

AMENDED IN SENATE JANUARY 14, 2026

AMENDED IN SENATE JANUARY 5, 2026

AMENDED IN SENATE MAY 7, 2025

SENATE BILL

No. 299

**Introduced by Senator Cabaldon
(Coauthor: Senator Pérez)**

February 10, 2025

An act to ~~amend~~ add Section 21080.69 of 21080.68 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 299, as amended, Cabaldon. California Environmental Quality Act: exemption: day care center: *family daycare home*: zoning.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

Existing law exempts specified projects from CEQA, including a project that consists exclusively of a day care center, as defined, that is not located in a residential area.

This bill would instead provide that the above exemption from CEQA applies if the day care center is not located on a parcel of land zoned exclusively for residential use. The bill would additionally exempt from CEQA a project that consists exclusively of a *day care center or a family daycare home*, as defined, *that is located on a parcel of land zoned exclusively for residential use, except as provided*. By imposing additional duties on a lead agency to determine the applicability of these exemptions, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.69 of the Public Resources Code
2 is amended to read:
3 21080.69. (a) Except as provided in subdivision (b), this
4 division does not apply to any of the following projects:
5 (1) A project that consists exclusively of a day care center, as
6 defined in Section 1596.76 of the Health and Safety Code, that is
7 not located on a parcel of land zoned exclusively for residential
8 use.
9 (2) A project that consists exclusively of a family daycare home,
10 as defined in Section 1596.78 of the Health and Safety Code.
11 (3) A project that consists exclusively of a rural health clinic,
12 as defined by Section 1396(d)(1)(1) of Title 42 of the United States
13 Code, or a federally qualified health center, as defined by Section
14 1396(d)(1)(2) of Title 42 of the United States Code, if the facility
15 is less than 50,000 square feet in total space.
16 (4) A project that consists exclusively of a nonprofit food bank
17 or food pantry, defined as a nonprofit organization that is exempt
18 from federal income taxation under Section 501(e)(3) of the
19 Internal Revenue Code of 1986, as amended (26 U.S.C. See.
20 501(e)(3)), that solicits, stores, and distributes sufficient food to

1 their defined service area, if the project is located on a site that is
2 zoned exclusively for industrial uses.

3 (5) A project that consists exclusively of a facility for advanced
4 manufacturing, as defined in Section 26003, if the project is located
5 on a site zoned exclusively for industrial uses.

6 (b) This section does not apply to a project located on natural
7 and protected lands, as defined pursuant to Section 21067.5.

8 *SECTION 1. Section 21080.68 is added to the Public Resources
9 Code, to read:*

10 21080.68. (a) *This division does not apply to the following
11 projects:*

12 (1) *A project that consists exclusively of a day care center, as
13 defined in Section 1596.76 of the Health and Safety Code, that is
14 located on a parcel of land zoned exclusively for residential use.*

15 (2) *A project that consists exclusively of a family daycare home,
16 as defined in Section 1596.78 of the Health and Safety Code, that
17 is located on a parcel of land zoned exclusively for residential use.*

18 (b) *This section does not apply to a project located within 3,200
19 feet of a facility that actively extracts or refines oil or natural gas.*

20 (c) *This section does not apply to a project located on natural
21 and protected lands, as defined pursuant to Section 21067.5.*

22 SEC. 2. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 a local agency or school district has the authority to levy service
25 charges, fees, or assessments sufficient to pay for the program or
26 level of service mandated by this act, within the meaning of Section
27 17556 of the Government Code.