

Qualifying Criteria for CEQA Exemption

La Veranda L.P. ("Developer"), an affiliate of Abode Communities, desires to proceed with the La Veranda development project (the "Project") on approximately 85,378 square feet of Los Angeles County Metropolitan Transportation Authority ("LACMTA") owned property located near the corner of Cesar E. Chavez Avenue and Soto Street in Boyle Heights (the "Site"). The Site is bounded by Cesar E. Chavez Avenue to the north, Soto Street to the west, Mathews Street to the east, and a residential neighborhood to the south. The Project will include approximately 76 affordable apartments, one property manager's apartment, approximately 8,000 square feet of retail space and related parking.

Staff has determined that the Project qualifies for an exemption from the California Environmental Quality Act ("CEQA") pursuant to Section 21080(b)(9) of the California Public Resources Code and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, as follows:

Section 15332 (In-Fill Development Projects)

- (a) The Project is consistent with the City of Los Angeles General Plan designation for the Site and all applicable general plan policies, as well as with the applicable zoning designation and regulations applicable to the Site.
- (b) The Project is within Los Angeles city limits and the Site is less than five acres and is surrounded by urban uses.
- (c) The Site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the Project will 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.

Staff has also determined that the Project is not included in any of the exceptions to the forgoing exemption under Section 15300.2 (Exceptions) of the CEQA Guidelines, which are as follows:

Section 15300.2 (Exceptions)

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located --- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. 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.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Staff's determinations are based on a review of a Categorical Exemption Analysis prepared by Developer's licensed environmental consultant, EcoTierra Consulting, which was included in its Findings Supporting a Categorical Exemption report, dated August 2017.