

City of Rancho Santa Margarita
22112 El Paseo
Rancho Santa Margarita, CA 92688
(949) 635-1800

NOTICE OF EXEMPTION

To: X County of Orange X Office of Planning and Research
Clerk-Recorder Submitted online at <https://cegasubmit.opr.ca.gov>
601 N. Ross Street
Santa Ana, CA 92701

Project Title and File Number: El Fenix Restaurant Beer and Wine Sales and Outdoor Dining (Planning Application RSM 23-009)

Project Applicant: El Fenix Carniceria **Telephone Number:** (949) 459-3809
29941 Aventura, Suites F-H
Rancho Santa Margarita, CA 92688

Project Location: 29941 Aventura, Suites F-H
Rancho Santa Margarita, CA 92688

Project Description: A Conditional Use Permit (CUP) to allow for on-site beer and wine retail sales for on-site consumption and outdoor dining at an existing Mexican food restaurant and market in the Plaza Empresa shopping center. As part of the proposed request, the Applicant would enclose an existing outdoor dining area with a metal fence and four gates. Modifications to the existing floor area of the restaurant and building footprint are not proposed.

Public Agency Approving Project: City of Rancho Santa Margarita

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, section and class number)

Section 15301 Class 1: Existing Facilities

Reasons why project is exempt: Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301, the proposed project is exempt from CEQA under the Class 1 (*Existing Facilities*) categorical exemption since the proposed project is an existing market and restaurant that occupies an existing tenant suite located within a developed shopping center. The proposed project would not expand the existing market and restaurant space beyond the existing area. Furthermore, all necessary public services and facilities are already available to the proposed project site, and approval of the proposed project would not result in significant adverse effects relating to traffic, noise, air quality, or water quality.

Lead Agency: City of Rancho Santa Margarita

Contact Person: Derek Bingham, Senior Planner

Telephone: (949) 635-1800 Ext. 6705

If filed by Applicant: N/A

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: 

Name and Title: Derek Bingham, Senior Planner

Date: December 6, 2023