

Housing Element Update CEQA Exemption Technical Memorandum

City of Red Bluff

Prepared for:

The City of Red Bluff

Contact: Beth Lindauer, Community Development Director
Community Development Department
555 Washington Street
Red Bluff, California 96080

Prepared by:

PlaceWorks

Contact: Mark Teague, AICP, Managing Principal
101 Parkshore Drive, Suite 200
Folsom, California 95630
info@placeworks.com

March 2025

Table of Contents

Section	Page
1. INTRODUCTION	1
1.1 PURPOSE	1
1.2 STATUTORY AUTHORITY AND REQUIREMENTS	1
2. PROJECT DESCRIPTION	2
2.1 REGIONAL LOCATION	2
2.2 PROPOSED PROJECT	2
3. FINDINGS CONCERNING CEQA EXEMPTION	8
3.1 CEQA GUIDELINES SECTION 15061(B)(3): COMMON SENSE EXEMPTION	8
3.2 ANALYSIS IN SUPPORT OF FINDINGS	8
4. REFERENCES	11
 FIGURES	
Figure 2-1 Red Bluff’s Sites Inventory Map	4
 TABLES	
Table 2-1 Red Bluff’s RHNA Summary	3
Table 3-1 Program RC 1.1: Removing Constraints and CEQA Determination	10

1. Introduction

1.1 PURPOSE

This Technical Memorandum shall serve as an evaluation of the City of Red Bluff's 2024-2029 (7th cycle) Housing Element Update (proposed project) concerning California Environmental Quality Act (CEQA) compliance. This Technical Memorandum was prepared to present: (1) the findings 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. CEQA Guidelines Section 15061(b) outlines how 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 CEQA Guidelines Section 15260).
- 2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with CEQA Guidelines Section 15300), and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines 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 CEQA Guidelines 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 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 in Section 3, *Findings Concerning CEQA Exemption*.

2. Project Description

2.1 REGIONAL LOCATION

The City of Red Bluff is situated in central Tehama County, at the northern edge of Sacramento Valley. Interstate 5 runs north-south through the city, while State Route 36 traverses the city west to east. Nestled near the Sacramento River, Red Bluff is surrounded by agricultural lands and rolling foothills. Nearby incorporated cities include Corning, located 17 miles south, and Redding, located 28 miles north of Red Bluff.

2.2 PROPOSED PROJECT

2.2.1 Project Background

The Housing Element is a State-mandated policy document that is a component of the City of Red Bluff'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 needs issued by the California Department of Housing and Community Development (HCD). Under the Regional Housing Needs Plan, the City must plan to accommodate 398 housing units, including 91 very low-income, 59 low-income, 59 moderate-income, and 189 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 sites having potential for redevelopment, including analysis of the development capacity that can realistically be achieved for each site. The land use potential for all the sites in the inventory comes from the existing Land Use Chapter of the General Plan. The purpose of the site's inventory is to evaluate whether there are sufficient sites with appropriate zoning 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. The development capacity of each of the identified housing sites is based on land use designation and zoning districts currently in place in the Land Use Chapter and Zoning Code, respectively. As such the proposed project does not need to change the Land Use Designation or Zone District for any parcel in the City to meet RHNA.

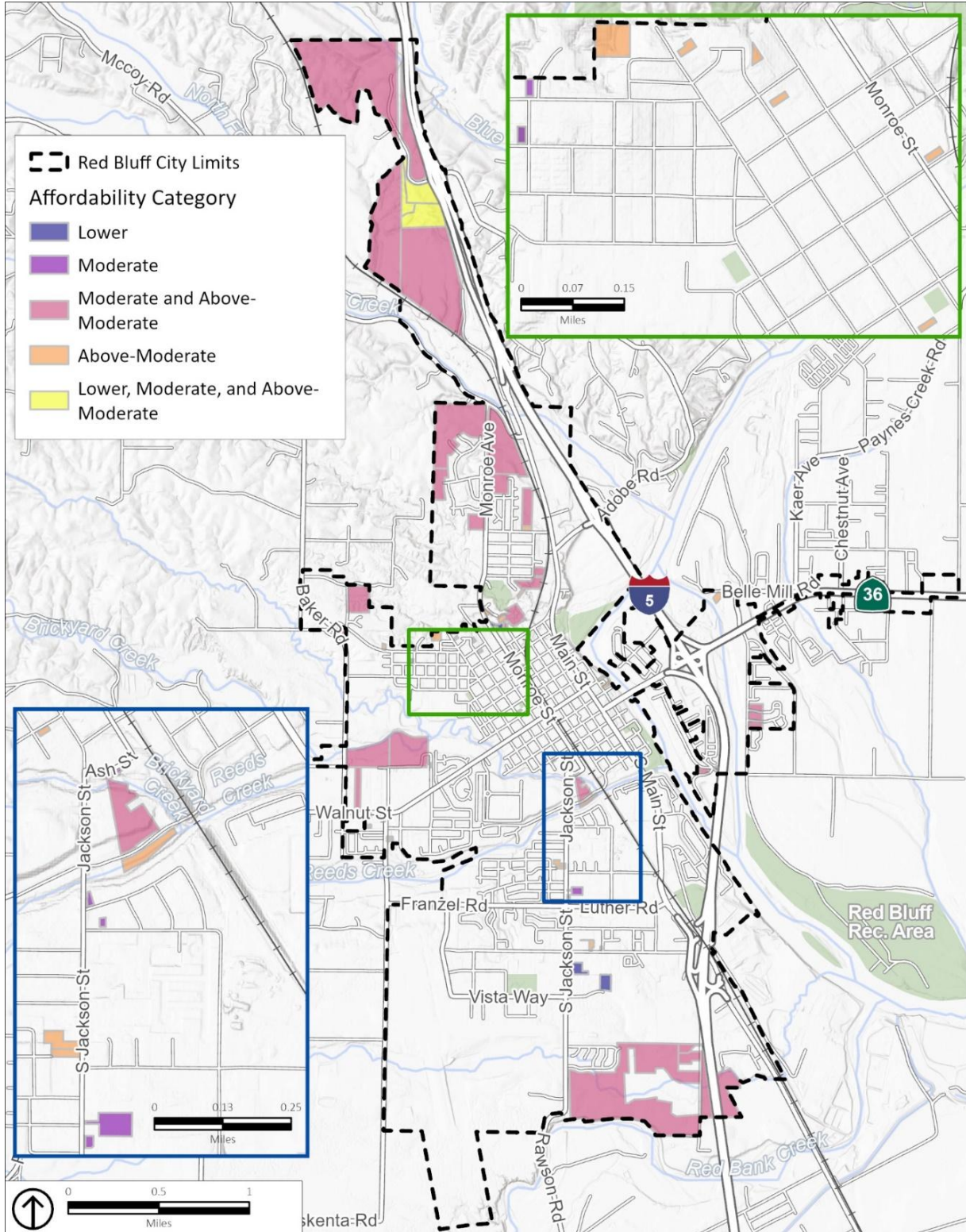
Table 2-1, *Red Bluff's RHNA Summary*, provides a summary of Red Bluff's ability to meet their 2024-2029 RHNA. After accounting for capacity on vacant sites, Red Bluff has a surplus capacity that can accommodate an estimated 2,133 units, which exceeds the City's RHNA. Figure 2-1, *Red Bluff's Sites Inventory Map*, shows where each site is in the city. The development capacity of each identified housing site is based on existing land use and zoning densities currently designated by the City's General Plan and Zoning Code.

TABLE 2-1 RED BLUFF'S RHNA SUMMARY

Income Category	RHNA	Capacity on Vacant Sites	Surplus Capacity
Extremely Low/Very Low	91	254	104
Low	59		
Moderate	59	955	896
Above Moderate	189	1,322	1,133
Total	398	2,531	2,133

Source: Red Bluff 2025

Figure 2-1 Red Bluff's Sites Inventory Map



2.2.3 Proposed Housing Element Programs

The proposed project includes 31 programs to encourage housing production and outline steps for future housing implementation. Programs were modified to comply with State law, combined to consolidate programs with similar intent to aid in implementation, or eliminated where the City has completed the identified task. These programs are either informational or would not result in physical changes to the environment, except for the programs listed below. Since CEQA requires the City to evaluate the environmental impacts of direct and reasonably foreseeable indirect physical changes, these specific programs are analyzed in Section 3.2, *Analysis in Support of Findings*.

- **Program HD.1.10** The City will revise standards for emergency shelters (termed Temporary Homeless Shelters in Red Bluff) in the Zoning Ordinance as follows:
 - Revise minimum square footage to accommodate persons experiencing homelessness to 200 square feet per person.
 - Align parking standards with Assembly Bill 139 (2019) to ensure parking standards do not exceed what is needed to accommodate staff working at the shelter.
 - Proximity standards for emergency shelters are not required to be more than 300 feet apart, in alignment with State law.
 - Ensure consistency of terminology for this use in the Zoning Ordinance.

In addition, the City will update emergency shelter regulations consistent with AB 2339, including amending the definition of emergency shelter in the City's Zoning Ordinance (revising the City's current definition of Temporary Homeless Shelter) to comply with the definition in State law. Furthermore, the City will amend the Zoning Ordinance to allow emergency shelters without discretionary review (by right – without conditional or other discretionary permit) in additional zoning districts that allow residential uses, is in proximity to transportation and services, with appropriate development standards, and contains sufficient capacity per capacity analysis required by State law, to address the 198-person unsheltered need in the city. This use will be allowed without discretionary review in one or both of the following zoning districts:

- R-3 (Neighborhood Apartments Districts)
 - R-4 (General Apartments Districts)
- **Program HD.1.12.** The City will revise Municipal Code Section 25.199 Density Bonuses to require replacement housing units subject to the requirements of Government Code, Section 65915 (c)(3) when any new development (residential, mixed-use, or nonresidential) occurs on a site that is identified in the inventory meeting the following conditions:
 - Currently has residential uses or within the past five years has had residential uses that have been vacated or demolished.

- Was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income.
- Subject to any other form of rent or price control through a public entity's valid exercise of its police power.
- Occupied by low- or very low-income households.
- **Program HD.1.15.** The City is using two vacant sites identified in the 5th and 6th Cycle Housing Element as suitable for lower-income units to address the City's RHNA allocation. Per Government Code Section 65583.2(c), to continue to include these parcels in that portion of the land inventory for the 7th Cycle Housing Element, the City will commit to update all required Zoning Ordinance and General Plan provisions to allow for projects that have at least 20 percent affordable units without discretionary review or "by-right" (Government Code Section 65583.2(i)).
- **Program RC.1.1.** Amend the Zoning Ordinance as follows:
 - Low-Barrier Navigation Center (LBNC) (AB 101):
 - Define LBNC in the City's Zoning Ordinance.
 - Allow LBNCs by-right in all zones where mixed-use is permitted and nonresidential zones where multifamily uses are permitted, including special purpose and/or commercial zoning districts.
 - Transitional Housing (SB 2)
 - Allow transitional housing in commercial and industrial zones that allow residential development.
 - Update the City's definition of transitional housing in the Zoning Ordinance for consistency with current State law.
 - Supportive Housing (SB 2 and AB 2162)
 - Allow supportive housing by right in commercial and industrial zones that allow multifamily and mixed-use development.
 - Update the City's definition of supportive housing in the Zoning Ordinance for consistency with current State law.
 - Residential Care Facilities (Health & Safety Code Sections 1566.3, 1569.85, and 11834.23)
 - Allow residential care facilities for six or fewer persons, regardless of licensing, in the M-1 and M-2 zones. Update definition of this use in the Zoning Ordinance as needed to clarify how this use is allowed.
 - Allow residential care facilities for seven or more persons without a use permit, similar to other uses of the same type in the same zone.
 - Single-Room Occupancy (AB 2634)
 - Revise the existing definition of Lodging House or add a new definition of single-room occupancy unit for consistency with State law regarding single-room occupancy units and to address the needs of extremely low-income households.

- o Accessory Dwelling Units (Government Code Sections 66310 – 66342)

Continue to update the City’s ADU ordinance to stay consistent with State ADU law. Update by the end of 2026 and review again by the end of 2028 and make additional updates if needed for consistency with State ADU law.

- o Employee Housing (Health and Safety Code Section 17021.5)

Allow “Employee Housing – Small” in commercial and industrial zones where single-family residential is allowed.

- o Use Permit Findings (Government Code 65583)

The City will review the Use Permit (UP) findings and revise them for objectivity, if needed.

3. Findings Concerning CEQA Exemption

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

The proposed project is exempt as a “common sense” exemption under CEQA Guidelines Section 15061(b)(3) because the project involves policies, programs, and actions to meet the County’s RHNA allocation that would not have the potential to cause a significant physical effect on the environment. As it can be seen with certainty there is no possibility that the proposed project would significantly affect the environment; therefore the project 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 uses the City’s existing land use and zoning densities. Therefore, no redesignations or rezones are required to meet the City’s RHNA. Although future programs would include amendments to the City’s Municipal Code and Zoning Code, these changes to facilitate housing development are necessary to be consistent with State housing law.

Program HD.1.10 would revise the City’s zoning regulations to improve the establishment and operations of emergency shelters and ensure compliance with state law. Program HD.1.12 would amend the Municipal Code to address the replacement of affordable housing units subject to the requirements of state density bonus law. Program HD.1.15 would update the City’s Zoning to allow projects with at least 20 percent affordable units to be approved without discretionary review, ensuring compliance with state housing laws and addressing the City’s housing needs. Program RC.1.1 would amend the City’s Municipal Code to address development standards and barriers to support a variety of housing types, which includes low-barrier navigation centers, transitional housing, supportive housing, residential care facilities, single-room occupancy units, accessory dwelling units, employee housing, and use permit findings. The proposed amendments to the City’s Municipal and Zoning Code would not result in significant environmental impacts as these development standards and facilities would still be required to comply with the City’s General Plan and its zoning and land use designations.

These programs would not result in significant environmental changes to the environment, would comply with State law, and would not result in substantial new changes. Table 3-1, *Program RC 1.1: Removing Constraints and CEQA Determination*, shows that each major action in Program RC 1.1 intends to update policies to comply with State law. New development would occur on land currently designated and zoned

to allow residential uses to occur under the City's General Plan and Zoning. In addition, subsequent amendments to the City's land use or zoning regulations, such as those discussed in Program HD 1.15 and RC 1.1, would be subject to separate CEQA review at the time the amendments are prepared. In addition, future by-right development would still be subject to federal, state, and local regulations related to land use, such as the Migratory Bird Treaty Act, wetland conservation, and construction air quality permitting. Therefore, it can be seen with certainty that the proposed project would not significantly affect the environment and is exempt from further CEQA analysis.

TABLE 3-1 PROGRAM RC 1.1: REMOVING CONSTRAINTS AND CEQA DETERMINATION

Program RC 1.1 Actions	California State Code Sections	CEQA Determinations
<p>Low-Barrier Navigation Center: (LBNC) (AB 101):</p> <ul style="list-style-type: none"> Define LBNC in the City’s Zoning Ordinance. Allow LBNCs by-right in all zones where mixed-use is permitted and nonresidential zones where multifamily uses are permitted, including special purpose and/or commercial zoning districts. 	Assembly Bill 101	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Transitional Housing (SB 2):</p> <ul style="list-style-type: none"> Allow transitional housing in commercial and industrial zones that allow er development. Update the City’s definition of transitional housing in the Zoning Ordinance for consistency with current State law. 	Senate Bill 2	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Supportive Housing (SB 2 and AB 2162):</p> <ul style="list-style-type: none"> Allow supportive housing by right in commercial and industrial zones that allow multifamily and mixed-use development. Update the City’s definition of supportive housing in the Zoning Ordinance for consistency with current State law. 	Senate Bill 2 and Assembly Bill 2162	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Residential Care Facilities:</p> <ul style="list-style-type: none"> Allow residential care facilities for six or fewer persons, regardless of licensing, in the M-1 and M-2 zones. Update definition of this use in the Zoning Ordinance as needed to clarify how this use is allowed. Allow residential care facilities for seven or more persons without a use permit, similar to other uses of the same type in the same zone. 	California Code, Health and Safety Code - Sections 1566.3, 1569.85, and 11834.23	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Single-Room Occupancy (AB 2634):</p> <ul style="list-style-type: none"> Revise the existing definition of Lodging House or add a new definition of single-room occupancy unit for consistency with State law regarding single-room occupancy units and to address the needs of extremely low-income households. 	Assembly Bill 2634	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Accessory Dwelling Units (Government Code Sections 66310 – 66342):</p> <ul style="list-style-type: none"> Continue to update the City’s ADU ordinance to stay consistent with State ADU law. Update by the end of 2026 and review again by the end of 2028 and make additional updates if needed for consistency with State ADU law. 	Government Code Sections 66310 – 66342	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Employee Housing (Health and Safety Code Section 17021.5):</p> <ul style="list-style-type: none"> Allow “Employee Housing – Small” in commercial and industrial zones where single-family residential is allowed. 	California Code, Health and Safety Code - Section 17021.5	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.
<p>Use Permit Findings (Government Code 65583):</p> <ul style="list-style-type: none"> The City will review the Use Permit (UP) findings and revise them for objectivity, if needed. 	Government Code Section 65583	No impact as this policy would be compliant with existing State law and can be implemented without a zone change.

4. References

Red Bluff, City of. 2025. 2024-2029 Housing Element Update.

This page intentionally left blank.