

**CITY OF FRESNO ADDENDUM TO
 MASTER ENVIRONMENTAL IMPACT REPORT NO. SCH 201211015
 AND PROGRAM ENVIRONMENTAL IMPACT REPORT NO. SCH
 2012041009 PREPARED FOR
 PLAN AMENDMENT APPLICATION P19-00980
 HOUSING ELEMENT AMENDMENT**

*Addendum prepared in accordance with Section 15164 of the California
 Environmental Quality Act (CEQA) Guidelines*

The full Master Environmental Impact Report SCH No. 2012111015 and Program Environmental Impact Report No. SCH 2012041009 are on file in the Planning & Development Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277

ENVIRONMENTAL
 ASSESSMENT NUMBER:

 P19-00980

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines.

APPLICANT:

City of Fresno
 2600 Fresno St.
 Fresno, CA 93721

PROJECT LOCATION:

PROJECT DESCRIPTION:

Plan Amendment Application No. P19-00980 was filed by the Planning and Development Director. Plan Amendment Application No. P19-00980 proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Chapter, with a Housing Element Amendment. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment P19-00980 proposes to add 91 sites totaling approximately 54.16 acres located in Downtown Fresno to Appendix B-2 of the Housing Element – Housing Sites Inventory (2008-2013 RHNA), as well as changes to the text of Chapter 6 of the Housing Element to align with State housing law.

The Housing Element was previously found in conformance with the General Plan Master Environmental Impact Report ("MEIR" SCH No. 2012111015) for the Fresno General Plan on April 28, 2016. Plan Amendment P19-00980, which would amend the adopted Housing Element, also falls within the scope of the Fresno General Plan MEIR, since no land use or zoning changes are included in the amendment. Dwelling unit capacities calculated to meet the City's Regional Housing Needs Allocation (RHNA) are based on land use and zoning identified in the Fresno General Plan. Because the Fresno General Plan was amended to incorporate new land uses in the Downtown Planning Area, and because a new sites inventory was added to the Housing Element Amendment that includes downtown sites, the Downtown Plans and Code* Program Environmental Impact Report ("PEIR SCH No. 2012041009) is also referenced, since it analyzed the proposed land use and zoning changes that occurred with the adoption of the Downtown Plans and Code in October of 2016.

Government Code 65583 requires local governments to prepare an inventory of land suitable for residential development to accommodate the jurisdiction's share of the Regional Housing Need

Allocation (RHNA) for the planning period. The City of Fresno has RHNA obligations for two planning periods, 2013-2023 and a carryover from the previous planning period, 2008-2013, these are Tables B-1 and B-2 in Appendix B of the Housing Element. The Housing Sites Inventory (2008-2013 RHNA) must maintain a minimum capacity of 4,873 units with an affordability of Very Low/ Low to meet the City's RHNA obligation. Although originally certified with an excess of capacity, a number of non-housing and market rate housing projects have been approved on sites in the Housing Sites Inventory (2008-2013 RHNA) which have reduced the capacity of the Housing Sites Inventory (2008-2013) to the point that the remaining sites are no longer adequate to meet the City's RHNA obligation. P19-00980 adds additional 91 sites on 54.16 acres to the sites inventory increasing the Housing Sites Inventory (2008-2013) capacity by 9,374 dwelling units by means of the existing zoning that allows by-right development of projects complying with housing element criteria. The environmental impacts of the zoning code changes that facilitated this streamlined approach were analyzed in the PEIR for the Downtown Plans and Code. Plan Amendment P19-00980 does not propose further land use or zoning changes to these sites. The PEIR assumed up to 10,000 dwelling units in the Downtown Planning Area; the 4,873 dwelling units of RHNA obligation that the additional identified sites are intended to help meet is well below this threshold. Therefore the addition of the new sites inventory would not result in additional impacts beyond those analyzed in the MEIR or PEIR.

Plan Amendment P19-00980 includes changes to Housing Program 2 in Chapter 6 of the Housing Element to be consistent with state law. The intent of this program is to maintain and track the housing sites inventories, and that should the City fall below its RHNA obligation, new sites must be added to the inventory within 180 days to restore capacity, pursuant to Section 65863(2) of the Government Code. This program would not result in development that is more intense or different than that envisioned in the Fresno General Plan MEIR or the Downtown Plans and Code PEIR.

While Plan Amendment P19-00980 proposes the addition of 91 sites to the inventory, because none of the proposed sites require a change to land use or zoning, the addition of 91 sites to the inventory is functionally a technical change, within the meaning of CEQA Guidelines section 15164. The proposed additional sites can already be developed consistent with their zoning and there are no proposed changes to how they can be developed. The change to the Housing Element, merely proposes a change to how those sites are counted. In addition, proposed changes to Housing Program 2 are also technical changes because they propose to clarify the City's Housing Element procedures so that they mirror applicable state law. In this way, Plan Amendment P19-00980 consists of minor technical changes and additions such that an addendum to the General Plan Master Environmental Impact Report ("MEIR" SCH No. 2012111015) and PEIR SCH No. 2012041009 for the Downtown Plans and Code is appropriate pursuant to CEQA Guidelines Section 15164 and Public Resources Code Section 21166.

Therefore, the City of Fresno has determined that an addendum to MEIR No. SCH 2012111015 and PEIR SCH No. 2012041009 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent Environmental Impact Report or negative declaration have occurred; and, new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

Section 15162 provides that when an Environmental Impact Report (EIR) has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.

(1) *Substantial changes are proposed in the project which would require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

Finding (1): Plan Amendment Application No. P19-00980, an amendment to the City’s adopted Housing Element, is still within the scope of the MEIR and the Downtown Plans and Code PEIR. All programs, land uses and zoning are consistent with the programs, land use and zoning defined in the Fresno General Plan and Citywide Development Code and the Downtown Plans and Code analyzed in the MEIR and PEIR, respectively.

(2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIRs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,*


Finding (2): No substantial changes have occurred with respect to the circumstances under which Plan Amendment P19-00980 is being adopted that would require revisions to the previous MEIR or PEIR as no new impacts have been generated. It remains consistent with the General Plan and fully within the scope of the MEIR and with the Downtown Plans and Code and PEIR.

(3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIRs were adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) 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; and, (D) 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.*

Finding (3): No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental determination was adopted, has become available.

 No mitigation measures or alternatives previously found not to be feasible are now determined to be feasible and no mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR or PEIR would substantially reduce one or more significant effects on the environment. The mitigation measures identified in the Mitigation and Monitoring Reporting Program of the MEIR and PEIR are still appropriate and feasible and no additional mitigation measures are necessary, since no additional impacts have been identified.

**Downtown Plans and Code refers to the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan, and the Downtown Development Code*

<p>ADDENDUM PREPARED BY: Amber Piona, Planner II</p>	<p>SUBMITTED BY: </p>
<p>DATE: September 25, 2019</p>	<p>Sophia Pagoulatos, Planning Manager CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT</p>