

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
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TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF OCTOBER 14, 2020

RE: Amendments to the County Land Use and Development Code for Telecommunications Facilities Appurtenant to Natural Gas Distribution Facilities; 18ORD-00000-00015


Hearing on the request of the Southern California Gas Company (SoCalGas) for the County Planning Commission to consider recommending that the Board of Supervisors (Board) amend the development standards of the County by incorporating LUDC Section 35.44.030 (proposed ordinance) and amending Article 25.2, 35.4, 35.44, and 35.11 to change the development standards of the County LUDC in compliance with Chapter 35.104, Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, to address permitting requirements for telecommunications facilities appurtenant to natural gas distribution facilities.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of October 14, 2020, Commissioner Blough moved, seconded by Commissioner Ferini and carried by a vote of 5 to 0 to:

1. Recommend that the Board find the adoption of the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in compliance with Sections 15061(b)(3), 15301(b)(f), and 15303(d) of the Guidelines for Implementation of CEQA (Attachment A of the staff report dated October 8, 2020); and
2. Adopt a resolution (Attachment B) recommending the Board adopt findings (Attachment C of the staff report dated October 8, 2020) to approve the proposed ordinance, which would amend the County LUDC Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, to address permitting requirements for telecommunications facilities appurtenant to natural gas distribution.

Sincerely,



Jeff Wilson
Secretary Planning Commission

Planning Commission Hearing of October 14, 2020
Amendments to the County Land Use and Development Code for Telecommunications Facilities Appurtenant to Natural
Gas Distribution Facilities; 18ORD-00000-00015
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cc: Case File: 18ORD-00000-00015
Planning Commission File
Jeff Wilson, Assistant Director
Jenna Richardson, Deputy County Counsel
Selena Evilsizor Whitney, Planner

Attachments: **Attachment B – County LUDC Resolution and Ordinance**
 Attachment C – CEQA and LUDC Consistency Findings

DMB/dmv

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ATTACHMENT B: COUNTY LUDC RESOLUTION AND ORDINANCE

**RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING TO THE BOARD OF)
SUPERVISORS THE ADOPTION OF AN AMENDMENT TO)
SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE) RESOLUTION NO.: 20- 10
AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF)
THE COUNTY CODE, TO ADD SECTION 35.44.030,) CASE NO.: 18ORD-00000-00015
TELECOMMUNICATIONS FACILITIES APPURTENANT)
TO NATURAL GAS DISTRIBUTION FACILITIES AND)
AMEND ARTICLE 35.2, ZONES AND ALLOWABLES USES,)
ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES,)
ARTICLE 35.44, TELECOMMUNICATIONS FACILITIES, AND)
ARTICLE 35.11, GLOSSARY.)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors (Board) adopted the Santa Barbara County Land Use and Development Code (LUDC), Section 35-1 of Chapter 35 of the Santa Barbara County Code.
- B. The Board directed the Planning and Development Department on April 5, 2016, to initiate an amendment to the County LUDC to create a ministerial permit process for the installation of natural gas telecommunication devices in the unincorporated, inland areas of the County.
- C. The Southern California Gas Company (SoCalGas) subsequently submitted a proposed LUDC amendment to the Planning and Development Department. The amendment adds a new section to the County LUDC, proposed as Section 35.44.030, Telecommunications Facilities Appurtenant to Natural Gas Distribution Facilities.
- D. SoCalGas presented the proposed County LUDC amendment to the Central Board of Architectural Review on November 8, 2019, to the South Board of Architectural Review on November 15, 2019 and December 6, 2019, to the North Board of Architectural Review on December 12, 2019, and to the Montecito Board of Architectural Review on November 14, 2019.
- E. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 18ORD-00000-00015) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County LUDC, to add Section 35.44.030, Telecommunications Facilities Appurtenant to Natural Gas Distribution Facilities. The following articles under the Santa Barbara County LUDC would be edited to ensure future consistency with Section 35.44.030: Article 35.2, 35.4, 35.44, and 35.11.

Said ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- F. This Santa Barbara County Planning Commission has held a duly noticed hearing in compliance with Government Code Sections 65353 and 65854 on the proposed amendment at which hearing the amendments were explained and comments invited from the persons in attendance.
- G. In compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed ordinance amendment to include the reasons for the recommendation and the relationship of the proposed ordinance amendment to applicable general and specific plans, the County Planning Commission has determined that the proposed ordinance amendment is consistent with the Comprehensive Plan, including community plans, and provides the greatest community welfare without compromising community values, environmental quality, or the public health and safety, as discussed in the findings in Attachment C of the County Planning Commission staff memorandum October 8, 2020, which is incorporated by reference.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The adoption of this proposed ordinance is categorically exempt from the California Environmental Quality Act (CEQA) in compliance with Section 15061(b)(3), 15301(b) and 15303(d) of the Guidelines for Implementation of CEQA.
3. In compliance with the provisions of Sections 65855 of the Government Code, the County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment C of the County Planning Commission Staff Report dated October 8, 2020.
4. A certified copy of this Resolution shall be transmitted to the Board of Supervisors.
5. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above-mentioned action by the County Planning Commission.

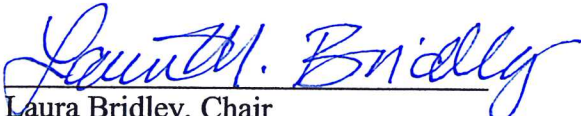
PASSED, APPROVED, AND ADOPTED this October 14, 2020, by the following vote:

AYES: Cooney, Bridley, Parke, Ferini, Blough

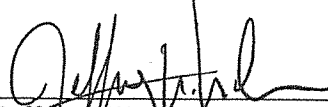
NOES:

ABSTAIN:

ABSENT:


Laura Bridley, Chair
Santa Barbara County Planning Commission

ATTEST:



Jeffrey Wilson
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 

Deputy County Counsel

EXHIBITS:

1. Ordinance Amending the County Land Use and Development Code Section 35.44.030 (Case No. 18ORD-00000-00015)

EXHIBIT 1: COUNTY LUDC ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE (LUDC), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, TO AMEND THE COUNTY LUDC TO INCLUDE PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS FOR TELECOMMUNICATIONS FACILITIES APPURTENANT TO NATURAL GAS DISTRIBUTION FACILITIES AND TO MAKE OTHER MINOR ADDITIONS, CORRECTIONS, AND REVISIONS BY AMENDING: ARTICLE 35.2, ZONES AND ALLOWABLE USES, ARTICLE 35.44 TELECOMMUNICATIONS FACILITIES, AND ARTICLE 35.11, GLOSSARY.

Case No. 18ORD-00000-00015

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of the County LUDC, Section 35.20.040.26, Exemptions from Planning Permit Requirements, is hereby amended to state “other than those facilities defined as natural gas wireless telecommunications facilities in compliance with Section 35.44.030.”

26. Utility facilities. Poles, wires, underground gas pipelines less than 12 inches in diameter, and similar installations erected, installed, or maintained by a public agency or public service or utility district or company, other than those facilities defined as natural gas telecommunications facilities in compliance with Section 33.44.030. However, these structures shall comply with the applicable height limitations of the F (Airport Approach Area) overlay zone.

SECTION 2:

ARTICLE 35.11, Glossary Subsection 35.110, Definitions, of the County LUDC is hereby amended to add the definition of Natural Gas Telecommunications Facilities as applies to Section 35.44.030 as well as an adjustment to the definition of a Ridgeline as it applies to Section 35.44.010 and Section 35.44.030 to read as follows:

Natural Gas Telecommunications Facilities. Natural gas telecommunications facilities includes, but is not limited to, new utility poles, solar panels, antennas, wireless signal transmitting and/or receiving devices, or other telecommunications facilities that are designed for the purpose of natural gas pipeline safety and operations.

Ridgeline. When used within Section 35.44.010 (Commercial Telecommunication Facilities) and Section 35.44.030 (Telecommunications Facilities Appurtenant to Natural Gas Distribution Facilities), ridgeline shall mean a visually prominent, relatively narrow strip or crest of land, which includes the highest points of elevation within a watershed, that separates one drainage basin from another.

SECTION 3:

ARTICLE 35.4, Standards for Specific Land Uses, of the County LUDC, is hereby amended to revise Section 35.44.010.B.1, Affected facilities and equipment, of Section 35.44.010, Commercial Telecommunication Facilities, of Chapter 35.44, Telecommunications Facilities, to read as follows:

B. Applicability.

1. **Affected facilities and equipment.** The provisions of this Section shall apply to commercial telecommunication facilities that transmit or receive electromagnetic signals (e.g., radio, television, and wireless communication services including personal communication, cellular, and paging). This Section shall not be construed to apply to handheld, vehicular, or other portable transmitters or transceivers, including cellular phones, CB radios, emergency services radio, and other similar devices, or to wireless telecommunications facilities appurtenant to natural gas distribution facilities regulated by the California Public Utilities Commission, allowed within all zone districts, that are consistent with the standards set forth in Section 35.44.030 (Natural Gas Telecommunications Facilities).

SECTION 4:

ARTICLE 35.4, Standards for Specific Land Uses, of the County LUDC, is hereby amended to add a new section, 35.44.030, titled “Telecommunication Facilities Appurtenant to Natural Gas Distribution Facilities,” of Chapter 35.44, Telecommunications Facilities, to read as follows:

35.44.030 - Telecommunications Facilities Appurtenant to Natural Gas Distribution Facilities

- A. **Purpose and intent.** This Section establishes the development standards for the siting and construction of wireless telecommunications facilities appurtenant to natural gas transmission and distribution facilities (natural gas telecommunications facilities). The intent is to promote the orderly development of natural gas telecommunications facilities and protect public safety as well as visual, biological, and other environmental resources.
- B. **Applicability.** The provisions of this Section shall apply to natural gas telecommunications facilities.
- C. **Processing.** The following information provides permit requirements and development standards for natural gas telecommunications facilities.
 1. **Permit requirements and Design Review.** Prior to the construction or use of a natural gas telecommunication facility, the applicant shall obtain a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) and Subsection C.1.a (Zoning Clearance), below. If the proposed natural gas telecommunication facility does not meet the requirements for a Zoning Clearance, the applicant shall obtain a Land Use Permit in compliance with Section 35.82.110 (Land Use Permit).
 - a. **Zoning Clearance.** Natural gas telecommunications facilities must meet the following requirements to be eligible for a Zoning Clearance:
 - (1) An application for a Zoning Clearance shall be submitted in compliance with Chapter 35.80 (Permit Application Filing and Processing).
 - (2) The development standards of Subsection D (Requirements for Zoning Clearance issuance), below, and the requirements of Section 35.82.210 (Zoning Clearances) shall be met. Natural gas telecommunications facilities that meet all requirements in Subsection D, below, (Requirements for Zoning Clearance issuance), shall be exempt from Design Review, in compliance with Section 35.82.070 (Design Review).
 - b. **Land Use Permit.** If the proposed natural gas telecommunication facilities do not meet the requirements for a Zoning Clearance, the applicant shall obtain a Land Use Permit, subject to the following:
 - (1) An application for a Land Use Permit shall be submitted in compliance with Section 35.80.030 (Application Preparation and Filing).
 - (2) The proposed natural gas telecommunication facility shall be in compliance with Section

35.82.110 (Land Use Permits).

D. Requirements for Zoning Clearance issuance. Natural gas telecommunications facilities shall comply with the following standards to be eligible for a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances).

1. Development standards.

a. Setbacks. Natural gas telecommunications facilities shall be exempt from any and all setback requirements of this LUDC, except those required by this Section.

b. Size limits.

(1) **New utility pole.** New natural gas telecommunication facility poles shall have a height no greater than 35 feet and a diameter no greater than 12 inches. Pole heights shall be measured from the existing grade to the top of the pole. Notwithstanding the foregoing, an existing, operational public utility pole or similar support structure (e.g., street light pole) that is reconstructed to its pre-existing height and diameter for mounting of natural gas telecommunications facilities using the same or substantially similar materials shall not be considered a new pole and may be reconstructed to its pre-existing height and diameter.

(2) **Wireless signal transmitting and/or receiving devices.** All wireless signal transmitting and/or receiving devices that are mounted on a new pole or collocated on an existing pole, shall be enclosed in a container that has a height no greater than 24 inches, a width no greater than 24 inches, a depth no greater than 18 inches, and the container is mounted no more than 12 inches from the utility pole. Wireless signal transmitting and/or receiving devices that are installed at heights equal to or less than 15 feet from ground level shall be enclosed in a container that has a height no greater than 35 inches, a width no greater than 18 inches, and a depth no greater than 16 inches.

(3) **Solar panel.** Solar panels shall have a height no greater than 30 inches, a width no greater than 35 inches, and mounted no more than 15 inches from the utility pole.

(4) **Antennas.** Antennas shall have a height no greater than 29 inches. The primary lateral antenna support beam structure shall have a maximum length no greater than 4 feet. The combined height of the pole and antenna shall be no greater than 35 feet.

c. Collocation. New wireless signal transmitting and/or receiving devices shall be collocated on an existing utility pole or other support structure (e.g., streetlight, public building, transmission tower, or water tower), including use of existing electric and/or telephone pedestals, unless:

(1) The applicant, as part of its application, provides a signed statement and supporting evidence (e.g., photos, technical specifications, correspondences) to the Department supporting that collocation is infeasible due to one or more of the following reasons:

(a) There are no existing support structures within 500 feet of the proposed natural gas telecommunications facilities.

(b) The applicant has been unable to secure a service agreement with the owner of existing utility poles within 500 feet of the proposed location on terms acceptable to the applicant.

(c) The existing support structures within 500 feet of the proposed location do not provide adequate line-of-sight for the wireless signal transmitting and/or receiving devices.

(d) The existing support structures within 500 feet of the proposed location do not allow for required physical distancing of wireless signal transmitting and/or receiving devices.

- (e) The existing support structures within 500 feet would not be close enough to existing utility equipment to achieve the desired wireless signal transmitting and/or receiving coverage.
 - (f) The existing support structures within 500 feet of the proposed location cannot be utilized in a safe manner.
- d. **Lighting.** New natural gas telecommunications facilities shall be unlit. Natural gas telecommunications facilities may be collocated on an existing lit operational public utility pole, provided the natural gas telecommunications facility does not include any additional lighting.
- e. **Construction.**
 - (1) No more than four cubic yards of soil shall be excavated for the installation of a new pole.
 - (2) No new poles shall be located on existing slopes exceeding 20 percent grade.
 - (3) Project construction shall not be conducted within the critical root zone of any native or non-native tree of more than six inches in diameter measured four feet above existing grade, or more than six feet in height. The critical root zone is defined as a circle around a tree trunk with a radius equivalent to one (1) foot for each one (1) inch diameter of the tree at 4.5 feet above grade.
- f. **Signage.** No signs shall be installed for natural gas telecommunications facilities, except for signs or labels required for internal utility identification or operations, or required, by agencies with regulatory authority, including but not limited to the California Public Utilities Commission (CPUC) or Federal Communications Commission (FCC).
- g. **Fencing.** No permanent fencing shall be installed for the natural gas telecommunications facilities.
- h. **Pole steps.** No pole steps shall be installed on utility poles.
- i. **Location.** The applicant shall provide photo simulations, site plans, aerial imagery, or other materials necessary to depict the following, as applicable:
 - (1) Natural gas telecommunication facilities shall not be sited within a scenic highway corridor, defined here as the corridor of land that extends 2,000 feet outward from the right-of-way lines of any state scenic highway, unless the natural gas telecommunication facilities are: (i) collocated on an existing utility pole or similar support structure; or (ii) located within 500 feet of existing utility poles on public right-of-way that has previously been graded, compacted, graveled, cleared, sealed, or paved.
 - (2) Natural gas telecommunications facilities installed on new poles shall not be installed on a ridgeline that is visible from a public viewing area (e.g., public roads trails, recreation areas).
 - (3) Natural gas telecommunications facilities shall not be located within Environmentally Sensitive Habitat (ESH) or within 200 feet of the boundaries of ESH, except for facilities that meet the requirements of Subsection (b) below.
 - (a) The applicant shall retain a Department-approved biologist to confirm that the proposed natural gas telecommunication facilities will be located at least 200 feet outside of the boundaries of ESH.
 - (b) Natural gas telecommunications facilities may be collocated on existing utility poles or other support structures, or installed within public right-of-way that has been previously graded, compacted, graveled, cleared, sealed, or paved, in areas located outside ESH but within 200 feet of the boundaries of ESH, provided that:

- (i) All installation and maintenance equipment can be staged at least 200 feet outside the boundaries of ESH, and
 - (ii) The natural gas telecommunication facilities can be installed using a boom lift or similar device located at least 200 feet outside the boundaries of ESH, or with equipment entirely located on an existing graded, compacted, graveled, cleared, sealed, or paved surface located outside ESH but within 200 feet of the boundaries of ESH.
- (4) Natural gas telecommunications facilities on new poles shall not be located within 500 feet of historic-period architectural resources that may meet the definition of “historical resources” in CEQA Guidelines Section 15064.5(a).
 - (a) The applicant shall provide a written assessment from a Department-approved historian confirming that the proposed facility shall be in conformance with this requirement. At a minimum, the letter shall include the results of a records search through the Central California Information Center (CCIC), review of the County Historic Landmarks Advisory Commission lists of Historic Landmarks and Places of Historic Merit, and consultation with the local historical society (e.g., Carpinteria, Santa Ynez, and Lompoc historical societies).
- (5) Natural gas telecommunications facilities shall not be located within 200 feet of known archaeological resources that may meet the definition of “historical resources” in CEQA Guidelines Section 15064.5(a) or tribal cultural resources that may meet the definition of “tribal cultural resources” in Public Resources Code Section 21074.
 - (a) The applicant shall provide a written assessment from a Department-approved archaeologist confirming that the proposed facility shall be in conformance with this requirement. At a minimum, the letter shall include the results of a records search through the Central California Information Center (CCIC).
- (6) Natural gas telecommunications facilities shall not be located on a site that is included on any list of hazardous waste facilities, disposal sites, and similar sites compiled pursuant to Section 65962.5 of the Government Code.
- (7) Natural gas telecommunications facilities shall not be located in a manner that blocks or impedes public access, including but not limited to public trails.
- (8) Natural gas telecommunications facilities shall be in compliance with the requirements of Section 35.28.060 (Airport Approach (F) Overlay Zone).
- (9) Natural gas telecommunications facilities on new poles shall be located in areas partially or fully screened with existing vegetation that would minimize their visibility from public roads and public viewing areas, unless:
 - (a) The applicant, as part of its application, submits a signed statement and supporting evidence (e.g., photos, technical specifications, correspondences) to the Department supporting that it is infeasible to locate the new poles and wireless signal transmitting and/or receiving device in areas with existing vegetation due to one or more of the following reasons:
 - (i) No vegetation of sufficient height exists in the proposed location to partially or fully screen the new pole and facilities.
 - (ii) The existing vegetation that would screen the new pole and facilities would obstruct the required line-of-sight for the wireless signal transmitting and/or receiving device.
 - (iii) The existing vegetation that would screen the new pole and facilities would prevent the solar panel from receiving direct sunlight.

- (10) Natural gas telecommunications facilities on new poles shall be clustered with existing utility poles, unless:
 - (a) The applicant, as part of its application, submits a signed statement and supporting evidence (e.g. photos, technical specifications, correspondences) to the Department supporting that it is infeasible to locate the new pole within 500 feet of existing poles due to one or more of the following reasons:
 - (i) There is insufficient physical space for a new pole near existing utility poles.
 - (ii) If located near existing utility poles, the required line-of-sight for the wireless signal transmitting and/or receiving device on the new pole will be obstructed.
 - (iii) The applicant has been unable to obtain an agreement from the landowner near existing utility poles to install a new pole on terms acceptable to the applicant.
 - (iv) The site would not be close enough to existing utility customers to achieve the desired wireless signal transmitting and/or receiving coverage.
 - (v) If located near existing utility poles, the natural gas telecommunications facility cannot be constructed or operated in a safe manner.
 - j. **Access roads and parking areas.** Natural gas telecommunications facilities shall be served by existing roads and parking areas. They shall not include new roads or parking areas.
 - k. **Non-reflective surfaces.** Exterior surfaces of all poles and wireless signal transmitting and/or receiving devices and antennas shall be of non-reflective material.
 - l. **Landscaping.** Natural gas telecommunications facilities shall be constructed to maintain and enhance existing vegetation, through the implementation of the following measures:
 - (1) Existing trees shall not be removed or damaged as part of installation.
 - (2) Where otherwise not already restricted in Section 35.44.030, landscaping vegetation that screens the natural gas telecommunications facility as seen from public viewing places shall not be removed as part of installation, except where necessary to avoid signal interference or to accommodate solar charging to and from the approved natural gas telecommunications facility.
2. **Project installation and post installation provisions.**
- a. **FCC and CPUC Compliance.** Natural gas telecommunications facilities shall be operated in strict conformance with: (i) all rules, regulations, standards and guidance published by the FCC and CPUC, including but not limited to, safety signage, Maximum Permissible Exposure (MPE) Limits, and any other similar requirements to ensure public protection; and (ii) all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction.
 - b. **Demonstration of compliance.** Compliance with all applicable standards shall be demonstrated with a report prepared by a qualified professional to submit a radiofrequency (RF) report demonstrating compliance with current federally established MPE standards. Compliance shall be demonstrated as needed to address changes in setting, technology, and FCC and CPUC regulations.

SECTION 5:

APPENDIX A, Table of Ordinances Amending this Land Use and Development Code of the County LUDC is hereby amended to include Ordinance 18ORD-00000-00015 of the Board of Supervisors Adoption Date and amended Sections 35.20.040, 35.4, 35.44, and 35.110.

SECTION 6:

All existing indices, section references and numbering, and figure and table numbers contained in the County LUDC are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 7:

Except as amended by this Ordinance, the County LUDC shall remain unchanged and shall continue in full force and effect.

SECTION 8:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

GREGG HART, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel

ATTACHMENT C: 18ORD-00000-00015 COUNTY LUDC FINDINGS

CASE NO. 18ORD-00000-00015

1.0 California Environmental Quality Act (CEQA) FINDINGS

1.1 CEQA EXEMPTION

- 1.1.1 The Santa Barbara County Planning Commission finds and recommends that the Board of Supervisors find that the proposed amendments to the County 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 A to the Staff Report dated October 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 County Land Use and Development Code, the County Planning Commission shall make the following findings in order to recommend approval of amendments to the County Land Use and Development Code:

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

As discussed in the Staff Report dated October 8, 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 County Land Use and Development Code.

As discussed in the staff report dated October 8, 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 County 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 County Land Use and Development Code

2.3

The request is consistent with good zoning and planning practice.

As discussed in the Staff Report dated October 8, 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 County Land Use and Development Code.