

# Notice of Exemption

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Fresno County

2220 Tulare St, 1st Floor, Fresno, CA

93721, Fresno, CA

**From: (Public Agency):** City of Reedley Community Development Department

1733 9th Street

Reedley CA 93654

(Address)

Project Title: EA 2024-01 City of Reedley Housing Element Update

Project Applicant: City of Reedley

Project Location - Specific:

Citywide

Project Location - City: Reedley Project Location - County: Fresno County

Description of Nature, Purpose and Beneficiaries of Project:

The City of Reedley is preparing an update to its existing Housing Element, a State-mandated policy document that is a component of the Reedley 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, which is 1,463 units. The City has identified sufficient sites with adequate development capacity to build up to 1,871 new housing units with existing land use regulations and zoning designations. Several amendments to land use regulations or zoning are included as part of the Housing Element.

Name of Public Agency Approving Project: City of Reedley Community Development Department

Name of Person or Agency Carrying Out Project: City of Reedley Community Development Department

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15061(b)(3) - Common Sense Exemption
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:


See attached.

Lead Agency

Contact Person: Ellen Moore Area Code/Telephone/Extension: (559)-637-4200, option 3

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 4/10/2024 Title: City Planner

▪ Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

# Housing Element Update CEQA Exemption Technical Memorandum

City of Reedley

Environmental Assessment (EA) No. 2024-01

*Prepared for:*

**City of Reedley**

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# 1. Introduction

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## 1.1 PURPOSE

This Technical Memorandum serves as an evaluation of the City of Reedley 2023-2031 (6<sup>th</sup> cycle) Housing Element (proposed project) for 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 common-sense 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 2023-2031 Housing Element 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

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### 2.1 REGIONAL LOCATION

The City of Reedley is located in the southern portion of Fresno County. Reedley is bordered by the City of Selma to the west, City of Kingsburg to the southwest, the City of Sanger to the north, and the City of Fresno to the northwest. Manning Avenue connects the city with State Highway 99 and State Highway 180. The City is also adjacent to the Tulare Valley Railroad and the Southern Pacific Railroad lines. The Kings River runs along the western portion of the City and the Reedley Municipal Airport is located approximately four miles north of the city.

### 2.2 PROPOSED PROJECT

#### 2.2.1 Project Background

The City of Reedley 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 the Reedley 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 need issued by the California Housing and Community Development Department (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 developer. The RHNA for Reedley for this Housing Element Update is 1,463 units, including 403 very low-income units, 183 low-income units, 211 moderate-income units, and 666 above moderate-income units.

#### 2.2.2 Proposed Sites and Zoning

State law requires that the Housing Element identify adequate sites for housing by including an inventory of land suitable for residential development, including vacant sites and non-vacant sites having potential for redevelopment, with an 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 density to meet the RHNA. The Sites Inventory is based on the City's current land use designations and zoning requirements. Table 1-1, *Summary of Residential Capacity Compared to the 6th Cycle RHNA*,

## Project Description

compares the City’s RHNA to its site inventory capacity. As shown in Table 1-1, the City of Reedley’s Sites Inventory for future housing identifies housing sites spread throughout the city that could be developed with up to 1,871 new housing units, exceeding the RHNA assigned to the City by 408 units.

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

Income Category	RHNA	Vacant Site Capacity	Pipeline Projects*	Projected ADUs	Total Capacity	Unit Surplus
Very Low	403	522	149	4	675	89
Low	183					
Moderate	211	215	79	5	299	88
Above Moderate	666	790	103	4	897	231
<b>Total</b>	<b>1,463</b>	<b>1,527</b>	<b>331</b>	<b>13</b>	<b>1,871</b>	<b>408</b>
Source: 2023-2031 City of Reedley Housing Element						
*Excludes student housing portion of Kashian Project						

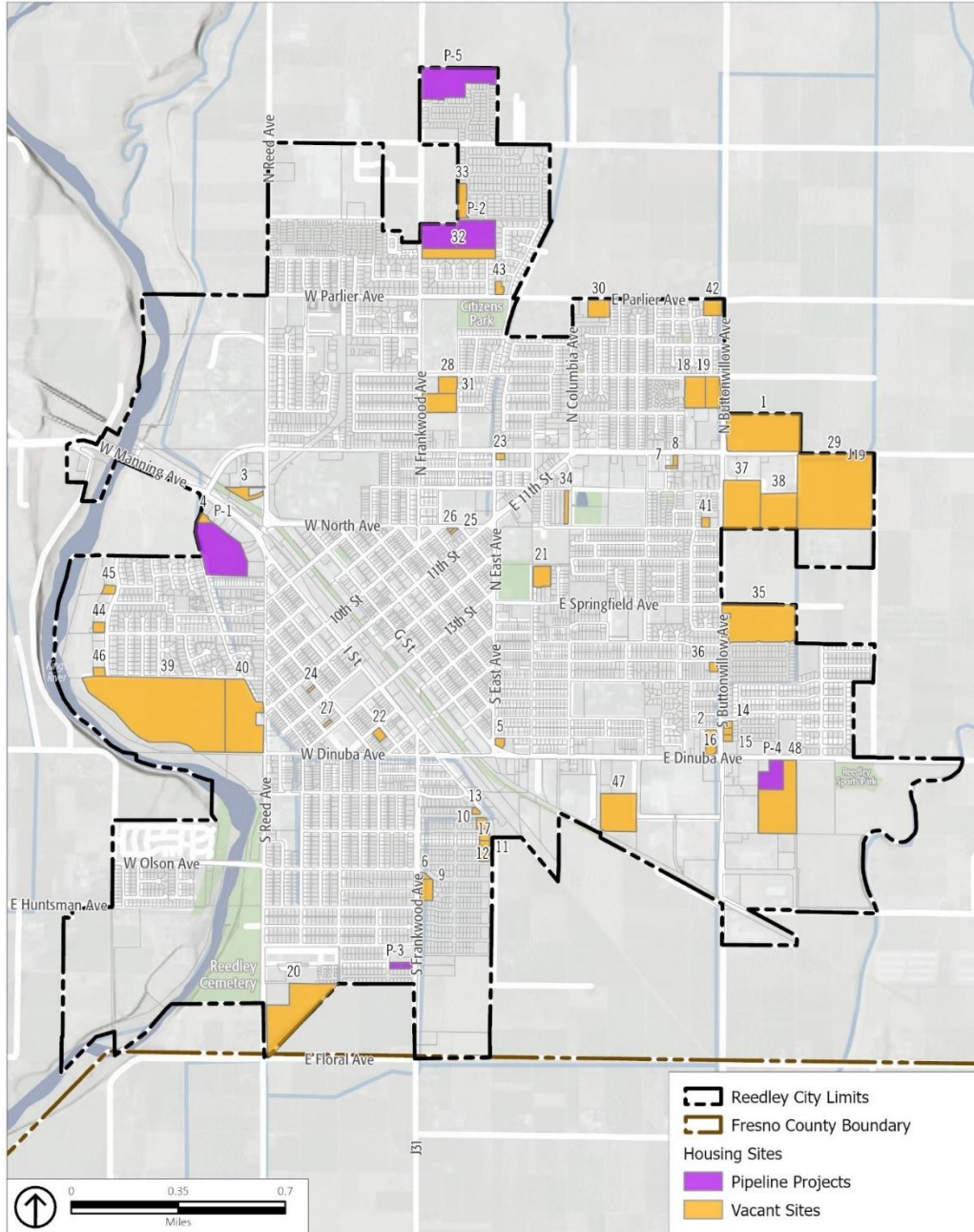
Figure 2-1, *Housing Sites Inventory*, shows a map of where each site is located within the City. The development capacity of each of the identified housing sites is based on existing land use and zoning densities currently designated by the City’s General Plan and Development Code. The General Plan and Zoning Code would be amended to provide adequate sites for at least 586 lower-income units. Redesignating and rezoning parcels with APNs 3704310, 36338045, 36329117, 36338047, and 37012238 will address the shortfall of suitably designated and zoned sites to address the lower-income RHNA. Below is Table 1-2, that showcases the land use and zoning changes for these parcels. As shown by the table below, the density of the parcels would increase the max capacity of units and help the City of Reedley be able to meet its lower-income RHNA.

**TABLE 1-2 REEDLEY PARCEL REZONING**

APN	Current GP Designation	Proposed GP Designation	Current Zone	Proposed Zone
37043101	CN (Neighborhood Commercial)	CC (Community Commercial)	CC (Central and community commercial district)	CC (Central and community commercial district)
36338045	LDR (Low Density Residential)	HDR (High Density Residential)	RM-3 (Multi-Family Residential)	RM-2 (Multi-Family Residential)
36329117	LDR (Low Density Residential)	HDR (High Density Residential)	RM-2 (Multi-Family Residential)-2	RM-2 (Multi-Family Residential)
36338047	LDR (Low Density Residential)	HDR (High Density Residential)	RM-2 (Multi-Family Residential)	RM-2 (Multi-Family Residential)
37012238	LDR (Low Density Residential)	HDR (High Density Residential)	R-1-6 (One-Family Residential)	RM-2 (Multi-Family Residential)

## Project Description

**Figure 2-1 Housing Sites Inventory**



Source: City of Reedley, March 2023

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## Project Description

### 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 proposed Housing Element has identified 28 programs, these programs were either modified to comply with state law, respond to directives from the California Department of Housing Community Development, 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, programs listed below would require amendments to the City's zoning code. However, since CEQA applies only to projects with a significant environmental impact, these activities would not have a significant environmental impact. Further detail and analyzed below in Section 3.2, *Analysis in Support of Findings*.

- **Programs 6: Use of Sites in Previous Cycles.** Pursuant to Government Code Section 65583.2(c), the City will allow any nonvacant sites identified in the prior 5<sup>th</sup> Housing Element Cycle or vacant sites identified in two or more consecutive planning periods, to allow densities of 20 dwelling units to the acre and a project shall be provided by-right development when at least 20 percent of the units in the proposed development are affordable to lower-income households.
- **Program 15: 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 15, the City will amend the City Municipal Code to address development standards and barriers to special needs housing opportunities. The City will reduce parking standards for multifamily dwellings to mitigate possible constraints on development. The City will adopt a Density Bonus provision in 2023 to comply with California's density bonus law (California Government Code Section 65915, as revised). The City will amend the Zoning Code to be consistent with the latest State legislation related to ADUs, ensuring that ADUs are permitted in all zones that permit single-family or multifamily uses, and permit the construction of a junior accessory dwelling unit (JADU) on each lot in addition to an ADU, in accordance with California Government Code Section 65852.2. The City will amend the definition of emergency shelter to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care. The City will develop managerial standards for emergency shelters and allow sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with Government Code Section 65583(a)(4)(A)(ii)). The City will permit low-barrier navigation centers, defined as low-barrier, temporary service-enriched shelters to help homeless individuals and families to quickly obtain permanent housing by-right in zones where mixed uses are allowed or in nonresidential zones that permit multifamily housing (Government Code Section 65662; AB 101). The City will allow residential care facilities, regardless of size, in all zones that permit residential uses of the same type, in accordance with the City's definition of family. The City will treat employee/farmworker housing that serves six or fewer persons as a single-family structure and permit it in the same manner as other single-family



## Project Description

structures of the same type within the same zone across all zones that allow single-family residential uses. The City will treat employee/farmworker housing consisting of no more than 12 units or 36 beds as an agricultural use and permit it in the same manner as other agricultural uses in the same zone, in compliance with the California Employee Housing Act, and allow for a streamlined, ministerial approval process for projects on land designated as agricultural or land that allows agricultural uses (Health and Safety Code Sections 17021.5, 17021.6, and 17021.8). The City will amend the R-2 and RM-3 zones by removing single-family as a permitted use.

Furthermore, Program 15 will remove the site per dwelling unit requirements in Section 10-6C-5 of the City's Municipal Code in order to prioritize densities established in the General Plan. The City will amend its municipal code to permit supporting housing by-right in the UR, CA-O, CN, CC, CS, and ML zones. Additionally, the City will amend its zoning code to consider both transitional and supportive housing for residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. When the City adopted the 2030 General Plan, the City incorporated policies from the 2008 Reedley Specific Plan into the General Plan. Such policies include properties that are zoned RM-SP are required to be consistent with the High Density Residential General Plan Designation and RM-2 zone district. Since there are fewer than 20 parcels in the City zoned RM-SP, per Program, 15, the City will remove RM-SP from the zoning map. Affected parcels will be zoned RM-2. Additionally, the city will amend the General Plan and zoning code to address the RHNA to provide adequate sites for at least 586 lower-income units. Redesignating and rezoning parcels with APNs 3704310, 36338045, 36329117, 36338047, and 37012238 will address the shortfall of suitably designated and zoned sites to address the lower-income RHNA. Furthermore, the allowed base density in the land use designation and zoning district will be amended to permit 29 dwelling units per acre on the site zoned CC and 21.78 dwelling units per acre on sites zoned RM-2, with a minimum density of 20 dwelling units per acre on all sites. The redesignation and rezoning of the parcels to address the lower income shortfall must be completed within three years of the beginning of the 6th Cycle Housing Element planning period, which is December 31, 2026.

# 3. Findings Concerning CEQA Exemption

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## 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 allocation and AFFH goals. As described above, the proposed Housing Element creates a roadmap on how to achieve its RHNA and AFFH goals through identification of suitable sites for development and identifying programs and actions that could remove constraints and promote affordable housing development. Although the City may have to rezone some sites and make physical improvements to adopt the Housing Element, 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, however rezoning is required to meet the City’s RHNA for lower income units as can be seen on Table 1-2. Although these changes would include amendments to the City’s zoning these changes to facilitate housing development are done to be consistent with State housing law.

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 listed encourage and promote housing production and will modify existing land use regulations that would increase the amount of allowable development allowed in the City when compared to existing land use regulations. The allowed base density in the land use designation and zoning district will be amended to permit 29 dwelling units per acre on the site zoned CC and 21.78 dwelling units per acre on sites zoned RM-2, with a minimum density of 20 dwelling units per acre on all sites. With the proposed allowed density, each site will permit at least 16 units on the site. As shown in Table 1-2, the proposed zone and land use changes promote more density and would result in more units to help the City meet its RHNA. The max units allowed from the existing land use to the proposed land use could allow development of up to 149 units, with the total number of units allowed by the change on these parcels would increase to 272 dwelling units max. This would increase the number of dwelling units by 123. The increase in these rezones,

## Findings Concerning CEQA Exemption

as shown in Table 6 *GPU Buildout Projections*, of the General Plan Draft EIR, represents less than 1% of the total units assumed in the GP EIR.

The proposed programs are structured to incentivize housing development, as well as increase the allowable density and buildout provisions envisioned in the City's existing General Plan. Although these programs would amend the Zoning Code, these changes would modify standards or eliminate requirements that are identified as a constraint for new housing development.

Furthermore, the proposed Housing Element would not substantially increase water demand in comparison to growth projections already reflected in relevant urban water supply planning documents. Furthermore, it is reasonable to assume that future UWMPs will be prepared based on the City's growth projections from the most current City of Reedley General Plan.

The proposed Housing Element does not include specific amendments to any land use regulations at this time but rather provides a timeline for future amendments. 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 Reedley proposed Housing Element would not have a significant effect on the environment and is therefore exempt from CEQA review.

## Findings Concerning CEQA Exemption

### 3.2.1 References

City of Reedley 2023-2031 Housing Element