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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

24-1858 Geberal Plan Consistency

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

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SEP 3 0 2024

HUGH NGUYEN, CLERK-RECORDER

BY: DEPUTY

FILED IN THE OFFICE OF THE ORANGE

COUNTY CLERK-RECORDER ON September 30, 2024

Posted for 30 days

DEPUTY Roberto Uriostegui



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SEP 3 0 2024

HUGH NGUYEN, CLERK-RECORDER

BY:	Q	DEPUTY

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

- 1. APPLICANT: City of Laguna Beach
- 2. LEAD AGENCY: City of Laguna Beach, 505 Forest Avenue, Laguna Beach, CA, 92651
- 3. PROJECT PLANNER: Jennifer Savage, Senior Management Analyst, (949) 715-1141
- 4. PROJECT TITLE: 24-1858, General Plan Consistency
- PROJECT LOCATION: 31727 & 31735 Coast Highway, Laguna Beach, CA, 92651 (APNs: 658-101-39 & 658-101-40)
- DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
 General Plan Consistency determination for the potential sale of City-owned property in the SLV (South Laguna Village) Zoning District.

ENVIRONMENTAL DETERMINATION:

This action is not subject to the California Environmental Quality Act ("Public Resources Code section 21000 et seq.) ("CEQA") because it does not qualify as a "project" under CEQA. The State CEQA Guidelines provide that "[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378." (State CEQA Guidelines, § 15060(c).) Here, the action does not qualify as a "project" as defined in State CEQA Guidelines section 15378 for at least two different reasons. First, Section 15378 defines a project as an activity that "has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (State CEQA Guidelines, § 15378(a).) Here, the action is to consider whether the sale of the property is consistent with the General Plan, which will not result in any reasonably foreseeable impacts. Accordingly, the action is not a "project" subject to CEQA. (State CEQA Guidelines, § 15060(c).) Second, Section 15378 explicitly excludes from its definition of "project" the following: "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." (State CEQA Guidelines, § 15378(b)(5).) The action constitutes an organizational or administrative activity that will not result in a physical change in the environment, and it therefore is not subject to CEQA.

Even if the action were considered a "project" subject to CEQA, it is exempt from CEQA pursuant to the "common sense" exemption under State CEQA Guidelines section 15061(b)(3), because there is no possibility that the action might have a significant effect on the environment. As stated above, the action is an "administrative activity" to consider whether the sale of the property is consistent with the General Plan, which will not result in any reasonably foreseeable impacts. Lastly, none of the exceptions to the use of categorical exemptions identified in State CEQA Guidelines section 15300.2 apply: there is no potential for cumulative impacts; there are no unusual circumstances that would have a significant impact on the environment in that the lot is fully developed with a commercial building and surface parking lot, and is surrounded on all sides by developed property and a highway; the action would not negatively impact scenic resources within a duly designated scenic highway; there is no record of hazardous waste; and the action has no potential to impact historic resources in that there are no such resources on-site or immediately abutting the site.

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,

Ш	The project is statutorily exempt, Section	, <name> (Section</name>	18 15200-15277), 01,	
	The project is established exempt per Sta	to CEOA Guidalines	Section 15303 (Class 3 - 1	Evicti

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: September 18, 2024.

JUMMAN AWAGE

Jenhifer Savade, Semior Management Analyst

25 Sept. 124 Date

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Y: DEPUTY