

# 2019100149 NOTICE OF EXEMPTION

**TO:** County Clerk's Office/Public Services Division  
P.O. Box 238  
Santa Ana, CA 92702

**CC:** Office of Planning and Research  
1400 Tenth Street Room 121  
Sacramento, CA 95814

**PROJECT TITLE:** Zoning Ordinance Amendment 18-03

**LOCATION:** Citywide Los Alamitos, CA

**APPLICANT:** City of Los Alamitos - 3191 Katella Ave., Los Alamitos, CA 90720

**LEAD AGENCY:** City of Los Alamitos - 3191 Katella Ave., Los Alamitos, CA 90720

**PROJECT DESCRIPTION:** Zoning Code Amendment for Small Wireless Facilities  
An Ordinance amending Section 17.30.030 of, and adding Chapter 17.31 to, the Los Alamitos Municipal Code regarding the deployment of small wireless facilities through Zoning Ordinance Amendment (ZOA) 18-03

**EXEMPT STATUS (CHECK ONE)**

- Statutory Exemption**
- Section:
  - Ministerial (Section 15073)
  - Declared Emergency Project (Section 15071 (a))
  - Emergency Project (Section 15071 (b) and (c))

- Categorical Exemption**
- Article      Section:
  - Class: 1      Section: 15378(a) Review for Exemption

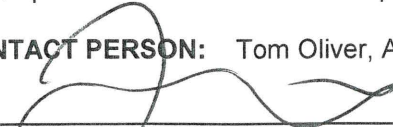
**EXEMPT STATUS EXPLANATION:**

The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures. The proposed Ordinance is exempt from the California Environmental Quality Act (Public Resources Code section 21000 et seq.). Public Resources Code § 21065 defines "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Ordinance does not have the potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, as the Ordinance does not call for any change in the existing environmental conditions within the City. The proposed Ordinance merely updates existing City regulations to reflect the FCC's new laws governing the deployment of small wireless facilities, which are already permitted uses within the City. Accordingly, the Ordinance is not a "project" subject to CEQA. (Public Resources Code § 21065; CEQA Guidelines § 15378(a)).

Even if the Ordinance could be construed to be a project subject to CEQA, the proposed Ordinance is exempt as the proposed Ordinance merely updates existing City regulations to reflect the FCC's new laws governing the deployment of small wireless facilities and does not authorize new programs or activities. The proposed Ordinance calls for the continued operation of small wireless facilities involving no expansion of the existing uses. As a result, the proposed Ordinance is exempt from CEQA pursuant to the Class 1 exemption.

Moreover, CEQA's Class 3 Exemption applies to the 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. (CEQA Guidelines, § 15303.) The proposed Ordinance allows for the deployment of new, small wireless facilities on pre-existing or new small structures within the City, therefore, the proposed Ordinance is exempt from CEQA pursuant to the Class 3 exemption.

**CONTACT PERSON:** Tom Oliver, Associate Planner, (562) 431-3538 x303

  
Tom Oliver, Associate Planner  
Development Services Department  
City of Los Alamitos

Governor's Office of Planning & Research

Date

OCT 04 2019

STATE CLEARINGHOUSE