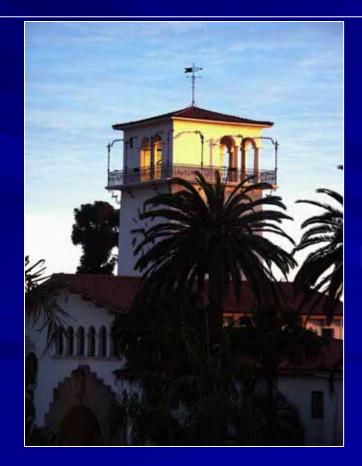
Overall Sign Plans, Ridgeline/Hillside Development, Small Additions, Special Care Homes & Temporary Sales Offices Ordinance Amendment Board of Supervisors July 15, 2008



# Summary

Ordinance amendment includes:

- Shifting the permit requirement from a LUP to a Zoning Clearance for one-story additions to existing single-family dwellings
- Shifting the permit requirement from a LUP to a Zoning Clearance for temporary sales offices in new subdivisions

Requiring that Overall Sign Plans be processed in conjunction with the Development Plan for the shopping center

# Summary

Ordinance amendment also includes:

 Revisions to the Special Care Homes permit process
–Requested by the Board of Supervisors on December 4, 2007

 Revisions to the Ridgeline/Hillside Development Standards
–Requested by the Board of Supervisors on January 15, 2008

## Background

- This is part of the ongoing process improvement efforts by the County
- Consistent with Board direction in May 2005 (reaffirmed October 2005):
  - Make the process easier to navigate, and more time efficient and cost effective, while maintaining the quality of development in the County

Reviewed by the Oversight Committee

Numerous workshops with the County and Montecito Planning Commissions

## Background

Future process improvement amendments under review

> Process revisions for agricultural development

Solar energy systems

# **One Story Additions to SFDs**

Current: All additions require a LUP regardless of height or area

Proposed: Use the Zoning Clearance process for minor additions that comply with the following:

The addition is limited to one story.

The roof ridgeline elevation of the addition is the same or lesser height of the highest existing roof ridgeline

**One Story Additions to SFDs** Land Use Permit: Staff review for compliance with Comprehensive Plan and Zoning Ordinance Decision is noticed Decision may be appealed Zoning Clearance: Staff review for compliance with **Comprehensive Plan and Zoning Ordinance** No notice No appeal

One Story Additions to SFDs
Purpose: simplify process for single-story residential additions.
No appeals in recent history

Applicability: Countywide except Montecito

> Montecito not included due to minimal process improvement because all development in Montecito requires BAR review

# **Overall Sign Plans**

Current: After Planning Commission approves Development Plan for a shopping center, Zoning Administrator subsequently approves Overall Sign Plan

Proposed: Overall Sign Plan submitted & reviewed by Planning Commission concurrently with Development Plan

# **Overall Sign Plans**

Purpose: Consolidate review process to be more efficient and cost-effective

Applicability: Countywide

## **Temporary Sales Offices**

Current: Temporary sales offices for new subdivisions are allowed subject to the issuance of a LUP

Proposed: Require a Zoning Clearance instead of a LUP

## **Temporary Sales Offices**

Purpose: simplify process for temporary sales offices No appeals in recent history Applicability: Countywide except Montecito Montecito not included due to minimal process improvement because all development in Montecito requires BAR review Few if any sites available for large subdivisions

- Current: If 16 foot drop in elevation within 100 feet of structure footprint, then must be reviewed and approved by the BAR
  - Required to comply with development standards (height, location on site)
  - Exemptions for agricultural windmills and water tanks, public utility poles, towers and antennas
  - Exemption if standards would inordinately restrict or for better design (BAR)
  - Exemption when 16 foot drop is caused by minor topographic variation (Director)

Proposed additional exemption for structures that are not visible from public viewing areas:

Restrict to designated Rural Areas
Add to exemptions under BAR jurisdiction

Recommended by Central and South County BARs Unanimous recommendation by County **Planning Commission** Applies Countywide outside of Montecito Montecito not included due to minimal process improvement because all development in Montecito requires BAR review

- Not Included: Proposed additional exemption for small additions to existing structures that are:
  - Area is 500 sf or less (one time only)
  - Height does not exceed existing roof ridgeline
  - Exterior appearance/style reflects existing structure
  - Uses the same exterior materials, roof materials, colors and design of exterior physical features of existing structure
  - Located so that is not visible from downslope, or, located in front of existing structure when viewed from down-slope at same finished grade where attached

Not recommended by Central and South County BARs

Not recommended by County Planning Commission

Not included: Proposed clarification regarding what qualifies as a minor topographic variation that would allow the Director to exempt a structure from the process

- Not recommended by Central and South County BARs
- Not recommended by County Planning Commission

#### **Special Care Homes**

Current: LUP if serves 14 or fewer clients; CUP if serves 15 or more clients

Proposed: LUP if serves 6 or fewer clients; CUP if serves 7 or more clients

Applies Countywide

## **Special Care Homes**

State protections for Special Care Homes serving 6 or fewer clients:

- Cannot be subject to any special tax
- Designated a residential (not commercial) use of property
- Zoning standards limited to those applied to other dwellings of the same type in the same zone
- Cannot require CUP, variance or other special permit

#### **Special Care Homes**

May use a CUP to regulate Special Care Homes serving more than 6 clients

May only adopt conditions that achieve legitimate, neutral zoning standards

- Ensure that the facility conforms to the neighborhood (e.g., size, design)
- Can only regulate in the same manner as other dwellings

Must be unrelated to the characteristics or health of the occupants of the proposed facility

May not be used as the mechanism to exclude the facility from the neighborhood

#### Recommendation

#### Adopt ordinances amending the County and Montecito LUDCs to:

- Shift minor additions to single-family dwellings to a Zoning Clearance (County only)
- Require Overall Sign Plans to be process concurrently with the shopping center Development Plan (County & Montecito)
- Shift temporary sales office to a Zoning Clearance (County only)
- Add additional exemption to Ridgeline/Hillside Development Standards (County only)
- Lower CUP threshold for Special Care Homes from 15 to 7