

ATTACHMENT 3
ENVIRONMENTAL DOCUMENT
NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: J. Ritterbeck, 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.

AP No.: 023-172-001

Case Nos.: 14BAR-00000-00063 & 14LUP-00000-00144

Location: 849 Cheltenham Road, Santa Barbara, CA

Project Title: Bonillo New Single-Family Dwelling

Project Description: The project is for a Land Use Permit and Preliminary Design Review to allow construction of a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage. Grading would include approximately 130 cubic yards of cut and 120 cubic yards of fill. A total of four avocado trees are proposed for removal. The parcel would be served by the City of Santa Barbara for water and sewer services, the Santa Barbara County Fire Department, and the Santa Barbara County Sheriff's Department. Access would be provided off of Cheltenham Road. The property is a 0.18-acre parcel zoned 7-R-1 and shown as Assessor's Parcel Number 023-172-001, located at 849 Cheltenham Road in the Mission Canyon area, First Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Christian & Ana Bonillo, property owners

Exempt Status:

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

CEQA Guideline Sections: 15303 [New Construction or Conversion of Small Structures]

Reasons to support exemption findings: The proposed project is exempt from environmental review based upon Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines. Section 15303(a) exempts the construction of one single-family residence in a residential zone. Section 15303(e) exempts the construction of accessory structures, including but not limited to: garages, carports, patios, swimming pools and fences. This project constitutes development associated with the construction of a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage, 130 cubic yards of cut and 120 cubic yards of fill, and construction of new retaining walls and site walls, all of which are accessory structures. Therefore, the Categorical Exemption (§15303) is appropriate for the *de novo* approval of the proposed project.

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 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.**

The nearest mapped ESH area is approximately ½ mile west of the location of the proposed project site and separated by dense urban development. There are no environmental resources of hazardous or critical concern designated or mapped on or adjacent to the project site. Therefore, this exception to the Categorical Exemption does 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 project is for the construction a new approximately 2,907 square foot [gross]/2,338 square foot [net] two-story single-family dwelling with an attached 539 square foot garage. The proposed development meets all applicable criteria of the County LUDC and the County Comprehensive Plan, including the Mission Canyon Community Plan. The proposed development will create no significant impacts. The immediate surrounding neighborhood is largely built out with few vacant lots remaining to be developed. Additional minor structural development of the same type in the same place and within the surrounding neighborhood, developed in conformance with applicable ordinance and policy regulations, will not result in a cumulatively significant impact. Therefore, this exception to the Categorical Exemption 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.**

The circumstances under which the proposed project is requested and under which construction is proposed are not unusual. The proposed project consists of the construction of a single-family dwelling in an existing developed urban neighborhood zoned for single-family development. There is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The nearest ESH is over ½ mile west of the location of the proposed project and separated by dense urban development. The project would not affect cultural resources, geologic hazards, or other significant site constraints. The grading and drainage plan prepared by a civil engineer demonstrates that the project will not increase drainage or runoff on neighboring properties as compared to existing conditions in the area. Therefore, this exception to the Categorical Exemption does not apply.

- (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 within or visible from any officially designated scenic highway and the project does not damage any scenic resource. Therefore, this exception to the Categorical Exemption does not apply.

- (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 proposed project is not located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, this exception to the Categorical Exemption does not apply.

- (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.**

The proposed development would have no impact on any historical resource. Therefore, this exception to the Categorical Exemption does not apply.

Lead Agency Contact Person: J. Ritterbeck, Planner II Phone #: (805) 568-3509

Department/Division Representative: _____ Date: _____

Acceptance Date: _____