



RECORDING REQUESTED  
WHEN RECORDED MAIL TO:

County of Sacramento  
Planning and Environmental Review  
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Sacramento, CA 95814  
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SPACE ABOVE RESERVED FOR RECORDER'S USE

## NOTICE OF EXEMPTION

**Project Title:**

Infill Program Update

**Control Number:**

PLNP2021-00127

**Project Location:**

Sacramento County (County) is located in the northern portion of the Central Valley. It is bordered by Sutter and Placer Counties to the north, El Dorado and Amador Counties to the east, San Joaquin and Contra Costa Counties to the south, and Yolo and Solano Counties to the west. Interstate 80 (I-80), I-5, State Route 50 (SR-50), SR-99, SR-16, SR-12, and SR-160 provide regional access. Future implementation of the Program will apply to existing unincorporated communities including Commercial Corridors within the County's Urban Policy Area.

**APN:**

N/A

**Description of Project:**

In July 2021, the County received grant funding for an update to the 2008 Infill Program for the purposes of identifying current barriers to infill development and developing a strategy to address said barriers. Informed by the prior effort, stakeholder engagement, and Board of Supervisors (Board) direction, the Infill Program Update is a roadmap to facilitate policy and procedural changes, as well as development review process improvements, to encourage infill development and to increase and accelerate housing production in the County.

**Name of public agency approving project:**

Sacramento County – [ceqa@saccounty.gov](mailto:ceqa@saccounty.gov)

**Person or agency carrying out project:**

County of Sacramento  
Department of Community Development  
Planning and Environmental Review Division  
827 7<sup>th</sup> Street  
Sacramento, CA 95814  
916.874.7575  
[CEQA@saccounty.gov](mailto:CEQA@saccounty.gov); [inmanj@saccounty.gov](mailto:inmanj@saccounty.gov)

**Exempt Status:**

Statutory Exemption:

- PRC Sections 21102 & 21150; CEQA Guidelines Section 15262; Feasibility and Planning Studies

Common Sense Exemption; CEQA Guidelines Sections 15061(b)(3)

**Reasons why project is exempt:**

The Project is exempt from CEQA under CEQA Guidelines Section 15262 and 15061(b)(3), Feasibility and Planning Studies and the Common Sense Exemption, respectively.

The proposed project is exempt under the Statutory Exemption (CEQA Guidelines Section 15262) for Feasibility and Planning Studies because the Infill Program is a planning study that outlines future actions and will not have legally binding effects on later activities or on any parcel within the County. Implementation of one or more of the Infill Program toolkit recommendations will be analyzed for compliance with CEQA with initiation of future projects. Future discretionary actions implementing the Infill Program Update will require independent environmental analysis, as appropriate. See Attachment 1 for additional information and findings resulting from CEQA compliance review and further support concerning the appropriate CEQA compliance documentation.

Therefore, it can be seen with certainty that the Sacramento County Infill Program Update would not have a significant effect on the environment and is therefore exempt from CEQA review.

**Julie Newton**  
ENVIRONMENTAL COORDINATOR OF  
SACRAMENTO COUNTY, STATE OF  
CALIFORNIA

**Copy To:**

**County of Sacramento  
County Clerk**  
3636 American River Drive, Suite 110  
Sacramento, CA 95864

**OPR:**  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

**Attachments:**

Attachment 1: CEQA Technical Memorandum and Support of CEQA Findings

June 2024 | CEQA Exemption

# **SACRAMENTO COUNTY INFILL PROGRAM UPDATE**

CEQA Technical Memorandum

PLNP2021-00127

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# **1. Introduction**

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## **1.1 PURPOSE**

This Technical Memorandum serves as an evaluation of the Sacramento County Infill Program Update (proposed project). 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.

This project is exempt from CEQA under CEQA Guidelines Section 15262 and 15061(b)(3), Feasibility and Planning Studies and the “Common Sense” Exemption, respectively. The proposed project is exempt under the Statutory Exemption (CEQA Guidelines Section 15262) for Feasibility and Planning Studies, because the Infill Program is a planning study that outlines future actions and will not have legally binding effects on later activities or on any parcel within the County. Furthermore, the proposed project would also be exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because approval of the Sacramento County Infill Program Update 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**

Sacramento County (County) is located in the northern portion of the Central Valley. It is bordered by Sutter and Placer Counties to the north, El Dorado and Amador Counties to the east, San Joaquin and Contra Costa Counties to the south, and Yolo and Solano Counties to the west. Interstate 80 (I-80), I-5, State Route 50 (SR-50), SR-99, SR-16, SR-12, and SR-160 provide regional access. Future implementation of the Infill Program Update will apply to existing unincorporated communities including Commercial Corridors within the County's Urban Policy Area.

### **2.2 PROPOSED PROJECT**

#### **2.2.1 Project Background**

The County has long recognized the need for infill development in its urbanized areas to help revitalize the local economy, create more livable and walkable neighborhoods, support active forms of transportation, and encourage equitable development. The County and local service provider agencies have established several programs to encourage development, including a Fast Track Permit Processing Program for commercial, industrial, and residential projects; Fee deferrals, waivers, or credits; and the Affordable Housing Incentive Program. In 2008, the County Board of Supervisors approved the initial Infill Program and Principles (Program).

Current challenges facing the County include not being seen as "development-friendly" or "attractive" for new commercial and residential development when compared to surrounding jurisdictions. Additionally, some developers and property owners feel that developing in new growth areas of the County (e.g., greenfield development or sprawl) is easier or more feasible than developing in existing urbanized areas due in part to existing land use requirements, processes, fees, and infrastructure constraints. Nevertheless, the County is in a good position to address many of these concerns given the sizeable inventory of vacant and underutilized urban land throughout the County and

## Project Description Cont.

the Sacramento County General Plan policies that support infill development. The County was also awarded a State Local Early Action (LEAP) Grant in 2022 to establish programs and policies that accelerate housing production, including an update of the 2008 Infill Program (i.e., the Proposed Project).

### 2.2.2 Sacramento County Infill Program Update

The primary focus of the proposed project is to accelerate the production of housing through development in key urbanized areas to encourage equitable and livable neighborhoods and active transportation. The proposed project analyzed existing conditions of the County's commercial corridors, including barriers to infill development.

The proposed project does not include amendments to any land use and zoning regulations, but instead provides a list of options for consideration of future action. The Infill Program Update identifies the following seven barriers to infill development:

1. Competition from new growth areas.
2. Infrastructure deficiencies and cost to upgrade.
3. High development costs.
4. Lot size and parcel assembly.
5. Challenging permitting process.
6. Rigid or complex development regulations.
7. Time consuming and/or lack of coordination.

In the context of the identified barriers to infill development, the Infill Program Update provides a roadmap to facilitate policy and procedural changes, as well as development review process improvements, to encourage infill development and to increase and accelerate housing production in the County. The roadmap to reduce barriers to infill development is laid out in a "toolkit" of 13 implementation measures that will facilitate policy and procedural change. These measures include:



## Project Description Cont.

1. Increase coordination with residents, community groups, and stakeholders.
2. Increase coordination and partnerships with agencies/departments involved in the development review process.
3. Expand other financial programs and resources.
4. Expand and routinely update applicant resources.
5. Analyze and amend NPAs, SPAs, and corridor plans.
6. Update County General Plan.
7. Hire Development Process Manager(s).
8. Hire on-call consultant(s).
9. Establish mixed-use districts and objective standards.
10. Update Zoning Code development standards.
11. Define and hire Infill Coordinator(s).
12. Amend existing fee reduction and waiver programs.
13. Expand Fast Track Permit Processing Program.

## 3. Findings Concerning CEQA Exemption

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### 3.1 SECTION 15262: FEASIBILITY AND PLANNING STUDIES

The proposed project is exempt under the Statutory Exemption (CEQA Guidelines Section 15262) for Feasibility and Planning Studies, because the Infill Program is a planning study that outlines future actions and will not have legally binding effects on later activities or on any parcel within the County. As described above, the Sacramento County Infill Program Update creates a roadmap on how to achieve the County's goals of accelerating the production of housing by identifying barriers for infill development as well as providing a toolkit of potential incentives to further promote infill development. Because the proposed project would not establish an infill overlay, change the existing residential density as shown in the General Plan, rezone land to a different zone district, nor would it result in physical changes to the environment in order to adopt the Sacramento County Infill Program Update, it can be seen with certainty that the Infill Program Update is a Planning Study that would have no possibility of a significant effect on the environment and is Statutorily Exempt under Section 15262.

### 3.2 SECTION 15061(B)(3): COMMON SENSE EXEMPTION

The proposed project is also exempt as a "common sense" exemption under State CEQA Guidelines Section 15061(b)(3) because the proposed project involves updating the Sacramento County Infill Program to accelerate the production of housing. As described above, there is no possibility that the proposed project would have a significant effect on the environment. Therefore, the proposed project is exempt from CEQA under the common-sense exemption.

### 3.3 ANALYSIS IN SUPPORT OF FINDINGS

The Sacramento County Infill Program Update is strictly a planning 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 the *Sacramento County Infill Program Update*, while the proposed project recommends the establishment of mixed-use

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## Findings Concerning CEQA Exemption Cont.

districts and also recommends potentially changing residential densities and rezoning land within the County, these changes would not be established under the proposed project but would be recommended to the County Board of Supervisors for their consideration. If the Board decides to pursue updated mixed-use districts and corresponding rezones, then additional environmental analysis would be required.

Additionally, as described in the *Sacramento County Infill Program Update*, the proposed project includes a toolkit of potential incentives for consideration by the County Board of Supervisors to accelerate the production of housing by promoting infill development. Such incentives may include fee deferral programs, funding opportunities, improving the plan review experience for applicants, and flexible development standards.

As discussed in the *Sacramento County Infill Program Update*, the proposed project recommends Zoning Code changes that could increase the amount of housing allowed in the County. However, these recommendations would not be established under the proposed project and would not create physical impacts on the environment. The proposed project includes a “toolkit” of potential incentives, for the Board of Supervisors to consider, to further promote infill development in the County. The proposed project also makes recommendations to reduce constraints and barriers to the development of infill projects.

Furthermore, the proposed project would not increase water demand in comparison to growth projections already reflected in relevant urban water supply planning documents because it would not change the existing development potential as shown in the General Plan and zoning code. Sacramento County receives its water supply from Sacramento County Water Agency (SCWA) and numerous dependent water districts. Urban water management plans (UWMP) are prepared by urban water suppliers and are updated every five years to support the supplier’s long-term resource planning to ensure that adequate water supplies are available to meet existing and future water needs. The UWMP relies on the development potential shown in the General Plan to determine water demand. As the proposed project is not changing the development potential of any of the infill sites, there is no potential for impact.

## Findings Concerning CEQA Exemption Cont.

Future discretionary acts resulting from implementation of the Infill Program Update, including subsequent amendments to the County's land use or zoning regulations as suggested by the proposed project, would be subject to separate CEQA review prior to consideration. Therefore, it can be seen with certainty that the Sacramento County Infill Program Update would not have a significant effect on the environment and is therefore exempt from CEQA review.