



RECEIVED BY
COMMUNITY
DEVELOPMENT

JUL 05 2023

CITY OF
NEWPORT BEACH

HUGH NGUYEN CLERK-RECORDER

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

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

Office of the Orange County Clerk-Recorder Memorandum

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 05/24/2023

It remained posted for 30 (thirty) days.

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

By: Carina Cortes

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 ***



ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

30-05/24/2023-0433

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



NO FEE

* \$ R 0 0 1 4 3 6 8 0 5 6 \$ *

202385000439 12:58 pm 05/24/23

477 Vitlndx Z01

0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

ORDINANCE NOS. 2023-4 AND 2023-5: CODE AMENDMENTS RELATED TO
TIME SHARES (PA2022-0202)

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
☒ Notice of Exemption (NOE)
☐ Other (Please fill in type):

FILED

MAY 24 2023

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.C. DEPUTY

POSTED

MAY 24 2023

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.C. DEPUTY

FILED IN THE OFFICE OF THE ORANGE
COUNTY CLERK-RECORDER ON May 24, 2023

Posted _____ Removed _____

Returned to agency on _____

DEPUTY CARINA CORTES

FILED**POSTED****MAY 24 2023****MAY 24 2023****Notice of Exemption**

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:

C.C.

DEPUTY

BY:

C.C.

DEPUTY

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:** Ordinance Nos. 2023-4 and 2023-5: Code Amendments Related to Time Shares (PA2022-0202)**Project Applicant:** City of Newport Beach, 100 Civic Center Drive, Newport Beach CA 92658-8915Attention: Jaime Murillo, Principal Planner**Project Location – Specific:** Citywide, Newport Beach CA**Project Location – City:** Newport Beach **Project Location – County:** Orange

Description of Nature, Purpose and Beneficiaries of Project: On May 23, 2023, the City Council adopted Ordinances No. 2023-4 and 2023-5, amending Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC) modifying the definition of time share to clearly include fractional ownership units. As a time share use, fractional homeownership would be prohibited in all residential zoning districts and only allowed in certain commercial and mixed-use zoning districts subject to existing time share regulations.

Name of Public Agency Approving Project: City of Newport Beach**Name of Person or Agency Carrying out Project:** City of Newport Beach, 100 Civic Center Drive, Newport Beach CA 92658-8915**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: Class 8 Section 15308
☒ Statutory Exemptions. State code number: 15060 (c) (2) and 15061(b)(3)

Reasons why project is exempt: The action is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) and 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This code amendment would clarify that fractional ownership uses are classified as time shares, which are currently regulated by the NBMC. This amendment does not alter the manner in which time shares are regulated and therefore would not result in a physical change in the environment. Additionally, the proposed amendments to Titles 20 and 21 of the NBMC are categorically exempt pursuant to Section 15308 because the ordinances involve regulatory actions to assure protection of the environment.

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: Principal Planner Date: May 24, 2023

☒ 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

MAY 24 2023

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.C. DEPUTY

POSTED

MAY 24 2023

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.C. DEPUTY



State of California - Department of Fish and Wildlife
**2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT**
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print

Start Over

Save

RECEIPT NUMBER:

30 — 04/24/2023 — 0433

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

CITY OF NEWPORT BEACH

LEAD AGENCY EMAIL

DATE

04/24/2023

COUNTY/STATE AGENCY OF FILING

Orange

DOCUMENT NUMBER

202385000439

PROJECT TITLE

ORDINANCE NOS. 2023-4 AND 2023-5: CODE AMENDMENTS RELATED TO TIME SHARES (PA2022-0202)

PROJECT APPLICANT NAME

CITY OF NEWPORT BEACH, PLANNING DIVISION

PROJECT APPLICANT EMAIL

PHONE NUMBER

(949)644-3209

PROJECT APPLICANT ADDRESS

100 CIVIC CENTER DRIVE

CITY

NEWPORT BEACH CA

STATE

ZIP CODE

92658

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)	\$3,839.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,764.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	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 \$

☐ Other \$

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 0.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

DEPUTY CLERK, CARINA CORTES

• Hugh Nguyen
Orange County Clerk-Recorder
601 N. Ross Street
Santa Ana, CA 92701

County

Finalization: 20230000141912
5/24/23 12:58 pm
477 VitIndx

Item	Title	Count
1	Z01	1
EIR: Exempt or Previously Paid		
Document ID		Amount

DOC# 202385000439		50.00
Time Recorded 12:58 pm		

Total	0.00
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Payment Type	Amount
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NO FEE	50.00
Amount Due	0.00

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS
www.ocrecorder.com

