



Hugh Nguyen
Clerk - Recorder

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COMMUNITY
DEC 21 2015

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

DEVELOPMENT
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 11/13/2015

It remained posted for 30 (thirty) days.

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

By: Rose M. Solorio 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 ***

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: Newport Center Planned Community Amendments and Transfer of Development (PA2015-109)

Project Applicant: Irvine Company, 550 Newport Center Drive, Newport Beach, CA 92660

Attn: Dan Miller, VP Entitlement and Public Affairs - (949) 720-2609

Project Location – Specific: Newport Center and Fashion Island; specifically the following Planned Communities: North Newport Center, Block 500, Corporate Plaza, and Corporate Plaza West. The areas affected are generally bounded by Pacific Coast Highway, Jamboree Road, MacArthur Boulevard and San Joaquin Hills Road as shown on the attached exhibit.

Project Location – City: Newport Beach **Project Location – County:** Orange

Description of Nature, Purpose and Beneficiaries of Project: The Irvine Company proposed an amendment to the North Newport Center Planned Community Development Plan (NNCPCDP) to update the regulations to reflect past City Council approved transfers of development. The amendment also makes minor changes to the permitted uses, parking regulations, sign regulations and makes minor technical fixes to the existing regulations. The amendment also establishes a new 10-foot height exception for architectural features and rooftop appurtenances atop buildings under 200 feet tall.

The Irvine Company also requested an amendment to remove two buildings from the Block 500 Planned Community adding them to adjacent subarea of the NNCPCDP. Maps within each planned community regulations are updated and the gross floor area of the two buildings would be deducted from the Block 500 PC and added to the North Newport Center PCDP.

The Irvine Company proposed a transfer of development from Corporate Plaza (15,468 gross square feet) and Corporate Plaza West (5,693 gross square feet) to the 100 Block of the North Newport Center PCDP (Transfer of Development No. TD2015-001). As a result of the transfer, amendments to reduce the maximum allowable building area within the Corporate Plaza and Corporate Plaza West Planned Community District Regulations was proposed.

On October 27, 2015, the City Council adopted Resolution No. 2015-92 approving Transfer of Development No. TD2015-001. On November 10, 2015, the City Council adopted at a second reading Ordinance No. 2015-31 approving Planned Community Development Plan Amendment No. PD2015-001 amending the Corporate Plaza, Corporate Plaza West and Block 500 Planned Community District Regulations (PA2015-109). The City Council also adopted Ordinance No. 2015-32 approving Amendment No. PD2015-001 amending the North Newport Center Planned Community Development Plan (PA2015-109).

Name of Public Agency Approving Project: City of Newport Beach

Name of Person or Agency Carrying out Project: Irvine Company/Dan Miller

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 1 (Existing Facilities) and Class 3 (New Construction or Conversion of Small Structures)

Statutory Exemptions. State code number: _____

General Rule (Sec. 15061(b)(3))

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



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FILED

NOV 12 2015

HUGH NGUYEN, CLERK-RECORDER
 BY: [Signature] DEPUTY

POSTED

NOV 13 2015

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

Reasons why project is exempt: The proposed amendment of the North Newport Center Planned Community (NNCPC) is exempt from CEQA pursuant to Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines because it has no potential to have a significant effect on the environment. The changes to planned community regulations do not authorize new uses or development and will not expand existing uses. The updated regulations reflecting past approved and proposed transfers of development will allow for more efficient and accurate administration of regulations. Adding 2071 and 2101 San Joaquin Hills Road to the planned community is appropriate and will regulate these sites consistent with the adjacent office buildings currently within the planned community. The rooftop appurtenance allowances, parking regulations and sign regulations are appropriate and acceptable and will appropriately implement the General Plan and avoid land use conflicts. The increase in height for architectural features and rooftop appurtenances for buildings under 200' are minor within the context of the existing and maximum building heights as planned and regulated by the North Newport Center Planned Community District Plan.

The proposed amendments to the Block 500, Corporate Plaza, and Corporate Plaza West Planned Community District Regulations and the transfer of development exempt from and are not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. It can be seen with certainty that there is no possibility that the project could have a significant effect on the environment. No development is authorized and all development within the affected planned communities is within the limits of the General Plan. The transfer of unbuilt development to Block 100 of the North Newport Center Planned Community will allow the continued use of an existing building and no new development would result. A traffic analysis was also prepared under the supervision of the City Traffic Engineer and it concluded the transfer of development is trip neutral and no significant impact to traffic would result. The amendments and transfer do not change development standards or allowed uses. The actions do not increase the allowable development intensity within Statistical Area L-1 (Newport Center).

Lead Agency

Contact Person: James Campbell **Area Code/Telephone/Extension:** 949/644-3210

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: *JW Campbell* **Date:** November 12, 2015 **Title:** Principal Planner

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.

FILED

NOV 12 2015

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BY: *[Signature]* DEPUTY

POSTED

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BY: *[Signature]* DEPUTY



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

RECEIPT# 30-2015 1094
STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF NEWPORT BEACH PLANNING DIVISION	DATE 11/13/2015
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER 201585001103

PROJECT TITLE
 NEWPORT CENTER PLANNED COMMUNITY AMENDMENTS AND TRANSFER OF TRANFER OF DEVELOPMENT (PA2015-109)

PROJECT APPLICANT NAME IRVINE COMPANY	PHONE NUMBER (949) 720-2609
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PROJECT APPLICANT ADDRESS 550 NEWPORT CENTER DRIVE	CITY NEWPORT BEACH	STATE CA	ZIP CODE 92660
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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)	\$3,069.75	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,210.00	\$	0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,043.75	\$	0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input checked="" type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other _____

TOTAL RECEIVED \$ 50.00

SIGNATURE 	PRINTED NAME AND TITLE RICARDO HARO, DEPUTY CLERK
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