

ATTACHMENT

FIVE CATEGORICAL EXEMPTIONS TO CEQA¹

CLASS 1 – EXISTING FACILITIES

Additions to existing structures are exempt provided that the addition will not result in an increase of more than: 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive.

The demolition and removal of individual small structures are exempt as follows:

- One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption.
- A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished.
- A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of thirty persons or less. In urbanized areas, the exemption applies to the demolition of up to three such commercial buildings on sites zoned for such use.

CLASS 2 – REPLACEMENT OR RECONSTRUCTION

Exempt is the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.
- Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
- Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

CLASS 3 – NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES

Exempt is the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples include, but are not limited to:

- One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

¹ For full text including all thirty-three classes, See CCR TITLE 14 DIVISION 6 CHAPTER 3 ARTICLE 19 SECTIONS 15300 – 15333 AMENDED DECEMBER 28, 2018.

- A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.
- A store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use.

Class 3 exemption must consider project location. A project located in a particularly sensitive environment may have a significant impact. If so, the exemption does not apply.

CLASS 31 – HISTORICAL RESOURCE RESTORATION/REHABILITATION

Projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer are exempt.

CLASS 32 – IN-FILL DEVELOPMENT PROJECTS

Projects characterized as in-fill development meeting the conditions described in this section are exempt.

- 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.
- The proposed development occurs within city limits on a project site of no more than five acres surrounded by urban uses.
- The project site has no value as habitat for endangered, rare, or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

EXCEPTIONS

A categorical exemption shall not apply when the cumulative impact of successive projects of the same type in the same place, over time, is significant.

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.

A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.