

# 3 - LATE DIST

Katherine Douglas *Public Comment*

**From:** Steve Fort <stevef@sepps.com>  
**Sent:** Thursday, January 30, 2025 10:38 AM  
**To:** sbcob  
**Cc:** Tuttle, Alex; Venegas, Corina; Justin Leach  
**Subject:** Public Comment - Departmental Agenda - Item 3 Senate Bill 9 Ordinance Amendments  
**Attachments:** 2025-02-04 BOS Public Comment Item 3 SB 9.pdf

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Clerk of the Board,

Attached please find public comment related to Departmental Agenda - Item 3 Senate Bill 9 Ordinance Amendments.

I would appreciate it if you would please confirm receipt.

Sincerely,

**Steve Fort**  
Principal Planner



**SEPPS Land Use Consulting**  
**1625 STATE STREET, SUITE 1**  
**SANTA BARBARA, CA 93101**  
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Land Use Consulting

30 January 2025

Chair Capps and Board of Supervisors  
Santa Barbara County Board of Supervisors  
County of Santa Barbara  
105 E. Anapamu Street  
Santa Barbara, CA 93101  
Via email: Clerk of the Board - [sbcob@countyofsb.org](mailto:sbcob@countyofsb.org)

**SUBJECT: Public Comment**  
**February 4, 2025 Board of Supervisors Hearing**  
**Departmental Agenda - Item 3 Senate Bill 9 Ordinance Amendments**

Chair Capps and Supervisors:

With regard to Item 3. ordinance amendments implementing SB 9, I am writing to request that the Board follow the recommendation of the County Planning Commission and staff and provide an exemption from the pending ordinance for applications that are actively being processed by Planning and Development and have received a written Determination of Eligibility for ministerial processing under Senate Bill 9.

I note the Planning Commission forwarded a recommendation to include an exemption for projects that are preexisting or in process with Planning and Development. I understand staff is indeed proposing that existing SB 9 applications filed on or before December 31, 2024 be exempted from required compliance with the proposed SB 9 regulations. In order to be fair to applicants already in the process, I urge you to follow through with the Planning Commission and staff recommendation.

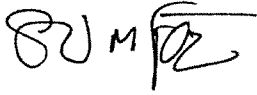
As an example of the appropriateness for the exemption, I am currently the agent for a Senate Bill 9 parcel ma project that has received a written Determination of Eligibility from Planning and Development. Certain provisions of the draft pending ordinance, notably the affordability requirement, result in a very significant change in the requirements applicable to the project that were not applicable, known, or anticipated when the Determination of Eligibility was issued. My client has spent significant time and resources, many thousands of dollars, on consultants and Planning and Development staff time to get to this point. Application of the pending ordinance to this project (and likely any project already deemed eligible for Senate Bill 9 processing) is a massive shift in the rules and will result in the project being infeasible. Essentially, my client will have received a determination that his project is eligible to be processed under certain rules only to have the rules changed.

An exemption for projects that have received a written Determination of Eligibility from Planning and Development is a very reasonable request that results in fairness for your constituents.

On behalf of my client, we appreciate your consideration of this matter which is of the utmost importance to us. If you have questions, you may contact me at (805) 966-2758 x 101 or [stevef@sepps.com](mailto:stevef@sepps.com).

Sincerely,

**SEPPS Land Use Consulting, Inc.**

A handwritten signature in black ink, appearing to read 'SUF' with a stylized flourish at the end.

Steve Fort  
Principal Planner

CC: Justin Leach  
Alex Tuttle, Planning and Development  
Corina Venegas-Martin, Planning and Development