

**ATTACHMENT F: NOTICE OF EXEMPTION  
NOTICE OF EXEMPTION**

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Angela Hacker, Program Manager  
Department of Housing and Community Development

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 guidelines for the implementation of CEQA.

**APN(s):** Not applicable.

**Location:** The proposed ordinance amendment would apply solely to the unincorporated areas of Santa Barbara County.

**Project Title:** Rights and Duties of landlords and tenants of residential property Amendment (Chapter 44 of the County Code)

**Project Description:** This ordinance proposes to amend Section 44-2 (Relocation payments for residential household), strike the existing Section 44-3 (Report of notice to quit) and add a new Section 44-3 (Incentive for Property Owners to Further Assist Resident Households Tenants), and add a new section 44-4 (Effective Date, Operative Date, and Notice) of Chapter 44 of the County Code.

This amendment would clarify and revise the existing regulations to extend the entitlement of monetary relocation assistance from the owner to tenants when there is a relocation of the greater of 2 rental units or 25% of the rental units in a residential property with four or more units within 90 calendar days as a result of the following land use changes (Section 44-2):

1. the demolition of any rental unit on the lot,
2. the alteration or substantial rehabilitation of any structure on the lot in a manner that requires a permit from the County and which reduces the number of rental units on the lot, and
3. a change of use of real property from a residential use to a non-residential use.

The amendment also creates a permit-based incentive for owners who demonstrate they have provided further assistance to displaced tenants such as proof of relocation payment, timely security deposit return, advance notice and additional information (Section 44-3).

Exempt Status: (Check one)

- ☐ Ministerial  
☐ Statutory  
☐ Categorical Exemption

Emergency Project  
  X   No Possibility of Significant Effect Section 15061(b)(3)

**Cite specific CEQA Guideline Section:** Section 15061(b)(3), the general rule exemption.

**Reasons to support exemption findings:** Section 15061(b)(3) of the CEQA Guidelines states that 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 that the activity is not subject to CEQA.

Adoption of the proposed ordinance amendment to County Code Chapter 44 will only extend the current provision of relocation payments by owners to eligible tenants displaced from residential rental units. Chapter 44 originally applied only to eligible tenants displaced as a result of an order to vacate by the Building and Safety Division of the Planning and Development Department. In order to mitigate hardships associated with certain other types of tenancy terminations, Chapter 44 is amended to also apply to tenants displaced as a result of land use changes such as demolition, remodel, or change of use from residential to nonresidential when these situations result in a reduction of rental units and displace the greater of 2 rental units or 25% of the rental units in buildings with four or more rental units. In addition, whereas Chapter 44 repeatedly referred to "local enforcement agency," this amendment clarifies which County department is responsible for various actions associated with Chapter 44 along with overall improvements to the clarity of the language. The amendment also strikes Section 44-3, which was originally intended to acquire eviction data by requiring landlords to submit a report to the County when a notice to quit is filed. Finally, the amendment establishes an expedited permit incentive for owners who provide additional assistance to displaced tenants such as timely security deposit return, advance notice and additional information, but does not change or supersede any regulatory compliance with state or local planning codes. Therefore, no significant environmental impacts are expected to result as a consequence of this ordinance revision. It is not subject to CEQA pursuant to Sections 15061(b)(3) of the CEQA Guidelines, because the amendments to Chapter 44 will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Lead Agency Contact Person: Angela Hacker

Phone #: (805) 568-3515

  
\_\_\_\_\_  
Department/Division Representative

11/23/10  
\_\_\_\_\_  
Date

Acceptance Date (date of final action on the project): \_\_\_\_\_

Date Filed by County Clerk: \_\_\_\_\_

Note: A copy of this form must be posted at Planning and Development six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Distribution: (for posting six days prior to action, and posting original after project approval)

Hearing Support Staff  
Project file