



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF SOCIAL SERVICES – HOMELESS SERVICES DIVISION
Notice of CEQA Exemption

Project Title: WELCOME HOME VILLAGE

Project Location (Specific address): located on APNs: 003-703-061; 063 located at the corner of Johnson and Bishop Streets within the City of San Luis Obispo

Project Applicant/Phone No./Email: County of San Luis Obispo Homeless Services Division
Jeff Al-Mashat 805-788-9489
jalmashat@co.slo.ca.us

Applicant Address (Street, City, State, Zip): 1055 Monterey Street
San Luis Obispo, CA 93408

Description of Nature and Purpose of the Project:

Approval of design, entitlement, construction and operation of a supportive housing project consisting of 46 permanent supportive housing units and 34 interim supportive housing residential units which will initially target individuals experiencing homelessness that are living within the Bob Jones Trail corridor (the "Project"). Project approvals also include: (1) lease of the property identified above to Good Samaritan Shelter organization to operate the Project; (2) execution of an agreement between the County and DignityMoves for the design, entitlement and construction of the Project for the benefit of Good Sam; and (3) execution of ERF Grant Subrecipient Agreements with Good Sam for the operation of the Project and the City of San Luis Obispo for services and support efforts to get individuals experiencing homelessness currently living within the Bob Jones Trail corridor into stable housing at the Project.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status: (Check all that apply)

- 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. {Sec. 15332; Class: 32}
Statutory Exemption {Sec. 15195}
General Rule Exemption. {Sec. 15061(b)(3)}
Other: Shelter Crisis Housing Law Government Code § 8698.4(a)(4) and Low Barrier Navigation Center Government Code §§ 65660

Reasons why project is exempt:

a. The Project is categorically exempt from CEQA based on CEQA Guidelines Section § 15332 (In-Fill Development). As reflected in the City of San Luis Obispo ("City") General Plan conformity determination attached as Exhibit F, the Project is consistent with the City's general plan designation and all applicable general plan policies and zoning designations. The Project is located within the City and the Project site is less than five acres and is substantially surrounded by urban uses. The



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site is already fully developed as a parking lot and the site has no value as habitat for endangered, rare or threatened species. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality or water quality; specifically, the Project simply establishes 80 additional permanent supportive and interim housing units within an already developed parcel. The City has adequate capacity to serve the Project with all required utilities and public services. The County further finds that there are no unusual circumstances regarding the Project as the Project conforms to the City's general plan and zoning designations. The site is surrounded by other similar and compatible uses including residential, professional medical offices and rehabilitation center public facilities (including a behavioral health facility and a probation department) as well as other supportive housing uses (i.e. Bishop Street Studios). The Project will provide supportive housing for individuals who are in the very-low-income category. As such, the County recognizes that the Project is the type of project that otherwise qualifies for certain density bonuses, incentives and waivers of development standards per Government Code § 65915. While the County is not subject to the City's zoning code, this Project would otherwise qualify for such density bonuses, incentives and waivers of development standards and that such density bonuses, incentives and waivers of development standards cannot be denied unless based on a "specific adverse impact" as defined in that code. To the extent that any argument is made that the Project does not qualify for the infill exemption based on inconsistencies with the City's applicable zoning code, the County finds that such inconsistency is due to the density bonuses, incentives and waivers of development standards that the Project is afforded based on Government Code § 65915 and therefore, notwithstanding the fact that the County is immune from the City's zoning code, such standards are not considered "applicable" based on rational in cases such as *Wollmer v. City of Berkeley*, (2011) 193 Cal. App. 4th 1329 and *Banker's Hill 150 v. City of San Diego*, (2022) 74 Cal. App. 5th 755. Moreover, the County finds that none of the inconsistencies would result in specific adverse impacts.

With respect to concerns raised regarding increased crime, trash and vagrancy, similar projects in places like Santa Barbara and Grover Beach evidence contrary experiences. These projects do not result in such concerns and in fact, the project have the opposite effect and help address those impacts that are caused by individuals who are homeless within the community by providing supportive housing. With respect to parking, the Board acknowledges that such impacts are not environmental impacts under CEQA (see *Save Our Access – San Gabriel Mountains v. Watershed Conservation Authority*) and more importantly, that County staff is in the process of identifying alternative off-street parking to offset the parking being displaced by the Project.

b. The leasing of the Property to Good Sam and the Subrecipient Agreements referenced above are exempt from CEQA based on Government Code § 8698.4(a)(4) which statutorily exempts actions taken by a county, a to lease property owned by a county, or to provide financial assistance to, a homeless shelter constructed or allowed under the Shelter Crisis law codified in Government



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Code §§ 8698, *et seq.*, On December 12, 2023, the County re-affirmed its declaration of a shelter crisis pursuant to the Shelter Crisis law and authorized the County to allow the construction of emergency shelters and other housing in order to provide additional supportive housing for individuals experiencing homelessness within the County. The Project and the agreements referenced above are all in furtherance of this declaration.

c. That the Project qualifies as a Low Barrier Navigation Center pursuant to Government Code §§ 65660 *et seq.* and is a “use by right” because the zoning on the Property allows for supportive housing and the Project otherwise complies with the criteria in Government Code § 65662(a)-(d). Because the Project is a “use by right” it is statutorily exempt from CEQA per CEQA Guidelines § 15268 because it is considered ministerial in nature.

d. That the Project is exempt from CEQA because it is an affordable housing project per CEQA Guidelines § 15195 and it is less than four acres in size, no building exceeds 100,000 square feet, it is a residential project on an infill site, is within one-half mile a major transit stop, is less than 100 units and promotes higher density infill housing and will meet the affordable housing requirements in 14 CCR 15195(a)(5) and none of the criteria in 14 CCR 15195(b) apply.

e. That the Project is exempt from CEQA per CEQA Guidelines § 15061(b)(3) because 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 Project is a relatively moderate-scale single story supportive housing project on land that allows for supportive housing. The site is surrounded by other similar and compatible uses including residential, professional medical offices and rehabilitation center public facilities (including a behavioral health facility and a probation department) as well as other supportive housing uses (i.e. Bishop Street Studios). The Project will target individuals who are currently living within the Bob Jones Creek corridor for housing opportunities. Experiences by other local agencies in other locations such as Santa Barbara and Grover Beach with a similar type of housing project have not resulted in any environmental impacts. In fact, those experiences result in positive impacts to the environmental quality of the area.

Additional Information: Additional information pertaining to this notice of exemption may be obtained by reviewing the last page of this document and by contacting the Project Lead Jeff Al-Mashat at 805-788-9489, jalmashat@co.slo.ca.us.



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Lead Agency Contact Person (Name, Number, E-mail)

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: [Handwritten Signature] Date: 5.22.2024

Name: [Handwritten Name] Title: Administrative Services Manager

On May 21, 2024 the project was Approved by: []

- [X] Board of Supervisors [] Subdivision Review Board [] Other
[] Planning Commission [] Planning Dept Hearing Officer