

# Housing Element Update CEQA Exemption Technical Memorandum

City of Coalinga

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# 1. Introduction

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## 1.1 PURPOSE

This Technical Memorandum serves as an evaluation of the City of Coalinga’s 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 City of Coalinga’s proposed 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 Coalinga is situated in Pleasant Valley within Fresno County. The coastal mountain ranges rise to the west and Interstate 5 runs north to south approximately ten miles east of the City. Coalinga is approximately 59 miles northeast of Fresno and roughly 100 miles northwest of Bakersfield. State Route 33 and State Route 198 provide regional transportation access.

### 2.2 PROPOSED PROJECT

#### 2.2.1 Project Background

The City of Coalinga is preparing a comprehensive update to its 2015-2023 Housing Element. The update will guide the City's housing development through 2031. The Housing Element is a State-mandated eight-year policy document that is a component of a City's General Plan. The overall purpose of the proposed project 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 that there is sufficient capacity to meet 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 Coalinga for this Housing Element Update is 566 units, including 157 very low-income units, 96 low-income units, 89 moderate income units, and 224 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 underutilized 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 inventory must identify adequate sites that will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of housing types for households of all income levels. Table 2-1, *Summary of Residential Capacity Compared to the 6th Cycle RHNA*, shows the City of Coalinga identifies a capacity for 917 new housing units, exceeding the RHNA assigned to the City by 351 units. Table 2-1 further shows the City has a surplus of 261 units in the lower-income category (including very low- and

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low-), 60 units in the moderate-income category, and a 30-unit surplus in the above moderate-income category. No redesignations or rezoning are necessary, and no redesignation or rezoning would occur as part of the adoption of the proposed project.

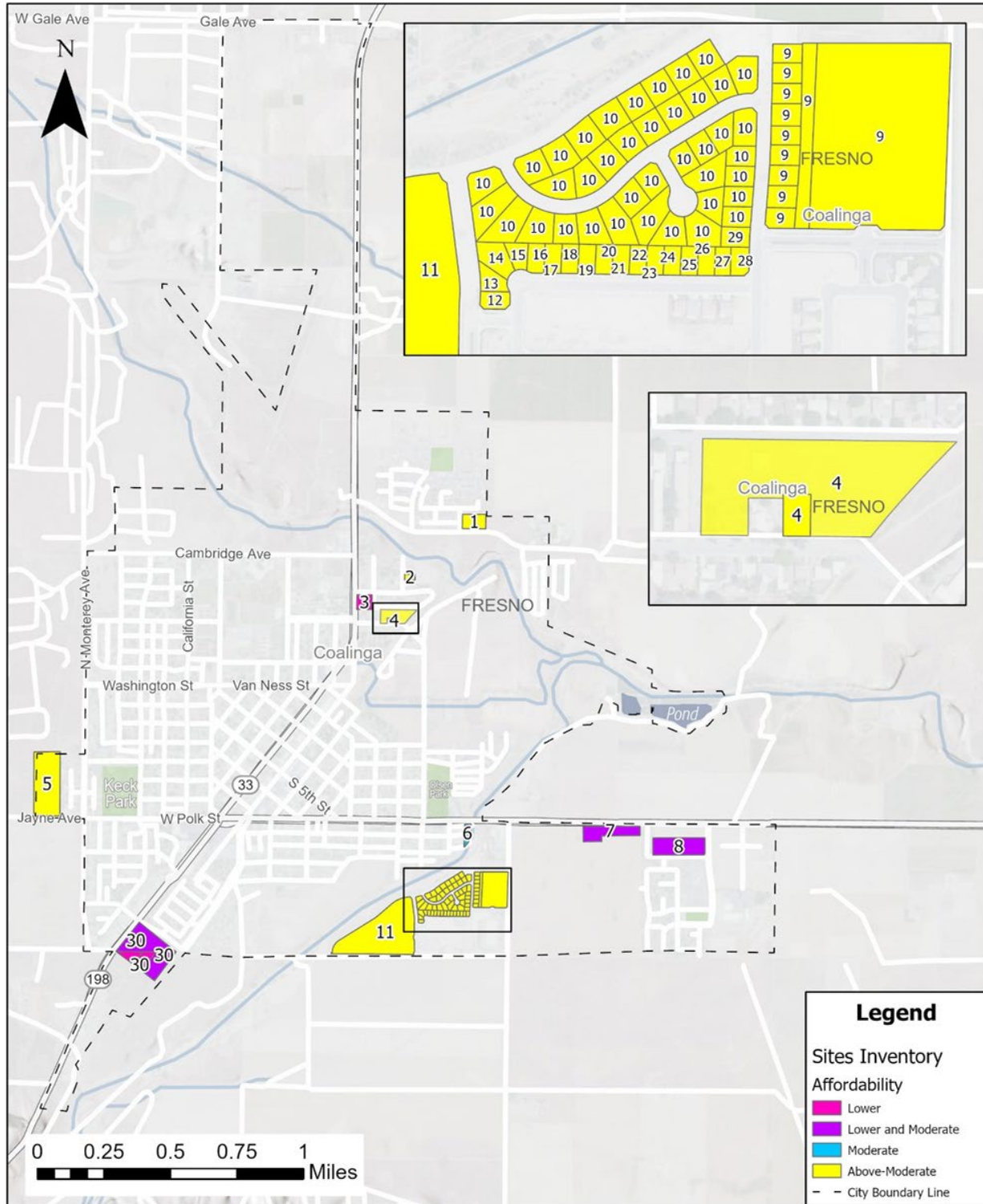
**TABLE 2-1 SUMMARY OF RESIDENTIAL CAPACITY COMPARED TO THE 6TH CYCLE RHNA**

Income Category	RHNA	Vacant Sites	Underutilized Sites	Projected ADUs	Total Capacity	Unit Surplus <sup>1</sup>
Very Low	157	514	0	0	514	261
Low	96					
Moderate	89	145	0	4	149	60
Above Moderate	224	238	12	4	254	30
<b>Total</b>	<b>566</b>	<b>897</b>	<b>12</b>	<b>8</b>	<b>917</b>	<b>351</b>

<sup>1</sup>Unit Surplus is calculated by projected ADUs and capacity on vacant and underutilized sites from the total RHNA

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**Figure 2-1 Housing Sites Inventory**





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### 2.2.3 Proposed Housing Element Programs

Programs included in the proposed Housing Element encourage housing production and outline steps for the future implementation of certain actions. The proposed programs will help to facilitate the development of housing based on optimal implementation of each program. The programs are either informative or would result in no physical change to the environment. Several of the programs were modified to comply with state law, combine programs with similar intent to aid in implementation, or eliminate programs where the City has already completed the identified task. CEQA requires the City to evaluate the environmental impacts associated with direct and reasonably foreseeable indirect physical changes to the environment. This analysis is followed in Section 3.2, *Analysis in Support of Findings*.

# 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 that would not have the potential to cause a significant physical effect on the environment. The proposed Housing Element creates a roadmap for achieving its RHNA through the identification of suitable sites for development and identifying programs and actions that could remove constraints and promote affordable housing development.. Thus, the proposed Housing Element is exempt from CEQA under the common-sense exemption.

## 3.2 ANALYSIS IN SUPPORT OF FINDINGS

The Housing Element is 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 General Plan land use designations and the City’s allowable densities established in the zoning code. Therefore, the proposed housing sites would not require redesignation or rezoning to meet the City’s RHNA. Future implementation actions would include amendments to zoning and other regulations to facilitate housing development consistent with State housing law.

The proposed Housing Element contains programs that help to facilitate new housing at all income levels. Although these programs are considered potentially growth inducing, none of these programs involve any land use or zoning changes that could increase the amount of housing allowed in the city or otherwise create significant physical impacts on the environment. 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, amend the zoning code to modify or eliminate site standards and requirements that are identified as a constraint or barrier to new housing development.

*Program 11: Promote and Facilitate Accessory Dwelling Units* would amend the zoning code to allow ADUs to be permitted in all zones that permit single-family or multifamily uses. *Program 16: Zoning Code Amendments* would amend the zoning code to permit emergency shelters by-right in the RHD zone and permit low-barrier navigation centers by right in the mixed use and non-residential zones where multifamily housing is allowed. Future by-right development would still be subject to federal, state, and local policies related to land use, such as the Migratory Bird Treaty Act, wetland conservation, and construction air quality

## Findings Concerning CEQA Exemption

permitting. Moreover, the City maintains a thorough building permit review process that would ensure compliance with federal, state, and local regulations, such as dust control, stormwater runoff, and water quality, prior to the issuance of any building permit. The building permit review process is independent of the CEQA process and would be unaffected by the change to by-right zoning. These programs would not result in significant effect on the environment since these sites are adequately zoned and designated for residential development.

New development resulting from the programs would occur on land designated for housing under the General Plan. Furthermore, all future development in the city would be required to comply with local regulations, including the General Plan and zoning code. Consequently, all projects would be subject to development procedures of the City, such as the municipal code, zoning code, and subdivision standards. These local regulations guide future development and would address physical impacts resulting from development. Moreover, the City's zoning code contains a list of permitted uses for each respective zoning district.

The proposed project is a policy document that identifies sites for residential development and includes programs intended to encourage development of residential uses. It does not approve any development that would result in physical environmental effect. The proposed Housing Element does not include specific amendments to any land use regulations 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 proposed Housing Element would not have a significant effect on the environment and is therefore exempt from CEQA review.