

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
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TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF JULY 30, 2014

***RE: Summerland Community Plan Update Focused Ordinance Amendment;
14ORD-00000-00007***

Hearing on the request of the Planning and Development Department that the County Planning Commission recommend that the Board of Supervisors adopt an ordinance, Case No. 14ORD-00000-00007, amending the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, to adopt new zoning regulations as part of implementing the Summerland Community Plan Update; and to recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act. The project involves all lots located in the Summerland Community Plan – Inland Area, First Supervisorial District.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of July 30, 2014, Commissioner Cooney moved, seconded by Commissioner Brown and carried by a vote of 5 to 0 to recommend the Board of Supervisors:

1. Make the findings for approval in Attachment A of the staff report, dated July 17, 2014, including CEQA findings, and recommend the Board make the appropriate findings for approval of the proposed ordinance amendment.
2. Adopt the Resolution in Attachment B recommending that the Board of Supervisors adopt Case No. 14ORD-00000-00007, an ordinance amending the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, as set forth in Attachment B - Exhibit 1 of the staff report, dated July 17, 2014, to adopt new zoning regulations as part of implementing the Summerland Community Plan Update.

Sincerely,



Dianne M. Black
Secretary to the Planning Commission

cc: Case File: 14ORD-00000-00007
Planning Commission File
Dianne M. Black, Assistant Director
David Lackie, Interim Deputy Director
Jenna Richardson, Deputy County Counsel

Attachments: Attachment A – Findings for Approval
Attachment B – Resolution – LUDC Ordinance Amendment

DMB/dmv

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Attachment A: Findings for Approval

Case No. 14ORD-00000-00007
County Land Use and Development Code

1.0 CEQA FINDINGS

1.1 CEQA Guidelines Exemption Findings

- 1.1.1 The Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed project, 14ORD-00000-00007, was examined in the Summerland Community Plan EIR (91-EIR-07) and Summerland Community Plan Update Supplemental EIR (13EIR-00000-00003), and pursuant to CEQA Guidelines Section 15162, no new effects could occur and no new mitigation measures are required, and therefore no new environmental document is required.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.104.060 (Findings Required for Approval of Amendment) of the County Land Use and Development Code (LUDC), the following findings shall be made by the Planning Commission in order to recommend approval of a text amendment to the County Land Use and Development Code, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the County Land Use and Development Code:

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

The proposed ordinance is in the interest of the general community welfare since the amendment will serve to clarify and update the development permit process without compromising community values, environmental quality, or the public health and safety. The proposed ordinance amendment will restore a previous ordinance provision exception for attached garages on lots 12,000 square feet or greater in the Summerland Community Plan area, which will enhance existing permit process clarity and efficiency while minimizing potential adverse impacts to the community.

2.2 The request is consistent with the Comprehensive Plan, the Local Coastal Program, the requirements of State planning and zoning laws, and the Land Use and Development Code (LUDC).

Adoption of the proposed ordinance will provide more effective implementation of the State planning and zoning laws by providing a clearer and more efficient permit process that will benefit both the public and staff. The proposed ordinance will not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan including the Summerland Community Plan. The proposed amendment is also consistent with the remaining portions of the County Land Use and Development Code that would not be revised by this ordinance. Therefore, this ordinance may be found consistent with the Comprehensive Plan, including the Summerland Community Plan, the requirements of State Planning and Zoning Laws, and the County Land Use and Development Code.

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

The proposed ordinance is consistent with sound zoning and planning practices to regulated land uses for the overall protection of the environment and community values since it will

enhance existing permit process clarity and efficiency while minimizing potential adverse impacts to the community. As discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive Plan including the Summerland Community Plan, and the County Land Use and Development Code.

ATTACHMENT B: 14ORD-00000-00007 RESOLUTION AND ORDINANCE

**RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING TO THE BOARD)
OF SUPERVISORS THE ADOPTION OF AN AMENDMENT)
TO SECTION 35-1, THE SANTA BARBARA COUNTY LAND)
USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING,)
OF THE COUNTY CODE, AMENDING ARTICLE 35.2, ZONES) RESOLUTION NO.: 14 - 20
AND ALLOWABLE LAND USES, TO IMPLEMENT NEW)
REGULATIONS AS PART OF THE SUMMERLAND) CASE NO.: 14ORD-00000-00007
COMMUNITY PLAN UPDATE)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Land Use and Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code; and
- B. The Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 14ORD-00000-00007) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, to implement new regulations and make other minor clarifications, corrections and revisions.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Community and Area Plans, and the requirements of the State Planning, Zoning and Development Laws.
- D. The proposed Ordinance is in the interest of the general community welfare since it will serve to correct and clarify existing text provisions by restoring the maximum floor area limit exception for attached garages up to 750 square feet on lots 12,000 square feet or greater in the Summerland Community Plan area.
- E. This Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the Planning Staff report dated July 17, 2014.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

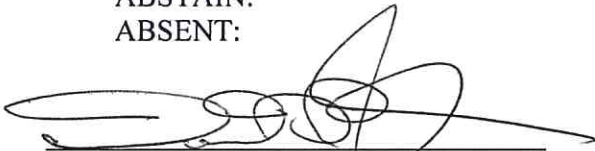
PASSED, APPROVED AND ADOPTED this July 30, 2014 by the following vote:

AYES: Cooney, Brown, Hartmann, Ferini, Blough

NOES:

ABSTAIN:

ABSENT:



DANIEL BLOUGH, Chair
Santa Barbara County Planning Commission

ATTEST:



DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 
Deputy County Counsel

EXHIBITS:

1. 14ORD-00000-00007

Exhibit 1

ORDINANCE NO. _____

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, TO IMPLEMENT NEW REGULATIONS AS PART OF THE SUMMERLAND COMMUNITY PLAN UPDATE.

Case No. 14ORD-00000-00007

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection G, Summerland Community Plan area, of Section 35.28.210, Community Plan Overlays, of Chapter 35.28, Overlay Zones, to read as follows:

G. Summerland Community Plan area.

- 1. Floor area limit.** Structures subject to this subsection shall not exceed the following maximum floor area limits.
 - b. Adjustments to maximum allowed floor area.**
 - (3) Garages attached to a dwelling.**
 - (a) Lots of less than 12,000 square feet (net).** On lots with a lot area (net) of less than 12,000 square feet, up to 500 square feet of floor area (net) used as an attached two-car garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with the FAR in Table 2-28 (One-family Dwelling Floor Area Limits), of Subsection G.1.a.(1), above.

Larger garages may be allowed, however, excess square footage will be counted toward the net floor area of the dwelling.
 - (b) Lots of 12,000 square feet (net) or greater.** On lots with a lot area (net) of 12,000 square feet or greater, up to 750 square feet of floor area (net) used as an attached garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with Subsection G.1.a.(2), above.

SECTION 2:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 3:

Except as amended by this Ordinance, Article 35.2 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 4:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2014, by the following vote:

- AYES:
- NOES:
- ABSTAINED:
- ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel