

# **ATTACHMENT 5**

## Article II CEQA Notice of Exemption

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## NOTICE OF EXEMPTION

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Daniel Klemann, Deputy Director, Long Range Planning Division  
Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County guidelines for the implementation of CEQA.

**Case No.:** 16ORD-00000-00012

**Location:** The proposed ordinance would apply to the unincorporated areas of the County of Santa Barbara within the Coastal Zone.

**Project Title:** Short-Term Rental Ordinance

**Project Description:** An ordinance (16ORD-00000-00012) amending Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, and Division 7 General Regulations, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections and revisions to the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Agency Carrying Out Project:** County of Santa Barbara

**Exempt Status:**

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

**Cite specific CEQA Guideline Section:** CEQA Section 15061(b)(3) states that “the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. “Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

CEQA Section 15265 sets forth a statutory exemption for the adoption of coastal plans and programs, including amendments thereto, and provides that compliance with CEQA is the responsibility of the California Coastal Commission.

**Reasons to support exemption findings:** The ordinance amendments revise and clarify existing permit processes to enhance efficiency and add new development standards and restrictions pertaining to the land use of Short-Term Rentals, which will serve to minimize potential adverse impacts to the surrounding areas. This ordinance amendment is not related to any particular

development project and individual projects will be subject to compliance with CEQA, as applicable.

The proposed ordinance identifies where the land use is prohibited in Residential, Resource Protection/Management, Industrial, certain Special Purpose and certain Agricultural zone districts (RR, R-1/E-1, R-2, EX-1, DR, PRD, SR-M, SR-H, MHP, CH, PI, M-CD, PU, REC, RES, M-CR, TC, and MT-TORO and AG-I). The ordinance also allows and adopts development standards to mitigate their presence in a certain Agricultural zone (AG-II) where the use is allowed subject to a permit. The regulations ensure Short-Term Rentals are compatible with and do not adversely impact surrounding properties. The ordinance also clarifies that Short-Term Rentals are an allowed use, with a permit, in certain Commercial zones (C-1, C-2, and C-V) without any additional development standards. Approximately 75% of the Short-Term Rentals currently paying transient occupancy tax exist in Residential zones, thus, the results of the ordinance could be a reduction in Short-Term Rentals in the County. Implementation of the ordinance does not increase density or the intensity of use in the allowed zoning districts of Agricultural and Commercial.

Therefore, it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment.

**Lead Agency Contact Person:** Jessica Metzger, Senior Planner, Long Range Planning Division

**Phone #:** (806) 568-3532

**Department/Division Representative:** \_\_\_\_\_

**Date:** December 6, 2016

**Acceptance Date:** \_\_\_\_\_  
[date of final action on project]

**Distribution:** County Hearing Support Staff

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