

# NOTICE OF DETERMINATION (NOD)

To: Office of Planning and Research  
Street Address: 1400 Tenth Street, Room 121  
Sacramento, CA 95814  
U.S. Mail: P.O. Box 3044  
Sacramento, CA 95812-3044

From: (Department)  
County of Santa Barbara  
Planning and Development  
123 East Anapamu Street  
Santa Barbara, CA 93101

RECEIVED

2012 MAY 12 P 4: 56  
COUNTY OF SANTA BARBARA  
CLERK OF THE  
BOARD OF SUPERVISORS

XX County Clerk  
County of Santa Barbara

## SUBJECT:

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

**Project Number:** 13GPA-00000-00005, 13RZN-00000-00001, 13TRM-00000-00001, 13DVP-0000-00010, 17RDN-00000-00005, 20GOV-00000-00003

**Project Title:** SB Clark, LLC Residential Subdivision (Key Site 3)

**EIR Number:** 14EIR-00000-00007

SCH #2014061015  
State Clearinghouse Number

Shannon Reese, Planner  
Lead Agency/Contact Person

(805) 934-6261  
Area Code/Telephone

## Project Applicant: SB Clark, LLC

**Project Location:** The project site is located on the west side of U.S. Highway 101 (U.S. 101) approximately 0.25 miles south of Clark Avenue in the southeastern section of the Orcutt Planning Area. The site, identified as "Key Site 3" in the Orcutt Community Plan (OCP), is bounded by U.S. 101 to the east, Sunny Hills Mobile Home Park to the north, rural density ranchettes to the west, and the undeveloped Solomon Hills to the south.

**Project Description:** The Key Site 3 project site currently has two zoning and land use designations which include 138.6 acres of Rural Ranchette, 10 acre minimum parcel size (RR-10) and 8 acres of Multi-family Residential – Orcutt, 20 units per acre (MR-O). The proposed project is a request by SB Clark, LLC (property owner) for approval of Vesting Tentative Tract Map (VTTM), General Plan Amendment, Rezone, Development Plan, and associated request for Road Naming. The proposed project includes the following components:

- The rezoning of 138.6 acres of the subject parcel from RR-10 to PRD.
- The development of 119 single-family detached, small-lot residential units, clustered on the northern portion of the project site;
- 113.5 acres of public and private open space (82% of the total project site), including the upper mesa bluff area, Orcutt Creek, private parks and trails, public multi-use trails, landscaped basins, and areas of natural and restored habitat on hillsides and creeks;
- A two-lot subdivision of an 8-acre portion of the site that was rezoned to MR-O in February of 2009 as part of the Housing Element Focused Rezone Program.

The Development Plan provides details of site development in the area proposed to be rezoned Planned Residential Development (PRD) and developed with 119 single-family homes. A full description of the proposed Key Site 3 project components, including the Mesa Neighborhood, parks and trails, the proposed Homeowners' Association, affordable housing in-lieu fees, lighting and fencing, as well as all infrastructure and access components, can be found online at <http://www.countyofsb.org/833/Orcutt-Key-Site-3>.

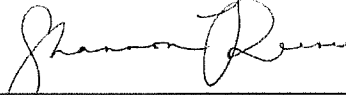
**This is to advise that the Santa Barbara County Board of Supervisors has approved the above described project on May 10, 2022, and has made the following determinations regarding the above described project:**

1. The project  will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the Provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures  were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan  was  was not] adopted for this project.
5. A statement of Overriding Considerations  was  was not] adopted for this project.
6. Findings  were  were not] made pursuant to the provisions of CEQA.
7. The project  did  did not] require discretionary approval from a state agency.

This is to certify that the Final EIR (including revision letters dated September 1, 2020 and November 2, 2020) with comments and responses and record of project approval is available to the general public at the address below, as well as electronically at the link provided below:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=5641069&GUID=3A16BAB7-87A9-4E02-A647-58F4678718E4&Options=&Search=>

- Santa Barbara County Planning and Development: 123 East Anapamu St. Santa Barbara, CA 93101
- Santa Barbara County Planning and Development: 624 Foster Road, Santa Maria, CA 93455



5/11/2022

Planner

Signature (Planning & Development, Santa Barbara County)

Date

Title

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# 2022 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

105 E. Anapamu St. Room 407 • Santa Barbara • CA • 93101

(805) 568-2240

Complete this form when filing a Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report or Notice of Exemption.

You will need to submit one original for posting plus one copy for the Department of Fish & Wildlife. A scanned copy including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person <b>Shannon Reese</b>		Phone <b>(805) 934-6261</b>	
Lead Agency County of Santa Barbara - Planning and Development		Lead Agency Email sreese@co.santa-barbara.ca.us	
Project Title <b>SB Clark, LLC Residential Subdivision (Key Site 3)</b>			
Project Applicant <b>FRANKLIN, JOHN</b>	Email ugmclellan@centexhomes.com	Phone <b>(805) 907-5124</b>	
Project Applicant Address <b>3159 EAGLEWOOD AVENUE</b>	City <b>THOUSAND OAKS</b>	State <b>CA</b>	Zip <b>91362</b>

**DOCUMENT BEING FILED:**

- Environmental Impact Report (EIR) .....
  - 2022 Filing Fee ..... \$3,539.25
  - Previously Paid (must attach receipt) ..... \$0.00
  - No Effect Determination (must be attached) ..... \$0.00
- Negative Declaration or Mitigated Negative Declaration .....
  - 2022 Filing Fee ..... \$2,548.00
  - Previously Paid (must attach receipt) ..... \$0.00
  - No Effect Determination (must be attached) ..... \$0.00
- Notice of Exemption ..... \$0.00
- County Administrative Handling Fee (required for all filings, effective 7/19/18) ..... \$50.00

TOTAL: **\$ 3,589.25**

**PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING**

- Cash
  - Credit Card
  - Check # 7078
  - Journal Entry # \_\_\_\_\_
- (in person only)

RECEIVED  
 2022 MAY 12 P 4:58  
 COUNTY OF SANTA BARBARA  
 CLERK OF THE BOARD OF SUPERVISORS



COUNTY OF SANTA BARBARA

X 2155281

COB

Department

Date 5/13/2022

Received from Aldersgate Investment LLC

In Payment of NOD; SB Clark LLC Residential Subdivision EIR Fees Processing Fees

Three Thousand Five Hundred Eighty Nine and 25/100 Dollars \$3,589.25

Received original of the above numbered receipt

CREDIT CARD	
CASH	
CHECK	<input checked="" type="checkbox"/>

N/A

SIGNATURE OF PAYOR

#7078

A. Ramirez

AUTHORIZED SIGNATURE

2-147

ALDRSGATE INVESTMENT, LLC  
300 E ESPLANADE DR STE 1550  
OXNARD, CA. 93036  
805-988-4114

WELLS FARGO BANK, N.A.  
www.wellsfargo.com  
16-24/1220

7078

DATE  
May 11, 2022

AMOUNT  
\$3,589.25

Three Thousand Five Hundred Eighty-Nine and 25/100 Dollars

PAY TO THE ORDER OF:

County of Santa Barbara  
Planning and Development  
c/o David Villalobos, Hearing Support  
123 East Anapamu St, CA 93101

[Signature]

AUTHORIZED SIGNATURE

Memo:

⑈0000007078⑈ ⑆122000247⑆ 7647831762⑈

D-6-B  
22-00395



State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE  
CASH RECEIPT**  
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print Start Over Save

RECEIPT NUMBER:  
42 — 05/13/2022 — 076  
STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY County of Santa Barbara - Planning & Development	LEAD AGENCY EMAIL sreese@co.santa-barbara.ca.us	DATE 05/13/2022
COUNTY/STATE AGENCY OF FILING Santa Barbara	DOCUMENT NUMBER	

PROJECT TITLE

**NOD - SB Clark, LLC Residential Subdivision (Key Site 3)**

PROJECT APPLICANT NAME Franklin, John	PROJECT APPLICANT EMAIL ugmclellan@centexhomes.com	PHONE NUMBER (805) 907-5124
PROJECT APPLICANT ADDRESS 3159 Eaglewood Ave	CITY Thousand Oaks	STATE CA
		ZIP CODE 91362

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency   
 School District   
 Other Special District   
 State Agency   
 Private Entity

CHECK APPLICABLE FEES:

- |   |            |    |                   |
|---|------------|----|-------------------|
| <input checked="" type="checkbox"/> Environmental Impact Report (EIR)                                       | \$3,539.25 | \$ | <u>3,539.25</u>   |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)   | \$2,548.00 | \$ | <u>0.00</u>       |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW         | \$1,203.25 | \$ | <u>0.00</u>       |
| <br>  |            |    |                   |
| <input type="checkbox"/> Exempt from fee  |            |    |                   |
| <input type="checkbox"/> Notice of Exemption (attach)   |            |    |                   |
| <input type="checkbox"/> CDFW No Effect Determination (attach)  |            |    |                   |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)                   |            |    |                   |
| <hr/>   |            |    |                   |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00   | \$ | <u>0.00</u>       |
| <input checked="" type="checkbox"/> County documentary handling fee   |            | \$ | <u>50.00</u>      |
| <input type="checkbox"/> Other  |            | \$ | <u>          </u> |

PAYMENT METHOD:

- Cash   
 Credit   
 Check   
 Other   
**TOTAL RECEIVED**    \$ 3,589.25

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Angelica Ramirez, Deputy Clerk
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State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090