

# ATTACHMENT 3: FINDINGS FOR APPROVAL SHORT-TERM RENTAL ORDINANCE

CASE NO. 16ORD-00000-00011

## 1.0. CEQA GUIDELINES EXEMPTION FINDING

The Board of Supervisors finds that the proposed project, 16ORD-00000-00011, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment 9, Notice of Exemption, of the Board letter dated October 3, 2017, as supported by the attachments to the October 3, 2017, Board letter incorporated herein by reference.

## 2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.494.050 of the Montecito Land Use and Development Code (MLUDC), prior to the approval of an Amendment to the Comprehensive Plan, Development Code, or Zoning Map, the review authority shall first make all of the following findings, as applicable:

### 2.1 **The request is in the interests of the general community welfare.**

The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to: (1) define and clarify the zone districts that permit or prohibit the land uses of Short-Term Rentals and Homestays; (2) add new development standards and restrictions pertaining to the land uses of Short-Term Rentals and Homestays which will serve to minimize potential adverse impacts to the surrounding area; and (3) define “Short-Term Rental,” “Homestays,” and other associated terms, as analyzed in the Board letter dated October 3, 2017, and its attachments, which are hereby incorporated by reference. The ordinance maintains the integrity and intent of residential zone districts by prohibiting Short-Term Rentals in residential zones. The ordinance continues to encourage transient lodging uses, such as Short-Term Rentals, in the commercial zone where transient lodging uses are currently permitted. The ordinance will allow Homestays in residential zone districts to provide an alternative transient lodging opportunity, while also mitigating nuisance issues. Therefore, the proposed ordinance is in the interest of the general community welfare.

### 2.2 **The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the County zoning ordinances.**

Adoption of the proposed ordinance, as analyzed in the Board letter and its attachments dated October 3, 2017, which are hereby incorporated by reference, will provide more effective implementation of the State planning and zoning laws by revising the MLUDC to provide a clear and efficient permit process that will benefit the public. The proposed ordinance defines “Short-Term Rentals,” “Homestays,” and other applicable uses. The proposed ordinance identifies in which zone districts Short-Term Rentals and Homestays will be permitted. It also sets forth regulations for Homestays, where allowed. The proposed ordinance is consistent with the adopted policies and development standards of the Comprehensive Plan including the Community and Area Plans. The proposed ordinance amendment is also consistent with the remaining portions of the MLUDC that would not be revised by this ordinance. Therefore, the ordinance may be found to be consistent with the

Comprehensive Plan including the Community and Area Plans, the requirements of State Planning and Zoning Laws, and the County Land Use and Development Code.

**2.3 The request is consistent with good zoning and planning practices.**

The proposed ordinance, as analyzed in the Board letter and attachments dated October 3, 2017, which are hereby incorporated by reference, clearly and specifically addresses the land uses of Short-Term Rentals and Homestays within the inland areas of the Montecito Community Plan, Santa Barbara County. It is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values, since it provides for clear direction on where the land uses are allowed, and adds new development standards and restrictions pertaining to the land uses that will serve to minimize potential adverse impacts to the surrounding area. As discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive Plan including the Community and Area Plans, and the Montecito Comprehensive Plan, and County Land Use and Development Code. Therefore, adoption of the proposed ordinance is consistent with good zoning and planning practices to regulate land uses.