

ATTACHMENT A

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

The Safety Element update includes: 1) updates to the Safety Element’s wildfire information text and maps; 2) links to a Safety Element interactive map with additional fire related resource layers and county fire maps; 3) incorporation by reference of the adopted Multi-Jurisdiction Hazard Mitigation Plan (MJHMP); and 4) wildfire policy updates which reflect standards and regulations with which the County must already comply from the State. The regulations come from the State and County Fire Code, State and County Building Code, State Fire Safe Regulations (14 CCR 1270-1276), and other State regulations. Other policies reflect standards with which the County complies as standard practice during entitlement review. Any projects to address identified deficiencies or that otherwise occur as a result of this update will be subject to compliance with CEQA, if applicable.

Therefore, it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment, and it is not subject to CEQA according to CEQA Guidelines Section 15061(b)(3).

On the basis of the whole record, including the Notice of Exemption, Attachment B to the Board of Supervisors agenda letter, dated June 29, 2023, and incorporated herein by reference, the Board of Supervisors finds the proposed project exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

2.0 ADMINISTRATIVE FINDINGS

2.1 COMPREHENSIVE PLAN FINDINGS - Case No. 22GPA-00000-00005

Findings required for Comprehensive Plan, Development Code and Zoning Map Amendments.

In compliance with County Land Use and Development Code (LUDC) Section 35.104.060, an application for an amendment to the Comprehensive Plan may be approved only if the review authority first makes all of the following findings, as applicable to the type of amendment.

2.1.1 The request is in the interests of the general community welfare.

Updates to the Seismic Safety and Safety Element’s wildfire hazard information and policies and evacuation planning improves community knowledge and safety with respect to wildfire hazards and evacuation during emergencies. Therefore, the proposed amendment is in the interest of the general community welfare and this finding can be made.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the Land Use and Development Code, Coastal Zoning Ordinance, and Montecito Land Use and Development Code.

The proposed amendment is consistent with the applicable policies of the Santa Barbara County Comprehensive Plan, including the Seismic Safety and Safety Element, and applicable development standards of the County Land Use and Development Code (LUDC), Montecito LUDC, Coastal Zoning Ordinance, and State planning and zoning laws. Specifically, the proposed amendment is consistent with Government Code Section 65302(g)(3) that requires addressing fire risks in the State Responsibility Areas and the Very High Fire Hazard Severity Zones using the Fire Hazard Planning, General Plan Technical Advice Series and Section 65302(g)(5) that requires the identification of residential developments with fewer than two evacuation routes.

Therefore, the proposed amendment is consistent with the Comprehensive Plan, State planning and zoning laws, and the LUDC, and this finding can be made.

2.1.3 The request is consistent with good zoning and planning practices.

The proposed updates to the Seismic Safety and Safety Element include updated wildfire hazard information and improved policies and evacuation planning information that benefit the community. It does not include any changes to zoning regulations. The policy amendments are consistent with current practices for development review and wildfire regulations, and do not raise environmental or other planning issues. Therefore, the proposed amendment is consistent with good zoning and planning practices and this finding can be made.

2.2 ADDITIONAL FINDING FOR COMPREHENSIVE PLAN AMENDMENTS

2.2.1 The request is deemed to be in the public interest.

In order to address fire protection and prevention, Senate Bill 1241 (SB 1241) requires jurisdictions to update the Seismic and Safety Element (Safety Element) with new information regarding fire hazards. California’s increasing population and expansion of development into previously undeveloped areas is creating “wildland-urban interface” (WUI) issues with a corresponding risk of economic loss caused by wildland fire. The changing climate, specifically the rising temperatures and increasing temporal variability of water availability, is substantially increasing wildfire risk in many areas. The Seismic Safety and Safety Element update will ensure that the County has a set of feasible implementation goals designed to continue to carry out the existing fire protection policies within the Safety Element for the protection of public safety.

Senate Bill 99 requires the County to identify residential developments in hazard areas with less than two emergency evacuation routes. This identification and mapping was conducted by Planning and Development and was reviewed and vetted by various County departments and external agencies with knowledge and jurisdiction of the County's communities, roads, and evacuation procedures.

Assembly Bill 2140 (2006) allows the County to be eligible for a larger State share of disaster relief funding when the Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) has been adopted in accordance with the federal Disaster Mitigation Act of 2000 as part of the Safety Element. As a result, the 2022 MJHMP is incorporated by reference into the Seismic Safety and Safety Element.

Therefore, the proposed amendments are in the public interest, as all residents of the County should receive adequate fire protection, have information available that helps keep them safe, and be eligible for State funding in the event of a disaster.

Seismic Safety and Safety Element Amendment – Wildfire policies
Case No.: 22GPA-00000-00005
Board of Supervisors Hearing Date: July 11, 2023
Attachment A
Page 4

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