

Multiple-Unit and Mixed Use Development Objective Design Standards Case No. 22ORD-00000-00010

Board of Supervisors
January 24, 2023



County of Santa Barbara
Planning and Development
Travis Seawards

Project Scope

The ordinance amendment package will:

1. Implement a streamlined application review process for “qualifying streamlined housing projects” under Senate Bill 35
2. Provide objective design standards for multiple-unit residential and mixed-use housing development, including those the County may require compliance with “objective” standards under applicable State housing law.

Background

- Intent of SB 35 is to facilitate and expedite the construction of housing.
- Qualifying projects must receive ministerial approval
 - Ministerial processing - little or no personal judgment by the public official
- SB 35 allows local jurisdictions to create and implement objective design standards for qualifying multi-unit and mixed-use development projects
 - “Objective zoning standard”
 - no personal or subjective judgment
 - uniformly verifiable by reference to an external and uniform benchmark or criterion
 - available and knowable by both the applicant and the public official prior to submittal
 - standards as are published and adopted by ordinance or resolution prior to submission of a application.

Proposed Ordinance Amendments – Ch. 35.31

Chapter 35.31 sets forth procedures to implement SB 35 and provides a streamlined ministerial review process for qualifying housing development projects.

- The proposed permit = Zoning Clearance.
- Qualifying projects are ministerially approved, statutorily exempt from CEQA (Section 15268).
- All qualifying projects subject to review and approval by Director.

Proposed Ordinance Amendments – Ch. 35.33

Chapter 35.33 addresses objective design standards. Five sections in the new ordinance:

- Purpose and Intent
- Building Design
- Site Design
- Mixed-Use Standards
- Utilitarian Elements

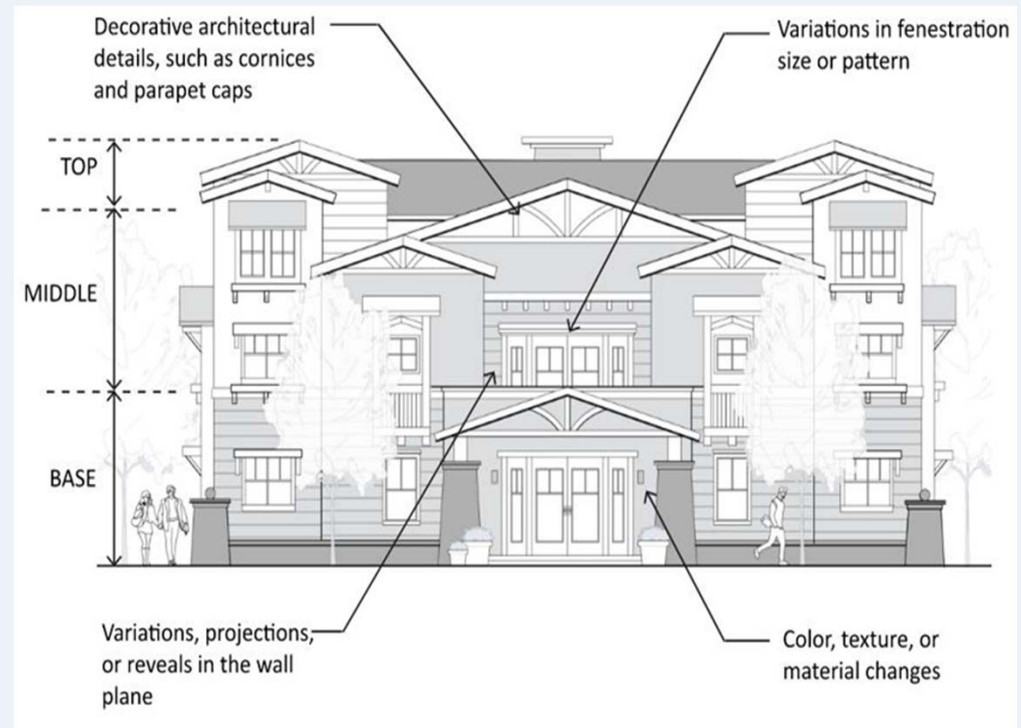
Ch. 35.33 – Purpose and Intent

Purpose: Provide the public, building and design professionals, and decision-makers with objective criteria for multiple-unit and mixed-use housing development projects

- Applicability: For now, just inland areas
- Multiple-unit residential and mixed-use development in all Zone Districts, including
 - Development that constitutes a “housing development project” under Housing Accountability Act (GC Sec. 65589.5)
 - Qualifying “multifamily housing development” under SB 35 (GC Sec. 65913.4)
 - “Supportive housing” under AB 2162 (GC Sec. 65651)
 - Other multiple-unit residential or mixed-use development projects where the County may require compliance with “objective” standards under applicable State housing law.
- Design review exemption

Ch. 35.33 – Building Design

- **Building Design** standards for:
 - Building Form
 - Massing & Articulation
 - Building & Dwelling Unit Entrances
 - Windows & Doors
 - Materials & Color
 - Parking Structures
 - Garages and Carports
- Standards focus on requirements
 - Building façade,
 - Roof line articulation,
 - Window placement,
 - Materials and other architectural development standards.



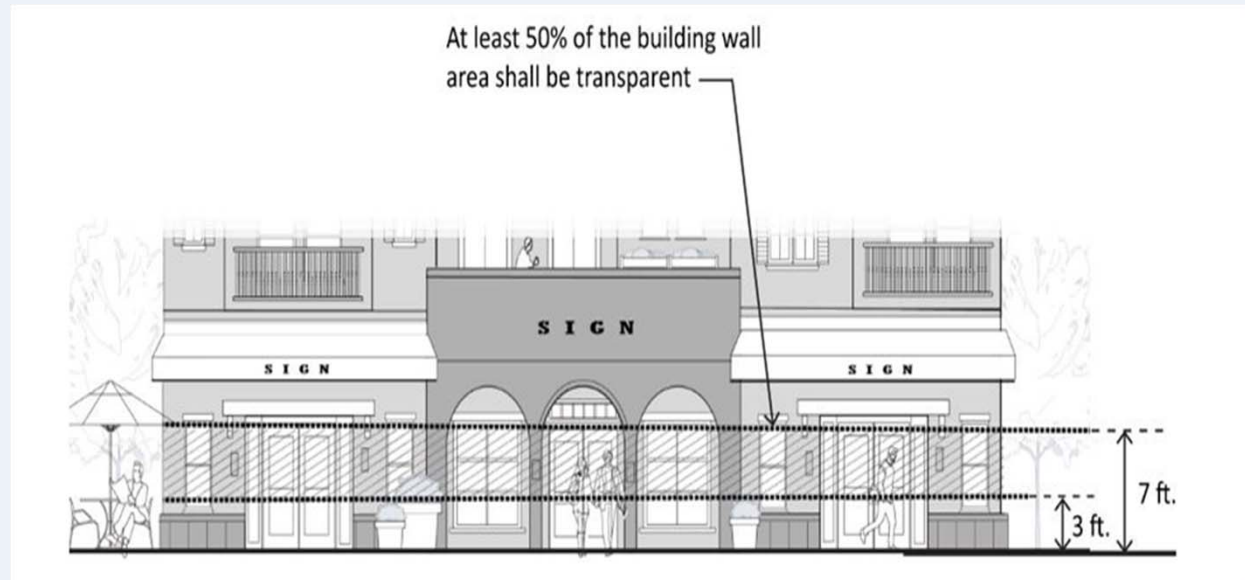
Ch. 35.33 – Site Design

- **Site Design** includes
 - Building Placement and Orientation
 - Vehicular Parking and Access
 - Pedestrian and Other Non-Vehicle Forms of Mobility Circulation and Access
 - Common Open Space, and
 - Landscaping.
- **Site Design standards** focus on:
 - New building orientation to the street,
 - Detail where parking areas can be located,
 - Open or common space requirements, and
 - Landscaping standards (drought-tolerant native species).



Ch. 35.33 – Mixed Use Standards

- **Mixed-use Standards** includes:
 - Ground Floor Height
 - Ground Floor Transparency
 - Street-Facing Setbacks
 - Street-Facing Entrance
- **Mixed-use Development Standards** focus on:
 - Specific site, building, and
 - Ground floor and entry requirements
 - Bicycle parking
 - Walls and fences



Ch. 35.33 – Utilitarian Elements

- **Utilitarian Elements** include:
 - Bicycle Parking
 - Trash & Recycling
 - Green Waste Container Enclosures
 - Fences & Walls
 - Lighting
 - Screening of Mechanical Equipment
- LUDC also includes standards for many of these topics



Planning Commission

- Planning Commission hearing on January 11, 2023 – 5/0 vote to recommend approval.
- PC recommended the following language be added:
- “Nothing in this Chapter is intended to limit the County’s discretion, to the fullest extent permitted under law, to condition the approval of multi-unit residential and mixed used development projects, as authorized under State housing law and this code.”

Environmental Review

Section 15061(b)(3) Exemption of the State Guidelines for Implementation of the CEQA.

- Section 15061(b)(3) states “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”
- The ordinance establishes objective design criteria for multiple-unit residential and mixed-use development, and the implementation of these basic design requirements would not result in significant environmental impacts.

Recommendations

1. Make the required findings for approval (Attachment 1), including CEQA findings, and recommend that the Board make the required findings for approval of the ordinance amendments;
2. Recommend that the Board determine that the ordinance (Case No. 22ORD-00000-00010) is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA; and
3. Adopt an ordinance (Attachment 3, Case No. 22ORD-00000-00010) to amend the LUDC, Chapter 35, Zoning, of the Santa Barbara County Code.