

Attachment C: Common Types of CEQA Exemptions for Private Development in San José

Exemption and CEQA Guidelines Section	Examples
Existing Facilities (15301)	<p>Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.</p> <ul style="list-style-type: none"> • Restoration or rehabilitation of deteriorated or damaged structures. • Additions to existing structures provided that the addition will not result in an increase of more than: <ul style="list-style-type: none"> (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or (2) 10,000 square feet if: (A) 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 (B) The area in which the project is located is not environmentally sensitive. • Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur. • Demolition and removal of up to three individual small structures, including: up to three single-family residences, up to six multi-family units, small commercial structures (store, motel, office, restaurant, or similar commercial use), and accessory buildings. • Conversion of single-family residence to an office use. • Use of a single-family residence as a small family day care.

Exemption and CEQA Guidelines Section	Examples
Replacement or Reconstruction (15302)	<p>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:</p> <ul style="list-style-type: none"> • Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
New Construction or Conversion of Small Structures (15303)	<p>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. Examples include:</p> <ul style="list-style-type: none"> • Up to three single-family residences. • Apartments, duplexes and similar structures of 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 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. • Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

Exemption and CEQA Guidelines Section	Examples
Minor Alterations to Land (15304)	<p>Minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:</p> <ul style="list-style-type: none"> • Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard. • New gardening or landscaping. • Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.
Accessory Structures (15311)	<p>Construction, or placement of minor structures accessory to existing commercial, industrial, or institutional facilities, including but not limited to:</p> <ul style="list-style-type: none"> • On-premise signs. • Small parking lots.
Minor Land Division (15315)	<p>Division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.</p>
In-Fill Development Projects (15332)	<p>Projects characterized as in-fill development meeting the following conditions:</p> <ul style="list-style-type: none"> • 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 substantially 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.