



*Posting Start Date (Above)*

*Posting End Date (Above)*

County Clerk of the Board Signature \_\_\_\_\_

## NOTICE OF EXEMPTION

**TO:** COUNTY CLERK OF THE BOARD  
COUNTY OF SANTA BARBARA  
105 E. ANAPAMU STREET  
SANTA BARBARA, CA 93101

**FROM:** CITY OF SANTA BARBARA  
PLANNING DIVISION  
P.O. BOX 1990  
SANTA BARBARA, CA 93102-1990

---

**Project Title:** 515 West Los Olivos Street Housing Project

**Project Applicant:** Steven Johnson, Owner/Applicant

**Application Number:** PLN2023-00332

**Assessor's Parcel Number:** 025-210-003

**Land Use and Zone District:** Medium High Density Residential/Residential Multi-unit (R-M)

**Project Address:** 515 West Los Olivos Street

**City:** City of Santa Barbara

**Zip Code:** 93105

**Cross Streets:** West Los Olivos Street and Oak Park Lane

**Coordinates:** 34.426923, -119.723251

**Township:** 4N **Range:** 27W

**Total Acres:** 0.29 acres

**Within Two Miles:**

**State Highways:** U.S. 101

**Airport:** N/A

**Railroad:** Union Pacific Railroad

**Waterways:** Mission Creek

**Schools:** Adams Elementary School, La Cumbre Junior High School, Harding University Partnership School, Monroe Elementary School, McKinley Elementary School, Roosevelt Elementary School, Washington Elementary School

**Project Description:** Proposal to demolish the existing 1,052-square-foot single-family residence and 152-square-foot detached accessory building and construct a new residential housing development that includes 25 studio units. The project consists of a three-unit, two-story building and a 22-unit, three-story building on a

12,640-square-foot lot. The 25-unit development is proposed to be 20 percent rent-restricted by providing 5 low-income units.

The proposed project at 515 West Los Olivos Street is a “builder’s remedy” project. The application was submitted on September 18, 2023, before the City’s Housing Element was certified by the California Department of Housing and Community Development. Builder’s Remedy arises from a subsection of the Housing Accountability Act (Government Code sec. 65589.5) and is intended to allow developers to bypass local agencies’ objective zoning codes and General Plan policies when a local agency’s Housing Element is out of compliance and the housing development project proposes to construct at least 20 percent low-income or 100 percent moderate-income units.

**Name of Public Agency Approving Project:** CITY OF SANTA BARBARA

**Name of Person or Agency Carrying Out Project:** Steven Johnson, Owner/Applicant

**Lead Agency Contact:** Julia Pujo, Environmental Analyst **Telephone:** (805) 564-5470

**Exempt Status:** Statutory Exemption under Public Resource Code § 21155.1

**Reason Why Project is Exempt:**

SB 375, the Sustainable Communities and Climate Protection Act of 2008, exempts transit priority projects consistent with an adopted Sustainable Communities Strategy from CEQA. Projects qualifying for the Sustainable Communities Project exemption include transit-oriented residential or mixed-use projects that meet requirements listed under PRC § 21155.1. Per § 21155.1, if the legislative body finds, after conducting a public hearing, that a transit priority project meets all the requirements of the section, the transit priority project is declared to be a “sustainable communities project” and shall be exempt from CEQA.

Staff analyzed the project for consistency with the requirements under Public Resources Code § 21155.1 and found that it qualifies for the CEQA exemption for transit priority projects (see Attachment 1 – Environmental Review for details). On June 25, 2024, Santa Barbara City Council conducted a public hearing and determined that the proposed housing development project is a sustainable communities project and is exempt from further environmental review (see Attachment 2 – City of Santa Barbara City Council Minutes, June 25, 2024). The Architectural Board of Review approved the project, granting Project Design Approval, on July 8, 2024.

Environmental Analyst Signature:  Date: 7/10/2024

## ATTACHMENT 1

### ENVIRONMENTAL REVIEW

515 W. Los Olivos Street  
PLN2023-00332

Senate Bill (SB) 375, the Sustainable Communities and Climate Protection Act of 2008, exempts transit priority projects consistent with an adopted Sustainable Communities Strategy from the California Environmental Quality Act (CEQA). The intent of the CEQA exemption under SB 375, referred to as the Sustainable Communities Project exemption, is to streamline project approvals in order to implement an adopted Sustainable Communities Strategy and achieve regional greenhouse gas reduction targets. Projects qualifying for the Sustainable Communities Project exemption include transit-oriented residential or mixed-use projects that meet requirements listed under Public Resources Code (PRC) Section 21155.1. If the legislative body finds, after conducting a public hearing, that a transit priority project meets all the requirements listed meets all of the requirements of subdivisions (a) and (b) and one of the requirements of subdivision (c) of PRC Section 21155.1, the transit priority project is declared to be a “sustainable communities project” and shall be exempt from CEQA. Each requirement under PRC Section 21155.1 is summarized below, followed by a description of how the project meets the criteria.

#### TRANSIT PRIORITY PROJECT

1. *The project is consistent with the general use designation, density, building intensity, and applicable polices in a State Air Resources Board accepted Sustainable Communities Strategy.*

The Santa Barbara County Association of Governments (SBCAG) adopted the 2021 Sustainable Communities Strategy pursuant to SB 375, which has been accepted by the State Air Resources Board (ARB) as a greenhouse gas emissions reduction strategy under Executive Order G-22-321. The general use designation, density, building intensity and applicable policies in the adopted 2021 Sustainable Communities Strategy provide for the intensification of residential and commercial land uses in urban areas proximate to existing transit and multi-modal transportation options. The project is consistent as it would intensify the residential use and is substantially surrounded by urbans areas proximate to existing transit options.

2. *The project meets the definition of Transit Priority Project in PRC § 21155.*
  - a. *The project is at least 50 percent residential use, and if 26-50 percent are non-residential uses, must have a floor-area ratio (FAR) of not less than 0.75;*
  - b. *The project has a minimum density of at least 20 du/ac;*

- c. *The project site is within one-half mile of a major transit stop or high-quality transit corridor contained within a regional transportation plan.*

The proposed residential development qualifies as a transit priority project under PRC Section 21155(b) because (a) it proposes 100% residential use; (b) the project has a density of 86.2 dwelling units per acre; and (c) the project is within one-half mile of a high-quality transit corridor<sup>1</sup> included in the SBCAG Regional Transportation Plan (2021)<sup>2</sup>. Projects in areas that are well served by a major transit stop or high-quality transit corridor are presumed to have less than significant transportation impacts. The high-quality transit corridor with ¼ mile buffer is mapped within the adopted 2021 Regional Transportation Plan. The project parcel is located within the mapped high-quality transit corridor.<sup>3</sup>



SBCAG High Quality Transit Corridor Map

## **ENVIRONMENTAL CRITERIA**

### **3. Public Utilities.**

- a. *The project can be adequately served by existing utilities.*  
b. *The project has paid or committed to pay to any in-lieu development fees.*

<sup>1</sup> Defined as a corridor with fixed route bus service with service intervals no longer than 15 minutes per peak commute hours per [PRC §21155\(b\)](#)

<sup>2</sup> SBCAG. *Connected 2050: Regional Transportation Plan and Sustainable Communities Strategy*, 2021. <https://www.sbcag.org/planning-programming/long-range-planning/>

<sup>3</sup> SBCAG. "High Quality Transit Corridors" Accessed July 1, 2024. <https://storymaps.arcgis.com/stories/0567a1a297454cfca4a27cebf1894f9c>

The project site is located in an urban area that can be served by all needed utilities including water, wastewater, electricity, storm drain facilities, and internet. The existing 5/8" water meter will be upsized to serve the 25 studios. Existing utilities are adequate to service the project per communications with Public Works Engineering, Environmental Services, Wastewater, and Water Distribution Divisions. The project is not subject to any in-lieu development fees other than school fees that are required of all projects.

*4. Riparian, Wetland and Wildlife Habitat. The site does not contain wetlands or riparian areas and does not have significant value as wildlife habitat, and the project does not harm species protected by local ordinance or the state and federal endangered species acts.*

The southern corner of the project site abuts Mission Creek. The adjacent creek is channelized along this stretch. The existing site contains developed uses and landscaped vegetation and trees. Based on a review of City records USFWS National Wetlands Inventory, no wetland or riparian habitat is mapped on the parcel.<sup>4 5</sup> The site does not contain wetlands or riparian areas and does not have significant value as wildlife habitat. No sensitive biological habitat is identified on the subject property. No trees are proposed for removal and standard tree protection measures would avoid potential impacts and disruption to nesting birds.

An arborist report was prepared for the project by Kenneth A. Knight dated June 2, 2021 that analyzes potential impacts to two mature Coast Live Oak (*Quercus agrifolia*) trees on the project site. The report concluded that both trees are likely to continue to grow and thrive after the construction is complete if protection measures are followed. Those measures include hand digging, permeable paving for the driveway area, and temporary construction fencing.

*5. Hazardous Materials.*

*a. The project site is not located on any list compiled pursuant to Section 65962.5 of the Government Code.*

*b. The project is subject to a preliminary endangerment assessment to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to*

---

<sup>4</sup> [City of Santa Barbara. Mapping Analysis and Printing System. Accessed July 1, 2024. https://maps.santabarbaraca.gov/Html5Viewer/Index.html?configBase=/Geocortex/Essentials/REST/sites/City\\_of\\_Santa\\_Barbara\\_Public/viewers/SantaBarbaraPublic/virtualdirectory/Resources/Config/Default](https://maps.santabarbaraca.gov/Html5Viewer/Index.html?configBase=/Geocortex/Essentials/REST/sites/City_of_Santa_Barbara_Public/viewers/SantaBarbaraPublic/virtualdirectory/Resources/Config/Default)

<sup>5</sup> [USFWS. National Wetlands Inventory. Accessed July 1, 2024. https://www.fws.gov/program/national-wetlands-inventory](https://www.fws.gov/program/national-wetlands-inventory)

*significant health hazards from any nearby property or activity and, if any such release or exposure is identified, it must be mitigated to a level of insignificance in compliance with state and federal requirements.*

The project site is not located on any list compiled pursuant to Section 65962.5 and is not subject to a preliminary endangerment assessment to determine the existence of hazard materials. The project site historically contained residential land uses that did not involve the storage or use of large quantities of hazardous materials. Review of information on the State Water Control Board's GeoTracker website and the Department of Toxic Substances Control EnviroStor website did not indicate the presence of any past or present contamination associated with the site.

*6. Historic and Prehistoric Resources. The project does not have a significant effect on historical resources.*

The project site does not contain any designated historic resources such as Structures of Merit or City Landmarks. The project site has a very low potential for unrecorded archaeological resources, prehistoric or historic based on the conclusions of a Phase I Archaeological Resources Report prepared by Brent Leftwich, Ph.D., R.P.A., July 2021. The City's standard condition should unanticipated cultural deposits be identified during construction would apply.

*7. Wildfire.*

- a. The project is not subject to a wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.*
- b. Materials stored or used near the project site do not create an unusually high risk of fire or explosion.*

The project site is not within a fire hazard severity zone as determined by the Department of Forestry and Fire Protection or in a fire hazard area in the City of Santa Barbara Community Wildfire Protection Plan. The project site is surrounded by residential uses. No materials stored or used near the project site create an unusually high risk of fire or explosion as the development would be 100% residential and surrounded by residential uses.

*8. Public Health Risk Exposure.*

- a. Air Quality. The project site would not create a risk of public health exposures at a level that would exceed standards established by any state or federal agency.*

Residents along highway corridors are subject to extensive exposure to potential air pollution hazards from highway vehicle exhaust, including diesel particulates. To limit the number of people, including sensitive individuals, who would be exposed to potential air pollution hazards, SBMC Chapter 22.65 limits and regulates development within close proximity to Highway 101 in a manner that promotes the health, safety, and welfare of the residents of the City of Santa Barbara.

Because the project site is within 250 feet of Highway 101, the project has been designed to adhere to the development standards in SBMC §22.65.040. The existing vegetation along Mission Creek provides a buffer area between the project site and Highway 101. Additionally, there is an existing six-foot wood fence above a six-inch retaining wall that provides a physical barrier between the highway and project to help reduce air pollutant exposure levels. The project proposes additional landscaping which will enhance vegetative screening. SBMC §22.65.040.B requires a MERV13 filtration system or better for enhanced particulate removal efficiency. Windows and other openings facing the highway will also be designed to reduce interior air quality impacts with the use of high-quality sealants and fixed windows. Therefore, the project site would not create a risk of public health exposures at a level that would exceed standards established by any state or federal agency.

- b. Noise. The project site would not create a risk of public health exposures at a level that would exceed standards established by any state or federal agency.*

Areas along busy traffic corridors, such as highways and arterial streets, experience higher average ambient exterior noise levels. The project will be designed to comply with standard building code requirements to meet interior and exterior noise standards. Additionally, SBMC §9.16.040, makes it unlawful for any person, between the hours of 8:00 p.m. of any day and 7:00 a.m. of the following day, to erect, construct, demolish, excavate for, alter or repair any building or structure if the noise level created is in excess of the ambient noise level by 5 decibels at the nearest property line of a property used for residential purposes unless a special permit has been applied for and granted by the Chief Building Official. Therefore, the project site would not create a risk of public health exposures at a level that would exceed standards established by any state or federal agency.

9. *Geology and Soils. The project site is not located within a delineated earthquake fault zone or seismic hazard zone unless the applicable general plan or zoning ordinance contains provision to mitigate the risk.*

The project site is not located within a delineated earthquake fault zone or seismic hazard zone.

10. *Floodway. The project site is not located in a landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk.*

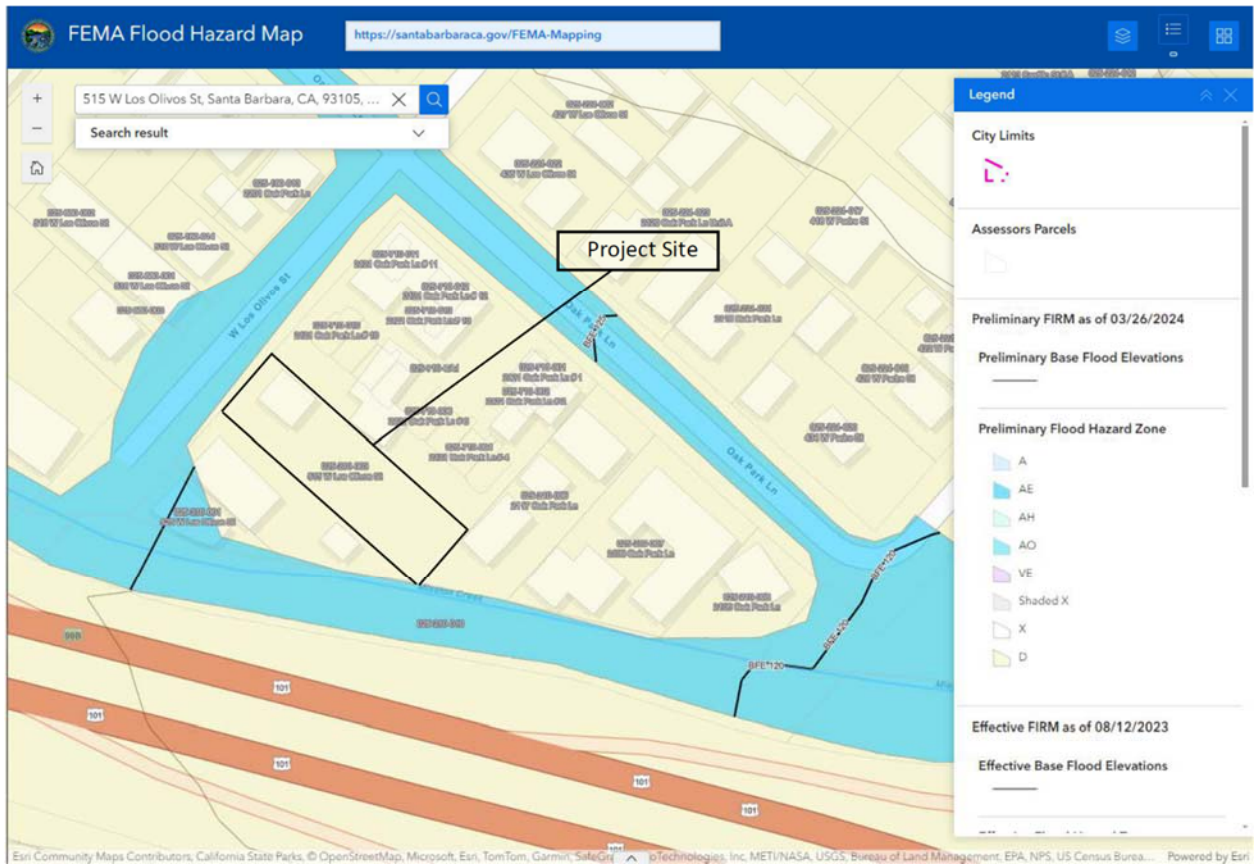
The project site is not located in a landslide hazard, flood plain, regulatory flood way, restriction zone, or Special Flood Hazard Area where flood insurance is required by federal law. The parcel is located in FEMA Flood Insurance Rate Map Panel No. 06083C1386H, outside of the regulatory 100-year floodway contained within the channelized Mission Creek and any FEMA designated Special Flood Hazard Area.<sup>6</sup> FEMA maps<sup>7</sup> identify the project site in Zone X, which is an area of minimal-to-moderate flood hazard within the 500-year floodway, where shallow flooding or ponding could be experienced during a large storm event, and flood insurance is not required under federal law. In addition, the City of Santa Barbara has an adopted Floodplain Management Ordinance (SBMC Chapter 22.24) that contains provisions to avoid or mitigate the risk of flood. Development within flood prone areas is subject to review by the City Floodplain Administrator and is required to implement provisions under the Floodplain Management Ordinance. Therefore, the project meets the criteria under PRC 21155.1(b)(6)(e).

---

<sup>6</sup> FEMA Flood Map Service Center. Accessed July 1, 2024.  
<https://msc.fema.gov/portal/search?AddressQuery=515%20W%20Los%20Olivos%2C%20Santa%20Barbara%2C%20CA%2093101>

<sup>7</sup> <https://experience.arcgis.com/experience/58ae26a2990849d3acaa08b5445c7f39>





FEMA Flood Hazard Map

11. *The project is not located on developed open space.*

The project site is not located on developed open space as it is a residentially zoned parcel developed with a single family residence.

12. *The buildings proposed as part of the project are 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations.*

The project proposes rooftop solar and heat pumps for space heating, which would achieve a minimum reduction of 15 percent in energy usage.

### **LAND USE CRITERIA**

13. *The site is not more than eight acres in total area.*

The project site is 0.29 acres.

*14. The project does not contain more than 200 residential units.*

The project contains 25 units.

*15. The project does not result in any net loss in the number of affordable housing units within the project area.*

The project does not result in a net loss of affordable housing units. The project would result in a net increase of 5 affordable housing units.

*16. The project does not include any single level building that exceeds 75,000 square feet.*

The proposed building is 9,943 square feet total.

*17. The project is determined not to conflict with nearby operating industrial uses.*

The project is surrounded by residential and public right-of-way uses. The project would not conflict with any industrial uses.

*18. The project is located within one-half mile of a rail transit station or a ferry terminal included in a regional transportation plan (RTP), or within one-quarter mile of a high-quality transit corridor included in an RTP.*

The project is within one-quarter mile of a high-quality transit corridor (MTD Stop #1117 at Pueblo & Castillo or #1122 at Oak Park & W. Junipero) included in the SBCAG Regional Transportation Plan (2021).

### **COMMUNITY BENEFIT CRITERIA**

*19. Project meets at least one of the following three criteria:*

*a. Meets both of the following:*

- i. At least 20 percent will be sold to families of moderate income, or not less than 10 percent will be rented to families of low income, or not less than 5 percent of is rented to families of very low income.*
- ii. Project developer provides sufficient legal commitments to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in*

*Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.*

- b. Project developer has paid or will pay in-lieu fees to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (1) above.*
- c. Project provides public open space equal to or greater than 5 acres per 1,000 residents of the project.*

The project meets Criteria (A) above. The 25-unit development is proposed to be 20 percent rent-restricted, with 5 low-income units. The City will require recorded covenants to ensure continued availability and use of the affordable units for at least 55 years.

### **CONCLUSION**

Staff has reviewed the project and site conditions and have determined that the project complies with all the requirements of 21155.1(a) and (b) and one of the conditions of (c). Based on review of the project, the project meets all the specified requirements in the environmental criteria, land use criteria, and community benefit criteria. The project proposes at least 10 percent of the housing will be rented to families of low income. Therefore, staff recommends the City Council make the finding that the project meets the requirements of a Sustainable Communities Project CEQA exemption.

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**MINUTE ORDER**

**DATE** June 25, 2024

**ROLL CALL** Councilmembers Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Randy Rowse.

**ITEM** 12. Subject: California Environmental Quality Act (CEQA) Exemption Determination for 515 West Los Olivos Street Housing Project (630.02)

**RECOMMENDATION** That Council determine the proposed housing development project is a sustainable communities project and is exempt from further environmental review under Public Resources Code § 21155.1 [Implementation of the Sustainable Communities Strategy].

**ACTION** Motion:  
Councilmembers Jordan/ Friedman to approve the staff recommendation.

Vote:  
Unanimous roll call vote.

STATE OF CALIFORNIA            )  
  )  
COUNTY OF SANTA BARBARA    ) ss.  
  )  
CITY OF SANTA BARBARA        )

I, Austin Taylor, Deputy City Clerk in and for the City of Santa Barbara, California, DO HEREBY CERTIFY that attached is a full, true and correct copy of a City of Santa Barbara City Council Minute Order pertaining to the Council's action regarding California Environmental Quality Act (CEQA) Exemption Determination for 515 West Los Olivos Street Housing Project (630.02) (Item No. 12 of its June 25, 2024 regular meeting agenda).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of said City to be affixed this 28<sup>th</sup> day of June, 2024.

(SEAL)



  
Austin Taylor  
Deputy City Clerk