

ATTACHMENT 3: CEQA NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Sean Stewart, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 067-200-005 **Case No.:** 16DVP-00000-00013

Location: 80 N. Patterson Avenue, Santa Barbara, CA 93111

Project Title: Patterson Ave Holdings New Office Building

Project Applicant:

Edward deVicente
DHMA Architecture
1 N. Calle Cesar Chavez #26
Santa Barbara, CA 93103

Project Description:

The project includes a request for approval of a Development Plan to permit the construction of a new 6,723 square foot (gross) shell office building. The office building would include two restrooms, one utility room, and one janitor's closet located immediately adjacent to the main entry in the northwest corner of the building totaling 844 square feet. The remaining 5,879 square feet of the ground floor is designed as an open floor plan allowing for tenant improvements. The structure would measure a maximum of approximately 22'-6 1/4" feet in height from existing grade. The project would include a new surface parking lot with four compact spaces, 17 regular spaces, 1 electric vehicle space, and 1 handicapped accessible parking space, for a total of 23 parking spaces on site. The site would receive 4,857 square feet of new landscaping. One coast live oak (*Quercus agrifolia*) tree is proposed for removal and would be replaced with three, 24-inch box coast live oaks to be planted onsite. A block site wall measuring between 0-6 feet in height, starting south of the new driveway along Patterson Avenue and extending south approximately 235 feet is proposed along the western property line. Grading would include approximately 1,213 cubic yards of cut, 849 cubic yards of fill and 364 cubic yards of export. Access would be provided via a new two-way driveway connecting to Patterson Avenue at the northwest corner of the property. The property is a vacant 0.54-acre parcel zoned C-2 and shown as Assessor's Parcel Number 067-200-005, located at 80 North Patterson Avenue in the Eastern Goleta Valley area, 2nd Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Carlo Sarmiento, Owner

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: Section 15303.

Reasons to support exemption findings:

Section 15303 exempts the construction and location of limited numbers of new, small facilities or structures, including a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The project consists of the construction of a new 6,723 square foot commercial office building on a vacant lot that does not include any mapped environmentally sensitive habitat area, in the C-2 zone district. Therefore, Section 15303 applies to the proposed project

The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The subject lot is located entirely outside of any designated or existing Environmentally Sensitive Habitat (ESH) areas. There are no other designated or mapped environmental resources of hazardous or critical concern on or adjacent to the project site. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

- (b) **Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The proposed project is located on a previously developed site that is currently vacant. The subject parcel is located within an existing developed area, where commercial buildings are both commonplace and allowable by ordinance. There are no sensitive resources that would be impacted by the proposed project and the proposed office building would have no potential for cumulative impacts on the parcel or other adjacent lots in the vicinity. Accordingly, the cumulative impact of successive projects of the same type in the same place, over time, would not be significant. This is the last remaining vacant parcel at the Patterson Avenue and Highway 101 intersection and as such successive commercial projects in this area are not expected. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

- (c) **Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The proposed structure is for office use and there is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant effects on the environment. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The site is not visible from any highway officially designated as a state scenic highway. As such, there are no protected scenic views impacted by the project. Accordingly, this exception to the Categorical Exemption is not applicable to the proposed project.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

The project site is not currently a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code. The site was formerly developed with a gas station that was demolished in 1988. As a result of the prior use, the site was entered into the Leaking Underground Fuel Tank (LUFT) program, with the LUFT site number 516841 and placed on a hazardous waste site list pursuant to Section 65962.5 of the Government Code. However, soil remediation was completed in accordance with EHS and State requirements, the case was closed, and the project site was removed from any lists compiled pursuant to Section 65962.5 of the Government Code. Therefore, the site is clean of hazardous materials and this exception to the Categorical Exemption is not applicable to the proposed project.

- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

There is no existing development onsite. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

Lead Agency Contact Person: Sean Stewart

Phone #: (805) 568-2517

Department/Division Representative: _____

Date: _____

Project Approval Date: _____

distribution: Hearing Support Staff

Date Filed by County Clerk: _____