California Environmental Quality Act Section 21080.66
Statutory Infill Housing Exemption Checklist

California Environmental Quality Act (CEQA) Section 21080.66 establishes a statutory exemption from CEQA for qualifying housing development projects that meet the conditions of the exemption. The CEQA Section 21080.66 Statutory Infill Housing Exemption Checklist is completed to assess if a project would meet the conditions of this CEQA exemption.

PROJECT INFORMATION

1. Project Number and Title

PRJ-1123397 / City View

2. Lead Agency Name and Address

City of San Diego
Development Services Department
7650 Mission Valley Road, MS DSD-1A
San Diego, CA 92108

3. Lead Agency Contact Person and Phone Number

Dawna Marshall
Senior Planner
Land Development Review Division, Environmental Analysis Section
(619) 687-5904

4. Project Site Address

11818 Bernardo Plaza Court
San Diego, CA 92128

5. Project Sponsor's Name and Address

KB HOME CAL MANAGEMENT SERVICES, LLC9915 Mira Mesa Boulevard, Suite 100
San Diego, CA 92131

6. General Plan and Community Plan Designations

General Plan – Commercial Employment, Retail & Services
Rancho Bernardo Community Plan – Specialized Commercial

7. Zoning

CC-2-3

8. Surrounding Land Uses and Setting

Surrounding land uses are designated as Specialized Commercial by the Rancho Bernardo Community Plan (1978, as amended) and designated Commercial Employment, Retail & Services by the General Plan (2024, as amended). The existing surrounding land uses include commercial offices, medical offices, a bank, United States Postal Service, and San Diego Fire-Rescue Department Station 33. The site is adjacent to Interstate 15 and the associated Rancho Bernardo Road freeway ramps. Other uses in the area include banks, commercial and medical offices, hotel and retail.

9. Description of Project

GENERAL PLAN AMENDMENT from Commercial Employment, Retail, and Services to Residential, COMMUNITY PLAN AMENDMENT from Specialized Commercial to Residential – Medium Density (14-29 dwelling units per acre), REZONE from Commercial – Community (CC-2-3) to Residential – Multiple Unit (RM-2-5), and VESTING TENTATIVE MAP to demolish the existing commercial buildings, subdivide the existing parcels, and construct 122 townhome-style residential units within 22 buildings. In addition, the project includes 9,000 square feet of common outdoor space and supporting infrastructure. Three waivers are being requested: reduction of minimum front yard requirements, increase of maximum retaining wall height requirements, and removal of loading space requirements.

10. Other Public Agencies Whose Approval Is Required (e.g., Permits, Financing Approval, or Participation Agreement)

None.

DETERMINATION

Pursuant to CEQA Guidelines Section 15061, a review for exemption was completed for this project. Based on the evaluation conducted via this checklist, the subject project **does not** qualify for a statutory exemption from CEQA pursuant to Section 21080.66 due to a single condition (land use and zoning inconsistency).

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
(a)	The project is a housing development project, as defined in Government Code Section 65905.5 (b)(3) and Government Code Section 65589.5 (h)(2), which the requirements are as follows: A. A single dwelling unit. B. Residential units only. C. Mixed-use developments consisting of residential and nonresidential uses that meet any of the following conditions: i. A mixed-use development that meets both of the following: I. At least two-thirds of the new or converted square footage is designated for residential use II. No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. a. Notwithstanding sub-subclause (ia), if a mixed-use project as defined in this paragraph includes a hotel, motel, bed and breakfast inn, or other transient lodging, the portion of the mixed-use project which does not include a hotel, motel, bed and breakfast inn, or other transient lodging shall be considered a housing development project. b. The local agency may separately approve the portion of the project that includes a hotel, motel, bed and breakfast inn, or other transient lodging, which shall not be eligible for any benefits conferred on a housing	The project proposes residential units only, and meets the definition of a housing development project provided in this exemption. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
	development project by state law, including, but not limited to those available to a development under Section 65913.4. c. For purposes of this subclause, the term "other transient lodging" does not include either of the following: (Ia) A residential hotel, as defined in Section 50519 of the Health and Safety Code. (Ib) After the issuance of a certificate of occupancy, a resident's use or marketing of a unit as short-term lodging, as defined in Section 17568.8 of the Business and Professions Code, in a manner consistent with local law. ii. At least 50% of the new or converted square footage is designated for residential use and the project meets both of the following: I. The project includes at least 500 net new residential units. II. No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Health and Safety Code Section 50519. iii. At least 50% of the new or converted square footage is designated for residential use and the project meets all of the following:		

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
	I. The project includes at least 500 net new residential units. II. The project involves the demolition or conversion of at least 100,000 square feet of nonresidential use. III. The project demolishes at least 50% of the existing nonresidential uses on the site IV. No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Health and Safety Code Section 50519. D. Transitional housing or supportive housing. E. Farmworker housing as defined in Health and Safety Code Section 50199.7(h).		
(a)(1)	The project meets either of the following: A. The project site is not more than 20 acres. B. The project site or the parcel size for a builder's remedy project, as defined in Government Code Section 65589.5(h)(11), or the project site or the parcel size for a project that applied pursuant to Government Code Section 65589.5(d)(5) as it read before January 1, 2025, is not more than four acres.	The project site is 5.52 acres, which is not more than 20 acres. The project meets this condition.	☒ Yes ☐ No
(a)(2)	The project site meets either of the following criteria: A. Is located within the boundaries of an incorporated municipality. B. Is located within an urban area, as defined by the United States Census Bureau.	The project site is located within the City of San Diego, which is an incorporated municipality. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
(a)(3)	The project site meets any of the following criteria: A. Has been previously developed with an urban use. B. At least 75% of the perimeter of the site adjoins parcels that are developed with urban uses. C. At least 75% of the area within one-quarter mile radius of the site is developed with urban uses. D. For sites with four sides, at least three out of the four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses. Pursuant to CEQA Section 21080.66(g)(3), the following terms apply: • "Adjoins" includes parcels that are only separated by a street, pedestrian path, or bicycle path. • "Urban use" means any current or previous residential or commercial development, public institution, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation passenger facility, or retail use, or any combination of those uses.	The project site was previously developed with commercial uses, which qualifies as an urban use as defined in CEQA Section 21080.66(g)(3). The project meets this condition.	☒ Yes ☐ No
(a)(4)	A. The project is consistent with the applicable general plan and zoning ordinance, as well as any applicable local coastal program as defined in the California Coastal Act, Public Resources Code Section 30108.6. For purposes of this section, a housing development project shall be 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.	The project proposes residential use with 122 multi-family dwelling units on a site designated Commercial Employment, Retail, and Services by the General Plan, designated Specialized Commercial use by the Rancho Bernardo Community Plan and zoned Community Commercial (CC-2-3). These commercial designations and zoning do not allow for the proposed residential project. The project is not consistent with the existing general plan and zoning ordinance that establishes the site's land use and zoning designations. Thus, the project does not meet this condition.	☐ Yes ☒ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

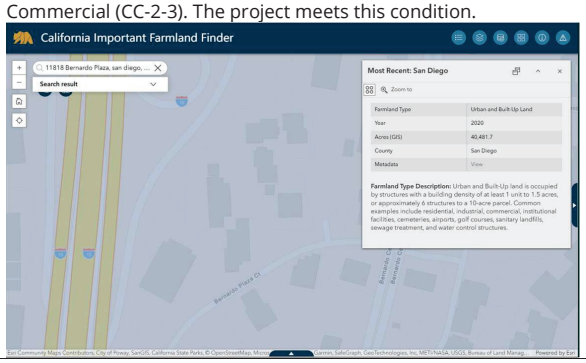
Condition		Evaluation	Meets Condition (Yes/No):
	B. If the zoning and general plan are not consistent with one another, a project shall be deemed consistent with both if the project is consistent with one. C. The approval of a density bonus, incentives or concessions, waivers or reductions of development standards, and reduced parking ratios pursuant to Government Code Section 65915 shall not be grounds for determining that the project is inconsistent with the applicable general plan, zoning ordinance, or local coastal program.		
(a)(5)	The project will be at least one-half of the applicable density specified in Government Code Section 65583.2(c)(3)(B): (i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre. (ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre. (iii) For a suburban jurisdiction: sites allowing at least 20 units per acre. (iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.	The project is located within the City of San Diego, which is an incorporated City within the County of San Diego. Per the United States Census Bureau, the County of San Diego is a metropolitan county. As such, Government Code Section 65583.2(c)(3)(B)(iv) would apply to the project. The project would need to achieve a minimum of one-half of the applicable density of 30 units per acre, which would be 15 units per acre. The project proposes 122 units on a 5.52-acre site, which is a density of 22.6 units per acre. The project would exceed the density requirement of CEQA Statutes Section 21080.66(a)(5), as 22.6 units per acre is greater than 15 units per acre. The project meets this condition.	☒ Yes ☐ No
(a)(6)	The project satisfies the requirements specified in Government Code Section 65913.4(a)(6). Government Code Section 65913.4(a)(6) is as follows:	The project is not within the coastal zone. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

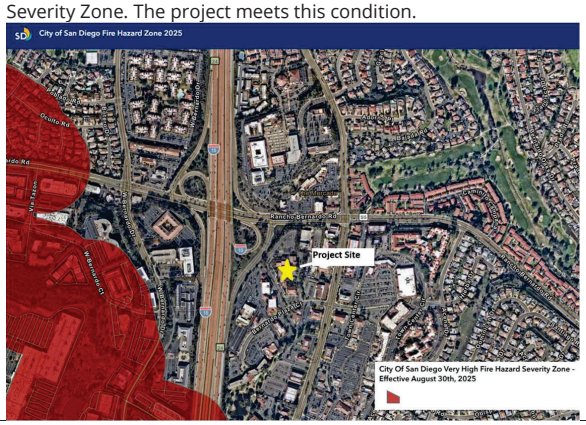
Condition		Evaluation	Meets Condition (Yes/No):
	(6) The development is not located on a site that is any of the following: A. (i) An area of the coastal zone subject to paragraph (1) or (2) of subdivision (a) of Section 30603 of the Public Resources Code. [Public Resources Code Section 30603(a): (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance. (2) Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.] (ii) An area of the coastal zone that is not subject to a certified local coastal program or a certified land use plan. (iii) An area of the coastal zone that is vulnerable to five feet of sea level rise, as determined by the National Oceanic and Atmospheric Administration, the Ocean Protection Council, the United States Geological Survey, the University of California, or a local government's coastal hazards vulnerability assessment. (iv) In a parcel that is not zoned for multifamily housing.		

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST
PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
	(v) In a parcel located on either of the following: I. On, or within a 100-foot radius of, a wetland, as defined in Public Resources Code Section 30121. II. On prime agricultural land, as defined in Public Resources Code Section 30113 and Section 30241.		
(a)(6) Cont.	B. Either prime farmland or farmland of statewide importance as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation (see California Important Farmland Finder), or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.	The California Important Farmland Finder Map is prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation. The California Important Farmland Finder Map (see below) identifies the site as Urban and Built-Up Land, and does not designate the site as Prime Farmland or Farmland of Statewide Importance. The site is also not zoned or designated for agricultural protection or preservation, as it is designated and zoned Commercial Employment, Retail, and Services by the General Plan, designated Specialized Commercial use by the Rancho Bernardo Community Plan and zoned Community Commercial (CC-2-3). The project meets this condition. 	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
(a)(6) Cont.	C. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)	The site is entirely developed and contains no wetlands. The project meets this condition.	☒ Yes ☐ No
(a)(6) Cont.	D. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within the state responsibility area, as defined in Public Resources Code Section 4102. This does not apply to sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development, including, but not limited to, standards established under all of the following or their successor provisions: (i) Section 4291 of the Public Resources Code or Section 51182, as applicable. (ii) Section 4290 of the Public Resources Code. (iii) Chapter 7A of the California Building Code (Title 24 of the California Code of Regulations).	Per the City's Local Responsibility Area Fire Hazard Severity Zone map (see below), the site is not located in a Very High Fire Hazard Severity Zone. The project meets this condition. 	☒ Yes ☐ No
(a)(6) Cont.	E. A hazardous waste site that is listed pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356 (a.k.a, Cortese List), unless either of the following applies: (i) The site is an underground storage tank site that received a uniform closure letter issued pursuant to Health and Safety Code Section 25296.10(g) based on closure criteria established by the State Water Resources	Based on a database search completed by City staff March 2026, the site is not on the Government Code Section 65962.5 Cortese List or a hazardous waste site designated by the Department of Toxic Substances Control. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST
PRJ-1123397

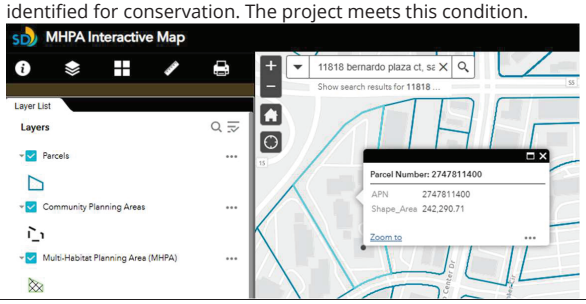
Condition		Evaluation	Meets Condition (Yes/No):
	Control Board for residential use or residential mixed uses. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Government Code Section 65962.5. (ii) The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to Health and Safety Code Section 25296.10(c), has otherwise determined that the site is suitable for residential use or residential mixed uses.		
(a)(6) Cont.	F. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.	Based on the State Geologist's Map (see below), the site is not located within a delineated earthquake fault zone. The project meets this condition. 	☒ Yes ☐ No
(a)(6) Cont.	G. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any	Based on the FEMA Map 06073C1090G effective May 16, 2012 (see below), the site is not located within a special food hazard area. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

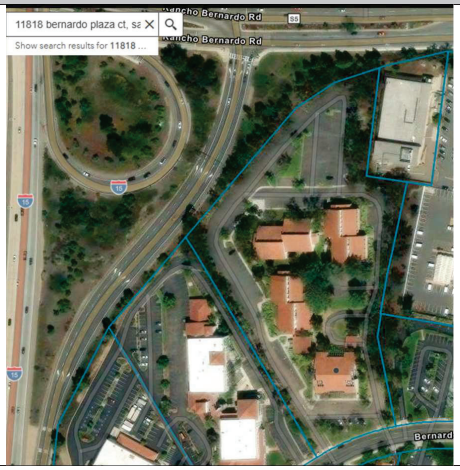
Condition		Evaluation	Meets Condition (Yes/No):
	official maps published by FEMA. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met: (i) The site has been subject to a Letter of Map Revision prepared by the FEMA and issued to the local jurisdiction. (ii) The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.		
(a)(6) Cont.	H. Within a regulatory floodway as determined by the FEMA in any official maps published by the FEMA, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for	Based on the FEMA Map above, the site is not located within a regulatory floodway. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST
PRJ-1123397

Condition			Evaluation	Meets Condition (Yes/No):
		streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.		
(a)(6) Cont.	I.	Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.	The City of San Diego has adopted the Multiple Species Conservation Program Subarea Plan, which is a natural community conservation plan pursuant to the Natural Community Conservation Planning Act as well as a habitat conservation plan pursuant to the federal Endangered Species Act. Based on the City's Multiple Species Conservation Program map (see below), the site does not contain Multiple-Habitat Planning Area preserve lands identified for conservation. The project meets this condition. 	☒ Yes ☐ No
(a)(6) Cont.	J.	Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant	The site is entirely developed (see map below) and does not include habitat for protected species. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
	Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).		
(a)(6) Cont.	K. Lands under conservation easement.	Based on the Title Report (January 2026) for the project site, the site has no conservation easements. The project meets this condition.	☒ Yes ☐ No
(a)(7)	The project does not require the 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 pursuant to Government Code Section 65941.1.	The project would demolish the existing commercial development on the site. Based on the review completed by City Historic Staff on March 18, 2026, the site is not a listed historic site nor does it qualify for historic site register listing. The project would not demolish a historic structure that is on the national, state or local register. The project meets this condition.	☒ Yes ☐ No

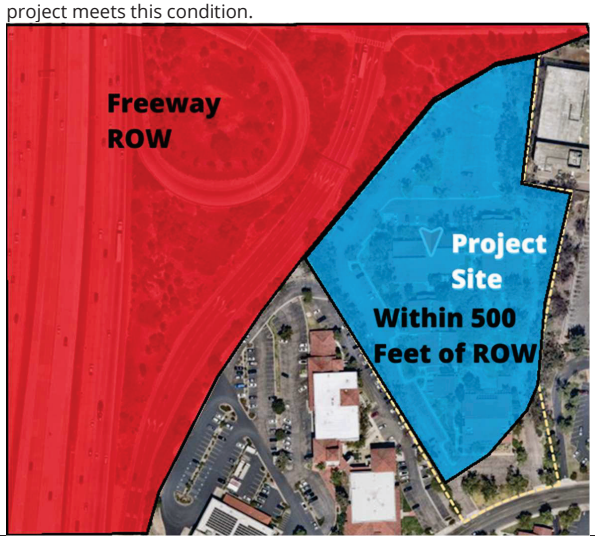
CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
(a)(8)	For a project that was deemed complete on or after January 1, 2025 pursuant to Government Code Section 65589.5(h)(5), no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. For the purposes of this section, "other transient lodging" does not include either of the following: (A) A residential hotel, as defined in Health and Safety Code Section 50519. (B) After the issuance of a certificate of occupancy, a resident's use or marketing of a unit as short-term lodging, as defined in Business and Professions Code Section 17568.8, in a manner consistent with local law.	The project was deemed complete on October 30, 2024, which is prior to January 1, 2025. The project meets this condition.	☒ Yes ☐ No
(b)	The local government shall complete the tribal consultation process as detailed in CEQA Section 21080.66(b).	In accordance with consultation requirements, the City sent notification regarding the project via certified mail and email to all tribes on the list provided by the Native American Heritage Commission on March 26th, 2026. On April 4, 2026, the Pala Band of Mission Indians requested consultation. The City immediately initiated consultation and coordination with the Pala Band of Mission Indians. Through the consultation process, an enforceable agreement was prepared that will be required as a condition of approval consistent with CEQA Section 21080.66(b)(4). This agreement requires tribal monitoring during grading and, if tribal resources are located, reburial within the project site or at a location determined in consultation with the tribal monitor. The City and Pala Band of Mission Indians concluded consultation on May 6, 2026. No other tribes requested further consultation during the 60-day tribal consultation request period, which ended May 26, 2026. The project meets this condition.	☒ Yes ☐ No
(c)(1)	The local government shall require the applicant to complete a phase I environmental assessment and implement associated requirements, as detailed in CEQA Section 21080.66(c)(1).	A Phase I Environmental Site Assessment and compliance with the associated requirements per CEQA Section 21080.66(c)(1) will be required as a project condition of approval. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
(c)(2)	For any housing on the site located within 500 feet of a freeway, all of the following shall apply: • The building shall have a centralized heating, ventilation, and air-conditioning system. • The outdoor intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway. • The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16. • The air filtration media shall be replaced at the manufacturer's designated interval. • The building shall not have any balconies facing the freeway.	The majority of the proposed housing is within 500 feet of the Interstate 15 freeway (see map below). The project will be conditioned to provide the required design features identified in in CEQA Section 21080.66(c)(2) for any housing within 500 feet of the Caltrans Right-of-Way (ROW) prior to building permit issuance. The project meets this condition. 	☒ Yes ☐ No
(d)(1)	Notwithstanding any other law, all construction workers employed in the execution of a housing development project exempt from this division pursuant to this section where 100 percent of the units within the development project are dedicated to lower income households, as defined by Section 50079.5 of the Health and Safety Code, shall be paid at least the general prevailing rate of per	The project does not propose 100% of the units be dedicated to lower income households and, therefore, this condition Is not applicable to the project. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition		Evaluation	Meets Condition (Yes/No):
	diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate, regardless of whether the housing development project is a public work.		
(d)(2)	Notwithstanding any other law, the labor standards of Government Code Section 65913.4(a)(8) shall apply to buildings over 85 feet in height above grade in any housing development project exempt from CEQA pursuant to this section.	The proposed buildings would not exceed 40 feet, and would therefore be less than 85 feet. Thus, the labor standards identified here are not applicable. The project meets this condition.	☒ Yes ☐ No
(d)(3)	A. Notwithstanding any other law, the labor standards of Article 4 (commencing with Section 65912.130) of Chapter 4.1 of Division 1 of Title 7 of the Government Code shall apply for projects of 50 units or greater in the City and County of San Francisco that are not covered by paragraph (2), for any construction craft where at least 50 percent of the units in market-rate multifamily housing projects that received their certificate of occupancy between 2022 and 2024, inclusive, were built by workers that were paid not less than the general prevailing rate of per diem wages. B. For purposes of this section, "market-rate multifamily housing development project" means a housing development project of greater than 10 units where less than 95 percent of the units are dedicated to lower income households, as defined by Section 50079.5 of the Health and Safety Code. C.	As the project is not located within the City or County of San Francisco, the labor standards identified here are not applicable. The project meets this condition.	☒ Yes ☐ No

CEQA SECTION 21080.66
STATUTORY INFILL HOUSING EXEMPTION CHECKLIST

PRJ-1123397

Condition			Evaluation	Meets Condition (Yes/No):
	(i)	The eligibility of this subparagraph, by classification, will be determined by the Department of Industrial Relations and published on its internet website by January 1, 2026.		
	(ii)	In making a determination of eligibility pursuant to this subparagraph, the Director of Industrial Relations shall obtain and consider data from the labor organizations and employers or employer associations concerned no later than October 1, 2025.		
	(iii)	To determine the number of market-rate multifamily housing projects that received their certificate of occupancy in a given year, the Department of Industrial Relations shall use the annual progress report data as reported by the jurisdiction pursuant to Section 65400 of the Government Code.		