

## ATTACHMENT 2: NOTICE OF EXEMPTION

Case Nos. 21ORD-00000-00001, 21ORD-00000-00002 and 21ORD-00000-00003

TO: Santa Barbara County Clerk of the Board of Supervisors  
FROM: Lila Spring, 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 of Santa Barbara (County) guidelines for the implementation of CEQA.

APN(s): Not applicable.

Case Nos.: 21ORD-00000-00001, 21ORD-00000-00002, and 21ORD-00000-00003

Location: Countywide

Project Title: Housing Bill Implementation Project Zoning Ordinance Amendments

### Project Description:

Case No. 23ORD-00000-00001 amends Article 35.2, Zones and Allowable Land Uses; Article 35.3, Site Planning and Other Project Standards; Article 35.4, Standards for Specific Land Uses; Article 35.8, Planning Permit Procedures; and Article 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, regarding the streamlined permitting of supportive housing in compliance with GC Sections 65650-65656 and 65583(c)(3); the streamlined permitting of low barrier navigation centers consistent with GC Sections 65660-65668; the revision of objective design standards for applicable multiple-unit and mixed-use housing projects in compliance with GC Sections 65582.1 and 65913.4; the streamlined application review process for qualifying housing in compliance with GC Sections 65582.1 and 65913.4; and the updates to the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918.

Case No. 23ORD-00000-00002 amends Division 35.2, Montecito Zones and Allowable Land Uses; Division 35.3, Montecito Site Planning and Other Project Standards; Division 35.4, Montecito Standards for Specific Land Uses; Division 35.7, Montecito Planning Permit Procedures; and Division 35.10, Glossary; of Section 35-2, the Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, regarding the streamlined permitting of supportive housing in compliance with GC Sections 65650-65656 and 65583(c)(3); the streamlined permitting of low barrier navigation centers consistent with GC Sections 65660-65668; the establishment of objective design standards for applicable multiple-unit and mixed-use housing projects in compliance with GC Sections 65582.1 and 65913.4; the streamlined application review process for qualifying housing in compliance with GC Sections 65582.1 and 65913.4; and the updates to the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918.

Case No. 23ORD-00000-00003 amends Division 2, Definitions; Division 4, Zoning Districts; Division 7, General Regulations; Division 11, Permit Procedures; and Division 17 Gaviota Coast Plan of Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code, regarding the streamlined permitting of supportive housing in compliance with GC Sections 65650-65656 and 65583(c)(3); the streamlined permitting of low barrier navigation centers consistent with GC Sections 65660-65668; the establishment of objective design standards for applicable multiple-unit and mixed-use housing projects in compliance with GC Sections 65582.1 and 65913.4; and the updates to the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918.

**Exempt Status:**

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect

**Cite specific CEQA Guideline Section:** CEQA Guidelines Sections 15061(b)(3) and 15265.

**Reasons to support exemption findings:** The following provides a brief discussion of the proposed amendments and why they would be exempt from CEQA. Additional details regarding the proposed amendments are included in the County Planning Commission staff report dated January 2, 2024 and the Montecito Planning Commission staff report dated December 12, 2023.

The proposed LUDC, MLUDC, and CZO amendments are exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which states that “the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. 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, the activity is not subject to CEQA.” The proposed ordinance implements state housing law to revise existing development standards and establish ministerial permit procedures regarding supportive housing, low barrier navigation centers, and applicable multiple unit and mixed-use housing developments in compliance with GC Sections 65650-65656 and 65583(c)(3), 65660-65668, and 65582.1 and 65913.4. The proposed ordinance amendments further implement state housing law through revising the standards and criteria related to State Density Bonus Law provisions in compliance with GC Sections 65915-65918. No physical development is proposed or approved as part of this project. Future development subject to the updated code sections would be subject to independent environmental review under CEQA or be statutorily exempt from CEQA as a ministerial, by-right project, in compliance with state law. Therefore, the proposed amendments are exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

In addition, CEQA Guidelines Section 15265 statutorily exempts local government activities involving the preparation and adoption of local coastal program amendments from environmental

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review. The proposed CZO amendment affects portions of the county within the Coastal Zone and constitutes an amendment to the County's Local Coastal Program. Therefore, the proposed CZO amendment is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15265.

  
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1/31/24

Department/Division Representative

Date

Acceptance Date (date of final action on project): \_\_\_\_\_

Date Filed by County Clerk: \_\_\_\_\_