



one COUNTY | one FUTURE

## Legislation Details (With Text)

---

<b>File #:</b>	16-00877	<b>Version:</b>	2
<b>Type:</b>	Agenda Item	<b>Status:</b>	Passed
<b>File created:</b>		<b>In control:</b>	BOARD OF SUPERVISORS
<b>On agenda:</b>	12/6/2016	<b>Final action:</b>	12/6/2016
<b>Title:</b>	<p>HEARING - Consider amending the Santa Barbara County Land Use and Development Code (LUDC), the Article II Coastal Zoning Ordinance (Article II), and the Montecito Land Use and Development Code (MLUDC) of the County Code, to implement new regulations and other revisions permitting and prohibiting the land use of Short-Term Rentals, as follows: (EST. TIME: 2 HR. 30 MIN.)</p> <p>a) Consider recommendations regarding Case No. 16ORD-00000-00009 (County LUDC Amendments), as follows:</p> <p>i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings (Attachment 1a of the Board memo, dated November 17, 2016);</p> <p>ii) Determine that adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA (Attachment 2 of the Board Agenda Letter, dated November 15, 2016); and</p> <p>iii) Adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code by amending Article 35.2, Zones and Allowable Land Uses, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, Article 35.8, Planning Permit Procedures, Article 35.10, Land Use and Development Code Administration, and Article 35.11, Glossary, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00009) (Attachment 3a of the Board memo, dated November 17, 2016);</p> <p>b) Consider recommendations regarding Case No. 16ORD-00000-00011 (MLUDC Amendments), as follows:</p> <p>i) Make the required findings for approval, including CEQA findings (Attachment 7 of the Board Agenda Letter, dated November 15, 2016);</p> <p>ii) Determine that adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA (Attachment 8 of the Board Agenda Letter, dated November 15, 2016); and</p> <p>iii) Adopt an Ordinance amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, and Division 35.10, Glossary of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the land use of Short-Term Rentals (Case No. 16ORD-00000-00011) (Attachment 9 of the Board Agenda Letter dated November 15, 2016);</p> <p>c) Consider recommendations regarding Case No. 16ORD-00000-00012 (Article II Amendments), as follows:</p> <p>i) Make the required findings for approval, including CEQA findings (Attachment 4a of the Board memo, dated November 17, 2016);</p>		

ii) Determine that adoption of this Ordinance is exempt from the CEQA pursuant to Section 15061(b) (3) and section 15265 of the State Guidelines for Implementation of CEQA (Attachment 5 of the Board Agenda Letter, dated November 15, 2016); and

iii) Adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, Division 7 General Regulations, and Division 12, Administration, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00012) (Attachment 6a of the Board memo, dated November 17, 2016);

d) Consider recommendations regarding Resolution Transmitting Case No. 16ORD-00000-00012 (Article II Amendments) to the Coastal Commission, as follows:

i) Adopt a Resolution transmitting Article II amendments (16ORD-00000-00012) for certification by the California Coastal Commission as an amendment to Santa Barbara County's certified Local Coastal Program (Attachment 10 of the Board Agenda Letter, dated November 15, 2016);

ii) Find that transmittal of the Resolution is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the CEQA under State CEQA Guidelines Section 15378(b)(5); and

iii) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Sponsors:** PLANNING AND DEVELOPMENT DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Letter, 2. Attachment 1 - LUDC Findings, 3. Attachment 2 - LUDC CEQA NOE, 4. Attachment 3 - LUDC Ordinance, 5. Attachment 4 - Art II Findings, 6. Attachment 5 - Art II CEQA NOE, 7. Attachment 6 - Art II Ordinance, 8. Attachment 7 - MLUDC Findings, 9. Attachment 8 - MLUDC CEQA Exemption, 10. Attachment 9 - MLUDC Ordinance, 11. Attachment 10 - Coastal Commission Res, 12. Attachment 11 - CPC Action Letter, 13. Attachment 12 - MPC Action Letter, 14. Attachment 13 - County PC Staff Report dated October 27, 2015, 15. Attachment 14 - County PC Memo dated November 18, 2015, 16. Attachment 15 - County PC Memo dated February 17, 2016, 17. Attachment 16 - PC Staff Report dated July 27, 2016, 18. Attachment 17 - MPC Staff Report dated November 10, 2015, 19. Attachment 18 - MPC Staff Report dated September 14, 2016, 20. Attachment 19 - Plan Policy Consistency, 21. Attachment 20 - Public Comments, 22. Board Letter 12/6/2016, 23. Attachment 1a LUDC Findings, 24. Attachment 3a LUDC Ordinance, 25. Attachment 4a Art II Findings, 26. Attachment 6a Art II Ordinance, 27. Attachment 19a Policy Consistency, 28. Public Comment - Hospitality Santa Barbara - Letter dated 11.14.16, 29. Public Comment - Montecito Association - Letter dated 11.15.16, 30. Public Comment - More Mesa Shores - Letter dated 11.22.16, 31. Public Comment - Kathleen Weinheimer Attotney At Law - Letter dated 11.28.16, 32. Public Comment - Price, Postel & Parma Letter dated 11.29.16, 33. Public Comment - Group 1 - 11.30.16, 34. California Coastal Commission - Letter dated 11.30.16, 35. Public Comment - Group 2 - 12.1.2016, 36. Kracke - Petition Opposing STR - 12.1.16, 37. Memorandum Dated 12-2-2016, 38. Public Comment - Group 3 - 12.2.16, 39. Nelson Law Firm - Letter dated 12.2.16, 40. Chytilo - Letter dated 12.2.16, 41. Reetz, Fox, and Bartlett LLP - Letter dated 12.2.16, 42. Schlinger - Santa Ynez Vacation Rentals, 43. Kracke - Petition Opposing STR - Updated - 12.4.16, 44. Slaga - TurnKey Vacation Rentals - Letter dated 12.1.16, 45. Bounds - Paradise Retreats - Letter dated 12.2.16, 46. Schniepp - California Economic Forecast - Letter dated 12.4.16, 47. Allen - Save the Rentals Santa Barbara - Petition - 12.4.16, 48. Oplinger - Chamber of the Santa Barbara Region - Letter dated 12.5.16, 49. Switzer - Letter dated 12.5.16, 50. Crosby - Letter dated 12.5.16, 51. Public Comment - Group 4 - 12.5.16, 52. Presentation

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

12/6/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
11/15/2016	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass

HEARING - Consider amending the Santa Barbara County Land Use and Development Code (LUDC), the Article II Coastal Zoning Ordinance (Article II), and the Montecito Land Use and Development Code (MLUDC) of the County Code, to implement new regulations and other revisions permitting and prohibiting the land use of Short-Term Rentals, as follows: (EST. TIME: 2 HR. 30 MIN.)

a) Consider recommendations regarding Case No. 16ORD-00000-00009 (County LUDC Amendments), as follows:

i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings (Attachment 1a of the Board memo, dated November 17, 2016);

ii) Determine that adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA (Attachment 2 of the Board Agenda Letter, dated November 15, 2016); and

iii) Adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code by amending Article 35.2, Zones and Allowable Land Uses, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, Article 35.8, Planning Permit Procedures, Article 35.10, Land Use and Development Code Administration, and Article 35.11, Glossary, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00009) (Attachment 3a of the Board memo, dated November 17, 2016);

b) Consider recommendations regarding Case No. 16ORD-00000-00011 (MLUDC Amendments), as follows:

i) Make the required findings for approval, including CEQA findings (Attachment 7 of the Board Agenda Letter, dated November 15, 2016);

ii) Determine that adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA (Attachment 8 of the Board Agenda Letter, dated November 15, 2016); and

iii) Adopt an Ordinance amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, and Division 35.10, Glossary of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the land use of Short-Term Rentals (Case No. 16ORD-00000-00011) (Attachment 9 of the Board Agenda Letter dated November 15, 2016);

c) Consider recommendations regarding Case No. 16ORD-00000-00012 (Article II Amendments), as follows:

i) Make the required findings for approval, including CEQA findings (Attachment 4a of the Board memo, dated November 17, 2016);

ii) Determine that adoption of this Ordinance is exempt from the CEQA pursuant to Section 15061(b)(3) and

section 15265 of the State Guidelines for Implementation of CEQA (Attachment 5 of the Board Agenda Letter, dated November 15, 2016); and

iii) Adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, Division 7 General Regulations, and Division 12, Administration, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00012) (Attachment 6a of the Board memo, dated November 17, 2016);

d) Consider recommendations regarding Resolution Transmitting Case No. 16ORD-00000-00012 (Article II Amendments) to the Coastal Commission, as follows:

i) Adopt a Resolution transmitting Article II amendments (16ORD-00000-00012) for certification by the California Coastal Commission as an amendment to Santa Barbara County's certified Local Coastal Program (Attachment 10 of the Board Agenda Letter, dated November 15, 2016);

ii) Find that transmittal of the Resolution is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the CEQA under State CEQA Guidelines Section 15378(b)(5); and

iii) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY