

ATTACHMENT 1: FINDINGS FOR APPROVAL AND STATEMENT OF OVERRIDING CONSIDERATIONS

2023-2031 HOUSING ELEMENT UPDATE REZONE AMENDMENTS

Case Nos. 24GPA-00003, 24GPA-00004, 24GPA-00005, 24RZN-00001, 24RZN-00002, 24ORD-00007, 24ORD-00008, and 23EIR-00004

1.0 CEQA FINDINGS

1.1 FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Program Environmental Impact Report (EIR) (23EIR-00004) was presented to the Board of Supervisors and all voting members of the Board of Supervisors have reviewed and considered the information contained in the Final Program EIR and its appendices prior to recommending approval of the project. In addition, all voting members of the Board of Supervisors have reviewed and considered testimony and additional information presented at, or prior to, its public hearing[s] on April 30, 2024 and May 3, 2024. The Final Program EIR reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this proposal.

The approved project includes the Board of Supervisor's final selection of rezone sites and County-owned sites approved at its public hearing on May 3, 2024, which were analyzed in the Final Program EIR.

1.1.2 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the Final Program EIR (23EIR-00004) and its appendices constitute a complete, accurate, adequate, and good faith effort at full disclosure under the California Environmental Quality Act (CEQA). The Board of Supervisors further finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board located at 105 E. Anapamu St., fourth floor, Room 407, Santa Barbara, CA 93101.

1.1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

The Final Program EIR (23EIR-00004) and its appendices for the 2023-2031 Housing Element Update (HEU) Rezone Amendments identify 35 environmental impacts (including 11 cumulative impacts) under 11 resource areas which cannot be fully mitigated and are therefore considered unavoidable. Those resource areas are: Aesthetics; Agricultural Resources; Air Quality; Biological Resources; Hydrology and Water Quality; Land Use and Planning; Population and Housing; Public Services and Recreation; Transportation; Utilities and Water Supply; and Wildfire. To the extent

the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the proposed project's legal, social, economic, and environmental benefits set forth in the Statement of Overriding Considerations included in Section 2.0, below. For each of these Significant and Unavoidable impacts identified by the Final Program EIR (23EIR-00004), feasible changes or alterations have been required, or otherwise incorporated, to avoid or substantially reduce the significant environmental effects to the maximum extent feasible, as discussed below.

Aesthetics

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) adverse effects on public scenic vistas and visual resources, such as trees and rock outcroppings, along State Scenic Highways (Impact AV-1); and (2) the potential to degrade the existing visual character or quality of public views of a site and its surroundings in the Rural Area or potentially conflict with applicable zoning and other regulations governing scenic quality in the Urban Area (Impact AV-2).

Mitigation: The Program Final EIR identifies one mitigation measure (MM AV-1), which identifies the County's objective design standards for multiple unit and mixed use housing projects shall apply to all multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM AV-1) would reduce the significant environmental effects identified in the Final Program EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to visual resources are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Agricultural Resources

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) the potential conversion of Prime Farmland, Unique Farmland, Farmland of Local Importance, and Farmland of Statewide Importance to non-agricultural uses (Impact AG-1); and (2) the potential conversion of existing agriculturally zoned lands to non-agricultural uses, impairment of agricultural productivity, and potential conflicts with existing zoning (Impact AG-2).

Mitigation: No feasible mitigation measures are known which would reduce impacts.

Findings: The Board of Supervisors finds the significant environmental effects identified in the Final Program EIR are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Air Quality

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to the potential violation of an air quality standard or substantial contribution to an air quality violation, and a cumulatively considerable net increase of a criteria pollutant for which Santa Barbara County is in nonattainment (Impact AQ-2). Based on the air emissions modeling results for

the proposed Project, the increase in emissions for nitrogen oxides (NO_x), reactive organic compounds (ROCs), and particulate matter (PM₁₀) resulting from the operation of the proposed Project could substantially exceed the adopted operational significance thresholds for all emissions, as well as mobile-source-specific emissions. The primary contributors to the exceedance of adopted thresholds include area-source emissions (e.g., those generated from the use of consumer products and re-application of architectural coatings) and mobile-source emissions associated with the substantial increases in daily vehicle trips associated with the proposed Project.

Mitigation: The Final Program EIR identifies three mitigation measures (MM AQ-1, MM AQ-2, and MM AQ-3). Additionally, MM T-1 would also apply.

MM AQ-1 requires that applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law implement the measures to minimize short-term PM₁₀ fugitive dust emissions.

MM AQ-2 requires that applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law implement the measures to minimize short-term construction equipment exhaust emissions to the maximum extent feasible.

MM AQ-3 requires that applicants proposing projects that exceed the screening table established in SBCAPCD's most recently available Scope and Content of Air Quality Sections in Environmental Documents, or applicants proposing projects that involve the development of a variety of land use categories (e.g., mixed use development projects) shall prepare and submit a technical assessment evaluating potential project operation-related air quality impacts to the County for review and approval. The evaluation shall be prepared in conformance with the County and SBCAPCD methodologies for assessing air quality impacts identified in the County's Environmental Thresholds and Guidelines Manual and SBCAPCD's Scope and Content of Air Quality Sections in Environmental Documents. If operational emissions associated with proposed development exceed the County's and SBCAPCD's adopted thresholds of significance for either all source emissions or mobile-source only emissions, the County shall require applicants for new development to identify and incorporate mitigation measures to reduce operational air emissions below adopted thresholds. The technical assessment may account for additional requirements applicable to the proposed development, including vehicle miles travelled (VMT) reduction strategies and transportation demand management measures, that would have the secondary effect of reducing mobile or other source emissions. Specific mitigation measures and their effectiveness in reducing emissions below significance shall be demonstrated as part of the technical assessment evaluation and approved by the County.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM AQ-1, MM AQ-2, and MM AQ-3) would reduce the significant environmental effects identified in the Final Program EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to air quality are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Biological Resources

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) the removal or encroachment on environmentally sensitive habitat (ESH), riparian corridors, wetlands, oak woodlands, native grasslands, and other sensitive habitats and natural communities (Impact BIO-1); (2) species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) (Impact BIO-2); potential interference with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Impact BIO-3).

Mitigation: The Final Program EIR identifies three mitigation measures (MM BIO-1, MM BIO-2, and MM BIO-3). Additionally, MM T-1 would also apply.

MM BIO-1 requires that applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall be required to include for County P&D approval a Tree Protection Plan (TPP). The TPP shall be prepared by an arborist/biologist approved by County P&D and shall determine whether mature native trees are located on the project site. If the biologist finds that there are no mature native trees at the project site, they shall submit a memorandum describing these findings to County P&D for review. If mature native trees are present, the TPP shall determine whether avoidance, minimization, or compensatory measures are necessary.

MM BIO-2 requires that applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall be required to include for County P&D approval a Habitat Protection Plan (HPP). The HPP shall be prepared by a biologist approved by County P&D. The HPP shall first determine the presence of sensitive biological resources at a project site, including special-status species and their habitats, ESH, Riparian Corridors, wetlands, and other sensitive natural communities. If the biologist finds that there are no potential sensitive biological resources at the project site, they shall submit a memorandum describing these findings to County P&D for review. If resources are present, the HPP shall determine whether avoidance, minimization, or compensatory measures are necessary.

MM BIO-3 requires applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall be required to include for County P&D approval a Wildlife Movement Plan. The Wildlife Movement Plan shall be prepared by a biologist approved by County P&D. The Wildlife Movement Plan shall first determine whether the project site has the potential to support wildlife linkages. If the biologist finds that there are no potential wildlife corridors traversing the project site, they shall submit a memorandum describing these findings to County P&D for review. If wildlife corridors are identified, the Wildlife Movement Plan shall analyze proposed fencing in relation to the surrounding opportunities for wildlife movement/migration, identify the type, material, length, and design of proposed fencing, and shall propose non-disruptive, wildlife-friendly fencing, such as post and rail fencing, wire fencing, and/or high-tensile electric fencing, to allow passage by smaller animals and prevent movement in and out of the project sites

by larger mammals, such as deer. The evaluation and Wildlife Movement Plan shall also identify project design features that would reduce potential impacts and maintain habitat and wildlife movement.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM BIO-1, MM BIO-2, and MM BIO-3) would reduce the significant environmental effects identified in the Final EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to biological resources are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Hydrology and Water Quality

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) substantial degradation of groundwater quality, substantial interference with groundwater recharge, or impedance of sustainable groundwater management of local groundwater basins (Impact HWR-2); and (2) conflicts or obstruction of the implementation of a water quality control plan (Impact HWR-5). Future residential and mixed use development enabled by the Housing Element Update could overlap the Cuyama Valley, San Antonio Creek Valley, and/or Santa Ynez River Valley basins, which are all medium or high-priority basins and as such, have adopted groundwater sustainability plans (GSPs) governing the sustainable management of their respective groundwater resources. Future development enabled under the Housing Element Update would exceed the growth projections used to inform the management of groundwater supplies for domestic use. As such, new residential and mixed use development in these areas would potentially conflict with the GSPs and obstruct the management actions and sustainability strategies for these basins.

Mitigation: No feasible mitigation measures are known which would reduce impacts.

Findings: The Board of Supervisors finds the significant environmental effects to hydrology and water quality identified in the Final Program EIR are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Land Use and Planning

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to potential conflicts with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect (Impact LU-2).

Mitigation: The Final EIR identifies one land use-specific mitigation measure (MM LU-1). Additionally, mitigation measures for other impact areas (i.e., MM AV-1, MM BIO-1, MM BIO-2, MM BIO-3, MM HAZ-3, MM HWR-1, MM NOI-1, MM NOI-2, MM T-1, MM T-2, MM T-3, and MM WF-1) would apply and reduce impacts regarding land use plans, policies, and regulations.

MM LU-1 requires that the County amend the zoning ordinances for the DR Zone District to allow the following uses as part of proposed projects on sites zoned DR: (1) Open Space; and (2) Commercial Recreational Facilities and Neighborhood-Serving Commercial Uses. Allowing these uses on sites zoned DR would help to ensure consistency with certain plans and policies, but County

P&D shall ensure future residential development projects with DR zoning address all applicable site design features and requirements.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM LU-1, MM AV-1, MM BIO-1, MM BIO-2, MM BIO-3, MM HAZ-3, MM HWR-1, MM NOI-1, MM NOI-2, MM T-1, MM T-2, MM T-3, and MM WF-1) would reduce the significant environmental effects identified in the Final EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant environmental effects related to land use and planning identified in the Final Program EIR are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Population and Housing

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to the potential for substantial population growth that would exceed current population projections, including the Santa Barbara County Association of Governments (SBCAG) Connected 2050 Regional Transportation Plan/Sustainable Community Strategy (Connected 2050 RTP/SCS) and its regional growth forecasts (Impact PSR-1).

Mitigation: No feasible mitigation measures are known which would reduce impacts.

Findings: The Board of Supervisors finds the significant environmental effects on population and housing identified in the Final Program EIR are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Public Services and Recreation

Impacts: The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) the need for or provision of new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts (Impact PSR-1); and (2) an increase in the use of existing parks and recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or could require the construction or expansion of recreational facilities which might have an adverse impact on the environment (Impact PSR-5).

Mitigation: MM LU-1 would apply; however, no other feasible mitigation measures are known which would reduce impacts.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM LU-1) would reduce the significant environmental effects identified in the Final Program EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to public services and recreation are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Transportation

Impacts. The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) increases in total VMT per service population within the county (Impact T-2). Total VMT per Service Population would exceed the County’s VMT impact threshold on a countywide basis and in each of the four North County Housing Market Areas (HMAs): Santa Maria Valley, Lompoc Valley, Santa Ynez Valley, and Cuyama Valley.

Mitigation: The Final Program EIR identifies two mitigation measures to reduce VMTs (MM T-1 and MM T-3).

MM T-1 requires that applicants for multifamily housing and mixed use housing projects shall implement site design strategies to reduce vehicle trips to and from the project site. Site-based transportation demand management (TDM) strategies may include but not be limited to VMT-reducing measures identified in the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (December 2021). The following site-based TDM measures shall be integrated into project design and plans as feasible based on site and project conditions: provide pedestrian network improvements; construct or improve bike facilities; provide bike parking; and implement a Homeowners’ Association (HOA) subsidized or discounted transit program or other ridesharing/carpool and education program.

MM T-3 requires the County to update the funding and fee mitigation programs. The County shall review and evaluate the County’s Active Transportation Plan (ATP) and/or previously adopted community plans for active transportation improvements that would directly serve the selected housing sites in the adopted Housing Element Update. These improvements shall become required mitigation for the proposed Project, where feasible. Additionally, the County shall update its Capital Improvement Program (CIP), Transportation Improvement Plans (TIPs), including Goleta and Orcutt, create TIPs for communities that require substantial transportation improvement planning and funding, and the County’s Transportation Impact Mitigation Fees (Chapter 23C of the County Code). The Transportation Impact Mitigation Fees shall reflect the fair-share contribution of new housing development to capital improvements identified in the CIP, TIPs, and/or the ATP, that mitigate transportation impacts from the Housing Element Update.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM T-1 and MM T-3) would reduce the significant environmental effects to transportation identified in the Final Program EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to transportation are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Utilities and Water Supply

Impacts. The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) construction, expansion, or replacement of utilities, including water and wastewater facilities, which could potentially result in significant environmental effects (Impact UWS-1); (2) increased water demand that could exceed the capacity of the Goleta Water District and Cuyama Community Services District (CSD), to serve future development during normal, dry, and multiple dry years (Impact UWS-2); (3) increased wastewater generation that could exceed the capacity of the Goleta Sanitary District, Goleta West Sanitary District, Los Alamos CSD, Laguna County

Sanitation District, and Cuyama CSD (Impact UWS-3); and (4) generation of municipal solid waste that could exceed the County’s adopted thresholds and potentially result in the exceedance of the disposal capacity of regional landfills, or result in the need for future expansion or expedited closure of a landfill (Impact UWS-4).

Mitigation: The Final Program EIR identifies two mitigation measures (MM UWS-1 and MM UWS-2) to reduce these impacts. Additionally, MM BIO-1, MM BIO-2, MM BIO-3, MM CTCR-1, MM CTCR-2, MM CTCR-3, MM CTCR-4, MM HWR-1, MM NOI-1, and MM NOI-2 would apply.

MM UWS-1 requires that applicants for multi-family housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall be served by public water and wastewater (sewer) districts or agencies, if such service is available, consistent with the County’s zoning ordinances, as well as the California Fire Code (CFC) and California Plumbing Code. The applicant shall provide documentation from the appropriate public water and wastewater districts or agencies demonstrating that adequate water and wastewater services are available to serve the project; this includes water supply, system pressure, and service infrastructure, as well as wastewater conveyance and treatment capacity. The documentation shall also identify any required service extensions or improvements that are required to adequately serve the project, such as sewer laterals and main connections adequately sized to convey project wastewater flows, or water mains designed and sized to provide adequate flows and pressure to serve the project’s general water demands and fire flows (i.e., pumps), considering the proposed height of the project’s buildings.

MM UWS-2 requires that applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall include a Source Reduction and Solid Waste Management Plan (SRSWMP) describing proposals to reduce the amount of waste generated during construction and throughout the life of the project and enumerating the estimated reduction in solid waste disposed at each phase of project development and operation. The plan shall include but not be limited to (1) operation source reduction and (2) operation source reduction examples.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM UWS-1 and MM UWS-2) would reduce the significant environmental effects to utilities and water supply identified in the Final Program EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to utilities and water supply are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

Wildfire

Impacts. The Final Program EIR identified significant impacts (including cumulative impacts) related to: (1) exacerbation of wildfire risks and could expose existing or future residents to pollutant concentrations resulting from the uncontrolled spread of wildfire at several sites throughout the county, particularly along the wildland-urban interface (WUI) on the south-facing slopes of the Santa Ynez Mountains on the South Coast (Impact WF-2); and (2) require the installation or maintenance of associated infrastructure (e.g., fuel breaks and emergency access roads) that may result in temporary or permanent impacts on the environment (e.g., vegetation clearing) and may exacerbate fire risk (Impact WF-3).

Mitigation: The Final Program EIR identifies one mitigation measure (MM WF-1), which requires applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall provide adequate defensible space onsite if the housing project is proposed within or adjacent to the High or Very High Fire Hazard Severity Zones and/or WUI areas and must comply with the Santa Barbara County Fire Department’s (SBCFD) Defensible Space Standards. No offsite clearing of sensitive native vegetation shall be permitted unless deemed necessary by SBCFD for public and/or firefighter safety.

Findings: The Board of Supervisors finds that feasible mitigation measures (MM WF-1) would reduce the significant environmental effects related to wildfire identified in the Final Program EIR to the maximum extent feasible.

The Board of Supervisors finds the residual significant impacts to wildfire are acceptable due to the overriding benefits discussed in the Statement of Overriding Considerations.

1.1.5 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY MITIGATION MEASURES

The Final Program EIR (23EIR-00004) identified several subject areas for which the project is considered to cause or contribute to significant but mitigable environmental impacts. For each of these impacts identified by the Final Program EIR (23EIR-00004), feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below.

Air Quality

Impacts: The Final Program EIR identified significant but mitigable impacts (including cumulative impacts) due to potential exposure of sensitive receptors to substantial pollutant concentrations or toxic or hazardous air pollutants (Impact AQ-3).

Mitigation: The Final Program EIR identifies two mitigation measures (MM AQ-4 and MM HAZ-1) that will reduce potentially significant impacts to a less than significant level.

MM AQ-4 requires applicants of housing sites located within 500 feet of U.S. Highway 101, for the segment of U.S. Highway 101 between the junction of SR 154 and the junction of SR 217 shall site residential development outside of the 500-foot limits to the maximum extent feasible. Where development cannot feasibly be sited outside of the 500-foot limits, applicants shall be required to incorporate project design measures to reduce or avoid exposure.

MM HAZ-1 requires applicants for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law retain a qualified hazardous materials Environmental Professional to prepare a Phase I Environmental Site Assessment (ESA). The Phase I ESA shall be prepared in accordance with American Society for Testing and Materials (ASTM) Standard Practice E 1527-13 or the Standards and Practices for All Appropriate Inquiry (AAI), prior to any land acquisition, demolition, or construction activities. The Phase I ESA shall identify specific Recognized Environmental Conditions (RECs), if present, which may require further sampling /

remedial activities by a qualified hazardous materials Environmental Professional with Phase II / site characterization experience prior to land acquisition, demolition, and/or construction. The Environmental Professional shall identify proper remedial activities to be implemented by the applicant/owner, if necessary.

Findings: The Board of Supervisors finds that MM AQ-4 and MM HAZ-1 will reduce the identified significant effects on sensitive receptors from exposure to substantial pollutant concentrations or toxic or hazardous air pollutants to a level of insignificance.

Cultural and Tribal Cultural Resources

Impacts: The Final Program EIR identified significant but mitigable impacts (including cumulative impacts) due to: (1) potential physical demolition, destruction, relocation, or alternation of historic resources (Impact CTCR-1); (2) potential disruption, alteration, destruction, or adverse effects on significant archaeological resources (Impact CTCR-2); (3) potential disruption of human remains (Impact CTCR-3); and (4) potential disruption, alteration, destruction, or adverse effects on significant tribal cultural resources (Impact CTCR-4).

Mitigation: The Final Program EIR identifies four mitigation measures (MM CTCR-1, MM CTCR-2, MM CTCR-3, and MM CTCR-4) that will reduce potentially significant impacts to a less than significant level.

MM CTCR-1 requires applications for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall include a Phase I historic resources report if they involve major alteration or demolition of buildings, structures, objects, or places that are generally more than 50 years old and: 1) listed or eligible for listing in the California Register of Historical Resources (CRHR); 2) included in the County's list of Historic Landmarks or Places of Historic Merit under County Code Chapter 18A, Section 18A-3, or; 3) determined by the County to be significant pursuant to criteria for listing on the CRHR (Public Resources Code Section 5024.1). The Phase I report shall include a historic resources inventory and significance evaluation. However, multifamily housing projects that involve minimal interior or exterior modifications to existing structures shall not be required to prepare historic resource reports. Such development may include, but not be limited to, those that do not alter major building features, such as minor roofing repairs with in-kind materials and minor electrical and plumbing improvements that do not involve major changes to interior or exterior walls. If the Phase I report identifies potentially significant historic resources, the owner/applicant shall submit a Phase II report that assesses project impacts and formulates mitigation measures to avoid and preserve the resources through project design and preservation in place. The owner/applicant shall submit a Phase III historic resources report if it is not possible for the project to completely avoid and preserve significant historic resources through project design and preservation in place. The Phase III report shall document the mitigation measures that were carried out and include all related documentation. As needed, the historic resource studies shall identify appropriate protection standards to incorporate into the project design. The owner/applicant shall prepare and submit Phase I, Phase II, and/or Phase III historic resources reports as part of project application materials.

MM CTCR-2 requires applications for multi-family housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall include any existing archaeological resource surveys or reports for the project site. If the project site has not been subject to an archaeological resource survey, or the prior survey does not satisfy the requirements of a Phase I investigation, the owner/applicant shall submit a Phase I archaeological resource report documenting any archaeological resources that adjoin or exist within the project site. If the Phase I report indicates that archaeological resources adjoin or exist within the project site, the project shall avoid and preserve the resources through project design and preservation in place, or the owner/applicant shall submit a Phase II archaeological report that evaluates the significance of the archaeological resources. If the Phase II archaeological report indicates that the archaeological resources are significant, the applicant shall expand the Phase II archaeological report to assess project impacts and formulate mitigation measures to avoid and preserve the resources through project design and preservation in place. If the Phase II archaeological investigation finds that the archaeological resources are significant and potential impacts cannot be avoided through project design and preservation in place, the applicant shall submit a Phase III archaeological report to carry out mitigation measures to recover, analyze, interpret, report, curate, and preserve archaeological data that would otherwise be lost due to unavoidable impacts to significant resources. As needed, the archaeological resource studies shall identify appropriate protection standards to incorporate into the project design. The Phase I, Phase II, and/or Phase III archaeological resource investigations and reports shall be prepared by the owner/applicant and submitted as part of project application materials.

MM CTCR-3 requires that for future residential and mixed use development resulting from the proposed Project and involving ground disturbance, the owner/applicant and/or their agents, representatives, or contractors shall stop or redirect work immediately in the event archaeological, historic, or tribal cultural resources are encountered during grading, construction, landscaping, or other construction-related activity. The owner/applicant shall immediately contact County P&D. Appropriate mitigation to protect and preserve significant archaeological, historic, or tribal cultural resources encountered during construction shall be required and funded by the owner/applicant.

MM CTCR-4 requires that for future residential and mixed use development resulting from the proposed Project and involving ground disturbance, if human remains are accidentally discovered or recognized during construction activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be of Native American descent, the County Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the most likely descendent of the deceased Native American, who shall help determine what course of action should be taken in dealing with the remains. Per PRC Section 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

Findings: The Board of Supervisors finds that MM CTCR-1 through MM CTCR-4 will reduce the identified significant effects on historic, archaeological, and tribal cultural resources to a level of insignificance.

Hazards and Hazardous Materials

Impacts: The Final EIR identified significant but mitigable impacts due to: (1) potential foreseeable upset involving the disturbance of existing soil or groundwater contamination (Impact HAZ-2); (2) potential foreseeable upset involving the disturbance of former oil or gas pipelines or well facilities (Impact HAZ-3); and (3) creation of potential safety hazards to people residing or working in the vicinity of an airport (Impact HAZ-4).

Mitigation: The Final EIR identifies three mitigation measures (MM HAZ-1, MM HAZ-2, and MM HAZ-3) that will reduce potentially significant impacts to a less than significant level.

MM HAZ-1, described above and requiring applicants to prepare a Phase I ESA, would apply.

MM HAZ-2 requires that for future residential and mixed use development resulting from the proposed Project, in the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction at a development site, construction activities in the immediate vicinity of the contamination shall cease immediately. A qualified environmental specialist (e.g., a licensed professional geologist, a licensed professional engineer, or similarly qualified individual) shall conduct an investigation to identify and determine the level of soil and/or groundwater contamination. If contamination is encountered, a Human Health Risk Management Plan shall be prepared and implemented that: 1) identifies the contaminants of concern and the potential risk each contaminant could pose to human health and the environment during construction and post-development; and 2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of the contamination, if any, appropriate agencies shall be notified. If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration (OSHA) and Cal/OSHA requirements shall be prepared and in place prior to the commencement of work in any contaminated area. County permit compliance staff shall ensure that no further disturbance shall occur until the contaminants are identified and a soil management plan and/or remediation plan is prepared and implemented.

MM HAZ-3 requires applications for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall be consistent with the density, height, and open land requirements provided in the Airport Land Use Compatibility Plans (ALUCPs) for airports in Santa Barbara County.

Findings: The Board of Supervisors finds that MM HAZ-1 through MM HAZ-3 will reduce the identified significant effects from disturbance of existing soil or groundwater contamination, disturbance of former oil or gas pipelines or well facilities, and creation of potential safety hazards to people residing or working in the vicinity of an airport to a level of insignificance.

Hydrology and Water Quality

Impacts: The Final EIR identified significant but mitigable impacts (including cumulative impacts) due to the potential for substantial alteration of existing drainage patterns of a site or surrounding area, including through the alteration of a stream or river or through the addition of impervious surfaces (Impact HWR-3).

Mitigation: The Final EIR identifies one mitigation measure (MM HWR-1) that will reduce potentially significant impacts to a less than significant level. MM HWR-1 requires that applications for multifamily housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall address onsite flood hazards to eliminate flood risks to life and property consistent with the Flood Control District's Standard Conditions of Project Plan Approval.

Findings: The Board of Supervisors finds that MM HWR-1 will reduce the identified significant effects on hydrology and water quality from alteration of existing drainage patterns to a level of insignificance.

Noise

Impacts: The Final EIR identified significant but mitigable impacts (including cumulative impacts) due to: (1) generation of temporary construction noise (Impact NOI-1); (2) increases in operational roadway noise volumes and creation of permanent sources of noise from deliveries, trash hauling, parking, and mechanical equipment (Impact NOI-2); and (3) exposure of new residents or workers to excessive airport noise (Impact NOI-4).

Mitigation: The Final EIR identifies three mitigation measures (MM NOI-1, MM NOI-2, and MM T-1) that will reduce potentially significant impacts to a less than significant level.

MM T-1, described above and requiring applicants to implement site design strategies to reduce vehicle trips to and from the project site, would apply.

MM NOI-1 requires that for future residential and mixed use development resulting from the proposed Project, all construction activity, including equipment maintenance and site preparation, shall be limited to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday, or as otherwise specified in a community plan. No construction shall occur on weekends or state holidays. Non-noise-generating construction activities, such as interior plumbing, electrical, drywall, and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

MM NOI-2 requires applications for multi-family housing projects that are proposed on County-owned sites and/or that are subject solely to ministerial review and approval and/or objective standards according to state housing law shall include a site-specific noise study that documents the existing noise conditions on site and recommends attenuation strategies and techniques to address sensitive receptors and achieve acceptable noise levels under County standards. An onsite noise study shall be performed by an acoustical engineer. The noise study shall measure and report the existing ambient Average Day-Night (L_{dn} or CNEL) noise environment within the project site, including transportation noise sources and any transient or nuisance noise sources. Based on project

details, the noise study shall identify and quantify the potential project-related noise sources from construction and operation. All noise control techniques and recommendations in this report shall be incorporated into the project design to reduce exterior noise to at or below 65 dBA and interior noise to at or below 45 dBA. Construction noise assessment shall consider both transient and continuous noise sources, including equipment used by each project phase. Operational noise shall consider both stationary noise, including HVAC and utilities, and transportation noise, including permanent increases in roadway noise and periodic peak noise from trucks and other services, and airport noise.

Findings: The Board of Supervisors finds that MM NOI-1, MM NOI-2, and MM T-1 will reduce the identified significant effects of noise from temporary construction activities, operational roadway noise, new permanent sources of noise, and excessive airport noise to a level of insignificance.

Transportation

Impacts: The Final Program EIR identified significant but mitigable impacts (including cumulative impacts) due to: (1) potential conflicts with regional transportation plans, or County transportation plans, policies, or regulations (Impact T-1); and (2) adverse changes to the transportation safety environment (Impact T-3).

Mitigation: The Final Program EIR identifies three mitigation measures (MM T-1, MM T-2, and MM T-3) that will reduce potentially significant impacts to a less than significant level.

MM T-1, described above and requiring applicants to implement site design strategies to reduce vehicle trips to and from the project site, would apply.

MM T-2, requires applicants for housing projects to prepare, implement, and maintain a Construction Traffic and Access Management Plan to address and manage traffic during construction. The Construction Traffic and Access Management Plan shall be designed to: prevent traffic impacts on the surrounding roadway network and ensure safety for both those constructing the project and the surrounding community.

MM T-3 described above and requiring the County update the funding and fee mitigation programs and require previously identified transportation improvements as mitigation for the proposed Project, where feasible, would apply.

Findings: The Board of Supervisors finds that MM T-1, MM T-2, and MM T-3 will reduce the identified significant effects of transportation from potential conflicts with regional and local plans, policies, or regulations and adverse changes in the transportation safety environment to a level of insignificance.

1.1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES ARE NOT FEASIBLE

The final Program EIR (23EIR-00004) analyzed the potential environmental impacts from the maximum buildout scenario (i.e., all potential sites). The approved project includes the Board of Supervisor’s final selection of rezone sites and County-owned sites approved at its public hearing on May 3, 2024, which were analyzed in the Final Program EIR.

The Final Program EIR (23EIR-00004) evaluated a no project alternative and four additional alternatives as follows:

- No Project Alternative. Assesses the effects of not implementing the 2023-2031 HEU.
- Sustainable Communities Strategy Alternative. Assesses the effects of siting new housing on rezone sites in the high-quality transit corridor (HQTC) within the South Coast as well as the Santa Maria Valley.
- Reduced Project Alternatives A, B, and C. The 2023-2031 HEU includes more sites than necessary to accommodate the Regional Housing Needs Allocation (RHNA) plus the 15 percent buffer. Each of these alternatives reduces the number of rezone sites in different combinations but still accommodates the RHNA plus the 15 percent buffer.

The Board of Supervisors finds that the identified alternatives are infeasible for the reasons stated below.

1. No Project Alternative

The No Project Alternative assumes that the Housing Element Update is not implemented and that the County would not achieve the state-mandated 6th Cycle 2023-2031 RHNA. Under the No Project Alternative, future residential growth within the unincorporated county would continue under existing adopted plans, policies, and regulations. However, the goals, policies, and programs identified in the Housing Element Update, including Program 1 (i.e., the Potential Rezone Program) as well as facilitation of the development of housing on County-owned sites would not be implemented.

The No Project Alternative would not result in any similar or greater impacts to resources relative to the Project.

The No Project Alternative would result in reduced impacts (i.e., substantially less adverse and less adverse) relative to the Project in the following issue areas:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality

- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Utilities and Water supply
- Wildfire

The No Project Alternative fails to achieve the basic project objectives of the proposed Project. While the No Project Alternative’s potential buildout of 7,125 units would exceed the overall level of residential development required under the RHNA, without the programs and incentives included in the Housing Element Update, the residential development enabled under existing zoning regulations would not achieve the state-mandated lower- and moderate-income affordability targets. Furthermore, the majority of residential development under the No Project Alternative would occur within the North County, and residential development would fall short of the County’s RHNA for the South Coast. Thus, the No Project Alternative would not achieve Project Objectives and would be inconsistent with state housing and general plan laws mandating the adoption and implementation of a Housing Element Update for the 6th Cycle RHNA. Therefore, the Board of Supervisors finds that the No Project Alternative is infeasible.

2. Alternative 2: Sustainable Communities Strategy

The Sustainable Communities Strategy Alternative, similar to the proposed Project, would implement all the same project components, including the Housing Element Update goals, policies, and programs. The Sustainable Communities Strategy Alternative, designed to better align with the Connected 2050 RTP/SCS and the SB 375 targets, removes 10 potential rezone sites that significantly increase vehicle miles traveled. Under this alternative, rezone sites would be located within or proximate to the Hollister Avenue High Quality Transit Corridor (HQTC) in the South Coast and within the Santa Maria Valley (the most VMT-efficient region of the North County). The following potential rezone sites considered under the proposed Project would be eliminated and the residential buildout of these sites would be reallocated to rezoned sites with a corresponding higher density in order to provide for the same level of overall development in a more concentrated area.

South Coast Rezone Sites Eliminated from the Potential Rezone Program:

- Site No. 11 (Glen Annie)
- Site No. 12 (St. Vincent’s -East)
- Site No. 13 (St. Vincent’s -West)
- Site No. 15 (Van Wingerden 1)

- Site No. 16 (Van Wingerden 2)

North County Rezone Sites Eliminated from the Potential Rezone Program:

- Site No 32 (Fong 1)
- Site No. 33 (Fong 2)
- Site No. 34 (Alexander 1)
- Site No. 35 (Chumash LLC)
- Site No. 36 (Blue Sky Center)

The Sustainable Communities Strategy Alternative would result in greater impacts on the following resources relative to the Project:

- Noise
- Public Services and Recreation

The Sustainable Communities Strategy Alternative would result in similar impacts on the following resources relative to the project:

- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Hazards and Hazardous Materials
- Population and Housing

The Sustainable Communities Strategy Alternative would result in reduced impacts (i.e., substantially less adverse or less adverse) on the following resources relative to the proposed Project:

- Aesthetics and Visual Resources
- Agricultural Resources
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Transportation
- Utilities and Water Supply

- Wildfire

The Sustainable Communities Strategy Alternative reduces the severity of the impacts to 8 environmental resource areas compared to the proposed Project. Of these resources, 7 are significant and unavoidable. Hydrology and water quality impacts concerning groundwater supplies and management would be reduced from significant and unavoidable to insignificant impacts because of the elimination of some rezone sites that overly medium- or high-priority groundwater basins. However, the reduction would not be substantial enough to eliminate the remaining significant and unavoidable impacts of this alternative as compared to the proposed Project. Additionally, the Sustainable Communities Strategy Alternative meets the project objectives but to a lesser extent than the proposed Project. Project Objective 5 - promote equal housing opportunities and locational choices for all persons in all housing types - would be achieved to a lesser degree than the proposed Project because the elimination of potential rezone sites from the Lompoc Valley, Santa Ynez Valley, Cuyama Valley, and Carpinteria Valley, and the associated consolidation of high-density housing in the South Coast and Santa Maria Valley would potentially reduce the diversity and locational choices of housing. Project Objective 10 - ensure new housing sites have adequate infrastructure and do not face significant environmental constraints - would be achieved to a lesser degree than the proposed Project because this alternative would concentrate potential development in the South Coast (i.e., Eastern Goleta Valley) and Santa Maria Valley and their respective utility provider service areas. This could result in environmental constraints and limits to water and wastewater utilities. Overall, this alternative does not substantially lessen significant environmental effects and fails to achieve the project objectives to the same degree as the proposed Project. Since this alternative would result in less desirable housing options without substantially reducing significant impacts, it has been deemed infeasible for social, economic, and other reasons. The Board of Supervisors finds that the Board of Supervisors' final selection of rezone sites and County-owned sites better balances the project objectives against the unavoidable substantial environmental impacts that would result from any of the reduced project alternatives. Therefore, the Board of Supervisors finds that the approved project is preferable to the Sustainable Communities Strategy Alternative.

3. Alternative 3: Reduced Project A

Reduced Project A is similar in most respects to the proposed Project as it would implement all the same project components, including the Housing Element Update goals, policies, and programs. However, the Reduced Project A Alternative would involve a modified sites inventory that includes fewer sites for consideration for rezoning under the Potential Rezone Program. Specifically, under the Reduced Project A Alternative, the following sites would not be considered for rezoning:

South Coast Sites Eliminated from the Potential Rezone Program:

- Site No. 2 (St. Athanasius Church)
- Site No. 3 (Scott)
- Site No. 4 (Ekwill)
- Site No. 5 (Caird 1)

- Site No. 6 (Caird 2)
- Site No. 7 (Caird 3)

North County Sites Eliminated from the Potential Rezone Program:

- Site No. 24 (Key Site 26)
- Site No. 26 (North Point HOA)
- Site No. 27 (Boys and Girls Club)

Reduced Project A would result in greater impacts on transportation resources relative to the proposed Project.

Reduced Project A would result in similar impacts on the following resources relative to the proposed Project:

- Biological Resources
- Cultural and Tribal Cultural Resources
- Land Use and Planning
- Wildfire

Reduced Project A would result in reduced impacts (i.e., substantially less adverse or less adverse) on the following resources relative to the proposed Project:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services and Recreation
- Utilities and Water Supply

Reduced Project A is identified as the Environmentally Superior Alternative in the Program EIR as it reduces impacts to the greatest extent compared to the other three alternatives. Reduced Project A reduces the severity of the impacts to 11 resource areas compared to the proposed Project. Of these 11 resource areas, 7 are significant and unavoidable. However, the reduction would not be substantial enough to eliminate the significant and unavoidable impacts and in most cases, the reduction in impacts was largely a result of the reduced number of rezone sites selected under this alternative compared to the maximum buildout scenario (i.e., all potential sites) that was analyzed under the proposed Project. Therefore, the adopted project will more closely resemble the impacts of a reduced project alternative following Board selection of the rezone sites with lower buildout potential than what was evaluated in the EIR. Additionally, Reduced Project A Alternative meets the project objectives but to a lesser extent than the proposed Project. Project Objective 3 - promote a jobs-to-housing balance countywide - would be achieved but to a lesser degree compared to the proposed Project because this alternative eliminates 9 potential rezone sites within the South Coast and the Santa Maria Valley, which are the primary job centers in the county. Since this alternative would result in less desirable housing options without substantially reducing significant impacts, it has been deemed infeasible for social, economic, and other reasons. The Board of Supervisors finds that the Board of Supervisors' final selection of rezone sites and County-owned sites better balances the project objectives against the unavoidable substantial environmental impacts that would result from any of the reduced project alternatives. Therefore, the Board of Supervisors finds that the approved project is preferable to Reduced Project A Alternative.

4. Alternative 4: Reduced Project B

Reduced Project B is similar in most respects to the proposed Project as it would implement all the same project components, including the Housing Element Update goals, policies, and programs. However, the Reduced Project B Alternative would involve a modified sites inventory that includes fewer sites for consideration for rezoning under the Potential Rezone Program. Specifically, under the Reduced Project B Alternative, the following sites would not be considered for rezoning:

South Coast Sites Eliminated from Potential Rezone Program:

- Site No. 2 (St. Athanasius Church)
- Site No. 3 (Scott)
- Site No. 4 (Ekwill)
- Site No. 11 (Glen Annie)

North County Sites Eliminated from Potential Rezone Program:

- Site No. 19 (Key Site 1)
- Site No. 23 (Key Site 16)

In addition to the removal of these sites from consideration for rezoning, the Reduced Project B Alternative would modify the potential residential zoning district for Rezone Site No. 24 (Key Site

26) from DR-30/40 under the proposed Project to DR-20/30, thereby decreasing the capacity for housing on this site under this alternative.

Reduced Project B would result in greater impacts on transportation resources relative to the proposed Project.

Reduced Project B would result in similar impacts on the following resources relative to the proposed Project:

- Biological Resources
- Cultural and Tribal Cultural Resources
- Land Use and Planning
- Population and Housing

Reduced Project B would result in similar impacts on the following resources relative to the proposed Project:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services and Recreation
- Utilities and Water Supply
- Wildfire

Reduced Project B reduces the severity of the impacts to 11 resource areas compared to the proposed Project. Of these 11 resource areas, 7 are significant and unavoidable. However, the reduction would not be substantial enough to eliminate the significant and unavoidable impacts and in most cases, the reduction in impacts was largely a result of the reduced number of rezone sites selected under this alternative compared to the maximum buildout scenario (i.e., all potential sites) that was analyzed under the proposed Project. Therefore, the adopted project will more closely resemble the impacts of a reduced project alternative following Board selection of the rezone sites with lower buildout potential than what was evaluated in the EIR. Additionally, Reduced Project B Alternative

meets the project objectives but to a lesser extent than the proposed Project. Project Objective 3 - promote a jobs-to-housing balance countywide - would be achieved but to a lesser degree compared to the proposed Project because this alternative eliminates 6 potential rezone sites and reduces the density of one potential rezone site within the South Coast and the Santa Maria Valley, which are the primary job centers in the county. Since this alternative would result in less desirable housing options without substantially reducing significant impacts, it has been deemed infeasible for social, economic, and other reasons. The Board of Supervisors finds that the Board of Supervisors’s final selection of rezone sites and County-owned sites better balances the project objectives against the unavoidable substantial environmental impacts that would result from any of the reduced project alternatives. Therefore, the Board of Supervisors finds that the approved project is preferable to Reduced Project B Alternative.

5. Alternative 5: Reduced Project C

Reduced Project C is similar in most respects to the proposed Project as it would implement all the same project components, including the Housing Element Update goals, policies, and programs. However, the Reduced Project C Alternative would involve a modified sites inventory that includes fewer sites for consideration for rezoning under the Potential Rezone Program. Specifically, under the Reduced Project C Alternative, the following sites would not be considered for rezoning:

South Coast Sites Eliminated from Potential Rezone Program:

- Site No. 1 (Giorgi)
- Site No. 10 (McCloskey Lelande)
- Site No. 17 (Montessori)

North County Sites Eliminated from Potential Rezone Program:

- Site No. 21 (Key Site 10)
- Site No. 22 (Key Site 11)

In addition to the removal of these sites from consideration for rezoning, the Reduced Project C Alternative would modify the potential residential zoning district for Rezone Site No. 23 (Key Site 16) from DR-30/40 under the proposed Project to DR-20/30, thereby decreasing the capacity for housing on this site under this alternative.

Reduced Project C would result in greater impacts on transportation resources relative to the proposed Project.

Reduced Project C would result in similar impacts on the following resources relative to the proposed Project:

- Biological Resources
- Cultural and Tribal Cultural Resources

- Land Use and Planning
- Population and Housing

Reduced Project C would result in similar impacts on the following resources relative to the proposed Project:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services and Recreation
- Utilities and Water Supply
- Wildfire

Reduced Project C reduces the severity of the impacts to 11 resource areas compared to the proposed Project. Of these 11 resource areas, 7 are significant and unavoidable. However, the reduction would not be substantial enough to eliminate the significant and unavoidable impacts and in most cases, the reduction in impacts was largely a result of the reduced number of rezone sites selected under this alternative compared to the maximum buildout scenario (i.e., all potential sites) that was analyzed under the proposed Project. Therefore, the adopted project will more closely resemble the impacts of a reduced project alternative following Board selection of the rezone sites with lower buildout potential than what was evaluated in the EIR. Additionally, Reduced Project C Alternative meets the project objectives but to a lesser extent than the proposed Project. Project Objective 3 - promote a jobs-to-housing balance countywide - would be achieved but to a lesser degree compared to the proposed Project because this alternative eliminates 5 potential rezone sites and reduces the density of one potential rezone site within the South Coast and the Santa Maria Valley, which are the primary job centers in the county. Since this alternative would result in less desirable housing options without substantially reducing significant impacts, it has been deemed infeasible for social, economic, and other reasons. The Board of Supervisors finds that the Board of Supervisors' final selection of rezone sites and County-owned sites better balances the project objectives against the unavoidable substantial environmental impacts that would result from any of the reduced project alternatives. Therefore, the Board of Supervisors finds that the approved project is preferable to Reduced Project C Alternative.

2.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The 2023-2031 HEU Program EIR analyzes the potential environmental impacts associated with implementation of the HEU’s goals, policies, and programs, including the rezone programs. Specifically, the EIR describes and analyzes the project’s impacts on 16 resource areas, such as agricultural resources, air quality, biological resources, and transportation. It also describes five alternatives and 26 mitigation measures to reduce the project’s significant adverse environmental impacts. Nonetheless, the EIR concludes that the project and the environmentally superior alternative (Reduced Project Alternative A) would have significant and unavoidable impacts on 11 resource areas.

CEQA allows jurisdictions to approve projects that would cause significant adverse environmental impacts. Specifically, CEQA Guidelines Section 15093(a) states,

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits ... of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

As explained below, the project’s legal, social, economic, and environmental benefits outweigh its significant and unavoidable impacts. Legal benefits include compliance with State housing law. Social and economic benefits include increasing the supply of affordable housing and addressing the job/housing imbalance. Environmental benefits include reducing greenhouse gas emissions and VMTs. Given these benefits, the adverse environmental effects may be considered acceptable, and the Board of Supervisors may certify the Program EIR and approve the project.

Legal Benefits

The Housing Element is a State-mandated “element” of the Comprehensive Plan. Its principal purpose is to accommodate existing and projected housing needs for all residents of the unincorporated county, including special needs groups and lower-income households. State housing law requires that the County of Santa Barbara (County) update its Housing Element every eight years.

On December 5, 2023, the Board of Supervisors adopted the 2023-2031 HEU. Chapters 1 through 4 identify housing needs, opportunities, and constraints. Chapter 5 presents goals, policies, and 25 programs that the County will implement to address its housing needs. On January 22, 2024, the California Department of Housing and Community Development (State HCD) notified the County that the 2023-2031 HEU was in substantial compliance with State housing law.

State housing law requires that the County accommodate its fair share of the region’s housing needs, or RHNA. The County’s 2023-2031 RHNA totals 5,664 housing units. These units fall into four income levels (i.e., very low, low, moderate, and above moderate) and two sub-regions – South Coast and North County. (State HCD and the County use the term “lower-income” to refer to the combined very low- and low-income levels.) The 2023-2031 HEU’s sites inventory shows that the County lacks sufficient sites under current zoning to meet its RHNA for the lower and moderate-

income levels. The County also lacks sufficient sites to accommodate a 15 percent buffer for the lower- and moderate-income units. Tables 1 and 2, below, show the RHNA, surpluses, and shortfalls by income level and sub-region. The shortfall totals 3,008 units, including 2,151 lower-income units and 857 moderate-income units.

Table 1 – North County 2023-2031 RHNA Shortfall and Surplus by Income Level

Sub-Region/Method of Meeting the RHNA	Units by Income Level		
	Lower	Moderate	Above Moderate
North County			
RHNA	807	229	486
RHNA + 15% Buffer	928	263	486
Current Capacity (Vacant Sites, ADUs, and Pending Projects)	441	520	1,730
Surplus (+)/Shortfall (-) ¹	-487	+257	+1,244

¹ Surpluses and shortfalls reflect RHNA plus a 15 percent buffer. Cells in red indicate a unit shortfall. Cells in green indicate a unit surplus.

Table 2 – South Coast 2023-2031 RHNA Shortfall and Surplus by Income Level

Sub-Region/Method of Meeting the RHNA	Units by Income Level		
	Lower	Moderate	Above Moderate
South Coast			
RHNA	1,766	1,051	1,325
RHNA + 15% Buffer	2,030	1,208	1,325
Current Capacity (Vacant Sites, ADUs, and Pending Projects)	366	351	2,110
Surplus (+)/Shortfall (-) ¹	-1,664	-857	+785

¹ Surpluses and shortfalls reflect RHNA plus a 15 percent buffer. Cells in red indicate a unit shortfall. Cells in green indicate a unit surplus.

Government Code Section 65583(c)(1) requires that the County rezone sites or take other actions to fully accommodate the shortfall of lower- and moderate-income units. Program 1 in Chapter 5 of the 2023-2031 HEU states that the County shall “complete redesignation/rezoning of adequate sites to fully accommodate the 2023-2031 RHNA plus the 15 percent buffer for lower- and moderate-income households.” Program 2 requires that the County rezone certain sites included in prior housing elements if it relies on those sites to accommodate its RHNA for lower-income units. State HCD has reiterated this requirement. State HCD’s letter to the County dated January 22, 2024, states, “... programs to make prior identified sites available or rezone to address a shortfall of capacity to accommodate the regional housing need allocation (RHNA) (e.g., Programs 1 (Adequate Sites for RHNA and Monitoring of No Net Loss) ... must be completed ...”

Government Code Sections 65585(i) through (n) authorize State HCD to pursue significant legal and financial penalties if the County fails to complete the rezones necessary to accommodate its 2023-2031 RHNA. For example, Government Code Section 65585(l) authorizes the Attorney General to pursue a court order or judgement to enforce State housing law and to pursue fines ranging from \$10,000 to \$100,000 per month. To comply with State housing law and Programs 1 and 2, the County must accommodate the shortfall of lower- and moderate-income units (plus the

15 percent buffer) for lower- and moderate-income units through a combination of rezones (i.e., change land use and/or increase residential density) and housing development on County-owned sites. The 2023-2031 HEU identifies more potential rezone sites and County-owned sites than necessary to accommodate the RHNA plus the 15 percent buffer.

The project's legal benefits include accommodating the County's 2023-2031 RHNA as required by Government Code Section 65583(c)(1) and Programs 1 and 2, and implementing the 2023-2031 HEU's other 23 programs as required by Government Code Section 65583. These actions will help ensure that the 2023-2031 HEU remains in substantial compliance with State housing law, and, as a result, avoid significant legal and financial penalties as allowed by Government Code Sections 65585(i) through (n). Therefore, the legal benefits of the project outweigh its significant and unavoidable environmental impacts on 11 resource areas, and the adverse environmental effects may be considered acceptable.

Social and Economic Benefits

California and Santa Barbara County are experiencing a severe and prolonged housing crisis. As stated in Government Code Section 65580(a), the State legislature has found that "the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian ... is a priority of the highest order." The median home price in Santa Barbara County is nearly twice the statewide median. In 2022, the median home price in the county was \$1,072,500. However, in 2021, the average annual salary was \$62,020. As a result, the majority of the workforce in critical services (e.g., agriculture, healthcare, public safety, and education) struggle to afford local housing or live long distances from their job sites. For example, 55 percent of renters are cost burdened, which means they pay more than 30 percent of their income on housing. Each day approximately 31,000 workers commute to the South Coast from areas with more affordable housing.

Inadequate housing supply is a principal cause of the housing crisis. To increase production and comply with State housing law, the County needs to select and/or adopt a combination of rezones sites and County-owned sites for new housing development during the 2023-2031 housing element planning period. Development of these sites will have significant and unavoidable environmental impacts on 11 resource areas. Nonetheless, these actions and implementation of the 2032-2031 HEU's goals, policies, and programs are essential to increasing housing supply and social stability, and reducing housing costs and overcrowding throughout the unincorporated county.

Cities in the South Coast form the job center of the county; they host 60 percent of the region's jobs. Job growth has long outpaced housing production in the South Coast. This pattern has fueled higher demand for housing and, in turn, higher housing costs throughout the South Coast. For example, median home prices are significantly higher in the South Coast compared to the North County, \$1,581,000 versus \$565,000, respectively, in 2022. As a result, in 2019, approximately 31,300 workers per day commuted to the South Coast from the North County and Ventura County where housing is more affordable. Long commutes were especially concentrated among lower-income workers.

Long commutes result in negative social and economic effects. For example, individuals spend more time in their vehicles and may experience less leisure time, community involvement, and overall quality of life. Long commutes may also lower worker productivity and make it difficult for

employers to recruit and retain workers. To help address these effects, the *Regional Housing Needs Allocation Plan* (Santa Barbara County Association of Governments, July 2021) directly addresses the imbalance between jobs and housing in the South Coast. Specifically, it assigns 74 percent of the County’s 2023-2031 RHNA to the South Coast. It also allocates the greatest number of lower-income units to the South Coast subregion and cities with the largest shares of the region’s jobs. A principal outcome is additional housing, especially affordable housing, closer to the county’s job center.

The project’s goals, policies, and programs, including the rezone programs, will boost housing production throughout the unincorporated county. The requirement for significantly more housing in the South Coast targets the portion of the unincorporated county with the greatest housing needs. Combined, the social and economic benefits of the project outweigh its significant and unavoidable environmental impacts on 11 resource areas, and the adverse environmental effects may be considered acceptable.

Environmental Benefits

As explained in Social and Environmental Benefits, above, large numbers of workers commute long distances to job sites in the South Coast. Long distance commutes increase fossil fuel consumption and, consequently, generate greenhouse gas emissions, reduce air quality, and contribute to climate change. To help address this issue and the county’s job/housing imbalance, the *Regional Housing Needs Allocation Plan* allocates 74 percent of the County’s 2023-2031 RHNA to the South Coast. New housing opportunities in the South Coast will allow more workers to live closer to their job sites. The benefits include shorter commutes and reduced greenhouse gas emissions. Therefore, the environmental benefits of the project outweigh its significant and unavoidable environmental impacts on 11 resource areas, and the adverse environmental effects may be considered acceptable.

3.0 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be enforceable through permit conditions, agreements, or other measures.

The EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. Therefore, the degree of specificity in the EIR corresponds to the specificity of the general or program level policies of the proposed Project and to the effects that may be expected to follow from the adoption of the proposed Project. Similarly, the mitigation measures provided in the EIR are programmatic in nature and take one of the following forms: 1) amendments to specific County plans and regulations, including the County’s existing Zoning Ordinances as well as funding and fee mitigation programs; 2) mitigation measures that apply directly to all applicable projects that implement the Housing Element Update; 3) specific quantifiable and objective standards that apply to by-right projects processed through a ministerial permit in compliance with Program 2 (Use By Right Approval) of the Housing Element Update.

Pursuant to Section 15091(a)(1) of the CEQA Guidelines, the Board of Supervisors adopted all mitigation measures identified in the Final Program EIR (23EIR-00004) by the Board of

Supervisors. The Board of Supervisors finds that implementation of the mitigation measures specified in the EIR would substantially reduce the significant environmental effects resulting from the implementation of the proposed Project, though several impacts remain significant and unavoidable. In accordance with Section 15091(d) and Section 15097 of the CEQA Guidelines, the Board of Supervisors adopted the Mitigation, Monitoring, and Reporting Program – including all mitigation measures, plan requirements, timing, and monitoring requirements.

4.0 ADMINISTRATIVE FINDINGS

4.1 AMENDMENTS TO THE COMPREHENSIVE PLAN, DEVELOPMENT CODE AND COUNTY ZONING MAP (REZONE) FINDINGS

Findings required for all amendments to the Comprehensive Plan, Development Code, and the County Zoning Map. In compliance with Section 35.104.060 of the County Land Use and Development Code (LUDC), prior to the approval or conditional approval of an Amendment to the Comprehensive Plan, Development Code, or Zoning Map, the review authority shall first make all of the following findings, as applicable:

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

As discussed in Section 8.0 and Attachment 16 (a review of the 2023-2031 HEU Rezone Amendments’ consistency with applicable Comprehensive Plan policies) of the Board Agenda Letter dated April 30, 2024, and herein incorporated by reference, the 2023-2031 HEU Rezone Amendments are in the interests of the general community welfare by providing new opportunities and streamlined permit procedures for the development of new and affordable housing. Santa Barbara County is experiencing one of the nation's most severe housing crises, including high costs, inadequate supply, and overcrowding. The 2023-2031 HEU Update Rezone Amendments implement three programs of the 2023-2031 HEU (adopted by the Board of Supervisors on December 5, 2023 and determined to be in substantial compliance with State housing element law by State HCD on January 22, 2024). Program 1 is implemented by the rezoning of sufficient sites with a minimum density of 20 units per acre and identification of nine County-owned sites that together accommodate the County’s share of the region’s housing needs, or RHNA, plus a 15 percent buffer for the lower- and moderate-income levels. Amendments to the Land Use Element and relevant community plans ensure consistency between the HEU rezones and the remainder of the Comprehensive Plan. In addition, the project implements Program 2 by amending the LUDC to establish streamlined ministerial permit processes for qualifying projects under State housing law and implements Program 3 by adding language to the LUDC to address the replacement of housing units on non-vacant sites identified in the HEU. Together, these rezones and amendments implement the adopted 2023-2031 HEU.

The State of California has declared that “[t]he availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order” [GC Section 65580(a)]. The State has also declared that “[l]ocal and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community” [GC Section 65580(d)]. To that end, the Rezone Amendments help meet the housing needs of all segments of the

community by facilitating and removing barriers to housing development in general and affordable housing in particular, address the County’s share of regional housing needs, and comply with State housing element law. Therefore, the amendments are in the interests of the general community welfare, as all residents of the county deserve access to high-quality, affordable housing, and this finding can be made.

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

As discussed in Section 8.0 and Attachment 16 of the Board Agenda Letter dated April 30, 2024, and incorporated herein by reference, the project is consistent with the Comprehensive Plan, State planning and zoning laws, and the LUDC.

Program 1 of the 2023-2031 HEU directs the County to rezone enough land to higher densities to fully accommodate the county’s RHNA plus a 15 percent buffer for the lower- and moderate-income levels. Program 1 also directs the County to support housing for all segments of the community, increase housing supply, and allow for the development of the County’s fair share of affordable housing. To implement Program 1, the 2023-2031 HEU Rezone Amendments project rezones numerous sites identified in the HEU to high density residential zones. The project also amends the Comprehensive Plan and applicable community plans, including land use maps, and certain site-specific policies and development standards, to revise land use designations, increase the allowable residential density, and adjust the Urban/Rural boundary. As a result, the 2023-2031 HEU Rezone Amendments project is consistent with the comprehensive plan and the mandatory requirements of State housing element law.

In addition, the 2023-2031 HEU Rezone Amendments amend the LUDC to implement Programs 2 and 3 of the adopted 2023-2031 HEU, which, respectively, establish streamlined ministerial permit processes for qualifying projects under State housing element law and add language to the LUDC to address the replacement of housing units on non-vacant sites identified in the HEU. These amendments are focused on housing element compliance and would not affect other sections of the LUDC, and thus are consistent with the remaining portions of the LUDC that are not revised by this project. In the future, individual projects developed in compliance with the amendments will also be assessed for consistency with all applicable requirements of the 2023-2031 HEU, the Comprehensive Plan, and the LUDC. As a result, the amendments are consistent with the LUDC.

The adopted 2023-2031 HEU was determined to be in substantial compliance with State housing element law by State HCD on January 22, 2024, and, therefore, is consistent with State planning and zoning laws. As discussed above, the amendments are consistent with the adopted 2023-2031 HEU, and, by extension, the amendments are also consistent with State planning and zoning laws. Therefore, the amendments are consistent with the Comprehensive Plan, State planning and zoning laws, and the County LUDC, and this finding can be made.

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

The 2023-2031 HEU Rezone Amendments are consistent with good zoning and planning practices. The amendments implement Programs 1, 2, and 3 of the recently adopted 2023-2031 HEU, which (1) rezone eligible properties to higher densities to fully accommodate the county’s RHNA plus the

15 percent buffer, support housing for all segments of the community, and increase housing supply, (2) establish streamlined ministerial permit processes for qualifying projects under State housing element law, and (3) add language to the LUDC to address the replacement of housing units on non-vacant sites identified in the HEU. The 2023-2031 HEU Rezone Amendments incorporate these provisions to help increase the housing supply, provide more diverse housing types, foster infill development, and site new residential development near existing services, utilities, and public transit. Therefore, the amendments are consistent with good zoning and planning practices, and this finding can be made.

4.1.4 The request is deemed to be in the public interest.

As discussed in Section 8.0 or Attachment 16 of Board Agenda Letter dated April 30, 2024, and herein incorporated by reference, the 2023-2031 HEU Rezone Amendments project is deemed to be in the public interest. The State has declared that “[t]he availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order” [GC Section 65580(a)]. The State has also declared that “[l]ocal and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community” [GC Section 65580(d)]. To that end, the County prepared this package of amendments to the Comprehensive Plan, including community plans, rezones, and LUDC amendments, to implement Programs 1, 2, and 3 of the recently adopted 2023-2031 HEU, which remove barriers to housing development and facilitate housing development for all segments of the community. Therefore, the 2023-2031 HEU Rezone Amendments project is in the public interest, as all residents of the county deserve access to high-quality, affordable housing, and this finding can be made.

4.2 AMENDMENT TO ARTICLE II, LOCAL COASTAL PROGRAM, OR ZONING MAP AMENDMENT (REZONE) FINDINGS

Findings required for All Amendments to the Article II Zoning Ordinance, the Local Coastal Program, and the County Zoning Map. In compliance with Section 35-180.6 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an Amendment to the Article II Zoning Ordinance, the Local Coastal Program (including the Coastal Land Use Plan) or the County Zoning Map, the decision-maker shall first make all of the following findings:

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

As discussed in Section 8.0 and Attachment 16 (a review of the 2023-2031 HEU Rezone Amendments’ consistency with applicable Comprehensive Plan policies) of the Board Agenda Letter dated April 30, 2024, and herein incorporated by reference, the 2023-2031 HEU Rezone Amendments are in the interests of the general community welfare by providing new opportunities and streamlined permit procedures for the development of new and affordable housing. Santa Barbara County is experiencing one of the nation's most severe housing crises, including high costs, inadequate supply, and overcrowding. The 2023-2031 HEU Update Rezone Amendments implement three programs of the 2023-2031 HEU (adopted by the Board of Supervisors on December 5, 2023 and determined to be in substantial compliance with State housing element law by State HCD on January 22, 2024). Program 1 is implemented by the rezoning of sufficient sites,

with a minimum density of 20 units per acres and identification of nine County-owned sites that together accommodate the County’s share of the region’s housing needs, or RHNA, plus a 15 percent buffer for the lower- and moderate-income levels. Amendments to the Land Use Element and relevant community plans ensure consistency between the HEU rezones and the remainder of the Comprehensive Plan. In addition, the project implements Program 2 by amending the LUDC to establish streamlined ministerial permit processes for qualifying projects under State housing law and implements Program 3 by adding language to the LUDC to address the replacement of housing units on non-vacant sites identified in the HEU. Together, these rezones and amendments implement the adopted 2023-2031 HEU.

The State of California has declared that “[t]he availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order” [GC Section 65580(a)]. The State has also declared that “[l]ocal and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community” [GC Section 65580(d)]. To that end, the County Rezone Amendments help meet the housing needs of all segments of the community by facilitating and removing barriers to housing development in general and affordable housing in particular, address the County’s share of regional housing needs, and comply with State housing element law. Therefore, the amendments are in the interests of the general community welfare, as all residents of the county deserve access to high-quality, affordable housing, and this finding can be made.

4.2.2 The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of the State planning and zoning laws, and this Article.

As discussed in Section 8.0 and Attachment 16 of the Board Agenda Letter dated April 30, 2024, and incorporated herein by reference, the project is consistent with the Comprehensive Plan, Coastal Land Use Plan, State planning and zoning laws, and Article II, the Coastal Zoning Ordinance (CZO).

Program 1 of the 2023-2031 HEU directs the County to rezone enough land to higher densities to fully accommodate the county’s RHNA plus a 15 percent buffer for the lower- and moderate-income levels. Program 1 also directs the County to support housing for all segments of the community, increase housing supply, and allow for the development of the County’s fair share of affordable housing. To implement Program 1, the 2023-2031 HEU Rezone Amendments project rezones numerous sites identified in the HEU to high density residential zones. The project also amends the Comprehensive Plan and applicable community plans, including land use maps, and certain site-specific policies and development standards, to revise land use designations, increase the allowable residential density, and adjust the Urban/Rural boundary. As a result, the 2023-2031 HEU Rezone Amendments project is consistent with the comprehensive plan and the mandatory requirements of State housing element law.

In addition, the 2023-2031 HEU Rezone Amendments amend the CZO to implement Programs 2 and 3 of the adopted 2023-2031 HEU, which, respectively, establish streamlined ministerial permit processes for qualifying projects under State housing law and add language to the CZO to address the replacement of housing units on non-vacant sites identified in the HEU. These amendments are

focused on housing element compliance and would not affect other sections of the CZO, and thus are consistent with the remaining portions of the CZO that are not revised by this project. In the future, individual projects developed in compliance with the amendments will also be assessed for consistency with all applicable requirements of the 2023-2031 HEU, the Comprehensive Plan, and the CZO. As a result, the amendments are consistent with the CZO.

The adopted 2023-2031 HEU was determined to be in substantial compliance with State housing element law by State HCD on January 22, 2024 and therefore is consistent with State planning and zoning laws. As discussed above, the 2023-2031 HEU Rezone Amendments are consistent with the adopted 2023-2031 HEU, and therefore, by extension, the 2023-2031 HEU Rezone Amendments are also consistent with State planning and zoning laws. Therefore, the 2023-2031 HEU Rezone Amendments are consistent with the Comprehensive Plan, the Coastal Land Use Plan, State planning and zoning laws, and Article II, and this finding can be made.

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

The 2023-2031 HEU Rezone Amendments are consistent with good zoning and planning practices. The amendments implement Programs 1, 2, and 3 of the adopted 2023-2031 HEU, which (1) rezones eligible properties to higher densities to fully accommodate the County’s RHNA plus the 15 percent buffer, support housing for all segments of the community, and increase housing supply, (2) establishes streamlined ministerial permit processes for qualifying projects under State housing law, and (3) adds language to Article II to address the replacement of housing units on non-vacant sites identified in the HEU. The 2023-2031 HEU Rezone Amendments incorporate these provisions to help increase the housing supply, provide more diverse housing types, foster infill development, and site new residential development near existing services, utilities, and public transit. Therefore, the amendments are consistent with good zoning and planning practices, and this finding can be made.

4.2.4 The request is deemed to be in the public interest.

As discussed in Section 8.0 or Attachment 16 of the Board Agenda Letter dated April 30, 2024, and incorporated herein by reference, the 2023-2031 HEU Rezone Amendments are deemed to be in the public interest. The State has declared that “[t]he availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order” [GC Section 65580(a)]. The State has also declared that “[l]ocal and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community” [GC Section 65580(d)]. To that end, the County prepared this package of amendments to the Local Coastal Program, including the Coastal Land Use Plan and applicable community plans, rezones, and Article II amendments, to implement Programs 1, 2, and 3 of the adopted 2023-2031 HEU, which remove barriers to housing development and facilitate housing development for all segments of the community. Therefore, the 2023-2031 HEU Rezone Amendments are in the public interest, as all residents of the county deserve access to high-quality, affordable housing, and this finding can be made.

2023-2031 Housing Element Update Rezone Amendments

Case Nos.: 24GPA-00003, 24GPA-00004, 24GPA-00005, 24RZN-00001, 24RZN-00002, 24ORD-00007, and 24ORD-00008

Board of Supervisors

Hearing Date: April 30 and May 3, 2024

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