



CEQA NOTICE OF EXEMPTION

To: County Clerk, County of Orange

2019058033

From: County of Orange
OC Public Works, Development Services/Planning

Planning Application Number (PA): PA180033 for a Coastal Development Permit, Lot Line Adjustment Use Permit(s) and Variance

Project Title: Fox Residence

Project Location(s): 211 Emerald Bay, Laguna Beach CA 92651 (APN 053-073-41)

Project Description: A request for the approval of a Coastal Development Permit, Use Permit, Variance and Lot Line Adjustment in conjunction with the remodeling of a two-level single-family residence adding approximately 1,327 square feet to the residence and an attached 685 square foot garage.

The Coastal Development Permit is requested to increase the existing floor area by more than 10% in the Emerald Bay Local Coastal Plan area, with associated grading.

The Lot Line Adjustment is requested to modify three existing legal building sites (all substandard to the minimum 7,200 square feet area now required) into two legal building sites, one of which would remain substandard but would not decrease in area.

The Use Permit is requested for a proposed over-height wall. A privacy wall is proposed in the front setback area at 5 feet in height where Zoning would limit the wall to 3 feet 6 inches in height. A Use Permit is also required to reduce the minimum driveway length to 14 feet where Zoning would require a minimum of 18 feet.

The Variance is requested to reduce the required front, side and rear setback areas. Front and rear setbacks are proposed at 4 feet 7 inches and 5 feet 1 inch respectively where Zoning would require a setback of 18 feet 5 inches based upon the Zoning Code's shallow lot criteria. One side yard is proposed at a setback of 4 feet 5 inches where the Zoning Code would require a setback of 5 feet.

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

Name of Applicant or Agency Carrying-Out Project: Gregory Fox

Address of Applicant or Agency: 211 Emerald Bay, Laguna Beach CA 92651

FILED

MAY 02 2019

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

Exempt Status:

- ☐ Ministerial (Guidelines Section No. 15268)
- ☐ Emergency Project (Guidelines Section No. 15269)
- ☐ Common Sense (Guidelines Section No. 15061(b)(3))
- ☐ Statutory Exemption: State Code number:
- ☒ Categorical Exemption:
- ☐ Other Exemption:

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MAY 02 2019

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Reason(s) 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, Class 2 and Class 3 categorical exemptions.

Recorded in Official Records, Orange County

Hugh Nguyen, Clerk-Recorder



50.00

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Governor's Office of Planning & Research

MAY 03 2019

STATE CLEARINGHOUSE

30-2019-0420

POSTED

2019058033

MAY 02 2019

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BY: [Signature] DEPUTY

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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 a 1,644-sq. ft. single-family residence and attached garage to be replaced with a 3,749-sq. ft. single-family residence and attached garage spaces of 430-sq. ft. footprint in substantially the same location as the existing structure. 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, and fences/walls as well as 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 in substantially the same footprint as shown on the attached site plan. 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 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 fences are specifically included in the list of examples.

None of the exceptions listed in Section 15300.2 apply to the project. 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, 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.

Date of Decision: 5/2/19

CEQA Contact Person: [Signature]

Project Manager Signature: [Signature]

Name: Kevin Canning

Title: Contract Planner
(714) 667-8847

FILED

MAY 02 2019

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: [Signature] DEPUTY

Fish & Game Fees: Pursuant to Section 711.4 (c) (2)(A) of the California Fish and Game Code, this project is exempt from the required fees, as it is exempt from CEQA. Filing Fee is exempt per Government Code Section 6103.

Form Rev. 01.08.19

Governor's Office of Planning & Research

OC Public Works, 300 N. Flower Street, P.O. Box 4048, Santa Ana, CA 92702-4048

MAY 03 2019

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife

2019 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/01/18) Previously DFG 753.5a

2019058033

RECEIPT NUMBER:

30-2019 0420

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

LEAD AGENCY EMAIL

DATE

COUNTY OF ORANGE ZONING ADMINISTRATOR

05/02/2019

COUNTY/STATE AGENCY OF FILING

DOCUMENT NUMBER

Orange

201985000431

PROJECT TITLE

FOX RESIDENCE

PROJECT APPLICANT NAME

PROJECT APPLICANT EMAIL

PHONE NUMBER

GREGORY FOX

(714) 667-8847

PROJECT APPLICANT ADDRESS

CITY

STATE

ZIP CODE

211 EMERALD BAY

LAGUNA BEACH

CA

92651

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,271.00 \$ 0.00

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,354.75 \$ 0.00

☐ Certified Regulatory Program document (CRP)

\$1,112.00 \$ 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

AGENCY OF FILING PRINTED NAME AND TITLE

DIANNA VELASQUEZ, DEPUTY CLERK

Governor's Office of Planning & Research

MAY 03 2019

STATE CLEARINGHOUSE

2019058033

Orange County
Clerk-Recorder's Office
Hugh Nguyen

630N Broadway Bldg. 12 Suite
101
92701

County

Finalization: 20190000141965
5/2/19 2:44 pm
381 304

12 CIVIC CTR PLAZA 106, SANTA ANA, CA.
OC CLERK RECORDER
12 CIVIC CTR PLAZA 101
SANTA ANA, CA 92701
05/02/2019 14:45:17
CREDIT CARD
VISA SALE
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Chip Card: CHASE VISA
AID: A0000000031010
ATC: 0008
ARQC: 4D96330F5188B9FE
SEQ #: 23
Batch #: 1059
INVOICE 24
CLERK 0381
Approval Code: 05506G
Entry Method: Chip Read
Mode: Issuer
Tax Amount: \$0.00
SALE AMOUNT \$50.00

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| 1 | 201 | 1 |
| EIR: Exempt or Previously Paid | | |
| Document ID | | Amount |
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| DOC# | 201985000431 | 50.00 |
| Time Recorded 2:44 pm | | |

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| Total | 50.00 |
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| Payment Type | Amount |
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| Credit Card tendered | 50.00 |
| # 05506g | |
| Amount Due | 0.00 |

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MAY 03 2019
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