

ATTACHMENT 2: NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Selena Evilsizor, Senior Planner
Planning and Development Department

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

APN(s): Not applicable.

Case Nos.: 17GPA-00000-00004 and 17ORD-00000-00015

Location: The proposed Local Coastal Plan and Coastal Zoning Ordinance amendments would apply solely to the unincorporated area of Santa Barbara County located within the Coastal Zone.

Project Title: Coastal Resiliency Project Local Coastal Program (LCP) Amendment

Project Description:

An LCP Amendment has been prepared as part of the County's Coastal Resiliency Project. The policies and development standards within the LCP Amendment are intended to prepare for, mitigate, and respond to threats from current and reasonably foreseeable future sea level rise and coastal hazards. The bulk of the proposed LCP Amendment relates to identifying potential hazards to existing and future development along the coast, and preventing, mitigating, or adapting to those hazards where possible. Additional policy amendments relate to the protection of public access and recreation areas; protection of environmentally sensitive habitats; shoreline management planning; and mitigating hazards to transportation resources. Informal consultation with local California Coastal Commission staff has occurred throughout the duration of the Coastal Resiliency Project, and the adopted LCP Amendment must be certified by the Coastal Commission before it goes into effect.

Case No. 17GPA-00000-00004 amends Chapter 3, The Resource Protection and Development Policies and Appendix A, Definitions of the Coastal Land Use Plan, adds a new Appendix J, Medium Sea Level Rise Coastal Hazard Screening Map, and adds a new Appendix K, High Sea Level Rise Coastal Hazard Screening Map, to the Coastal Land Use Plan.

Case No. 17ORD-00000-00015 amends the Coastal Zoning Ordinance to add new or revise existing text in Division 1, In General; Division 2, Definitions; Division 3, Development Standards, Section 35-59, General, Section 35-61, Beach Development, Section 35-67, Bluff Development, and Section 35-68, Coastal Hazard Areas; Division 5, Overlay Districts, Section 35-97.19, Development Standards for Stream Habitats; Division 7, General Regulations, Section 35-130, Subdivision of Land; Division 9, Oil and Gas Facilities, Section 35-154, Onshore Processing Facilities Necessary or Related to Offshore Oil and Gas Development; Division 10, Nonconforming Structures and Uses, Section 35-162, Nonconforming Buildings and Structures; Division 11, Permit Procedures, Section 35-172.13, Conditional Use Permits, Additional Requirements; and add a new Appendix I, Technical Guidelines for Preparation of a Coastal Hazard Report, as described in Attachment C.

Exempt Status:

Ministerial
 Statutory Exemption, Section 15265

- _____ Categorical Exemption
- _____ Emergency Project
- _____ No Possibility of Significant Effect

Cite specific CEQA Guideline Sections:

15265 – Adoption of coastal plans and programs.

State CEQA Guidelines Section 15265 states (in pertinent part): “CEQA does not apply to activities and approvals pursuant to the California Coastal Act by any local government... for the preparation and adoption of a local coastal program.”

Reasons to support exemption findings:

State CEQA Guidelines Section 15265 [Adoption of Coastal Plans and Programs] exempts local government activities and approvals involving the preparation and adoption of local coastal program amendments. As stated in Section 15265, “CEQA shall apply to the certification of a local coastal program... by the California Coastal Commission” and the burden of CEQA compliance is shifted “from the local agency... to the California Coastal Commission.”

The Coastal Land Use Plan and Coastal Zoning Ordinance amendments proposed under the Coastal Resiliency Project affect portions of the County located within the Coastal Zone and constitute an amendment to the LCP. The LCP Amendment will ultimately be certified by the California Coastal Commission and, if not, would not become operative. Therefore, the proposed amendments to the Coastal Land Use Plan and Coastal Zoning Ordinance are statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15265.

Department/Division Representative

Date

Date of Final Action on Project: _____

Date Filed by County Clerk: _____

Note: A copy of this form must be posted at Planning and Development six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days.

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

Hearing Support Staff

Case No. 17GPA-00000-00004 file

Case No. 17ORD-00000-00015 file