

Exhibit "A"

ORDINANCE NO. 2022-001

AN ORDINANCE OF THE PEOPLE OF THE CITY OF CHINO, CALIFORNIA, TO APPROVE THE HOUSING ELEMENT UPDATE TO INCLUDE THE APPLICATION OF THE TWO IDENTIFIED OVERLAY STRATEGIES ENCOMPASSING AFFORDABLE HOUSING AND MIXED-USES THE CITY WILL USE TO MEET ITS STATE-MANDATED REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) ALLOCATION

WHEREAS, on November 8, 1988, the people of the City of Chino adopted Measure M to amend the General Plan, and it is now codified as Sections 20.15.010 and 20.15.020 of the Chino Municipal Code; and

WHEREAS, the adoption of Measure M limits the proliferation of residential developments by prohibiting the City Council of the City of Chino from rezoning non-residential land for residential uses without voter approval; and

WHEREAS, although Measure M does not apply to adoption of the Housing Element Update itself as that does not require a rezoning action, Measure M does apply to Programs 3B and 3C of the Housing Element Update, which are the application of an affordable and mixed-use overlay (AFF-OV and MU-OV) to meet the City's allocated RHNA (Overlays);

WHEREAS, while the Overlays do not change the underlying zoning, they do add the ability for residential uses on parcels, which do not currently have that ability or do not currently permit residential at up to 30 dwelling units per acre, and as such, compliance with Measure M is a required implementing action of the housing element to be completed within the required timeframes; and

WHEREAS, the City has adopted a Negative Declaration (SCH# 2021100569) analyzing the proposed 2021-2029 Housing Element Update, including the Overlays, and found that such action will not have significant environmental impacts.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF CHINO DO HEREBY ORDAIN AS FOLLOWS:

Section 1. The provisions of the California Environmental Quality Act ("CEQA") have been complied with, and, pursuant to its Resolution No. 2022-003, the City Council has adopted a Negative Declaration (SCH# 2021100569) analyzing the proposed 2021-2029 Housing Element Update, including the Overlays and found that such approvals would have no significant environmental impact, which is incorporated herein by this reference.

Section 2. Section 20.15.170 entitled "Voter Authorization to Redesignate Specified Land" is hereby added to Chapter 20.15 of the Chino Municipal Code, to read, in its entirety, as follows:

(A) Notwithstanding the prohibition against exceeding density for land established by the zoning map and the zoning ordinance of the city or any development agreement in effect on November 8, 1988 or prohibition against converting land for residential uses contained in Section 20.15.020(B), adopted by Measure M, Programs 3B and 3C of the 2021-2029 Housing Element Update and corresponding Land Use Element authorizing the application of the two identified overlay strategies encompassing affordable housing and mixed-uses to meet its Regional Housing Needs Assessment (RHNA) allocation are hereby authorized.

(B) Subject to the conditions and requirements below, the General Plan land use designations for the parcels of land described in Subsection (C) shall are hereby subject to the Affordable Housing Overlay and Mixed-Use Overlay as described 2021-2029 Housing Element Update.

(C) The land which is the subject matter of this ordinance subject to the overlay strategies consists of both improved and vacant, situated in the City of Chino, County of San Bernardino, State of California and more specifically described in the Sites Inventory Map on file with the City of Chino Development Services Department.

Section 3. If a majority of the voters of the City of Chino voting at the Special Municipal Election on Tuesday, June 7, 2022, vote in favor of this Ordinance, then this Ordinance shall become a valid and binding ordinance of the City of Chino, and shall be considered as adopted upon the date that the vote is declared by the City Council of the City of Chino, and this Ordinance shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance. The People of the City of Chino declare that they would have enacted this Ordinance and each section, subsection, sentence, clause or phrase hereof irrespective of any determination of invalidity.

Section 5. The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to the approval thereof and cause same to be published or posted pursuant to law.

APPROVED BY THE VOTERS OF THE CITY OF CHINO AT THE ELECTION HELD ON JUNE 7, 2022.

By: _____
EUNICE ULLOA, MAYOR

ATTEST:

By: _____
ANGELA ROBLES, CITY CLERK