

**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

# Ridgeline/Hillside Development

- 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)

# Ridgeline/Hillside Development

- Proposed additional exemption for structures that are not visible from public viewing areas:
  - Restrict to designated Rural Areas
  - Add to exemptions under BAR jurisdiction

# Ridgeline/Hillside Development

- 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

# Ridgeline/Hillside Development

- **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 down-slope, or, located in front of existing structure when viewed from down-slope at same finished grade where attached



# Ridgeline/Hillside Development

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

# Ridgeline/Hillside Development

- **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