to renters (“tenant-based”). Presently, approximately 2,600 income-eligible households benefit from the tenant-based housing choice voucher program in San Bernardino.

### Objective(s)

- 4.3a. Maintain use of at least 2,600 tenant-based rental vouchers for San Bernardino residents and support continued distribution of project-based vouchers.
- 4.3b. Work with HACSB to improve use of tenant-based vouchers 10% by marketing educational and promotional materials to residents, tenants, and property managers.
- 4.3c. Publicize the Housing Authority's HCV program by posting fliers and distributing other educational materials at appropriate venues.



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- **Program 4.4 Emergency Rental Assistance:** San Bernardino and its residents were severely impacted by COVID, which resulted in loss of employment, evictions, and other economic hardships. In 2021, the City secured \$11 million in Emergency Rental Assistance funding from the State of California to pay rent or utilities for tenants and landlords who did not receive revenues due to the impact of COVID-19. Through Resolution No. 2021-224, the program allowed past and current rent and utility bills to be paid. The program partners with Inland SoCal 211+ to provide information regarding program resources. As of January 2023, the program had 6,950 applicants and disbursed \$16.9 million in assistance. The program is currently only serving existing clients because available funds are exhausted. More than 90 percent of households are Hispanic or African Americans with one to five members.

### Objective(s)

- 4.4a. Provide emergency rental assistance to existing San Bernardino residents impacted by job or other financial losses due to COVID.
  - 4.4b. Seek additional funding that may become available and, if funding becomes available, allocate rental assistance to residents most in need of housing support.
  - 4.4c. Review and consider non-profit applications for funding for rental assistance programs, during its annual CDBG/ESG/HOME funding cycle.
- **Program 4.5 Homeownership Initiative:** Creating generational wealth has been a reoccurring theme expressed by residents. As is the case statewide, African American, Hispanic, and Filipino residents have the lowest homeowner rates. New homeownership programs have, until recently, declined due to the rapid escalation in prices and high subsidy required to make the cost of a home affordable to low- and moderate-income households. However, expanding homeownership is a key initiative in San Bernardino and is currently implemented through the infill housing development program on formerly surplus sites. The City will initiate a homeownership effort that includes strategies to augment funding and increase partnerships to close the race and ethnic gap in homeownership.

### Objective(s)

- 4.5a. Present homeownership gap closure program to City Council for consideration to improve homeownership for San Bernardino residents.
  - 4.5b. If approved, apply for homeownership funding opportunities and grants as NOFAs are released. If approved, develop program, and hire staff.
- **Program 4.6 Assist in the Development of Extremely Low-Income Housing:** San Bernardino's effort to assist in the development of extremely low-, very low-, and low-income housing leverages a variety of affordability tools, incentives, partners, and financing. The first component includes making sites available for affordable housing, including surplus sites. The second component includes regulatory and financial incentives (e.g., density bonus, administrative exceptions, and other regulatory relief) to improve project feasibility. The third component includes permit streamlining to expedite the review and conditioning of

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the project to reduce constraints to project approval. These components make it possible for the City to assist in the development of affordable housing for extremely low-, very low-, and low-income households.

### Objective(s)

- 4.6a. Post and circulate surplus sites available for affordable housing per the Surplus Land Act; consider proposals from affordable housing developers per the SLA.
- 4.6b. Reach out to and collaborate with local nonprofits to provide housing assistance, education and information, and other support and resources.
- 4.6c. Complete processing, facilitation, funding and/or technical assistance of affordable housing in the pipeline and pursue other opportunities that arise.
- **Program 4.7 Inclusionary Housing Ordinance:** With inflationary housing prices and rents in recent years, it has grown more challenging to finance and develop affordable housing. At the same time, new State law, referred to as “no net loss,” requires cities to find replacement sites or redesignate sites for affordable housing if the original affordable housing sites in the Housing Element are built with market-rate housing. As a result, cities are increasingly reexamining the feasibility of inclusionary housing ordinances (IHO), which mandate that new residential projects set aside a percentage of units as affordable to low- and/or moderate-income families. An IHO can help achieve multiple housing goals—achieving the RHNA mandate, preventing unnecessary rezoning, reducing housing insecurity, and integrating affordable housing options alongside market rate housing.

### Objective(s)

- 4.7a. Contract with an affordable housing specialist to study, identify, and evaluate feasibility of inclusionary housing policies.
- 4.7b. Host study session(s) with the City Council and the development community to discuss opportunities for inclusionary housing.
- 4.8c. If approved by the City Council, conduct a nexus study, prepare inclusionary requirements and in-lieu fee options, and create an expenditure policy for funds.
- **Program 4.8 Housing or Land Trust:** Community land trusts (CLT) are mechanisms for creating affordable housing units and maintaining the units as affordable over the long term. Traditionally, land trusts maintain housing affordability by retaining ownership of the land, allowing the owner to place permanent covenants on the prices or rents for homes on the land. There are various public and private land trust models and funding options that can help to provide resources beyond affordable housing, such as community revitalization, home preservation, and ownership opportunities. SBCTA has developed an initial CLT program that might offer the opportunity to join at a low initial cost. However, the City can also work with nonprofit organizations to develop a local CLT as well.

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### Objective(s)

- 4.8a. Explore the feasibility of a housing trust, either regional (e.g., SBCTA) or local, as a means of providing affordable housing in the City.
- 4.8b. Host a study session with the City Council to discuss housing land trust opportunities and their feasibility in the City of San Bernardino.
- 4.8c. If approved, develop a list of City land assets, funding sources, and interested parties and prepare a program for council consideration.
- **Program 5.2 Senior Housing and Services:** San Bernardino’s seniors have specific needs related to housing affordability, accessibility, and supportive services. As the senior population grows, so will the need for housing that is affordable for those on fixed incomes or with mobility needs. To address the housing needs of senior households, the City permits and facilitates the development of senior apartments, senior (“age-restricted”) mobile home parks, assisted living, residential care, and other housing options. The City provides two senior centers provide social events and programs (nutrition; senior companion; AmeriCorps; health, fitness, and exercise; etc.). The City provides a senior companion program and nutrition program (SCP/SNP) with \$700,000 in grants from the CNCS from 2022-2025.

### Objective(s)

- 5.2a. Continue to seek and attract residential developers to provide, build, and expand the City’s inventory of affordable and market rate housing for seniors.
- 5.2b. Sponsor and provide physical, social, health, and other support services for senior residents at San Bernardino’s senior centers and other locations.
- 5.2c. Maintain the housing security of seniors through voucher advocacy, preservation of affordable housing, mobile home rent stabilization, housing assistance, and other programs.
- **Program 5.3 Housing for Persons with Disabilities:** San Bernadino’s disabled population is diverse, representing different ages, abilities, medical conditions, and other life situations. The City’s approach to serving its disabled residents is multifaceted and designed to facilitate independent living so residents can live their fullest. For new housing, the City requires that housing is accessible per ADA disability standards. For housed residents, the City provides procedures for residents to seek reasonable accommodation (SBMC Chapter 19.63) to modify their homes to improve accessibility. The City improves the accessibility of infrastructure and public facilities in accordance with its Transition Plan. The City also approves residential care facilities and other group housing for residents with a wide range of disabilities.

### Objective(s)

- 5.3a. Continue to ensure compliance with all building accessibility codes. Review and revise the Reasonable Accommodation Ordinance to ensure it is consistent with State law; prepare interdepartmental letter directing compliance with state law until ordinance is updated.

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- 5.3b. Update and implement the City's Self-Evaluation and Transition Plan and continue to schedule improvements to ensure accessibility to City streets, facilities, and public services.
- 5.3c. Update the SBMC regarding residential care facilities, consistent with State requirements (Health and Safety Code § 1502 et seq).
- 5.3d. Support efforts to provide community, recreational, and social services to people with physical, mental, and developmental disabilities.
- **Program 5.4 Housing for Students:** Cal State San Bernardino and San Bernardino Valley Community College are valued community assets, providing education, jobs, and enrichment opportunities. Though Cal State has some on-campus housing, both schools are predominantly commuter schools. As is the case statewide, college students often face precarious and uncertain housing situations; it is not uncommon for college students to double up to afford housing and tuition. Even for students who are adequately housed, the combined cost of college tuition and housing may result in housing insecurity. In 2022, the San Bernardino CCD was awarded a \$1 million grant for a feasibility study. Should the feasibility study demonstrate the demand for housing, the district can submit an application for an allocation from California's pool of \$1.5 billion to finance the development of student housing.

### Objective(s)

- 5.4a. Support local college and university efforts to explore the development of on- and off-site housing opportunities for their students and faculty.
- 5.4b. Work with SBVC to facilitate student housing through the entitlement process--expediting rezoning, development entitlements, or supporting funding applications
- **Program 5.5 Housing for Families with Children:** The Housing Element analysis found that families with children are the majority household type in the City. Additionally, most of the households in San Bernardino are considered lower income and live in low opportunity districts or neighborhoods. According to the Census Bureau, the needs of San Bernardino's families with children are many, including housing problems (overpayment, overcrowding, substandard housing), the need for financial assistance for lower income families, the need for continued education and employment for youth and adults, the need for park and recreational programs, and other needs. Though the City is not positioned to address the full range of needs of families with children, it can provide housing and services when feasible and contract with other appropriate entities to address service gaps.

### Objective(s)

- 5.6a. Seek and attract residential developers to provide, build, and expand the City's inventory of affordable and market rate housing for families with children.
- 5.6b. Sponsor and provide at community centers physical, social, health, and other support services for families and children.

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- 5.6c. Maintain the housing security of families with children through preservation of affordable housing, rent stabilization, housing assistance, etc.
- **Program 5.6 Homeless Services:** San Bernardino is home to 40 percent of the county's homeless population, and the City's homeless population has increased 175 percent since 2017. Shelters are at or near full capacity. Moreover, homelessness is expected to increase. On February 1, 2023, the City Council issued an Emergency Homelessness Declaration. San Bernardino is committed to implementing a "housing first" strategy and provision of a full continuum of housing and services to address homelessness. The City's strategy to address homelessness and the multiplicity of unmet needs is multilayered. It begins with individual outreach and interaction, leading ultimately to comprehensive housing opportunities (e.g., shelters, navigation centers, transitional shelters, interim housing, permanent supportive housing) and the full range of health, social, and employment services needed to facilitate independence. The City is dedicating more than \$20 million, not including additional noncity funds, to augment shelter capacity, outreach and engagement, and supportive services.

### Objective(s)

- 5.5a. Convene a Homeless Task Force to review implementation of the City's Homeless Action Plan and the expenditure of \$20 million in American Rescue Plan Act funds to finance the plan.
- 5.5b. Partner with County, for-profit, and nonprofit agencies to provide a comprehensive continuum of services to people who are homeless or residing temporarily in shelters.
- 5.5c. Provide a street outreach team to assist individuals experiencing homelessness, direct them to services, and address issues with encampments.
- 5.5d. Complete the following projects:
  - 170-bed Lutheran Social Services multiservice campus
  - 30-unit U.S. VETS permanent supportive housing on E Street
  - 60-unit interim SBVC project on G Street for college students
  - 200-bed Salvation Army expansion
  - 200-prefab-unit HOPE Navigation Center Campus on 6th Street
- 5.5e. Work with the County to provide accurate counts of homeless people to document the need for services and success of City programs.
- 5.5f. Amend SBMC's definition for transitional and supportive housing and permit by right in all zones allowing residential uses, and allow low barrier navigation centers as a by-right use in all zones allowing residential and mixed uses, per Gov't Code § 65583(c)(3) and § 65660.

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- 5.5g. Revise municipal code provisions for a security and management plan for emergency shelters in compliance with the Stipulated Final Judgement and Order submitted in the case of *Gracia et. al v. City of San Bernardino*.
- 5.5h. Make code revisions needed to address AB 2339 and revise the emergency shelter overlay site to remove infeasible sites and include additional sites as warranted.
- **Program 5.7 Housing Mobility:** Racially concentrated areas of affluence (RCAA) are a fair housing concern in that certain areas may disproportionately benefit higher resources to the exclusion of lower income residents. The City of San Bernardino does not have an RCAA; in fact, most of the City is lower income tracts. A of 2023, only four tracts in Northwest San Bernardino are moderate/higher resource. To ensure equal access to resources in these areas, the City will implement a fourfold strategy: 1) approve ADU applications submitted; 2) surplus up to 113 parcels in single-family residential developments for affordable housing; 3) market housing choice vouchers to apartment properties in the area; and 4) work with HASC to preserve any at risk housing units in the neighborhood.

### Objective(s)

- 5.7a. Facilitate and approve ADU applications in Northwest San Bernardino
- 5.7b. Surplus up to 113 lots for affordable single-family housing in Northwest San Bernardino
- 5.7c. Affirmatively market use of rental vouchers to apartments in Northwest San Bernardino
- 5.7d. Work with HASC to preserve affordable housing in Northwest San Bernardino
- **Program 5.8 Place-Based Program:** As discussed in Chapter 5, San Bernardino has several disadvantaged incorporated areas—the Westside and Central/Downtown—which are some of the oldest areas of the community. Both comprise the majority of the areas designated as R/ECAPs and/or high segregation and poverty in the community. As explained earlier, these conditions are due in part to the many economic, housing, and social changes since 1980 that resulted in significant economic disruption, poverty, foreclosures, deteriorating infrastructure, and declining neighborhoods. Reversing and ameliorating these conditions will take considerable time and continued investments. To improve these areas, the City is directing significant public and private investment into both areas. Chapter 5 (Tables 5-23 and 5-24) along with action items in other housing element programs list dozens of initiatives and multi-million-dollar investments being dedicated to these two areas. The timeframes for each action item were initiated by the City, County or other partners can be found by referencing the program number for each line item in the housing plan.

### Objective(s)

- 5.8a. Complete comprehensive community building investments in the Central/Downtown and Westside (see Tables 5-23 and 5-24).

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- 5.8b. Continue to seek grants and engage with nonprofit and for-profit organizations to assist in implementing community building initiatives.

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## 2. CEQA Analysis

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As stated in CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations):

When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or negative declaration was adopted, shows any of the following:
  - (a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to Public Resources Code Section 21166 and Section 15162 of the CEQA Guidelines, the lead agency shall not require a subsequent or supplemental EIR unless the agency determines that the proposed project would result in new significant impacts or a substantial increase in the severity of previously identified significant impacts. This analysis has been prepared pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162.

## 2. CEQA Analysis

### 2.1 ENVIRONMENTAL ANALYSIS

Under CEQA Guideline Section 15164, an addendum may be prepared if only minor technical changes are required or if none of the conditions identified in Guideline Section 15162 are present. In the absence of substantial evidence to support a fair argument that the project changes may result in significant environmental impacts not previously studied, an addendum to the EIR is appropriate. The following review proceeds with the requirements of CEQA Guidelines Section 15162. The following discussion concludes that the conditions set forth in Section 15162 are not present, and that an addendum is appropriate for the proposed project.

Table 1-3, *Summary of Program Changes Between Existing Housing Element and 2021-2029 Housing Element* shows that many of the existing Housing Element programs will remain unchanged with the proposed project. The 2021-2029 Housing Element provides a total of 25 programs; most of these programs are either informative or would result in no physical change to the environment. Overall, the programs were modified to comply with state law, respond to directives from the Department of Housing and Community Development (HCD), and eliminate programs where the City has already completed the identified task. Program 1.1: RHNA Housing Site Inventory, requires the rezoning of 19.5 acres of RH and RMH designated land to higher densities, which would help the City meet its low-income RHNA target. Program 1.4 City-Owned and Surplus Site Development, would rezone 4.0 acres of (Commercial General) CG-1 zoned land, 5.6 acres of RH-zoned land, and 9.3 acres of RMH-zoned land to RH-50 zoning; and rezone 1.9 acres of (Commercial Office) CO-zoned land, 1.4 acres of RH-zoned land, and 5.6 acres of RMH-zoned land to RMH-32 zoning. These parcels are shown in Table 1-1, *Private-owned Land Identified in the Housing Element Inventory for Rezone*, and Table 1-2, *City-owned Land Identified in the Housing Element Inventory for Rezone*, and the impacts associated with the zoning changes would increase density for residential uses or change non-residential zones to the new residential zones with increased density. The Housing Element identifies 11 parcels for rezone, as shown in Table 1-1, *Private-owned Land Identified in the Housing Element Inventory for Rezone* and an additional 28 parcels for rezone, as shown in Table 1-2, *City-owned Land Identified in the Housing Element Inventory for Rezone*.

Furthermore, the units identified in the 2021–2029 Housing Element would not exceed the listed housing unit buildout in Table 1, *City of San Bernardino General Plan Buildout Statistics* of the 2005 General Plan EIR which shows the total development capacity at 88,282 residential units for developable/usable area during the time of the EIR. The proposed project identifies 8,123 new housing units to meet the City’s RHNA, which when added to the City’s current number of housing units is 75,716 units. Similarly, the estimated number of residents that would be added to the city under full buildout of the 2021–2029 Housing Element is 7,270 residents, which when added to the City’s 2023 population is 230,500. Thus, there would be 63,859 fewer residents than the 2005 buildout population described in the General Plan EIR which is 294,359 residents.

The public service impacts associated with the potential population increase that could be associated with new housing include police and fire services, and parks. Additional services for police and fire would only result in a physical impact if new facilities were required to meet the growth needs.

## 2. CEQA Analysis

### 2.2 IMPACT ANALYSIS

The discussion in this addendum confirms that the proposed project has been evaluated for significant impacts pursuant to CEQA. The discussion is meaningfully different than a determination that a project is “exempt” from CEQA review, because the proposed 2021–2029 Housing Element update and Zone Change Amendment are not exempt. Rather, the determination here is that the General Plan EIR evaluated the physical impacts likely to result from future development.

There are no substantial changes in the circumstances or new information that was not known and could not have been known at the time of the adoption of the General Plan EIR. The proposed project represents no change from the physical impacts that were assumed and analyzed by the General Plan EIR.

As a result, and for the reasons explained in this addendum, the proposed project would not cause any new significant environmental impacts or substantially increase the severity of significant environmental impacts disclosed in the General Plan EIR. Thus, the proposed project does not trigger any of the conditions in CEQA Guidelines Section 15162 allowing the preparation of a subsequent EIR, and the appropriate environmental document as authorized by CEQA Guidelines Section 15164(b) is an addendum. Accordingly, this EIR addendum has been prepared.

The following identifies the standards set forth in Section 15162 as they relate to the proposed project. The text that follows the provisions of the law relates to the proposed project.

- 1. No substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and 2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

The program changes included in the proposed Housing Element are limited to complying with state law, combining programs with similar intent to aid in implementation, or elimination of programs where the City has already completed the identified task. All development in the city must be consistent with the General Plan, and if a discretionary action, is subject to project-specific CEQA. It is important to note that the state legislature has passed several laws that would make certain housing projects ministerial thereby eliminating further CEQA analysis at the time of application. In these instances, local regulations such as engineering and design standards would continue to apply as they are requirements of the building permit and do not rely on CEQA. In addition, federal and state regulations concerning biological and cultural resources, wetlands, and construction air quality would also apply as they too are not reliant upon CEQA. As a result, even if a housing project is exempt from CEQA, the physical impacts on the environment would still be addressed through the permitting process.

## 2. CEQA Analysis

California Government Code Section 65584 requires that each city and county plan to accommodate a fair share of the region's housing construction needs. The amendments to the Zoning Ordinance are limited to complying with state law and would ensure the City's ability to meet its 2021-2029 RHNA. Subsequent development must be consistent with the General Plan, and if a discretionary action is determined, then must complete a project specific CEQA analysis. Though the application of the Housing Element and Zone Change amendment would change the existing development pattern for the city, the change occurs on properties already designated and zoned for development. The difference in unit yield per acre does not result in new significant environmental effects.

As all projects within the city must be consistent with the General Plan, state, and federal law, policies identified in the General Plan EIR to reduce physical environmental effects would continue to apply to all future development and would reduce impacts to the same significance level as identified in the General Plan EIR.

3. **No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified shows:**
  - a. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration.**

The proposed project includes policy-level changes that are limited to complying with state law and would not result in physical changes to the environment that were not disclosed in the General Plan EIR. The state and local regulations identified in the General Plan EIR to reduce physical environmental effects would also apply to the proposed project. The proposed Housing Element programs are similar to the existing programs of the existing 2013-2021 Housing Element. The 2021-2029 Housing Element provides a total of 25 housing programs; these programs would not result in new significant environmental impacts. The proposed Housing Element identifies targets for housing at different income levels but does not include development of an unusual type, scale, or location that would not have been evaluated in the General Plan EIR. Because a development project must be consistent with the General Plan, zoning, and development standards of the City, the adopted measures to address physical impacts on the environment would be applied resulting in the same impacts as evaluated in the General Plan EIR. Therefore, there would be no new environmental impacts.

As shown in Table 1-1, *Private-owned Land Identified in the Housing Element Inventory for Rezone*, and Table 1-2, *City-owned Land Identified in the Housing Element Inventory for Rezone*, the amendment and additions to the Zoning Code are proposed to comply with existing state law. The Zoning Code update amends Chapter 19.04 of the City's Municipal Code to upzone parcels shown in Figures 2 through 8 of this Addendum. Additionally, the City's zoning map is revised to change zone districts for residential parcels increasing their allowable density. According to the project description, the City's proposed Housing Element programs along with the zoning change amendment (proposed project) would result in the following:

## 2. CEQA Analysis

- A. Revision of the Municipal Code to adopt the revised Chapter 19.04, Residential Zones, the residential districts from Residential Medium High (RMH-) 24 to RMH-32 and Residential High (RH-) 31 to RH-50. The change in number represents the new maximum number of units per acre.
- B. Revise the zoning map to change zone districts for parcels shown in Table 1-1, Private-owned Land Identified in the Housing Element Inventory for Rezone and Table 1-2, City-owned Land Identified in the Housing Element Inventory for Rezone.
- C. Adopt the City of San Bernardino 2021-2029 Housing Element.

These revisions will allow the City to meet its RHNA obligations.

The physical environmental impacts have already been considered and would be exempt from CEQA (under § 15303), or would be subject to project specific CEQA analysis, as well as the policies from the General Plan. The City's proposed Housing Element programs along with the zoning change amendment (proposed project) would introduce new housing units and people to vacant parcels and would affect land use patterns in the city; however, the resulting impacts would be identical to the previously certified General Plan EIR. There would be no new environmental impacts, or an increase in the severity of any previously identified environmental impacts.

**b. Significant effects previously examined will be substantially more severe than shown in the previous EIR.**

The proposed project would have the same significant impacts as those disclosed in the certified General Plan EIR. The state and local regulations identified in the General Plan EIR to reduce physical environmental effects would apply to all new development, including parcels located in the RMH-32 and RH-50 residential districts. There is no new information that would demonstrate that significant effects examined would be substantially more severe than shown in the certified General Plan EIR.

**c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.**

The proposed project includes policy-level changes that are limited to complying with state law and would not result in physical changes to the environment that were not disclosed in the General Plan EIR General Plan EIR. The proposed project does not create new impacts or the need for mitigation measures. The state and local regulations identified in the General Plan EIR would reduce physical environmental effects associated with future development. The City is required to adopt a Housing Element and the element must be reviewed and certified by HCD. There is no feasible alternative to adopting a Housing Element. The update to the Housing Element would not result in significant environmental impacts or increase the severity of any environmental impacts previously evaluated in the General Plan EIR; therefore, there is no need for new mitigation measures or alternatives. The proposed project does not create new impacts or the need for additional mitigation measures.

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- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.**

The proposed project would have the same significant impacts as the previously certified General Plan EIR, and all associated state and local regulations identified in the General Plan EIR to reduce physical environmental effects would apply to all future development. There would be no new significant impacts resulting from adoption of the zoning amendment therefore, there would be no new mitigation measures or alternatives required for the proposed project.

### 2.3 FINDINGS

The foregoing analysis confirms that the proposed project has been evaluated for new significant impacts or a substantial increase in previously identified significant impacts pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162. The determination here is that the 2021–2029 Housing Element and Zoning Code Amendment does not require major revisions to the General Plan EIR due to the involvement of new significant environmental impacts or substantial increases in the severity of previously identified significant environmental impacts. The Housing Element Update is a policy document, and its adoption would not produce environmental impacts since no actual development is proposed. Therefore, the proposed project recommends changes to increase density, and the development impacts of the uses are addressed by existing policies in the General Plan EIR such as mitigation measures related to water supply demand and reducing air pollution. Future housing development projects would generally be subject to project-level environmental review.

The sites with designated zone changes are located on vacant parcels that are zoned for commercial and residential purposes; most of these sites are located next to non-vacant residential parcels. The proposed zone changes will allow for the sites to be developed with residential uses, enabling the City to meet its RHNA obligations. Given that the surrounding properties have residential uses, the conditions warrant a change in their zoning designation. The zone changes would be compatible with surrounding land uses and consistent with adjacent zoning designations.

There are no substantial changes in the circumstances or new information that was not known and could not have been known at the time of the adoption of the General Plan EIR. The proposed project represents no change from the physical impacts that were assumed and analyzed by the General Plan EIR. As a result, and for the reasons explained in this addendum, the proposed project would not cause any new significant environmental impacts or substantially increase the severity of significant environmental impacts disclosed in the General Plan EIR. Thus, the proposed project does not trigger any of the conditions in CEQA Guidelines Section 15162 mandating the preparation of a subsequent EIR, and the appropriate environmental document authorized by CEQA Guidelines Section 15164(b) is an addendum.

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### 2.4 REFERENCES

San Bernardino, City of. 2014. City of San Bernardino 2013-2021 Housing Element. [https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Housing%20Element%202013-2021.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Housing%20Element%202013-2021.pdf)

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