



CITY OF GARDEN GROVE
PLANNING SERVICES DIVISION
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Appendix A AB 130¹ (Public Resources Code § 21080.66) Supplemental Checklist

PROJECT INFORMATION

Project Name:

Project Address(es):

Date Completed:

INSTRUCTIONS

This checklist evaluates whether a housing development project qualifies for the CEQA Infill Housing Exemption. **ALL** criteria must be satisfied for this exemption to apply. Check each box when the criterion is met and provide supporting documentation or notes in the spaces provided, or as separate attachments.

CRITERION 1: HOUSING DEVELOPMENT PROJECT DEFINITION

Project must qualify as a "Housing Development Project," by either:

☐ Residential units only, *OR*

Mixed Use² meeting ONE of the following:

☐ At least 2/3 of the square footage is residential, *OR*

☐ At least 1/2 of the square footage is residential AND the project includes at least 500 net new residential units, *OR*

☐ At least 1/2 of the square footage is residential AND the project includes at least 500 net new residential units AND involves demolition or conversion of at least 100,000 square feet of nonresidential use AND demolishes at least 1/2 of existing non-residential uses on the site.

Important Note: Mixed uses cannot include hotels, motels, bed and breakfast inns, or other transient lodging except residential hotels.

Supporting Documentation and Notes: _____

CRITERION 2: SITE SIZE REQUIREMENTS

☐ Project site is 20 acres or less (*If a builder's remedy project, site must be 5 acres or less*)

Supporting Documentation and Notes: _____

¹ Applicants are advised that all projects requesting a CE pursuant to AB 130 are subject to the Native American tribal consultation provisions specified in State Law. The applicant and all responding tribes shall enter into an enforceable agreement with specified measures pertaining to monitoring and the protection of tribal cultural resources.

² For the purposes of calculating floor area percentages, any structured parking and/or garage spaces assigned to serve either commercial or residential uses would count toward their respective totals.



CRITERION 3: URBAN AREA LOCATION

Project site must meet ONE of the following location requirements:

- ☐ Located within the boundaries of an incorporated municipality, *OR*
☐ Located within an urban area, as defined by the United States Census Bureau.

Supporting Documentation and Notes: _____

CRITERION 4: Urban Development Context

Project site must meet any ONE of the following urban development requirements:

- ☐ Previously developed with an urban use, *OR*
☐ At least 75% of the site perimeter adjoins parcels that are developed with urban uses, *OR*
☐ At least 75% of the area within a 1/4 mile radius of the site is developed with urban uses, *OR*
☐ For four-sided sites: at least 3 out of 4 sides are developed with urban uses AND at least 2/3 of the perimeter of the site adjoins parcels developed with urban uses

Key Definitions:

- "Adjoins" includes parcels separated only by a street, pedestrian path, or bicycle path.
- "Urban use" means current or previous residential/commercial development, public institution, or public park surrounded by other urban uses, parking lot/structure, transit or transportation facility, retail use, or any combination.

Supporting Documentation and Notes: _____

CRITERION 5: COASTAL ZONE RESTRICTION

- ☐ Project site is NOT located in a Coastal Zone.

Supporting Documentation and Notes: _____

Criterion 6: Agricultural Land Restriction

Project site is NOT located on any of the following protected agricultural land:

- ☐ NOT on prime farmland
☐ NOT on farmland of statewide importance
☐ NOT on land zoned or designated for agricultural protection or preservation by an approved local ballot measure

Supporting Documentation and Notes: _____



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CRITERION 7: WETLANDS RESTRICTION

☐ Project site is NOT located on wetlands as defined by the U.S. Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)

Supporting Documentation and Notes: _____

CRITERION 8: FIRE HAZARD RESTRICTION

☐ Project site is NOT within a very high fire hazard severity zone or within a state responsibility area

Exception: This requirement does not apply to sites that have adopted certain fire hazard mitigation measures.

Supporting Documentation and Notes: _____

CRITERION 9: Cortese Know List Restriction

☐ Project site is NOT located on a site listed on the Cortese Knox List

Exceptions: Underground storage tank sites that received a uniform closure letter based on State Water Resources Control Board closure criteria for residential or mixed residential use, or sites determined to be suitable for residential or residential mixed use by the State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency per specified criteria.

Supporting Documentation and Notes: _____

CRITERION 10: EARTHQUAKE FAULT ZONE RESTRICTION

☐ Project site is NOT located within delineated earthquake fault zones as mapped by the State Geologist

Exception: The development complies with applicable seismic protection building code standards adopted by the State Building Standards Commission and by any local building department.

Supporting Documentation and Notes: _____



CRITERION 11: FLOOD HAZARD RESTRICTION

☐ Project site is NOT located within special flood hazard areas subject to inundation by a 100-year flood (1% annual chance flood) per FEMA maps

Note: Some exceptions are provided.

Supporting Documentation and Notes: _____

CRITERION 12: CONSERVATION PLAN RESTRICTION

NOT on any of the following lands identified for conservation in adopted plans:

- ☐ NOT on land identified for conservation in an adopted natural community conservation plan
- ☐ NOT on land identified for conservation in a habitat conservation plan
- ☐ NOT on land identified for conservation in any other adopted natural resource protection plan

Supporting Documentation and Notes: _____

CRITERION 13: PROTECTED SPECIES HABITAT RESTRICTION

☐ Project site is NOT on habitat for protected species

Supporting Documentation and Notes: _____

CRITERION 14: CONSERVATION EASEMENT RESTRICTION

☐ Project site is NOT on lands under conservation easement

Supporting Documentation and Notes: _____

CRITERION 15: GENERAL PLAN & ZONING CONSISTENCY

☐ Project is consistent with the applicable general plan and zoning ordinance, as well as any applicable local coastal program

Key Points:

- A housing development project is deemed consistent with the applicable general plan and zoning ordinance, and any applicable local coastal program, if there is substantial evidence that would allow a reasonable person to conclude that the housing development project is consistent.
- If zoning and general plan are inconsistent with each other, a project shall be deemed consistent with both if the project is consistent with one.
- The approval of a density bonus, incentives or concessions, waivers, or reductions of development standards, and reduced parking ratios shall not be grounds for determining that the project is inconsistent with the applicable general plan, zoning ordinance, or local coastal program.



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Supporting Documentation and Notes: _____

CRITERION 16: DENSITY REQUIREMENT

☐ Project achieves at least 15 dwelling units per acre:

- Total Site Area: _____ acres
- Total Dwelling Units: _____
- Density: _____ units per acre

Supporting Documentation and Notes: _____

CRITERION 17: HISTORIC STRUCTURE RESTRICTION

☐ Project does NOT require demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project

Supporting Documentation and Notes: _____

CRITERION 18: TRANSIENT LODGING RESTRICTION

☐ For projects deemed complete on or after January 1, 2025: No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging

Note: For the purposes of this section, "other transient lodging" does not include either of the following:

- A residential hotel (as defined in Health and Safety Code Section 50519)
- After the issuance of a certificate of occupancy, a resident's use of unit as short-term lodging (as defined in Business and Professions Code Section 17568.8), in a manner consistent with local law

Supporting Documentation and Notes: _____

CRITERION 19: FREEWAY PROXIMITY REQUIREMENTS

If housing is located within 500 feet of a freeway, ALL of the following requirements are satisfied:

- ☐ The building has a centralized heating, ventilation, and air-conditioning system
- ☐ Outdoor air intakes for HVAC system face away from the freeway
- ☐ The building provides air filtration media with minimum efficiency reporting value of 16
- ☐ The air filtration media is replaced at manufacturer's designated interval
- ☐ The building does not balconies facing the freeway

Supporting Documentation and Notes: _____



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STAFF USE ONLY

Review date: _____

Reviewed by: _____

Compliance Summary

Total Criteria Met: _____ of 19

Exemption Status: ☐ Qualified

|

☐ Not Qualified

Criteria Not Met: _____

ATTACHMENT CHECKLIST

☐ Site plans and project description

☐ Other: _____

