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STATEMENT OF EXEMPTION

from the California Environmental Quality Act (CEQA)

FILE NUMBER PLN24-260-SB330	APN(S) 59901052	DATE 4/15/2026
PROJECT NAME Pioneer Row	APPLICATION TYPE Subdivision and Grading Approval	
OWNER 6A Holdings LLC	APPLICANT 6A Holdings LLC	
PROJECT LOCATION 3193 McKee Road, San José, CA		
PROJECT DESCRIPTION Subdivision of an approximately 0.50-acre lot into ten lots of 660 sq. ft. (total of 0.15 acres) and one 14,309 sq. ft. (0.328 acres) common area lot, demolition of a single-family residence and associated accessory structures on this property, and development of ten single-family attached residences (townhomes). Grading consists of approximately 421 cubic yards of cut, and 717 cubic yards of fill for the proposed building pads, driveway on-site, site grading, sidewalks, base rock, and other subdivision improvements.		
All discretionary development permits processed by the County Planning Office must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further environmental review per the provision(s) listed below.		
CEQA (GUIDELINES) EXEMPTION SECTION		

Statutory Exemption – The proposed project at 3193 McKee Road in unincorporated San Jose qualifies for the statutory CEQA exemption set forth in Public Resources Code section 21080.66 (AB 130) for certain residential and mixed--use housing development projects in incorporated or urban areas, as defined.

FINDINGS

The proposed project at 3193 McKee Road in the unincorporated county adjacent to San José qualifies for the statutory CEQA exemption set forth in Public Resources Code section 21080.66 (AB 130). As summarized below, the Project satisfies all required eligibility criteria and statutory standards.

Qualifying Housing Development Project – AB 130 applies to residential and mixed- use housing development projects where at least two-thirds of the square footage is dedicated to residential use. The Project proposes construction of ten new residential units with no non-residential uses proposed. Accordingly, the Project qualifies as an eligible housing development project.

Site Size – The statute limits eligibility to projects located on sites not exceeding 20 acres, or sites not exceeding four acres for a builder’s remedy project. The Project site is approximately 0.5 acres in size, well within the statutory maximum.

Location Within an Incorporated Municipality or Urban Area - The Project site is located within an unincorporated pocket adjacent to the City of San José, is surrounded by urban development, and is within a census designated urbanized area. Therefore, it satisfies the requirement that the project be located within an incorporated municipality or urbanized area.

Previously Developed and Urbanized Site or Surrounded by Parcels Developed with Urban Uses- The site is currently developed with an urban use consisting of a single-family residence and associated accessory buildings. The project site is 100% surrounded by urban uses, including urban residential uses. As such, the site qualifies as previously developed and located within an urbanized area consistent with statutory requirements.

Consistency with General Plan and Zoning – The Project is considered to be statutorily consistent with General Plan and Zoning since the project is a qualifying SB 330 (Builder’s Remedy) Project. (See Government Code § 65589.5(f)(6)(D).)

Minimum Density Requirement – AB 130 requires a minimum residential density of 10 dwelling units per acre in suburban jurisdictions or 15 dwelling units per acre in metropolitan counties. The Project proposes a density of approximately 20 dwelling units per acre, thus exceeding the applicable minimum threshold.

Coastal Zone Restrictions – The Project site is not located within the Coastal Zone and is not subject to any coastal permitting limitations under the statute.

Farmland Restrictions – The site is not designated as prime farmland or farmland of statewide importance, nor is it land zoned or designated for agricultural protection or preservation by a local ballot measure and is therefore not subject to any farmland restrictions under the statute.

Wetlands Restrictions – The site does not contain wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993), and is therefore not subject to any wetland restrictions under the statute.

Fire Hazard Severity Zone Restrictions – The property is located outside of very high fire hazard severity zones, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, and outside of the state responsibility area, as defined in Section 4102 of the Public Resources Code, and is therefore not subject to any fire hazard severity zone restrictions under the statute.

Hazardous Waste Sites Restrictions – The project site is not a hazardous waste site listed pursuant to Government Code Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code and is therefore not subject to any hazardous waste site restrictions under the statute.

Earthquake Fault Zone Restrictions – The project is not within a delineated earthquake fault zone and is therefore not subject to any earthquake fault zone restrictions under the statute.

Flood Hazard Area Restrictions – The project is not within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency and is therefore not subject to any flood hazard area restrictions under the statute.

Regulatory Floodway Restrictions – The project is not within a regulatory floodway as determined by the Federal Emergency Management Agency and is therefore not subject to any regulatory floodway restrictions under the statute.

Restrictions on Lands Identified for Conservation – The project is not located on land identified in an adopted natural community conservation, habitat conservation plan, or other adopted natural resource protection plan and is therefore not subject to any restrictions for lands identified for conservation under the statute.

Protected Species Restrictions – The project does not contain habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act, the California Endangered Species Act, or the Native Plant Protection Act. Therefore, the Project is not subject to any protected species restrictions under the statute.

Restrictions on Lands Under Conservation Easement – The project is not on land under a conservation easement and is therefore not subject to any restrictions for lands under a conservation easement under the statute.

Historic Structures - The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date the preliminary application was submitted for the project. Therefore, the Project is not subject to any restrictions related to historic structures under the statute.

APPROVED BY:

Robert Salisbury, Principal Planner

Robert Salisbury

Signature

4/15/2026

Date