

HUGH NGUYEN CLERK-RECORDER

BIRTH AND DEATH RECORDS
FICTITIOUS BUSINESS NAMES
MARRIAGE LICENSES/RECORDS
NOTARY REGISTRATION
ORANGE COUNTY ARCHIVES
PASSPORTS
PROPERTY RECORDS

<u>CITY OF LAGUNA BEACH</u> 505 FOREST AVE LAGUNA BEACH, CA 92651

Office of the Orange County Clerk-Recorder **Memorandum**

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 04/10/2024

It remained posted for 30 (thirty) days.

Hugh Nguyen Clerk - Recorder In and for the County of Orange

By: Roberto Uriostegui

Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an <u>environmental impact report</u> shall be posted in the office of the County Clerk of each county *** in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted *** within 24 hours of receipt in the office of the County Clerk. Each notice shall remain posted for a period of 30 days.

*** Thereafter, the clerk shall return the notice to the local lead agency *** within a notation of the period it was posted. The local lead agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***



Recorded in Official Records, Orange County

Hugh Nguyen, Clerk-Recorder



202485000288 1:34 pm 04/10/24

135 SC3A Z01

30-04/10/2024-0285

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

Temporary Use Permit 2023-2309 and Coastal Development Permit 2023-2310

	Check Document being Filed:					
0	Environmental Impact Report (EIR)					
0	Mitigated Negative Declaration (MND) or Negative Declaration (ND)					
•	Notice of Exemption (NOE)					
0	Other (Please fill in type):					

FILED

APR 1 0 2024

HUGH NGUYEN, CLERK-RECORDER

DEPUTY

FILED IN THE OFFICE OF THE ORANGE

COUNTY CLERK-RECORDER ON April 10, 2024

Posted for 30 days

DEPUTY Robert Uriostegui

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.



APR 1 0 2024

HUGH NGUYEN, CLERK-RECORDER

BY: DEPUTY

(above for use by County Clerk-Recorder's Office only)

- APPLICANT: Wild Taco Laguna Beach, 188 South Coast Hwy, Laguna Beach, CA 92651 (714) 325-0428
- 2. LEAD AGENCY: City of Laguna Beach, 505 Forest Ave. Laguna Beach, CA, 92651
- 3. PROJECT PLANNER: Louie Lacasella, Senior Administrative Analyst, (949) 497-0736
- 4. PROJECT TITLE: Temporary Use Permit 2023-2309 and Coastal Development Permit 2023-2310
- 5. PROJECT LOCATION: 188 South Coast Hwy, Laguna Beach, CA 92651 (APN: 641-255-10)
- 6. DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT: To continue the use of outdoor dining until January 1, 2026. No changes regarding the temporary use are proposed from the previously approved Temporary Use Permit.

ENVIRONMENTAL DETERMINATION:

In accordance with the California Environmental Quality Act (CEQA), the recommended action is exempt from further review per State CEQA Guidelines Section 15304 (Class 4 - Minor Alterations to Land). Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees, such as the minor temporary use of land having negligible or no permanent effects on the environment. Here, the approval of Temporary Use Permits to allow outdoor dining will not involve any construction or permanent installation of structures or facilities, and will consist of the placement of furniture, such as tables, chairs and signs required for outdoor dining. Thus, the outdoor dining will consist of minor alterations to land, water, and/or vegetation and fall within the Class 4 exemption. The proposed project is also exempt pursuant to State CEQA Guidelines. Section 15301(Class 1 - Existing Facilities). Class 1 consists of 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 existing or former use." The Outdoor Dining and Parklet Program has been in effect since 2020, and each applicant has already been providing outdoor dining under this program. The adoption of the resolutions today for each applicant merely allows each applicant to continue to provide outdoor dining until 2026. There will be negligible or no expansion of use or permanent effects on the environment.

None of the exceptions outlined in CEQA Guidelines section 15300.2 apply. The project area is developed and does not contain any environmentally sensitive areas. There will be no cumulative impact resulting from successive projects of the same type in the same place, over time, because there are no other historic resources in the project area that are identical or similar to the project and therefore the likelihood of successive projects of the same type in the same place is low. There are no unusual circumstances resulting in a significant impact on the environment, nor will there be damage to scenic resources, including trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a state scenic highway because the proposed project area is already developed with a public street that provides parking within the rights-of-way. The project is not located on a hazardous waste site or any other site included on a list compiled pursuant to Government Code section 65962.5. Consequently, additional environmental analysis is not necessary to meet the requirements of the CEQA.

Therefore, the Planning Commission has determined that further environmental evaluation is not required because:

The project is not subject to CEQA because it "does not involve the exercise of discretionary power," or
"will not result in a direct or reasonably foreseeable indirect physical change in the environment," or, "is
not a project as defined in Section 15378 of the CEQA guidelines." (Sections 15060(c)(1), (2) & (3)); or,

□ "The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,

	The project is statutorily exempt, Section, <name> (Sections 15260-15277); or,</name>
\boxtimes	The project is categorically exempt per State CEQA Guidelines, Section 15301 (Class 1 - Existing
	Facilities) and Section 15304 (Class 4 - Minor Alterations to Land).
7.	Was a public hearing held by the Lead Agency to consider the exemption?
	Yes ⊠ No □ If yes, the date of the public hearing was: April 3, 2024.
	1 . 1

Louis Lacasella

Louie Lacasella, Senior Administrative Analyst

April 4, 2024 Date

FILED

APR 1 0 2024

HUGH NGUYEN, CLERK-RECORDER

DEPUTY

DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a		Print		StartOver		Save	
			04/10	MBER: /10/2024 — 0285 RINGHOUSE NUMBER (If applica			
		OTATE OF	_/ (((((((((((((((((((IONOUGE NO	MDLI	п аррпоавіс)	
SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY. LEAD AGENCY	LEADAGENCY EMAIL	DATE					
CITY OF LAGUNA BEACH	EB B AGENOT EWAIT			04/10/2024			
COUNTY/STATE AGENCY OF FILING Orange				DOCUMENT 202485000		R	
Orange PROJECT TITLE				202403000	J200		
TEMPORARY USE PERMIT 2023-2309 AND COASTA	L DEVELOPMENT PE			0 PHONE NUM	BER		
WILD TACO LAGUNA BEACH				(949) 497-	0736		
PROJECT APPLICANT ADDRESS	CITY	STATE		ZIP CODE			
188 SOUTH COAST HWY	LAGUNA BEACH	CA		92651			
PROJECT APPLICANT (Check appropriate box) Local Public Agency School District	Other Special District	Sta	ate Ag	ency	✓ Pri	vate Entity	
CHECK APPLICABLE FEES:						0.00	
☐ Environmental Impact Report (EIR)		\$4,051.25			IRE.	0.00	
Mitigated/Negative Declaration (MND)(ND)	" " (ODE) (\$2,916.75	\$_			0.00	
☐ Certified Regulatory Program (CRP) document - payment due of	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 cop 	у)						
☐ Water Right Application or Petition Fee (State Water Resource	es Control Board only)	\$850.00	\$			0.00	
 ☑ County documentary handling fee 			\$_	50.00			
☐ Other			\$_				
PAYMENT METHOD:						50.00	
☐ Cash ☑ Credit ☐ Check ☐ Other	TOTAL	RECEIVED	\$_			50.00	
SIGNATURE	NCY OF FILING PRINTED I	NAME AND TI	TLE				
X CAF	RINA HERRERA, DEP	UTY					