

# 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

(Address)

Project Title: Title 23 Subdivision Ordinance Update

CLERK STAMP

Project Applicant: San Benito County RMA

Project Location - Specific: County-wide ordinance

Project Location - City: Unincorporated

Project Location - County: San Benito

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

Ordinance to amend provisions of Title 23 Subdivisions Chapter 01 (General Provisions) Section 23.01.004 (Definitions), Chapter 17 (Improvements) Section 23.17.002 (Standards for Improvements), and Section 23.17.003 (Required Improvements). Summary of changes include but are not limited to: Requiring undergrounding of utilities in urban level service areas; Updated frontage improvements for minor and major subdivisions; Subdivisions between five and fifty lots required to perform a traffic nexus study; Improvements to be consistent Circulation Element and General Plan; and the Planning Commission's authority to recommend to the Board of Supervisors the use of in-lieu fees for future undergrounding of utilities throughout the county.

Name of Public Agency Approving Project: San Benito County Resource Management Agency

Name of Person or Agency Carrying Out Project: Stephanie Reck, Senior Planner, 2301 Technology Pkwy, Hollister, CA, 95023, (831) 902-2289, sreck@sanbenitocountyca.gov

### Exempt Status: (check one):

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

Reasons why project is exempt: Pursuant to San Benito County (SBC) Local Guidelines this project qualifies under State CEQA Guidelines Categorical Exemptions (CCR §15061(b)(3), §15183, § 15162 (a)(1) - (3)). Evidence: The revision of the SBC Subdivision Code Title 23 as adopted in this Ordinance can be seen with certainty there is no possibility 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" exemption set forth in CEQA Guidelines, 14 C.C.R. § 15061 (b)(3). The Subdivision amendments are consistent with the 2035 SBC General Plan (GP) for which an EIR was certified and are therefore subject to the provisions of 14 C.C.R. § 15183 as projects that are consistent with development density established by GP 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 Subdivision ordinance on a programmatic level to implement the GP have no significant effects that were not analyzed in the prior EIR certified for the adoption of the GP. C) There are no potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared. 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 GP EIR. E) All feasible mitigation measures identified in the prior GP EIR will be undertaken On July 21, 2015, the SBC Board of Supervisors certified the adoption of a programmatic EIR for the adoption of the 2035 SBC GP by the adoption of Resolution No. 2015-58. No subsequent EIR shall be prepared for a project unless there is substantial evidence 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, Senior 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: 9-5-2025 Title: Senior Planner

Signed by Lead Agency  Signed by Applicant