

# Notice of Exemption

Appendix E

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

From: (Public Agency): San Benito Co. Resource Mgmt.  
2301 Technology Parkway  
Hollister, CA 95023-2513

County Clerk

County of: San Benito  
440 5<sup>th</sup> Street Room 206  
Hollister, CA 95023-3843

(Address)

Project Title: Affordable Housing Regulations Ordinance Update

Project Applicant: San Benito County Resource Management Agency, 2301 Technology Pkwy., Hollister, Cal.,

Project Location - Specific: County-wide Ordinance

Project Location - City: Unincorporated

Project Location - County: San Benito

## Description of Nature, Purpose and Beneficiaries of Project:

The Affordable Housing Regulations have been amended to include the dissolution of the Housing Advisory Committee from San Benito County's Committee Roster and as a review component of the Affordable Housing Plan workflow. Additional amendments include a stipulation which requires developers, when a residential development is proposed outside of a 10-mile radius of a San Benito County incorporated city, to construct the development's corresponding affordable units off-site within 10-miles of a San Benito County incorporated city. The final amendment to the ordinance includes an updated inclusionary percentage breakdown for off-site rental units at 24 lots or more. The total 20% allotment will be divided into 7.5% for very low-income units, 7.5% for low-income units, and 5% for moderate-income units.

Name of Public Agency Approving Project: San Benito Co. Resource Management Agency

Name of Person or Agency Carrying Out Project: Stephanie Reck

Exempt Status: (check one):

Categorical Exemption. State type and section number: §15061(b)(3), §15183, § 15162 (a)(1) - (3)

## Reasons why project is exempt:

Finding: Pursuant to San Benito County Local Guidelines for the California Environmental Quality Act, this project qualifies for an exemption from CEQA under State CEQA Guidelines Categorical Exemptions (California Code of Regulations §15061(b)(3), §15183, § 15162 (a)(1) - (3) Evidence: The revision of the San Benito County Affordable Housing Regulations, San Benito County Code Title 23 as adopted in this Ordinance does not have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA, as provided in the "common sense" The Affordable Housing Regulations ordinance amendments which are the subject of this action are consistent with the 2035 San Benito County General Plan for which an EIR was certified, and are therefore subject to the provisions of 14 C.C.R. § 15183, in that no additional environmental review shall be required. exemption set forth in CEQA Guidelines, 14 C.C.R. § 15061 (b)(3). In accordance with CEQA Guidelines 14 C.C.R. § 15183, projects that are consistent with development density established by general plan policies for which an EIR has been certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. In this regard, the Board of Supervisors finds:

a. There are no environmental effects that are peculiar to a specific project or the parcel on which a project would be located. b. Amendment of the affordable housing regulations ordinance on a programmatic level to implement the Principles, Goals, Policies, Standards, Programs, and Implementation Measures no significant effects that were not analyzed in the prior EIR certified for the adoption of the General Plan. c. There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan. d. There is no substantial new information which was not known at the time the EIR was certified that previously identified significant effects would have a more severe adverse impact than discussed in the prior General Plan EIR. e. All feasible mitigation measures identified in the prior General Plan EIR will be undertaken On July 21, 2015 the San Benito County Board of Supervisors certified the adoption of a programmatic Environmental Impact Report (EIR) for the adoption of the 2035 San Benito County 2035 General Plan by the adoption of Resolution No. 2015-58. No subsequent EIR shall be prepared for a project unless there is substantial evidence in light of the whole record that one or more of the circumstances set forth in CEQA Guidelines, 14 C.C.R. § 15162 (a)(1) - (3) have been determined to have occurred.

Lead Agency

Contact Person: Stephanie Reck, Associate Planner

Area Code/Telephone/Extension: 831 902 2289

## 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: Stephanie Reck

Date: 9/15/2023

Title: Associate 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.

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