

# CEQA DETERMINATION OF EXEMPTION

**Subject:** This California Environmental Quality Act (CEQA) Determination of Exemption is in compliance with Carlsbad Municipal Code Section 19.04.060. An appeal to this determination must be filed in writing with the required fee within ten (10) calendar days of the City Planner's decision consistent with Carlsbad Municipal Code Section 21.54.140.

**City Planner Decision Date:** DECEMBER 7, 2023

**Project Number and Title:** CDP2023-0016/V2023-0002 (DEV2020-0134) - BEGONIA COURT RETAINING WALL

**Project Location - Specific:** 939 Begonia Court

**Project Location - City:** Carlsbad

**Project Location - County:** San Diego

**Description of Project:** Coastal Development Permit and Variance to permit a series of retaining walls constructed into an uphill-perimeter manufactured slope with a gradient of greater than 40 percent and an elevation differential greater than 15 feet.

**Name of Public Agency Approving Project:** City of Carlsbad

**Name of Person or Agency Carrying Out Project:** John S. Rivera, Fusion Engineering

**Name of Applicant:** Rene Lichtman

**Applicant's Address:** 939 Begonia Court, Carlsbad, CA 92011

**Applicant's Telephone Number:** (909) 659-4291

**Name of Applicant/Identity of person undertaking the project (if different from the applicant above):**

**Exempt Status:** *(Check One)*

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- Categorical Exemption - State type and section number: CEQA Sections 15061(b)(4) and 15270: CEQA does not apply to projects that a public agency rejects or disapproves.
- Statutory Exemptions - State code number: \_\_\_\_\_
- Common Sense Exemption (Section 15061(b)(3))

**Reasons why project is exempt:** Project does not meet the required finding for the requested variance and will be recommended for denial, pursuant to Sections 15061(b)(4) and 15270 of the State CEQA Guidelines because CEQA does not apply to projects that a public agency rejects or disapproves.

**Lead Agency Contact Person:** Kyle Van Leeuwen

**Telephone:** 442-339-2611



ERIC LARDY, City Planner

12/7/23  
Date