



County of Santa Barbara Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

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TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

MONTECITO PLANNING COMMISSION
HEARING OF OCTOBER 19, 2022

RE: Zoning Ordinance Amendments Package; 22ORD-00000-00005, 22ORD-00000-00006

Hearing on the request of the County of Santa Barbara Planning and Development Department (P&D) for the Montecito Planning Commission (MPC) to consider recommending that the Board of Supervisors (Board):

- a) Adopt an ordinance (Case No. 22ORD-00000-00005) to amend the Santa Barbara County Coastal Zoning Ordinance, Article II, of Chapter 35, Zoning, of the County Code, as set forth in Attachment 2 to the memorandum dated October 12, 2022, from staff to the Santa Barbara Montecito Planning Commission.
- b) Determine that ordinance Case No. 22ORD-00000-00005 is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA.
- c) Adopt an ordinance (Case No. 22ORD-00000-00006) to amend the Santa Barbara County Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the County Code, as set forth in Attachment D-2.
- d) Determine that ordinance Case No. 22ORD-00000-00006 is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of October 19, 2022, Commissioner Senauer moved, seconded by Commissioner Kupiec and carried by a vote of 3 to 0 (Miller and Keller absent) to:

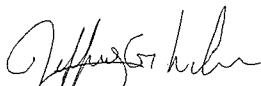
Case No. 22ORD-00000-00005

1. Make the required findings for approval (Attachment A of the staff report dated October 11, 2022), including CEQA findings, and recommend that the CPC recommend to the Board to make the required findings for approval of the proposed amendments (Attachment 2 to the memorandum dated October 12, 2022, from staff to the Santa Barbara Montecito Planning Commission).
2. Recommend that the CPC recommend to the Board to determine that ordinance Case No. 22ORD-00000-00005 is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA; and
3. Adopt a resolution (Attachment C of the staff report dated October 11, 2022) recommending that the CPC recommend to the Board to adopt an ordinance to amend Article II (Case No. 22ORD-00000-00005), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 2 to the memorandum dated October 12, 2022, from staff to the Santa Barbara Montecito Planning Commission).

Case No. 22ORD-00000-00006

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board make the required findings for approval of the amendments (Attachment D-2 of the staff report dated October 11, 2022);
2. Recommend that the Board determine that ordinance Case No. 22ORD-00000-00006 is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA; and
3. Adopt a resolution (Attachment D) recommending that the Board adopt an ordinance to amend the MLUDC (Case No. 22ORD-00000-00006), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D-2 of the staff report dated October 11, 2022).

Sincerely,



Jeff Wilson
Secretary Planning Commission

cc: Case File: 22ORD-00000-00005, 22ORD-00000-00006
Montecito Planning Commission Planning Commission File
Jeff Wilson, Assistant Director
Jenna Richardson, Division Chief, County Counsel
Dan Klemann, Deputy Director, Long Range Planning
Corina Venegas, Planner

Attachments: **Attachment A – Findings**
 Attachment C – Resolution and Ordinance (Article II)
 Attachment D – Resolution and Ordinance (MLUDC)

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ATTACHMENT A: FINDINGS FOR APPROVAL

Case Nos. 22ORD-00000-00005 and 22ORD-00000-00006

1.0. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

1.1 State CEQA Guidelines Exemption Findings

- 1.1.1 Case No. 22ORD-00000-00005.** The Montecito Planning Commission finds, and recommends that the Santa Barbara County (County) Board of Supervisors (Board) find, that the proposed amendment to Article II, the Coastal Zoning Ordinance (CZO) (Case No. 22ORD-00000-00005), is exempt from environmental review pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15265.
- 1.1.2 Case No. 22ORD-00000-00006.** The Montecito Planning Commission finds, and recommends that the Board find, that the proposed amendment to the Montecito Land Use and Development Code (MLUDC) (Case No. 22ORD-00000-00006), is exempt from environmental review pursuant to State CEQA Guidelines Section 15061(b)(3).

Please see the Notice of Exemption (Attachment B, incorporated by reference) for more information.

2.0 ADMINISTRATIVE FINDINGS

In compliance with CZO Section 35-180.6 the following findings shall be made by the Montecito Planning Commission in order to recommend to the County Planning Commission approval of a text amendment to the CZO, and the Board shall adopt the following findings in order to approve a text amendment to the CZO.

In compliance with MLUDC Section 35.494.060, the following findings shall be made by the Montecito Planning Commission in order to recommend approval of a text amendment to the MLUDC, and the Board shall adopt the following findings in order to approve a text amendment to the MLUDC:

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

The proposed amendments are in the interest of the general community welfare since the amendments will revise the CZO and MLUDC to (1) be consistent with Government Code (GC) Section 65850.7 regarding the zoning permit exemption for electric vehicle charging stations, including hydrogen fueling stations, (2) correct and clarify existing text provisions, (3) implement new permitting and development standards for child care facilities, and (4) align standards for family day care homes with State law (Health and Safety Code Section 1596.78), to increase the supply of day care within County.

2.2 CZO: The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan (CLUP), the requirements of State planning and zoning laws and this Article [Article II, the CZO].

MLUDC: The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code [MLUDC].

The proposed amendments are consistent with the Comprehensive Plan, CLUP, CZO, and MLUDC because they will provide more effective implementation of the state planning and zoning laws by revising the CZO and MLUDC to be consistent with state regulations and provide clear and efficient permit processes that will benefit the public. The proposed ordinance will not result in any inconsistencies with the adopted policies and development standards of the Coastal Land Use Plan and/or the Comprehensive Plan, including the Montecito Community Plan. The

proposed ordinance amendments are also consistent with the remaining portions of the Article II Coastal Zoning Ordinance that would not be revised by this ordinance. Therefore, and as discussed further in the Montecito Planning Commission Staff Report, dated October 11, 2022, under section 5.2, incorporated by reference, this ordinance is consistent with the Coastal Land Use Plan and the Comprehensive Plan, including the Montecito Community Plan, the requirements of State planning and zoning Laws, and the Article II Coastal Zoning Ordinance.

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

The proposed amendments are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since they will revise the CZO and MLUDC to be consistent with State regulations regarding EV charging and hydrogen-fuel stations, correct and clarify existing text provisions, and encourage further development of child care facilities in locations where demand is greatest. Further, the proposed amendments will streamline certain permit processes, relax development standards, and correct and clarify existing regulations to further encourage and support the development of childcare services throughout the community, reduce barriers for childcare operators, and promote the expansion of EV charging and hydrogen-fueling station. As a result, the changes are consistent with good zoning and planning practices and will benefit the public. As discussed in Finding 2.2, above, the proposed amendments are consistent with the Comprehensive Plan, including the Montecito Community Plan, CLUP, CZO, and MLUDC.