

COUNTY CLERK'S USE

CITY OF LOS ANGELES  
OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 395  
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**NOTICE OF EXEMPTION**

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

ZA-2023-4034-PAD / Deemed to be Approved Conditional Use Plan Approval

LEAD CITY AGENCY

**City of Los Angeles (Department of City Planning)**

CASE NUMBER

ENV-2023-4035-CE

PROJECT TITLE

7011 N Topanga Canyon Boulevard

COUNCIL DISTRICT

3 – Blumenfield

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

**7011 N Topanga Canyon Boulevard**

Map attached.

PROJECT DESCRIPTION:

The use and maintenance of an existing 2,893 square foot building used as a drive-thru restaurant, with a 579 square foot building addition for mechanical room, covered storage, and trash area, exterior improvements including finish and materials upgrades, new signage and modifications to reflect brand change from previous tenant, and interior remodeling.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

**Raising Cane's / Goldflam & Barth Realty Company**

CONTACT PERSON (If different from Applicant/Owner above)

**Sara Houghton / Dana Sayles**

(AREA CODE) TELEPHONE NUMBER

**(310) 204-3500**

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) \_\_\_\_\_

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 3)

CEQA Guideline Section(s) / Class(es) **Section 15301, Class 1 and Section 15303, Class 3**

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

Additional page(s) attached

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Shane Strunk

*Shane Strunk*

STAFF TITLE

Planning Assistant

ENTITLEMENTS APPROVED

Deemed-to-be-Approved Plan Approval

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

Please return to OZA:  
200 N. Spring Street, Room 763  
Los Angeles, CA 90012

I hereby certify and attest this to be a true and correct  
copy of the original record on file in the office of the  
Department of City Planning of the City of Los Angeles  
designated as office assistant

Mayra Cervantes 9/13/2024  
Department Representative

PROJECT ADDRESS: 7011 North Topanga Canyon Boulevard  
ENV-2023-4035-CE / ZA-2023-4034-PAD

**PROJECT DESCRIPTION:**

The use and maintenance of a restaurant with a drive-through aisle with interior and exterior improvements, the addition of 579 square feet (for the reconfiguration and addition of a mechanical room, covered exterior storage area, and trash area) all in conjunction with an existing 2,893 square foot structure for a total of 3,472 square feet; the use of an existing concrete terrace for outdoor patio dining; 56 interior seats and 24 exterior seats; signage; hours of operation from 9:00 a.m. to 3:30 a.m. daily; 27 vehicular parking spaces all on three lots totaling 28,005 square feet.

**JUSTIFICATION FOR PROJECT EXEMPTION:**

The City of Los Angeles determined based on the whole of the administrative record, that substantial evidence supports that the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15301, Class 1 and 15303, Class 3 and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The project was found to be exempt based on the following discussion.

**CEQA DETERMINATION – SECTION 15301, CLASS 1 and SECTION 15303, CLASS 3 CATEGORICAL EXEMPTION APPLIES**

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.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The applicant is requesting the addition of 579 square feet and interior tenant improvements as on a developed lot with a previously used 2,893 square foot restaurant and drive through aisle. The proposed construction and improvements negligibly expand the existing use. Thus, Class 1 and Class 3 CEQA exemptions apply.

**CEQA SECTION 15300.2: EXCEPTIONS TO THE USE OF CATEGORICAL EXEMPTIONS**

The City has further considered whether the proposed project is subject to any of the six exceptions (listed as a-f) set forth in State CEQA Guidelines Section 15300.2, that would prohibit the use of any categorical exemption. None of the exceptions are triggered for the reasons discussed as follows.

- 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 effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized 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.*

ZIMAS shows that the subject site is not located in a Coastal Zone, Very High Fire Hazard Severity Zone, Flood Zone, Watercourse, Hazardous Waste/Border Zone, Methane Hazard Site, High Wind Velocity Area, Santa Monica Mountains Zone, or Special Grading Area (BOE Basic Grid Map A-13372). There are no known oil wells on site. The subject site is also located within an Urban Agricultural Incentive Zone, but no known agricultural uses are proposed herein.

Additionally, ZIMAS shows the nearest fault is the Santa Susana Fault, located 12.7 kilometers from the subject site. The site is not located within an Alquist-Priolo Fault Zone or area of Landslide, Liquefaction, Preliminary Fault Rupture, or Tsunami Inundation.

The project is not located on or near an environmental resource that is precisely mapped, and officially adopted pursuant to federal, state or local law. Therefore, the environment is not particularly sensitive, and this exception is not triggered.

- B. Cumulative Impact.** *The exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.*

The applicant is requesting the use and maintenance of an existing structure previously used as a restaurant and drive through with minor tenant improvements on a developed lot and area. Additionally, as shown on ZIMAS, within 500 feet of the subject site one case of the same type (ZA-1993-682-PAD) has been granted. Due to the fact that only one case of the same type was found within 500 feet of the subject site and that it was granted in 1993, the proposed project will not result in significant cumulative impacts from successive projects of the same type in the same place.

- C. Significant Effect Due to Unusual Circumstances.** *This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.*

The subject site is a level, rectangle-shaped lot with a designated General Plan Land Use designation of General Commercial and is zoned [Q]C1-1VL-RIO and P-1VL-RIO. The subject site is within the River Implementation Overlay (RIO) District. Projects in the RIO District are subject to development regulations including landscaping, screening and fencing of loading and off-street parking, equipment, trash, and exterior site lighting subject to a separate ministerial permit.

The lot is located within an Urban Agriculture Incentive Zone, but is designated Urban and Built-up Land, and is approximately 70 feet from a river. Per ZIMAS, the site is located 12.6 kilometers from the Santa Susana Fault. The site is not located within a Flood Zone, Liquefaction zone, Hazardous Waste/Border Zone Property, High Wind Velocity Area, BOE Special Grading Area, Santa Monica Mountains Zone, Oil Well Area, or Alquist-Priolo Fault Zone. Thus, the project does not involve unusual circumstances which would result in significant impacts.

- D. Scenic Highways.** *This exception applies when, although the project may otherwise be exempt, there may be 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.*

Based on a review of the California Scenic Highway Mapping System (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>), the subject site is not located along a portion of a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. Topanga Canyon Boulevard becomes a State Scenic Highway approximately 8.06 miles south of the subject site and is eligible for State Scenic Highway status approximately 3.25 miles south of the subject site where Topanga Canyon Boulevard intersects with Mulholland Drive.

Based on this, the proposed project will not result in damage to scenic resources in a state scenic highway, and this exception does not apply.

**E. Hazardous Waste Sites.** *Projects located on a site or facility listed pursuant to California Government Code 65962.5.*

Based on a review of the California Department of Toxic Substances Control "Envirostor Database" (<http://www.envirostor.dtsc.ca.gov/public/>), no known hazardous waste sites are located on or proximate to the project site. In addition, there is no evidence of historic or current use, or disposal of hazardous or toxic materials at this location. Since the project site is not on a list compiled pursuant to Government Code Section 65962.5 related to hazardous waste sites, the project will not result in a significant effect due hazardous waste, and this exception does not apply.

**F. Historical Resources.** *Projects that may cause a substantial adverse change in the significance of an historical resource.*

The project will not cause a substantial adverse change in the significance of an historical resource. A historic Arby's Sign built in 1969 is included as an Individual Resource in SurveyLA, which is the City's historic resource inventory. The Arby's Sign is an excellent example of a 1960s rooftop sign. However, the Arby's Sign is not eligible for the National Register of Historic Places as disclosed in SurveyLA. Further, the subject site has not been determined to be eligible for listing in the California Register of Historic Resources or the Los Angeles Historic-Cultural Monuments Register. Based on this, the project will not result in a substantial adverse change in the significance of a historic resource, and this exception does not apply.

In conclusion, since the project meets all of the requirements of the categorical exemption set forth at CEQA Guidelines, Sections 15301, Class 1 and 15303, Class 3 and none of the applicable exceptions to the use of the exemption apply to the project, it is appropriate to determine this project is categorically exempt from the requirements of CEQA.