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Initial Study/Negative Declaration Addendum
County of Plumas

2019-2024 HOUSING ELEMENT CEQA ADDENDUM TO 2009-2014 HOUSING ELEMENT INITIAL STUDY/NEGATIVE DECLARATION (Plumas County Negative Declaration 646)

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1. Addendum to an Adopted Initial Study/Negative Declaration

The County of Plumas does hereby, prepare, declare, and publish the 2019-2024 Housing Element California Environmental Quality Act (CEQA) Addendum to the 2009-2014 Housing Element CEQA Initial Study/Negative Declaration (IS/ND).

The 2019-2024 Housing Element (proposed project) would replace the adopted 2009-2014 Housing Element.

This Addendum has been prepared pursuant to Title 14, Sections 15162 and 15164 of the California Code of Regulations. A copy of the Addendum document, and all supportive documentation, may be reviewed or obtained at the Plumas County Planning and Building Services office, 555 Main Street, Quincy, California 95971.

1.1 BACKGROUND

Under the requirements of state law, every city and county in California must prepare a housing element as part of its general plan. The adopted housing element must document, in detail, existing conditions and projected needs in accordance with state housing law provisions. In addition, the discretionary approval action requires independent and project-specific environmental review. On February 16, 2010, the Plumas County Board of Supervisors held a public hearing and adopted the 2009-2014 Housing Element, which also allowed for adoption, by the Board, of Negative Declaration 646 at the same public hearing.

The housing element is a policy document that does not result in physical changes to the environment but includes programs that encourage the provision of affordable housing. While policies and programs could require changes to the zoning ordinance or result in actions of the County that could result in physical change, none of the policies or programs in the proposed project would result in physical changes to the environment. All development in the County is required to comply with the General Plan, zoning ordinance, and County standards.

The 2019-2024 Housing Element identifies housing solutions that address local housing problems and to meet or exceed the County's unincorporated area Regional Housing Needs Allocation (RHNA). The County recognizes that the provision of adequate housing is best met through a collaboration of various resources, including County departments, outside state and federal agencies, and Plumas County housing and special needs stakeholder groups. The proposed project establishes goals, policies, programs, and quantified objectives the County and its housing partners would implement to facilitate actions that address the County's identified housing issues over the planning period.

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1.2 PROPOSED PROJECT SUMMARY

California Government Code, Section 65588(a)(2) “Review and Revision” requires that the proposed 2019-2024 Housing Element project review the goals, objectives (policies), and programs of the previous 2009-2014 Housing Element and report on the progress and effectiveness. The goals and objectives (policies) from the previous Housing Element were continued verbatim to the proposed 2019-2024 Housing Element. In many instances, programs from the previous Housing Element are modified and continued through to the proposed 2019-2024 Housing Element, while only a few programs, for various reasons, are proposed to be deleted. The evaluation of the previous Housing Element goals, objectives (policies), and programs analysis begins on page 13 of the proposed 2019-2024 Housing Element. Table 1-1 includes the changes in programs between the adopted Housing Element and the proposed 2019-2024 Housing Element.

Table 1-1 Summary of Policy Changes between the Adopted 2009-2014 Housing Element and the Proposed 2019-2024 Housing Element Project

Housing Goal, Policies, and Programs	Progress	Modify/Delete
Goal HE 1/Objectives 1-6: 1. Maintain a continuing program, in co-operation with state and federal agencies, to rehabilitate and replace substandard housing units. 2. Maintain a continuing program to provide subsidized housing, as funds are available from state and federal agencies. 3. Maintain a continuing program to assist first-time homebuyers. 4. Maintain minimum governmental regulations as necessary for public health and safety and a surplus of lands available for development so as to preclude artificially inflated costs. 5. Provide provisions for alternative types of housing in rural designated areas of Plumas County. 6. Maintain maximum flexibility in construction alternatives to allow individual choice in design alternatives.	Goal and objectives would be carried over into the 2019-2024 Housing Element.	Objectives have become Policies in the 2019-2024 Housing Element.
Program 1. Rehabilitation: Continue utilization of Rehabilitation Revolving Fund. Utilize additional state and federal programs, which may become available (Community Block Grant Program, Farmers Home 502 and 504).	The County does not currently have a housing rehabilitation revolving fund but remains interested in reinstating a housing rehabilitation program.	Modify as Program 14 .
Program 2. New Construction: The County will support and assist funding applications for the development of housing affordability to lower and moderate income households. Monitor private sector development activity.	New construction has been limited to single-family homes and manufactured homes. Due to the recession, development was slowed from pre-recession levels. Recovery has been gradual.	Modify and include in Program 3 and Program 12 .
Program 3: Rent Assistance: Continue present programs and expand program as funds are available from state and federal agencies (Department of Housing and Urban Development, Section 8).	The Plumas County Community Development Commission provides this rental assistance. The County has 170 active housing vouchers with 370 persons on the waiting list.	Modify and include as Program 23 .
Program 4: Plumas County Community Development Commission: Maintain the Plumas County Community Development Commission as the local contact and referral agency for complaints of housing discrimination and distribution of materials and information on fair housing throughout the County in all county buildings open to the public.	The Plumas County Community Development Commission provides this service but has not received any complaints.	Modify as Program 16 .

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Table 1-1 Summary of Policy Changes between the Adopted 2009-2014 Housing Element and the Proposed 2019-2024 Housing Element Project

Housing Goal, Policies, and Programs	Progress	Modify/Delete
Program 5: Counseling: Provide counseling for various programs as needed.	The Plumas County Community Development Commission provides counseling for an average of 150 households annually.	Included in Programs 16, 18, and 23.
Program 6: First Time Homebuyer Program: The Regional Council of Rural Counties (RCRC) Californian Rural Home Mortgage Finance Authority offers a variety of first time homebuyers and no/low down-payment mortgage products for low- and moderate-income households.	The Plumas County Community Development Commission has not provided this program in the past, but commits to providing in the future.	Modify as Program 12.
Program 7: Infrastructure: Continue to provide technical assistance and to seek funds for infrastructure repair, upgrade and purchase to and for districts as requested.	The Plumas County Community Development Commission provides this service and applied for funding for infrastructure repair/upgrades during the 2009-2019 time period.	Modify and include as Program 24.
Program 8: Economic Development Funds: Apply for Community Development Block Grant economic development revolving loan funds.	The Plumas County Community Development Commission administers this program but did not apply for funding during the 2009-2019 time period.	Modify and include as Program 25.
Program 9: Economic Development Strategy: Prepare and carry out a continuing Economic Development Strategy.	In December, 2013, the County completed an update to the General Plan which contained an Economics Element. The Economics Element contains policies and implementation measures regarding the Economic Development Strategy and assisted the County in qualifying as an Opportunity Zone.	Delete – covered in Economics Element of County's 2035 General Plan.
Program 10: Governmental Regulations: Maintain minimum governmental regulations and a surplus of lands available for development so as to preclude artificially inflated costs.	The County keeps a vacant land inventory and the County's zoning code contains numerous by-right nondiscretionary processes.	Modify as Program 1 and Program 4.
Program 11: Dwellings: Transfer of Area: Amend zoning provisions to permit transfer of allowable area among additional quarters and guest houses through an administrative procedure which results in recorded documentation of the transfer.	This amendment has not occurred. However, the Zoning Code allows by right one dwelling unit, one guest house, one additional quarters within the dwelling unit, and one additional detached dwelling unit on any parcel twice or more the minimum parcel size in all residential zones.	Delete – accessory Dwelling Units are addressed under Program 10 and would provide options for affordable housing without additional administrative procedures.
Program 12: Camping: Removal of Time Limits: Amend Plumas County Code Section 9-2.405 to remove the limitation on camping of 120 days in a calendar year. Amend the definition of camping so that it is for transient occupancy, not permanent residence.	Although this amendment has not occurred, the County still plans to complete this amendment.	Modify and continue as Program 6.

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Table 1-1 Summary of Policy Changes between the Adopted 2009-2014 Housing Element and the Proposed 2019-2024 Housing Element Project

Housing Goal, Policies, and Programs	Progress	Modify/Delete
Program 13: No Net Loss of Densities: The County shall not by administrative, quasi-judicial, or legislative action, reduce, require, or permit the reduction of the residential density that is below that used in determining compliance with Housing Element law to accommodate the County's share of regional housing need for a minimum of twenty years.	The County has not been approached by any developers interested in such reduction of density.	Modify and continue as Program 11.
Program 14: Yards: Fire Safe and Building Code: Amend the zoning requirements for yards to those necessary as per County code certified in lieu of the State Responsibility Area Fire Safe regulations. Rely on occupancy separation requirements of the California Building Code Part 2 of Title 24 of California Code of Regulations to adequately provide for public health and safety.	In November 2018, the California Board of Forestry and Fire Protection certified the County's ordinance in lieu of the State Fire Safe regulations as providing the same practical effect.	Delete – program completed.
Program 15: Infrastructure Capacity: As the Plumas Local Agency Formation Commission reviews of the municipal services provided within the County by the City and special districts are completed, incorporate into the analyses of infrastructure capacity to accommodate regional housing needs.	This information has been used in the 2019-2024 Housing Element analysis regarding vacant sites for Regional Housing Allocation Needs.	Modify and continue as part of Program 1.
Program 16: Reasonable Accommodation: Adopt an ordinance providing reasonable accommodation under Federal and State Housing Laws.	The County has not yet adopted a reasonable accommodation ordinance.	Modify and continue as Program 8.
Program 17: Identification of Sites Where Low and Moderate Income Housing Will Not Conflict with Existing Housing Regulations: Maintain a program of identifying to agencies and developers sites where low and moderate income housing will not conflict with existing zoning regulations. Answer all requests and explain regulations.	The County continues to maintain a sites inventory that identifies sites suitable for low- and moderate-income housing. The County did not receive any requests from developers for clarification.	Modify and continue as Program 1.
Program 18: Inclusionary Zoning: Evaluate having an inclusionary zoning requirement within the zoning code.	No inclusionary zoning has been established.	Modify and continue as Program 2.
Program 19: Housing Trust Fund: Evaluate establishing a housing trust fund.	No Housing Trust Fund has been established.	Modify and continue as Program 3.

Source: County of Plumas, August 2019.

Additionally, the following sixteen programs are included in the proposed 2019-2024 Housing Element project and are not associated with a previous 2009-2014 Housing Element program similar to the programs listed in Table 1-1.

- 1. Program 5: Building, Planning and Zoning Codes.** As new California codes are adopted, the County will review Title 8 (Building Regulations) and Title 9 (Planning and Zoning) of the Plumas County Code of Ordinances for current compliance and adopt the necessary revisions so as to further local development objectives.

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2. **Program 7: Provide Assistance for Persons with Developmental Disabilities.** Senate Bill (SB) 812 (Ashburn, 2010), which took effect January 2011, requires the County to address the needs of individuals with a developmental disability. The County will work with the Far Northern Regional Center to implement an outreach program that informs families in the County about housing and services available for persons with developmental disabilities. This outreach program will also include outreach to potential developers of affordable housing. The program could include the development of an informational brochure and directing people to service information on the County's website.
3. **Program 9: Transitional and Supportive Housing, and Navigation Centers.** In an effort to comply with state law, the County will review and revise, as necessary, its Zoning Ordinance to define and consider transitional and supportive housing a residential use permitted by right in all zones that permit residential uses, subject to only those restrictions that apply to residential uses of the same type in the same zone. To specifically comply with Assembly Bill (AB) 2162 (Chiu, 2018), the County will amend the Zoning Ordinance to allow supportive housing as a permitted use in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. In addition, the County will amend the Zoning Ordinance to allow Low Barrier Navigation Centers pursuant to Government Code Section 65660 – 65668 (AB 101, Weiner, 2019). A Low Barrier Navigation Center means a Housing First approach, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low Barrier” means best practices to reduce barriers to entry, and may include, but is not limited to: the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth; pets; the storage of possessions; and privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
4. **Program 13: Preserve Assisted Units.** State law requires jurisdictions to provide a program in their housing elements to preserve publicly assisted affordable housing projects at risk of converting to market-rate housing. To ensure that assisted affordable housing remains affordable, PCCDC, in cooperation with the County, will monitor the status of all affordable housing projects and, as their funding sources near expiration, will work with owners and other agencies to consider options to preserve such units. The County and PCCDC, as appropriate, will also provide technical support to property owners and tenants regarding proper procedures relating to noticing and options for preservation.
5. **Program 15: Code Enforcement.** The County's Code Enforcement Officer handles code enforcement issues on a complaint-driven basis and deals with a variety of issues, including property maintenance, abandoned vehicles, and housing conditions. Complaints are investigated through an established code enforcement process. An Investigative Service Request Form or Complaint Form (found on the County's website at <https://www.plumascounty.us/79/Code-Enforcement>) is mandatory before a complaint is accepted for investigation. The complaint form can be submitted by mail, email, walk-in, or fax. Complaints should be filed when someone feels there is a violation of County Zoning Ordinance, Building Codes, and Environmental Health and Safety Regulations occurring in their neighborhood or community. The County will continue to use the Code Enforcement Department, as well as the Plumas County Sheriff's Office and Building Department staff, when needed, to ensure compliance.
6. **Program 17: Title 24 Energy Efficiency Standards.** The County will continue to enforce Title 24 of the California Building Code on all development.

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7. **Program 18: Energy Efficiency Programs.** The County will work with utility providers (e.g., Liberty Energy, Plumas Sierra Rural Electric Cooperative, and PG&E) and PCCDC to encourage existing income qualifying residents to participate in energy efficiency retrofit programs, such as the Low Income Weatherization Program, Low Income Home Energy Assistance Program (HEAP), and Winter Rate Assistance Program (WRAP). PCCDC will consider sponsoring an energy awareness program in conjunction with utility providers in Plumas County to educate residents about the benefits of various retrofit programs.
9. **Program 19: Housing Condition Survey.** The County, in cooperation with PCCDC, will conduct a housing condition survey to identify areas of housing deterioration and dilapidation to determine the number of housing units in the unincorporated Plumas County area that are in need of rehabilitation or replacement.
10. **Program 20: Employee Housing.** The Plumas County Zoning Ordinance permits employee housing, meaning dwelling units or manufactured homes, by right, in the County's two agricultural zones; Agricultural Preserve (AP) and General Agriculture (GA). To comply with California Health and Safety Code Sections 17021.5 and 17021.6 the County will review and revise, as necessary, its Zoning Ordinance to ensure employee housing cannot be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use, and the permitted occupancy and definition of employee housing in an agricultural zone must include agricultural employees who do not work on the property where the employee housing is located.
11. **Program 21: Housing for Lower Income and Extremely Low-Income Households.** The County will proactively encourage and facilitate the development of affordable housing for lower income households through actions such as providing regulatory incentives, reducing or waiving development fees, and outreaching to nonprofits and affordable housing developers to assist in the application for state and federal funding sources. In addition, PCCDC, in collaboration with the County, will explore the feasibility of preserving and rehabilitating existing older (structurally sound) motels in Plumas County suitable for single-room occupancy (SRO) units, typically between 200 and 350 square feet, and consider providing funding sources to assist. These units provide a valuable source of affordable housing for extremely low-income households and can serve as an entry point into the housing market for people who have previously experienced insecure housing conditions.
12. **Program 22: Emergency Shelter Development.** Pursuant to SB 2, the County will amend the Zoning Ordinance to allow emergency shelters as a permitted use in the M-R zone without a conditional use permit or other discretionary review. Emergency shelters will not be subject to additional development standards, processing, or regulatory requirements beyond what applies to residential development in the M-R zone. In addition, the County will evaluate adopting development and managerial standards that will be consistent with California Government Code Section 65583(a)(4). These standards may include such items as lighting, on-site management, maximum number of beds or persons to be served nightly by the facility, off-street parking based on demonstrated need, and security during hours that the emergency shelter is in operation.
13. **Program 23: Housing Choice Voucher Program.** PCCDC, in cooperation with the County, will continue to manage the Housing Choice Voucher Program (Section 8) for Plumas, Lassen, Sierra, and Tehama counties to assist eligible tenants by paying a portion of the rent to a landlord for a privately leased unit. Promote the Housing Choice Voucher Program and distribute program information through resources on the PCCDC website at <http://www.plumascdc.org/> and through posters and brochures available at PCCDC, County Planning Department counter, and Plumas County Library branches.

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- 14. Program 24: Water and Sewer Infrastructure.** In cooperation with special districts, PCCDC will continue to seek funding for water and sewer infrastructure repairs, upgrades, and new facilities.
- 15. Program 25: Community Development Block Grant Funding.** The County will support PCCDC when applying for Community Development Block Grant (CDBG) program funding.
- 16. Program 26: Mobile Home Parks.** The County, in coordination with HCD, will review and evaluate the housing conditions of tenants of mobile home parks and identify strategies to address the needs, as appropriate, including seeking technical assistance and financial resources from HCD.

2. CEQA Analysis

Under CEQA Guideline Section 15164, an addendum to a Negative Declaration may be prepared if only minor technical changes are required or if none of the conditions identified in CEQA Guideline Section 15162 are present. In the absence of substantial evidence to support a fair argument that the project changes may result in significant environmental impacts not previously studied, an addendum to the Negative Declaration is appropriate. The following review proceeds with the requirements of CEQA Guidelines Section 15162 in mind.

This CEQA analysis discussion concludes that an addendum is appropriate for the proposed 2019-2024 Housing Element project since the conditions set forth in Section 15162 are not present.

Discussion

The discussion in this Addendum confirms that the proposed changes to the Housing Element update have been evaluated for significant impacts pursuant to CEQA. The discussion is meaningfully different than a determination that a project is “exempt” from CEQA review, as the proposed 2019-2024 Housing Element update is not exempt. Rather, the determination here is that the potential impacts of the proposed 2009-2014 Housing Element project were in a previously adopted Initial Study/Negative Declaration (i.e., the 2009-2014 Housing Element Negative Declaration 646) and that the Initial Study/Negative Declaration provides a sufficient and adequate analysis of the environmental impacts of the proposed 2019-2024 Housing Element update. Thus, the County determined that an addendum rather than an exemption is the appropriate environmental document.

The following identifies the standards set forth in Section 15162. The text that follows the provisions of the law relates to the proposed project.

- 1. No substantial changes are proposed in the project which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

The program changes included in the proposed project are limited to complying with state law, or the elimination of programs where the County has addressed elsewhere or already completed the identified task. As with the adopted Housing Element, this document does not result in the rezoning of land or approval of any development project. Subsequent development must be consistent with the General Plan, and if a discretionary approval is required, the project is subject to CEQA review.

2. CEQA Analysis

The sixteen new programs represent, for example, how the County would process applications for development, encourage affordable housing, amend the Zoning Ordinance in accordance with state law, and collaborate with utility providers to support residential energy efficiency. These modifications do not amend the adopted development pattern for the County as expressed in the Land Use Element of the General Plan and would not physically change the environment. While the changes in programs would affect how the development would be processed, all development must be consistent with the General Plan and zoning ordinance that govern location and type of land use. The proposed programs would not allow any development to forego the development review and approval process.

2. The project will have one or more significant effects not discussed in the previous EIR or negative declaration.

As shown in the proposed project, the adopted housing goal and all of the policies have not been modified and would be continued with adoption of the proposed 2019-2024 Housing Element. Table 1-1, above, shows that the amended programs are similar in impact to the adopted programs, and in most instances are being amended to comply with existing state law. The sixteen new programs affect how the County considers processing of development projects. As all development projects must be consistent with the General Plan, zoning, and development standards of the County, and the proposed 2019-2024 Housing Element project does not affect any of these existing requirements, the resulting development impacts would be identical to the previously adopted 2009-2014 Housing Element Initial Study/Negative Declaration.

3. Significant effects previously examined will be substantially more severe than shown in the previous EIR.

There were no significant impacts identified in the previously adopted 2009-2014 Housing Element Initial Study/Negative Declaration, and, as stated in question number two above, there are no significant impacts associated with the proposed project.

4. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Association of Environmental Professionals 2018 CEQA Guidelines 192.

There were no mitigation measures included in the previously adopted 2009-2014 Housing Element Initial Study/Negative Declaration, and the proposed project does not result in significant impacts that would result in new mitigation measures. The County is required by state law to follow the policies of the General Plan, which includes the policies in the proposed 2019-2024 proposed Housing Element project.

2. CEQA Analysis

5. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There are no mitigation measures included in the previously adopted 2009-2014 Housing Element Initial Study/Negative Declaration, and the proposed project does not result in significant impacts that would result in new mitigation measures. The County is required by state law to follow the policies of the General Plan, which includes the policies in the proposed 2019-2024 Housing Element project.

3. Finding

The County of Plumas has reviewed the proposed changes to the 2019-2024 proposed Housing Element project, and on the basis of the whole record before it, the County has determined that there is substantial evidence to support the determination that the 2009-2014 Housing Element Initial Study/Negative Declaration remains relevant in considering the environmental impacts of the proposed project changes.

Further, there is no substantial evidence to suggest that the environmental impacts of the proposed project, as identified in this Addendum, may have a significant effect on the environment beyond what was evaluated in the adopted 2009-2014 Housing Element Initial Study/Negative Declaration. Therefore, a subsequent Initial Study/Negative Declaration or Initial Study/Mitigated Negative Declaration is not required.