

## ATTACHMENT 2

### NOTICE OF EXEMPTION

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Long Range Planning Division, Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**Case Nos.:** 16ORD-00000-00002 and 16ORD-00000-00003

**APN(s):** Not applicable

**Location:** Montecito Community Plan Area

**Project Title:** *Montecito Architectural Guidelines and Development Standards* Limited Update

**Project Description:** The project consists of two components. The first component is a limited update of the *Montecito Architectural Guidelines and Development Standards (Guidelines)* to:

- a. Amend two guidelines that address the floor area definition regarding basements and attached accessory structures, and add a specific method for incorporating basement floor area into the recommended maximum house net floor area.
- b. Amend a development standard and guideline to limit the maximum height of freestanding retaining walls.
- c. Clarify the introductory language of Section IV regarding the applicability of Hillside Guidelines and Hillside Development Standards.
- d. Amend language throughout to update references to current planning documents, administrative procedures, and decision making bodies.

The second component consists of two minor ordinance amendments. First, the Montecito Land Use and Development Code (MLUDC, Case No. 16ORD-00000-00002) and the Article II Coastal Zoning Ordinance (Article II, Case No. 16ORD-00000-00003) would be amended to reduce the maximum height of development in ridgeline and hillside locations from 32 feet to 28 feet. Second, the Montecito Hillside Overlay Zone of the MLUDC would be amended to list the specific Hillside Development Standards included in the *Guidelines* that currently apply to new development within this overlay. Currently, the MLUDC requires compliance with these standards but only references them.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Agency Carrying Out Project:** County of Santa Barbara

**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect 15061(b)(3)

**Cite specific CEQA and/or CEQA Guideline Section:** 15061(b)(3) – No possibility of significant effect.

CEQA Guidelines Section 15061(b)(3) states that “the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

**Reasons to support exemption findings:** The following provides a brief discussion of the proposed amendments.

The *Guidelines* were adopted in 1995 in compliance with direction of the Montecito Community Plan (MCP). The *Guidelines* provide guidance to architects, property owners, and the Montecito Board of Architectural Review (MBAR) for the design and review of projects within the MCP Area. The *Guidelines* protect the environment by ensuring new development is compatible with its neighborhood and the natural and built environments. The proposed amendments to the *Guidelines*, the MLUDC, and Article II would strengthen the existing development procedures and provisions that promote consistency with MCP Policy LU-M-1.1 “to preserve, protect and enhance the semi-rural environment of Montecito and the natural mountainous setting,” and the *Guidelines* goal to “ensure neighborhood compatibility of all projects.”

The most substantive change to the *Guidelines* would amend two guidelines that address size, bulk, and scale by revising the floor area definition used for calculating the Recommended Maximum House Net Floor Area (net floor area). The existing definition explicitly excludes basements and is vague with respect to other attached accessory structures. However, houses on ridgelines and hillsides may include a “daylight” basement, a basement that is partly underground and partly exposed but which still meets the ordinance definition of basement. Because an exposed basement is still a basement, its floor area has been excluded from the net floor area. However, a “daylight” basement can add to the mass of the structure and result in larger, taller homes while complying with the recommended maximum house net floor area. In addition, attached accessory structures can contribute to the overall size, bulk, and scale of the residence while not being included in the net floor area. The amended *Guidelines* require inclusion of “daylight” basements and attached accessory structures in the net floor area. These revisions would provide a more accurate description of the overall size of a proposed residence for use by the MBAR. As a result, the potential for construction of homes significantly larger than the recommended maximum house net floor area may be reduced.

The limited update also amends the *Guidelines* to limit the maximum height of freestanding retaining walls, amends language to clarify the applicability of Hillside Guidelines and Hillside Development

Standards, and updates language throughout the *Guidelines* to correct references to the current planning documents and decision making bodies.

The amendments to the MLUDC and Article II would lower the maximum height from 32 feet to 28 feet for new development in ridgeline and hillside locations. In addition, the Montecito Hillside Overlay Zone of the MLUDC would be amended to list the specific Hillside Development Standards included in the *Guidelines* that currently apply to new development within this overlay. Currently, the MLUDC requires compliance with these standards but only references them. This amendment would ensure consistency of the applicability of the Hillside Development Standards between the MLUDC and the *Guidelines*.

In conclusion, these amendments serve to clarify and revise existing regulations, strengthen existing development standards, enhance the visual resources of the MCP Area, and minimize potential adverse impacts to the surrounding area. These changes will not result in an increase in permitted densities or modifications to resource protection policies. The amendments are not related to any particular development projects and future individual projects would be subject to compliance with CEQA, as applicable. Therefore, it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment.

Lead Agency Contact Person: Julie Harris

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Department/Division Representative: \_\_\_\_\_

Date: \_\_\_\_\_

Acceptance Date: \_\_\_\_\_

Distribution:     Hearing Support Staff  
                    Case File:

Date Filed by County Clerk: \_\_\_\_\_