



**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: September 12, 2017
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn S. Russell, PhD, Director, Planning and Development,
Director(s) (805) 568-2085
Contact Info: Dan Klemann, Deputy Director, Long Range Planning Division,
(805) 568-2072
SUBJECT: **Submittal of a Minor Local Coastal Program Amendment to the California Coastal Commission; Transitional and Supportive Housing**

County Counsel Concurrence

As to form: Yes

Other Concurrence

As to form: N/A

Recommended Actions:

Staff recommends that the Board of Supervisors take the following actions:

- a) Adopt the attached resolution (Attachment 1) and direct staff to submit the following amendment to the Santa Barbara County Local Coastal Program to the California Coastal Commission (CCC) for review and certification:
 - i) Ordinance No. 5004 (Case No. 17ORD-00000-00003) that amends Article II, the Coastal Zoning Ordinance (CZO), to implement Program 2.8, Transitional and Supportive Housing, of the Santa Barbara County 2015-2023 Housing Element Update.

Refer back to staff if the Board of Supervisors takes other than the recommended actions for appropriate findings.

Summary Text:

On June 20, 2017, the Board of Supervisors adopted Ordinance No. 5004. This ordinance amends Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the permitting of transitional and supportive housing. California Public

Auditor-Controller Concurrence

As to form: N/A

Resources Code Section 30514 requires the County to submit the ordinance to the CCC for review and certification.

Program 2.8 of the Santa Barbara County 2015-2023 Housing Element Update directs the County to amend its zoning ordinances to be consistent with state law regarding the permitting of transitional and supportive housing. Government Code Section 65583(a)(5) requires that local governments consider these types of housing to be residential uses, subject only to those restrictions that apply to other residential uses of the same type in the same zone. Ordinance No. 5004 implements Program 2.8 in the Coastal Zone and, therefore, constitutes an amendment to the County's Local Coastal Program.

The California Code of Regulations, Title 14, Section 13554 (CCC administrative regulations) defines actions that qualify as a minor amendments to a local coastal program. Minor amendments may include:

Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the executive director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

The California Code of Regulations, Title 14, Section 13555 specifies the CCC's procedures for processing proposed minor amendments. The CCC will take the following steps if its Executive Director determines that Ordinance No. 5004 qualifies as a minor amendment:

- "...notice of such determination...shall be mailed to all parties the executive director has reason to know may be interested in the amendment..."
- "The Executive Director shall report in writing to the Commission at the next meeting, his or her determination and objections to the determination, if any..."
- "If one-third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed in accordance with Section 13555(b) [processed by the full Commission]."

As allowed by the California Code of Regulations, Title 14, Section 13551(b), the attached resolution (Attachment 1) also requests that the amendment take effect automatically upon the CCC's approval without further action by the Board of Supervisors. In this case, the amendment will take effect following the CCC's concurrence with the Executive Director's determination that the amendment qualifies as a minor amendment.

Environmental Review:

According to CEQA Guidelines Section 15060(c)(3), an activity is not subject to CEQA if it is not considered a "project" as defined in CEQA Guidelines Section 15378. Section 15378(b)(5) states that a project does not include "... administrative activities of governments that will not result in direct or indirect physical changes in the environment." The County's submittal of Ordinance No. 5004 to the CCC is an administrative activity necessary for the adoption of a local coastal program amendment. This activity will not approve any development or otherwise result in any physical impacts to the environment. Therefore, the submittal is not a project and is not subject to CEQA.

On June 20, 2017, the Board of Supervisors determined that Ordinance No. 5004 is exempt from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265. Please see the Notice of Exemption dated June 20, 2017 for additional information.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The Long Range Planning Budget Program on page D-286 of the Planning and Development Department's Fiscal Year 2017-18 Budget includes funding for submittal of this minor amendment to the CCC. Staff salaries and other costs for the entire project, including CCC submittal, total approximately 623 hours and \$40,800.

Special Instructions:

The Clerk of the Board shall send copies of the signed resolution to the Planning and Development Department, attention Jessica Steele.

Attachments:

1. Resolution for Submittal of a Minor Local Coastal Program Amendment to the California Coastal Commission (Ordinance No. 5004)

Authored by:

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