



**HUGH NGUYEN**  
CLERK-RECORDER

BIRTH AND DEATH RECORDS  
FICTITIOUS BUSINESS NAMES  
MARRIAGE LICENSES/RECORDS  
NOTARY REGISTRATION  
ORANGE COUNTY ARCHIVES  
PASSPORTS  
PROPERTY RECORDS

CITY OF FULLERTON  
303 W. COMMONWEALTH AVE  
FULLERTON, CA 92832

Office of the Orange County Clerk-Recorder  
**Memorandum**

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 03/11/2024

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

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

By: Lyndsey Irwin 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 \*\*\*



ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET

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



NO FEE

\* \$ R 0 0 1 4 8 2 6 9 6 2 \$ \*

202485000172 2:19 pm 03/11/24

474 NC-2 Z01  
0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

BTC III FULLERTON ACACIA-KIMBERLY COMMERCE POJECT

Check Document being Filed:

- Environmental impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

**FILED**

MAR 11 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: LI DEPUTY

**FILED IN THE OFFICE OF THE ORANGE  
COUNTY CLERK-RECORDER ON** March 11, 2024  
Posted for 30 days  
**DEPUTY** LI

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Orange
601 Ross Street
Santa Ana, CA 92701

From: (Public Agency): City of Fullerton
303 W. Commonwealth Ave.
Fullerton, CA 92832
(Address)

Project Title: BTC III Fullerton Acacia-Kimberly Commerce Project

Project Applicant: Jamie McLaughlin, BTC III Fullerton CC LP

Project Location - Specific:
801-811 Acacia Avenue and 1580 Kimberly Avenue

Project Location - City: Fullerton Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF A MAJOR SITE PLAN TO DEMOLISH EXISTING ONSITE STRUCTURES TO CONSTRUCT A NEW 185,525-SQUARE-FOOT INDUSTRIAL WAREHOUSE BUILDING WITH 10,000 SQUARE FEET OF OFFICE SPACE.

Name of Public Agency Approving Project: City of Fullerton

Name of Person or Agency Carrying Out Project: Community and Economic Development - Planning Division

- 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));
[X] Categorical Exemption. State type and section number: CEQA Sections 15168 and 15183
[ ] Statutory Exemptions. State code number:

Reasons why project is exempt:
An environmental checklist has been prepared pursuant to CEQA Guidelines Sections 15168 (Project Within the Scope of a Program EIR) and 15183 (Projects Consistent with a Community Plan or Zoning). The proposed project is consistent with the scope of the Fullerton Plan EIR, for which an EIR was prepared and certified. The project is also consistent with the zoning of M-P for the site. Furthermore, there are no new significant effects peculiar to the site or that were not previously analyzed in the Fullerton Plan EIR. There is no substantial new information that requires additional analysis, and there are no changes to the proposed project that require major revisions to the Fullerton Plan EIR.

Lead Agency
Contact Person: Edgardo Caldera Area Code/Telephone/Extension: (714) 773-5773

- 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 [X]

Signature: Edgardo Caldera Date: 3/11/2024 Title: Senior Planner

[ ] Signed by Lead Agency [X] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

FILED
MAR 11 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT Revised 2011
BY: LT DEPUTY