

ATTACHMENT 1: FINDINGS FOR APPROVAL

Case Nos. 23ORD-00007, -00008, -00009, 23RZN-00003

1.0. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

1.1 State CEQA Guidelines Exemption Findings

- 1.1.1 Case No. 23ORD-00007.** The Santa Barbara County (County) Board of Supervisors (Board) finds that the proposed amendment to the County Land Use and Development Code (LUDC) (Case No. 23ORD-00007) is exempt from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3) and 15282(h).
- 1.1.2 Case No. 23ORD-00008.** The Board finds that the proposed amendment to the Montecito Land Use and Development Code (MLUDC) (Case No. 23ORD-00008) is exempt from environmental review pursuant to CEQA Guidelines Sections 15282(h) and 15061(b)(3).
- 1.1.3 Case No. 23ORD-00009.** The Board finds that the proposed amendment to Article II, the Coastal Zoning Ordinance (CZO) (Case No. 23ORD-00009), is exempt from environmental review pursuant to CEQA Guidelines Sections 15282(h), 15061(b)(3), and 15265.
- 1.1.4 Case No. 23RZN-00003.** The Board finds that the proposed amendment to the County Zoning Map of Section 35-1 (Case No. 23RZN-00003) is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

Please see the Notice of Exemption (Attachment 2, incorporated by reference) for more information.

2.0 ADMINISTRATIVE FINDINGS

In compliance with CZO Section 35-180.6, LUDC Section 35.104.060.A, and MLUDC Section 35.494.060, the following findings shall be adopted by the Board in order to approve a text amendment to the CZO, LUDC, and MLUDC:

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

The Board finds that the proposed amendments are in the interest of the general community welfare since the amendments will revise the LUDC, MLUDC, and CZO to: (1) clarify that exemptions are not appealable; (2) provide clarifications to existing development standards related to detached accessory structures; (3) eliminate and rezone the Shopping Center (SC) zone district and related provisions in order to remove barriers to the viability, development, and redevelopment of the SC Zoned areas; (4) correct an error in LUDC Table 2-22, related to Transitional and Supportive housing; (5) be consistent with Government Code (GC) Sections 65852.2 and 65852.22 regarding the permitting of accessory dwelling units (ADUs) and junior ADUs (JADUs), respectively; (6) implement GC Sections 65852.2 and 65852.22, the purpose of which is to increase the supply of housing units within California; and (7) clarify and streamline the ADU and JADU requirements, which will in turn stimulate an efficient permit process for ADUs and JADUs in compliance with State law.

2.2 CZO: The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan (CLUP), the requirements of State planning and zoning laws and this Article [Article II, the CZO].

LUDC: The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code [LUDC].

MLUDC: The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code [MLUDC].

The Board finds the proposed amendments are consistent with the Comprehensive Plan, CLUP, CZO, LUDC, and MLUDC because they implement Program 1.4 (Tools to Incentivize High-Quality Affordable Housing) of the Housing Element and update the zoning ordinances to be consistent with State ADU and JADU law; and provide clear and efficient permit processes that will benefit the public, and will provide greater flexibility that supports the development of ADUs and JADUs. In addition, the proposed minor amendments will provide more effective implementation of the Comprehensive Plan by correcting errors to existing text provisions, clarifying that exemptions are not appealable, providing clarifications to existing detached accessory structure development standards, and removing the redundant SC zone district. The proposed ordinance amendments are also consistent with the remaining portions of the LUDC, MLUDC, and CZO that would not be revised by this ordinance. Therefore, and as discussed further in Section 6.2 of the Montecito Planning Commission (MPC) Staff Report, dated September 7, 2023, and the County Planning Commission (CPC) Staff Report, dated September 26, 2023, both incorporated herein by reference, these ordinances are consistent with the Comprehensive Plan, including applicable Community and Area Plans, CLUP, the requirements of State planning and zoning laws, and the CZO, LUDC, and MLUDC.

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

The Board finds that the proposed amendments are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since they will revise the LUDC, MLUDC, and CZO to be consistent with State regulations regarding ADUs and JADUs, provide clear and efficient permit processes that will benefit the public, and support the development of ADUs and JADUs. As discussed in Section 5.3 of the CPC Staff Report dated September 26, 2023 and incorporated herein by reference, the elimination and rezone of the SC zone district will make the regulations easier to use and understand by the public by standardizing requirements that are applicable in similar areas. They will also facilitate implementation of the Comprehensive Plan by facilitating active commercial centers consistent with other commercial zones in the County. And finally, the proposed minor amendments correct and clarify existing text provisions. As a result, the changes are consistent with good zoning and planning practices and will benefit the public. As discussed in Finding 2.2, above, the proposed amendments are consistent with the Comprehensive Plan, including applicable Community and Area Plans, CLUP, CZO, LUDC, and MLUDC.