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## NOTICE OF EXEMPTION

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

1. **APPLICANT:** Joseph Borsellino
2. **ADDRESS:** 31292 Paseo Sereno, San Juan Capistrano, CA 92675
3. **LEAD AGENCY:** City of San Juan Capistrano, 32400 Paseo Adelanto, SJC, CA, 92675
4. **PROJECT MANAGER:** Dominic Matias, Assistant Planner
5. **PHONE NUMBER:** (949) 443-6390
6. **PROJECT TITLE:** Zone Variance (ZV) 24-004; Borsellino Residence
7. **PROJECT LOCATION:** 31292 Paseo Sereno (Assessor Parcel Number: 649-042-14)
8. **DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:**

The Zoning Administrator approved a request to allow a 10-foot encroachment into the required 20-foot rear yard setback for a 779 square-foot addition to an existing residence (the "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 Project is Categorically Exempt from further review under the California Environmental Quality Act per State CEQA Guidelines Section 15301; Class 1 "New Construction or Conversion of Small Structures." The project is exempt under Section 15301 as the project would involve an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less. The project involves the construction of a 779 square foot single-story addition to the rear of the existing 3,003 square foot single-family residence. The proposed addition would result in an increase of less than 50 percent of the floor area of the existing single-family residence.

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. The project is not located in a particularly sensitive environment and would not have a significant impact on the surrounding environment;
- b. There is no possibility of a cumulative impact as the project involves an addition to the rear of an existing residential property;
- c. The project is not marked by unusual circumstances. There is nothing unusual about an existing residential property or the proposed addition;
- 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; and
- f. The project would not cause a substantial adverse change in the significance of a historical resource.

Therefore, the City's Environmental Administrator 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 15301 (New Construction or Conversion of Small Structures)
9. Was a public hearing held by the Lead Agency to consider the exemption?  
 Yes  No  If yes, the date of the public hearing was: November 21, 2024.

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Joel Rojas, Environmental Administrator

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Date

11-25-24