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NOTICE OF EXEMPTION

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

Orange County Clerk-Recorder
County Administration South
Attn: Recorder Operations
601 N. Ross Street
Santa Ana, CA 92701

From: Development Services Department
32400 Paseo Adelanto
San Juan Capistrano, California 92675
Contact: Laurel Reimer
Phone: (949) 443-6324

PROJECT TITLE: Architectural Control (AC) 24-007, Conditional Use Permit (CUP) 24-004, Discretionary Use Permit (DUP) 23-001, and Sign Program (SP) 24-042, Chipotle Mexican Grill
PROJECT APPLICANT: John Dungan Architect, Danielle Sharmacharya; 8826 Santa Fe Drive, Suite 304, Overland Park, KS 66212; 913-341-2466; drew@ddg.bz
ADDRESS: 31787 Del Obispo Street, San Juan Capistrano, CA 92675 (APN: 124-160-60)
PROJECT LOCATION – CITY: San Juan Capistrano
PROJECT LOCATION – COUNTY: Orange County
DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
The City Council approved entitlement requests for a Chipotle Mexican Grill with "Chipotlane" consisting of a 2,366 sq. ft. single-story building, a 602 sq. ft. porte-cochere, a drive-through pick-up window for pre-orders with a queuing capacity for up to seven vehicles, a 257 sq. ft. outdoor dining area, a 280 sq. ft. trash enclosure, 11 parking spaces, and associated landscaping and signage.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Juan Capistrano

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Laurel Reimer, AICP, Contract Planner

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 and section number: Class 32 – Section 15332
☐Statutory Exemptions. State code number: _____

REASONS WHY PROJECT IS EXEMPT:
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 State CEQA Guidelines, Section 15332, In-Fill Development Projects (Class 32). The entire project is exempt per Section 15332 because the 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 site has a General Plan land use designation of General Commercial and is zoned Town Center Edge. The General Commercial designation provides for a variety of retail,

office and service-oriented businesses serving a community-wide area and population. The Town Center Edge (TCE) District is a commercial district intended to provide convenient and attractive downtown goods and services. Eating and drinking establishments are permitted in the TCE district, and drive-through facilities are conditionally permitted. A Chipotle restaurant is consistent with the intent of General Commercial land use designation and Town Center Edge zoning district. Therefore, the project is consistent with the San Juan Capistrano General Plan and Title 9 of the San Juan Capistrano Municipal Code ("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 31787 Del Obispo Street in the City of San Juan Capistrano, consists of a 0.29-acre portion of a 1.68-acre site, and is surrounded by developed commercial uses to the north, east and south and a community park to the west.
c) The project site has no value, as a habitat for endangered, rare, or threatened species. The 73,123 sq. ft. parcel was previously graded and developed with an In-N-Out restaurant with drive-through, and the 12,566 sq. ft. project site was previously graded and paved. The project site consists of asphalt and a perimeter planter area that has been compacted and covered with wood chips. No plants or trees grow on the project site. Therefore, the site 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, or water quality, including the following: a Traffic Impact Analysis Report accepted by the City Traffic Engineer and a Preliminary Water Quality Management Plan accepted by the Engineering and Environmental Services Department. The Noise and Air Quality studies prepared for the In-N-Out entitlement (Phase 1) assumed the development of the adjacent vacant pad (Phase 2) would consist of a 4,800 sq. ft. high-turnover sit-down restaurant on a 0.31-acre site. In actuality, the Chipotle project, on the Phase 2 pad, is a smaller development consisting of a 2,366 sq. ft. restaurant with a 602 sq. ft. porte-cochere on a 0.29-acre site. The analysis for the larger Phase 2 development concluded that the project would be well below regional significance thresholds for emissions of VOCs, NOx, CO, SO2, PM10 and PM2.5; well below localized significance thresholds for emissions of NO2, CO, PM10, and PM2.5; and well below the South Coast AQMD's bright-line threshold for greenhouse gas emissions. Additionally, noise impacts would be several decibels below the threshold of 60 dBA for commercial districts. Overall, the studies concluded there would be no significant air quality or noise impacts.
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.

In addition, none of the exceptions to the categorical exemptions, as set forth in State CEQA Guidelines Section 15300.2 apply:

1. Class 32 is not qualified by the location consideration.
2. There is no possibility of a cumulative impact of the same type of project in the same place over time. The air quality, noise, and traffic studies demonstrate that both In-N-Out and Chipotle, when considered together, remain below significance thresholds. There is no reasonably 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.
3. The project is not marked by unusual circumstances. There is nothing unusual about the development of a restaurant with a drive-through on a site that is zoned for commercial uses.
4. 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.

5. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
6. The project would not cause a substantial adverse change in the significance of a historical resource. The project site is located adjacent to the Blas Aguilar Adobe, a structure identified on the City's Inventory of Historic and Cultural Landmarks and the National Register of Historic Places. The Chipotle building utilizes design elements, materials and colors that would be compatible with the Blas Aguilar Adobe. Additionally, the Chipotle building would be located over 190 feet east of the Blas Aguilar Adobe and there are multiple large trees and dense vegetation east of the adobe that help to obscure the project site from view. Due to the setback of the Project and the existing vegetation located adjacent to the Blas Aguilar Adobe, there would be no significant impact on and no substantial adverse change in the significance of the Blas Aguilar Adobe.

LEAD AGENCY
CONTACT PERSON: Laurel Reimer **TEL:** (949) 443-6324

Laura Stokes, Environmental Administrator

October 27, 2025
Date