

**ATTACHMENT 3: CEQA EXEMPTION**

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

**FROM:** Ciara Ristig, Planning & Development

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:** 001-190-036

**Case No.:** 18CDP-00000-00062

**Location:** 1221 Lomita Lane

**Project Title:** Ni Tennis Court

**Project Applicant:** Wayne Ni

**Project Description:**

The project is for a Coastal Development Permit to allow a change in previously approved permit 18CDP-00000-00009 to elevate tennis court, accessory structures by approximately 2.5 feet and to maintain the associated 6 foot tall retaining wall at southern end of tennis court and 10 foot chain link fencing surrounding tennis. The project will allow the addition of a smaller 115 foot long retaining 'planter wall' (ranging in height from 1-4 feet) between tennis court retaining wall and property line. 50 foot extension of 6 foot tall retaining wall to the east of the tennis court, a change in location of shallow retention basins from east to west side (near rear property line) of tennis court and grading to increase flat area at driveway/entrance to property. Total grading calculations for project (including work done on the previous CDP) include 1050 cy of cut/fill and import of approximately 500 cubic yards of material. Project will include the 3 accessory structures and canopy proposed with the previous CDP. The project site will continue to be served by the Carpinteria/Summerland Fire Protection District, the Carpinteria Valley Water District and a private septic system. Access to the site will continue to be provided off of Lomita Lane. The project site totals 1 acre, is zoned I-E-1, is shown as Assessors Parcel Number 001-190-036 and is located at 1221 Lomita Lane, in the Carpinteria Area, First Supervisorial District.

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

**Name of Person or Agency Carrying Out Project:** Wayne Ni

**Exempt Status:** (Check one)

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

**Cite specific CEQA and/or CEQA Guideline:** Sections 15303 and 15304

**Reasons to support exemption findings:**

Section 15303 exempts new construction or conversion of small structures, including accessory structures, such as a tennis court and retaining walls. Section 15304 relates to this project in that it exempts alterations in the condition of land which do not involve the removal of healthy, mature, scenic trees.

The proposed project does not involve 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 State 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.**

There are no designated or mapped environmentally sensitive habitats (ESH), biological or cultural resources, or other resources of hazardous or critical concern located in, or within close proximity to, the proposed project site. The nearest mapped ESH area is located approximately 3000 feet northwest of the proposed project site and is separated from the project site by existing dwellings and roads. Impacts associated with the project would be insignificant as all proposed development would be located on already disturbed portions of the site. Therefore, this exception to the categorical exemptions would not apply.

- (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.**

The proposed project includes elevation of the previously approved tennis court by 2 feet, addition retaining walls ranging from 1-6' retaining wall, shallow retention basins, grading to increase flat area at driveway/entrance to property and landscaping on a legal lot. The proposed development meets all applicable criteria of the Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal Land Use Plan. The proposed project would create no significant impacts to protected resources. Additional minor structural development of the same type in the same place, over time, that is developed in conformance with applicable ordinance and policy regulations on residentially-zoned parcels in the vicinity would not result in a cumulatively significant impact. Therefore, this exception to the categorical exemptions does not apply.

- (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 is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. Accordingly, this exception to the Categorical Exemption is not applicable to the proposed project.

- (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 site is not located near a designated state scenic highway. Accordingly this exception to the Categorical Exemption is not applicable to the proposed project.

- (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 project site is not a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code, and therefore this exception to the Categorical Exemption is not applicable to the proposed project.

- (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 known pre-historic cultural sites exist within the project site. There is no substantial evidence that the proposed project would cause an adverse change in any historical resources, and therefore this exception to the Categorical Exemption is not applicable to the proposed project.

Lead Agency Contact Person: Ciara Ristig

Phone #: 805-568-2077 Department/Division Representative: \_\_\_\_\_

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

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

distribution: Hearing Support Staff

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