

NOTICE OF EXEMPTION

To: _____
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From:
City of Garden Grove
P. O. Box 3070
11222 Acacia Parkway
Garden Grove, CA 92842



X
Orange County Clerk Recorder
County Administration South Building
601 N. Ross Street
Santa Ana, CA 92701

Project Title: Site Plan No. SP-157-2025, Lot Line Adjustment No. LLA-036-2025

Project Location - Specific: Southeast Corner Of Trask Avenue And Magnolia Street, At 9032 And 9062 Trask Avenue

Project Location - City: Garden Grove Project Location - County: Orange

Description of Project: A request for Site Plan approval to construct a 778 square foot freestanding outdoor dining patio structure at an existing restaurant, In-N-Out Burger, and to reconfigure the existing drive-thru lane and parking area. The project includes the demolition of an existing vacant restaurant building, formerly occupied by Mae's Café, to accommodate additional drive-thru vehicle queuing and parking spaces. Also, a request for Lot Line Adjustment approval to remove an existing lot line for the purpose of consolidating two (2) adjoining parcels into one (1) parcel to accommodate the proposed improvements.

Name of Public Agency Approving Project: Garden Grove Planning Commission
Address: 11222 Acacia Parkway, Garden Grove, CA 92842

Name of Applicant or Agency Carrying Out Project: In-N-Out Burger
Address: 13502 Hamburger Lane, Baldwin Park, CA 91706
Phone: (626) 813-5378 Email: pkulmaticki@innout.com

Exempt Status:

- ☐ Ministerial (Sec. 21080(b)(1); 15268)
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
☒ XX Categorical Exemption. State Type and Section Number: Section No. 15303, 15305 –Existing Facility, New Construction
☐ Statutory Exemptions. State code number:

Reasons why project is exempt: CEQA's Class 3 exemption applies to the new construction or conversion of small structures. (CEQA Guidelines §15303.) A project can qualify for a Class 3 exemption if the proposed project is the new construction of a store, motel, restaurant, and other similar structures not involving hazardous materials, and not exceeding 10,000 square feet in urbanized areas. (CEQA Guidelines §15303(c).)

The subject project site is located fully within an urbanized area in the City. The project will be comprised of two parcels with a combined area of approximately 1.196 acres, upon approval of the lot line adjustment. The project proposes a new 778 square foot freestanding outdoor dining patio structure over the existing outdoor dining area. The proposed patio structure will support the existing restaurant, which will not be modified as a result of the project, with the exception of modifications to the existing drive-thru lanes to improve vehicle circulation and an increase to the vehicle queuing capacity. Moreover, the proposed patio structure will not involve the storage of

hazardous materials. Therefore, it can be determined that construction of the patio structure and associated improvements is exempt from CEQA pursuant to CEQA Guidelines Section 15303.

CEQA's Class 5 exemption applies to minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. (CEQA Guidelines §15305.) This includes minor lot line adjustments, that do not result in the creation of a new parcel. (CEQA Guidelines §15305(a).) The subject request does not involve slopes greater than 20%, changes to land use or density, and removes lot lines between two existing properties, consolidating them into a single parcel to accommodate the proposed improvements to existing drive-thru lanes to allow for improved vehicle circulation and an increase to the queuing capacity. Therefore, the proposed lot line adjustment is exempt from CEQA pursuant to CEQA Guidelines Section 15305.

Lead Agency

Contact Person: Mary Martinez Area Code/Telephone/Extension: (714) 741-5315

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ yes ☐ no

Signature: M. Paine Date: 6/23/25 Title: Planning Manager

☐ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR: