

**Notice of Exemption**

**Appendix E**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**From:** City of Fullerton  
303 W. Commonwealth Ave.  
Fullerton, CA 92832

County Clerk  
County of Orange  
601 N. Ross Street  
Santa Ana, CA 92701

**Project Title:** Housing Element 6<sup>th</sup> Cycle (2021-2029), Housing Incentive Overlay Program, Fullerton General Plan Land Use Element Portion amendment to implement Housing Incentive Overlay Program and Housing Incentive Overlay Zone

**Project Applicant:** City of Fullerton

**Project Location – Specific:** City wide

**Project Location – City:** Fullerton      **Project Location – County:** Orange

**Description of Project:** Amendment to the Fullerton General Plan by amending the Fullerton Plan Fullerton built environment portion tables and exhibits of and adopting a revised appendix C to incorporate the Housing Incentive Overlay designation into the Fullerton Plan and Amendment to the Fullerton Municipal Code Section 15.08.020 and adding a new Section 15.17.075 and Chapters 15.18 and 15.23 relating to the Housing Incentive Overlay Zone Program Establishment and related Development Standards and Amending the Official Fullerton Zoning Map by applying the “- HI” Zoning Overlay Designation to certain commercial and industrial zoned properties.

**Name of Public Agency Approving Project:** City of Fullerton

**Name of Persons or Agency Carrying Out Project:** City Council of the City of Fullerton

**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: Section 15282(s); Government Code Section 65759 and Section 15061(b)(3)

**Reasons why project is exempt:** The project is exempt as the actions were necessary to bring the General Plan into compliance pursuant to a court order set forth in Section 65759. The actions are also exempt as it can be seen with certainty that there is no possibility that the adoption of the Housing Element may have a significant effect on the environment since no physical development is proposed at this time.

**Lead Agency**

**Contact Person:** David Lopez      **Area Code/Telephone:** 714-738-6878

**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:** 12/11/24      **Title:** Senior Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR: \_\_\_\_\_