

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 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.: 013-166-006

Case Nos.: 12LUP-00000-00387 & 12BAR-00000-00128

Location: 137 Sierra Vista Road, Montecito, CA

Project Title: Kasztelan Single-Family Dwelling

Project Description: The project is for a Land Use Permit to allow construction of a 1,825 [net] square foot addition to the existing single-family dwelling and a new 481 square foot attached garage. The resulting dwelling would be approximately 3,933 square feet in [net] floor area and would use a variable side setback allowance. Grading is proposed to be approximately 200 cubic yards of cut and fill. No trees are proposed for removal as a part of this project. All necessary services are available for the parcel, which will continue to be served by the Santa Barbara City Water District, a private onsite septic system, the Montecito Fire Department and the Santa Barbara County Sheriff's Department. Access to the site will continue to be taken off of Sierra Vista Road. The property is a 1.09-acre parcel zoned 2-E-1 and shown as Assessor's Parcel Number 013-166-006, located at 137 Sierra Vista Road in the Montecito Community Plan Area, First Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Brian and Jessica Kasztelan, property owners

Exempt Status:

☐ Ministerial
☐ Statutory Exemption
☒ Categorical Exemption
☐ Emergency Project
☐ Declared Emergency

CEQA Guideline Sections: Section 15301 [Existing Facilities]

Reasons to support exemption findings:

Case Nos. 12LUP-00000-00387 and 12BAR-00000-00128 can be found exempt from environmental review based upon Section 15301 [Existing Facilities] of the California Environmental Quality Act (CEQA) guidelines. Section 15301(e)(2) states that additions to existing structures are exempt from CEQA if the increase is not more than 10,000 square feet and the project is in an area where public services and facilities are available and the project is not located in an environmentally sensitive area. The proposed project is for an addition of 1,825 square feet, is in an area that receives public services and is not in an environmentally sensitive area.

As proposed, the Categorical Exemption, §15301, is suitable and 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 project site does not constitute a particularly sensitive environment and would not impact an environmental resource of hazardous or critical concern. Therefore, this exception to the Categorical Exemptions 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 proposed project is for proposed additions to an existing SFD and includes an attached garage. The project has been designed to be compatible with the existing neighborhood. Infill development in the surrounding residential neighborhood, developed in conformance with applicable ordinance and policy regulations for residentially zoned parcels, as in the instant case, would not result in a significant cumulative impact. Therefore, this exception to the Categorical Exemptions 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.**

There are no unusual circumstances on or around the site or existing structure. Additionally, there is no reasonable possibility that the construction of additions to an existing dwelling 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 project site is located over 1.3 miles from the State-designated scenic highway of U.S. Hwy 101. Furthermore, the proposed development is not visible from any viewing area on or along the scenic highway and would not damage any other scenic resources. 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 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: J. Ritterbeck, Planner II Phone #: (805) 568-3509

Department/Division Representative: _____ Date: _____

Acceptance Date: _____