



**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

JUN 30 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 04/30/2021

**It remained posted for 30 (thirty) days.**

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

By: John Nguyen 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 \*\*\*

FILED

POSTED

APR 30 2021

APR 30 2021

HUGH NGUYEN, CLERK-RECORDER

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: *[Signature]*

BY: *[Signature]* DEPUTY

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




NO FEE

202185000308 10:11 am 04/30/21

410 SC4A Z01

0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

Notice of Exemption

<b>To:</b> County Clerk County of Orange Public Services Division Santa Ana, CA 92702	<b>From:</b> City of Newport Planning Division 100 Civic Center Drive P.O. Box 1768 Newport Beach, CA 92658-8915 (949) 644-3200	
---	---	---

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

**Project Applicant:**  
City of Newport Beach

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

<b>Project Location - City:</b> Newport Beach, 100 Civic Center Drive, Newport Beach CA 92660	<b>Project Location - County:</b> 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 6<sup>th</sup> 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 is necessary to interpret ambiguities in the 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.

30-04/30/2021/0301

<b>Name of Public Agency Approving Project:</b> City of Newport Beach	<b>Name of Person or Agency Carrying Out Project:</b> 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: Sec. 15061 (b)(3) and Sec.15305

Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:** The City has analyzed any potential environmental effect of the Director's Determination and has determined that the action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment. (Section 15061(b)(3)). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Specifically, the Director's Determination is for the purpose of interpreting the Zoning Code and LCP IP. This action will not change the existing land use designations or increase the intensity of the use. A Class 5 exemption consists of 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. (Section 15305). Newport Beach Municipal Code Sections 20.12.020 and 21.12.020 (Rule of Interpretation) authorize the Community Development Director to interpret the meaning of the provisions of the Zoning Code and LCP IP. No changes to land use or density are proposed by the Director's Determination, which will implement City Council Policy K-4.


<b>Lead Agency Contact Person:</b> Jaime Murillo	<b>Area Code/Telephone/Extension:</b> (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

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


<b>Signature:</b> 	<b>Date:</b> April 30, 2021	<b>Title:</b> Principal Planner
--	--------------------------------	------------------------------------

Signed by Lead Agency     Signed by Applicant

**POSTED**

**APR 30 2021**

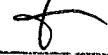
ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

**FILED**

**APR 30 2021**

HUGH NGUYEN, CLERK-RECORDER

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** **Save**

RECEIPT NUMBER:  
 30 — 04/30/2021 — 0301  
 STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY <b>CITY OF NEWPORT BEACH</b>	LEAD AGENCY EMAIL	DATE <b>04/30/2021</b>
COUNTY/STATE AGENCY OF FILING <b>Orange</b>	DOCUMENT NUMBER <b>202185000308</b>	

PROJECT TITLE

DIRECTOR'S DETERMINATION NO. DD2021-01 INTERPRETING ACCESSORY RESIDENTIAL AS AN ALLOWED USE...

PROJECT APPLICANT NAME <b>CITY OF NEWPORT BEACH</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(949) 644-3200</b>
PROJECT APPLICANT ADDRESS <b>100 CIVIC CENTER DR., PO BOX 1768</b>	CITY <b>NEWPORT BEACH</b>	STATE <b>CA</b>
		ZIP CODE <b>92658</b>

**PROJECT APPLICANT** (Check appropriate box)

- Local Public Agency    
  School District    
  Other Special District    
  State Agency    
  Private Entity

**CHECK APPLICABLE FEES:**

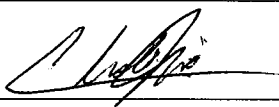
- |   |            |    |             |
|---|------------|----|-------------|
| <input type="checkbox"/> Environmental Impact Report (EIR)  | \$3,445.25 | \$ | <u>0.00</u> |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                   | \$2,480.25 | \$ | <u>0.00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

- 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 | \$ | <u>0.00</u>       |
| <input type="checkbox"/> County documentary handling fee  |          | \$ | <u>          </u> |
| <input type="checkbox"/> Other  |          | \$ | <u>          </u> |

**PAYMENT METHOD:**

- Cash     Credit     Check     Other                     
 TOTAL RECEIVED    \$    0.00

SIGNATURE <b>X</b> 	AGENCY OF FILING PRINTED NAME AND TITLE <b>DEPUTY CLERK, CLAUDIA FRANCO</b>
---	--