

May 5, 2023

HOUSING OPTIONS AND CEQA

Code/Reg	Description	Notes/Guidelines	Prevailing Wage or Apprentice program
PRC 21159.21 (Read in conjunction with the following 4 provisions)	General requirements	Guidelines 15192	N/A
PRC 21159.22	Farmworker Housing	Guidelines 15193	N/A
PRC 21159.23	Affordable to low income	Under 100 units, limited CEQA clawbacks. ¹ (Guidelines 15194)	N/A
PRC 21159.24	Infill, residential, affordability criteria or in lieu fee payment	Transit linkage (.5 miles), Requires community level env. review within previous five years, broader CEQA clawbacks	N/A
PRC 21159.25	Infill, available in urbanized counties	Midlevel CEQA clawbacks similar to those applicable to categorical exemptions. Guidelines 15195. Sunset date 1.1.25	N/A
Cat Ex. 32	Infill	Cities only	N/A

¹ The reference to “clawbacks” describes the potential to be drawn back into a conventional CEQA analysis.

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EIR for prior project		Guidelines section 15153(a)	N/A
Guidelines 15182		Projects consistent with specific plans. Must be transit proximate projects or residential projects.	N/A
PRC 21158.5	“Focused EIR”	(Enacted 1994). Under 100 units, community level CEQA review within last 5 years	N/A
PRC 21155.1	Transit Priority Projects	Locational criteria: exclusion of listed environmentally sensitive sites, transit corridors and affordability requirements.	N/A
Gov. Code 65457		Residential Projects Consistent with specific plans	N/A
Gov. Code 65589.4		Generally follows 21159.21 et seq referenced above.	N/A
Gov. Code 65912.120		Mixed income projects along commercial corridors, CEQA exempt	Yes
Gov. Code 65913.4	By-right Multifamily Projects	These are only projects which are subject to ministerial approvals. Projects are subject to extensive locational and affordability criteria.	Yes
Design Review	For by-right housing	<u>McCorkle Eastside Neighborhood v. City of St. Helena (2019) 31 Cal.App.5th 80</u>	N/A