

**Notice of Exemption**  
California Environmental Quality Act



**TO:**  **COUNTY CLERK**  
County of Contra Costa  
555 Escobar Street  
Martinez, CA 94553

**STATE OF CALIFORNIA**  
Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

**FROM:** **CITY OF CONCORD**  
**Planning Division**  
1950 Parkside Drive, MS/53  
Concord, CA 94519  
PHONE: (925) 671-3152  
FAX: (925) 671-3381

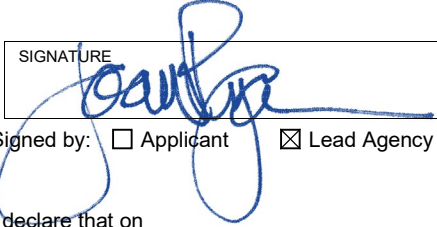
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|--|---|
| <small>PROJECT TITLE</small><br><b>2023 Objective Design Standards (PL23101 – DC)</b>  |   |
| <small>PROJECT LOCATION - SPECIFIC</small><br><b>Citywide</b>  |   |
| <small>PROJECT LOCATION - CITY, COUNTY</small><br><b>CITY OF CONCORD, CONTRA COSTA COUNTY</b>  |   |
| <small>PROJECT DESCRIPTION</small><br>Adoption of Ordinance No. 23-6 Amending the City’s Development Code (Title 18) by adding Chapter 18.152 – Objective Design Standards (2023-2031 Housing Element Objective 15.3) (PL23101 – DC), which incorporates the 2023 City of Concord Objective Design Standards to ensure quality, economically feasible, and sustainable design under the streamlined review and approval process required by state law of qualifying housing projects.<br><br>State has limited a local jurisdiction’s ability to apply subjective design standards for qualifying housing projects, whereby the City of Concord can now only rely on the application of objective design standards. To address this limitation, the Council has prioritized the development and adoption of Objective Design Standards to apply to qualifying housing projects.  |   |
| <small>NAME OF LEAD AGENCY APPROVING PROJECT</small><br>City of Concord<br>1950 Parkside Drive<br>Concord, CA 94519  | <small>NAME OF LEAD AGENCY APPROVING PROJECT</small><br>City of Concord<br>1950 Parkside Drive<br>Concord, CA 94519 |
| <small>EXEMPT STATUS (Check One)</small><br><input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268)<br><input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a))<br><input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c))<br><input type="checkbox"/> Statutory Exemption - CODE NO: _____<br><input checked="" type="checkbox"/> Categorical Exemption - CLASS: <u>Not a “project” and/or exempt under Section 21065.</u> SECTION NO: <u>21065, 15060(c)2, 15378, 15061(b)(3)</u>  |   |
| <small>REASON WHY PROJECT IS EXEMPT</small><br>Pursuant to the California Environmental Quality Act (CEQA) of 1970, Public Resources Code Section 21000, et. seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively “CEQA”), the adoption of the Ordinance implementing the objective design standards and the 2023 City of Concord Objective Design Standards document do not constitute a “project” within the meaning of Public Resources Code Section 21065, 14 Cal Code Regs. Section 15060(c)(2) or 15378 because it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Even if the adoption of the Ordinance implementing the objective design standards and the 2023 City of Concord Objective Design Standards document did constitute a project under CEQA, the objective design standards documents fall within the “common sense” exemption set forth in 14 Cal. Code Regs. Section 15061(b)(3), excluding projects where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment...” Therefore, the proposed objective design standards documents do not warrant further environmental review. |   |
| <small>LEAD AGENCY CONTACT PERSON</small><br>Joan Ryan, Principal Planner  | <small>TELEPHONE/EMAIL</small><br>( 925 ) 671-3370; joan.ryan@cityofconcord.org                                     |

**This notice shall be filed only after approval of an exempt project.**

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
3. Attach a \$50.00 check made payable to County of Contra Costa.
4. Attach original and two copies of this Notice of Exemption.
5. Attach two self-addressed, stamped envelopes.

Notice of Exemption

|   |                            |                            |
|---|----------------------------|----------------------------|
| SIGNATURE<br> | TITLE<br>Principal Planner | DATE<br>September 12, 2023 |
|---|----------------------------|----------------------------|

Signed by:  Applicant  Lead Agency

**AFFIDAVIT OF COUNTY CLERK FILING AND POSTING**

I declare that on \_\_\_\_\_ I received and posted this Notice as required by California Public Resources Code Section 2115.2. Said Notice will remain posted for thirty (30) days from the filing date.

By \_\_\_\_\_ Date \_\_\_\_\_