

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: Santa Cruz
Governmental Center
701 Ocean St, Santa Cruz, CA 95060

From: (Public Agency): City of Santa Cruz
Planning Dept., 809 Center St, Room 101
Santa Cruz, CA 95060
 (Address)

Project Title: Delaware Addition Planned Development

Project Applicant: RTP - Delaware Avenue, LLC

Project Location - Specific:
100 and 400 Ingalls Alley

Project Location - City: Santa Cruz Project Location - County: Santa Cruz

Description of Nature, Purpose and Beneficiaries of Project:

A review of the annual compliance report finds that the applicant is in good faith compliance with the material terms of the development agreement, with the following exception. An Operating Memorandum will be processed to clarify conditions of approval and allow for affordable housing units consolidation so the owner can move forward with the amendments to the CC&R's, lease of the units to the University, consolidation of the affordable housing units on Lot 21 of the Project (400 Ingalls Alley) in lieu of dispersing them over Lots 20 and 21 (100 and 400 Ingalls Alley), and recordation of an amended Affordable Housing Development Agreement.

Name of Public Agency Approving Project: City of Santa Cruz

Name of Person or Agency Carrying Out Project: RTP - Delaware Avenue, LLC

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: 15183 PRC 21083.3


Reasons why project is exempt:

Clarification is needed for the condition of approval related to offering units to on-site workers which can be made through the operating memorandum process. This action would not change any of the conditions of approval but merely clarify an ambiguity and would not result in material changes to the project, have no foreseeable impact on the environment and would, therefore, not constitute a project under CEQA Guidelines Section 15378. Even if it was a project, that action can either re-use the prior Environmental Impact Report that was certified for the project as the actions do not alter the findings contained therein, and would also qualify under the "common sense" exemption in Section 15061 (b)(3), in that there is no possibility that the activity in question would have a significant effect on the environment.

Lead Agency
Contact Person: Rina Zhou Area Code/Telephone/Extension: 831-420-5104

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:  Date: May 3, 2024 Title: Associate Planner II

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.

Date Received for filing at OPR: _____