

# NOTICE OF EXEMPTION

---

To: Assessor/Recorder/County Clerk  
Attn: Fish and Wildlife Notices  
1600 Pacific Highway, Suite 260  
San Diego CA 92101  
MS: A-33

From: CITY OF CARLSBAD  
Planning Division  
1635 Faraday Avenue  
Carlsbad, CA 92008  
(442) 339-5153

**Subject:** Filing of this Notice of Exemption is in compliance with Section 21152b of the Public Resources Code (California Environmental Quality Act).

**Project Number and Title:** CDP 2025-0010/V 2025-0001/NCP 2025-0001 (DEV2024-0040) – Cheetham Residence

**Project Location - Specific:** 2617 Ocean Street, Carlsbad, CA 92008

**Project Location - City:** Carlsbad

**Project Location - County:** San Diego

**Description of Project:** The project is a request for a Minor Coastal Development Permit, Minor Variance, Nonconforming Construction Permit for a remodel of an existing three-story, 2759-square-foot single-family residence and attached 255-square foot one car garage. The project proposes enclosing an existing main-level covered entry by expanding the garage by 78 square feet. An upper-level covered deck will also be enclosed, adding another 67 square feet to the residence. The railing of the lower-level deck will be replaced along with a new 66-square-foot, main-level deck on the ocean-facing elevation. Lastly, an all-interior addition of 241 square feet will be added to the main level.

**Name of Public Agency Approving Project:** City of Carlsbad

**Name of Person or Agency Carrying Out Project:** Edward Valenzuela, City of Carlsbad

**Name of Applicant:** Chandra Slaven, Slaven Consulting

**Applicant's Address:** 1050 University Avenue, Suite E107, #102 San Diego, CA, 92103

**Applicant's Telephone Number:** 858-402-8595

**Name of Applicant/Identity of person undertaking the project (if different from the applicant above):**  
Brendan Coen, Martin Architecture

**Exempt Status:** *(Check One)*

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- Categorical Exemption – Existing Facilities– Section 15301
- Statutory Exemptions - State code number: \_\_\_\_\_
- Common Sense Exemption (Section 15061(b)(3))

**Reasons why project is exempt:** Categorical Exemption: Section 15301 – Existing Facilities exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project proposes a 78-square foot and a 67-square-foot addition to an existing 2,759-square-foot single-family residence.

## Exceptions to Exemptions

### CEQA Section 15300.2 – Exceptions

---

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project (in accordance with CEQA Guidelines Section 15300.2) and determined that none of these exceptions apply as explained below:

- a. **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may 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.

**Response** – The location exemption is not applicable to Class 1 Exemptions for Existing Facilities.

- b. **Cumulative Impact** - “All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.”

**Response** – There is no substantial evidence that the proposed project would contribute to a significant cumulative impact. Review of available information does not indicate that past or reasonably foreseeable projects in the area, combined with this project, would result in cumulatively considerable effects related to construction air quality, noise, transportation, or water quality. The project will comply with all applicable local, regional, and state regulations, which further ensures that potential impacts remain less than significant. Accordingly, the project’s incremental contribution would not be cumulatively considerable, and this exception does not apply.

- c. **Significant Effect** - “A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Examples include projects, which may affect scenic or historical resources.”

**Response** – The project scope includes a 78-square-foot main-level addition, a 67-square-foot conversion of an upper-level covered deck to habitable space, an all-interior addition, and a 66-square-foot main-level deck to an existing single-family residence on a developed lot, located in an established residential neighborhood. There are no unusual circumstances that would have a significant impact on the environment due to the project. The project does not involve any unusual circumstances. In regard to biological resources, the project is not located within an existing or proposed Hardline Conservation Area or Standards Area of the Habitat Management Plan.

- d. **Scenic Highway** - “A categorical exemption shall not be used for a project which may 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 state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.”

**Response** – The project site is located west of Magee Park which is a public park approximately one block to the east. However, public views of the coast will not be affected by the small scale project and implementation of the project will result in similar visual conditions compared with a no project scenario.

- e. **Hazardous Waste Site** - “A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.”

**Response** – A review of available records did not identify any sites which are included on any list compiled pursuant to Section 65962.4 of the Government Code.

- f. **Historical Resources** - "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

**Response** – The project site is not listed on any local, state, or federal register of historic resources, nor has it been identified as potentially eligible. The existing single-family residence underwent a comprehensive remodel and a 2,208-square-foot addition in 1995. Therefore, the project will not result in a substantial adverse change to any historical resource, and this exception does not apply.

**Carlsbad Municipal Code Section 19.04.070(B) - Exceptions**

---

Exceptions. Even though a project may otherwise be eligible for an exemption, no exemption shall apply in the following circumstances:

1. Grading and clearing activities affecting sensitive plant or animal habitats, which disturb, fragment or remove such areas as defined by either the California Endangered Species Act (Fish and Game Code Sections 2050 et seq.), or the Federal Endangered Species Act (16 U.S.C. Section 15131 et seq.); sensitive, rare, candidate species of special concern; endangered or threatened biological species or their habitat (specifically including sage scrub habitat for the California Gnatcatcher); or archaeological or cultural resources from either historic or prehistoric periods;

Or

2. Parcel maps, plot plans and all discretionary development projects otherwise exempt but which affect sensitive, threatened, or endangered biological species or their habitat (as defined above), archaeological or cultural resources from either historic or prehistoric periods, wetlands, stream courses designated on U.S. Geological Survey maps, hazardous materials, unstable soils, or other factors requiring special review, on all or a portion of the site. (Ord. NS-593, 2001)

**Response** – The project scope includes a 78-square-foot main-level addition, a 67-square-foot conversion of an upper-level covered deck to habitable space, an all-interior addition, and a 66-square-foot main-level deck to an existing single-family residence on a developed lot, located in an established residential neighborhood. There are no sensitive plant or animal habitats located on site. While the broader area is identified in the city's Tribal, Cultural and Paleontological Resources Guidelines as having sensitivity for cultural and paleontological resources, the site itself is not associated with any known archaeological site or Tribal Cultural Resource. Therefore, the exceptions outlined in Carlsbad Municipal Code Section 19.04.070(B) do not apply.

**Lead Agency Contact Person:** Edward Valenzuela      **Telephone:** 442-339-2624



Eric Lardy, Assistant Director of Community Development

5/14/26

Date

Date received for filing at OPR: