

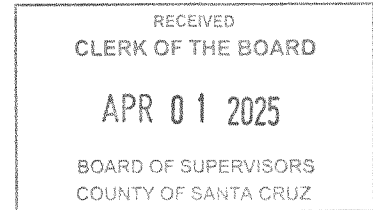
NOTICE OF EXEMPTION

44-04012025-050 042-25

To: County Clerk, County of Santa Cruz
701 Ocean Street, Room 520
Watsonville, CA 95060

From: Pajaro Valley Unified School District
294 Green Valley Rd.
Watsonville, CA 95076-1300

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



Project Title: CEIBA Campus Continuing Use

Project Location - Specific: 215 Locust Street, Watsonville, CA 95202

Project Location - City: Watsonville

Project Location - County: Santa Cruz

Description of Nature, Purpose, and Beneficiaries of Project:

Approval of an agreement between Pajaro Valley Unified School District ("District"), CEIBA Academy ("Charter School") and the City of Watsonville ("City") hereinafter referred to as the "Agreement" and grant of exemption from local zoning ordinances under Government Code §§ 53094 & 53097.3 ("Zoning Exemption") in lieu providing other facilities to Charter School pursuant to a "Prop 39" request for facilities, which request would mandate the District facilitate the relocation of Charter School from it's current location at 215 Locust Street, Watsonville, CA 95202 ("Campus") to other District facilities. Also per the Agreement: (1) Charter School is bound by covenant to exclude the site known as 228 and 234 Locust Street (the "Vacant Site") that is owned by CEIBA and proximate to the Campus as well as all parcels contiguous to the Charter School Campus (collectively, "Contiguous Parcels") from the Zoning Exemption; 2) Charter School is bound by covenant not to submit to City and/or District any future proposal to exempt the Vacant Site and/or Contiguous Parcels from the City's Zoning Ordinance and/or to otherwise develop the Vacant Site and/or Contiguous Parcels for any school-related uses for so long as Charter School or any successor charter school is occupying and operating a charter school on the Charter School Campus; (3) Charter School is bound by covenant to withdraw its current Proposition 39 request to District for the 2025-2026 school year and waive and relinquish its right to file any future Proposition 39 requests to District during the term of the Agreement which runs to July 31, 2044, preventing the relocation of the Campus that might otherwise generate a "project"; (4) City's waiver and release of all challenges to the Zoning Exemption; (5) City's agreement to take action on any future request Charter School may submit to rescind the Charter School 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 Charter School to do so; and (6) Charter School's agreement to indemnify, defend and hold harmless District and City against any and all challenges arising out of or related to the Agreement and the Zoning Exemption and, if Charter School requests and the City rescinds the Entitlements under the Agreement, Charter School'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 Charter School 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: District

Name of Person or Agency Carrying Out Project: District, Charter School, City

Exempt Status:

- 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. 14 Cal. Code Regs. § 15301, "Existing Facilities;" 14 Cal. Code Regs. §15061(b)(3) "Common Sense Exemption";
- Statutory Exemptions. Public Resources Code sections 21080, 21084, 21065 and CEQA

Reasons why project is exempt: District's approval of the Agreement and grant of the Zoning Exemption is exempt from CEQA because the action does not meet the definition of a "project" under Public Resources Code section 21065 or 14 Cal. Code Regs. § 15378 as it maintains the status quo at the Campus, as it has been substantially for more than twelve years, and will not cause either a direct or reasonably foreseeable indirect physical impact to 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 under 14 Cal. Code Regs. § 15061 (b)(3) because it can be seen with certainty that there is no possibility that approval of the Agreement and grant of the Zoning Exemption would have a significant impact on the environment and also categorically exempt pursuant to the Class 1 Existing Facilities exemption in CEQA Guidelines section 15301 because the District's approval of the Agreement and grant of the Zoning Exemption will neither change the status quo nor cause an expansion of or change to Charter School's long-standing use of the Campus comprising operation of the public charter school it has operated at the Ceiba Campus since at least 2013.

Lead Agency: Pajaro Valley Unified School District
Contact Person: Dr. Heather Contreras, Superintendent
294 Green Valley Rd., Watsonville, CA 95076-1300

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: Heather Contreras Date: 3-28-25 Title: Superintendent of Schools

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

THIS NOTICE HAS BEEN POSTED AT THE CLERK
OF THE BOARD OF SUPERVISORS OFFICE FOR A
PERIOD COMMENCING 4/1/2025
AND ENDING 5/6/2025