

ATTACHMENT C
NOTICE OF EXEMPTION

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SANTA BARBARA COUNTY
CLERK OF SUPERVISORS

TO: Santa Barbara County Clerk of the Board of Supervisors
FROM: Kevin De Los Santos, Planner

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: 005-185-007 **Case Nos.:** 23MOD-00017

Location: 2380 Lillie Ave., Summerland, CA 93067

Project Title: Brown Parking Modification

Project Applicant: Shane Brown

Project Description: The project is a request for a Modification that will allow the on-site parking requirement to be waived and to accommodate the required four parking spaces within the right-of-way (ROW). The four parking spaces are required as part of a change of use project being processed under a separate Coastal Development Permit (Case No. 22CDP-00000-00073). The project site is located in the C-1 Zone District and a total of four commercial parking spaces are required for the proposed two commercial use structures. The project site is constrained and no commercial parking spaces exist on-site. Four commercial parking (including ADA) spaces will be accommodated within the right-of-way (ROW) by street frontage improvements. No grading or tree removal is proposed. The parcel is served by the Montecito Water District, the Summerland Sanitary District, and the Carpinteria-Summerland Fire Protection District. Access is provided off of Lillie Avenue. The property is a 0.25-acre parcel zoned C-1 and shown as Assessor's Parcel Number 005-185-007, located at 2380 Lillie Avenue in the Summerland Community Plan area, First Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Entity Carrying Out Project: Shane Brown

Exempt Status:

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

Cite specific CEQA and/or CEQA Guidelines Section: 15305 [Minor Alterations in Land Use Limitations]

Reasons to support exemption findings: The proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 [Minor Alterations in Land Use Limitations]. Section 15305 exempts minor alterations in land use limitations that do not result in any changes in land use or density. This exemption applies to the Project because the Modification will allow the standard land use limitation of four on-site commercial spaces to be accommodated off-site within the ROW and will not allow a change in land use or density.

The proposed project does not involve 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 is a request for a Modification that will allow the on-site parking requirement to be waived and to accommodate the required four parking spaces within the ROW. There are no mapped environmentally sensitive habitats or sensitive plant or animal species on the subject parcel, or other environmental resources 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 Modification will allow the on-site parking requirement to be waived and to accommodate four parking spaces within the ROW for a lot that is constrained by two front setbacks. Approval of the Modification will allow two nonconforming residential structures to be legally permitted to a conforming use of the C-1 Zone District under a separate Coastal Development Permit (22CDP-00000-00073). Additional new parking Modifications, that would result in the required on-site parking spaces being accommodated within the ROW, and are developed in conformance with applicable ordinance and policy regulations on parcels in the vicinity, would not result in a cumulatively significant 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 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. Accordingly, this exception to the Categorical Exemption is not applicable to the proposed project.

- (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 will not be visible from any highway officially designated as a state scenic highway. The project site is located approximately 120 feet from Highway 101, but Highway 101 is not a designated state scenic highway in this location of the County. Additionally, no structural development is proposed and the Project won't have any impact on visual resources. Therefore, the Project will not degrade scenic resources.

- (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.

There are no known historical resources in the project vicinity that would be affected by the proposed project. The Parking Modification will allow the on-site parking requirement to be waived and to accommodate four parking spaces within the ROW for a lot that is constrained by two front setbacks. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

Lead Agency Contact Person: Kevin De Los Santos

Phone #: 805-884-8051 Department/Division Representative: 

Brown Parking Modification, Case No. 23MOD-00017
Hearing Date: November 4, 2024
Attachment C – 4

Date: 10/18/2024

Acceptance Date: _____

Distribution: Hearing Support Staff

Date Filed by County Clerk: 11-15-2024

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