

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Name: CITY OF WALNUT CREEK

Address: 1666 NORTH MAIN STREET
WALNUT CREEK, CA 94596

WHEN RECORDED MAIL TO:

Name:

Address: SAME AS ABOVE

2024-00191

FILED

June 6, 2024

KRISTIN B. CONNELLY
CLERK-RECORDER

By *[Signature]*
Deputy clerk

(THIS SPACE FOR RECORDER'S USE ONLY)

NOTICE OF EXEMPTION

TITLE OF DOCUMENT

Notice of Exemption

Appendix E

To: Office of Planning and Research
 P.O. Box 3044, Room 113
 Sacramento, CA 95812-3044
 County Clerk
 County of: Contra Costa
 555 Escobar Street
 Martinez, CA 94553

From: (Public Agency): City of Walnut Creek *Lead Agency*
 1666 North Main Street
 Walnut Creek, CA 94596
 (Address)

Project Title: ZONING AMENDMENTS TO ALLOW ACCESSORY DWELLING UNITS ON PROPERTIES WITH RELIGIOUS ASSEMBLY USES

Project Applicant: City of Walnut Creek, Contact: Aaron Sage, 925-943-5899 x 2232

Project Location - Specific:
Citywide

Project Location - City: Walnut Creek Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

An ordinance amending Title 10 (Planning and Zoning) of the Walnut Creek Municipal Code to allow accessory dwelling units on properties with religious assembly uses. The City Council introduced this ordinance on 6/4/24.

Name of Public Agency Approving Project: City of Walnut Creek

Name of Person or Agency Carrying Out Project: City of Walnut Creek

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. State type and section number: _____
- Statutory Exemptions. State code number: _____
- General Rule Exemption (Sec. 15061(b)(3))


Reasons why project is exempt:

See attached

Lead Agency
 Contact Person: Aaron Sage Area Code/Telephone/Extension: 925-943-5899 x2232

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 6/6/24 Title: Assistant Community Development Director

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Reason for exemption (ADU Regulations)

Pursuant to Section 15061(b)(3) of the CEQA Guidelines, it can be seen with certainty that there is no possibility that the proposed amendments may have a significant effect on the environment. because the proposed ordinance would amend ADU regulations and implement the goals, policies and programs of the 2023-2031 Housing Element, which the City also determined, prior to its adoption, to be exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, because it could be seen with certainty that there is no possibility that the programs of the Housing Element may have a significant effect on the environment. The proposed amendments would implement the adopted Housing Element program and are only regulatory actions taken by the City. Furthermore, the proposed amendments have no potential of creating a significant environmental impact for the following reasons: (1) State law has determined that ADUs are not considered to exceed allowable densities or be inconsistent with adopted general plan and zoning regulations in areas zoned to allow single- or multi-family residential uses. The proposed amendments will apply only to religious assembly properties, which are located in zones that permit such residential uses and there are only approximately 35 properties with such religious assembly use in the City. As such, the proposed amendments would allow ADUs in similar settings and subject to the same regulations and standards as state ADU law. (2) Due to their small size and location near other development, ADUs are by nature secondary dwellings with limited construction and operational impacts. The proposed amendments include standards, such as floor area and height limits and architectural compatibility requirements, that will further limit the impacts of ADUs on religious assembly properties as they do for ADUs on single- and multi-family properties. Due to their limited impacts, state law deems ADUs to be ministerial projects and therefore exempt from CEQA. Under the proposed amendments, ADUs on religious assembly properties will be subject to the same limitations and ministerial review as other ADUs permitted under state law. It is also uncertain to what extent applicants would utilize the proposed ADU allowances, and as such the proposed amendments are regulatory actions that do not authorize any specific project or land use entitlement.



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT

DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:
07-06/06/2024-191

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF WALNUT CREEK	LEAD AGENCY EMAIL	DATE 06/06/2024
COUNTY/STATE AGENCY OF FILING CONTRA COSTA COUNTY	DOCUMENT NUMBER 2024-00191	
PROJECT TITLE		

ZONING AMENDMENTS TO ALLOW ACCESSORY DWELLING UNITS ON PROPERTIES WITH RELIGIOUS ASSEMBLY USES

PROJECT APPLICANT NAME CITY OF WALNUT CREEK	PROJECT APPLICANT EMAIL	PHONE NUMBER (925) 943-5899
PROJECT APPLICANT ADDRESS 1666 NORTH MAIN STREET	CITY WALNUCT CREEK	STATE CA
		ZIP CODE 94596

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$ 4,051.25 \$ _____
 Mitigated/Negative Declaration (MND)(ND) \$ 2,916.75 \$ _____
 Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,377.25 \$ _____

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ _____
 County documentary handling fee \$ 50.00 \$ _____ 50.00
 Other \$ _____

PAYMENT METHOD:

- Cash Credit Check Other
 TOTAL RECEIVED \$ _____ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE William Smiglewski Deputy Clerk
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R# 51190