

ATTACHMENT C: NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Sarah Clark, 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: 005-133-058

Case No.: 08MOD-00000-00006, 08CDP-00000-00032

Location: 2200 Banner Avenue

Project Title: Tracy Addition

Project Description: Modification to allow a 364 square foot second story addition to encroach 4.5 feet into the required 25-foot rear yard setback and 1.5 feet into the required 10-foot secondary front yard setback. Under the associated CDP, 08CDP-00000-00032, applicant also requests a 77 square foot first floor addition to be located outside of required setbacks, demolition of an unpermitted storage shed, removal of an unpermitted spa, and conversion of the garage back into its permitted carport configuration. Removal of four banana trees is proposed. No grading is proposed. The parcel will continue to be served by the Summerland Sanitary District, the Montecito Water District, and the Carpinteria-Summerland Fire District. Access will continue to be provided via a private driveway at the corner of Banner Avenue and Evans Avenue. The property is a 0.07-acre parcel zoned 10-R-1 and shown as Assessor's Parcel Number 005-133-058, located at 2200 Banner Avenue in the Summerland area, 1st Supervisorial District.

Name of Public Agency Approving Project:

County of Santa Barbara

Name of Person-or Agency Carrying Out Project:

Tom V. Smith

Exempt Status: (Check one)

- Ministerial
 Statutory Exemption
 Categorical Exemption
 Emergency Project
 Declared Emergency

Cite specific CEQA Guideline Section: 15305(a), 15301(e)

Reasons to support exemption findings: Section 15305(a) of the Guidelines for Implementation of CEQA exempts minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel. No environmental impacts would be associated with reduction of the rear yard setback requirement. The setback modification would not result in the creation of any new parcel. There will be no obstruction of any scenic views open to the public and the project would not change the visual character of the area. The project would not result in the loss of any existing native vegetation or the removal of any oak trees, would not require any grading or land alteration, and would not impact any biological resources.

Section 15301(e) exempts additions to existing structures provided the addition will not result in an increase of more than 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible under the General Plan and the project is not located in an environmentally sensitive area. The existing residence receives adequate services from the Montecito Water District, the Summerland Sanitary District, and the Carpinteria-Summerland Fire Protection District. The proposed addition would not exceed 10,000 square feet, and the project is not located in an environmentally sensitive habitat area.

Exceptions pursuant to Section 15300.2 of CEQA

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:

- (g) **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 or hazardous of critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

There is no mapped environmentally sensitive habitat on the subject parcel. Therefore, this exception does not apply.

- (h) **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 setback modification will be located in an urban neighborhood on a parcel currently developed with a single-family dwelling and garage. The scope of the project is limited to the project description and the proposed project is not part of any larger planned development project. Therefore, this exception does not apply.

- (i) **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 proposed project is a four-foot reduction in the required rear yard setback to accommodate construction of a second story addition. The proposed development would be located on a previously developed parcel in an urban neighborhood. There are no identified potentially significant effects on the environment. Therefore this exception does not apply.

- (j) **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 proposed development would not impact any scenic resources. The subject parcel is not located adjacent to a scenic highway and would not be visible from Highway 101. No trees, historic buildings, rock outcroppings, or similar resources would be impacted by this project. Therefore, this exception does not apply.

(k) 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.

There are no known hazardous or toxic sites on the subject parcel. Therefore, this exception does not apply.

(l) 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 applicant requests a four-foot reduction of the rear yard setback. Modification of the setback does not have the potential to cause a substantial adverse change in the significance of a historical resource. Therefore, this exception does not apply.

Lead Agency Contact Person: Sarah Clark Phone #: (805) 568-2059

Department/Division Representative Date

Acceptance Date: _____

Note: A copy of this form must be posted at P&D 6 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: Hearing Support Staff

Project file (when P&D permit is required)
Date Filed by County Clerk: _____