

RECEIVED

ATTACHMENT 2: NOTICE OF EXEMPTION

Case Nos. 21ORD-00000-00001, 21ORD-00000-00002 and 21ORD-00000-00003

2024 FEB 13 A 11: 34

SANTA BARBARA COUNTY BOARD OF SUPERVISORS

TO: Santa Barbara County Clerk of the Board of Supervisors
FROM: Lila Spring, 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.

Case Nos.: 21ORD-00000-00001, 21ORD-00000-00002, and 21ORD-00000-00003

Location: Countywide

Project Title: Housing Bill Implementation Project Zoning Ordinance Amendments

Project Description:

Case No. 23ORD-00000-00001 amends Article 35.2, Zones and Allowable Land Uses; Article 35.3, Site Planning and Other Project Standards; Article 35.4, Standards for Specific Land Uses; Article 35.8, Planning Permit Procedures; and Article 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, regarding the streamlined permitting of supportive housing in compliance with GC Sections 65650-65656 and 65583(c)(3); the streamlined permitting of low barrier navigation centers consistent with GC Sections 65660-65668; the revision of objective design standards for applicable multiple-unit and mixed-use housing projects in compliance with GC Sections 65582.1 and 65913.4; the streamlined application review process for qualifying housing in compliance with GC Sections 65582.1 and 65913.4; and the updates to the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918.

Case No. 23ORD-00000-00002 amends Division 35.2, Montecito Zones and Allowable Land Uses; Division 35.3, Montecito Site Planning and Other Project Standards; Division 35.4, Montecito Standards for Specific Land Uses; Division 35.7, Montecito Planning Permit Procedures; and Division 35.10, Glossary; of Section 35-2, the Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, regarding the streamlined permitting of supportive housing in compliance with GC Sections 65650-65656 and 65583(c)(3); the streamlined permitting of low barrier navigation centers consistent with GC Sections 65660-65668; the establishment of objective design standards for applicable multiple-unit and mixed-use housing projects in compliance with GC Sections 65582.1 and 65913.4; the streamlined application review process for qualifying housing in compliance with GC Sections 65582.1 and 65913.4; and the updates to the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918.

Case No. 23ORD-00000-00003 amends Division 2, Definitions; Division 4, Zoning Districts; Division 7, General Regulations; Division 11, Permit Procedures; and Division 17 Gaviota Coast Plan of Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code, regarding the streamlined permitting of supportive housing in compliance with GC Sections 65650-65656 and 65583(c)(3); the streamlined permitting of low barrier navigation centers consistent with GC Sections 65660-65668; the establishment of objective design standards for applicable multiple-unit and mixed-use housing projects in compliance with GC Sections 65582.1 and 65913.4; and the updates to the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918.

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: The following provides a brief discussion of the proposed amendments and why they would be exempt from CEQA. Additional details regarding the proposed amendments are included in the County Planning Commission staff report dated January 2, 2024 and the Montecito Planning Commission staff report dated December 12, 2023.

The proposed LUDC, MLUDC, and CZO amendments are exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which states that “the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. 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.” The proposed ordinance implements state housing law to revise existing development standards and establish ministerial permit procedures regarding supportive housing, low barrier navigation centers, and applicable multiple unit and mixed-use housing developments in compliance with GC Sections 65650-65656 and 65583(c)(3), 65660-65668, and 65582.1 and 65913.4. The proposed ordinance amendments further implement state housing law through revising the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918. No physical development is proposed or approved as part of this project. Future development subject to the updated code sections would be subject to independent environmental review under CEQA or be statutorily exempt from CEQA as a ministerial, by-right project, in compliance with state law. Therefore, the proposed amendments are exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

In addition, CEQA Guidelines Section 15265 statutorily exempts local government activities involving the preparation and adoption of local coastal program amendments from environmental

Housing Bill Implementation Project Ordinance Amendments
Case No. 21ORD-00000-00001, -02, -03
Board of Supervisors
Hearing Date: February 13, 2024
Attachment 2: NOE
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review. The proposed CZO amendment affects 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 statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15265.



Department/Division Representative

1/31/24

Date

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

Date Filed by County Clerk: _____



one
COUNTY
one
FUTURE

2023 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

105 E. Anapamu St. Room 407 ♦ Santa Barbara ♦ CA ♦ 93101

(805) 568-2240

Complete this form when filing a Notice of Determination (Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) or Notice of Exemption.

A scanned copy of the Department of Fish and Wildlife Receipt, Transmittal Memorandum and the CEQA filing including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person Jeff Wilson		Phone 805-568-2085	
Lead Agency County of Santa Barbara - Planning and Development Department		Lead Agency Email jewilson@countyofsb.org	
Project Title Housing Bill Implementation Project Ordinance Amendments			
Project Applicant N/A	Email	Phone	
Project Applicant Address N/A	City	State	Zip

DOCUMENT BEING FILED:

- Notice of Determination - Environmental Impact Report (EIR)
 - 2023 Filing Fee\$3,839.25
 - Previously Paid (must attach receipt) \$0.00
 - No Effect Determination (must be attached)..... \$0.00

Environmental Filing Fees will be collected *only* for projects that are approved. The Applicant must attest to the following:

- This project has been approved. Date of Approval: Click or tap to enter a date.

- Notice of Determination - Negative Declaration (ND) or Mitigated Negative Declaration (MND).....
 - 2023 Filing Fee \$2,764.00
 - Previously Paid (must attach receipt) \$0.00
 - No Effect Determination (must be attached)..... \$0.00

Environmental Filing Fees will be collected *only* for projects that are approved. The Applicant must attest to the following:

- This project has been approved. Date of Approval: Click or tap to enter a date.

- Notice of Exemption.....\$0.00

- County Administrative Handling Fee (required for all filings, effective 7/19/18)\$50.00

TOTAL: \$ 50.00

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

- Cash
- Credit
In person only
- Check # _____
- Journal Entry # JE - 0259591
In FIN send to 'COB CEQA' in CEO Dept

Auditor Policy Regarding Confidential Information

The information contained in this document is part of the financial system of the County of Santa Barbara. This information may be confidential and should be treated as such. The term "confidential" applies to information for which access or disclosure should be limited or restricted. Unnecessary access to this information should be avoided.

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State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

Print **Save** **Save**

RECEIPT NUMBER:
 42 — 02/13/2024 — 039
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY County of Santa Barbara - Planning & Development		LEAD AGENCY EMAIL jewilson@countyofsb.org	DATE 02/13/2024
COUNTY/STATE AGENCY OF FILING Santa Barbara		DOCUMENT NUMBER	

PROJECT TITLE

Housing Bill Implementation Project Ordinance Amendments

PROJECT APPLICANT NAME Planning & Development	PROJECT APPLICANT EMAIL	PHONE NUMBER (805) 568-2000
PROJECT APPLICANT ADDRESS 123 East Anapamu Street	CITY Santa Barbara	STATE CA
		ZIP CODE 93101

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE <i>X Katherine Douglas</i>	AGENCY OF FILING PRINTED NAME AND TITLE Katherine Douglas, Deputy Clerk
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