



RECORDING REQUESTED  
WHEN RECORDED MAIL TO:

County of Sacramento  
Planning and Environmental Review  
827 Seventh Street, Room 225  
Sacramento, CA 95814  
CONTACT PERSON: Julie Newton  
TELEPHONE: (916) 874-6141

SPACE ABOVE RESERVED FOR RECORDER'S USE

## NOTICE OF EXEMPTION

**Project Title:**

5131 Ruscal Way Second Story ADU (SPM)

**Control Number:**

PLNP2024-00136

**Project Location:**

The project site is located at 5131 Ruscal Way, at the southwest corner of Ruscal Way at Phoenix Ave, in the Fair Oaks community of unincorporated Sacramento County.

**APN:**

253-0191-001-0000

**Description of Project:**

The homeowner is making improvements to their existing two-story home, which will include an addition to the dwelling and a new Accessory Dwelling Unit (ADU) above the addition. The expanded dwelling will provide the zoning code requirement of a 5' side yard setback from the adjacent property. The project is a request for a Minor Special Development Permit to allow an attached 585 square-foot second-story ADU over a new 756 square-foot garage where the ADU deviates from the 25-foot height limit for attached ADUs and the single-story limit for constructed ADUs, located in the RD-3 (Low-Density Residential) zoning district.

**Name of public agency approving project:**

Sacramento County – [ceqa@saccounty.gov](mailto:ceqa@saccounty.gov)

**Person or agency carrying out project:**

Perfect Pitches  
Contact: Kristin McGregor  
PO Box 214905  
[info@perfectpitchesdrafting.com](mailto:info@perfectpitchesdrafting.com)

**Exempt Status:**

Categorical Exemption (PRC Section 21084; CEQA Guidelines Sections 15300 -15333):

- CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures

**Reasons why project is exempt:**

Class 3 consists of the construction of new, small facilities or structures, within the maximum allowable on any legal parcel. The property is zoned for low density single-family residential uses; permitted uses in this zoning district is limited to one single-family dwelling and one ADU. The project proposal consists of an addition to an existing two-story single-family dwelling and a new

attached ADU on the second floor of the structure. The Sacramento County Zoning Code allows for two-story dwellings with 5-foot side yard setbacks; the ADU, on the second floor, has been designed with limited windows along the building's façade closest to the adjacent neighbor, thereby reducing privacy concerns (e.g., looking into neighbor home or yard). For the foregoing reasons, and as there are no environmental resources present on the site, the project is exempt from the provisions of CEQA.

### **Section 15300.2-Exceptions**

Section 15300.2 of the CEQA Guidelines, Exceptions, provides conditions under which categorical exemptions are inapplicable. Review of the Project indicates that it will not violate any of the exceptions, as described in the following section.

1. *For Classes 3, 4, 5, 6, and 11, will the project have an impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies?*

The Project Exemption is not one of the above Classes and this exception does not apply.

2. *Will cumulative impacts be considerable because successive projects of the same type will occur at the same place over time?*

As it stands, the Project will not result in potentially significant impacts. The subject property is within a residential district and is developed with a single-family residence where the addition of one ADU is permissible in all residential districts. The development is consistent with the land use designations of the General Plan and ADUs are not considered to exceed density (per State Law, California Government Code § 65852.2a.1.C); therefore, no cumulative impacts will result from the Project, or from successive projects of the same type and at the same place over time.

3. *Is there a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances?*

The project site is within existing urban development (served by public services such as water, sewer, fire, garbage, electrical, etc.) and there is adequate capacity. There are no known unusual circumstances that will have a significant effect on the environment.

4. *Will the project 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 scenic highway?*

River Road/ Highway 160 (from the Sacramento City Limits at the northern edge of Freeport to the southern tip of the Delta at Antioch Bridge) is a designated State Scenic Highway. The Project is not located within the vicinity of this scenic highway. Therefore, the project will not result in damage to scenic resources or similar resources within a highway that is officially designated as a scenic highway.

5. *Is the project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?*

The Project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, the Project will not have an impact related to being located on a hazardous waste site.

6. *Will the project cause a substantial adverse change in the significance of a historic resource?*

The project site does not contain any historical resources.

**Copy To:**

**County of Sacramento  
County Clerk**

3636 American River Drive, Suite 110  
Sacramento, CA 95864

**OPR:**

State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

**Julie Newton**  
ENVIRONMENTAL COORDINATOR OF  
SACRAMENTO COUNTY, STATE OF CALIFORNIA