

ATTACHMENT 4: 18ORD-00000-00006 ARTICLE II FINDINGS

1.0 CEQA FINDINGS

The County Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed project, 18ORD-00000-00006, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), 15265, 15302, and 15305. Please see Attachment E, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35-180.6 of the Santa Barbara County Article II Coastal Zoning Ordinance (Article II), the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to Article II, and the Board of Supervisors shall adopt the following findings in order to recommend approval of or approve a text amendment to Article II:

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

The proposed Ordinance Amendment is in the interest of the general community welfare since it will expedite rebuilding a structure, through the De Minimis Coastal Development Permit Waiver process, that was damaged or destroyed by a debris flow or other catastrophic event resulting in a significant change in topography or alteration of drainage features. This will help to expedite the rebuilding of a community impacted by a debris flow or other catastrophic event, which is in the interest of the general community welfare. Different than other natural disasters, such as wildfires, debris flow events can change conditions on a site that direct development (e.g., setbacks from top-of-bank, site topography, hydrology, base flood elevation). This Ordinance Amendment clarifies that the De Minimis Coastal Development Permit Waiver process would enable an impacted structure to be rebuilt in a different location than its previous footprint, subject to some limitations, if necessary to meet applicable setbacks from top-of-bank and to reduce flood risk. The development would still be required to comply with the regulatory measures of the applicable zone, such as setback requirements, as well as applicable Comprehensive Plan and Community Plan policies. Therefore, this finding can be made.

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.

Adoption of the proposed Ordinance Amendment will provide the capability for property owners impacted by a debris flow or similar catastrophic event to rebuild on

their lot in an expedited manner, bearing in mind changes to topography and base flood elevation. The development would still be required to comply with the applicable regulatory measures of the zone district, such as setback requirements. As stated in Section 6.2 of the staff report, dated April 5, 2018 and incorporated herein by reference, the Amendment is consistent with policies and standards of the Comprehensive Plan, including applicable community plans and the Coastal Land Use Plan.

As stated in Section 6.3 of the staff report, dated April 5, 2018 and incorporated herein by reference, the proposed Ordinance Amendment is also consistent with the remaining portions of Article II that would not be revised by this Amendment. Further, a De Minimis Coastal Development Permit Waiver cannot be issued based on this proposed Ordinance Amendment until staff has determined that the project is consistent with the applicable policies and development standards of the Comprehensive Plan, including applicable community plans and Coastal Land Use Plan. This Amendment is consistent with the Comprehensive Plan, including applicable community plans, Coastal Land Use Plan, the requirements of State Planning and Zoning Laws, and Article II. Therefore, this finding can be made.

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

The proposed Ordinance Amendment is consistent with good zoning and planning practices to regulate land uses for the overall protection of the environment and community values since it streamlines the permit process for re-development of damaged or destroyed structures after a debris flow or other similar catastrophic event to occur away from flood hazard areas. The proposed Ordinance Amendment does not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including applicable community plans and the Coastal Land Use Plan, and Article II. The adoption of the proposed Ordinance Amendment is consistent with the adopted policies and development standards, as indicated in Sections 6.2 and 6.3 of the staff report, dated April 5, 2018 and incorporated herein by reference. Therefore, this finding can be made.