

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) N/A

Project No. N/A

LOCATION: Pepper Hills Homes Tract in the First Supervisorial District

PROJECT TITLE: California Vehicle Code Enforcement of Private Roads in Pepper Hills Homes Tract First Supervisorial District.

PROJECT DESCRIPTION: Public Works requests that the Board adopt a Resolution to establish an Ordinance amending Santa Barbara County Code Chapter 23 to add Section 23F-4, pertaining to enforcement of the California Vehicle Code in the Pepper Hill Homes Tract in the Montecito area of the First Supervisorial District.

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
- ☒ Categorical Exemption {15301(c)}
- ☐ Emergency Project
- ☐ Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15301(c) Existing Facilities – Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The types of “existing facilities”, itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are 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).

Reasons to support exemption findings: Consistent with this exemption, the proposed project involves adopting a Resolution to establish an Ordinance amending Santa Barbara County Code to allow for the enforcement of vehicle codes as an effective method for improving traffic safety and circulation. Vehicle Codes on roadways are established by California Vehicle Code Section 21107.7 which provides

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authority for the application of the California Vehicle Code to private roads by Ordinance. 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 an Ordinance amending Chapter 23 of the Santa Barbara County Code pertaining to the ability to allow for California Vehicle Code enforcement on private roads. 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 a routine updating of an Ordinance amending Chapter 23 of the Santa Barbara County Code pertaining to the ability to enforce California Vehicle Code on regulations on private roads. 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 hazardous wastes site locations on public roads. Therefore, this exception does not apply.

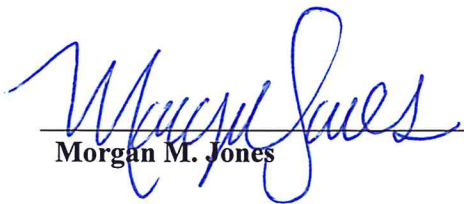
- (f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The roadways involved are not identified as a historical resource. In addition, Vehicle Code changes in roadway regulations 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: **December 13, 2016**
Distribution: Hearing Support Staff for posting



Morgan M. Jones

Department Representative

October 13, 2016

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: _____.