

**ATTACHMENT K: CEQA NOTICE OF EXEMPTION**

**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.: 09ORD-00000-00011

Location: The proposed ordinance amendment throughout the unincorporated area of Santa Barbara County.

Project Title: Solar Energy Systems Permit Requirements Ordinance Amendment.

Project Description: 09ORD-00000-00011 proposes to amend Article II, Organization and Enforcement, of Chapter 10, Building Regulations, of the Santa Barbara County Code to add procedures for the processing of Solar Use Permits consistent with Government Code Section 65850.5.

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 15061(b)(3), the general rule exemption, states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that the activity is not subject to CEQA.

Reasons to support exemption findings: The proposed amendment add the ability of the Building Official to require the submission of an application for a Solar Use Permit, as provided for in Government Code Section 65850.5, when he has a good faith belief that a proposed solar energy system could have a specific, adverse impact upon the public health and safety. This will allow the Building Official to approve a Solar Use Permit with conditions that are designed to mitigate any potential for the solar energy system to have an adverse impact upon the public health and safety. Both the decision by the Building Official to require an application for a Solar Use Permit, and the decision to approve, conditionally approve or deny the Solar Use Permit, may be appealed to the County or Montecito Planning Commission and the County Board of Supervisors.

Therefore, as this amendment would allow for the imposition of conditions to avoid an adverse impact to public health and safety, no significant environmental impacts are expected to result as a consequence of this ordinance amendment.

\_\_\_\_\_  
Department/Division Representative Date

Acceptance 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 to begin a 35 day statute of limitations on legal challenges.

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

Hearing Support Staff  
09ORD-00000-00011 file