

ATTACHMENT 1b: 18ORD-00000-00016 MONTECITO LUDC FINDINGS

CASE NO. 18ORD-00000-00016

1.0 California Environmental Quality Act (CEQA) FINDINGS

1.1 CEQA EXEMPTION

- 1.1.1** The Board of Supervisors find that the proposed amendments to the Montecito Land Use and Development Code are exempt from environmental review pursuant to State CEQA Guidelines Sections 15061(b)(3) (Review for Exemption), 15301(b)(f) (Existing Facilities), and 15303(d) (New Construction or Conversion of Small Structures). Please see Attachment 2 to the Board Agenda Letter dated December 8, 2020, Notice of Exemption, incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.104.060, Findings Required for Approval of Amendment, of the Montecito Land Use and Development Code, the Board of Supervisors shall make the following findings in order to recommend approval of amendments to the Montecito Land Use and Development Code:

2.1 The request is in the interest of the general community welfare.

As discussed in the Board Agenda Letter dated December 8, 2020 and Staff Report dated October 15, 2020, incorporated herein by reference, the ordinance amendment provides a more efficient permitting process for natural gas telecommunications facilities in the Inland Area of the unincorporated county to improve public health and safety, yet consistent with the existing goals, policies, development standards, and regulations of the Comprehensive Plan. The California Public Utilities Commission requires the Southern California Gas Company (SoCalGas), and other natural gas providers, to install the proposed telecommunication facilities to monitor operations and ensure safety of the natural gas pipeline system. The natural gas provider(s) proposes to install and operate natural gas telecommunications facilities to quickly determine if a leak or loss of pressure occurs in their natural gas distribution system. Public health and safety, including from wildfire risk, will improve through faster gas leak detection time that would reduce the potential for natural gas hazards such as fire to occur. Additionally, since the natural gas provider would need to mobilize fewer in-person meter readers, vehicle miles traveled and greenhouse gas emissions will decrease in the county. As such, the proposed ordinance amendment would reduce vehicular traffic across the county and associated greenhouse gas emissions, thereby improving public health and driver safety. For all of these reasons, the proposed ordinance amendment is in the interest of the general community welfare.

2.2 The request is consistent with the Comprehensive Plan and applicable Community Plans contained under the Comprehensive Plan and Montecito Land Use and Development Code.

As discussed in the Board Agenda Letter dated December 8, 2020 and Staff Report dated October 15, 2020, incorporated herein by reference, staff reviewed the proposed ordinance amendment for consistency with the applicable policies of the Comprehensive Plan, including applicable Community Plans of the Comprehensive Plan. The proposed development standards ensure facilities will be in conformance with existing County standards set forth in the County Comprehensive Plan, including (but not limited to) standards regarding cultural, biological, and aesthetic resources. Additionally, adoption of the proposed ordinance amendment creates a more efficient County review and permitting process for natural gas telecommunications facilities.

The proposed ordinance amendment is consistent with the adopted policies and development standards of the County's Comprehensive Plan, including the Community Plans. The proposed ordinance amendment is also consistent with the remaining portions of the Montecito Land Use and Development Code that would not be revised by this amendment. Therefore, this amendment may be found consistent with the Comprehensive Plan and the Montecito Land Use and Development Code.

2.3 The request is consistent with good zoning and planning practice.

As discussed in the Board Agenda Letter dated December 8, 2020 and the Staff Report dated October 15, 2020, incorporated herein by reference, the proposed ordinance amendment is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. As discussed above in Finding 2.2, the amendment is consistent with the Comprehensive Plan including applicable Community Plans, and the Montecito Land Use and Development Code.