

Attachment Q
Notice of Exemption

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Alice McCurdy
Planning and 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, Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Act.

Project Title: Review of Petitions for Review of the Arbitrator's Opinion and Award filed by both the Nomad Village Homeowners and the Nomad Village Park Management pursuant to Rule 23 of the Mobilehome Rent Control Rules for Hearing and Santa Barbara County Code Chapter 11A (Mobilehome Rent Control)

Project Description: County Code Chapter 11A (Mobilehome Rent Control) creates an arbitration process for rent control disputes in mobilehome parks within the unincorporated area whenever the proposed rent increase exceeds 75% of the Consumer Price Index as described within Chapter 11A. Mobile homeowners residing in the Nomad Village Mobilehome Park filed a petition for arbitration on February 28, 2011, contesting the proposed increase in their maximum rent schedule. On December 20, 2011, the Arbitrator rendered an Opinion and Award following a hearing that occurred on September 19 and 20, 2011. Pursuant to Rule 23 of the Mobilehome Rent Control Rules for Hearing, either party may petition the Board of Supervisors for review of the Arbitrator's Opinion and Award by filing a petition alleging prejudicial abuse of discretion. The Nomad Village Mobile Homeowners timely filed a Petition for Review of portions of the Arbitrator's Decision on January 13, 2012, and the Nomad Village Mobile Home Park timely filed a Petition for Review of portions of the Arbitrator's Decision on January 17, 2012. The project consists of the review by the Board of the Arbitrator's Opinion and Award, as well as a decision to affirm or reverse.

Name of Public Agency Approving Project: County of Santa Barbara

Exempt Status: (Check one)

- Ministerial
Statutory Exemption
Categorical Exemption
Emergency Project
Declared Emergency
[X] Other

Cite specific CEQA and/or CEQA Guideline Section: §15378; Not a Project under CEQA

Reasons to support exemption findings: The review by the Board of Supervisors of the Arbitrator's decision, as well as the Board's decision to affirm or reverse said decision, does not constitute a project under CEQA §15378(a). The action by the Board addresses a rent control dispute and does not have the potential to result in either a direct physical impact to the environment, or a reasonably foreseeable indirect physical change in the environment. Therefore, the project does not qualify as a project under CEQA.

Alice K. McCurdy
Department/Division Representative/
5/4/2012
Date

Acceptance Date: _____

Date Filed by County Clerk: _____

Note: 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.