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## NOTICE OF EXEMPTION

From: Development Services Department  
32400 Paseo Adelanto  
San Juan Capistrano, California 92675

**APPLICANT:** 25642 CDA, LLC, Deirdre Spaulding

**ADDRESS:** 11734 Seminole Circle, Porter Ranch, CA 91326

**PHONE NUMBER:** (818) 606-2410

**LEAD AGENCY:** City of San Juan Capistrano, 32400 Paseo Adelanto, SJC, CA, 92675

**PROJECT MGR.:** Laura Stokes, Principal Planner

**PHONE NUMBER:** (949) 443-6313

**PROJECT TITLE:** Architectural Control (AC) 23-008, Grading Plan Modification (GPM) 23-020, Tree Removal Permit (TRP) 23-024, and Vesting Tentative Tract Map (TTM) 23-002.

**PROJECT LOCATION:** 25642 Camino Del Avion (APN: 668-491-32)

### **DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:**

The City Council approved Architectural Control (AC) 23-008, Grading Plan Modification (GPM) 23-020, Tree Removal Permit (TRP) 23-024, and Vesting Tentative Tract Map (TTM) 23-002, Camino Twelve, a Request for Approval of a Twelve-Unit Townhome Residential Development on a 0.61-Acre Parcel ("Project").

### **ENVIRONMENTAL DETERMINATION:**

This project has been reviewed in accordance with the California Environmental Quality Act (CEQA). The City's Environmental Administrator has determined that the entire project is categorically exempt from further review under Section 15332, Class 32 (In-Fill Development Projects). The entire project is exempt per Section Project meets the required conditions for Class 32:

- a) The Project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designations and regulations; the Project is consistent with the San Juan Capistrano General Plan and Title 9 of the San Juan Capistrano Municipal Code, Land Use.
- b) The Project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is located at 25642 Camino Del Avion in the City of San Juan Capistrano, consists of 0.61 acres, and is surrounded by developed Planned Residential Development to the east and south, Public & Institutional to the north, Residential Single-Family 7,000 to the northwest, and RSF 4 & PRD 22 (Dana Point zoning) to the west.
- c) The Biological Due Diligence Investigation, which was reviewed and accepted by the City's third party CEQA review consultant, Sagecrest Planning ("Sagecrest"), identifies that the project site has no value, as a habitat for endangered, rare, or threatened species; the Project site has already been developed and currently has a single-family residence on the parcel and therefore is not a habitat for endangered, rare, or threatened species .
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; analysis has been conducted to ensure the Project does not result in any significant effects relating to traffic, noise, air quality, and water quality, including the following: a Trip Generation and Vehicle Miles Traveled Screening Analysis accepted by the City Traffic Engineer, a line of site exhibit accepted by the City Traffic Engineer, a Project Noise Technical Memorandum accepted by Sagecrest, a Project Air Quality and Greenhouse Gas Emissions Technical Memorandum accepted by Sagecrest, and the Preliminary Water Quality Management Plan accepted by the Public Works Department's third party engineer, WSP.

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- e) The site can be adequately served by all required utilities and public services; the Project site is currently serviced by all required utilities, including but not limited to electricity, garbage, water, and sewer and therefore will remain adequately serviced. The water and sewer service has been demonstrated through conditions of approval from Santa Margarita Water District and electrical and trash service has been demonstrated through "will serve" letters from each service provider.

Further, the City has also considered whether the project is subject to any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The six (6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

- a) Class 32 is not qualified by the location consideration.
- b) There is no possibility of a cumulative impact of the same type of project in the same place over time. The Project proposes to develop twelve townhome residential units, of which one will be made affordable to a lower income household, on a 0.61-acre site. There is not foreseeable successive project at this site and there is no possibility of a cumulative impact from this same type of project in this area over time;
- c) The Project is not marked by unusual circumstances. There is nothing unusual about the development of residential units on a site that is zoned for Planned Residential Development.
- d) The Project would not damage 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.
- e) The Project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) The Project would not cause a substantial adverse change in the significance of a historical resource. The site is located outside of the General Plan's Boundary of Prehistoric and Historic Archeological Resources, which identifies areas of the City which have been assessed to likely to contain historic resources. In addition, the existing residence, built in 1962, is not listed on a local, state or federal register of historic buildings.

Therefore, the City Council has determined that further environmental evaluation is not required because:

- [ ] The project is not subject to CEQA because it "does not involve the exercise of discretionary power," or "will not result in a direct or reasonably foreseeable indirect physical change in the environment," or, "is not a project as defined in Section 15378 of the CEQA guidelines." (Sections 15060(c)(1), (2) & (3)); or,
- [ ] "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- [ ] The project is statutorily exempt, Section 15268, Ministerial Project (Sections 15260-15277); or,
- [X] In the alternative, the project is categorically exempt per State CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects).

Was a public hearing held by the Lead Agency to consider the exemption?

Yes  No  If yes, the date of the public hearing was: July 10, 2024 & August 6, 2024.



Joel Rojas, Environmental Administrator

8/7/24  
Date