

**ATTACHMENT 8 - NOTICE OF EXEMPTION**

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Willow Brown, Planning & Development Department

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:** 061-070-002                      **Case No.:** 22DVP-00000-00004

**Location:** 4555 Hollister Ave., Goleta, CA 93110

**Project Title:** SBSR LLC Apartments

**Project Applicant:** SBSR LLC

**Project Description:** The project is a request for a Development Plan submitted pursuant to Senate Bill 330 to allow demolition of one two-bedroom apartment, two one-bedroom apartments, and one studio apartment, and the construction of a new 22-unit residential apartment complex consisting of 21 new one- and two-bedroom apartments and one existing 1,378-square-foot single-family dwelling. There will be two very low income units. The complex is comprised of 11 new buildings, 10 of which contain two units and one of which contains one unit. The development totals 23,945 square feet. The square footages of the buildings are as follows:

Building	Square Footage
<b>To Be Demolished</b>	
E-1	1,963
E-2	267
E-3	471
E-4	634
<b>To Be Constructed</b>	
1	3,000
2	2,620
3	2,635
4	1,385
5	1,385
6	1,385
7	2,535
8	2,495
9	2,540
10	2,025

11	1,940
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A total of 28 parking spaces are required, and 29 parking spaces will be provided. Grading will include 2,697 cubic yards of cut and 1,140 cubic yards of fill. A total of 19 trees (one pepper tree, five oak trees, two ficus trees, six fruit trees, two date palm trees, one olive tree, and two pine trees) are proposed for removal. Five 15-gallon oak trees will be planted to replace the five oak trees removed. The parcel will be served by the La Cumbre Mutual Water Company, the Goleta Sanitary District, and the Santa Barbara County Fire Department. Access is provided off of Hollister Avenue. The property is a 1.07-acre parcel zoned DR-20 and shown as Assessor's Parcel Number 061-070-002, located at 4555 Hollister Ave in the Eastern Goleta Valley Community Plan area, Second Supervisorial District.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Entity Carrying Out Project:** On Design, LLC – Lonnie Roy

**Exempt Status:**

- ☐ Ministerial
- ☐ Statutory Exemption
- ☐ Categorical Exemption
- ☐ Emergency Project
- ☐ Declared Emergency
- ☒ Special Review of Housing Projects

**Cite specific CEQA and/or CEQA Guidelines Section:** The proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 21159.25, Exemption: Residential or Mixed-Use Housing Projects. Section 21159.25 applies to a residential or mixed-use housing project if all of the following conditions are met:

- 1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.***

The project is consistent with the applicable general plan designation and applicable zoning designation. The subject parcel is designated RES-20.0, or Residential, 20 units/acre. The subject parcel is zoned DR-20, or Design Residential, 20 units/acre. The DR Zone is applied to areas appropriate for one-family, two-family, and multi-family dwellings. The project proposes 21 new residential units, and one existing single-family dwelling. The site is 1.07 acres, allowing for 21 units under the allowed density. The applicant is requesting one additional unit pursuant to Government Code Section 65915, Density Bonuses and Other Incentives. The proposed project includes two very-low income affordable housing units, which is nine percent of the total units. Pursuant to Government Code Section 65915, housing developments that propose nine percent of the total units as very-low income affordable housing units are eligible for a 30% density

bonus. The applicant is only requesting one additional unit, a 5% density bonus. As discussed in Sections 6.2 and 6.3 of the staff report, dated April 16, 2024, and incorporated herein by reference, the proposed project complies with all applicable, objective policies of the Comprehensive Plan, including the Eastern Goleta Valley Community Plan and all applicable LUDC regulations. The project is consistent with policies regarding adequate services, biological resources, cultural resources, hillside and watershed protection, noise, and water resources and requirements for the DR Zone District for height, building site coverage, setbacks, and parking, and, with implementation of the State Density Bonus Law, for density and open space.

- 2) (A) The public agency approving or carrying out the project determines, based upon substantial evidence, that the density of the residential portion of the project is not less than the greater of the following:**
- I. The average density of the residential properties that adjoin, or are separated only by an improved public right-of-way from, the perimeter of the project site, if any.**
  - II. The average density of the residential properties within 1,500 feet of the project site.**
  - III. Six dwelling units per acre.**

The project density is greater than the average density of the residential properties in the vicinity of the project site. The adjacent parcels are zoned 10-R-1, which has a density of one single-family dwelling per lot. The other surrounding zones consist of R-1 (Single-Family Residential), REC (Recreation), and PI (Professional and Institutional). The DR-20 Zone (Design Residential) has a density of 20 units per acre, which is greater than all the surrounding residentially-zoned properties. Additionally, it is greater than the minimum of six dwelling units per acre.

**(B) The residential portion of the project is a multifamily housing development that contains six or more residential units.**

The project contains 22 residential units.

- 3) The proposed development occurs within an unincorporated area of a county on a project site of no more than five acres substantially surrounded by qualified urban uses.**

“Substantially surrounded” means at least 75 percent of the perimeter of the project site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. The remainder of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that have been designated for qualified urban uses in a zoning, community plan, or general plan for which an environmental impact report was certified. A “qualified urban use” means any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. The proposed development is located on a 1.07-acre lot in the unincorporated area of Santa Barbara County, and is bordered by

residential uses on three sides and Hollister Avenue on the fourth side. The parcel on the other side of Hollister Avenue is developed with public institutional uses including the Page Youth Center and the Santa Barbara Food Bank.

**4) *The project site has no value as habitat for endangered, rare, or threatened species.***

There is no environmentally sensitive habitat on the project site.

**5) *Approval of the project would not result in any significant effects relating to transportation, noise, air quality, greenhouse gas emissions, or water quality.***

The project will not result in significant effects related to transportation, noise, air quality, greenhouse gas emissions, or water quality.

**Transportation:** According to the County's Environmental Thresholds and Guidelines Manual, a significant transportation impact will occur when:

**a. Potential Conflict with a Program, Plan, Ordinance, or Policy.** A transportation impact occurs if a project conflicts with the overall purpose of an applicable transportation and circulation program, plan, ordinance, or policy, including impacts to existing transit systems and bicycle and pedestrian networks pursuant to Public Resources Code Section 21099(b)(1). In such cases, applicants must identify project modifications or mitigation measures that eliminate or reduce inconsistencies with applicable programs, plans, ordinances, and policies. For example, some community plans include provisions that encourage complete streets. As a result, an applicant for a multifamily apartment complex may need to reduce excess parking spaces, fund a transit stop, and/or add bike storage facilities to comply with a community plan's goals and policies.

**b. Potential Impact to VMT.** The County expresses thresholds of significance in relation to existing, or baseline, county VMT. Specifically, the County compares the existing, or baseline, county VMT (i.e., pre-construction) to a project's VMT. Projects with VMT below the applicable threshold would normally result in a less than significant VMT impact and, therefore, would not require further analyses or studies. Projects with a VMT above the applicable threshold would normally result in a significant VMT impact and, therefore, would require further analyses and studies, and, if necessary, project modifications or mitigation measures. CEQA Guidelines Section 15064.3 establish VMT as the most appropriate measure of transportation impacts under CEQA.

The County presumes that land use or transportation projects meeting any of the screening criteria will have less than significant VMT impacts and will not require further analysis. County thresholds identify Small Projects as a project that generates 110 or fewer average daily trips. The VMT thresholds of significance are for general use and should apply to most projects subject to environmental review. However, the thresholds may not be appropriate for unique projects. In such cases, CEQA Guidelines Section 15064.7(c) allows the County to use other thresholds "... on a case-by-case basis as

provided in Section 15064(b)(2).” The OPR Technical Advisory recommended thresholds for land use projects including Residential, Employment, Regional Retail, Mixed-Use Projects, and Other Land Use types.

c. **Design Features and Hazards.** Threshold “c” considers whether a project will increase roadway hazards. An increase could result from existing or proposed uses or geometric design features. In part, the analysis should review these and other relevant factors and identify results that conflict with the County’s Engineering Design Standards or other applicable roadway standards.

d. **Emergency Access.** Threshold “d” considers any changes to emergency access resulting from a project. To identify potential impacts, the analysis must review any proposed roadway design changes and determine if they will potentially impede emergency access vehicles.

**Impact Discussion:**

**(a) Potential Conflict with a Program, Plan, Ordinance, or Policy.** The Santa Barbara County Association of Governments (SBCAG) 2040 Regional Transportation Plan and Sustainable Communities Strategy (SBCAG, 2013) and the County’s Comprehensive Plan, zoning ordinances, capital improvement programs, and other planning documents contain transportation and circulation programs, plans, ordinances, and policies. A transportation impact occurs if a project conflicts with the overall purpose of an applicable transportation and circulation program, plan, ordinance, or policy, including impacts to existing transit systems and bicycle and pedestrian networks pursuant to Public Resources Code Section 21099(b)(1). The proposed project involves construction of 21 new one- and two-bedroom apartments and validation of one existing single-family dwelling on a parcel zoned for high-density residential development. The project meets the parking requirement for the DR Zone, and also proposes bicycle parking. The project will not result in conflicts with an applicable Program, Plan, Ordinance, or Policy related to transportation, and therefore, will result in an insignificant impact.

**(b) Potential Impact to VMT.** The County presumes that land use projects meeting any of the screening criteria, absent substantial evidence to the contrary, will have less than significant VMT impacts and will not require further analysis. A single-component project (e.g., residence, office, or store) only needs to meet one of the screening criteria. Using the County’s VMT Tool, it was determined that the proposed project, which involves construction of 21 new apartments, will result in fewer than 110 average daily trips. The VMT Tool estimated an average of 104 daily trips. The project meets the screening criteria for small projects, and therefore, is presumed to have an insignificant impact related to VMT.

**(c) Design Features and Hazards.** The proposed project involves construction of 21 new one- and two-bedroom apartments and validation of one existing single-family dwelling and driveway improvements. The proposed driveway improvements are designed to be consistent with the County’s driveway standards, and will not result in hazards due to a

geometric design feature. Further, the proposed project involves construction of multi-family dwellings on a parcel zoned for residential development, and will not increase hazards due to incompatible uses. With the approval of the density bonus, the project is consistent with the allowed density for the site. Therefore, the project will not result in hazards due to a geometric design feature or incompatible uses, and impacts will be insignificant.

**(d) Emergency Access.** The proposed driveway improvements included as part of the project are designed to comply with Santa Barbara County Fire Department standards and will not result in inadequate emergency access. Therefore, impacts related to emergency access are insignificant.

**Noise:** The project is for a residential use in a developed urban neighborhood. The residential use of the site would not result in a substantial increase to long-term noise levels in adjoining areas. The project will generate short-term construction related noise, but is conditioned to require limitations on construction hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.).

**Air Quality:**

**Short-Term Construction Impacts.** Project construction would require site preparation, grading, demolition, building construction, and paving activities, which would temporarily produce air pollutant emissions. Emissions of ozone precursors (NO<sub>x</sub> and ROC) during project construction would result primarily from the on-site use of heavy earthmoving equipment. Due to the limited period of time that grading activities would occur on the project site, construction-related emissions of NO<sub>x</sub> and ROC would not be significant on a project-specific or cumulative basis. However, due to the non-attainment status of the air basin for ozone, the project should implement measures recommended by the APCD to reduce construction-related emissions of ozone precursors to the extent feasible. Compliance with these measures is routinely required for all new development in the County.

**Long-Term Operation Emissions.** Long-term emissions are typically estimated using the CalEEMod computer model program. However, the proposed project, consisting of 21 new residential units is below threshold levels for significant air quality impacts, pursuant to the screening table maintained by the Santa Barbara County APCD. The screening table indicates that a housing project involving condominiums or apartments of fewer than 200 units will likely not exceed the air quality threshold. Therefore, the proposed project does not have a potentially significant long-term impact on air quality.

**Greenhouse Gas Emissions:** The project will construct a 23,945 gross square foot 21-unit apartment complex, which falls below the County adopted Screening Criteria of 55,000 square feet for multi-family housing and therefore will not generate greenhouse gas emissions, either directly or indirectly, that will have a significant effect on the environment. The County adopted screening criteria of 55,000 square feet for multi-

family housing is based on a square footage metric that is in compliance with the Screening Threshold of 300 MTCO<sub>2</sub>e/year for non-industrial stationary source projects. Historical permit research indicates that multi-family housing projects of less than 55,000 square feet typically emit less than 300 MTCO<sub>2</sub>e/year, by the year 2030. Furthermore, there is no substantial evidence, based on the project type, that indicates anticipated emissions will exceed the screening criteria or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The 21-unit apartment complex will be constructed in an urban area on a relatively flat lot. Four existing units totaling 3,335 square feet will be demolished and one existing single-family dwelling will remain. Grading consists of 2,697 cubic yards of cut and 1,140 cubic yards of fill. Therefore, the project does not result in extensive demolition or grading. The building will meet current Title 24 Building Code requirements for energy efficient construction and appliances. Typical construction equipment will be used during demolition and construction, and site disturbance will be commensurate with the type and size of this multi-family residential project. The project's incremental contribution to a cumulative effect is not cumulatively considerable and the project's greenhouse gas emissions will have an insignificant impact on the environment.

**Water Quality:** The project will not have a significant impact on water quality. The nearest water body is located over 300 feet from the subject parcel, across Hollister Ave. Pursuant to the Tier 3 Stormwater Control Plan submitted, the project proposes permeable pavement for the parking stalls and drive aisles to reduce the amount of impervious surface area, and runoff from concrete walkways, curb areas, and buildings will drain to surrounding landscaped areas or be diverted to the proposed permeable pavement via gutter downspouts and storm drainpipes. The project also includes development of multiple on-site bioretention basins to collect surface runoff and to ensure there is no increase in the runoff exiting the site.

The project is located outside of any Flood Hazard Overlay or High Hazard Area and therefore is not subject to risks from flooding. The project will be supplied water from the La Cumbre Mutual Water Company. The La Cumbre Mutual Water Company has indicated that they have adequate water to supply the proposed project. The project will not significantly impact water supplies.

***6) The site can be adequately served by all required utilities and public services.***

The project site can be adequately served by all required utilities and public services. The site is served by the La Cumbre Mutual Water District, the Goleta Sanitary District, and the Santa Barbara County Fire Department. The La Cumbre Mutual Water Company issued a preliminary determination letter dated October 20, 2022, stating that there is sufficient water supply available to serve the proposed project. The Goleta Sanitary District issued a Sewer Service Availability letter dated March 14, 2024, stating that adequate sewage collection, treatment, and disposal capacity is currently available to

serve the proposed project. The Santa Barbara County Fire Department reviewed the proposed project and provided a condition letter dated December 19, 2022, requiring addressing, two new fire hydrants, paved access ways, portable fire extinguishers, and a fire sprinkler system. Police protection services will be provided by the County Sheriff. The project will take access off of an 28-ft wide driveway off Hollister Ave.

- 7) *The project is located on a site that is a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.***

The project site is located on a legal parcel as shown on the Certificate of Compliance (23CC19). The parcel is located within the Census-designated Santa Barbara Urban Area.

The CEQA exemption does not apply to a residential or mixed-use housing project if any of the following conditions exist:

- (a) *The cumulative impact of successive projects of the same type in the same place, over time is significant.***

This exception does not apply because the cumulative impact of successive projects of the same type in the same place, over time would not be significant. The project is located within an urban area where the construction of residential dwellings is both commonplace and allowable by ordinance. Additional structural development of the same type that is developed in conformance with applicable ordinance and policy regulations on residentially-zoned parcels in the vicinity would not result in a cumulatively significant impact.

- (b) *There is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.***

This exception does not apply because there is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. The project will not be located in a sensitive resource area. There are adequate services to serve the proposed development.

- (c) *The project 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 exception does not apply because the project is not located within viewing distance of a state scenic highway. The nearest designated scenic highway is State Highway 154, which is located over a mile away from the project site.

**(d) The project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

This exception does not apply since the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code (hazardous and toxic waste sites). In addition, there is no evidence of historic or current use of disposal of hazardous or toxic materials on the project site.

**(e) The project may cause a substantial adverse change in the significance of a historical resource.**

This exception does not apply because, based on record search results from the CCIC, there are no archaeological sites, prehistoric or historic, within 0.25 miles of the project area. There are a few sites within 0.5 miles of the project area that are too far away to be impacted. In the unlikely event that isolated cultural resources are encountered during future excavation, the project has been conditioned to require that all work shall immediately stop and a P&D approved archaeologist and Native American representative shall be retained to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation. Furthermore, no historic structures exist on the site.

**Lead Agency Contact Person:** Willow Brown

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**Department/Division Representative:** \_\_\_\_\_

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**Date:** 4/16/24

**Acceptance Date:** \_\_\_\_\_

**Distribution:** Hearing Support Staff

**Date Filed by County Clerk:** \_\_\_\_\_