

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: Charter School of Morgan Hill
Paige Cisewski, Executive Director
9530 Monterey Road
Morgan Hill, California 95037

County Clerk:
County Clerk - Assessor - Recorder - Elections County of Santa Clara
70 West Hedding Street
San Jose, CA 95110

Project Title: Charter School of Morgan Hill Additions and Modernizations

Project Applicant: Charter School of Morgan Hill

Project Location - Specific: 9530 Monterey Road, Morgan Hill, CA 95037
Morgan Hill, CA
Santa Clara County

Description of Nature, Purpose and Beneficiaries of Project:

The Charter School of Morgan Hill proposes to renovate existing permanent classroom buildings, relocate existing portable building units, and replace existing portable building units with new permanent buildings. The site encompasses a total parcel area of ten and fifty-four one hundredths (10.54) acres and is currently fully developed with a public facility;

Charter School of Morgan Hill - Categorical exemption. This project consists of a replacing 9 aged portable classrooms with 9 new classrooms (net addition of zero rooms) a partial relocation of the existing parking lot, the renovation of 10 existing permanent classrooms and 3 portable classrooms, the replacement of the existing office, library, and academic enrichment space (music, art, and innovation lab) and installation of a small barn. The Project also include the construction of a free-standing barn, and one additional modular unit for offices. The Project will include modifications to the parking and drop-off areas, utilities, and outdoor play and teaching areas. Finally, the Project involves the demolition of thirteen aging portable classrooms and one portable building that houses enrichment programs.

The project is intended to provide students renovated classroom space and improved school-wide functions. The project would be limited to the existing boundaries of the campus and would not result in additional students or staff: there is no net increase in classrooms, nor will there be an increase in enrollment capacity, set currently at 648. Use and purpose of activities on the site would remain unchanged.

Name of Public Agency Approving Project: Morgan Hill Unified School District

Name of Person or Agency Carrying Out Project: Charter School of Morgan Hill

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number:

- Class 1, Existing Facilities (Section 15301),
- Class 2(a), Replacement or Reconstruction (Section 15302), and
- Class 14, Minor Additions to Schools (Section 15314)

☐ Statutory Exemptions. State code number:

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Reasons why project is exempt:

Class 1, Existing Facilities (Section 15301)

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

The proposed project would qualify for a Class 1 Categorical Exemption because the proposed project is intended to improve targeted, existing educational services at an existing school. Renovated classrooms would occur within the footprint of an existing school structure, and replacement classrooms would be installed on the existing campus to serve the same purpose and capacity as the classrooms they would replace. The modifications would not increase the capacity of students attending the school, expand the site footprint or alter the existing educational site use.

Class 2(a), Replacement or Reconstruction (Section 15302)

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.

The proposed project would renovate the interior of an existing school building and This project consists of a replacing 9 aged portable classrooms with 9 new classrooms (net addition of zero rooms) a partial relocation of the existing parking lot, the renovation of 10 existing permanent classrooms and 3 portable classrooms, the replacement of the existing office, library, and academic enrichment space (music, art, and innovation lab) and installation of a small barn.

Th proposed project would not include replacement or reconstruction to provide earthquake resistant structures.

Class 14, Minor Additions to Schools (Section 15314)

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

The proposed project would qualify for a Class 14 Categorical Exemption because it would result in no increase in student capacity. The project would result in a net addition of zero classrooms.

Exceptions to Categorical Exemption Analysis

15300.2 Exceptions

(a) 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.

This exception does not apply to the proposed project. There are no other anticipated successive projects of the same type in the same place, over time, so there are no cumulative impacts anticipated.

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(b) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The Project site is currently entirely built out with institutional development including buildings, surface level parking, and outdoor learning and play areas, landscape, and trees. There are no sensitive natural communities, no sensitive habitat, and no areas of critical habitat occurring at the project site. Existing structures to be renovated or replaced are not listed or eligible for listing on the California Register of Historic Resources, nor associated with recorded archaeological sites or known paleontological resources. Therefore, implementation of the proposed Project would not result in any substantial, or potentially substantial, adverse change in any of the physical conditions within the Project area, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

(c) Scenic Highways. 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.

There are no State-designated scenic highways in the project area, therefore, no impacts related to scenic highways would occur and this exception does not apply to the project.

(d) Hazardous Waste Sites. 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.

This exception does not apply to the proposed project. There are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells on the project site. As a result, this exception is not applicable to the project.

(e) 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.

This exception does not apply to the proposed project. The federal, State, and City historic registers do not indicate any historically or architecturally significant buildings designated within the project site.

Lead Agency Contact Person: Kirsten Perez, Deputy Superintendent Business Services
Area Code/Telephone/Extension: 408.201.6052

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ___ Yes ___ No

Signature: _____ Date: _____

Title: _____

- ☐ Signed by Lead Agency
☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

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