



BOARD OF SUPERVISORS AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: 4/1/2014
Placement: Set hearing
Estimated Time: 45 minutes (on 4/15/2014)
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Glenn Russell, Ph.D. (805) 568-2085
Contact Info: Dianne Black, Assistant Director (805) 568-2086
SUBJECT: 2013 General Package Ordinance Amendments

County Counsel Concurrence
As to form: Yes

Auditor-Controller Concurrence
As to form: N/A

Other Concurrences: N/A

Recommended Actions:

On April 1, 2014, set a hearing for April 15, 2014 to consider the recommendations of the County and Montecito Planning Commissions to approve Case Nos. 13ORD-00000-00008, 13ORD-00000-00009 and 13ORD-00000-00010 which would amend, respectively, the County Land Use and Development Code, the Montecito Land Use and Development Code, and the Article II Coastal Zoning Ordinance, to implement a series of amendments that address emerging issues and correct and clarify existing language.

On April 15, 2014, your Board's action should include the following:

A. Case No. 13ORD-00000-00008 (County LUDC Amendment):

1. Make the findings for approval, including CEQA findings, of the proposed ordinance (Attachment A);
2. Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA (Attachment B); and,
3. Approve Case No. 13ORD-00000-00008, an ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code (Attachment C).

B. Case No. 13ORD-00000-00009 (Montecito LUDC Amendment):

1. Make the findings for approval, including CEQA findings, of the proposed ordinance (Attachment D);
2. Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA (Attachment E);
3. Approve Case No. 13ORD-00000-00009, an ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code (Attachment F).

C. Case No. 13ORD-00000-00010 (Article II Coastal Zoning Ordinance Amendment):

1. Make the findings for approval, including CEQA findings, of the proposed ordinance (Attachment G);
2. Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act pursuant to Sections 15061(b)(3) and 15265 of the Guidelines for Implementation of CEQA (Attachment H); and,
3. Approve Case No. 13ORD-00000-00010, an ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code (Attachment I).

Summary Text:

General information. The Planning and Development Department is committed to keeping the zoning ordinances accurate and up-to-date by routinely processing amendments that address emerging issues, and correct and clarify existing language, in order to better ensure that regulations keep pace with current trends and policies, as well as State Law. The following amendments:

- Implement revisions in State law.
- Respond to requests by the Board of Supervisors.
- Clarify existing procedures and requirements.
- Correct errors and omissions that occurred when the former zoning ordinances (Articles III and IV) were reformatted as the County and Montecito Land Use and Development Codes.

The County Land Use and Development Code (County LUDC) and Montecito Land Use and Development Code (Montecito LUDC) amendments also include the deletion of standards and references that only apply within the Coastal zone or merely distinguish between coastal and non-coastal requirements since the Article II Coastal Zoning Ordinance (Article II) continues to be the implementing ordinance of the County's certified Local Coastal Program. The County LUDC, Montecito LUDC and Article II (collectively referred to as the zoning ordinances) amendments also include minor corrections and language revisions that do not materially change the existing regulations and serve only to clarify or correct existing language. These revisions, including the deletion of Coastal Zone language, are not discussed in this Board Agenda letter but are shown in the complete texts of the

ordinance amendments that are contained in Exhibit 1 of Attachment C, Exhibit 1 of Attachment F, and Exhibit 1 of Attachment I. Proposed deletions are shown by striking through the text and proposed additions are underlined. The use of an ellipsis (...) indicates that sections where the text is unchanged and has been omitted for the sake of brevity.

The revisions to the County Land Use and Development Code (County LUDC) and the Montecito Land Use and Development Code (Montecito LUDC) will take effect 30 days after the Board of Supervisors adopts the ordinance. Because the amendment to the Article II Coastal Zoning Ordinance (Article II) constitutes an amendment to the County's certified Local Coastal Program, the revisions will take effect only after the Coastal Commission grants final certification to the amendment.

Proposed amendments. The following table shows which of the proposed amendments amend the County LUDC, the Montecito LUDC, and/or Article II.

AMENDMENT TOPIC	APPLICABILITY		
	County LUDC	Montecito LUDC	Article II
Agricultural processing (extensive) definition	✓		
CN Zone include restaurants as a permitted use	✓		
Commercial zones exterior uses	✓		
Comprehensive Plan, Development Code and Zoning Map amendment processes	✓	✓	
Development Plan requirements in the M-1 and M-2 Industrial zones	✓		
Exterior material storage screening requirements	✓	✓	✓
Exterior vehicle (trailer) storage requirements and allowed paving materials	✓	✓	✓
Grocery and Specialty Food Store definition	✓		
Hostels not allowed in AG-I Zones	✓		
Impermissible structural alterations to nonconforming structures	✓	✓	✓
Phased CUP/DP maximum build-out periods	✓	✓	✓
PI Zone meeting facilities (religious) permit requirement	✓		
PI Zone office floor area limitation	✓		
Pool and pool equipment setbacks for interior lots	✓	✓	✓
Setback exemptions in single-family residential subdivisions	✓		
Special care homes permit requirements in the Special Purpose Zones	✓		
Special care homes restriction on number of clients			✓
Summerland Community Plan area special findings	✓		
Surface mining and reclamation regulations for idle mines	✓	✓	✓
Time extensions review authorities and noticing procedures	✓	✓	
Zoning Administrator definition	✓		

A summary of the proposed amendments and their purpose is provided below. The summary includes references to the sections within the actual ordinances where the specific text revisions may be found. For a more complete analysis, please refer to the County Planning Commission staff reports (Attachments K, L and M) and the Montecito Planning Commission staff reports (Attachments O and P). Two of the amendment topics that generated substantial discussion at the Planning Commission hearings (Impermissible structural alterations to nonconforming structures, and Phased CUP/DP maximum build-out periods) are discussed in more detail within the following summary descriptions.

A. Amendment required by changes in State law. The following amendment implements recent revisions to the California State Mining and Reclamation Act (SMARA).

1. Surface mining and reclamation regulations for idle mines, County LUDC (Attachment C SECTIONS 18 and 21), Montecito LUDC (Attachment F SECTIONS 16 and 29) and Article II (Attachment I SECTION 13).

SMARA requires that within 90 days of a surface mine becoming idle that the surface mine operator must file an interim management plan for review and approval by the local agency. SMARA also provides that the review and approval of the interim management plan is not considered a project for the purposes of environmental review, and that the plan shall provide measures that the operator will implement to maintain the site in compliance with SMARA and the conditions of the local permit. Due to the limited scope of the interim management plan and review as required by SMARA, the proposed amendments to the County and Montecito LUDCs shift the jurisdiction over the review and approval of interim management plans from either the Planning Commission or the Zoning Administrator to the Director.

The proposed amendments also include changes to the existing allowances for time extensions that apply to interim management plans. These revisions are required by recent amendments to SMARA that allow for multiple five year extensions of the interim management plan (which has an initial five year time limit) in place of the existing allowance for only one five year extension.

Presently Article II does not include procedures for reviewing and extending interim management plans. The proposed amendment to Article II, consistent with the amendments to the County and Montecito LUDCs, adds the Director as having jurisdiction over the review and approval of interim management plans, and includes procedures for approving time extensions consistent with the recent amendments to SMARA.

B. Amendments requested by the Board of Supervisors.

1. Exterior vehicle (trailer) storage requirements and allowed paving materials, County LUDC (Attachment C SECTIONS 14 and 15), Montecito LUDC (Attachment F SECTIONS 2 and 3) and Article II (Attachment I SECTIONS 2 and 3).

The series of amendments to the zoning ordinances approved by the Board of Supervisors in 2011 included regulations that apply to the exterior parking of vehicles on residentially zoned lots. During the discussion of the new regulations, the Board directed the Department to return with amendments that would:

- Include recreational vehicles within regulations that limit the number and location of vehicles that may be parked outside of a fully enclosed or fully screened structure.
- Specify that car covers, fabric shelters, tarps, etc., do not satisfy the requirement that certain vehicles shall not be visible from any adjoining lot, public road or other public use area.
- Allow driveways and parking areas to be constructed of pervious materials in addition to asphalt and concrete.

The proposed amendments include these revisions.

2. Phased CUP/DP maximum permit issuance period, County LUDC (Attachment C SECTIONS 19 and 20), Montecito LUDC (Attachment F SECTIONS 7 and 8) and Article II (Attachment I SECTIONS 10 and 12).

The amendments approved in 2011 also included new procedures that allow for the adoption of phasing plans for projects allowed by Conditional Use Permits and Final Development Plans where it is expected that:

- The development of the project will occur over several years and,
- The normal time allowed to complete the development prior to expiration of the Conditional Use Permit or Final Development Plan could be insufficient.

The Board of Supervisors, during their review of the new procedures, expressed its concern that the regulations do not include any limit on the length of time that the permits that allow the development of the project would be valid, and directed the Department to return with an amendment that addresses this issue. In response to this direction, the amendments proposed to the Planning Commissions included language specifying that the time limit(s) included in a phasing plan associated with a Conditional Use Permit or Final Development Plan shall require that all required Land Use Permits and Zoning Clearances shall be issued within 10 years of the effective date of the Conditional Use Permit or Final Development Plan.

The Montecito Planning Commission received public testimony stating that requiring that all permits must be issued within a specified length of time could be problematic especially for organizations that rely primarily on fundraising efforts to raise capital to build projects. In response to this testimony, the Montecito Planning Commission recommended that the amendments be revised to give the Planning Commissions the ability to grant a time extension to the 10 year period. The County Planning Commission concurred with this recommendation. In order to approve a time extension the Planning Commission must still be able to make the applicable findings for approval of the Conditional Use Permit or Development, including that the project is compatible with the surrounding area, environmental impacts are mitigated, and the consistency with the Comprehensive Plan and zoning ordinance is maintained.

The Department is proposing to modify the language recommended by the Planning Commissions to clarify that the time extension to the limit on phasing plans associated with Development Plans is not restricted by the existing 12 month limitation on an extension of the approval of a Development Plan. The modified language for Development Plans is shown below. The language for Conditional Use Permits is the same except that the subsection regarding the 12 month limitation on an extension of the approval of a Development Plan is not included.

- (4) The time limit(s) specified in the phasing plan shall require that all required Land Use Permits and Zoning Clearances shall be issued within 10 years of the effective date of the Final Development Plan.
- (a) This 10 year period may be extended by the Commission provided an application for a Time Extension is submitted in compliance with Section 35.84.030 (Time Extensions).

- (i) The extension of the 10 year period is not subject to Section 35.84.030.D.3 (Development Plans (Preliminary and Final)) that limits the extension of the approval of a Development Plan to 12 months.

The ordinance amendments attached to this memorandum have all been revised to include this new language.

C. Amendments that clarify existing procedures and requirements.

1. CN Zone restaurant uses, County LUDC only (Attachment C SECTION 3).

The proposed amendment to the County LUDC amends the list of allowed land uses in the Neighborhood Commercial (CN) zone to include restaurants, cafés, and coffee shops as an allowed use. This is consistent with the purpose of the CN zone which is to provide for businesses that serve the day to day need for food, drugs, gasoline and other incidentals of residents in the surrounding area.

2. Comprehensive Plan, Development Code and Zoning Map amendments, County LUDC (Attachment C SECTION 24) and Montecito LUDC (Attachment F SECTION 12).

The existing County and Montecito LUDCs includes procedures for amending the text of the zoning ordinances and the County Zoning Map; however, there are no procedures regarding amending the County's Comprehensive Plan including the various Community and Area Plans.

Comprehensive Plan amendments and zoning ordinance text and map amendments are considered to be legislative acts such that the County has full discretion in deciding whether to process applications that has been filed by a private individual. Therefore, the amendments add procedures that include:

- Allowing the Director to refer the decision on whether to accept an application for processing to the Planning Commission if the Director determines that the application is inconsistent with certain criteria; and
- Providing that if the Planning Commission, after reviewing the recommendation of the Director, decides to accept the application for processing then normal application review would proceed, but that if the Planning Commission declines to accept the application for processing, then the application is referred to the Board of Supervisors for a final decision on whether to accept the application:

The proposed revisions also add additional criteria that the County may decline to process an amendment to the Comprehensive Plan the application if:

- As required by Government Code Section 65358(a), it is determined that the proposed amendment is not in the public interest, or
- The specific proposal is inconsistent with the remainder of the Comprehensive Plan that is not proposed to be amended.

3. Development Plan requirements in the M-1 and M-2 industrial zones, County LUDC only (Attachment C SECTION 10).

The approval of a Development Plan is required prior to the development of any industrial use on property zoned either M-1 (Light Industry) or M-2 (General Industry). The M-1 and M-2 zones also provide that certain agricultural uses are exempt from the Development Plan requirement. However, the language that allows for this exception is awkwardly written and could be interpreted to also apply to industrial uses. The amendment to the County LUDC includes language that clarifies the application of the exception.

4. Exterior material storage screening requirements, County LUDC (Attachment C SECTION 2), Montecito LUDC (Attachment F SECTION 1) and Article II (Attachment I SECTION 7).

The amendments to the zoning ordinances approved in 2011 included new regulations that apply to the exterior storage of miscellaneous materials on residentially zoned lots. One of the requirements is that the area where the outdoor storage occurs must be screened by enclosing the area within a six-foot high solid wood fence or masonry wall. However, this has been incorrectly interpreted to mean that if the lot on which the storage occurs is surrounded by a six foot high perimeter fence, which may be substantial distance from the storage area, that this perimeter fence satisfies the screening requirement. To alleviate this confusion, the proposed amendments include language that specifies that the fence or wall must be located in close proximity to the materials being stored so as to effectively screen the storage area.

5. Grocery and Specialty Food Store definition, County LUDC only (Attachment C, SECTIONS 32 and 34).

The amendment revises the definition of Grocery and Specialty Food Store to specifically allow such stores to include areas for the on-premise consumption of both pre-prepared (packaged) foods and specially prepared foods such as salads and sandwiches to recognize that this commonly occurs in such establishments. The definition is also amended to provide that Grocery and Specialty Food Store also includes delicatessens.

6. Impermissible structural alterations to nonconforming structures, County LUDC (Attachment C SECTION 23), Montecito LUDC (Attachment F SECTION 11) and Article II (Attachment I SECTION 8).

Nonconforming structures are structures that are conforming as to use (e.g., a dwelling in a residential zone) but do not conform to present zoning requirements such as height, lot coverage, setbacks and other standards. Nonconforming structures were either built before they were subject to zoning regulations or they complied with the regulations in effect when originally constructed. The existing zoning ordinances provide that nonconforming structures are legal structures that may remain so long as they are otherwise lawful.

However, the zoning ordinances also discourage the long-term continuation of such structures by prohibiting, except in a limited set of circumstances, structural alterations to the nonconforming structure since these alterations typically prolong the usable life of the structure. Structural alterations are defined as “a change in the supporting members of a structure, including bearing walls, column beams, girders, or trusses, or in the dimensions, support members, or configuration of the roof.” Structural alterations that are allowed are those that would:

- Conform to the present height, lot coverage, setback, and other requirements of the zoning ordinance, or
- Qualifies as a seismic retrofit, or
- Help preserve and maintain a designated landmark.

The zoning ordinances do not clearly specify what the consequences are if a nonconforming structure is altered in violation of the zoning ordinance. Therefore, the amendments add language that clarify the existing restrictions and state that if an existing nonconforming structure is altered in violation of the restrictions that:

- It is no longer considered to be nonconforming and the rights to continue the nonconforming structure are terminated.
- The structure must either be demolished or altered so that it is a conforming structure.
- If the owner fails to either demolish the structure or alter the structure to make it a conforming structure, then it will be considered a violation of the zoning ordinances and subject to enforcement.

During their three hearings on the proposed amendment package, the Montecito Planning Commission heard testimony that this amendment could have a negative impact on potentially historical structures within the Montecito Community Plan area. For example, structural alterations are often desired in older residences in order to make the residence more livable by removing interior walls to enlarge a kitchen or bedroom. Under the existing language, this would not be allowed even if the alteration would not change the outward appearance of the residence. This could lead to the situation that the residence is demolished and reconstructed with a different design. There was also testimony regarding the potential negative impact to other historical structures (e.g., barns and water tanks) that no longer qualify as residential accessory structures.

The Montecito Planning Commission addressed this situation by recommending that the language of the amendment be revised to allow structural alterations to nonconforming structures devoted to conforming residential uses and accessory uses (including historically accessory uses) provided that (1) the alteration does not result in a structure that extends beyond the existing exterior and (2) if the structure is 50 years old or greater that the Director has determined that the alteration will not result in a detrimental effect on any potential historical significance of the structure. The County Planning Commission also recommends that this revision be made. Therefore, the attached amendments to the zoning ordinances include this new language.

7. Pool and pool equipment setbacks for interior lots, County LUDC (Attachment C SECTION 16), Montecito LUDC (Attachment F SECTION 4) and Article II (Attachment I SECTION 4).

The zoning ordinances currently prohibit swimming pools and spas, including accessory equipment such as filters, heaters, pumps, etc., from being located in the front or side setbacks, but do allow their location in the rear setback provided they are no closer than five feet to the property line. However, the regulations do not address the requirements for

interior lots (lots that are not adjacent to a street and do not have front, side or rear setbacks) that require that a minimum setback of 10 feet from all property lines. Therefore, the amendments include language clarifying that swimming pools and spas, including accessory equipment, located on an interior lot shall not be located closer than 10 feet to the property line.

8. Setback exemptions in single-family residential subdivisions, County LUDC only (Attachment C, SECTION 13).

The County LUDC currently provides that if special setbacks are shown on a Final Map or Parcel Map, or Final Development Plan, then the required setbacks for any lot included in the Final Map or Parcel Map, or Final Development Plan shall be those as shown even though they may not comply with the current setbacks that apply to the lot. However, there are situations, particularly ones that involve older subdivisions, where it is clear from the documents on file with the Department that the intent was to create special setbacks for a particular subdivision, but they were not shown on the recorded map or Final Development Plan. The proposed amendment provides for this circumstance by adding language that includes other documents that are approved with the recorded Final Map or Parcel Map or Final Development Plan.

9. Special care homes permit requirements, Article II only (Attachment I SECTION 1).

The County amended the County and Montecito LUDCs in 2008 to decrease the number of clients housed in a special care home that qualifies as a permitted use (as opposed to a conditionally permitted use) in certain zones from 14 to six to be consistent with State law. Article II was not amended at that time as it was thought that the LUDCs would replace Article II. However, since Article II continues to be the zoning ordinance for the Coastal Zone, the proposed amendment to Article II reduces the number of clients to be consistent with the rest of the County.

10. Time extension review authorities and noticing procedures, County LUDC (Attachment C SECTION 22) and Montecito LUDC (Attachment F SECTION 10).

The amendment to the County LUDC restructures the processing and noticing procedures for time extensions so that they are better organized. The amendment also:

- Allows that final action by the County to approve a request for a time extension may occur after the date that the permit would otherwise expire provided that the request is submitted prior to expiration of the permit.
- Requires that mailed notice of applications for all time extensions be provided to (1) property owners within 300 feet of the project site and (2) all residents within 300 feet of the project site if the application involves a telecommunications facility.
- Clarifies that the review authority with original jurisdiction over the planning permit is also the review authority for subsequent time extensions and not the review authority that may have subsequently approved the planning permit on an appeal.
- Includes new processing requirements for time extension applications for Land Use Permits and Modifications regarding noticing, findings, and appeal provisions.

- Clarifies the existing language regarding the timing of when projects that the Department proposes to waive the public hearing for appear on Planning Commission's agenda.
- Adds a new section that provides the noticing procedures for time extensions that are under the jurisdiction of the Director.

11. Zoning Administrator definition, County LUDC only (Attachment C SECTION 32).

The Zoning Administrator is defined in the County LUDC as "A staff position authorized by Government Code Section 65900 *et seq.* created by ordinance, which authorizes a hearing officer to hear and decide on applications including Development Plans, Minor Conditional Use Permits and Variances, in compliance with this Development Code." Article V, Zoning, of Chapter 2, Administration, of the Santa Barbara County Code establishes the position of the Zoning Administrator in the Planning and Development Department and provides that the Zoning Administrator is appointed by the Director; however, unlike the County LUDC definition, the County Code does not require that the Zoning Administrator be a staff position. Therefore, in order to create a consistent definitions and flexibility in who may be appointed to the position, the amendment to the County LUDC revises the definition of Zoning Administrator to delete this requirement.

D. Amendments that correct errors and omissions.

1. Agricultural processing (extensive) definition, County LUDC only (Attachment C SECTION 32).

The County LUDC currently defines Agricultural Processing - Extensive, as "The refinement or other processing of agricultural products to substantially change them from their raw form, which involves machinery, chemical reactions, and/or hazardous or highly odiferous materials or products." However, the list of examples of extensive agricultural processing includes alfalfa cubing and hay baling and cubing which are common agricultural practices that do not substantially change them from their raw form. The proposed amendment deletes alfalfa cubing and hay baling and cubing from the examples of this type of land use.

2. Commercial Zones exterior uses, County LUDC only (Attachment C SECTION 4, 6, 7 and 8).

The amendment corrects various errors that were made when the Article III Inland Zoning Ordinance was reformatted as the County LUDC regarding:

- Uses allowed to be conducted outside buildings in the General Commercial (C-3) and the Service Commercial (CS) zones;
- Screening requirements for exterior material storage including shifting the jurisdiction for the review of screening required for exterior areas associated with machinery service and repair in the Retail Commercial (C-2) zone from the Board of Architectural Review to the applicable review authority; and,
- Allowing uses in the Neighborhood Commercial (CN), Limited Commercial (C-1) and Retail Commercial (C-2) zones that commonly include an outdoor component to be

located outside of a completely enclosed building provided the outdoor areas are appropriately screened.

3. Hostels not allowed in the AG-I zone, County LUDC only (Attachment C SECTION 1).

The amendment amends the allowed land uses in agricultural zones to delete hostels as a use allowed by a conditional use permit in the AG-I zone. This corrects an error that was made when the Article III Inland Zoning Ordinance was reformatted as the County LUDC.

4. PI Zone religious meeting facilities permit requirement, County LUDC only (Attachment C, SECTION 5).

The amendment revises the allowed recreational, educational and public assembly uses within commercial zones to change the permit requirement for a religious meeting facility (e.g., church) in the CN zone from a conditional use permit to a permitted use. This corrects an error that was made when the Article III Inland Zoning Ordinance was reformatted as the County LUDC.

5. PI Zone office floor area restrictions, County LUDC only (Attachment C, SECTION 9).

The amendment deletes the Professional and Institutional (PI) zone development standard that limits the gross floor area of office space to 20 percent of the total gross floor area on the lot. This restriction was mistakenly added to the PI development standards when the Article III Inland Zoning Ordinance was reformatted as the County LUDC.

6. Special care homes permit requirements in the Special Purpose Zones, County LUDC only.

The amendment revises the allowed residential uses in the Special Purpose Zones use tables to:

- Delete monasteries and special care homes as uses allowed with a conditional use permit in the Public Utility (PU) zone, and Recreation (REC) zone since these are not appropriate uses in the PU and REC zones which do not allow any other type of residential use. (Attachment C, SECTION 12)
- Specify that a conditional use permit is required for special care facility located in a dwelling located in Special Purpose Zones other than PU and REC only if the facility serves seven or more clients. This corrects errors that were made when the Article III Inland Zoning Ordinance was reformatted as the County LUDC. (Attachment C, SECTIONS 11 and 12)

Special Instructions:

The Planning and Development Department will satisfy all noticing requirements.

Attachments:

- A. County LUDC Findings
- B. County LUDC CEQA Notice of Exemption
- C. County LUDC Ordinance Amendment

- D. Montecito LUDC Findings
- E. Montecito LUDC CEQA Notice of Exemption
- F. Montecito LUDC Ordinance Amendment
- G. Article II CZO Findings
- H. Article II CZO CEQA Notice of Exemption
- I. Article II CZO Ordinance Amendment
- J. Resolution 14-03 County LUDC
- K. Resolution 14-04 Article II CZO
- L. 10-17-2013 County Planning Commission Staff Report (w/o attachments)
- M. 01-31-2014 County Planning Commission Staff Memo) (w/o attachments)
- N. Resolution 14-01 Montecito LUDC
- O. 09-27-2013 Montecito Planning Commission Staff Report (w/o attachments)
- P. 01-14-2014 Montecito Planning Commission Staff Memo

Authored by:

Noel Langle, Planner (805-568-2067)

ATTACHMENT A: COUNTY LUDC FINDINGS

CASE NO. 13ORD-00000-00008

County Land Use & Development Code Ordinance Amendment

1.0. CEQA FINDINGS

1.1 CEQA Guidelines Exemption Findings

- 1.1.1** The Board of Supervisors finds that the proposed project, 13ORD-00000-00008, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS.

In compliance with Section 35.104.060 (Findings Required for Approval of Amendment) of the Santa Barbara County Land Use and Development Code, the Board of Supervisors shall make the following findings in order to approve a text amendment to the County Land Use and Development Code:

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 clarify, update, and streamline the development permit process without compromising community values, environmental quality, or the public health and safety. The proposed ordinance amendments will revise existing permit processes to enhance clarity and efficiency, add new development standards and restrictions pertaining to specific land uses which will serve to minimize potential adverse impacts to the surrounding area, and correct and clarify existing text provisions.

2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the County Land Use and Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

Adoption of the proposed ordinance will provide more effective implementation of the State planning and zoning laws by providing a clearer and more efficient permit process that will benefit both the public and staff. The proposed ordinance will not result in any inconsistencies 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 County Land Use and Development Code that would not be revised by this ordinance. Therefore, this ordinance may be found consistent with the Comprehensive Plan including the Community and Area Plans, the requirements of State Planning and Zoning Laws, and the C Land Use and Development Code.

The proposed ordinance does not involve an amendment to the Local Coastal Program.