

ATTACHMENT 2: NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Jessica Steele, Planner
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: N/A

Case Nos.: 17ORD-00000-00011 (Montecito Land Use and Development Code) and 17ORD-00000-00012 (Coastal Zoning Ordinance)

Location: Montecito Community Plan Area

Project Title: The *Montecito Architectural Guidelines and Development Standards (Guidelines)* Limited Update, Phase II (Detached Accessory Buildings)

Project Applicant: N/A

Project Description: The purpose of this project is to limit the size and/or number of detached accessory buildings on residential lots in Montecito. This project consists of two components.

The first component is a limited update to the *Guidelines* to add guidelines that limit the cumulative net floor area of detached accessory buildings.

The second component consists of minor amendments to the Montecito Land Use and Development Code (MLUDC, Case No. 17ORD-00000-00011) and the Coastal Zoning Ordinance (CZO, Case No. 17ORD-00000-00012) to:

- a. Clarify that the building footprint limitation (800 square feet) for accessory structures applies to unenclosed accessory buildings (e.g., carports and covered patios) (MLUDC and CZO);
- b. Limit the height of two-story guesthouses, artist studios, and cabanas in the Inland Area to 25 feet (MLUDC).
- c. Clarify that the rear setback limit (30 percent) for detached accessory structures applies to the cumulative total of all accessory structures (MLUDC and CZO);
- d. Limit detached accessory building lot coverage to 40 percent of the gross lot area (MLUDC and CZO); and
- e. Limit detached accessory building lot coverage (MLUDC and CZO).

Name of Public Agency Approving Project:

County of Santa Barbara

Name of Person or Agency Carrying Out Project:

Planning and Development Department
Long Range Planning Division

Exempt Status:

- Ministerial
- Statutory Exemption, Section 15265
- Categorical Exemption
- Emergency Project
- Declared Emergency
- No Possibility of Significant Effect, Section 15061(b)(3)

Cite specific CEQA and/or CEQA Guideline Section(s):

15061(b)(3) – No possibility of significant effect.

State CEQA Guidelines Section 15061(b)(3) states: “A project is exempt from CEQA if 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.”

15265 – Adoption of coastal plans and programs.

State CEQA Guidelines Section 15265 states: “CEQA does not apply to activities and approvals pursuant to the California Coastal Act by any local government...for the preparation and adoption of a local coastal program.”

Reasons to Support Exemption Findings: The following provides a brief discussion of findings to support the following exemptions:

Section 15061(b)(3)

The proposed *Guidelines* amendments add guidelines to limit the cumulative floor area of detached accessory buildings. Specifically, the proposed guidelines set forth an “allowance” for detached accessory building floor area based on lot size. The floor area of any existing detached accessory buildings is subtracted from this allowance. These proposed *Guidelines* amendments ensure that proposed detached accessory buildings are compatible with existing development on a lot and may reduce the potential for overdevelopment.

The MLUDC and CZO amendments clarify two existing regulations and add two new regulations that address the size, bulk, and scale of detached accessory buildings. First, the MLUDC and CZO amendments clarify that the 800 square-foot building footprint limitation applies to unenclosed portions of an accessory building under a solid roof or other permanent covering. Second, the MLUDC and CZO amendments clarify that the combined footprint of all accessory buildings on a lot shall not exceed 30 percent of the required rear setback. The proposed MLUDC and CZO amendments also include a new 40 percent maximum lot coverage regulation to limit the total gross floor area of

detached accessory buildings. Lastly, the MLUDC amendments limit the maximum height of two-story detached accessory buildings in the Inland Area to 25 feet.

In conclusion, the proposed amendments clarify and strengthen existing development standards and minimize potential adverse visual impacts to neighbors and Montecito’s semi-rural setting. These changes will not allow new land uses, increase permitted densities, or modify resource protection policies. Rather, the proposed amendments may limit the size and/or number of detached accessory buildings on residential lots in Montecito. Therefore, it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment. Thus, the amendments to the *Guidelines*, MLUDC, and CZO are exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3).

Section 15265

State CEQA Guidelines Section 15265 exempts local government activities involving the preparation and adoption of local coastal program amendments. The proposed *Guidelines* and CZO amendments (Case Number 17ORD-00000-00012) affect portions of the County located within the Coastal Zone and constitute an amendment to the County’s Local Coastal Program. Therefore, the proposed amendments to the *Guidelines* and CZO are statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15265.

Lead Agency Contact Person: Jessica Steele, Planner

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Department/Division Representative: _____
Dan Klemann, Deputy Director

Date: _____

Date of Final Action on Project: _____

Distribution: Hearing Support Staff

Date Filed by County Clerk: _____