

**MONTECITO PLANNING COMMISSION**  
**Staff Report**  
**Short-term Rental Ordinance Briefing**

**Hearing Date: November 18, 2015**

**Staff Report Date: November 10, 2015**

**Case No.: N/A**

**Environmental Document: Not a project (CEQA Guidelines § 15378(b)(5)).**

**Deputy Director: Matt Schneider**

**Division: Long Range Planning**

**Staff Contact: Jessica Metzger**

**Staff Phone No.: (805) 568-3532**

## **1.0 REQUEST**

Hearing on the request of the Planning and Development Department that the Montecito Planning Commission receive a staff briefing regarding the use of Short-term Rentals (STRs) within the unincorporated County, and provide direction to staff to develop specific zoning ordinance amendments to the Montecito Land Use and Development Code (LUDC) and Coastal Zoning Ordinance (Article II) for the use or prohibition of STRs within the unincorporated County.

## **2.0 RECOMMENDATIONS AND PROCEDURES**

Staff recommends that the Montecito Planning Commission:

1. Receive a staff briefing and consider public testimony on the use of Short-term Rentals within the unincorporated County.
2. Provide direction to staff to develop specific zoning ordinance amendments to the Montecito LUDC and Article II for the use or prohibition of Short-term Rentals.
3. Direct staff to return to the Montecito Planning Commission with draft zoning ordinance amendments for Montecito Planning Commission consideration and recommendation to the County Planning Commission and County Board of Supervisors.
4. Determine that the briefing and Commission's direction to staff does not constitute a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(5).

## **3.0 BACKGROUND**

During the review of the 2015/2016 Annual Work Program for the Long Range Planning Division, both the County Planning Commission and the Montecito Planning Commission added the review of STRs to the list of projects to be started in the 2015/2016 fiscal year. The Board of Supervisors considered the Planning Commissions' recommendation during the Board's budget workshop and directed staff to review and clarify provisions in the county zoning ordinances concerning the use of STRs within the unincorporated areas of the County as part of the 2015/2016 Long Range Planning Annual Work Program.

On November 4<sup>th</sup> staff presented the brief to the County Planning Commission. Understanding the complexity of the issues the commission continued the hearing to December 9<sup>th</sup> and directed staff to return with a summary of the November 18<sup>th</sup> Montecito Planning Commission hearing and provide an update on additional information including:

- Approaches to determine what particular zoning districts the use of STRs are appropriate in;
- What other jurisdictions have done to regulate concentrations of STRs;
- How STRs affect housing affordability;
- Additional information on the issuance of TOT certificates and the Tax Collector's current enforcement;
- Details on what regulatory provisions could be included in a permit structure; and
- Further discussion on the enforceability of regulatory provisions.

### **Definitions**

For the purpose of the commission meeting certain use definitions are called out below. The action of the Montecito Planning Commission on this request for direction does not codify these definitions and they are subject to change as staff receives further direction.

**Short-Term Rental (STR):** A residential unit rented for 30 consecutive days or less where the owner of the property is not present at the same time as the tenant.

**Homestay:** A residential unit rented for 30 consecutive days or less where the owner of the property inhabits a legal dwelling on the same parcel at the same time as the tenant.

STRs are a transient occupancy use, as are hotels, motels, hostels, and bed and breakfasts. Unlike the other traditional transient lodging uses, STRs involve the rental of residential dwelling units for periods of 30 days or less. STRs can include apartments, condominiums, and single-family homes. During the public process, a separate sub-use in STRs was delineated which staff will refer to as a Homestay. A Homestay is the rental of a residence where the owner inhabits a legal dwelling on same parcel at the same time as the tenant. For the purpose of this report, staff will refer to this use separately from STRs.

### **STRs and Homestays in Residential Zones**

Santa Barbara County is not alone in addressing the issue of STRs and Homestays. Private residences have become popular transient lodging alternatives to traditional lodging uses. The increased presence of web-based "hosting" platforms like Airbnb, HomeAway, and VRBO have made the process of advertising and renting homes, or individual rooms within homes, easier and more attractive to homeowners. The increase in transient stays in residential areas has raised a variety of neighborhood compatibility issues across the state, as well as in Santa Barbara County.

A number of California jurisdictions are addressing the increased use of STRs and Homestays in residential zone districts and creating changes within their own ordinances to establish regulations. Attachment A includes a table summarizing how other local jurisdictions and counties have addressed these uses.

The County's current zoning ordinances do not presently address the short-term rental of residential properties nor do they place any restrictions upon the use. Current zoning ordinances do place restrictions on the use of certain structures for overnight accommodations such as guesthouses, artist studios, cabanas, garages, gazebos, greenhouses, storage sheds, workshops, automobiles, personal recreation vehicles, and other personal property structures accessory to a residential use. The STR project could result in zoning ordinance changes regarding how and where STRs may or may not be permitted.

## **4.0 PUBLIC PARTICIPATION**

Staff gathered information regarding public opinion on the use of STRs in the County through a variety of outlets. Public outreach was initiated by holding four public meetings. At the first two meetings the public was given an opportunity to provide verbal or written comments on STRs. A total of approximately 80 people attended the two initial meetings (held in Buellton and Montecito). The second round of meetings were held in a workshop forum where the public was given the opportunity to visit stations around the room and share their opinions and preferences for addressing STRs. Approximately 70 people attend these two workshops. Staff also collected comments on possible regulations of STRs during these meetings, a summary of those comments is attached (Attachment B). An opportunity for the public to submit their preferences was also offered via an on-line survey.

Since the project was initiated in July 2015, staff has received over 200 emails from the public on the topic (Attachment C). County staff continues to see a growing interest in the issue and public involvement and engagement has grown through the course of the project.

## **5.0 KEY ISSUE SUMMARY**

### **STRs in the Montecito LUDC and Article II**

As a part of the County's authority to establish a long-range land use plan and to implement those policies through regulations, the County has adopted a Comprehensive Plan and zoning regulations that direct the location and extent of land uses, as well as, provide standards and regulations that serve to differentiate appropriate uses within each zone district and regulations for their orderly development. The creation of a STR regulation is within the County's authority to enact for orderly growth and development through zoning. The term "short-term rental" is not currently defined in the Montecito LUDC or Article II. The zoning ordinances, however, do define other transient lodging accommodations (Attachment D):

*Hotel: "A building or group of buildings containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who, for compensation, are lodged with or without meals."*

*Hostel: "Overnight sleeping accommodations that provide supervised and inexpensive lodging for travelers, and may provide kitchen and eating facilities. Occupancy is generally of a limited duration."*

*Bed and Breakfast: “A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable County health regulations.”*

*Guest Ranch: “A vacation resort, generally a farm or ranch, which derives all or part of its income from the use of its facilities by paying visitors or guests, and provides food, lodging, and recreational activities.”*

Traditional transient lodging uses (e.g. hotel, hostel, and bed and breakfasts) are allowed primarily in commercial zone districts and prohibited in residential and agricultural zones (Attachment D) with the following exceptions:

A Guest Ranch is permitted in Article II by a conditional use permit in Agriculture II (AG-II). The PRD zone in Article II allows “visitor-serving commercial facilities”, including hostels, hotels or motel, and bed and breakfasts with a CUP in developments of 200+ dwelling units.

The zoning ordinances also establish the purpose and intent of residential zones (Attachment E). The Montecito LUDC and Article II describes the six residential zones, each unique in character. Main points from this section of zoning code are:

*Residential zones...are zones that protect residential character, promote public health, safety, and welfare, ensure compatibility, provide housing opportunities, preserve the character of an area, and minimize the services needed.*

The zoning ordinance also establishes the purpose and intent of the agricultural zones (Attachment E).

*The intent is to provide standards that will support agriculture as a viable land use and encourage maximum agricultural productivity...and preserve these lands for long-term agricultural use.*

The stated purpose and intent of individual zone districts and current zoning ordinance limitations for transient lodging uses are important factors to consider when assessing the appropriateness of allowing STRs within the unincorporated County.

### **Transient Occupancy Tax**

The County of Santa Barbara Treasurer-Tax Collectors office, through the Taxation portion of the County Code (Chapter 32), allows Transient Occupancy Tax (TOT) to be collected for STRs. As of August 2015 438 TOT certificates exist in the County. The Treasurer-Tax Collector collected \$1,409,960 in TOT from Short-term Rentals for the fiscal year 2014/2015. The TOT certificate does not constitute a zoning permit in the Montecito LUDC or Article II.

### **Key issues from public process**

Through the public input process, staff received a variety of comments both in favor of and in opposition to the use of STRs. A summary of the most common comments are called out below.

Residential Compatibility: Transient use in a neighborhood changes the character and can conflict with the purpose and intent of residential zones and affect the essential character of a neighborhood and the stability of a community. Some of the public stated that transient visitors have little interest in the welfare of the neighborhood. Others stated that STRs are the establishment of commercial enterprises in residential zones. Typically, residential zones are reserved for uses associated with housing. STRs could be seen as incompatible with the intent of residential districts.

Nuisance Issues: The neighbors of STRs stated that due to the transient nature of the use, noise was an issue and STR tenants were frequently loud past 10 P.M. all nights of the week. Another nuisance issue raised was parking. The number of cars STR tenants have often exceed the standard parking rate of 2 spaces per dwelling unit. Increased traffic was also an issue raised.

Housing Stock: Growth in the STR market is occurring in many communities where housing availability is already constricted. The general theory of housing supply holds that if the demand for apartments and houses exceeds the supply, the prices will rise and reduce affordable housing opportunities. STRs taking housing stock out of the market drives up the cost of housing, making it challenging for workforce and low income renters to find housing and for first time homebuyers to enter into the market.

Safety\Access Requirements: Operators of traditional lodging facilities (i.e. hotels, hostels, and bed and breakfasts) must comply with the Federal Housing Act (FHA) and the American's with Disabilities Act (ADA). Special construction, exiting, and fire safety standards also apply to lodging facilities. Some communities reviewed have had the owners of traditional lodging facilities request regulation to ensure that STR operators comply with the same standards as other lodging uses are expected to meet with regard to ADA compliance, permitting, licensing, taxes, and other building and fire code requirements in order to ensure a level playing field. As STRs have become a popular alternative lodging choice, many jurisdictions have provided some degree of safety compliance inspection into the STR ordinance.

Promoting Tourism/Generating revenue: STRs provide an alternative to the traditional hotel. Some public comments stated that the money saved renting a STR rather than a hotel room is reinvested into the local economy. STRs allowed families to be together and have a shared space that is lacking in hotels, promoting the tourism base. Comments also stated that STRs generate additional taxes (TOT and sales tax) that increase the County's overall revenue.

Defraying Mortgage Cost: Some public comments stated that STRs assist with defraying mortgage costs for primary dwellings or second vacation/investment properties. Homeowners use the money received from STRs to increase property value by reinvesting further in home improvements.

Homestays: Many comments received expressed support for Homestays as a means to address potential nuisance issues and neighborhood compatibility since the homeowner would be present on the property during the rental period. Homestays could also address housing availability concerns since the use would only be allowed on the homeowner's principal dwelling parcel.

## 6.0 POSSIBLE APPROACHES

Staff is requesting Montecito Planning Commission direction on possible approaches for regulating STRs.

- The Montecito Planning Commission should first consider if the use is appropriate in the unincorporated County.
- If the commission determines that STRs should be allowed, the next step is to review if STRs are appropriate in zones that currently do not allow traditional transient lodging uses.
- If the Montecito Planning Commission finds that the use is not suitable in zones that do not allow traditional transient lodging uses, those zones should be identified.
- If the use is determined appropriate, either in all zones or limited zones, staff requests the Montecito Planning Commission provide direction on permit type and possible provisions to be developed.
- Staff also requests that the use of a Homestay be reviewed and contemplated as a separate use from STRs. If it is deemed different then staff requests the Montecito Planning Commission provide direction on permit type and possible provisions to be developed for Homestays.

APPROACH		DESCRIPTION
<b>A</b>	<b>Allow STRs with regulation</b>	Allow STRs in all zone districts with regulations. This would involve a zoning code amendment to clarify that STRs are expressly allowed in all zone districts that allow residential or transient occupancy as well as the creation of regulations and a permit process to ensure regulations are met.
<b>B</b>	<b>Prohibit STRs in certain zones</b>	Expressly prohibit STRs in zone districts that do not currently allow traditional transient lodging uses or are deemed inappropriate for transient lodging use of this nature. Prohibiting STRs would involve a zoning code amendment to clarify that STRs are prohibited in specific zone districts as well as the creation of regulations and a permit process to ensure regulations are met in zones where the use is allowed.
<b>C</b>	<b>Review the use of Homestays as separate from STRs</b>	Allow Homestay only in specific zones with regulations. This would involve a zoning code amendment to clarify that Homestay are a separate use from STRs. Homestay regulations would also call out the zone districts in which Homestays are expressly allowed as well as the creation of regulations and a permit process to ensure regulations are met.
<b>D</b>	<b>Status Quo</b>	Do not make any changes to Montecito LUDC or Article II in regards to STRs.

## 7.0 POSSIBLE STR REGULATIONS

If STRs are allowed in the unincorporated County, it is anticipated that certain regulations be adopted governing the use(s). Below are possible permit requirements and operating regulations commonly used to regulate STRs in other jurisdictions that may be considered in the proposed ordinance.

- a. **Application/Ministerial Permit** – A proactive annually renewed permit process to ensure regulatory compliance.
- b. **Nuisance Plan** – A plan that could include standards requiring management by local 24-hour contact, a dispute resolution process, a call response time, and neighborhood notification.
- c. **Noise Standards** – Specific regulations on noise for the use that could include quiet hours and amplified music standards.
- d. **Occupancy Standards** – Regulations that could limit number of guests per bedroom.
- e. **Building and Safety Compliance** - Inspection requirements for Building, Safety and Fire Code compliance.
- f. **Minimum Stay Duration** – Regulations on the minimum number of nights per rental agreement.
- g. **Parking** - Parking standards to ensure adequate off-street parking.
- h. **Operator Identification** - STR operator required to provide evidence of a valid Transient Occupancy Tax registration certificate issued by the County Tax Collector for the STRs and all internet listing sites and all listing identification number.

## 8.0 NEXT STEP

Based on both the Montecito Planning Commission and the County Planning Commission direction, Planning and Development will prepare draft ordinance language for consideration at future Commission hearing dates early in 2016. Board of Supervisors adoption hearings are anticipated in spring 2016.

## 9.0 ATTACHMENTS

Attachment A - Other Local Jurisdiction and County Approaches

Attachment B - Summary of Comments from the Public Workshop

Attachment C - Internet Link to Public Comments

([http://longrange.sbcountyplanning.org/programs/Short-term%20rentals/STR\\_comments.php](http://longrange.sbcountyplanning.org/programs/Short-term%20rentals/STR_comments.php))

Attachment D - Lodging Uses Defined

Attachment E - Purposes of the Residential Zones

**ATTACHMENT A**  
**OTHER LOCAL JURISDICTION AND COUNTY APPROACHES**

<b>JURISDICTION</b>	<b>APPROACH TO SHORT-TERM RENTALS</b>
<b>City of Buellton</b>	City code prohibits vacation rentals in single-family residential zones.
<b>City of Carpinteria</b>	Not permitted in single-family residential zones. Property owner is required to register with the City, obtain a business license, and pay TOT.
<b>City of Goleta</b>	Property owners must obtain a regulatory license, submit nuisance response plan, post a surety bond of \$1,500, and notice properties in area.
<b>City of Ojai</b>	Illegal under current code except with a Conditional Use Permit. In April 2015, the City declared a moratorium on new conditional use permits and on July 2, the City held a facilitated workshop to figure out next steps.
<b>City of San Luis Obispo</b>	“Homestays” are legal with a “Homestay Permit”. “Vacation rentals” are not a permitted use.
<b>City of Santa Barbara</b>	City Council voted to prohibit vacation rentals and forego collection of TOT. Funding for enforcement was approved.
<b>City of Santa Maria</b>	Not addressed in local code.
<b>City of Solvang</b>	Only allowed in tourist related commercial zones with regulations.
<b>City of Ventura</b>	Permitted if the owner obtains a permit, business license, surety bond, and creates a nuisance response plan.
<b>San Luis Obispo County</b>	Owners in all areas of the county must apply for a business license. In coastal communities the owner may also need Zoning Clearance, or a Minor Use Permit.
<b>Ventura County</b>	Not addressed in zoning code.



# ATTACHMENT A

## OTHER LOCAL JURISDICTION AND COUNTY APPROACHES

JURISDICTION	APPROACH TO SHORT-TERM RENTALS
<b>Calaveras County</b>	Regulates rentals along Lake Tulloch with a permit system that establishes occupancy and noise limits, parking and notification requirements, and emergency contact standards.
<b>Humboldt County</b>	Permitted use in Low and Medium Density Residential Zones, as well as a Vacation Home Rental Zone.
<b>Marin County</b>	STR owners must obtain a business license and a TOT certificate.
<b>Mariposa County</b>	Have regulated STR since 1988. Currently updating their ordinance to focus on nuisance impacts to residential uses, an annual building inspection process, occupancy limits, parking requirements, enforcement, and local management presence.
<b>Mendocino County</b>	Maintains a ratio of 13 long-term residential dwelling units to 1 single unit rental or STR. STR are subject to a permit process, TOT, and a Business License tax.
<b>Monterey County</b>	In Inland areas, STR and Bed & Breakfasts are allowed with a discretionary permit. In the Coastal zone, Bed & Breakfasts are allowed with a Coastal Development permit. STR (for less than 30 days) are not permitted in the Coastal zone.
<b>Napa County</b>	Short term rentals are not allowed in residential or agricultural zones.
<b>Santa Cruz County</b>	An ordinance regulates the number of STR per block within a designated area of the county (no more than 20% of parcels), but outside this area there is no limit. All STR are subject to TOT, occupancy and noise limits, emergency contact, and a permit application process.
<b>Sonoma County</b>	Only allowed in single-family residential and agricultural zones and subject to restrictions and permitting. The STR ordinance does not apply to the coastal zone.

## **ATTACHMENT B**

### **SUMMARY OF COMMENTS FROM THE SHORT-TERM RENTAL ORDINANCE PUBLIC WORKSHOP August 18, 2015 Santa Ynez Valley Marriott, Buellton**

Below is a summary of comments received during the public workshop on Short-term Rental Ordinance workshop held on August 18<sup>th</sup>. Thank you to everyone that participated; your comments will be considered as we move through the process. The comments are categorized below into two categories; Regulations and General. Please keep in mind the following as you read through the comments:

- If a comment was made more than once, it may be mentioned below only once.
- All comments are weighted equally regardless of who made the comment or how the comment was made.
- When necessary, comments were edited for grammar, punctuation, brevity, etc. but the original intent of the comment was retained.

#### **COMMENTS:**

##### **REGULATIONS:**

- STR should be managed by a 24 hour, professional company. This has been proven to work in Santa Ynez Valley.
- Local contact should have a response time to nuisance complaints of 30 minutes.
- There is a need for County enforcement staff on nights and weekends.
- Simple rules, collect tax, person to respond to complaints immediately, professionally managed companies preferred.
- If allowed in Los Olivos - All regulation STR Zoning Application, occupancy limits, local 24-hour contact, and noise restrictions a must. Also, must notify neighbors of number of rentals on any given street.
- Please allow STRs with fair regulations.
- Letters from neighbors in support required.
- STR zoning should address light abatement as well as quiet hours with no amplified sound.
- STR zoning should address light abatement.
- Consider a total limit on people to limit parties.
- Require offsite parking for STRs.

##### **GENERAL:**

- Review the use of water. Pools, showers, landscaping etc.
- Please address the issues of the impact of STRs on the schools.
- The people love VRBO'S. Read the reviews before regulation!!!
- Keep America free!
- This is a complicated bureaucratic process- keep it simple!

## ATTACHMENT B (continued)

SUMMARY OF COMMENTS FROM THE SHORT-TERM RENTAL ORDINANCE PUBLIC WORKSHOP  
August 20, 2015  
Westmont College, Montecito

Below is a summary of comments received during the Short-term Rental Ordinance public workshop held on August 20th. Thank you to everyone that participated; your comments will be considered as we move through the process. The comments are categorized below into three categories; Regulations, Impacts, and General. Please keep in mind the following as you read through the comments:

- If a comment was made more than once, it may be mentioned below only once.
- All comments are weighted equally regardless of who made the comment or how the comment was made.
- When necessary, comments were edited for grammar, punctuation, brevity, etc. but the original intent of the comment was retained.

### COMMENTS:

#### REGULATIONS

- I do not agree that STR's should be allowed in residential zones.
- STR application should require a rental contract, occupancy limits, on-site owner/contact, two people per bedroom, 24-hour response, neighbor notification, parking limits, noise compliance, no noise after 10 p.m., and no weddings or large parties from renter or sub-renter.
- STRs should have to obey CC&Rs.
- Sound should not go beyond property lines, supply off street parking, no events allowed in Ag.
- Do not require a rental contract, site plan, or neighborhood notification.
- Completely allow STRs, no limits.
- There are currently no ADA regulations for STRs. Rental websites do have some units that are ADA, for an added booking cost, but cost to convert to ADA is too much for most home owners.
- Have different regulations for STRs than Homesharing.
- Allow events in agriculture and commercial zones.
- Don't include neighborhood notification, it will bring forth the people who love to complain about everything.
- Require inspection for building code, high fire requirements, etc. on a yearly basis.
- Do not allow rental occupancy per night to exceed average # of bedrooms in a neighborhood (somehow prevent large group renting).
- Do not allow amplified sound and include quiet hours at 10:00 p.m. Weddings and retreats have no place in single family neighborhoods, they create public nuisances at all hours of the night (fights, intoxicated people, etc.), people urinating, and trash left behind.
- Regulate total number of people allowed for any gathering, not just staying in house.
- Occupancy limit of two people per bedroom.
- I am in favor of regulations regarding: Noise, occupancy, parking, and the County should follow Goleta's example, collect taxes, issue license, and enforce rules.
- Limit number of parties, have an enforcement agent with 30 minute response time, special rules with pool activity to close at 8:00 p.m.
- Occupancy limits according to size of home.
- Regulations for STRs and Homestays should be the same.

## ATTACHMENT B (continued)

- Noise violators should be punished by fines from County.
- Owners need to get contract with insurance.
- No uninvited, unregistered guest gathering.
- STRs are no different than long-term rentals, and should follow current nuisance regulations, occupancy limits, and parking limits.
- STRs (not home sharing) should provide an immediate contact person (not within 24 hours).
- There should be distinction between Homestay (host residence) and STRs.

### IMPACTS

- What good are response plans when you still are forced to call 911 or the sheriff at all hours of the night? Vacationers are there to party.
- Montecito has one sheriff to patrol our community. That sheriff cannot enforce every noise complaint that is common with short-term rentals. STRs are not consistent with the semi rural nature and will destroy our peaceful community. Please help preserve its well thought-out plans.
- As a resident from Mission Canyon I am very concerned about STR. Should there be a fire the renter will not be prepared on how to deal with a fire, and they will likely not receive the reverse 911 calls that are made to landline phones to warn residents to evacuate.
- We should not allow STRs in single family period! Noleta will lose what is charming about it- peaceful neighborhood.
- A STR business is a violation of the zoning for single family residential. They should not be allowed.

### GENERAL

- Use TOT tax for special nuisance officer.
- Goleta has good example, Carpinteria has good example, do not follow City of Santa Barbara.
- County regulations should allow STRs for events and weddings.
- Rely on responsible, professional, reachable, local, management to oversee and enforce reasonable civil activities and occupancy.
- I do not think the meeting setup reflects a true representation of the community as mainly invested people show up and not so many elderly, busy families, or those who don't really know the process.
- Homestays create more income for County and will be great for tourism.
- Vacation rental companies are now starting to be required to autopay TOT, so no extra county personnel are required to collect tax.
- Resident of a neighborhood can use street parking equally, some people will always complain so neighbors should all be contacted before nuisance status is deemed.
- Maintain clear functional regulations between STRs and Homesharing.
- As a member of the events industry (I play at weddings, home parties, funerals, etc.) I would like to see regulations that allow STRs to continue. My colleagues all comply with County regulations.
- This exercise is a poor example for making any judgment. The pro forces are here in force and this is not helpful in the zoning problem.
- I do not agree with allowing homestays and disallowing STRs. It seems to me that both activities would be possible with regulations.

## **ATTACHMENT C**

Please follow this link to review public comments on STRs:

[http://longrange.sbcountyplanning.org/programs/Short-term%20rentals/STR\\_comments.php](http://longrange.sbcountyplanning.org/programs/Short-term%20rentals/STR_comments.php)

# ATTACHMENT D

## LODGING USES DEFINED

1. Bed and Breakfast. A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable County health regulations.
2. Boarding or Rooming House. A residence or dwelling other than a hotel, where the business of keeping boarders is generally carried on and which is held out by the owner or keeper as a place where boarders are kept.
3. Guest Ranch. A vacation resort, generally a farm or ranch, that derives all or part of its income from the use of its facilities by paying visitors or guests, and provides food, lodging, and recreational activities.
4. Hostel. Overnight sleeping accommodations that provide supervised and inexpensive lodging for travelers, and may provide kitchen and eating facilities. Occupancy is generally of a limited duration.
5. Hotel. A building or group of buildings containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who, for compensation, are lodged with or without meals, but not including a trailer court or camp, sanitarium, hospital, asylum, orphanage or building where persons are housed under restraint.
6. Motel. A transient lodging establishment containing six or more rooms with at least 25 percent of all rooms having direct access to the outside without the necessity of passing through a main lobby.

MONTECITO LUDC									
LAND USE	RESIDENTIAL					COMMERCIAL			AGRICULTURE
	R-1/E-1	R-2	DR	PRD		CN	C-V		AG-I
Lodging - Hostel	—	—	—	—		—	—		—
Lodging - Hotel or motel	—	—	—	—		—	P		—
Lodging - Bed and breakfast	—	—	—	—		—	—		—
Lodging - Guest ranch	—	—	—	—		—	P		—

ARTICLE II											
LAND USE	RESIDENTIAL					COMMERCIAL					AGRICULTURE
	R-1/E-1	R-2	DR	PRD		C-1	C-2	CH	C-V		AG-II
Lodging - Hostel	—	—	—	*		P	—	—	CUP		—
Lodging - Hotel or motel	—	—	—	*		CUP	P	P	P		—
Lodging - Bed and breakfast	—	—	—	*		P	—	—	—		—
Lodging - Guest ranch	—	—	—	—		—	—	—	P		CUP

\*PRD zones allows "visitor-serving commercial facilities" with a CUP in developments of 200+ dwelling units (35-75.8.2)

# Attachment E

## Article II

### 1. Agricultural Districts.

#### Section 35-68. AG-I - Agriculture I.

The purpose of the Agriculture I district is to designate and protect lands appropriate for long-term agricultural use within or adjacent to urbanized areas, and to preserve prime agricultural soils.

#### Section 35-69. AG-II - Agriculture II

The purpose of the Agriculture II district is to establish agricultural land use for large prime and non-prime agricultural lands in the rural areas of the County (minimum 40 to 320 acre lots) and to preserve prime and non-prime soils for long-term agricultural use.

### 2. Residential Districts.

#### Section 35-70. RR - Rural Residential.

This district classification is to be applied to rural areas, generally of marginal agricultural value where low density residential and agricultural uses are appropriate. The purpose of this district is to preserve the rural character of an area and provide for low density residential development.

#### Section 35-71. R-1/E-1 - Single-Family Residential.

The purpose of this district is to reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health, welfare, and safety. It is the intent of this district to protect the residential characteristics of an area and to promote a suitable environment for family life.

#### Section 35-72. R-2 - Two Family Residential.

The purpose of this district is to provide areas for multiple residential development in the form of duplexes and to maintain a residential character similar to that found in single-family neighborhoods. The intent is to ensure compatibility of duplex development with surrounding multiple and single-family residences and the local neighborhoods.

#### Section 35-73. EX-1 - One-Family Exclusive Residential.

The purpose of this district is to provide for residential development for the area in the Coastal Zone known as Hope Ranch. It is the intent of this district to insure that such development protects the residential character of the area and is consistent with sound standards of public health, welfare, and safety.

#### Section 35-74. DR - Design Residential.

It is the purpose of this district to provide areas for residential development in a wide range of densities, housing types, and design, and to create open space within new residential developments. The intent is to ensure comprehensively planned and well-designed single family and multiple residential developments.

#### Section 35-75. PRD - Planned Residential Development.

It is the purpose of this district to ensure comprehensively planned development of large acreages within designated urban areas that are intended primarily for residential use. The intent of this district is to:

1. Promote flexibility and innovative design of residential development to provide desirable aesthetic and efficient use of space and to preserve significant natural, scenic, and cultural resources of a site;
2. Encourage clustering of structures to preserve a maximum amount of open space;

3. Allow for a diversity of housing types; and,
4. Provide recreational opportunities for use by both the residents of the site and the public.

## Montecito LUDC

### *35.421.020 - Purpose of the Agricultural Zone*

The Agricultural (AG-I) zone is applied to areas appropriate for agricultural use within Urban areas, as designated on the Comprehensive Plan maps. The intent is to preserve prime agricultural soils.

### *35.423.020 - Purposes of the Residential Zones*

The purposes of the individual residential zones and the manner in which they are applied within the Montecito Community Plan area are as follows:

- A. R-1/E-1 (One-Family Residential) zone.** The R-1 and E-1 zones are applied to areas appropriately located for family living at a reasonable range of population densities, consistent with sound standards of public health, safety, and welfare. This zone is intended to protect the residential characteristics of an area and to promote a suitable environment for family life.
- B. R-2 (Two-Family Residential) zone.** The R-2 zone is applied to areas appropriate for multiple residential development in the form of two-family dwellings (duplexes) and to maintain a residential character similar to that of one-family neighborhoods. This zone is intended to ensure the compatibility of duplex development with surrounding multiple and one-family dwellings and neighborhoods.
- C. DR (Design Residential) zone.** The DR zone is applied to areas appropriate for one-family, two-family and multi-family dwellings. This zone is intended to ensure comprehensively planned and well-designed residential development, while allowing flexibility and encouraging innovation and diverse design, and requiring that substantial open space be maintained within new residential developments.
- D. PRD (Planned Residential Development) zone.** The PRD zone ensures the comprehensively planned development of large acreage within designated Urban areas that are intended primarily for residential use. The intent of this zone is to:
  1. Promote flexibility and innovative design of residential development, to provide desirable aesthetic and efficient use of space and to preserve significant natural, scenic, and cultural resources of a site;
  2. Encourage clustering of structures to preserve a maximum amount of open space;
  3. Allow for a diversity of housing types; and
  4. Provide recreational opportunities for use by both the residents of the site and the public.