



HUGH NGUYEN
CLERK-RECORDER

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MARRIAGE LICENSES/RECORDS
NOTARY REGISTRATION
ORANGE COUNTY ARCHIVES
PASSPORTS
PROPERTY RECORDS

RECEIVED BY
COMMUNITY
DEVELOPMENT

AUG 23 2021

CITY OF
NEWPORT BEACH

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 07/15/2021

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

FILED

JUL 15 2021

JUL 15 2021

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



NO FEE

* \$ R 0 0 1 2 9 9 6 0 1 2 \$ *
202185000550 9:33 am 07/15/21
383 Vitlndx Z01
0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

ORANGE COUNTY CLERK-RECORDER DEPARTMENT ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: [Signature] DEPUTY BY: [Signature] DEPUTY

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
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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; 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.

30-07/15/2021-0533

Name of Public Agency Approving Project: 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)

Reasons why project is exempt: The Planning Commission 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.

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:** July 15, 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

JUL 15 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

POSTED

JUL 15 2021

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

Orange County
Clerk-Recorder's Office
Hugh Nguyen

601 N. Ross Street
92701

County

Finalization: 20210000388680
7/15/21 9:33 am
383 VitIndx

Item	Title	Count
1	Z01	1
EIR: Exempt or Previously Paid		
Document ID		Amount
DOC# 202185000550		50.00
Time Recorded 9:33 am		

Total	0.00
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Payment Type	Amount
NO FEE	50.00
Amount Due	0.00

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS

www.ocrecorder.com



