

## NOTICE OF EXEMPTION

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

**FROM:** Alice McCurdy, Deputy Director, 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:** 077-030-013

**Case Nos.:** 07LUP-00000-00830

**Location:** 1215 Franklin Ranch Road in the Goleta Community Plan Area

**Project Title:** Brown Grading and Horse Arena Project

**Project Description:** The project is for a Land Use Permit to legalize an existing unpermitted horse stall structure of approximately 630 square feet (18'x35') and an approximately 500 square foot hay barn/shed (20'x25') and creation of three separate horse areas (riding arena, round pen, and corral). No specimen trees are proposed for removal. Grading includes approximately 7,000 cubic yards of cut and fill to be balanced onsite to create the new horse areas. The parcel will continue to be served by the Goleta Water District, a private onsite septic system and the Santa Barbara County Fire Department. Access will continue to be provided off of Franklin Ranch Road. The property is a 10.49-acre parcel zoned RR-5 and shown as Assessor's Parcel Number 077-030-013, located at 1215 Franklin Ranch Road in the Goleta Community Plan Area, Second Supervisorial District.

This Land Use Permit shall also function as the follow-up permit to the previously approved Emergency Permit (11EMP-00000-00007) that authorized the emergency removal of the overburden soil removed from the COMB easement and overtop of the South Coast Conduit (SCC) water line, as well as the engineered earthwork to create a suitable stockpile area immediately adjacent to the COMB easement area. All work completed as a part of the Emergency Permit shall continue to be subject to the Conditions of Approval of that permit.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Andy and Jessica Brown; and the Cachuma Operation & Maintenance Board (C.O.M.B.)

**Exempt Status:**

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

**Cite specific CEQA and/or CEQA Guideline:** The Brown project can be found exempt from environmental review based upon Sections 15303 [New Construction or Conversion of Small Structures] and 15304 [Minor Alterations to Land] of the California Environmental Quality Act (CEQA) Guidelines.

## Reasons to support exemption findings:

The Brown project can be found exempt from environmental review based upon Sections 15303 [New Construction or Conversion of Small Structures] and 15304 [Minor Alterations to Land] of the California Environmental Quality Act (CEQA) Guidelines.

Section 15303 exempts the construction of accessory (appurtenant) structures including but not limited to: garages, carports, patios, swimming pools and fences. The current project proposes to legalize two existing agricultural accessory structures (a 500 sq.ft. hay barn and a 630 sq.ft. horse stall) as shown on "3ALT of 8, plan date February 8, 2012 (Revision date 5/23/12)". The proposed project would fall within the limits of this exemption.

Section 15304 exempts minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The current project proposes the removal of excess soil overburden located within the COMB easement for the SCC waterline, relocation of that excavated soil to a structurally engineered area immediately adjacent to the easement, relocation of an existing horse riding arena to that engineered area, and the construction of a new round pen and corral area. Additionally, no healthy, mature or scenic trees would be removed as a part of this project as most of the work associate with this project is within and/or overlapping the area of previously permitted development associated with 99-LUS-467. Therefore, the proposed development would fall within the limits of this exemption.

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. 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 is no designated or mapped environmental sensitive habitat (ESH), biological resources or other resources of hazardous or critical concern located in the area of the proposed project. Although the project site is adjacent to Franklin Creek, the creek is separated from the area of proposed development by an existing private driveway and the creek corridor itself is degraded to the point where riparian habitat is practically non-existent. Impacts associated with the project will continue to be insignificant as all proposed development is located on already disturbed portions of the site and all exterior lighting would be conditioned to be low-wattage, hooded and directed downward in order to minimize any impacts off-sight towards adjacent properties and the degraded Franklin Creek. Therefore, this exception to the categorical exemption(s) 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.**

As designed and conditioned, the proposed development meets all applicable criteria of the Inland Land Use Development Code, the County Comprehensive Plan, including the Goleta Community Plan. Additionally, the project will not create significant impacts to protected resources. Development on the site and within the surrounding neighborhood, developed in conformance with applicable ordinance and policy regulations, would not result in a cumulatively significant impact. Therefore, this exception to the categorical exemption(s) 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.

Although the project site is adjacent to Franklin Creek, the creek is degraded to the point where riparian habitat is practically non-existent. There are no designated or mapped sensitive biological environmental resources or other resources of hazardous or critical concern located within the area of the proposed project itself. Additionally, a private driveway and existing development separates the creek from the area of development on the subject property and all development is located on portions of the subject parcel that are already disturbed. Furthermore, the proposed project is for grading and the construction of agricultural accessory structure that are typical the rural areas of Santa Barbara County. There is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Therefore, this exception to the categorical exemptions 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 proposed project is not located adjacent to any state scenic highway and will not result in damage to and protected or scenic resource. Therefore, this exception to the categorical exemptions 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 exemptions 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 exemptions does not apply.

Lead Agency Contact Person: \_\_\_\_\_

Phone #: \_\_\_\_\_

Department/Division Representative: \_\_\_\_\_ Date: \_\_\_\_\_

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

Distribution: Hearing Support Staff

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