



**AB 130: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
EXEMPTION FOR INFILL HOUSING UNDER PUBLIC RESOURCES CODE
SECTION 21080.66**

PROJECT INFORMATION

Site Address: _____

APN(s): _____

Project Name: _____

Gross Acres: _____

PRIMARY CONTACT INFORMATION

Name: _____

Contact: _____

Address: _____

Email: _____

- ☐ I HEREBY CERTIFY THAT MY PROJECT IS ELIGIBLE FOR AN EXEMPTION FROM CEQA as demonstrated in the eligibility checklist below and request the streamlined review process for my project.
- ☐ On behalf of the development proponent, I certify the responses on this form are accurate based on reasonable investigation, knowledge and belief. If the information recorded in this checklist changes in the course of the project, I will contact Planning and Development Services for further guidance. I understand this checklist is only a tool for gathering information relevant to the project. Approval or disapproval of the project will be determined based on applicable law and regulation.

Owner Name: _____

Signature: _____
Date

Applicant Name: _____

Signature: _____
Date

PLANNING DEPARTMENT USE ONLY

PRE-APP#:	☐ TRIBAL CONSULT COMPLETED	CONSISTENCY ☐ ELIGIBLE DETERMINATION: ☐ NOT ELIGIBLE	SUBMITTAL DATE: / /
APP#:	DETERMINATION DUE: / /	DETERMINATION DATE: / /	APPROVAL DUE: / /

IF YOU CHECKED "NO" FOR ONE OR MORE ELIGIBILITY REQUIREMENT BELOW, YOUR PROJECT IS NOT ELIGIBLE FOR THIS STREAMLINED REVIEW PROCESS.



1

FIRST – PLEASE VERIFY THAT YOUR PARCEL QUALIFIES FOR AB 130

To determine if your parcel within the unincorporated County potentially qualifies for CEQA exemption under Public Resources Code section 21080.66, please visit the following link:

[LINK TO WEBMAP](#)

Parcels within the **GREEN** areas **potentially qualify** for AB 130.

Parcels within the **BLUE** areas **do not qualify** for AB 130.

If your parcel **does potentially qualify** for AB 130, please see below.



* The required permits and processing times can vary depending on the nature and complexity of a project and the completeness of the documents submitted.



To qualify for a CEQA Exemption under Public Resources Code section 21080.66, your project must meet ALL requirements. Please mark whether your project meets the following requirements:	YES	NO
The project site is in an urban area as defined by the US Census Bureau (Urban Areas Map)		
The project site is 20 acres or smaller		
The project site is substantially surrounded by qualified urban uses ¹ or was previously developed with an urban use		
The proposed project is consistent with the General Plan, Zoning Ordinance, and Local Coastal Plan if applicable		
The proposed project will have a density of at least 15 dwelling units/acre		
A phase I environmental assessment has been completed ²		
If the proposed project is within 500 feet of a freeway: - The building shall have a centralized heating, ventilation, and air-conditioning system. - The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway. - The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16. - The air filtration media shall be replaced at the manufacturer's designated interval. - The building shall not have any balconies facing the freeway.		
The housing development project complies with the local inclusionary housing ordinance, if applicable.		
The lot proposed to be subdivided is not located on: - Prime farmland or farmland of statewide importance, or protected agricultural land. - Wetlands. - Very high fire hazard severity zones or State Responsibility Areas UNLESS site will adopt fire hazard mitigation measures as described in: Section 4290 of the Public Resources Code Section 4291 of the Public Resources Code or Section 51182 - Chapter 7A of the California Building Code (Title 24 of the California Code of Regulations) - A hazardous waste site.³ - A delineated earthquake fault zone.⁴		



• A 100-year floodplain.⁵ • A regulatory floodway.⁶ • Natural community conservation plan area. • Habitat for protected species. • Land under conservation easement. • Land subject to any other kickout criteria under Government Code Section 65913.4(a)(6).		
The proposed project does not require demolition of a historic structure		
No part of the proposed project is designated for use as a hotel, motel, bed and breakfast inn, or other transitional lodging		

Definitions and Additional Information

¹ **Qualified urban uses** are any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. **Substantially surrounded** means at least 75 percent of the perimeter of the project site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. The remainder of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that have been designated for qualified urban uses in a zoning, community plan, or general plan for which an environmental impact report was certified.

² **Phase I environmental assessment** is defined in Section 78095 of the Health and Safety Code.

- If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an 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 or activity.
- If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.
- If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

³ **Hazardous Waste Sites:** Development is prohibited on hazardous waste sites UNLESS the State Department of Public Health, State Water Resources Control Board, local agency, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

⁴ **Delineated Earthquake Fault Zones:** Development is prohibited in delineated earthquake fault zones UNLESS the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.



⁵ **Floodplains:** Development is prohibited in a FEMA 100-year floodplain UNLESS the development can satisfy all applicable federal qualifying criteria and either of the following are met:

- The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.
- The site meets FEMA requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program.

⁶ **Floodways:** Development is prohibited in floodways UNLESS the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.

If you have any additional questions, we strongly recommend requesting an initial consultation meeting. This will afford you the opportunity to sit down with a planner and discuss the “ins and outs” of your project and receive general information of the feasibility of the project right up front before you make any major investment in time and money. The Planner will provide you with some basic information and identify the initial required deposit to start the project.

Please use the following link to get started: [PDS-PLN-ESUB Initial Consult Meeting.pdf \(sandiegocounty.gov\)](#)

Resources and Full Links

Law Text: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB130

San Diego County Zoning Map:

<https://gis-portal.sandiegocounty.gov/arcgis/home/webmap/viewer.html?webmap=f1b69ba9d3dd4940b8d1efcc9dac2ac4>

Census Designated Urban Areas Map (2020):

<https://www.arcgis.com/home/webmap/viewer.html?url=https%3A%2F%2Ftigerweb.geo.census.gov%2Farcgis%2Frest%2Fservices%2FTIGERweb%2FUrban%2FMapServer&source=sd>

Building Permit Application:

<https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/pds291.pdf>

If the subject parcel is on septic, please contact DEHQ at LWQDuty.DEH@sdcounty.ca.gov to determine if any changes need to be made to the existing system for the proposed scope of your project prior to moving forward with the project development.