

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
1601 Lana Way
Hollister, CA 95023-2533

(Address)

Project Title: Title 7 Chapter 7.02 (Cannabis Business), Chapter 7.04 (Hemp Entities) & Title 19 (Land Use and Environmental Regulations) Chapter 19.43 (Cannabis Business Land Use Regulations)

Project Applicant: San Benito County Resource Management Agency, 2301 Technology Pkwy, Hollister, CA, 95023

Project Location - Specific:

County-wide Ordinance.

Project Location - City: Unincorporated

Project Location - County: San Benito

Description of Nature, Purpose and Beneficiaries of Project: Text amendments to County Code Title 7 (Business Regulations) Chapter 7.02 (Cannabis Businesses), Chapter 7.04 (Hemp Entities) Section 7.04.003 (Prohibitions), and Title 19 (Land Use and Environmental Regulations). Proposed amendments to Chapter 7.02 include, but are not limited to, re-organization of sections related to operating requirements for cannabis business types; updated license types; and established a maximum canopy limit of 500 acres. Proposed amendments to Chapter 7.04 include, but are not limited to, reducing the hemp exclusion zone buffer from one (1) mile to one half (1/2) mile of a Sphere of Influence or wine hospitality site. Proposed amendments to Chapter 19.43 include but are not limited to re-organization of sections related to operating requirements for cannabis business types; establishes principally permitted activities; removal of the 1:1 water offset; and reduced setback requirements for sensitive uses. These changes focus on improving code compliance, streamlining administrative processes, and ensuring the protection of public health and safety through more effective regulatory requirements.

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 the 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 Code Title 7 and Title 19 as adopted in this Ordinance does not have the potential for causing a significant effect on the environment and therefore the activity is not subject to CEQA, as provided in the "common sense" exemption §15061 (b)(3). The Title 7 & Title 19 amendments 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. 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 County 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 Title 1 General Provisions; Code Enforcement ordinance on a programmatic level to implement the Principles, Goals, Policies, Standards, Programs, and Implementation Measures have 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: 831 718-7960

sreck@sanbenitocountyca.gov

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: 12-13-24

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.