



ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET

Recorded in Official Records, Orange County  
Hugh Nguyen, Clerk-Recorder



50.00

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202285000348 2:36 pm 04/27/22

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THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

PA21-0150 A request to approve a Coastal Development Permit, Variance, and use permit in conjunction with the demolition of an existing single family residence and the construction of a new single family residence and associated site grading.

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

POSTED

APR 27 2022

HUGH NGUYEN, CLERK-RECORDER

BY: DEPUTY

FILED

APR 27 2022

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: DEPUTY

FILED IN THE OFFICE OF THE ORANGE

COUNTY CLERK-RECORDER ON April 27, 2022

Posted April 27, 2022 Removed \_\_\_\_\_

Returned to agency on \_\_\_\_\_

DEPUTY Jennifer Meza Palacios

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

POSTED

Project Charge No. PA21-0150



APR 27 2022

HUGH NGUYEN, CLERK-RECORDER

BY: \_\_\_\_\_ DEPUTY

OC Public Works/OC DEVELOPMENT

300 N. FLOWER STREET

P. O. BOX 4048

SANTA ANA, CALIFORNIA 92702-4048

FILED

APR 27 2022

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: \_\_\_\_\_ DEPUTY

# NOTICE OF EXEMPTION

TO: COUNTY CLERK  
COUNTY OF ORANGE

FROM: COUNTY OF ORANGE  
OC DEVELOPMENT

**Project Title:** PA21-0150 - A request to approve a Coastal Development Permit, Variance, and Use Permit in conjunction with the demolition of an existing single-family residence and the construction of a new single-family residence and associated site grading.

**Description, Nature, Purpose and Beneficiaries of Project:** A request for a Coastal Development Permit, Variance, and Use Permit in conjunction with the demolition of an existing single-family residence and the construction of a new single-family residence and associated site grading in the Emerald Bay Local Coastal Plan area.

The Coastal Development Permit is required to authorize the demolition of an existing single-family residence and the construction of a new single-family residence and associated site grading.

The Variance is required to authorize the reduction of the front setback from the required 7.6 feet to 5.4 feet.

The Use Permit is required for the proposed 5-foot wall that will exceed the Zoning Code maximum of 3.5 feet within the front setback area and for a reduction of the driveway length from the required 18 feet to 6.4 feet.

**Location:** The project is located in the community of Emerald Bay at 235 Emerald Bay, Laguna Beach, CA within the Fifth Supervisorial District. (APN 053- 050-34).

**Name of Public Agency Approving Project:** County of Orange Zoning Administrator

**Name of Person or Agency Carrying Out Project:** The Paxson H. Offield Appointive Trust dtd 4/19/72 FBO Chase P. Offield, Northern Trust Company as Trustee, Property Owner

**Address of Person or Agency Carrying Out Project:** 660 Newport Center Drive, Suite 1100, Newport Beach, CA 92660

Exempt Status: (Check One)

- Ministerial (Sec. 15268)
- Declared Emergency (Sec. 15269 (a))
- Emergency Project (Sec. 15269(a)&(b))
- General Rule (Sec. 15061(b)(3))
- Statutory Exemption: State Code number

Date of Decision April 21, 2022

**Categorical Exemption: State classes and section number(s): Class 1 Sec 15301 and Class 3, Sec. 15303**

Reasons why project is exempt: The California Environmental Quality Act (CEQA) allows categorical exemptions for projects that have been determined not to have a significant effect on the environment. (CEQA Guidelines §15300-15332). Following is a brief analysis of why the project is consistent with Class 1 and Class 3 categorical exemptions.

### Class 1 Categorical Exemption

The Class 1 (Section 15301) exemption provides for the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency's determination. Examples include:

- (l) *Demolition and removal of individual small structures listed in this subdivision;*
- (1) *One single-family residence...*

The project includes the demolition of an 1,860-square-foot single-family residence and attached 423-square-foot garage with a 2,283-square-foot footprint, to be replaced with a 3,948-square-foot single-family residence and attached 480-square-foot garage with a 2,793-square-foot footprint in substantially the same location as the existing structure. In addition, the project involves a negligible expansion of the use beyond the existing use (increase in square footage).

Accessory structures are also listed in the Class 1 exemption, and demolition of "Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences" are exempt. The project will include demolition of an existing garage, fences/walls, and other hardscape improvements, all of which are addressed in the Class 1 exemption.

**Class 2 Categorical Exemption**

*The Class 2 (Section 15302) exemption consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.*

As noted in the Class 1 Exemption discussion above, the existing residence will be demolished and a new residence will be constructed with substantially the same footprint as shown on the attached site plan (Architectural Drawing Sheet SP1). While Class 2 does not specifically list a single-family residence, it is noted that the exemption is not limited to the examples provided. The reconstruction of the Trust residence is consistent with the Class 2 Exemption because the new residence will have substantially the same purpose and capacity as the structure replaced

**Class 3 Categorical Exemption**

*The Class 3 (Section 15303) exemption consists of construction and location of limited numbers of new, small facilities or structures. Examples of the exemption include:*

- (a) *One single-family residence, or a second dwelling unit in a residential zone. . .*
- (e) *Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.*

The proposed project is eligible for a Class 3 exemption because construction of a single-family residence and the related improvements including the garage, spa, patio, and walls/fences are specifically included in the list of examples.

The California Environmental Quality Act (CEQA) allows categorical exemptions for projects that have been determined not to have a significant effect on the environment. (CEQA Guidelines §15300-15332. Each component of the project, including the demolition of the existing residence and accessory structures, and the reconstruction of the residence and accessory structures, meets criteria outlined in the Class 1, Class 2, and Class 3 exemptions. The project will not result in a cumulative impact or a significant environmental effect and will not damage scenic or historic resources and the appropriate environmental document for this project is a Notice of Exemption. Standard conditions of approval applied by the County for all construction projects of this nature will address any short-term construction related concerns

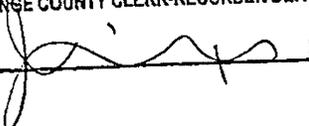
Project Contact Person: Kevin Canning, Contract Planner  
CEQA Contact Person: Kevin Canning, Contract Planner

Phone: (714) 667-8847  
 Phone: (714) 667-8847

**FILED**

**APR 27 2022**

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

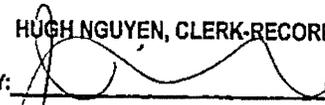
BY:  DEPUTY

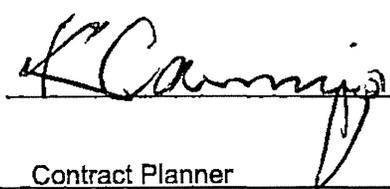
RHCB/RA:CUD 04/26/22

**POSTED**

**APR 27 2022**

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY

Signature: 

Title: Contract Planner

Orange County  
Clerk-Recorder's Office  
Hugh Nguyen

601 N. Ross Street  
92701

County

Finalization: 20220000157331  
4/27/22 2:36 pm  
445 SC2A

Item	Title	Count
1	Z01	1
EIR: Exempt or Previously Paid Document ID		Amount
DOC#	202285000348	50.00
Time Recorded 2:36 pm		

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Total	50.00
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Payment Type	Amount
Credit Card tendered # 04722G	50.00

Amount Due	0.00
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