

FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Mission Hills-Panorama City-North Hills Community Plan, updated and adopted by the City Council on June 9, 1999. The Plan designates the subject property for Low Medium I Residential land uses, with corresponding zones R2, RD3, RD4, RD5, TD6, RZ3, RZ4, RU, and RW1. The proposed zone change to (T)(Q)RD3-1 is consistent with the land use designation on the plan map. Further, the site is not subject to any Plan footnotes that affect this project and is not located within any other specific plan or special land use districts. Therefore, the proposed project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan land use map.

2. **General Plan Text.** The Mission Hills-Panorama City-North Hills Community Plan text identifies the need to preserve the residential character of existing single family neighborhoods, to foster good site planning and urban design, and to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects. As specifically related to the proposed zone change from the RA zone to the (T)(Q)RD3-1 zone, and development of the proposed project as shown in “**Exhibit A**”, the following Community Plan land use goals, objectives, policies, and programs are applicable:

GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.

Objective 1-1 To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.1 Designate land for single and multi-family residential development.

Policy 1-1.4 Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

Program: The Plan includes an Urban Design Chapter which is supplemented by Design Guidelines and Standards for residential development.

Policy 1-1.6 The City should promote neighborhood preservation, particularly in existing single family neighborhoods, as well as in areas with existing multiple family residences.

Policy 1-5.1 Promote greater individual choice in type, quality, and location of housing.

Objective 1-3 To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

- Policy 1-3.1** Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.
- Policy 1-3.2** Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

As shown in “**Exhibit A**”, the proposed project will meet the above objectives and policies by providing additional housing units at an appropriate density and location as envisioned by the adopted Community Plan, thereby meeting the plan area’s needs. Specifically, the applicant’s proposed zone change from the RA-1 zone to the RD3-1 zone and the development of eight units of townhouse style apartments (i.e., two triplexes and one duplex) with each unit including two parking spaces in an attached garage, on a site designated for multiple family housing (i.e., Low Medium I Residential), will promote greater individual choice in type and location of housing, compatible with the surrounding land uses and character. Specifically, the area surrounding the subject property is designated for multiple-family housing, and is in transition, as characterized by the existing land uses which includes a predominance of condominium complexes, with apartment complexes, older one-story single family homes, zero side yard single family homes, and vacant property in the (T)(Q)RD3-1, (Q)RD3-1/RA-1, RA-1, QRD1.5-1, (Q)RD1.5/R3-1, (T)(Q)RD1.5-1/RA-1, [Q]RD1.5-1, and (Q)RZ3-1/RA-1 zones.

As conditioned, the proposed townhouse style apartment complex will be compatible with these surrounding uses in that Building A will be oriented to the street, with the entrance to each of the two units facing N. Cedros Avenue, and a landscaped front yard. The private driveway off N. Cedros Avenue will be softened by landscape planters along each side, and a separate pedestrian pathway to each unit will connect the sidewalk along N. Cedros Avenue to each dwelling unit, encouraging pedestrian activity. The project design features beige stucco walls, red Spanish tile roofing, and brown toned shutters, window moldings, fascia trim, decorative arbors (over entrance doorways for Buildings B and C), and wood corbel elements. Landscaped front, side, and rear yards will be improved with a minimum of 15 on-site trees and a variety of shrubs and groundcover. The existing 24-inch diameter holly oak street tree adjacent to the proposed driveway along N. Cedros Avenue will be retained, and the provided side yards will be a minimum of nine feet wide, in lieu of the otherwise required minimum 5-foot side yards. Private outdoor patios a minimum of 102 square feet in size are provided for all units located in Buildings B and C, and the minimum 1,400 square foot common open space area is located on the interior of the project, and features seating space and tables. As conditioned, centralized trash collection which is screened with landscape, and located away from the residential entrance will also be provided. As an eight-unit development, the project is well below the DOT threshold for requiring traffic impact analysis. The project is further conditioned to provide for public services and utilities including required dedications and improvements, site access, and street trees. The requirement for two guest parking spaces is responsive to concerns expressed by the North Valley Area Planning Commission regarding potential parking impacts on the surrounding community, notwithstanding the effects of this requirement on proposed common open space.

The Mission Hills-Panorama City-North Hills Community Plan, Chapter V provides “Design Policies for Individual Projects – Multiple Residential”, which include the following:

Site Planning – All multiple family residential projects of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents. Toward that goal, the following policies are applicable:

1. Providing a pedestrian entrance at the front of each project.
2. Requiring useable open space for outdoor activities, especially for children.

Design – The design of all buildings shall be of quality and character that improves community appearances by avoiding excessive variety or monotonous repetition. Achievement of this can be accomplished through:

1. Requiring the use of articulations, recesses, surface perforations and/or porticoes to break up long, flat building facades.
2. Utilizing complimentary building materials on building facades.
3. Incorporating varying design to provide definition for each floor.
4. Integrating building fixtures and awnings into the design of buildings.
5. Screening of all roof top equipment and building appurtenances from adjacent properties.
6. Requiring decorative, masonry walls to enclose trash.

The Framework Element sets forth general guidelines and standards for the growth and development of the city, and the Citywide Design Guidelines recently adopted in October of 2019 by the City Planning Commission provide a key implementing tool for this General Plan Element. The three overarching design principles of these Guidelines include:

Pedestrian First Design: Understanding how buildings that actively engage with the street can impact the pedestrian experience;

360° Design: Taking the impacts of the built environment on its surroundings into consideration – a 360-degree approach to planning;

Climate-Adapted Design: Drawing upon the latest advancements in climate-adapted design, recognizing the role that a building's form can play in the local climate.

As conditioned, the proposed project is designed consistent with these General Plan design principles and will protect the quality of the surrounding residential environment through attention to building and site design. Specifically, the applicant is required to provide a minimum of 1,400 square feet of open space, and the project has been further conditioned consistent with the Community Plan's Chapter V Site Planning Policy 2 to incorporate open space for outdoor activities, especially for children.

In addition to the proposed landscaped front, side, and rear yards shown on the "Exhibit A", the project has been conditioned to provide vine pockets along the approximately 188-foot-long northerly property line wall/driveway, to soften this solid expansive predominant feature. The extent and width of expansive driveway surfaces will also be softened by requiring that they be improved with permeable materials (such as grasscrete that could be installed), or bands/areas of special pavers, to make them feel more like a courtyard. A requirement for a green screen wall on trash enclosure walls has also been added, consistent with the 360-degree design standards. Further, the project has been conditioned to buffer the adjacent single family home to the south, shown on the applicants plans to be located within approximately three feet of the southerly property line, by providing one 24-inch box tree per 15 linear feet along the intervening property line wall (approximately three additional trees).

While the applicant's revised plans dated July 11, 2019 show the trash and recycling enclosure relocated, its relocation is not optimal. Consistent with the Citywide Design Guideline principles of pedestrian first and 360 design, the project has been conditioned to site the trash and recycling enclosure other than proximate to any residential entrance (or common open space area), on the back side of Building "B" adjacent to the easternmost private drive.

A condition has also been added to require that porticoes be provided at the entrance of each Building A unit, which is a solid (not open) structure that breaks up the building façade facing N. Cedros Avenue, and that is integrated with the front stoop. This requirement is consistent with the Community Plan's Chapter V Design Policies to "...require the use of articulations ...and/or porticoes to break up long, flat building facades" enhancing the project's overall design, quality, and architectural interest, and creating opportunities for shading and protection to residents as they enter and exit.

The applicant's elevation plans also show a "plant on" wrought iron balcony concept, consisting of a wrought iron railing attached below second story windows. Both the General Plan Framework Element and the Mission Hills – Panorama City – North Hills Community Plan's Chapter V Design Policies for Multiple Family Development provide policy to guide the use of design elements. Specifically, the Framework Element Policy 3.6.1 is to "...ensure that new development of ...multi-family units maintains the visual and physical character of adjacent ...neighborhoods, including ...modulation of building volumes and articulation of facade to convey the sense of individual units...". Community Plan, Chapter V Design Policies for Multiple Residential projects state that "The design of all buildings shall be of a quality and character that improves community appearances by avoiding excessive variety or monotonous repetition...through requiring the use of articulations, recesses, surface perforations ...to break up long flat building facades." Specific methods for achieving this result are further identified in Design Policy 3, which states "Incorporating varying design to provide definition for each floor."

In support of these specific General Plan design policies, the PVP also reviewed the proposed project and recommended the addition of a small usable balcony, in lieu of the applicant's proposed "plant on" balcony concept, in order to provide articulation of building mass, break up the long flat building facades, and give definition to each floor. This recommendation is also consistent with the Policy 1.5 of the Health and Wellness Element which seeks to incorporate a health perspective into design and zoning decisions, in that balconies, which are accessed through a doorway (in lieu of a window), would double the resident's access to light and air. Consistent with these General Plan design policies, and in keeping with the applicant's proposed use of wrought iron railings as a complimentary building material, the project has been conditioned to require usable Juliette balconies, with wrought iron railings and a useable access door, instead of a window.

Conditions have also been added to ensure that the final plan set corrects internal inconsistencies and data errors within the plot, floor, elevation, landscape, and renderings.

Housing Element

The 2013-2021 Housing Element of the General Plan is the City's blueprint for meeting housing and growth challenges. According to the Housing Element, there is presently a crisis of housing in the City. In Los Angeles, there is a need for more housing units, and a need for a broader array of housing types to meet evolving household types and sizes at different price points. The Housing Element includes the following goal:

GOAL 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs....

Objective 1.1: *Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.*

The three proposed townhouse style apartment buildings will provide eight units of multi-family residential housing, with each apartment providing three bedrooms, serving the specific needs of families with children, thereby meeting this goal and objective of the Housing Element of the General Plan.

GOAL 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.

Proposed project elements support a safe, livable, and sustainable residential project within the existing residential neighborhood, including a landscaped pedestrian walkway leading from the sidewalk to the front door of each apartment unit, a speed bump at the midpoint of the private drive to reduce the potential for pedestrian-vehicle conflicts, and common open space areas including outdoor seating space and amenities for children. The buildings will be developed consistent with the California green code requirements, and the roofs on both the two- and three-unit buildings will be designed to accommodate the future installation of solar panels.

Health and Wellness, Mobility 2035, and Air Quality Elements. The proposed project is designed to be climate-adapted; for example, the applicant's plans (see "**Exhibit A**") show generous courtyard spaces, landscaped open space and yards, pedestrian walkways that should make for good access to natural light and ventilation. The project is also conditioned to provide actual porticoes, in lieu of open arbors over entrances to units. The use of natural light and ventilation afforded by balconies accessed through a useable door provides passive heating and cooling. To reduce levels of pollution and greenhouse gas emissions and encourage water conservation, low water trees and plants, such as California walnut, bay laurel, wild lilac, lantana, African boxwood, sage, and rosemary are utilized in the project landscaping. A solar zone area that is equal to or greater than 15% of the building's total roof area, as shown on "**Exhibit A**," will help to offset the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, these design features provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.6 (resilience), 5.7 (reduce greenhouse gas emissions); Air Quality Element Policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure).

B. Entitlement Findings

- 3. Zone Change, L.A.M.C. Sec. 12.32 F: The requested zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.**

The project is convenient in location to several major streets, such as Nordhoff Street to the south, and Van Nuys Boulevard to the east, and as an infill project, will have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the project will create more availability of rental units

within the Mission Hills – Panorama City – North Hills Community Plan area. The project site and surrounding area to the north, south, and west (across N. Cedros Avenue) is designated Low Medium I Residential (a multiple-family designation), and Low Medium II Residential (also a multiple-family designation) to the east. However, the zoning pattern within this same area is characterized by a mixture of both and multiple-family and single-family zones. A zone change from the RA-1 zone to the RD3-1 zone, and the construction of three new townhome style apartment buildings providing eight housing units would be compatible, as conditioned, with the use and size of existing development in the surrounding area. Furthermore, the subject zone change will be in good zoning practice by providing a harmonious density and land use activity consistent with development in the surrounding community.

Equine Keeping in the City of Los Angeles (ZA-2438) is also applicable to the site, which requires specified buffer distances between horse keeping uses and habitable floor area. It applies to specific zones including RA-1 zoned property such as the project site. However, with approval of the applicant's requested zone change to the RD3-1 zone, the provisions of this ZI will no longer apply. Further, based on ZIMAS aerial photographs of the surrounding properties, no horse keeping uses are located on any of the adjacent properties. Thus, no impact to horse keeping uses would result.

The recommended zone change has been made contingent upon compliance with the "Q" and "T" conditions imposed herein. Such limitations are necessary to protect the best interests of, and to assure developments and improvements more compatible with, surrounding properties, to provide for necessary utilities and public improvements, and to secure an appropriate development in harmony with the General Plan.

Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

4. Q Condition Findings

a. The Q limitations are necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.

To ensure that the development is in harmony with the General Plan, the proposed Q conditions contain provisions regarding site development; limit the use and building height; and provide for on-site parking. As such, the Q limitations serve to protect the best interests of the proposed development and the community as a whole.

b. The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.

To ensure that the development is in harmony with the General Plan, the proposed Q conditions contain provisions regarding site development; limit the use and building height; and provide for on-site parking. As such, the Q limitations serve to secure an appropriate development in harmony with the objectives of the General Plan.

c. The Q limitation is necessary to prevent or mitigate adverse environmental effects of the zone change.

The project qualifies for categorical exemption pursuant to CEQA Guidelines Section 15301 and 15332, and as such no mitigation measures are required.

5. T Condition Finding

Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.

The current action, as recommended, has been made contingent upon compliance with “T” conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These T Conditions ensure appropriate and necessary sanitary sewer, street dedication and improvements on N. Cedros Avenue, construction of drainage facilities, adequate driveway and parking area plans, compliance with street tree protocols, compliance with Fire Department requirements, confirmation of payment for all applicable fees including Bureau of Engineering fees, and assure construction of required public improvements. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site.

6. Zoning Administrator’s Adjustment Findings

a. The site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible; and explain why the project nonetheless conforms with the intent of those regulations.

The property is improved with a single family home and detached garage, and the applicant proposes construction of three separate apartment buildings providing a total of 9,776 square feet of floor area within eight townhome style apartment units, constructed to a height of approximately 25 feet eight inches, in the (requested) RD3-1 zone. Each apartment unit will provide between 1,198 and 1,262 square feet of floor area and a two car garage. Overall, the project will provide sixteen automobile parking spaces, a minimum of 9 bicycle parking spaces (8 long-term and 1 short-term), and both common and private open space totaling approximately 2,212 square feet. With the exception of the requested ZAA, the proposed project will comply with all applicable provisions of the Municipal Code.

Strict application of the zoning ordinance would require the applicant to reduce the total number of housing units from eight to seven, which would be impractical, in light of the critical housing shortage currently experienced within the city, and given that the project would otherwise conform to the intent of the zoning regulations. Specifically, the RD3 zone is a restricted density multiple dwelling zone which permits apartment houses, and the project proposes a total of eight multiple family housing units within three separate townhome style apartment buildings. The three buildings are sited on the subject property such that the minimum setbacks are either met, or exceeded, assuring adequate light and air to future residents, providing buffer for adjacent uses. The height of the proposed buildings (i.e., 28 feet eight inches) is well below the maximum permitted height of 45 feet in the requested RD3-1 zone, and 2,212 square feet of open space is provided, including a common landscaped seating area, tot lot/community garden, and private patios.

In regard to density, the requested deviation from the area requirement of the RD3 zone to permit one additional dwelling unit based on 2,706 square feet of lot area, in lieu of the minimum 3,000 square feet, will not result in a density on the subject property that exceeds the range of 9.0 to 18.0 dwelling units per acre for Low Medium I Residential designated property.

The subject parcel is comparable to or larger than other properties within the neighborhood, and the applicant's request is reasonable, given the size of the subject property.

Additionally, the city is currently experiencing a serious housing shortage, and granting the requested additional unit will incrementally contribute to the goal of increasing the number of available housing units within the city.

b. in light of the project as a whole, including any mitigation measures imposed) the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The applicant proposes a multiple family housing development which includes three separate townhome style apartment buildings providing a total of 9,776 square feet of floor area and eight apartment units, constructed to a height of approximately 25 feet eight inches in the (requested) RD3-1 zone. Each apartment unit will provide between 1,198 and 1,262 square feet of floor area and a two car garage. Overall, the project will provide sixteen automobile parking spaces, two guest parking spaces, a minimum of 9 bicycle parking spaces (8 long-term and 1 short-term), and a minimum of 1,400 square feet of open space, which includes a minimum of 102 square feet of private open space for each dwelling unit within Buildings B and C, and useable open space for outdoor activities, and especially for children. In order to construct the proposed project, the applicant is seeking a Zoning Administrators Adjustment from Section 12.09.1.B.4 of the Los Angeles Municipal Code, to permit seven of the units having the required lot area of 3,000 square feet per dwelling unit, and the 8th unit having a reduced lot area of 2,706 square feet (i.e., 294 square feet less), in lieu of the required 3,000 square feet.

The granting of one additional unit will not result in adverse effects that the zoning regulations are intended to protect. Specifically, the proposed townhouse style apartment complex would be located on the west side of N. Cedros Avenue, a designated collector street located two blocks west of Van Nuys Boulevard between Tupper Street to the north and Nordhoff Street to the south, proximate to commercial retail and transit uses. As shown on the radius map (Exhibit C), this area is in transition, from older single-family homes constructed post WWII, to newer single- and multiple family housing including condominium and apartment complexes, and zero side yard single family homes, consistent with the Low Medium I and II Residential land use designations on these properties.

The approximately 23,517 net square foot site has sufficient area for eight dwelling units without compromising on-site landscape, or vehicular/pedestrian circulation needs, as evidenced by the proposed lot coverage: 29 percent building footprint; 34 percent paving/hardscape; and 37 percent landscape. Front and rear yard requirements are both met, and the additional two feet of side yard depth beyond the minimum 5-foot requirement on the project's north and south sides provides additional buffer to adjacent uses. The proposed building height is 25 feet 8 inches, well below the maximum permitted height of 45 feet in the requested RD3-1 zone. Vehicular and pedestrian access will be provided off N. Cedros Avenue, trash and recycling is located within an enclosed and landscaped area. The on-site parking meets the minimum code requirements of 2 automobile parking spaces

per unit, and nine bicycle parking spaces (eight long term spaces and one short term space), and an additional two on-site guest parking spaces have also been required, adding further parking opportunities to the available street parking. The grant of one additional dwelling unit is not anticipated to create a significant additional parking demand, or result in a significant burden to parking availability in the neighborhood. As designed and conditioned, the project will not result in adverse impacts to the surrounding neighborhood, public safety, or welfare. Approval of one additional unit, in conjunction with the construction, use, and maintenance of seven townhome style apartments within three separate buildings is therefore consistent with the intent of the zoning regulations to insure compatibility between adjacent uses while maintaining the public benefit and safety. Providing the additional unit of housing will be beneficial to the surrounding community and future tenants in that it will provide much needed housing at a time of critical housing shortages within the city. This grant imposes conditions of approval to insure that the use is consistent with the general purpose and intent of the zoning regulations.

The additional apartment unit will not be detrimental and will be compatible with the surrounding development in that currently the area includes a balance of housing options which include both rental and owner occupied units.

The effects generated by the grant of one additional apartment unit on the site have been considered in reviewing this request. A review of the proposed project plans and field survey analysis supports the conclusion that the use will not generate adverse effects to the adjacent properties or surrounding community. The conditions of approval assure that the design and use of the proposed townhouse style apartments will be compatible with adjacent uses, and require that the proposed use and site development is consistent with the final plans approved by the Planning Department.

c. The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

The proposed project is a multiple family housing development which includes three separate townhome style apartment buildings providing a total of 9,776 square feet of floor area and eight apartment units, constructed to a height of approximately 25 feet eight inches in the (requested) RD3-1 zone. Each apartment unit will provide between 1,198 and 1,262 square feet of floor area and a two car garage. Overall, the project will provide sixteen automobile parking spaces, a minimum of 9 bicycle parking spaces (8 long-term and 1 short-term), and both common and private open space totaling a minimum of 1,400 square feet. Two on-site guest parking spaces are also required. With the exception of the requested ZAA, the proposed project will comply with all applicable provisions of the Municipal Code.

As previously stated, the Community Plan Map designates the subject property for Low Medium I Residential land use, with corresponding zones of R2, RD3, RD4, RD5, RD6, RZ3, RZ4, RU, and RW1, and the requested zone change from RA-1 to RD3-1 would be in conformance with this multiple family residential land use designation. The requested adjustment to permit a lot area of 2,706 square feet for the 8th (last) unit, in lieu of 3,000 square feet otherwise required in the (requested) RD3-1 zone, represents a minor deviation from Code requirements. Further, the resulting density of 14.8 dwelling units per acre would be well within the density range of 9.0 to 18.0 dwelling units per acre identified for Low Medium I residential development in the adopted Community Plan. The Community Plan goals and objectives seek to encourage appropriate uses within the existing environs, and preservation of the character and integrity of existing residential neighborhoods. As conditioned, the proposed project, including the one additional unit, has been designed and will be required to be maintained with consideration of the adjacent residents, fulfills a

desired service in that it will contribute much needed housing within the city, and is compatible with the neighborhood in both appearance and use. As such, permitting the additional unit is consistent with the goals and objectives of the Community Plan and thereby consistent with the General Plan and its elements.

C. CEQA Findings

DETERMINED based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15301 and 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.