

**ATTACHMENT C: NOTICE OF EXEMPTION**

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Planning and Development Department (P&D)

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(s): 081-040-047 and 081-040-049 Case Nos.: 05LLA-00000-00009, 06RZN-00000-00008

Location: 2375 Refugio Road, Goleta area

Project Title: Melliari-Smith/Moser Lot Line Adjustment and Rezone

**Project Description:** The proposed project is a Lot Line Adjustment and Rezone, to adjust the existing lot lines between Assessor's Parcel Numbers 081-040-047 and 081-040-049, to reconfigure into one lot of 20.00 gross acres (19.29 net acres) and one lot of 44.20 gross acres (43.31 net acres), on property located in the 100-AG zone under Ordinance 661; and to rezone both parcels from General Agriculture, 100-acre minimum lot area (100-AG) under Zoning Ordinance No. 661 to Agriculture II, 100-acre minimum lot area (AG-II-100) under the County Land Use & Development Code (LUDC). The application involves Assessor's Parcel Nos. 081-040-047 and 081-040-049 located at 2375 Refugio Road in the Goleta area, Third Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Michael Melliari-Smith and Louise Moser (owners)

**Exempt Status:** (Check one)

Ministerial

Statutory Exemption

Categorical Exemption

No Possibility of a Significant Effect on the Environment

Cite specific CEQA and/or CEQA Guideline Section: Section 15305(a) and Section 15061(b)(3)

Reasons to Support Exemption Findings:

**Lot Line Adjustment:** Section 15305 of the "Guidelines for Implementation of the California Environmental Quality Act" exempts certain minor alterations in land use limitations from the requirements of CEQA. Section 15305(a) exempts "*minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: (a) Minor lot line adjustments, side yard, and set back*

*variances not resulting in the creation of any new parcel.”* The proposed lot line adjustment does not result in the creation of a new parcel, and does not result in any changes in land use or density. Both reconfigured parcels would be the same sizes as the original parcels. Areas outside of the proposed development envelopes contain slopes over 20%, but the proposed development envelopes restricts existing and future structures and associated grading to areas with only 3-5% slopes. The project will be conditioned to disallow development and grading outside of the development envelopes, except to provide access to the site and to maintain water wells and septic systems. The proposed project would not change the land use designation or intensity of use of the parcels. Adequate access exists to both parcels, and all environmentally sensitive resources will be protected through the location of development envelopes and conditioning of future residential development.

Rezone: Section 15061(b)(3) of the “Guidelines for Implementation of California Environmental Quality Act” exempts projects from the requirements of CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed rezone is a legislative action that would replace an outdated agricultural zoning district under Ordinance 661 with a modern agricultural zoning district under the County Land Use and Development Code. It does not involve any development, and the associated Lot Line Adjustment does not propose any development. The nature of future development is unknown at this time. When future development is proposed on either subject lot, Planning & Development will review it for any potential constraints and for policy consistency. Any future development on the subject parcels would be subject to further environmental review. If appropriate, Planning & Development would evaluate the use of CEQA Section 15303 that provides a categorical exemption for construction of small structures. As a result, the Consistency Rezone is exempt from CEQA under Section 15061(b)(3) because there is no potential for it to have a significant effect on the environment.

Lead Agency Contact Person: Selena Buoni Phone #: (805) 568-2910

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 (Selena Buoni, Planner)

Date Filed by County Clerk