

FILED

JUL 11 2012

TOM DALY, CLERK-RECORDER

DC DEPUTY

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Tom Daly, County Recorder




NO FEE

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 <p>CITY OF NEWPORT BEACH 3300 Newport Boulevard P.O. Box 1768 Newport Beach, CA 92658-8915 (949) 644-3200</p>	<h1>NOTICE OF EXEMPTION</h1>
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<p>To:</p> <p><input type="checkbox"/> Office of Planning and Research P.O. BOX 3044 Sacramento, CA 95812-3044</p>	<p>From:</p> <p>City of Newport Beach Planning Department 3300 Newport Boulevard P.O. Box 1768 Newport Beach, CA 92658-8915</p>
<p><input checked="" type="checkbox"/> County Clerk, County of Orange Public Services Division Santa Ana, CA 92702</p>	<p>Date received for filing at OPR/County Clerk:</p>

Project Title:	Second Amendment to the Amended Newport Dunes Settlement Agreement		
Project Location – Specific	1131 Back Bay Drive		
Project Location - City:	Newport Beach	Project Location – County	Orange
Project Description:	An amendment to the Amended Newport Dunes Settlement Agreement which 1) incorporates the maximum allowable gross square footage for buildings established by the City of Newport Beach General Plan, 2) allows for modifications to the location of existing and future land uses, and 3) documents both current and outstanding property owner obligations, including the payment of fees.		

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 5 – Section 15305
- Statutory Exemptions. State code number _____
- General Rule (Sec. 15061(b)(3))

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Reasons why project is exempt: The proposed changes to the Agreement only involve the reapportionment of development currently authorized by the Agreement and incorporated into the General Plan by reference in Table LU2 of the Land Use Element; the Newport Dunes property has an average slope of less than 20 percent; and the proposed changes to the Agreement will not result in any changes in land use or density.

Name of Public Agency Approving Project: City of Newport Beach, 3300 Newport Blvd PO Box 1768 Newport Beach, CA 92658-8915

Date of Approval: July 10, 2012

Name of Person or Agency Carrying Out Project: City of Newport Beach

Contact Person: Patrick J. Alford Title: Planning Manager

Signature: [Signature] Tel.No. 949-644-3235 Date: 07/11/12