



HUGH NGUYEN

CLERK-RECORDER

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

RECEIVED BY
COMMUNITY
DEVELOPMENT

OCT 07 2021

CITY OF NEWPORT BEACH
100 CIVIC CENTER DR PO BOX 1768
NEWPORT BEACH, CA 92658-8915

CITY OF
NEWPORT BEACH

Office of the Orange County Clerk-Recorder Memorandum

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 08/25/2021

It remained posted for 30 (thirty) days.

Hugh Nguyen
Clerk - Recorder
In and for the County of Orange

By: Claudia L Franco Gutierrez

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 ***

POSTED

AUG 25 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: CF DEPUTY

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



NO FEE

* \$ R 0 0 1 3 1 1 1 2 5 3 \$ *

202185000703 11:38 am 08/25/21

383 Vitlndx Z01

0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

Notice of Exemption

To:

County Clerk
County of Orange
Public Services Division
Santa Ana, CA 92702

From:

City of Newport Planning Division
100 Civic Center Drive P.O. Box 1768
Newport Beach, CA 92658-8915
(949) 644-3200



Project Title: Appeal of Director's Determination No. DD2021 -01 Interpreting Accessory Residential as an Allowed Use within Resort Hotels (PA2021-096)

Project Applicant: City of Newport Beach, 100 Civic Center Drive, Newport Beach CA 92660

Attention: Jaime Murillo, Principal Planner

Project Location – Specific: City-wide, Outside Coastal Commission Appeal Jurisdiction

Project Location – City: Newport Beach **Project Location – County:** Orange

Description of Nature, Purpose and Beneficiaries of Project: The City of Newport Beach Council Policy K-4 was adopted in response to the need for reducing the barriers to the creation of housing to accommodate growth identified by the 6th cycle Regional Housing Needs Allocation (RHNA) including new and flexible land use and zoning regulations and strategies in order to reasonably and practicably accommodate the ambitious State housing mandate. The Director's Determination implements Council Policy K-4 and is necessary to interpret ambiguities in Title 20 Planning and Zoning Code (Zoning Code) and Title 21 Local Coastal Program Implementation Plan (LCP IP). The Directors Determination would allow hotels located outside of the Coastal Commission Appeal Jurisdiction to convert up to 30% of their approved hotel rooms into residential units on a one-for-one basis subject to existing review processed of the Newport Beach Municipal Code; accessory residential units may be located within a converted hotel room or a new residential structure. Residential units are deemed an accessory use to the principal use of a hotel and are consistent with the underlying General Plan, Coastal Land Use Plan, and zoning designations.

Name of Public Agency Approving Project: City Council, City of Newport Beach

Name of Person or Agency Carrying out Project: City of Newport Beach, Jaime Murillo

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption. State type and section number: _____
☒ Statutory Exemptions. State code number: Sec. 15060(c)(2), 15060(c), 15378, and 15061(b)(3)

AUG 25 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: CF DEPUTY

FILED

Reasons why project is exempt: The City Council determined that the Director's Determination is not subject to the California Environmental Quality Act pursuant to Section 21065 of the California Public Resources Code ("CEQA") and Sections 15060 (c)(2), 15060 (c)(3), and 15378 of the California Code of Regulations Title 14, Division 6, Chapter 3 ("CEQA Guidelines"). The Director's Determination is also exempt pursuant to CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only when there is the potential for causing a significant effect on the environment. While this Director's Determination would result in an interpretation that allows residential uses as an accessory use to resort hotels, it does not authorize new development that would directly result in physical change to the environment.

30-08/25/2021-0684

Lead Agency

Contact Person/Title: Jaime Murillo, Principal Planner **Contact Phone No./Ext:** 949-644-3209

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:  **Title:** Deputy Director **Date:** August 25, 2021

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

04/04/2019

FILED

AUG 25 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

POSTED

AUG 25 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

Print

RECEIVED

Save

RECEIPT NUMBER:

30 — 08/25/2021 — 0684

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

CITY OF NEWPORT PLANNING DIVISION

LEAD AGENCY EMAIL

DATE

08/25/2021

COUNTY/STATE AGENCY OF FILING

Orange

DOCUMENT NUMBER

202185000703

PROJECT TITLE

APPEAL OF DIRECTOR'S DETERMINATION NO. DD2021-01 INTERPRETING ACCESSORY RESIDENTIAL ...

PROJECT APPLICANT NAME

CITY OF NEWPORT BEACH, ATTN: JAIME MURILLO

PROJECT APPLICANT EMAIL

PHONE NUMBER

(949)644-3200

PROJECT APPLICANT ADDRESS

100 CIVIC CENTER DRIVE

CITY

NEWPORT BEACH

STATE

CA

ZIP CODE

92660

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) | \$3,445.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,480.25 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,171.25 | \$ | 0.00 |

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ 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 type="checkbox"/> County documentary handling fee | | \$ | |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 0.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

DEPUTY CLERK, CLAUDIA FRANCO

Orange County
Clerk-Recorder's Office
Hugh Nguyen

601 N. Ross Street
92701

County

Finalization: 20210000464239
8/25/21 11:38 am
383 VitIndx

| Item | Title | Count |
|---|-------|--------|
| 1 | Z01 | 1 |
| EIR: Exempt or Previously Paid Document ID | | Amount |
| DOC# 202185000703 | | 50.00 |
| Time Recorded 11:38 am | | |

| | |
|-------|------|
| Total | 0.00 |
|-------|------|

| Payment Type | Amount |
|--------------|--------|
|--------------|--------|

| | |
|------------|-------|
| NO FEE | 50.00 |
| Amount Due | 0.00 |

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS

www.ocrecorder.com

