

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Department of Public Works/Transportation Division
(Lead Department/Division)

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 (Pub. Res. Code Section 21000 et seq.), as defined in the State CEQA Guidelines and County Revised CEQA Guidelines.

APN(s) Varies along Orcutt Road Wide **Project No.** N/A

LOCATION: Private Portion of Orcutt Road in the 4th Supervisorial District

PROJECT TITLE: Ordinance for Vehicle Code Enforcement on the Private Portion of Orcutt Road

PROJECT DESCRIPTION: The Public Works Department requests an amendment to Chapter 23F of the County Code to allow posting of signage notifying the public of the private road that would allow the CHP to enforce the California Vehicle Code on the private roadway section.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Public Works Transportation Division

Exempt Status: (Check one)

- ☐ Ministerial
- ☐ Statutory Exemption
- ☒ **X** Categorical Exemption {15301(c)}
- ☐ Emergency Project
- ☐ Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15301(c) Existing Facilities – "...consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:...(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or an historic building.

Reasons to support exemption findings: Consistent with this exemption, the proposed project involves the use of vehicle code enforcement as an effective method for improving traffic safety. Public Works and the California Highway Patrol (CHP) agree that posting the private road boundaries and enforcing the California Vehicle Code on the private section would be beneficial for Public health and safety.

Notice of Exemption Vehicle Code Enforcement on the Private Portion of Orcutt Road

The project allows for a public safety activity designed to maintain a safe traveling condition of the highway facility as it was constructed. Further, there are no unusual circumstances which would create a possibility that there would be a significant effect. Therefore, the project can be found to be categorically exempt from CEQA.

There is no substantial evidence that there are 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.

CEQA Guidelines Section 15301 is a Class 1 exemption; therefore, this exception does not apply.

- (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 project involves the vehicle code enforcement on a section of private road. In addition, there are no other identified projects which would contribute to cumulative impacts. Therefore, this exception does not apply.

- (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 project involves the amendment to Chapter 23F of the County Code for public safety on a private road. Therefore, this exception does not apply.

- (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 does not involve a scenic highway or a project which may result in damage to a scenic resource, removal of trees, rock outcropping or similar resource.

- (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.

There are no known hazardous wastes site locations on this private road. Therefore, this exception does not apply.

- (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.

The roadway involved is not identified as historical resources. In addition, changes in vehicle parking restrictions on County roads would not involve any structural modifications to existing facilities. Therefore, this exception does not apply.

Lead Agency Contact Person: Chris Sneddon, Deputy Director Public Works
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Department/Division Representative: Morgan M. Jones, Senior Engineering Environmental
Planner,

Acceptance Date: **September 17, 2013**

Distribution: Hearing Support Staff for posting



Morgan M. Jones

Department Representative

September 3, 2013

Date

NOTE: A copy of this document must be posted with the County's Planning & Development Department at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitations on legal challenges.

Distribution: Date filed with Planning & Development _____.

Distribution: Date Filed by County Clerk: _____.