

Hugh Nguyen Clerk - Recorder

Orange County Clerk-Recorder's Office

12 Civic Center Plaza, Room 106, P.O. Box 238, Santa Ana, CA 92702

web: www.oc.ca.gov/recorder/

PHONE (714) 834-2500 FAX (714) 834-5284

Office of the Orange County Clerk-Recorder

Memorandum

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 02/26/2015

It remained posted for 30 (thirty) days.

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

By: JACK, MARY

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 hors 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 <u>lead</u> agency *** within a notation of the period it was posted. The local <u>lead</u> agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***



CITY OF NEWPORT BEACH 100 Civic Center Drive Newport Beach, CA 92660 (949) 644-3200

NOTICE OF EXEMPTION

| | To: | | From: | i e | |
|-------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------|--|
| | Office of Planning and Research P.O. BOX 3044 Sacramento, CA 95812-3044 | | City of Newport Beach Planning Department 100 Civic Center Drive Newport Beach, CA 92660 | | |
| | County Clerk, County of Orange Public Services Division Santa Ana, CA 92702 | | Date received for filing at | OPR/County Clerk: | |
| | Project Title: | Transfer of Development Rights from Fashion Island to Block 100 and Block 600 and from Block 500 to Block 600 | | | |
| | Project Location – Specific | Fashion Island, Block 100, Block 500 and Block 600 of the North Newport Center Planned Community | | | |
| orang | | As depicted in Exhibit 1, Newport Center is generally bound by San Joaquin Hills Road to the northeast, MacArthur Boulevard to the southeast, Jamboree Road to the northwest, and Pacific Coast Highway to the southwest. The sub-areas are depicted on Exhibit 1. | | | |
| | POSTED | Block 100 in North Newport Center is generally bound by Newport Center Drive to the north and west, Anacapa Drive to the east, and Farallon Drive to the south. | | | |
| | FEB 2 5 2015 BE COUNTY CLERK-RECORDER DEPARTMENT | Brive to the Southwest, and Carta Rosa Brive to the West. | | | |
| BY: | DEPUTY | Block 600 in North Newport Center is bound by San Joaquin Hills Road to the north, Newport Center Drive to the south, Santa Cruz Drive to the west and Santa Rosa Drive to the east. | | | |
| | | Fashion Island is bounded | ed by Newport Center Drive. | | |
| | Project Location - City: | | Location – County | Orange | |
| | Project Description: | Transfer of 99,953 square feet from Fashion Island to Block 100, Transfer 12,656 square feet from Fashion Island to Block 600 and 134 square feet from Block 500 to Block 600 in the North Newport Center Planned Community. The transfer will occur in accordance with the Transfer of Development Rights provision in the North Newport Center Planned Community Development Plan Section IV (C). | | | |

FILED

FEB 2 5 2015

HUGH NGUYEN, CLERK-RECORDER

DEPUTY

Recorded in Official Records, Orange County



201585000156 8:20 am 02/26/15



| 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 | | | | |
| | General Rule (Sec. 15061(b)(3)) | | | | |
| Reasons why project is exempt: The Transfer of Development Rights from Fashion Island to Block 100 and Block 600 and from Block 500 to Block 600 is considered a ministerial action because it only involves application of fixed standards. As a ministerial action, the Transfer of Development Rights is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA § 21080(b)(1) and CEQA Guidelines § 15268. As detailed in CEQA Guidelines § 15369, "Ministerial' describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision." The Transfer of Development Rights is allowed under General Plan Land Use Policy LU 6.14.3. Further, North Newport Center Planned Community Development Plan Section IV (C) provides that the City Council shall approve a transfer if it meets two fixed standards. The first fixed standard requires that the transfer not result in a greater traffic impact than the development allowed without the transfer. The second standard requires that the transfer not result in greater intensity of land uses than the development allowed without the transfer, and it will not result in any greater adverse traffic impacts than the development allowed without the transfer of Development Rights satisfies the two fixed standards, approval is a "governmental decision involving little or no personal judgment" and is therefore a ministerial action exempt from CEQA. | | | | | |
| Project Applic | cant: Irvine Company | | | | |
| Applicant Con | ntact: Dan Miller, Vice President Entitlement and Public Affairs | | | | |
| Applicant Add | dress: 550 Newport Center Drive Newport Beach, CA 92660 (949) 720-2609 | | | | |
| Name of Public Agency Approving Project: City of Newport Beach | | | | | |
| Date of Approval: February 24, 2015 | | | | | |
| Name of Person or Agency Carrying Out Project: City of Newport Beach | | | | | |
| Contact Person: James Campbell Title: Principal Planner Tel. No.: (949) 644-3210 | | | | | |
| Signature: <u>JW Compbett</u> Date: <u>2/25/2015</u> | | | | | |

FILED

FEB 2 5 2015

HUGH NGUYEN, CLERK-RECORDER

BY: DEPUTY

POSTED

FEB 2 5 2015

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:_____DEPUTY

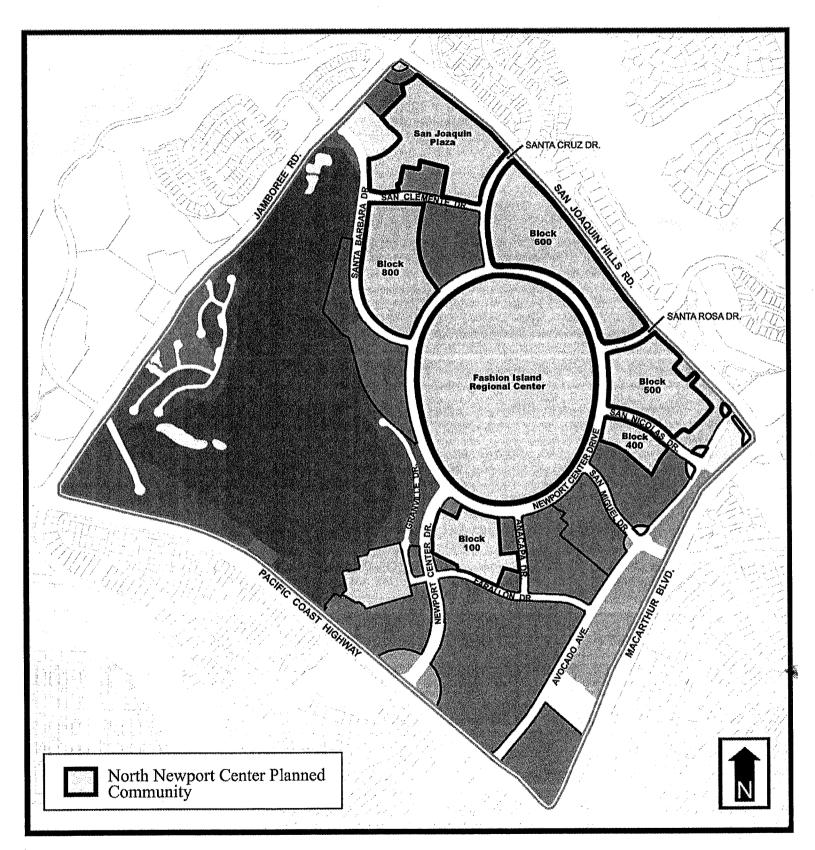


Exhibit 1



State of California—Natural Resources Agency CALIFORNIA DEPARTMENT OF FISHAND WILDLIFE 2015 ENVIRONMENTAL FILING FEE CASH RECEIPT

| RECEIPT# |
|----------------------------------------|
| 30-2015 0139 |
| STATE CLEARING HOUSE # (If applicable) |
| l ni/a |

| | | 30-2015 | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------|----------------|----------------------|
| | | | EARING HOUSE# | (If applicable) |
| SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY | | N/A | | |
| LEADAGENCY | | | DATE | |
| NEWPORT BEACH | | | 02/26/20 | 5 |
| COUNTY/STATE AGENCY OF FILING | | | DOCUMEN | TNUMBER |
| Orange | | | 20158500 | 0156 |
| PROJECT TITLE | | | | |
| TRANS OF DEV RIGHT FROM FASHION ISLAND TO BLOCK | 100 AND BLOCK 600 AND | FROM BL | | |
| PROJECTAPPLICANTNAME | | | PHONE NU | |
| IRVINE COMPNAY | | | (949) 7 | 20-2609 |
| PROJECT APPLICANT ADDRESS | CITY | STATE | ZIP CODE | |
| 550 NEWPORT CENTER DR | NEWPORT BRACH | CA | 92660 | |
| PROJECT APPLICANT (Check appropriate box): | | | | |
| Local Public Agency School District | Other Special District | State Age | ency | Private Entity |
| CHECK APPLICABLE FEES: Environmental Impact Report (EIR) Mitigated/Negative Declaration (MND)(ND) Application Fee Water Diversion (State Water Resources Control | l Board only) | \$3,069.75 \$2,210.00 \$850.00 | \$ \$ \$ | 0.00 0.00 0.00 |
| Projects Subject to Certified Regulatory Programs (CRP) | | \$1,043.75 | \$ | 0.00 |
| County Administrative Fee | | \$50.00 | \$ | 50.00 |
| Project that is exempt from fees | | | | - |
| Notice of Exemption (attach) | | | | |
| CDFW No Effect Determination (attach) | | | | |
| Other | | | \$ | |
| PAYMENT METHOD: | | | | |
| Cash Credit Check Other | TOTAL F | RECEIVED | \$ | 50.00 |
| SIGNATURE PRI | NTED NAME AND TITLE | | | |
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OC CLERK RECORDER 12 CIVIC CTR-PLZ RM 106 SANTA ANA, CA 92701

02/26/2015

08:20:12

CREDIT CARD

MC SALE

| CARD # | XXXXXXXXXXXXXX3857 |
|----------------|--------------------|
| INVOICE | 0001 |
| SEQ #: | 0001 |
| Batch #: | 000022 |
| CLERK | 0292 |
| Approval Code: | 004286 |
| Entry Method: | Swiped |
| Mode: | Online |
| SALE AMOUNT | \$50.00 |

"Please retain for your records"
Thank you! www.ocrecorder.com

CUSTOMER COPY

| * | 2.4 | | |
|---|-----------------|-----------------------------------------------------------------------------------|-------------|
| | Clerk | ie County -Recorder's Offic Nauyen | ore inf |
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| | Item | Title | Count |
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| | 575 875 875 1.1 | ing Sif all jon had then built thirt thirt year own was thirt time and anythe and | |
| | DUC# : | 201585000156 | 50.00 |

Credit Card tendered 50.00 # 004286 0.00

50.00

Amount

Time Recorded 8:20 am

Total

Payment Type

THANK YOU
PLEASE RETAIN THIS RECEIPT
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