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NOTICE OF EXEMPTION

To: Land Use and Climate Innovation
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: Laura Stokes, Planning Manager
Phone: (949) 443-6313
Email: Lstokes@sanjuancapistrano.org

PROJECT TITLE: Code Amendment (CA) 25-004 Comprehensive Update to the City's Antennas and Wireless Facilities Standards

PROJECT APPLICANT: City of San Juan Capistrano, Laura Stokes, Planning Manager, Lstokes@sanjuancapistrano.org

ADDRESS: City Wide, San Juan Capistrano, CA 92675

PROJECT LOCATION – CITY: San Juan Capistrano

PROJECT LOCATION – COUNTY: Orange County

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

Amendments to Municipal Code Sections 7-8.06, 9-2.303, 9-2.317, 9-2.347, 9-3.507; 9-3.533, 9-3.553, Title 9 Tables 3-4, 3-6, 3-8, 3-10, 3-12, 3-14, and 3-15, to Comprehensively Update the City's Antennas and Wireless Facilities Standards to Ensure the City's Regulations that Govern the Placement of Antennas and Wireless Facilities on City and Private Property are Consistent with State and Federal Regulations. To the benefit of the City of San Juan Capistrano.

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

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Laura Stokes, City of San Juan Capistrano

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: 15320 (Class 20-Changes in Organization of Local Agencies)
- Statutory Exemptions. State code number: 15061(b)(3)

REASONS WHY PROJECT IS EXEMPT:

Code Amendment (CA) 25-004 is not subject to the California Environmental Quality Act (CEQA) because it does not meet the definition of a "project" under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not meet the definition of a "project" under Section 15378. In this case, the CA does not qualify as a project for two primary reasons:

First, Section 15378(a) defines a project as an activity that has the potential to cause either a direct physical change in the environment or an indirect physical change. The proposed amendment to the Municipal Code Sections 7-8.06, 9-2.303, 9-2.317, 9- 2.347, 9-3.507; 9-3.533, 9-3.553, Title 9 Tables 3-4, 3-6, 3-8, 3-10, 3-12, 3-14, and 3-15 seeks to comply with state and federal regulations regarding wireless facilities. This amendment is aimed at updating the permitting and approval processes to reflect state and federal laws, but

it does not authorize any new physical development or alter the intensity of land use in the area. Since there is no physical change involved, the amendment does not qualify as a project under CEQA.

Second, Section 15378(b)(5) explicitly excludes from the definition of a “project” the organizational or administrative activities of government that do not result in direct or indirect physical changes to the environment. The proposed Code Amendment is an administrative action that involves changes to the Municipal Code Sections 7-8.06, 9-2.303, 9-2.317, 9-2.347, 9-3.507; 9-3.533, 9-3.553, Title 9 Tables 3-4, 3-6, 3-8, 3-10, 3-12, 3-14, and 3-15, but it will not cause any physical changes to the environment. Therefore, it is not subject to CEQA.

Even if the Code Amendment were considered a “project” under CEQA, it would still be categorically exempt under State CEQA Guidelines Section 15320, which applies to organizational or reorganization activities by local governmental agencies, as long as the changes do not alter the geographical area in which existing powers are exercised. Since the Code Amendment only changes the permitting and approval processes to reflect state and federal laws, without involving any physical development or changing the geographic scope of the area, it qualifies for this categorical exemption. Additionally, the Common-Sense Exemption under CEQA Guidelines Section 15061(b)(3) also applies, as there is no possibility that the amendment could result in a significant effect on the environment.

Moreover, in the event that the ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

Finally, none of the exceptions to categorical exemptions in CEQA Guidelines Section 15300.2 apply to this project. The amendment will not result in cumulative environmental impacts, as it does not authorize any new physical development. There are no unusual circumstances that would lead to significant environmental impacts, and the amendment will not affect scenic resources or historic resources as no physical changes are involved. Therefore, no further environmental review is necessary.

LEAD AGENCY

CONTACT PERSON: Laura Stokes

TEL: (949) 443-6313



Laura Stokes, Environmental Administrator

May 6, 2026

Date