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April 9, 2025

VIA EMAIL

Seamus Laffey
Senior Planner
City of West Sacramento
seamusl@cityofwestsacramento.org

Re: 641 5th Street - Class 32 Exemption

Dear Mr. Laffey:

We write on behalf of our client, 641 5th Street LP, regarding their proposal to develop the 0.56-acre parcel located at 641 5th Street (“Site”) in the City of West Sacramento (“City”) with a residential project (“Project”). The Project qualifies for a Class 32 Categorical Exemption for infill development projects, and thus, is exempt from the California Environmental Quality Act (“CEQA”)¹ and the State CEQA Guidelines.² Further, the Project does not involve any of the exceptions to the Categorical Exemptions, which, if present, would disqualify the Project from reliance on a Categorical Exemption.

Project Description

The Project’s development will include site acquisition, grading, excavation, and construction of a four-story (approximately 50 feet in height) multifamily structure with 42,250 square feet of floor area. The Project consists of 37 multi-family residential units, including four one-bedroom and 33 two-bedroom apartments. All apartment styles offer contemporary living arrangements. Each apartment will have modern bathrooms and kitchens (including appliances). Vehicle access will be provided off of G Street with an on-site parking area directly east of the building for six vehicle parking spaces and 12 bicycle parking spaces. The Project will provide approximately 2,775 square feet of outdoor open space, 1,195 square feet of indoor community space, a residential lobby, and an on-site manager’s office.

Project Development Summary		
<i>Description</i>	<i>Total Units</i>	<i>Area (Square Feet)</i>
One Bedroom Unit	4	2,328
Two-Bedroom Unit	33	25,985
Amenity, Utility, and Circulation Space	-	13,907
Building Totals	37	42,250

¹ Pub. Res. Code Sections 21000, et seq.

² Cal. Code of Regs., Title 14, Chapter 3, Sections 15000, et seq.

Class 32 Categorical Exemption & Exceptions

Article 19, Categorical Exemptions, of the State CEQA Guidelines (Sections 15300 – 15333) lists classes of projects which have been determined not to have a significant effect on the environment, and which are exempt from the provisions of CEQA as required by Section 21084 of the Public Resources Code. Class 32 projects are characterized as in-fill development that meet the following criteria:

- (a) *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*
- (b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
- (c) *The project site has no value as habitat for endangered, rare, or threatened species.*
- (d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
- (e) *The site can be adequately served by all required utilities and public services.*

The Site is less than one acre and in an infill area adequately served by all required utilities and public services. The Project is entirely consistent with the Riverfront Mixed Use designation of the City's General Plan and the Waterfront designation of Title 17 of the City's Municipal Code ("Zoning Code"), and will result in no significant impacts relating to traffic (see *Trip Generation and VMT Screening Memo* prepared by TJW Engineering, Inc.), noise (see *Noise Memo* prepared by Noah Tanski Environmental Consulting), or air quality (see *Air Quality Memo* prepared by Noah Tanski Environmental Consulting). These memos are available for public review in the Project file. The Project would also not result in any water quality related impacts as it will comply with all applicable state and local regulations reducing any potential impacts to less than significant without the need for mitigation. Therefore, the Project qualifies for the Class 32 Categorical Exemption.

The Project is also not disqualified from relying on the Class 32 Categorical Exemption because it does not involve any of the following exceptions provided under Section 15300.2 of the CEQA Guidelines:

- (a) *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.*
- (b) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*
- (c) *Scenic Highways. 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.*
- (d) *Hazardous Waste Sites. 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.*

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(e) *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.*

The Site is not located near a scenic highway³ or on a hazardous waste site⁴. The Project will result in no significant impacts relating to historic resources (see *Cultural Resources Inventory and Subsurface Testing Report* prepared by ECORP Consulting, Inc.) or biological resources (see *Biological Resources Survey and Arborist Inventory* prepared by Helix Environmental Planning). These memos are available for public review in the Project file. Accordingly, the Project will result in no significant impacts, nor will it result in any cumulative impacts.

Therefore, the Project qualifies for the Class 32 Categorical Exemption, and is exempt from CEQA. No additional environmental review pursuant to CEQA is required.

Sincerely,

Stephanie DeHerrera

Stephanie DeHerrera
Attorney
of RAND PASTER & NELSON, LLP

³ See State Scenic Highways Map, Department of Transportation, available at <https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (last accessed 4/9/25).

⁴ See Envirostor, Department of Toxic Substances Control, available at <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=641+5th+street%2C+west+sacramento> (last accessed 4/9/25).