



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print StartOver Save

RECEIPT NUMBER:  
 30 — 04/18/2024 — 0328  
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF COSTA MESA	LEAD AGENCY EMAIL	DATE 04/18/2024
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER 202485000338	

PROJECT TITLE

MINOR CONDITIONAL USE PERMIT APPLICATION ZA-22-11 FOR A DRIVE-THROUGH OPERATION AND A...

PROJECT APPLICANT NAME JAY HIGGINS	PROJECT APPLICANT EMAIL	PHONE NUMBER (714) 754-4868
PROJECT APPLICANT ADDRESS 6800 BISHOP ROAD	CITY PLANO	STATE TX
		ZIP CODE 75024

PROJECT APPLICANT (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$4,051.25 \$ 0.00
- Mitigated/Negative Declaration (MND)(ND) \$2,916.75 \$ 0.00
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,377.25 \$ 0.00
- Exempt from fee
  - Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ 0.00
- County documentary handling fee \$ 50.00
- Other \$

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other   
 TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE CARINA HERRERA, DEPUTY
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ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET

30-04|18|2024-0328

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



50.00

\* \$ R 0 0 1 4 9 0 0 9 0 6 \$ \*

202485000338 1:59 pm 04/18/24

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

TYPE OR PRINT CLEARLY

Project Title

MINOR CONDITIONAL USE PERMIT APPLICATION ZA-22-11 FOR A DRIVE-THROUGH OPERATION AND A REDUCTION REQUIRED PARKING;  
DEVELOPMENT REVIEW (PDVR-23-0003) TO ALLOW THE DEMOLITION OF AN EXISTING 25, 159-SQUARE FOOT COMMERCIAL BUILDING AND TO  
CONSTRUCT A NEW 2,913-SQUARE-FOOT RAISING CANE'S RESTAURANT WITH 1,303 SQUARE FEET OF COVERED OUTDOOR PATIO AREA; MINOR  
MODIFICATION PMND-23-0003 TO ALLOW FOR A DECREASE OF 20% IN REQUIRED FRONT YARD/LANDSCAPE SETBACK.

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):

FILED

APR 18 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.H DEPUTY

FILED IN THE OFFICE OF THE ORANGE  
COUNTY CLERK-RECORDER ON April 18, 2024

Posted for 30 days

DEPUTY CARINA HERRERA

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.

# NOTICE OF EXEMPTION

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: City of Costa Mesa  
Development Services Dept.  
77 Fair Drive, P.O. Box 1200  
Costa Mesa, CA 92628

County Clerk-Recorder  
County of Orange  
P.O. Box 238, Santa Ana, CA 92702-0238

\$50 Filing Fee Attached  
 No Fee – City projects exempt from filing fee

**Project Title:** Minor Conditional Use Permit Application ZA-22-11 for a drive-through operation and a reduction of required parking; Development Review (PDVR-23-0003) to allow the demolition of an existing 25,159-square foot commercial building and to construct a new 2,913-square-foot Raising Cane's Restaurant with 1,303 square feet of covered outdoor patio area; Minor Modification PMND-23-0003 to allow for a decrease of 20% in required front yard/landscape setback.

**Project Location:** 1595 Old Newport Boulevard

**Project Location – City:** Costa Mesa

**Project Location – County:** Orange

**Description of Nature, Purpose, and Beneficiaries of Project:**

The filed applications support the construction of a new drive-through restaurant with indoor and outdoor seating with minor deviations in parking and site development standards.

**Name of Public Agency Approving Project:** City of Costa Mesa

**Name and Address of Person or Agency Carrying Out Project:**

Applicant is Jay Higgins on behalf Barry Von Hemert (property owner); Restaurant representative is Kristen Roberts on behalf of Raising Cane's.

**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:** Section 15303 (Class 3) – New Construction and Conversion of Small Structures and Section 15332 (Class 32) – In-fill Development

Statutory Exemptions. State code number: \_\_\_\_\_

Not a Project. (Sec. 15378(b)(5) & 15061 (b)(3))

6800 Bishop Road  
PLANO, TX 75024

**Reasons why project is exempt:**

The project is located in an urbanized area on a previously developed parcel that is less than 5 acres in size and conforms to the General Plan and Zoning Ordinance. The site does not contain any sensitive species of flora or fauna, nor does it have any value as habitat, and there are no water bodies on-site or nearby.

**Lead Agency Contact Person:**

Christopher Aldana

Phone: 714-754-4868

**If filed by applicant:**

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project?

Yes

No

Signature: \_\_\_\_\_

Date: 4-18-24

Title: PLANNING

FISH & GAME FEES: Pursuant to Section 711.4(a)(2)(A) of the California Fish and Game Code, the project is exempt from fees since it is exempt from the Fish and Game Code.

Signed by Lead Agency

Date received for filing at OPR:

APR 18 2024

Signed by Applicant

Filed with the County Clerk:  Yes  No

Date Filed: \_\_\_\_\_

**FILED**

APR 18 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: CH DEPUTY