

ATTACHMENT B: NOTICE OF EXEMPTION

Case Nos. 24ORD-00021 and 24ORD-00022

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Eva Marrero, Planner
Planning and Development Department

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 of Santa Barbara (County) guidelines for the implementation of CEQA.

APN(s): Not applicable. The proposed zoning ordinance amendments in Case Nos. 24ORD-00021 and 24ORD-00022 will apply to all unincorporated areas of the county except the Inland Area of the Montecito Planning Area.

Case Nos.: 24ORD-00021 and 24ORD-00022

Location: Countywide

Project Title: Emergency Shelter Zoning Ordinance Amendments

Project Description: Case No. 24ORD-00021 amends Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, and Article 35.11, Glossary, of Section 35-1, the County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, by (1) updating the existing definitions of “emergency shelter” and “low barrier navigation center” to comply with Government Code (GC) Sections 65583(a)(4)(C) and 65660(a), respectively; and (2) adding objective development standards for emergency shelters to comply with GC Section 65583(a)(4)(B).

Case No. 24ORD-00022 amends Division 2, Definitions; Division 6, Parking Regulations; and Division 7, General Regulations; of Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code, by (1) updating the definitions of “emergency shelter” and “low barrier navigation center” to comply with Government Code (GC) Sections 65583(a)(4)(C) and 65660(a), respectively; and (2) adding objective development standards for emergency shelters to comply with GC Section 65583(a)(4)(B).

Exempt Status:

- ☐ Ministerial
- ☒ Statutory
- ☐ Categorical Exemption
- ☐ Emergency Project
- ☒ No Possibility of Significant Effect

Cite specific CEQA Guideline Section: CEQA Guidelines Sections 15061(b)(3) and 15265.

Reasons to support exemption findings: CEQA Guidelines Section 15061(b)(3) is the “common sense exemption,” which states: “Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

To comply with new State laws and implement Program 9 of the 2023-2031 Housing Element Update, the proposed amendments include three principal changes to the LUDC and CZO: (1) update the definition of “emergency shelter” to comply with GC Section 65583(a)(4)(C) (Assembly Bill 2339), update the definition of “low barrier navigation center” to comply with GC Section 65660(a) (Senate Bill 1395), and (3) add objective development standards for emergency shelters to comply with GC 65583(a)(4)(B).

The proposed amendments to the LUDC and CZO would not allow any new uses or development; instead, they would update the existing definitions of “emergency shelter” and “low barrier navigation center” and establish objective development standards for emergency shelters to help ensure a consistent and predictable planning permit process.

Emergency shelters are a type of residence and are currently allowed with a Land Use Permit (LUP) or a Minor Conditional Use Permit (MCUP) in six zones in the Inland Area. Emergency shelters are currently allowed with a Coastal Development Plan (CDP) or a Minor Conditional Use Permit (MCUP) in three zones in the Coastal Zone. The proposed amendments would not change the number of zones in which emergency shelters are currently allowed or the current permit requirements for emergency shelters. Therefore, it can be seen with certainty that there is no possibility that the proposed Emergency Shelter Zoning Ordinance Amendments may have a significant effect on the environment, and, pursuant to CEQA Guidelines Section 15061(b)(3), the proposed amendments are not subject to CEQA.

In addition, CEQA Guidelines Section 15265 statutorily exempts local government activities involving the preparation and adoption of local coastal program amendments from environmental review. The proposed CZO amendment amends portions of the county within the Coastal Zone and constitutes an amendment to the County’s Local Coastal Program. Therefore, the proposed CZO amendment is also statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15265.

Department/Division Representative

Date

Acceptance Date (date of final action on project): _____

Date Filed by County Clerk: _____