

COVID-19 Ordinance Amendments to Extend Time Period

LUDC (Case No. 21ORD-00000-00005),
Article II (Case No. 21ORD-00000-00006), and
MLUDC (21ORD-00000-00007)

Board of Supervisors
September 14, 2021



County of Santa Barbara
Planning and Development Department

Background



- **COVID-19 Amendments passed on June 16, 2020**
 - Regulations to temporarily suspend compliance with certain requirements of approved permits, legal non-conforming uses, and a hardship time extension to protect public health and limit the spread of COVID-19
 - Set to expire on December 16, 2020
- **Amendments adopted November 10, 2020**
 - Extended expiration to the earlier of when the BOS declares the Santa Barbara County Local Emergency from COVID-19 terminated, or when the COVID-19 provisions are terminated by ordinance amendment.

Background



January 25, 2021

- California Department of Public Health ended the Regional Stay At Home Order and the Limited Stay At Home Order.

June 15, 2021

- Governor terminated the executive order that put into place the Stay At Home Order and Blueprint for a Safer Economy.

August 6, 2021

- County Public Health Department public health order requiring masks indoors

Proposed Ordinance Amendments



- **Purpose of Amendments**
 - Continue to support public health efforts to reduce spread of COVID-19
 - Support economic recovery from the impacts of COVID-19
- **Extend the expiration of temporary allowances to June 30, 2023**
- **Amendments to Temporary Ordinance**
 - Allows temporary expansion of capacity
 - Allows temporary expansion of existing capacity of nonconforming uses
 - Allows for temporary construction of structures (e.g., weather/sun protection)

MPC and PC Recommendations



- **Montecito Planning Commission – August 4, 2021**
 - Recommended the BOS adopt MLUDC ordinance amendments and that the County PC recommend that the BOS adopt Article II ordinance amendments.
 - **MLUDC Resolution No. 21-09**
 - **MLUDC Resolution No. 21-10**
- **County Planning Commission – August 4, 2021**
 - Recommend the BOS adopt Article II and LUDC Ordinance Amendments
 - **Article II Resolution No. 21-12**
 - **LUDC Resolution NO. 21-11**
 - The County Planning Commission also recommended that the BOS consider further extending the date to October 31, 2023.

Environmental Review



CEQA Exempt

- **LUDC: CEQA Guidelines 15301, 15303, 15305, 15061(b)(3)**
- **Article II: CEQA Guidelines 15301, 15303, 15305, 15061(b)(3), 15265**

Comp. Plan Consistency and Ord. Compliance



- Consistent with Comprehensive Plan, community plans, and Coastal Land Use Plan
- Does not alter purpose or intent of policies
- Will not result in inconsistencies with adopted policies and development standards
- Consistent with LUDC and Article II as amendments extend the expiration date of the COVID-19 ordinance amendments and clarify language

Recommended Actions



The Board of Supervisor's motion should include the following:

- a) **Montecito Land Use and Development Code (Case No. 21ORD-00000-00007):**
 - i) Make the findings for approval of the MLUDC Ordinance Amendment, including California Environmental Quality Act (CEQA) findings (Attachment 1);
 - ii) Determine that the adoption of this MLUDC Ordinance Amendment is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), 15301, 15303, and 15305 (Attachment 2); and
 - iii) Adopt the Ordinance (Case No. 21ORD-00000-00007) amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the County Code (Attachment 3).

Recommended Actions – Article II



- b) Article II Coastal Zoning Ordinance (Case No. 21ORD-00000-00006):**
- i) Make the findings for approval of the Article II Ordinance Amendment, including CEQA findings (Attachment 5);
 - ii) Determine that the adoption of this Article II Ordinance Amendment is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), 15301, 15303, 15305, and 15265 (Attachment 6); and
 - iii) Adopt the Ordinance (Case No. 20ORD-00000-00009) amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code (Attachment 7).

Recommended Actions - LUDC



c) Land Use and Development Code (Case No. 21ORD-00000-00005):

- i) Make the findings for approval of the LUDC Ordinance Amendment, including CEQA findings (Attachment 9);
- ii) Determine that the adoption of this LUDC Ordinance Amendment is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), 15301, 15303, and 15305 (Attachment 10); and
- iii) Adopt the Ordinance (Case No. 20ORD-00000-00010) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code (Attachment 11).