

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) 339-5153

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

Project Number and Title: CUP 2025-0006 (DEV2025-0098) – REKINETED

Project Location - Specific: 5245 Avenida Encinas, Suite AB, Carlsbad, CA 92008

Project Location - City: Carlsbad

Project Location - County: San Diego

Description of Project: To allow an "Athletic club, gymnasiums, health club and physical conditioning business" use for a personal training facility and recovery center within a 3,205-square-foot suite of an approximately 12,900-square-foot industrial building located on Avenida Encinas between Cannon and Palomar Airport Road as part of the Pacific Coast Industrial Center. The hours of operation will be 8:00 am to 6:00 pm, Monday through Friday. Customer visits will be one-on-one by appointment. There will be 2,003 square feet of training facility and recovery center space and 1,002 square feet of administrative office space.

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: Mackenzie VanZyverden, City of Carlsbad

Name of Applicant: Adam Kooienga, Hofman Planning Associates

Applicant's Address: 5900 PASTEUR CT Unit: 200A CARLSBAD, CA 92008

Applicant's Telephone Number: (616) 301-4618

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 – Existing Facilities– Section 15301(a)
- ☐ Statutory Exemptions - State code number: _____
- ☐ Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt: Section 15301(a), Existing Facilities, exempts interior renovations where negligible expansion of use is proposed, such as those proposed for this project, including installation of new flooring and modifications to conform with Fire and Building code requirements.

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 location exemption is not applicable to Class 1 Exemptions for Existing Facilities.

- 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 substantial evidence that the proposed project would contribute to a significant cumulative impact. Review of available information does not indicate that past or reasonably foreseeable projects in the area, combined with this project, would result in cumulatively considerable effects related to construction air quality, noise, transportation, or water quality. The project will comply with all applicable local, regional, and state regulations, which further ensures that potential impacts remain less than significant. Accordingly, the project’s incremental contribution would not be cumulatively considerable, and 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. Examples include projects, which may affect scenic or historical resources.”

Response – The project scope includes the conversion of an existing 3,205-square-foot suite in an approximately 12,900-square-foot industrial building. There are no unusual circumstances affecting the building or the site/setting.

- 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 within a highway officially designated as a state scenic highway. 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 – A review of available records did not identify any sites which are included on any list compiled pursuant to Section 65962.4 of the Government Code that are associated with this project.

- 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 project does not include any exterior improvements to the structure or site. Further, the project site is not listed on any local, state, or federal register of historic resources, nor has it been identified as potentially eligible. Therefore, the project will not result in a substantial adverse change to any historical resource, and 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 in a developed part of the city, surrounded by commercial and industrial uses. The site is developed and the scope of work does not include improvements to the site or exterior of the structure. Given that no grading or ground disturbance is proposed, there is no likelihood of encountering intact archaeological or cultural resources on the project site. There are no sensitive plant or animal habitats located on site. There are no identified hazardous materials, unstable soils, or other factors that would require special review for this project location. Therefore, the exceptions outlined in Carlsbad Municipal Code Section 19.04.070(B) do not apply.

Lead Agency Contact Person: Mackenzie VanZyverden

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Eric Lardy

7/16/26

ERIC LARDY, Assistant Director of Community Development

Date