



# HUGH NGUYEN

## CLERK-RECORDER

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

CITY OF LAGUNA BEACH  
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 08/14/2024

**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 environmental impact report 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 \*\*\*



ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET

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



\* \$ R 0 0 1 5 0 9 9 9 4 9 \$ \*  
202485000701 3:54 pm 08/14/24

135 SC1A Z01

0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

30-08/14/2024-0691

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

Conditional Use Permit 23-1521

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**

AUG 14 2024

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY

**FILED IN THE OFFICE OF THE ORANGE  
COUNTY CLERK-RECORDER ON** August 14, 2024

Posted for 30 days

DEPUTY Roberto Uriostegui



# NOTICE OF EXEMPTION

From: Community Development – Planning Division  
505 Forest Avenue Laguna Beach, California 92651

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

1. **APPLICANT:** Guochen Yang, (949) 715-8120, peonylagunabeach@gmail.com *213 Broadway St. Laguna Beach, CA 92651*
2. **LEAD AGENCY:** City of Laguna Beach, 505 Forest Ave. Laguna Beach, CA, 92651
3. **PROJECT PLANNER:** Jessica Mendoza, Assistant Planner, (949) 497-0390
4. **PROJECT TITLE:** Conditional Use Permit 23-1521
5. **PROJECT LOCATION:** 213 Broadway Street, Laguna Beach, CA, 92651 (APN: 641-255-13).
6. **DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:**

Amending Conditional Use Permit 11-22 to modify the hours of operation, allow alcohol service within a fenced outdoor dining area, and expand alcohol service from beer and wine to beer, wine, and distilled spirits at 213 Broadway Street in the CBD-2 Downtown Commercial District.

### ENVIRONMENTAL DETERMINATION:

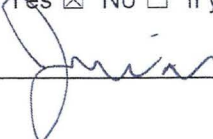
The Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) in that the Project consists of changes to the restaurant hours of operation and alcohol service, with no proposed improvements to the interior or exterior of the structure or expansion of the existing use. Here, the proposed Project will include a minor modification to the existing full-service restaurant use with the expansion of alcohol service from beer and wine to beer, wine, and distilled spirits, and an expansion of the hours of operation by one hour two days a week (proposed 10:30 p.m. closing on Friday and Saturday). Therefore, the project is exempt under Class 1. Further, none of the exceptions outlined in CEQA Guidelines section 15300.2 apply. The project site does not contain any environmentally sensitive areas in that it is fully developed with structures, a paved outdoor dining area, and ornamental landscaping, and is surrounded on all sides by streets and developed properties, and the City's environmentally sensitive areas maps do not identify any such areas on-site or within the immediate project vicinity. There will be no cumulative impact resulting from successive projects of the same type in the same place, over time because the request involves minor operational changes to an existing restaurant. There are no unusual circumstances resulting in a significant impact on the environment. There will be no damage to scenic resources, including trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. 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. The project will not result in significant adverse impacts to historical resources as defined by CEQA because no exterior or interior improvements are proposed to the existing structure. Consequently, additional environmental analysis is not necessary to meet the requirements of the CEQA.

Therefore, the Planning Commission (PC) 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,
- The project is categorically exempt per State CEQA Guidelines, Section 15301 (Class 1 – Existing Facilities).

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: August 7 2024


  
\_\_\_\_\_  
Project Planner

August 7, 2024  
Date

**FILED**

AUG 14 2024

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY



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 — 08/14/2024 — 0691  
 STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY CITY OF LAGUNA BEACH	LEAD AGENCY EMAIL	DATE 08/14/2024
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER 202485000701	

PROJECT TITLE

CONDITIONAL USE PERMIT 23-1521

PROJECT APPLICANT NAME GUOCHEN YANG	PROJECT APPLICANT EMAIL	PHONE NUMBER (949) 715-8120
PROJECT APPLICANT ADDRESS 213 BROADWAY ST	CITY LAGUNA BEACH	STATE CA
		ZIP CODE 9657

**PROJECT APPLICANT** (Check appropriate box)

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

**CHECK APPLICABLE FEES:**

- |   |            |    |      |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR)  | \$4,051.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                   | \$2,916.75 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,377.25 | \$ | 0.00 |
| <br>  |            |    |      |
| <input checked="" type="checkbox"/> Exempt from fee   |            |    |      |
| <input checked="" type="checkbox"/> Notice of Exemption (attach)                                    |            |    |      |
| <input type="checkbox"/> CDFW No Effect Determination (attach)                                      |            |    |      |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)           |            |    |      |

- |   |          |    |       |
|---|----------|----|-------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00  |
| <input checked="" type="checkbox"/> County documentary handling fee   |          | \$ | 50.00 |
| <input type="checkbox"/> Other  |          | \$ |       |

**PAYMENT METHOD:**

- Cash   
  Credit   
  Check   
  Other   
 TOTAL RECEIVED \$ 50.00

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE CARINA HERRERA, DEPUTY
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