

NOTICE OF EXEMPTION

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego CA 92101
MS: A-33

From: **CITY OF CARLSBAD**
Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008
(442) 339-2600

Subject: Filing of this Notice of Exemption is in compliance with Section 21152b of the Public Resources Code (California Environmental Quality Act).

Project Number and Title: SDP 2024-0024 (DEV05019) – SPRINGHILL SUITES ROOFTOP IMPROVEMENTS

Project Location - Specific: 3136 CARLSBAD BLVD (APN 203-250-26-00)

Project Location - City: Carlsbad **Project Location - County:** San Diego

Description of Project: Construction of a 589-square-foot, approximately 11-foot-tall, enclosed rooftop storage area and a 680-square-foot, approximately 10-foot-tall rooftop shade pergola adjacent to the existing rooftop dining area at the SpringHill Suites hotel. The improvements will be located on the fourth floor (rooftop) of the existing three-story, 104-room hotel.

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: City of Carlsbad

Name of Applicant: Paul Klukas

Applicant's Address: 1530 Faraday Avenue, #100, Carlsbad, CA 92008

Applicant's Telephone Number: (760) 931-0780

Name of Applicant/Identity of person undertaking the project (if different from the applicant above):

Exempt Status: (Check One)

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- Categorical Exemption - State type and section number: Existing Facilities – Section 15301(e)
- Statutory Exemptions - State code number: _____
- Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt: Section 15301(e) of CEQA (Class 1 - Existing Facilities) exempts minor additions to existing structures where the expansion does not exceed 50% of the existing floor area or 2,500 square feet. The project consists of a 589-square-foot enclosed rooftop storage area and a 680-square-foot rooftop shade pergola, which are minor additions to the existing hotel and do not result in a significant expansion of use.

Exceptions to Exemptions

CEQA Section 15300.2 – Exceptions

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project (in accordance with CEQA Guidelines Section 15300.2) and determined that none of these exceptions apply as explained below:

- a. **Location.** “Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.”

Response – The project qualifies for a Class 1 exemption (Section 15301), which is not subject to the location exception. Therefore, this exception does not apply.

- b. **Cumulative Impact** - “All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.”

Response – There is no evidence of successive similar projects in the area that would result in cumulative environmental impacts. The project consists of minor rooftop additions to an existing hotel and will not contribute to cumulative impacts related to air quality, noise, transportation, or other environmental concerns. Therefore, this exception does not apply.

- c. **Significant Effect** - “A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”

Response – The proposed rooftop storage area and pergola are minor additions that do not intensify land use or create any unusual circumstances. The project site is fully developed, and there is no reasonable possibility that the project would result in a significant effect on the environment. Therefore, this exception does not apply.

- d. **Scenic Highway** - “A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.”

Response – The project site is not located on or visible from a highway officially designated as a State Scenic Highway by Caltrans. Therefore, this exception does not apply.

- e. **Hazardous Waste Site** - “A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.”

Response – The project site is not listed on any hazardous waste site lists maintained by the Department of Toxic Substances Control or other responsible agencies. Therefore, this exception does not apply.

- f. **Historical Resources** - “A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.”

Response – The existing hotel is not listed on, and is not eligible for listing on, any federal, state, or local historic registers. There is no evidence that the project site contains or is associated with any historical resources. Therefore, this exception does not apply.

Carlsbad Municipal Code Section 19.04.070(B) - Exceptions

Exceptions. Even though a project may otherwise be eligible for an exemption, no exemption shall apply in the following circumstances:

1. Grading and clearing activities affecting sensitive plant or animal habitats, which disturb, fragment or remove such areas as defined by either the California Endangered Species Act (Fish and Game Code Sections 2050 et seq.), or the Federal Endangered Species Act (16 U.S.C. Section 15131 et seq.); sensitive, rare, candidate species of special concern; endangered or threatened biological species or their habitat (specifically including sage scrub habitat for the California Gnatcatcher); or archaeological or cultural resources from either historic or prehistoric periods;

Or

2. Parcel maps, plot plans and all discretionary development projects otherwise exempt but which affect sensitive, threatened, or endangered biological species or their habitat (as defined above), archaeological or cultural resources from either historic or prehistoric periods, wetlands, stream courses designated on U.S. Geological Survey maps, hazardous materials, unstable soils, or other factors requiring special review, on all or a portion of the site. (Ord. NS-593, 2001)

Response – The project site is located in a fully developed urban area and is improved with an existing hotel, parking lot, and landscaping. The project consists of minor rooftop additions and does not involve grading, clearing, or ground disturbance that could affect biological resources or cultural resources. The site contains only ornamental landscaping and is not located within mapped habitat areas, wetlands, or stream courses. It is not listed on hazardous materials databases and does not exhibit conditions requiring special review. Therefore, the exceptions outlined in CMC Section 19.04.070(B) do not apply.

Lead Agency Contact Person: Alex Alegre _____ **Telephone:** (442) 339-5268 _____

MMS

3/24/25

MICHAEL STRONG, Assistant Community Development Director

Date

Date received for filing at OPR: