



**ENDORSED**  
SACRAMENTO COUNTY

FEB 27 2026

RECORDING REQUESTED  
WHEN RECORDING MAIL TO:

County of Sacramento  
Planning and Environmental Review  
827 7th Street, Room 225  
Sacramento, CA 95814  
CONTACT PERSON: Julie Newton  
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FLORENCE EVANS, CLERK/RECORDER  
BY *[Signature]* DEPUTY

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## **NOTICE OF EXEMPTION**

**Project Title:**

Housing Element Amendment 1 and Zoning Code Amendment (Program A2)

**Control Number:**

PLNP2025-00035

**Project Location:**

Unincorporated Sacramento County, California

**APN:**

Various

**Description of Project:**

The proposed project consists of:

1. **Housing Element Amendment 1**, a mid-cycle amendment to the 2021–2029 Housing Element required to achieve full compliance with State Housing Element Law. Amendment 1 incorporates parcel-specific site analysis, updated Appendix C land inventory, and updated fair-housing analysis reflecting outcomes of the Countywide Rezone Program (Program A1). Amendment 1 makes no land-use changes, authorizes no development, and does not modify zoning, densities, or development standards.
2. **Zoning Code Amendment (Program A2)** to incorporate the State definition of “use by right” for qualifying lower-income housing developments pursuant to Government Code §65583.2(i). The amendment is administrative and does not alter development capacity, zoning boundaries, allowable intensities, or authorize any construction.

The proposed project does not authorize physical development and does not include any rezoning or modification to land use designations. All physical environmental impacts associated with Program A1 rezones were previously analyzed in the certified Subsequent Environmental Impact Report for PLNP2020-00042 (SCH Number: 2023060304).

The following entitlements are required for the proposed project:

1. A **General Plan Amendment** to amend the 2021-2029 Housing Element post adoption of the Countywide Rezone Program (Housing Action Plan Program A1) approved through the Sacramento County Regional Housing Needs Allocation (RHNA) rezone project (PLNP2020-00042).
2. A **Zoning Ordinance Amendment** to Chapter 1 section 1.7.3.A of the Zoning Code to integrate the state definition of Use by Right as defined in California Government Code Section 65583.2(i) (Housing Action Plan Program A2).

**Name of Public Agency Approving Project:**

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

**Person or Agency Carrying out Project:**

Joelle Inman, Principal Planner  
Department of Community Development  
Planning and Environmental Review Division  
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**Exempt Status:**

Statutory Exemption: Section 15061(b)(3)—Common Sense Exemption

**Reasons Why Project is Exempt:**

Approval of Housing Element Amendment 1 and the associated Zoning Code Amendment (Program A2) is exempt from CEQA under the Common Sense Exemption (CEQA Guidelines §15061(b)(3)) because it can be seen with certainty that there is no possibility the project may have a significant effect on the environment.

The reasons include:

- The amendments are administrative and informational only and do not authorize any new development.
- No rezoning, land-use redesignation, density change, or modification of development standards occurs as part of this project.
- The Zoning Code amendment provides only a statutory definition of “use by right” and does not alter physical development potential.
- All physical environmental impacts associated with rezoning to meet the Regional Housing Needs Allocation (RHNA) requirements were previously evaluated in the certified Subsequent EIR for the Countywide Rezone Program (PLNP2020-00042).
- Any future development on sites rezoned as a part of the Countywide Rezone Program (PLNP2020-00042) would remain subject to the Zoning Code, General Plan, and CEQA, as applicable.

For additional information on the proposed project and documentation in support of the project’s exempt status, see the technical memorandum (Attachment 1).

Because the proposed actions do not result in any direct or reasonably foreseeable indirect physical environmental effects, the project is exempt from CEQA pursuant to §15061(b)(3).



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

**Copy To:**

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

**Office of Land Use and Climate Innovation**  
**State Clearinghouse**  
1400 10th Street  
Sacramento, CA 95814

*Attachment 1*

Housing Element Amendment 1 & Zoning Code  
Amendment (Program A2) Project  
CEQA Exemption: Technical Memorandum

*December 2025*

# 1. INTRODUCTION

## 1.1 Purpose

This Technical Memorandum evaluates the 2021–2029 Housing Element Amendment 1 and the Zoning Code Amendment implementing Program A2 (collectively, the “proposed project”) for compliance with the California Environmental Quality Act (CEQA).

The purpose of this memorandum is to:

1. Document the findings from CEQA review; and,
2. Identify the appropriate CEQA pathway for adoption of Housing Element Amendment 1 and the Zoning Code Amendment.

Based on the analysis that follows, the proposed project is exempt under the CEQA Guidelines §15061(b)(3) (Common Sense Exemption) because the activities have no potential to result in a physical environmental impact.

## 1.2 Statutory Authority and Requirements

Pursuant to CEQA Guidelines Section 15061, once it is determined that an activity is a project subject to CEQA, a lead agency must then determine 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.

## 2. PROJECT DESCRIPTION

### 2.1 Regional Location

Sacramento County is located in the northern portion of California's Central Valley and encompasses a wide range of planning contexts, including urban, suburban, rural, and agricultural areas. The County is bordered by Placer County to the north, El Dorado and Amador counties to the east, San Joaquin County to the south, and Yolo County to the west. Within its boundaries lie the incorporated cities of Sacramento, Elk Grove, Rancho Cordova, Citrus Heights, Folsom, Galt, and Isleton; however, the unincorporated area contains more than 14 diverse communities, including but not limited to Arden-Arcade, Carmichael, Fair Oaks, North Highlands, Rio Linda, the Delta, and South Sacramento. The region is traversed by major transportation corridors, including Interstates 5 and 80, State Routes 50 and 99, and the Sacramento International Airport, providing strong regional and statewide connectivity.

### 2.2 Proposed Project

The proposed project consists of two components: Housing Element Amendment 1 and a Zoning Code amendment. Amendment 1 to the Housing Element and the Zoning Code amendment will complete all RHNA requirements stipulated in State law and in the Housing Element. Collectively, these actions will ensure that the Housing Element remains in effect and in compliance with State law.

#### 2.2.1 Housing Element Amendment 1

Housing Element Amendment 1 is a targeted mid-cycle amendment that is required to achieve full compliance with State Housing Element Law following completion of Program A1, the Countywide Rezone Program, adopted August 20, 2024 (PLNP2020-00042).

Amendment 1 does not introduce new rezonings, land use changes, or increases in development capacity. Instead to comply with State law, it:

- Incorporates the parcel-level site analysis for all 74 sites rezoned under Program A1 with emphasis on the 59 sites rezoned and added to the lower income category Vacant Land Inventory;
- Updates the Vacant Land Inventory (Appendix C) to reflect the final rezone project;
- Adds Appendix E with parcel-specific suitability analysis, infrastructure capacity review, and environmental constraints screening;
- Updates the fair housing analysis (Assessment of Fair Housing, AB 686) for the 59 rezoned lower-income sites; and,
- Makes conforming edits to Chapters 1, 3, 8, and 11 to ensure internal accuracy of the Housing Element and to introduce the outcome and supporting documentation of the Countywide Rezone Program in the new Appendix E.

Amendment 1 is administrative and informational in that it documents actions already analyzed and approved through the Countywide Rezone Program and implements statutory Housing Element requirements.

### 2.2.2 Zoning Code Amendment (Program A2)

The proposed Zoning Code amendment will complete Housing Element Housing Action Plan Program A2 by incorporating the state definition of “use by right” for lower income housing developments into the Zoning Code. The use-by-right definition for affordable housing projects with a minimum of 20 percent affordable units complies with California Government Code Section 65583. This amendment is administrative and does not alter development capacity, zoning boundaries, allowable intensities, or authorize any construction.

## 3. FINDINGS CONCERNING CEQA EXEMPTION

### 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 procedural and administrative amendments to the Housing Element and Zoning Code to meet State law requirements and to ensure that the County is in full compliance with RHNA obligations. These amendments do not have the potential to cause a significant physical effect on the environment. As it can be seen with certainty that there is no possibility that the proposed Housing Element Amendment 1 or the Zoning Code Amendment would have a significant effect on the environment, the proposed project is exempt from CEQA under the common sense exemption.

### 3.2 Analysis in Support of Findings

The proposed project qualifies for the common sense exemption because there is no possibility of a physical environmental effect for the following reasons:

- No new rezoning or land use changes are proposed.
- No increases in development capacity occur beyond what was already analyzed in the approved Program A1 Countywide Rezone Subsequent EIR.
- Housing Element Amendment 1 is administrative and documentary, incorporating past actions and analyses.
- The Zoning Code Amendment is procedural, codifying state law without enabling development beyond what the General Plan, Zoning Code, and Rezone Program already allow.
- No construction, ground disturbance, or entitlement of development is included.
- Any future development on land inventory sites would remain subject to existing zoning, development standards, CEQA requirements, and adopted mitigation measures (where applicable).