

**ATTACHMENT C: CEQA NOTICE OF EXEMPTION**

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

**FROM:** Willow Brown, 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:** 011-070-002

**Case Nos.:** 20RZN-00000-00001 & 20GPA-00000-00001

**Location:** East Mountain Drive

**Project Title:** Ocean Vistas, LLC Zoning Map Amendment & Comprehensive Plan Amendment

**Project Applicant:** Ocean Vistas, LLC

**Project Description:**

The project is a request for a Zoning Map Amendment and Comprehensive Plan Amendment to rezone the subject parcel from PU (Public Utilities) to 2-E-1 (Single Family Residential, two-acre minimum parcel size), and to change the land use designation on the subject parcel from UT (Public Utilities) to SRR-0.5 (Semi-rural Residential, two acres minimum parcel size).

The parcel is addressed as 1516 E. Mountain Drive and will be served by the Montecito Water District, the Montecito Sanitary District, and the Montecito Fire Protection District.

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

**Name of Person or Agency Carrying Out Project:** Jennifer Siemens

**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption (15303)
- General Rule §15061(b)(3)
- Emergency Project

**Cite specific CEQA and/or CEQA Guideline Section:** 15061(b)(3) and 15303

**Reasons to support exemption findings:**

The project is exempt from environmental review pursuant to Sections 15061(b)(3) [Common Sense Exemption] and 15303 [New Construction or Conversion of Small Structures] of the CEQA Guidelines. Section 15061(b)(3), the common sense exemption, states that CEQA applies only to projects that 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. Section 15303 is a categorical exemption that exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, including one single-family residence.

It can be seen with certainty that there is not a possibility that the Comprehensive Plan Amendment and Zoning Map Amendment will have a significant effect on the environment. There is no development proposed as part of the project, and the parcel is currently developed with a concrete 80-foot diameter water tank. The change in zoning and land use designation from Public Utilities to Residential will allow for the residential development of the parcel, but the ground has already been disturbed from the construction of the water tank and constructing a single family dwelling on the lot will not significantly affect the environment. The subject property is surrounded by other residentially zoned properties that are similarly developed with single family residences. The Amendments will not increase the acreage of the parcel, do not include grading or any associated development, and do not result in an increase in subdivision potential. Therefore, it can be seen with certainty that the Amendments will not have a significant effect on the environment and CEQA Section 15061(b)(3) is applicable.

Future development on the parcel will be exempt from environmental review pursuant to Section 15303 of CEQA. The change in zone and land use designation will allow for the development of a single family dwelling. Section 15303 exempts the construction of one single-family residence on a parcel.

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.

- 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.**

This exception to the Categorical Exemptions does not apply because the subject parcel is not located in an area with a particularly sensitive environment or in an area with any mapped or designated environmental resource of hazardous or critical concern.

- 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.**

This exception to the Categorical Exemptions does not apply because the subject parcel is currently surrounded by residentially zoned parcels developed with single family residences. Future residential development on the subject parcel will be consistent with its surroundings and further residential development on parcels in the area will not have a significant effect on the environment.

- 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.**

This exception to the Categorical Exemptions does not apply because there are no unusual circumstances surrounding the proposed project (natural resources, changes to views, hazards, access, public recreational use, flooding, etc.) and there is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.

- 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.**

This exception to the Categorical Exemptions does not apply because future development will not be visible from a designated Scenic Highway, and will not result in damage to scenic resources, including but not limited to, trees, historic buildings, or rock outcroppings. There are no scenic resources on the subject parcel.

- 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.**

This exception to the Categorical Exemptions does not apply because 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.

- 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.**

This exception to the Categorical Exemptions does not apply because there are no known historic resources on the subject parcel. A historic report determining the historic significance of the water tank will be required before a Land Use Permit for residential development will be approved.

Lead Agency Contact Person: Willow Brown

Phone #: (805) 568-2040

Department/Division Representative: Willow Brown

Date: 12/16/20

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

Distribution: Hearing Support Staff

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