

ATTACHMENT 4

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Julie Harris, 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: 073-090-062

Case No.: 11TPM-00000-00007 & 12CDH-00000-00009

Location: 6925 Whittier Drive, the location of the Ocean Meadows Golf Course, Goleta

Project Title: The Trust for Public Land/Devereux Creek Properties Lot Split

Project Description: The request is for a Tentative Parcel Map (TPM 14,784) to divide one 70.32-acre lot (net and gross) into three lots. Proposed Lot 1 would be 63.93 acres (net and gross) and is currently developed with the Ocean Meadows Golf Course, clubhouse, restaurant, golf cart storage building, parking lot and remote restroom. Proposed Lot 2 would be 5.89 acres (net and gross) and is currently developed with an employee dwelling (trailer) and maintenance building. Proposed Lot 3 would be 0.50 acres (net and gross) and is currently developed with a parking lot that serves the golf course. No structural development, no grading and no tree removal are proposed.

The property is zoned Planned Residential Development (PRD-58) with a maximum base density of 58 residential units. The purpose of the zone is to plan development of the site as a whole, ensuring clustering of residential development and requiring the provision of open space; however, no residential development is currently proposed as a part of this lot split. The proposal includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3 upon future development applications provided proposed development on Lots 2 and 3 is processed under one Development Plan application. In the event Lots 2 and 3 come under separate ownership and/or proposals to develop the lots are processed under separate Development Plan applications, the 28 residential units shall be allocated as follows, based on lot size: Lot 2 shall be assigned 26 base density residential units and Lot 3 shall be assigned two base density residential units.

Upon recordation of the lot split, Lot 1 would be sold to The Trust for Public Land. Immediately following the land acquisition by The Trust for Public Land, Lot 1 would be deed restricted such that no residential development could occur on that property in the future, consistent with the requirements of funding grantors. The Trust for Public Land would then convey the property to a long-term term steward for conservation and restoration, anticipated to be the University of California at Santa Barbara (UCSB). The PRD zone requires at least 40 % of the gross acreage be maintained in open space and the Goleta Community Plan requires at least 60% open space. These public and common open space requirements (found in Article II, Sec. 35-75.16 and Goleta Community Plan DevStd LUDS-GV.2.1), which require a minimum of 42.19 acres, will be satisfied on proposed Lot 1 for all three lots. Therefore, future development projects on proposed Lots 2 and 3 will already have met the open space requirements referenced above per this map.

An existing employee dwelling is located on proposed Lot 2. The Conditional Use Permit for the dwelling expired in 1990 without renewal and currently the dwelling is unpermitted. The applicant proposes to remove/demolish the dwelling prior to recordation of the Tentative Parcel Map. The application includes a Coastal Development Permit (Case No. 12CDH-00000-00009) to demolish the dwelling.

Existing access to the site is provided by an existing easement from Whittier Drive across a small triangular parcel just north of the golf course parking lot (the entire parcel is the easement) and by an existing 20-foot wide easement across UCSB property from Storke Road. Access to Proposed Lots 1 and 3 would continue to be from Whittier Drive via this easement. Access to Proposed Lot 2 would continue to be from Storke Road via the existing 20-foot wide easement across the adjacent UCSB property.

Proposed Lot 1 is currently served and would continue to be served by the Goleta Water District and Goleta West Sanitary District. A separate reclaimed water system, which irrigates the golf course, is also located on the lot. Proposed Lot 2 is currently served and would continue to be served by the Goleta Water District and would also receive reclaimed water after the lot split. Proposed Lot 2 is currently served by an onsite septic disposal system that will remain to serve the maintenance building. This system would be abandoned in the future upon demolition of the building and connection of new development to the Goleta West Sanitary District. Proposed Lot 3 would be served by the Goleta Water District and the Goleta West Sanitary District. The County Fire Department serves the entire property and would continue to serve the three proposed lots.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: The Trust for Public Land & Devereux Creek Properties

Exempt Status: (Check one)

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

Cite specific CEQA and/or CEQA Guideline Section: 15315 (Tentative Parcel Map) and 15301(I)(1) (Employee Dwelling Demolition)

Reasons to support exemption findings: CEQA Guidelines Section 15315 describes the Class 15 categorical exemption, which exempts from CEQA minor land divisions in urbanized areas, zoned for residential use, into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in the division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20%. The project site is located in a designated Urban Area and is zoned for residential development. Specifically, the project site is zoned PRD-58, Planned Residential Development with an allowance for 58 units. The zone requires planning

for the site as a whole; however, no development is currently proposed. The zone also includes a requirement that at least 40 % of the gross acreage be maintained in open space. The Goleta Community Plan requires at least 60% of the gross acreage be maintained in open space.

The purpose of the lot split is to create a 63.93-acre parcel that will include the most sensitive resources of the property, which will be sold to The Trust for Public Land upon recordation of the lot split. The proposal also includes assignment of 30 of the base density residential units to proposed Lot 1 with the remaining 28 base density residential units to be split between proposed Lots 2 and 3. After the 63.93-acre parcel is sold to The Trust for Public Land, various instruments will be recorded as required by funding donors that will limit uses on the property for open space, habitat conservation and restoration, habitat protection for endangered species, passive recreation and public access, and education. Thus, no residential development will occur on proposed Lot 1. Therefore, while no development is currently proposed, consistent with Goleta Community Plan requirements planning for the site is considered as a whole. This is accomplished by the assignment of residential units to the three proposed parcels and the dedication of at least 60% of the gross acreage of the existing lot as open space (which is dedicated on proposed Lot 1 where the most sensitive resources, including riparian and wetland habitat, are located). No variances or exceptions are required to approve the proposed project. As a result, the proposed lot split would be consistent with the General Plan, including the Coastal Land Use Plan and the Goleta Community Plan, and the designated residential zone. All access and public services are available to serve the three proposed lots, as fully discussed in Section 5.3 of the staff report to the Zoning Administrator dated April 19, 2012, and the staff report to the Planning Commission dated June 1, 2012, both incorporated herein by reference. Finally, the parcel was created August 9, 1994 as Lot 1 of a Lot Line Adjustment and has not been involved in a division of a larger parcel within the previous two years and it does not have an average slope greater than 20 percent (slopes average less than 15 percent across the project site).

CEQA Guidelines Section 15301(l)(1) describes the Class 1 categorical exemption for the demolition and removal of individual small structures, including a dwelling. The exemption would allow up to three dwellings to be demolished in an urbanized area. The project includes a Coastal Development Permit to allow the demolition/removal of one employee dwelling that serves the golf course. It is currently unpermitted since its previous permit expired.

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 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.**

This exception does not apply to Class 15 and Class 1 exemptions.

(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.

An existing employee dwelling would be demolished and no new development is proposed with this project. The project would not change the development density allowed by the designated zoning on the property. Given the unique circumstances of this case, successive projects of the same type have not occurred in the past, are not reasonably foreseeable, and therefore, would not create a cumulative impact.

(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.

There are no unusual circumstances that would cause the activity to create a significant effect on the environment. An existing employee dwelling would be demolished and no new physical development is proposed with this project. Apart from the assignment of base density residential units, the specific location, design, size and scale of any future development, including habitat restoration with its associated grading, would be speculative. Furthermore, any future development would require the submittal and review of applications for a Development Plan, which would require environmental review to assess the impacts of such development. Given the fact that 28 units would be assigned to proposed Lots 2 and 3, which are not located in sensitive areas of the site and require processing of discretionary permits and environmental review, and that the 30 units assigned to proposed Lot 1 would be extinguished upon sale of the property to The Trust for Public Land, there is no reasonable possibility that this project, a simple three lot subdivision to allow the purchase of 63.93 acres of land for preservation of open space and habitat restoration, will have a significant effect on the environment.

(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 project site is not located near a scenic highway and is not visible from a scenic highway. Therefore, there would be no significant damage to scenic resources near a state scenic highway.

(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 has not been identified on any list as a hazardous waste site.

(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 are no historical resources on or adjacent to the project site and therefore, no potential to cause a substantial adverse change to a significant historical resource.

The Trust for Public Land/Devereux Creek Properties Lot Split
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Hearing Date: August 21, 2012
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Lead Agency Contact Person: Julie Harris

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Department/Division Representative: _____

Date: _____

Acceptance Date: _____

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Date Filed by County Clerk: _____

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