

It is recommended that the Board of Trustees approve a Notice of Exemption (NOE) for the following project:

**- Visual and Performing Arts Project**

The project is exempt for the following reasons:

- Class 1 – 14 CCR 15301 – “consists of the operation, repair...or minor alteration of existing public or private structures...involving no expansion of use beyond that existing at the time of the lead agency’s determination ....included but are not limited to :... (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety...” The existing facilities are deteriorated and damaged and do not meet current standards of public health and safety; and therefore, this exemption applies.
- Class 2 – 14 CCR 15302(a) – “replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.” The Project replaces existing buildings that do not meet current code requirements for earthquake resistant construction and provides negligible or no expansion capacity, therefore this exemption applies.
- Class 2 – 14 CCR 15302(c) – “consists of the 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...” Per case law, this exemption applies even where the replacement structure will be in a slightly different location and slightly different size than the original structure. (Dehne v. County of Santa Clara (1981) 115 Cal. App. 3d 827). The size and location of the new project will be at the same location of the existing buildings; therefore this exemption applies.
- Class 14 – 14 CCR 15314 – “minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less.” The size of the buildings provides negligible or no expansion capacity, therefore this exemption applies.

**Background information:**

**The Visual and Performing Arts project** will replace existing structures and facilities with new structures at the Compton CCD/Compton College campus. The replacement buildings will be located in the southeast quadrant of the campus. The project replaces three structures that have exceeded their useful life-cycle and do not conform to code requirements for seismic safety, structural stability, accessibility and fire/life/safety. The structures will not increase capacity and will provide a safe, code compliant learning environment. The project provides negligible or no expansion capacity.

Recommendation approved by Compton College Board of Trustees on December 8, 2021.