

## **ATTACHMENT 4: MLUDC FINDINGS**

### **CASE NO. 16ORD-00000-00007**

#### **Montecito Land Use and Development Code Ordinance Amendment**

#### **1.0. CEQA FINDINGS**

##### **1.1 CEQA Guidelines Exemption Findings**

- 1.1.1** The Board of Supervisors finds that the proposed project, 16ORD-00000-00007, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment 5, Notice of Exemption.

#### **2.0 ADMINISTRATIVE FINDINGS**

In compliance with Section 35.494.060.A (Findings Required for Approval of Amendments) of the Santa Barbara County Montecito Land Use and Development Code (MLUDC), the Board of Supervisors shall make the following findings in order to approve an amendment to the MLUDC:

##### **2.1 The request is in the interests of the general community welfare.**

The Santa Barbara County Comprehensive Plan's 2015-2023 Housing Element contains policies and programs to enhance the affordability of the housing supply, as well as promote, encourage, and facilitate housing for senior and special needs groups. The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to effectuate Program 1.16 of the County Comprehensive Plan's 2015-2023 Housing Element. Program 1.16 requires the County to consider zoning ordinance amendments providing modified development standards to encourage the development of affordable, senior, and special care housing. Accordingly, the proposed ordinance amendment will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock.

##### **2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the Montecito Land Use and Development Code.**

Adoption of the proposed ordinance, as analyzed in the Montecito Planning Commission staff report, dated April 28, 2016, which is hereby incorporated by reference, will effectuate Program 1.16 of the 2015-2023 Housing Element. The 2015-2023 Housing Element is one of seven mandatory elements of the County Comprehensive Plan. The Board of Supervisors adopted the 2015-2023 Housing Element after making a finding that the element was in conformity with other mandatory and optional elements of the Comprehensive Plan. The 2015-2023 Housing Element contains Program 1.16 and more than 35 other programs to carry out the County's housing goals and policies. Therefore, the proposed ordinance amendments implement and are in conformity with the Comprehensive Plan, including the 2015-2023 Housing Element.

The proposed ordinance amendments will not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Montecito Community Plan, and the adoption of the proposed ordinance amendments will not result in any inconsistencies with adopted policies and development standards. The proposed ordinance amendment will not allow any new land uses in the DR zone or increase the maximum density for qualifying affordable, senior, and/or affordable senior housing developments permitted under the MLUDC. Furthermore, as stated in Section 6.0 of the Montecito Planning Commission staff report, dated April 28, 2016, which is hereby incorporated by reference, the modifications to the DR zone development standards proposed by this ordinance amendment will be minor in nature and will provide parking requirements more accurately reflecting the demands of affordable, senior, and special care housing developments.

The proposed ordinance amendments will only apply to qualifying affordable, senior, and special care housing developments (see Section 6.1 the Montecito Planning Commission staff report, dated April 28, 2016, which is hereby incorporated by reference). Qualifying development will require discretionary review and approval. Discretionary approval requires that the proposed development be consistent with the policies and development standards of the Comprehensive Plan, including the Montecito Community Plan, and the applicable findings for approval can be made. Qualifying development will also require design review approval. In part, design review approval requires that a project's design be compatible with its surrounding area and consistent with the applicable design standards of the Comprehensive Plan. Therefore, these amendments may be found consistent with the Comprehensive Plan, including the Montecito Community Plan.

The proposed ordinance amendment is also consistent with the remaining portions of the Montecito Land Use and Development Code that would not be revised by this ordinance amendment.

Accordingly, this ordinance may be found to be consistent with the Comprehensive Plan, including the Montecito Community Plan, the requirements of State Planning and Zoning Laws, and the Montecito Land Use and Development Code.

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

The proposed ordinance, as analyzed in the Montecito Planning Commission staff report dated April 28, 2016, which is hereby incorporated by reference, is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since it will not alter the permitted uses within the DR zone, will not increase the maximum allowed density in the DR zone, and will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock. As discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive Plan including the Montecito Community Plan, and the Montecito Land Use and Development Code.