

**ATTACHMENT B: NOTICE OF EXEMPTION**

**NOTICE OF EXEMPTION**

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

**FROM:** Dave Ward, Deputy Director  
Development Review 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.

**APN:** 081-210-047

**Case Nos.:** 08APL-00000-00040, 08APL-00000-00041, 03BAR-00000-00164 and 02CDP-00000-00023

**Location:** 14000 Calle Real, Gaviota Area (approximately ¾-mile west of the intersection of Refugio Road and Highway 101)

**Project Title:** Bean Blossom Lot X Single-Family Residence and Accessory Structures

**Project Description:** The project consists of a single-family residence and accessory structures. All development would be located within a 2-acre development envelope on a 287-acre parcel, except for portions of a water system, septic system, driveway and utilities. The project includes a residence of approximately 16,330 square feet (includes basement and underground garage of approximately 4,776 square feet and covered outside areas of approximately 2,234 square feet), guest house of approximately 1,339 square feet (includes covered outside areas of approximately 415 square feet), pool, hardscape, water system, septic system, utilities, and driveway of approximately 4,200 linear feet. (Statistics are gross floor area.) No structures currently exist on the parcel. The project would require approximately 23,800 cubic yards of cut and fill. No native or specimen trees would be removed. Access to the subject parcel would continue to be provided using the existing frontage road adjacent to U.S. Highway 101. The subject parcel is zoned Agriculture II under the Coastal Zoning Ordinance and Land Use and Development Code.

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

**Name of Person or Agency Carrying Out Project:** MAZ Properties, Inc. (P.O. Box 1984, Santa Monica, CA 90406)

**Exempt Status:** (check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:** Section 15303 (New Construction or Conversion of Small Structures)

**Reasons to Support Exemption Findings:** Sections 15303 of the *Guidelines for Implementation of the California Environmental Quality Act* (CEQA Guidelines) exempts the “. . . construction and location of limited numbers of new, small facilities or structures . . .” from the requirements CEQA. Small structures may include a single-family dwelling and accessory (appurtenant) structures. The proposed project qualifies for this exemption. It consists of construction of one single-family dwelling and several accessory structures, including a guest house, pool, and driveway.

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 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.**

The project is not located in a particularly sensitive environment and, therefore, would not have a significant impact on an environmental resource of hazardous or critical concern. The subject parcel is predominately non-native grassland with some coastal sage scrub. The portions of the parcel proposed for development do not contain any significant vegetation. The subject parcel is undeveloped and currently used for livestock grazing. Several intermittent streams cross the subject parcel. The closest stream is located approximately 350 feet east of the building site. The project would not affect this creek. The County’s resource inventories do not show any sensitive plants, sensitive wildlife habitat areas, hazardous waste sites or other environmental resources of hazardous or critical concern exist on or near the building site.

- (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.**

Successive projects of the same type as the proposed single-family residence and accessory structures would not result in significant cumulative impacts. The proposed structures are permitted uses and are similar to existing development on adjacent parcels. The County’s Coastal Zoning Ordinance (Article II) allows one single-family residence, one guest house, and accessory structures on any legal parcel zoned Agriculture II. The subject parcel is an undeveloped, legal

parcel that is approximately 287-acres in size and zoned Agriculture II. The project would result in one single-family residence, one guest house, and accessory structures on the subject parcel. The applicant plans to continue using the parcel for agriculture after constructing the proposed structures. The adjacent parcels are also zoned Agriculture II and include single-family residences and accessory structures.

As described in sections a, c, d, and e herein, the project would not have a significant impact on any environmental resource and would not involve any environmental resources of hazardous or critical concern. For instance, it would not have a significant effect on scenic highways, hazardous waste sites, biological resources, or historical resources. In addition, the proposed structures would not be visible from public viewing places and, therefore, would not have a significant effect on visual resources. As a result, the project combined with future projects of a similar type (e.g., permitted use, no significant impact on sensitive environmental resources) would not result in significant cumulative impacts.

- (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.**

There are no unusual circumstances that would cause the project to have a significant effect on the environment. The subject parcel is located within a rural area and is used for agriculture. The surrounding parcels are also used for agriculture and include single-family dwellings and accessory structures. An intermittent stream is located approximately 350 feet east of the building site. The proposed grading and other activities and development would not affect this creek. According to the County's resource inventories, no rare plants, sensitive wildlife habitat areas, or any other biologically or environmentally sensitive habitats exist on or near the building site.

- (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 would not result in damage to scenic resources within a designated state scenic highway. The subject parcel adjoins U.S. Highway 101. This highway and other roads and highways in the vicinity of the project are not designated as a state scenic highway. Furthermore, the project has been site and designed to ensure that the proposed structures would not be visible from U.S. Highway 101.

- (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.**

The subject parcel is not included on any list compiled pursuant to Section 65962.5 of the Government Code (hazardous and toxic waste sites). In addition, there is no evidence of historic or current use or disposal of hazardous or toxic materials on the subject parcel.

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**(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.**

No historical resources exist on or near the subject parcel. Consequently, the project would not cause a substantial adverse change in the significance of a historical resource.

**Lead Agency Contact Person:** Allen Bell, Senior Planner

**Phone #:** (805) 568-2033

**Department/Division Representative:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

*Note: A copy of this form must be posted at P&D six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.*

**Distribution:** Case File (Allen Bell, Senior Planner)  
Hearing Support Staff

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