



Planning Commission Regular Meeting

STAFF REPORT

ITEM NO. NB 1

Meeting: Planning Commission Regular Meeting of April 22, 2025
Title: Resolution 2025-002 PC
Title Description: A resolution finding that the proposed FY 2026-2030 City of Covina Five Year Capital Improvement Program (CIP) is consistent with the goals and policies of the Covina General Plan and making a determination of exemption from CEQA.
Presented by: **Brian K. Lee, AICP, Deputy City Manager/ Director of Community Development**

BACKGROUND

The proposed City of Covina Capital Improvement Program (CIP) is a five-year program adjusted annually that identifies anticipated public improvements and projects, including the estimated expenditures required to construct improvements. The proposed CIP is for the 2026-2030 time period and will be presented to the City Council as a component of the proposed FY 2025-2026 City of Covina Operating Budget. State Planning and Zoning law requires that the Planning Commission review and provide comments to the City Council regarding the conformity of the proposed CIP with the adopted General Plan.

DISCUSSION/ANALYSIS

The CIP serves as a strategic planning tool that outlines the City's anticipated public projects and infrastructure improvements over a five-year period. It helps guide the prioritization and allocation of resources for future capital investments. The projects outlined in the CIP (Exhibit A of Attachment A) include street improvements, Sewer and Water infrastructure, Transportation and Environmental improvements, the Covina Recreation Village, and other similar projects.

The CIP projects proposed for the upcoming Fiscal Year (FY 25-26) have identified funding sources. However, future CIP projects may not have identified funding sources at the time that they are identified in the CIP. As each project is programmed in the upcoming fiscal year's budget, the necessary funding sources will be identified. If there is not sufficient funding, then the particular project will be delayed (moved to a future fiscal year) or could be removed from the CIP entirely. In addition to identifying funding source(s) for each CIP project, each project will also require a CEQA assessment as a feature of the individual project at the time of its consideration.

The other valuable feature of the CIP is its use in supporting future competitive grant applications. Many times, grant applications consider a project's "readiness" for competitive funding. If the project that is the subject of the grant application has been identified as part of the municipality's CIP, it aids in that applications competitiveness. Another important aspect of the CIP to note is that it can be amended to reflect greater accuracy of project costs, identify funding sources as they become available, or create new projects. Projects can be added or deleted in the CIP during the tenure of the CIP's five-year time period.

California Government Code Sections 65103, 65401, and 65402 require that the Planning Commission review and provide comments to the City Council regarding the conformity of the proposed CIP with the adopted General Plan. Staff has reviewed the General Plan and has determined that these projects are consistent with the adopted General Plan. The specific examples demonstrating consistency are listed in the attached Resolution.

ENVIRONMENTAL DETERMINATION


The Capital Improvement Program and finding of General Plan Conformity is not a "project" as defined by Section 15378(b)(4) of the CEQA Guidelines and is therefore exempt from the requirements of CEQA. Section

15378(b)(4) of the CEQA Guidelines states that a project does not include the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The Planning Commission's review and determination that the Capital Improvement Program is consistent with the City of Covina General Plan, does not result in the construction nor cause the construction of any specific CIP project, and will have no effect on the environment, and therefore, no environmental impact assessment is necessary. Moreover, if the Planning Commission's determination that the CIP is consistent with the General Plan is determined to be a project under CEQA, then it is categorically exempt from environmental review pursuant to Section 15262 of the State CEQA Guidelines which provides that a project involving only feasibility or planning studies for possible future actions, which actions the City has not approved, adopted, or funded, does not require preparation of an EIR or Negative Declaration, but does require consideration of environmental factors. In reviewing this CIP and conducting public hearings on it, the Planning Commission has considered relevant environmental factors. The City, as the lead agency for environmental review pursuant CEQA, has reviewed the scope and nature of this CIP and has concluded that the planning and prioritization process comprising this activity is not a project pursuant to CEQA because it does not order or authorize the commencement of any physical or other activity that would directly or indirectly have a significant effect upon the environment. The CIP merely establishes a listing of priority and allocates funds for the City to commence the necessary planning studies, including review pursuant to CEQA, at a future unspecified date. The future planning studies will be conducted at the earliest possible time so as to ensure thorough review pursuant to CEQA. Recognizing that the protection of the environment is a key factor in the quality of life within the City and to further the City's strict adherence to both the spirit and letter of the law as regards to CEQA, the Planning Commission has also considered this CIP as if it were a Project pursuant to CEQA. The Planning Commission concludes the Project is exempt from review under CEQA under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that this prioritizing and fund allocation program cannot and does not have the potential to cause a significant effect on the environment. No physical activity will occur until all required CEQA review is conducted at the time the physical improvements prioritized in the CIP are undertaken.

STAFF RECOMMENDATION

Staff recommends the adoption of Resolution 2025-002 PC finding that the proposed FY 2025-2026-2029-2030 City of Covina Five-Year Capital Improvement Program is consistent with the goals and policies of the Covina General Plan, and making a finding of exemption from CEQA.

Prepared by:



Brian K. Lee, AICP

Deputy City Manager/Director of Community Development

ATTACHMENTS

A – Resolution No. 2025-002 PC

B – Exhibit A – CIP