

Notice of Exemption

To: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

☒ Orange County Clerk Recorder
P.O. Box 238
Santa Ana, CA 92702

Project Title: Cameron Lane Townhomes

Project Location – Specific: 17532 Cameron Lane (east side of Cameron Lane, south of Slater Avenue)

Project Location – City: Huntington Beach

Project Location - County: Orange

Description of Nature, Purpose, and Beneficiaries of Project: The 39,640 sq. ft. site is currently vacant. The applicant proposes to construct 18 two-story attached townhomes.

Name of Public Agency Approving Project: City of Huntington Beach

Name of Person or Agency Carrying Out Project: Jennifer Colicchio

Exempt Status: *(check one)*

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption – Type and Section number: Article 19, Section 15332
- ☐ Statutory Exemptions – Code number:
- ☒ Exemption – Type and Section number: Article 12.5, Section 15195

Reasons why project is exempt

The applicant proposes to develop 18 two-story townhomes on a 39,640 sq. ft. site that is currently vacant. The proposed 18 townhomes meet the conditions of Section 15195 (Residential Infill Exemption) of the California Environmental Quality Act (CEQA) Guidelines for the following reasons. No environmental impacts are anticipated with the development of the proposed 18 three-story townhomes as indicated below.

CEQA Section 15195 – Residential Infill Exemption

- a. Except as set forth in subdivision (b), CEQA does not apply to any development project that meets the following criteria:
 1. Project meets the threshold criteria set forth in Section 15192 regarding community-level environmental review, such review must be certified within last five years.
The city certified an FEIR in 2017 which provided the CEQA clearance for the city's General Plan Update.
 2. The project is not more than four acres in size and the project does not include any single level building that exceeds 100,000 sf.
The site is less than one acre (40,921sf) and the proposed two story townhomes occupy 23,670 sf.
 3. The project is a residential project on an infill site and is within one-half mile of a major transit stop.
The project site is surrounded on three sides by residential uses with a Walgreens to the west and is less than two hundred feet from a major transit stop at Beach Blvd and Slater Avenue.
 4. The project does not contain more than 100 residential units and promotes higher density infill housing. A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density infill housing.
The proposed project is 18 units at a density of 19.2 du/acre. The surrounding residential development is less than 18 du/ac.
 5. The project meets the following requirements regarding availability of affordable housing: The project would result in housing units being made available to moderate, low or very low income families as set forth in A or B below.
 - A. The project meets one of the following criteria and the project developer provides sufficient legal commitments to the local agency to ensure the continued availability and use of the housing units as set forth below at monthly costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code.
The project will make available two units (10%) for families meeting the city's moderate-income guidelines.
- b. A project that otherwise meets the criteria set forth in subdivision (a) is not exempt if any of the following occur:
 1. There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances.
There are no unusual circumstances regarding the development of the proposed 18-unit townhome project.
 2. Substantial changes with respect to the circumstances under which the project is being undertaken that are related to the project have occurred since community-level environmental review was certified.
There are no substantial changes related to the proposed project.

3. New information becomes available regarding the circumstances under which the project is being undertaken and that is related to the project that was not known, and could not have been known at the time the community-level environmental review was certified.

The applicant is not aware of any new information relative to the community-level environmental review.

CEQA Section 15192 – Threshold Requirements Exemptions for Residential Infill Projects

- a. The project must be consistent with:
 1. Any applicable general plan, specific plan or local coastal program.
The property is designated as Residential Medium High in the city's general plan.
 2. The project must be consistent with any applicable zoning ordinance.
The property is zoned Residential Medium High up to 25 du/ac (along with the properties to the north and south of the subject property) consistent with the general plan. The proposed project is 19.2 du/ac.
- b. Community-level environmental review has been adopted or certified.
An FEIR, certified by the city in 2017, provided the CEQA review for the city's update of the general plan.
- c. The project can be adequately served by existing utilities.
The proposed 18 unit townhome project has received preliminary review by the city planning department's Development Assistance Team comprised of representatives of the various city departments with responsibility for assessing a proposed project's impact on city services and utilities. No deficiency in existing utilities were identified at that time. The project applicant is required to submit a sewer capacity study to the city prior to the approval of the project.
- d. The site of the project:
 1. Does not contain wetlands as defined in Section 328.3 of Title 33 of the code of federal regulations.
The site was formerly a single family home on a large lot covered by turf, trees and asphalt/concrete. A biologist surveyed the property and determined that wetlands were not present on the site. Please see the Biological Assessment prepared by LSA dated July 6, 2021.
 2. Does not have any value as an ecological community upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend on for their conservation and protection.
The property is less than one acre in size and contains no vegetation or other features that would provide conservation and protection for any of the species listed above. Please see the Biological Assessment prepared by LSA dated July 6, 2021.
 3. Does not harm any species protected by the federal Endangered Species Act or the Native Plant Protection Act or the California Endangered Species Act.
There are no such species on the property. Please see LSA Biological Assessment dated July 6, 2021.
 4. Does not cause the destruction or removal of any species protected by local ordinance.

There are no local biological ordinances applicable to this property.

- e. The site of the project is not included on any list of facilities and site complied pursuant to Section 65962.5 of the Government Code.

The site is a former single family residential parcel and is not identified as a hazardous waste site by DTSC pursuant to Section 65962.5 of the Government Code. Please see report from Frey Environmental, Inc. dated June 29, 2021.

- f. The site of the project is subject to a preliminary endanger assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property.

See report from Frey Environmental dated June 29, 2021.

1. If a release of a hazardous substance is found to exist on site, the release shall be removed.

There are no hazardous releases existing on site.

2. If the potential for exposure to significant hazards from surrounding properties or activities is found to exist

There are no significant hazards from surrounding properties.

- g. The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.

There are no structures on the site. The property was formerly developed with a single family home. There are no historical resources on the site.

- h. The project site is not subject to wildland fire hazard as determined by the Department of Forestry.

The property is located in an urban area surrounded by existing development.

- i. The project site does not have an unusually high risk of fire or explosion from materials stored or used on a nearby properties.

The property is surrounded on three sides by residential development and a retail store on the west side.

- j. The project site does not present a risk of public health exposure at a level that would exceed the standards established by any state or federal agency.

The property was a residential use and will continue as a residential use.

- k. Either the project site is not within a delineated earthquake fault zone or seismic hazard zone, as determined pursuant to Section 2622 and 2696 of the Public Resources Code.

The property does lie within a fault zone as determined by Section 2622 and 2696 of the PRC.

- l. Either the project site does not present a landside hazard, flood plain, flood way, or restriction zone, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

The property is flat and does not present a landslide risk and is not within a designated flood plain.

- m. The project site is not located on developed open space.

The property is a vacant residential lot in the middle of a residential neighborhood.

- n. The project site is not located within the boundaries of a state conservancy.
The property is not within a state conservancy.
- o. The project has not been divided into smaller projects to qualify for one or more exemptions set forth in Sections 15193 to 15195.
The proposed townhome project covers the entire site and has not been divided into smaller projects.

Lead Agency Contact Person: Tess Nguyen
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Signature: _____ **Date:** _____

Title: Associate Planner

- ☒ Signed by Lead Agency
☐ Signed by Applicant