

NOTICE OF EXEMPTION

TO: Office of Planning and Research
State Clearinghouse Unit
Sacramento, CA 95812-3044
P.O. Box 3044, Room 113
Submitted via CEQA Submit online portal

FROM: City of Watsonville
Community Development Dept.
250 Main Street
Watsonville, CA 95076

Clerk of the Board
Santa Cruz County
701 Ocean Street, Room 520
Santa Cruz, CA 95060

Project Title: Agreement between Pajaro Valley Unified School District ("PVUSD"), Ceiba Public Schools ("Ceiba") and City of Watsonville ("City")

Project Location - Specific: ± 2.1 acre parcel at 215 Locust Street, Watsonville, CA 95076 (APN 017-161-51) (the "Ceiba Campus")

Project Location - City: Watsonville

Project Location - County: Santa Cruz

Description of Nature, Purpose and Beneficiaries of Project: Approval of an agreement between PVUSD, Ceiba and the City (the "Agreement") to effect the following: (1) PVUSD's agreement to take action on Ceiba's Zoning Exemption request by approving that request and rendering the City's Zoning Ordinance set forth in Title 14 of the City's Municipal Code inapplicable to the facilities and public charter school that Ceiba has operated at the Ceiba Campus since 2013 pursuant to Government Code sections 53094 and 53097.3 (the "Zoning Exemption"); (2) PVUSD's and Ceiba's agreement to exclude the site known as 228 and 234 Locust Street (the "Vacant Site") that is owned by Ceiba and adjacent to the Ceiba Campus as well as all parcels contiguous to the Ceiba Campus (collectively, "Contiguous Parcels") from the Zoning Exemption and Ceiba's agreement not to submit to City and/or PVUSD any future proposal to exempt the Vacant Site and/or Contiguous Parcels from the City's Zoning Ordinance and/or to develop the Vacant Site and/or Contiguous Parcels for any school-related uses for so long as Ceiba or any successor charter school is occupying and operating a charter school on the Ceiba Campus; (3) Ceiba's agreement to withdraw its current Proposition 39 request to PVUSD for the 2025-2026 school year and waive and relinquish its right to file any future Proposition 39 requests to PVUSD during the term of the Agreement which runs to July 31, 2044; (4) City's waiver and release of all challenges to the Zoning Exemption; (5) City's agreement to take action on any future request Ceiba may submit to rescind the Ceiba land use approvals, i.e., the General Plan Map Amendment, Zoning Map Amendment, and Special Use Permit with Environmental Review the City previously approved in February-March 2023 (the "Entitlements"), within ninety (90) days of the filing of a written request from Ceiba to do so; and (6) Ceiba's agreement to indemnify, defend and hold harmless PVUSD and City against any and all challenges arising out of or related to the Agreement and the Zoning Exemption and, if Ceiba requests and the City rescinds the Entitlements under the Agreement, Ceiba's agreement that the indemnification condition of approval associated with the Entitlements set forth in Condition No. 9 of the Special Use Permit will survive the rescission of the Entitlements such that Ceiba will remain obligated under that condition and the agreement executed pursuant to that condition to defend, indemnify and hold City harmless against any and all challenges arising out of or related to the Entitlements until any/all legal challenges to the Entitlements have been fully and finally resolved or concluded.

Name of Public Agency Approving Project: City of Watsonville

Name of Person or Agency Carrying Out Project: PVUSD, Ceiba and City

Exempt Status (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 1 Existing Facilities (CEQA Guidelines §15301)
- Statutory Exemptions. State code number: Public Resources Code sections 21080, 21084, 21065 and CEQA Guidelines section 15061(b)(3)

Reasons why project is exempt: City's approval of the Agreement is exempt from CEQA because the action does not meet the definition of a "project" under Public Resources Code section 21065/CEQA Guidelines section 15378 as it maintains the status quo at the Ceiba Campus and will not cause either a direct or reasonably foreseeable indirect physical change in the environment. Even if the action is a project under or subject to CEQA, it is exempt from CEQA pursuant to the common sense exemption in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that approval of the Agreement would have a significant effect on the environment and also categorically exempt pursuant to the Class 1 Existing Facilities exemption in CEQA Guidelines section 15301 because the City's approval of the Agreement will neither change the status quo nor cause an expansion of or change to Ceiba's current use at issue which is the operation of the public charter school it has operated at the Ceiba Campus since 2013.

Lead Agency Contact Person: Justin Meek

Telephone: 831.768.3077

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ **Date:** March 26, 2025 **Title:** Interim Community Development Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____