

ATTACHMENT 1: FINDINGS FOR APPROVAL

CASE NOS. 18ORD-00000-00002 and 18ORD-00000-00003

1.0 CEQA FINDINGS

1.1 FINDING THAT A PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED (*per CEQA Section 15162*)

The Board of Supervisors finds that the Negative Declaration (14NGD-00000-00014) adopted for the 2015-2023 Housing Element Update (Housing Element) fulfills the environmental review requirements for the proposed Santa Barbara County Land Use and Development Code (LUDC) amendment (Case No. 18ORD-00000-00002) and the proposed Article II Coastal Zoning Ordinance (Article II) amendment (Case No. 18ORD-00000-00003).

On January 20, 2015, the Board of Supervisors adopted the Housing Element and the associated Negative Declaration (14NGD-00000-00014). The Negative Declaration concluded that the Housing Element, including Programs 1.4 and 2.4, would not result in any significant environmental impacts. Programs 1.4 and 2.4 direct the County to “encourage the development of unit types that are affordable by design, including...farm employee dwellings” and “evaluate and revise...procedures which streamline the permit process for farmworker housing,” respectively. The proposed LUDC and Article II amendments help implement these programs and satisfy a local need for affordable agricultural employee housing by streamlining the permit process for agricultural employee dwellings (AEDs).

The Negative Declaration adopted for the Housing Element fulfills the environmental review requirements for the proposed LUDC and Article II amendments in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162. This section provides (in pertinent part) that the lead agency shall not prepare a subsequent environmental impact report (EIR) for a project when the lead agency or another entity has already adopted a negative declaration for that project, unless one or more of the following have occurred: (1) substantial changes are proposed which will require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) new information of substantial importance which was not known and could not have been known at the time the previous Negative Declaration was adopted has become available.

The proposed LUDC and Article II amendments will not allow new land uses, increase permitted densities, or otherwise alter the purpose or intent of the goals, policies, and programs of the Housing Element. Thus, the proposed amendments will not result in substantial changes to the Housing Element or to the circumstances under which the Housing Element is implemented, and there is no new information of substantial importance. Furthermore, the proposed amendments will not have new significant effects or increase the severity of effects discussed in the Negative Declaration. Therefore, the Board of Supervisors finds that no new environmental document is required and that the proposed LUDC and Article II amendments do not require subsequent

environmental review pursuant to CEQA Guidelines Section 15162. Projects subject to discretionary permits will be required to comply with CEQA, as applicable to the specific project proposed.

The Negative Declaration (14NGD-00000-00014) is available for review at:

<http://longrange.sbcountyplanning.org/programs/housing/documents/Final%20Negative%20Declaration.pdf>

Santa Barbara County Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA, 93101
(805)568-2000

2.0 ADMINISTRATIVE FINDINGS

In compliance with LUDC Section 35.104.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) and Article II Section 35-180.6, the Board of Supervisors shall make the following findings in order to approve a text amendment to the LUDC and Article II:

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

The agricultural sector is the top contributor to the county's economy and plays a vital role in statewide agricultural production. High labor demand and the countywide housing shortage have created a significant need for affordable housing for agricultural employees and their families. Agricultural employee housing can provide a low-cost housing option to employees and their families who would otherwise stay in hotels or other short-term accommodations. The proposed LUDC and Article II amendments are in the interest of the general community welfare because they help satisfy this local housing need. By streamlining and clarifying the permit process for certain AEDs, the proposed amendments remove governmental barriers and enable applicants to more easily and affordably develop AEDs. Thus, the proposed LUDC and Article II amendments encourage the development of safe and affordable housing for agricultural employees and their families.

2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, the LUDC, and Article II.

As discussed in the Environmental Review section of the Board Agenda Letter dated December 11, 2018, herein incorporated by reference, the proposed LUDC and Article II amendments are consistent with the Comprehensive Plan because they implement two programs from the 2015-2023 Housing Element Update (Housing Element). The Housing Element is a mandatory element of the Comprehensive Plan that contains 37 programs to carry out the County's housing goals and policies. The Board of Supervisors adopted the Housing Element after making a finding that it was in conformity with other mandatory and optional elements of the Comprehensive Plan. Thus, the proposed LUDC and Article II amendments are consistent with the Comprehensive Plan, including the Housing Element.

Programs 1.4 and 2.4 direct the County to encourage the development of unit types that are affordable by design and increase opportunities for and streamline the permit process for

farmworker housing, respectively. Accordingly, the proposed LUDC and Article II amendments streamline the permit process for AEDs in the Agriculture I (AG-I) and Agriculture II (AG-II) zones by (1) allowing certain AEDs with a Zoning Clearance (ZC) in the Inland Area or Coastal Development Permit (CDP) in the Coastal Zone, (2) increasing the number of employees allowed to occupy AEDs at each permit level, and (3) modifying the AED employment location within certain zones and permit levels. The proposed amendments also clarify that AEDs may include mobile homes, manufactured homes, and park trailers that comply with the California Code of Regulations, Title 25, Division 1, Housing and Community Development.

By implementing Housing Element Programs 1.4 and 2.4 and clarifying regulations related to the use of mobilehomes, manufactured homes, and park trailers in accordance with State law, the proposed amendments are consistent with the Comprehensive Plan, including the Housing Element, and the requirements of State planning and zoning laws.

Furthermore, the proposed LUDC and Article II amendments do not allow new land uses, increase permitted densities, or alter the purpose and intent of any policies or development standards of the LUDC, Article II, or the Comprehensive Plan, including the Coastal Land Use Plan. Rather, the proposed amendments reduce and clarify the permit requirements for development that is already allowed in certain zones. In order for County decision-makers to approve a project based on these proposed amendments, the decision-makers would need to determine that the project is consistent with the policies and development standards of the zoning ordinances and the Comprehensive Plan. As part of this process, Planning and Development staff would perform a policy consistency analysis during the review of discretionary permit applications (i.e., Minor and Major Conditional Use Permits), and County decision-makers would not approve such projects unless they can determine they are consistent with applicable policies and the findings required for approval. Therefore, the proposed amendments are also consistent with the LUDC and Article II, in addition to the Comprehensive Plan.

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

The proposed LUDC and Article II amendments, as discussed in the Board Agenda Letters dated December 11, 2018, and October 2, 2018 (for the October 9, 2018 hearing), incorporated by reference, are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. The proposed amendments reduce the permit requirements for development that is already allowed in specific zones and clarify that mobile homes, manufactured homes, and park trailers may be used as AEDs. In addition, the proposed amendments do not allow new land uses, increase permitted densities, or alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan. Rather, the proposed amendments will remove barriers to the development of affordable AEDs and help facilitate their production through increased flexibility and reduced permit costs and time. Therefore, similar to Finding 2.2, above, the proposed LUDC and Article II amendments are consistent with the Comprehensive Plan, the LUDC, Article II, and good zoning and planning practice.