

ATTACHMENT H: CASE NO. 13ORD-00000-00004 NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Noel Langle, Senior Planner
Planning and Development Department

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.

Case No.: 13ORD-00000-00004

Location: The proposed ordinance amendment applies solely to the unincorporated area of Santa Barbara County located within the Coastal Zone.

Project Title: Cottage Food Operations Ordinance Amendment.

Project Description: 13ORD-00000-00004 proposes to amend Santa Barbara County's certified Local Coastal Program by amending Division 2, Definitions and Division 7, General Regulations, of the Santa Barbara County Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, to establish a process for cottage food operations to be conducted within a portion of a dwelling as a use accessory and incidental to the residential use. It also specifies that the existing permit requirements for home occupations apply to in-home retail sales so that is clear that this commercial activity is regulated as a home occupation and is subject to the development standards that apply to home occupations.

Exempt Status: (Check one)

☐ Ministerial
☒ Statutory
☐ Categorical Exemption
☐ Emergency Project
☒ No Possibility of Significant Effect Section 15061(b)(3)

Cite specific CEQA Guideline Section: Section 15265 (Adoption of Coastal Plans and Programs) and Section 15061(b)(3) (No possibility of significant effect).

Reasons to support exemption findings:

The proposed ordinance amendment represents an amendment to the Santa Barbara County's certified Local Coastal Program. Therefore, this ordinance amendment is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15265 (Adoption of Coastal Plans and Programs). This section shifts the burden of CEQA compliance from Santa Barbara County to the California Coastal Commission.

The proposed ordinance amendment implements permit processes and development standards that require that a cottage food operation be operated in a manner that is subordinate to the primary residential use of the property on which they are located in order to minimize the potential for the commercial use to cause any adverse impacts to the surrounding residential uses. It also specifies that the existing permit requirements for home occupations applies to in-home retail sales so that is clear that this commercial activity is regulated as a home occupation and is subject to the development

standards that are designed to ensure compatibility with the surrounding neighborhood. The proposed ordinance amendment would not result in an increase in permitted densities or modifications to resource protection policies. Therefore, this ordinance amendment is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) since there is no possibility that significant effects would occur as a result of this ordinance amendment.

Department/Division Representative

Date

Date (date of final action on 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.

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

Hearing Support Staff

13ORD-00000-00004 file