

**California Environmental Quality Act Analysis:
St. John’s Property Acquisition and Initial Reuse**

May 19, 2022

The Project. The project includes County acquisition of fee title to the Property (defined below), minor repairs and improvements to existing onsite structures,¹ and operation of the low-income senior housing component of the draft reuse plan prepared to aid in the County’s evaluation of the acquisition.

Project Location. St. John’s Retirement Village, located at 135 Woodland Avenue, Woodland, CA (APN: 005-720-027 and 005-720-028) (collectively, the “Property”), and bounded by Woodland Avenue to the south and N. Cleveland Street to the east. The Property consists of a retirement village with various administrative, apartment, and attached multi-family (duplex and similar) buildings on 9.83 developed acres, as well as landscaping and internal roads, parking, and similar improvements. The Property also includes an adjacent undeveloped parcel to the north (3.68 acres).

Scope of Analysis. The following table provides an overview of the reuse plan and indicates whether individual components—all of which are independent and can proceed separately from one another—are reviewed for potential California Environmental Quality Act (“CEQA”) exemptions herein:

Table 1

Component	Location	# of Units	Reviewed?
Low-Income Senior Housing	Personal Care Unit	32	Yes
CalWORKs Housing	Cottages and Courtyard Apts.	29-43	Yes**
Adult Day Health Center	Stollwood	N/A	No
Administration/Office (St. John’s and Area 4 Agency)	Various	N/A	No
Children’s Receiving Center	Cottages	2	No
Meals on Wheels	Commercial Kitchen	N/A	No
<i>**Note: Reviewed on a preliminary basis only; subject to further evaluation at the time of a final decision on implementation.</i>			

In determining which components of the draft reuse plan should be reviewed concurrently with Property acquisition, the County considered whether the property acquisition decision and related actions constitute an “approval” of these components for purposes of CEQA. Pub. Res. Code § 21080(a); 14 Cal. Code Regs § 15004; *Save Tara v. City of W. Hollywood*, 45 Cal.4th 116 (2008). Generally, an “approval” occurs for CEQA purposes when an agency “commits . . . to a definite course of action in regard to a project.” 14 Cal. Code Regs § 15352(a). “Approval” does not include an agency’s “mere interest” in or “inclination to support” a project. 14 Cal. Code Regs 15004(b)(4). In applying these standards, the “key question is whether the agency has

¹ Anticipated repairs are typical of the work performed when buildings of a similar age and character transition to new ownership—e.g., repairing dry rot and other minor damage, painting, and similar work. The installation of sinks, appliances and other similar work to prepare individual units for reuse is also anticipated.

retained discretion to adopt an alternative, impose mitigation measures, or disapprove the project altogether, once CEQA review is completed.” Kostka & Zischke, *Practice Under the California Environmental Quality Act* (CEB 2022) § 4.15.

Considering the foregoing, the County as determined it is appropriate to review the low-income senior housing component of the draft reuse plan concurrently with environmental review of the Property acquisition and anticipated minor repair work. While implementation of the senior housing component depends on federal approval of a housing voucher application, the County will submit that application shortly after approving the property acquisition and—if it is granted—the County will proceed to ready units for occupancy after the transaction closes and funds for this work are appropriated. An analysis of the low-income senior housing component of the reuse plan is therefore included herein. Additional detail regarding this component is included in the “Reasons Why Project is Exempt” section of this document, below.

Additionally, while the County is not approving the CalWORKs housing components presently, these components are preliminarily reviewed in this document for informational purposes only. The County is continuing to evaluate alternative uses of the onsite facilities tentatively identified as appropriate for CalWORKs housing, including the possibility of using 14 of the 43 units for senior housing in coordination with the Area 4 Agency on Aging. Any later decision on implementation of the potential CalWORKs housing uses will, among other things, include a reevaluation of the exemptions discussed preliminarily herein.

The remaining components of the draft reuse plan are not reviewed further herein. The County is not approving or otherwise committing to the Children’s Receiving Center, Meals on Wheels lease, or Area 4 Agency office space lease at the present time. These components (and alternatives) will each remain under evaluation and, prior to approval thereof, the County will comply with CEQA. Additionally, the Adult Day Health Center (“ADHC”) is covered by an existing lease that the County expects to assume upon acquiring the Property. While the lessee may seek to relocate the ADHC from the Stollwood building to one or both of the “manors” buildings, this is merely a possibility and does not presently require environmental review. Finally, the proposed continuation of onsite office and administrative activities by St. John’s Retirement Village, Inc., does not require environmental review, as such activities are identical to the longstanding uses of onsite administrative space (though reduced in scope).

No changes are anticipated or being considered at this time for the undeveloped, 3.68 parcel (APN 005-720-027).

Applicable Exemptions. Four exemptions have been determined to be applicable to the Project, as defined above:

- CEQA Guidelines Section 15061(b)(3)—Activities Covered by General Rule
- CEQA Guidelines Section 15301—Operation, Repair, Maintenance, or Minor Alteration of Existing Structures or Facilities
- CEQA Guidelines Section 15302—Replacement or Reconstruction of Existing Structures or Facilities
- CEQA Guidelines Section 15332—Infill Development Projects

Reasons the Project is Exempt.

A. CEQA Guidelines Section 15061(b)(3)—General Rule Exemption.

Section 15061(b)(3) exempts projects “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.”

As defined above, the Project consists of County acquisition of the Property, minor repair work and improvements, and operation of 32 units of low-income senior housing. The acquisition of the property alone is not a “project” and even if it is a “project,” the anticipated minor repair work to the existing onsite facilities have no potential for a significant environmental impact. Additional work necessary to prepare the Personal Care Unit building for occupancy is expected to be limited to the installation or replacement of sinks, related minor interior plumbing work and, in two units only, the possible replacement of carpet with laminate flooring and installation of refrigerators and microwaves. Thereafter, the occupancy and ongoing use of these units will be largely identical in all respects to their prior use during operation of the St. John’s Retirement Village.

The County acknowledges that the new senior population of these units may be more independent than prior residents. Some of the new residents may own and operate vehicles, resulting in a small increase in Property-related traffic associated with occupants of the Personal Care Unit building. For context, the Property is in an urban setting and is accessible by the following streets:

Table 2: Average Daily Traffic Volumes Near Property

Kentucky Avenue (minor arterial)	10,087 (2011)
West Woodland Avenue (local street)	2,505 (2014)
West Street (minor arterial)	7,154 (2011)

(Source: City of Woodland Average Daily Traffic Volumes (2015))

Trip generation rates for senior adult attached multi-family housing units provided by the Institute for Transportation Engineering (“ITE”) (ITE Code 252)² indicate the potential for eight total vehicle trips by residents of the 32 units during PM Peak Hours (4-7 p.m.), the timeframe commonly used for traffic analyses. This amounts to no more than three vehicle trips per hour on average and is plainly insignificant, even assuming conservatively that these trips are “new” and prior residents of the same facility did not drive at all.

For informational purposes only, this conclusion does not change if the CalWORKs housing uses are included in the analysis. As indicated in Table 1, the CalWORKs uses are expected to include up to 43 units of housing in the Cottages and Courtyard Apartments where senior residential uses existed until the recent closure of St. John’s Retirement Village. The CalWORKs uses will require minor changes to the interior of many units, including the addition of microwaves and other appliances, new or enlarged sinks, and some cases minor electrical work and changes to

² ITE provides a standard and widely used methodology for determining trip generation rates associated with a wide variety of land use types. The County’s Public Works Director recommended the use of ITE methodology in developing the analysis set forth herein.

interior plumbing (moving pipes, etc.). With regard to traffic, these buildings are attached multi-family housing units (ITE Code 220) and, during PM Peak Hours, would be expected to generate 27 total vehicle trips.³ Considered together with the low-income senior housing discussed above, 35 total vehicle trips during PM Peak Hours would result from implementation of both uses—a rate of about 12 trips per hour, or one every five minutes. Again assuming conservatively all of these trips are “new,” the resulting traffic increase is *de minimis*.

Additional discussion in the following sections of this document, including Section E, supports the County’s determination that Section 15061(b)(3) is applicable because it can be seen with certainty that there is no possibility that the Project may have a significant effect on the environment.

B. CEQA Guidelines Section 15301—Operation, Repair, Maintenance, or Minor Alteration of Existing Structures or Facilities.

This exemption applies to activities such as the operation of existing public or private buildings and related interior or exterior repairs or alterations, small additions, and minor use conversions (e.g., single-family residence to office) involving no more than a negligible expansion of an existing or former use. The size or scope of the existing facility is irrelevant—the exemption can be applied to major facilities and projects. *E.g., World Business Academy v. State Lands Comm’n* 24 Cal. App. 5th 476 (2018) (affirming use of this exemption for renewal of leases for nuclear power plant facilities). In the context of changes in use, the exemption may be utilized if a new use is consistent with “historical levels” of facility operations.

Applied to the Project described herein—Property acquisition, minor repairs and related work, and senior occupancy of 32 units—this exemption is clearly applicable. The Project is similar in some respects to the scenario considered in *City of Pasadena v. State*, 14 Cal. App. 4th 810 (1993), which upheld a decision by the Department of Corrections to adopt the exemption for a parole office space lease in an existing building. The court noted that only minor alterations to the structure (mostly work to meet building safety and related standards) would occur, and it further determined that the possibility of adverse social impacts did not establish the potential for a significant environmental impact.

For essentially the same reasons provided in Section A with respect to the Section 15061(b)(3) exemption, above, this exemption would also apply to the CalWORKs uses that may occur in the future. Readyng the Cottages and Courtyard Apartments for reuse would require only minor alterations and, even acknowledging the potential for a very small increase in peak hour traffic

³ This figure likely overstates total vehicle trips. The application of ITE and other commonly-used trip generation rates to affordable housing and similar projects directed at low-income individuals and families has long been questioned. County staff responsible for administration of CalWORKs programs indicate that only about 50% of participating families own vehicles. Consistent with this, a report commissioned by Caltrans observed that “[l]ow-income households living in multi-family housing own fewer vehicles, make fewer motorized vehicle trips, and generate fewer vehicle miles traveled than their similarly situated higher income counterparts.” Citing considerable surveys and other field work, the report concludes “[a]ffordable housing sites generate 35% fewer motorized trips in the PM peak hour, on average, than would be predicted using ITE data.” Clifton et al., *Affordable Housing Trip Generation Strategies and Rates* (Caltrans 2018) pp. 64-65.

generated by the new tenants as compared with the former senior population, no potential exists for a significant environmental impact.

C. CEQA Guidelines Section 15302– Replacement or Reconstruction of Existing Structures or Facilities.

This exemption applies to the replacement or reconstruction of existing structures or facilities; the size of the project is irrelevant to this exemption. *E.g., Dehne v. County of Santa Clara*, 115 Cal. App. 3d 827 (1981) (affirming application of exemption to modernization of a cement manufacturing plant). Of course, the work contemplated for the Project as defined herein—including all minor repair work and work necessary to ready the Personal Care Unit for occupancy—is more limited in nature than this exemption allows. While this exemption does not exempt significant increases in the scope of uses on the Property (similar to the Section 15301 exemption discussed in Section B), no such increases are contemplated as the low-income senior housing use is essentially identical to the former use. In short, because this exemption would allow the County to demolish and reconstruct the buildings onsite, it necessarily would exempt the less significant work contemplated as part of the Project.

Again, considering potential future CalWORKs housing uses for informational purposes, this exemption would remain applicable given the limited nature of the renovation work contemplated for the affected buildings and despite the potential for a very small increase in peak hour traffic.

D. CEQA Guidelines Section 15332—Infill Development Projects.

The infill development exemption, set forth in CEQA Guidelines Section 15332, applies to projects that meet the following five conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

The Project meets all five conditions:

- (a) The Project continues former uses of the Property and is consistent with the City of Woodland General Plan land use designations (Low Density Residential and Corridor Mixed Use) and zoning (Multi-Family Residential, Duplex Residential, and Corridor Mixed Use-Kentucky Avenue) for the Property.
- (b) The Project will affect less than five acres of the Property and the affected area is “substantially surrounded by urban uses.” *Protect Tustin Ranch v. City of Tustin*, 70 Cal.

App. 5th 951 (2021) (holding that the area affected by the project, not the overall property, is relevant to application of this condition).

(c) The Project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the Project would not result in any significant effects related to traffic, noise, air quality, or water quality. While the Project could result in very small increases in traffic, these potential increases are negligible for reasons already discussed. The other resource topics included within this exemption—noise, air quality, and water quality—are also unaffected by the Project.

(e) In the context of the Project, the site can be (and currently is) adequately served by all required utilities and public services. A very small increase in public transit use is possible and the Yolo County Transportation District is expected to evaluate the addition of a bus stop near the property in the future.

For reasons set forth previously in connection with the exemptions covered in Sections A-C, above, the potential CalWORKs housing uses would also be eligible for this exemption if considered part of the Project. Together with other affected areas of the Property, the Cottages and Courtyard Apartments occupy less than five acres and condition (b) would thus be met. The remaining conditions would also be satisfied.

E. “Unusual Circumstances.”

Each of the exemptions discussed in Sections B-D is a “categorical” exemption. The CEQA Guidelines provide that “[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” CEQA Guidelines § 15300.2. The County is unaware of any “unusual circumstances” relating to the Project and has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to Section 15300.2. By and large, the Project continues the former use of the Property—providing housing for the elderly within existing residential buildings—and is environmentally benign in all respects. Other related aspects of the Project such as minor repairs, renovations, and the installation of appliances and similar work in some units do not present “unusual circumstances.” Even adding the potential CalWORKs housing uses—though included herein only for informational purposes—would not alter any of these conclusions or preclude application of any of the categorical exemptions discussed above.

On these grounds and on the basis of the additional discussion in Sections A-D, above, having considered traffic and all other topics included in the “checklist” provided in Appendix G of the CEQA Guidelines, the County determines that the Project as defined herein is exempt pursuant to Sections 15061(b)(3), 15301, 15302 and 15332.