

Housing Element Update CEQA Exemption Technical Memorandum

City of Huron

Prepared for:

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1. Introduction

1.1 PURPOSE

This Technical Memorandum serves as an evaluation of the City of Huron 2023-2031 (6th Cycle) Housing Element Update (proposed project) concerning California Environmental Quality Act (CEQA) compliance. This Technical Memorandum was prepared to present: 1) the findings resulting from the CEQA compliance review, as described below; and 2) the recommendations concerning the appropriate CEQA compliance documentation.

1.2 STATUTORY AUTHORITY AND REQUIREMENTS

Once it is determined that an activity is a project subject to CEQA, it is then determined whether the project is exempt from CEQA. State CEQA Guidelines Section 15061(b) outlines the ways in which a project may be exempt as follows:

A project is exempt from CEQA if:

- 1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
- 2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
- 3) The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
- 4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
- 5) The project is exempt pursuant to the provisions of Article 12.5 of Chapter 3.

The proposed project would be exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because implementation of the proposed project would not have the potential to cause a significant effect on the environment, as further discussed below in Section 3, *Findings Concerning CEQA Exemption*.

2. Project Description

2.1 REGIONAL LOCATION

The City of Huron is located in the southwest portion of Fresno County. The City is at the edge of the county boarder, adjacent to Kettleman City. The City is surrounded by unincorporated land, the closest incorporated cities are Coalinga and Stratford. Huron is nine miles east of Interstate 5 (I-5), three miles south of Highway 198, and Lassen Avenue (Highway 269) runs through the town. Lassen Avenue connects the City to Interstate 5 and State Route 198 and eventually becomes Highway 145 which connects Huron to Fresno.

2.2 PROPOSED PROJECT

2.2.1 Project Background

The City of Huron is participating with other cities in Fresno County to update their Housing Element as part of the Fresno County Multi-Jurisdictional 2023-2031 Housing Element. The update is expected to guide the City's housing development from 2023 through 2031.

The Housing Element is a State-mandated eight-year policy document that is a component of Huron's General Plan. The overall purpose of the Housing Element Update is to identify current and projected housing needs, show locations where housing can be built, and set goals, policies, and programs to meet the community's housing needs. The foundation of the Housing Element is the Regional Housing Needs Allocation (RHNA), which begins with a determination of housing needs issued by the California Department of Housing and Community Development (HCD) and allocated by the Fresno Council of Governments (FCOG). A jurisdiction is required to demonstrate whether it has sufficient capacity to achieve its RHNA. However, identification of a site's capacity does not guarantee that construction will occur on that site, as the actual construction of units would occur as a result of a development application from a private or non-profit developer. The RHNA for Huron for this Housing Element Update is 319 units, including 45 very low-income units, 45 low-income units, 55 moderate-income units, and 174 above-moderate-income units.

2.2.2 Proposed Sites and Zoning

State law requires that the Housing Element identify adequate sites that exist within the Land Use Element of the General Plan for housing by including an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, including analysis of the development capacity that can realistically be achieved for each site. The purpose of the Sites Inventory is to evaluate whether there are sufficient sites with appropriate zoning to meet the RHNA. The Sites Inventory is based on the City's current land use designations and zoning. Table 1-1, *Summary of Residential Capacity Compared to the 6th Cycle RHNA*, compares the City's RHNA to its site inventory capacity. As shown in Table

1-1, the City’s Sites Inventory for future housing identifies vacant sites; projects under construction and pending; and projected accessory dwelling units spread throughout the City that could be developed with up to 578 new housing units, exceeding the RHNA assigned to the City by 259 units.

TABLE 1-1 SUMMARY OF RESIDENTIAL CAPACITY COMPARED TO THE 6TH CYCLE RHNA

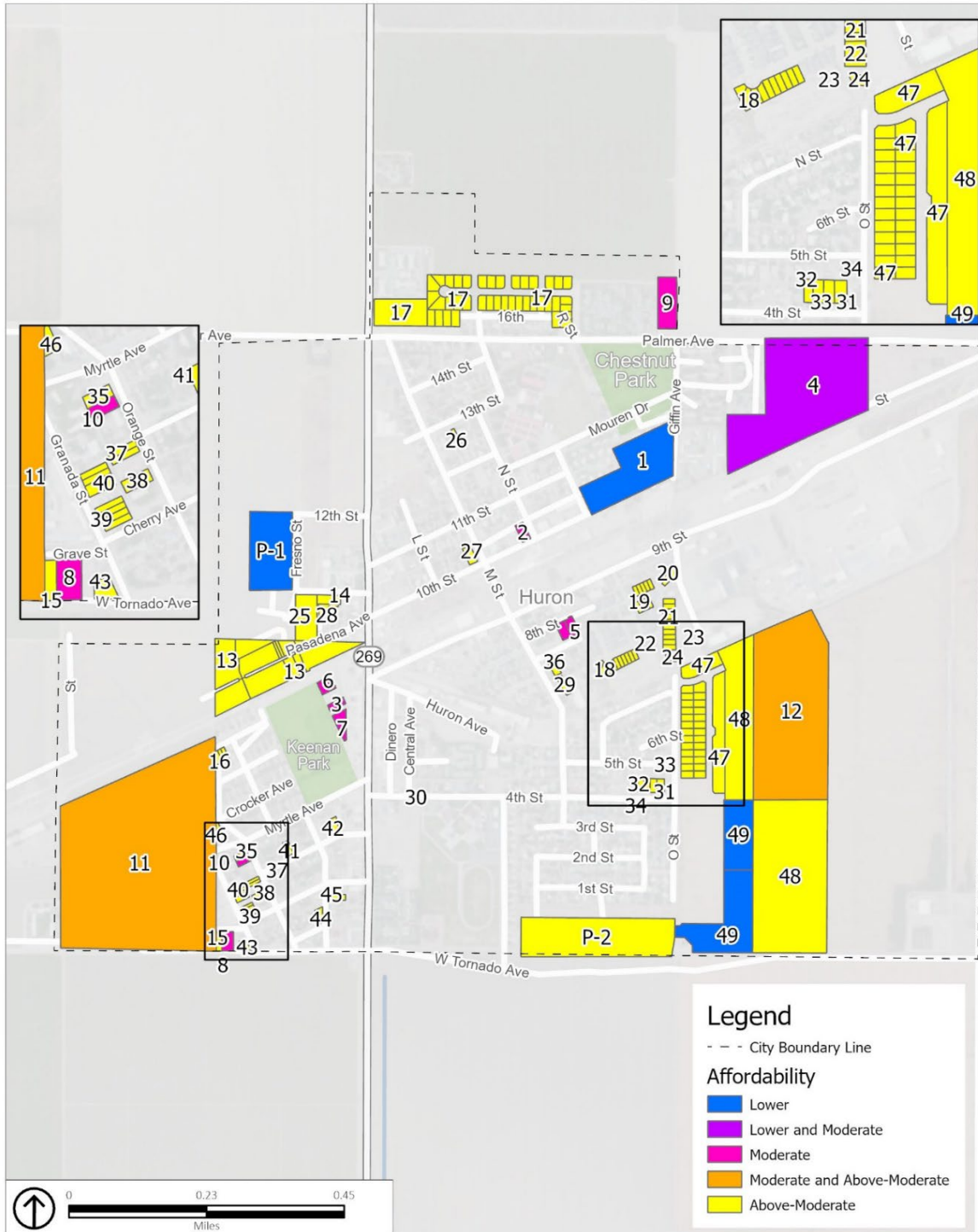
Income Category	RHNA	Vacant Site	Under Construction and Pending Projects	Projected ADUs	Total Capacity	Unit Surplus
Very Low	45	146	60	2	208	118
Low	45					
Moderate	55	87	0	1	88	33
Above Moderate	174	237	44	1	282	108
Total	319	470	104	4	578	259

Source: Huron 2024

Figure 2-1, *Huron Sites Inventory*, shows where each site is located within the City. The development capacity of each of the identified housing sites is based on existing land use and zoning densities currently designated by the City’s General Plan and Development Code. No redesignations or rezoning are necessary, and no redesignation or rezoning would occur as part of the adoption of the Housing Element Update.

Findings Concerning CEQA Exemption

FIGURE 2-1: HURON SITES INVENTORY



Source: City of Huron, 2023

2.2.3 Proposed Housing Plan

The City coordinates with the County to provide several programs to facilitate the production of housing as well as provide resources to find affordable housing. The Housing Element Update has identified 29 programs which were either modified to comply with state law, respond to directives from HCD, combined with other programs with similar intent to aid in implementation, or eliminated due to the City has already completed the identified task. After reviewing the proposed programs under the proposed Housing Element, the programs listed below would require amendments to the City's Municipal code to remove barriers to construction of new housing. Further detail and analyzed below in Section 3.2, *Analysis in Support of Findings*.

- **Program 16: Zoning Code Amendments.** The City will remove governmental constraints on the development of housing by making several amendments to the City's Municipal Code. Per Program 16, the City will amend the Municipal Code to address development standards and barriers to special needs housing opportunities.

Findings Concerning CEQA Exemption

3. Findings Concerning CEQA Exemption

3.1 SECTION 15061(B)(3): COMMON SENSE EXEMPTION

The proposed project is exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because the project involves policies, programs, and actions to meet the City’s RHNA that would not have the potential to cause a significant physical effect on the environment. The proposed Housing Element creates a roadmap on how to achieve its RHNA through the identification of suitable sites for development and identifying programs and actions that could remove constraints and promote affordable housing development. Because the City does not have to rezone any sites or make any physical improvements to adopt the Housing Element Update, it can be seen with certainty that there is no possibility that the proposed Housing Element would have a significant effect on the environment. Thus, the proposed Housing Element is exempt from CEQA under the common-sense exemption.

3.2 ANALYSIS IN SUPPORT OF FINDINGS

The proposed Housing Element is strictly a policy document that does not provide entitlements to any specific development projects and would not result in any direct or indirect physical changes to the environment. As discussed in Section 2.2.2, *Proposed Sites and Zoning*, the Housing Sites Inventory utilizes existing land use and zoning densities and does not require redesignation or rezoning to meet the City’s RHNA. Although future programs would include amendments to the City’s Municipal Code, these changes to facilitate housing development are included to be consistent with State housing law. For example, Program 16, *Zoning Code Amendments*, would amend the City’s Municipal Code to address development standards and barriers to special-needs housing opportunities, such as amending the Density Bonus, Accessory Dwelling Units, and incorporating emergency shelters, low-barrier navigation centers residential care facilities, and transitional and supportive housing. The proposed amendments to the Municipal Code would not result in significant environmental impacts, as future development and facilities would still be required to comply with the City’s General Plan and its zoning and land use designations.

Programs included in the proposed Housing Element encourage housing production and outline steps for the future implementation of certain actions. As discussed in Section 2.2.3, *Proposed Housing Plan*, the programs encourage and promote housing production under existing land use regulations but do not increase the amount of allowable development allowed in the City when compared to existing land use regulations. These programs are structured to incentivize housing development within the framework of existing density and buildout provisions envisioned in the City’s existing General Plan. Although these

programs would amend the Municipal Code, these changes modify standards or eliminate requirements that are identified as constraints for new housing development.

The proposed Housing Element does not include specific amendments to any land use regulations. Subsequent amendments to the City's land use or zoning regulations would be subject to separate CEQA review at the time those amendments are prepared, if required. Therefore, it can be seen with certainty that the City of Huron's proposed Housing Element would not have a significant effect on the environment and is therefore exempt from CEQA review.

Findings Concerning CEQA Exemption