

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 Clara

County Clerk Recorder's Office

110 W. Tasman Dr, San Jose CA 95134

From: (Public Agency): City of Cupertino

10300 Torre Ave.

Cupertino, CA 95014

(Address)

Project Title: Housing Element Rezoning, Zoning Text Amendments and BMR Manual Update (MCA-2023-001, SPA-2023-011, Z-2024-001, CP-2024-002, EA-2024-001)

Project Applicant: City of Cupertino

Project Location - Specific:

Citywide

Project Location - City: Cupertino

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project was to make updates to the City's BMR Housing Mitigation Manual, Municipal Code, and Heart of the City Specific Plan and to amend the zoning designations on Priority Housing sites to facilitate implementation of the City's adopted 2023-2031 Housing Element.

Name of Public Agency Approving Project: City of Cupertino

Name of Person or Agency Carrying Out Project: City of Cupertino

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: 65759(a)

Reasons why project is exempt:

Project is exempt under Govt. Code Section 65759(a) since the City entered into a Settlement Agreement which identified the requirements to bring it into compliance with state law as it relates to Housing Element law.

Lead Agency

Contact Person: Piu Ghosh

Area Code/Telephone/Extension: 408-777-3277

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: *Piu Ghosh*

Date: 8-06-2024

Title: Planning Manager

▪ 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: _____



**SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET**

THIS SPACE FOR CLERK'S USE ONLY

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

TYPE OR PRINT CLEARLY

Check Document being Filed:

- Environmental Impact Report (EIR)
 Filing Fee (new project)
 Previously Paid F&W (**must attach F&W receipt and project titles must match**)
 No Effect Determination (**F&W letter must be attached**)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
 Filing Fee (new project)
 Previously Paid F&W (**must attach F&W receipt and project titles must match**)
 No Effect Determination (**F&W letter must be attached**)
- Notice of Exemption (NOE)
- Other (Please fill in type):

1. LEAD AGENCY: City of Cupertino
2. LEAD AGENCY EMAIL: planning@cupertino.gov
3. PROJECT TITLE: MCA-2023-001, Z-2024-001, CP-2024-002, SPA-2023-001, EA-2024-001
4. APPLICANT NAME: City of Cupertino PHONE: 408-777-3308
5. APPLICANT EMAIL: planning@cupertino.gov
6. APPLICANT ADDRESS: Citywide Cupertino, CA 95014
7. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

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.