

ATTACHMENT G: ORDINANCE AMENDMENT SUMMARY



Zoning Ordinance Amendment Project

Updating the Zoning Ordinance to be more effective, efficient and clear.

Phase II Amendments:



Housing Accommodation



Process Improvement

Introduction

August 2025

References added October 2025



COUNTY of
SANTA BARBARA

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Introduction

The Zoning Ordinance Amendment Project is an effort by Santa Barbara County to bring certain rules, regulations, and review processes up to date with County goals, and reflect current regulatory, economic, and environmental conditions. The project objective is to make requirements clear and effective, streamline review processes, and incorporate flexibility to adapt to specific circumstances. The overall project consists of three primary sets of amendments to the County's land use and development regulatory documents: technical updates, housing accommodation, and process improvements.

Phase I of the project consisted of amendments to outdoor lighting standards, sign standards, and the Shopping Center Zone District to consolidate and standardize existing requirements, incorporate current practice, or achieve the intent of current practice. Phase I was completed in Spring of 2025. Phase II consists of the amendments described in this paper. Phase III consists of further amendments to the review process for certain projects to reduce unnecessary processing and promote the type of development the community wants by providing a clear, predictable path to approval.



The Phase II Amendments include amendments to the Land Use and Development Code (LUDC), Montecito Land Use and Development Code (MLUDC), and the Coastal Zoning Ordinance (CZO) that are part of the process improvement and housing accommodation portions of the Zoning Ordinance Amendment Project.

- The process improvement portion of the project is intended to improve the functionality of the codes and review processes and promote the type of development the community wants by providing a clear and predictable review process. To this end, the Phase II Process Improvement Amendments are aimed at standardizing and streamlining review procedures to provide applicants and others with

consistent expectations for project review and removing redundant language to make applicable provisions easier to locate, use, and understand.

- The housing accommodation portion of the project is intended to update certain regulations that apply to commercial and residential development to reflect changes in State law, development patterns, building requirements, and economic trends and address two programs in the recently adopted Housing Element Update:
 - **HE Program #1:** Revise the development standards (e.g., height, lot coverage, and open space requirements) to ensure that maximum densities can be achieved.
 - **HE Program #16:** Modernize the multifamily residential and commercial zone (e.g., allow mixed uses) districts to facilitate the development of multi-family housing and to implement new state laws (e.g., AB 2011 and SB 6), which streamline the approval process for housing in commercial areas.

The Draft Process Improvement and Housing Accommodation amendments are described further below.

Draft Process Improvement Amendments

The amendments related to Process Improvement include the following.

Remove redundancies and simplify and standardize language.

The draft amendments include revisions throughout the Code to simplify and standardize language, remove redundancies, clarify applicability, and remove obsolete provisions. The text of the current Code is complex, as it references and repeats itself many times. The Code also contains many instances of direct duplication. As a result, Code users must search through a large amount of text before arriving at the sections they need. When the Code repeats information in nearly or exactly the same language, it is not always clear whether nuances in wording or positioning are intended to accomplish different goals, or if they override each other entirely. Duplication such as this not only lengthens the text but also introduces an element of doubt as to what standards apply. A streamlined code operates with the fewest number of provisions necessary to achieve its goals. Removing redundant language from the existing regulations is a meaningful step toward streamlining, as this action alone serves to avoid ambiguity and reduce the sheer bulk of the code, making the code's provisions easier to locate, use, and understand. To this end, the draft amendments include removal or revision to the following sections:

- Delete LUDC Section 35.22.060 (MLUDC Section 35.422.060) – Resource Protection Zones Findings for Project Approval. Redundant with generally applicable rule.
- Delete LUDC Section 35.30.050 (MLUDC Section 35.430.050) – Density. Obsolete, no longer applicable as a general rule.
- Delete LUDC Section 35.30.060 (MLUDC Section 35.430.060) – Design Compatibility Standards. Not necessary nor effectual, duplicative of Land Use Element visual policies.
- Delete LUDC Section 35.30.080 (MLUDC Section 35.430.080) – Flood Hazard Development Standards. Relocated to the Flood Hazard Overlay Zone which applies to all land within the 100-year flood plain.
- Delete LUDC Section 35.30.100 (MLUDC Section 35.430.100) – Infrastructure, Services, Utilities, and Related Facilities. Addressed by other regulations and/or sections of the County Code.
- Delete LUDC Section 35.30.130 (MLUDC Section 35.430.130) – Performance Standards. Duplicative of policies from the Land Use Element and the Resource Management Element. All policies of the Comprehensive Plan are equal in standing. A limited few policies should not be repeated in the code.
- Delete LUDC Section 35.30.140 – Recreation and Visitor Serving Uses. This statement is not effectual, intent of statement addressed in prohibition on urbanization and other policies and development limitations.
- Delete LUDC Section 35.30.180 (MLUDC Section 35.430.180) – Storm Water Runoff Requirements. Addressed by other regulations and/or sections of the County Code.

- Revise LUDC Chapter 35.34 (MLUDC Section 35.434) – Landscaping Standards. Delete redundant language, consolidate like provisions, and reorganize to improve functionality.

Reference:

- ***County Land Use and Development Code Ordinance Amendment, page 294***
- ***Montecito Land Use and Development Code Ordinance Amendment, page 81***

- Revise LUDC Chapter 35.36 (MLUDC Section 35.436) – Parking and Loading Standards. Clarify applicability, delete redundant language, and reorganize to improve functionality.

Reference:

- ***County Land Use and Development Code Ordinance Amendment, page 304***
- ***Montecito Land Use and Development Code Ordinance Amendment, page 85***

- Delete LUDC Section 35.42.080 (MLUDC Section 35.442.060) – Caretaker or Employee Housing. Redundant with the definition of Caretaker/Employee Dwelling.
- Delete LUDC Section 35.42.120 – Crematoriums, Funeral Homes, and Mortuaries. Provisions relocated to allowed use tables.
- Revise LUDC Section 35.42.190 (MLUDC Section 35.442.130) - Home Occupations and CZO Section 35-121 - Home Occupations. Clarify that home occupations may be operated within any enclosed primary or accessory structure and incorporate recent LUDC amendments into the MLUDC and Coastal Zone Ordinance.

Reference:

- ***County Land Use and Development Code Ordinance Amendment, page 342***
- ***Montecito Land Use and Development Code Ordinance Amendment, page 105***
- ***Coastal Zoning Ordinance Amendment, page 73***

- Delete LUDC Section 35.42.200 – Mixed Use Development. Residential development allowances and limitations incorporated into commercial district standards. General limitation on bedrooms and floor area no longer applicable.
- Delete LUDC Section 35.42.205 (MLUDC Section 35.442.140) – Mobile Homes on Permanent Foundations and CZO Section 35-141, Mobile Homes on Foundations. Mobile homes are subject to the building code and for planning purposes, treated similarly to 'stick built' construction. Other aesthetic requirements are not necessary.
- Delete LUDC Section 35.42.220 (MLUDC Section 35.442.150) – Residential Project Convenience Facilities. These are accessory uses that are customarily incidental to a residential project and considered as part of the residential project.
- Delete LUDC Section 35.42.250 – Small Animal Hospitals. Provisions relocated to allowed use tables.
- Delete LUDC Section 35.42.270 – Vehicle Services. Provisions relocated to allowed use tables.
- Delete LUDC Section 35.104.080 (MLUDC Section 35.494.080) – Rezone Requirements for Specific Zones. Provisions redundant with Comprehensive Plan policies or other generally applicable provisions, or have been relocated to applicable zone regulations.

- Delete expired provisions related to COVID-19 and expired voter approval related to oil and gas facilities.
- Other miscellaneous text edits throughout the code.

Revise Certain Permit Procedures and Administrative Provisions.

Standardized review procedures serve to clarify the review process and provide applicants and others with consistent expectations for project review. Currently, procedures that are common to multiple review procedures, such as approval expiration dates, have different allowances. In other cases, the applicability of common procedures is not clear. Additionally, some of the existing permit procedures and administrative provisions contain complex and confusing structures and superfluous steps. The draft amendments include revisions to streamline the text and structure of certain provisions for clarity, make the procedures easier to use and understand, and simplify the permit review process without compromising the outcome. The draft amendments include the following revisions:

Similar Use Determinations

The draft amendments revise the procedures for evaluating land uses that are not specifically enumerated in the code to reflect current practice. As currently written, the Planning Commission may determine that a proposed use not listed as permitted, may be allowed in certain zones if the use is similar to a use that is listed as allowable in that zone. These “similar use” determinations are available in some zones but not others, and require a burdensome process for what is often a straightforward issue. In practice, many of these ‘determinations’ are typically handled as interpretations at the staff or director level in order for the code to remain current with new and changing uses that appear over time. For example, yoga studios are not listed in the code but are evaluated pursuant to the code as Fitness/Health Club or Facility. The draft amendments enable the Director to make similar use determinations in all zones. Where there is uncertainty as to the appropriate ‘similar use’, the Director may defer the decision to the Planning Commission.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.20.030, page 7*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.420.030, page 4*
- *Coastal Zoning Ordinance Amendment, Formerly 35-179C, page 184*

Director Deferral to the Planning Commission

The draft amendments include provisions enabling the Director to refer any application for a project to the Planning Commission for decision (with applicant consent) where, in the Director’s opinion, the public interest would be better served by a Planning Commission public hearing and action.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.80.020, page 364*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.470.020, page 112*
- *Coastal Zoning Ordinance Amendment, Section 35-57C, page 3*

Minor Conditional Use Permits

Similar to the option for waived hearings for certain Coastal Development Permits, the draft amendments incorporate an option for the Director to waive the requirement for a public hearing for a Minor Conditional Use Permit if, after providing public notice of the project, the Department does not receive a request for a public hearing. This will help to reduce processing times and costs for what are often non-controversial projects.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.060, page 369*
- *Coastal Zoning Ordinance Amendment, Section 35-172.7, page 128*

Development Plans

In many zone districts, the Director is the Development Plan review authority for development involving a gross floor area of 10,000 square feet or less. There are, however, some instances where any development or where a small addition requires Development Plan approval by the Planning Commission. The draft amendments propose to allow for Director review of Development Plans for small projects (structures and additions less than 1,000 square feet) in all zones. This will help to reduce processing times and costs for these small projects.

The draft amendments also streamline the Development Plan process by removing the requirement for a Preliminary and Final Development Plan, which are typically processed together anyway.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.080, page 385*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.472.080, page 126*
- *Coastal Zoning Ordinance Amendment, Section 35-174, page 141*

Land Use Permits and Zoning Clearances

Land Use Permits and Zoning Clearances are both intended to ensure development conforms to all applicable plans, development standards, and conditions of approval. Unlike Zoning Clearances, Land Use Permits require public notice. The draft amendments establish that Land Use Permits are not required for projects that are otherwise subject to Development Plan or Conditional Use Permits, which are discretionary review procedures. Instead, projects that are subject to Development Plan or Conditional Use Permits, and therefore already receive public notice and a public hearing, or opportunity for public hearing, require a Zoning Clearance to ensure that the use and development of a site conforms with the approved discretionary permit. In practice, Land Use Permits have not commonly been required in conjunction with Development Plans or Conditional Use Permits, and these amendments will codify and clarify that process.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.110, page 395*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.472.110, page 134*

Modifications

Modifications are a process that allow for the consideration of limited modifications of certain zone standards (e.g. height, setback, or parking requirements) for projects that are not otherwise subject to a

Conditional Use Permit or a Development Plan. Currently, all Modifications are subject to a public hearing by the Zoning Administrator, unless the hearing is waived. In practice, many hearings are waived because the requests are minor and non-controversial. Additionally, the current process requires approval of the Modification, followed by separate processing and approval of a Land Use Permit or Coastal Development Permit. The draft amendments propose that Modifications be processed concurrently with a Land Use Permit/Coastal Development Permit with public notice and decision by the Director. No public hearing would be required unless an appeal is filed. Consistent with current requirements, Modifications would still be subject to Design Review. With the proposed amendments, the variable setback allowance in some residential zones is redundant with allowed modifications, and have also created confusion and challenges with tracking, and are therefore proposed to be deleted.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.130, page 398*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.472.120, page 137*
- *Coastal Zoning Ordinance Amendment, Section 35-179, page 167*

Variance

Similar to Modifications, the draft amendments clarify that a Land Use Permit is required for any development proposal that includes a Variance but does not otherwise require a Conditional Use Permit or Development Plan approval. Variances would be processed concurrently with and acted upon at the same time as, the associated Land Use Permit or Coastal Development Permit in order to reduce processing time and an unnecessary two-step process.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.200, page 404*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.472.180, page 142*
- *Coastal Zoning Ordinance Amendment, Section 35-173.5, page 140*

Design Review

The draft amendments include new exceptions to Design Review for accessory structures not visible from public roadways and detached accessory structures with less than 500 square feet of gross floor area located behind another building or on the rear half of the lot and provide clarified language for the requirement of conceptual review and timing of hearings.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.070, page 375*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.472.070, page 122*
- *Coastal Zoning Ordinance Amendment, Section 35-184, page 223*

The draft amendments also revise the appeal process for projects that require both Design Review and an associated development application. The current process essentially enables a single project to go through two redundant appeal processes, one for the development application and one for Design Review. The draft amendments revise Design Review procedures to eliminate appeals on follow-up design review approval where the associated development application was already approved so long as the project is in substantial conformity with the associated approved land use entitlement.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.102.020.C, page 433*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.492.020.C, page 168*
- *Coastal Zoning Ordinance Amendment, Section 35-182, page 215*

Coastal Development Permits

The draft amendments establish a subset of Coastal Development Permits that would not be subject to appeal. As currently written, an action on a Coastal Development Permit for development that is not appealable to the Coastal Commission is subject to local appeal in all instances, regardless of the type of development. The draft amendments identify certain project types for which an action of the Director on a Coastal Development Permit is not appealable, provided the development is not appealable to the Coastal Commission. Project types that would fall into this category are those that are intended to be processed ministerially, such as Accessory Dwelling Units, ground-mounted solar installations, and certain by-right housing projects proposed to be located outside of the Coastal Commission's Appeals Jurisdiction. Other project types may be added to this list in the future as part of the Phase III amendments.

Reference:

- *Coastal Zoning Ordinance Amendment, Section 35-169.4, page 103*

The draft amendments standardize expiration dates and time extensions for Coastal Development Permits and associated applications (Conditional Use Permits, Development Plans, Modifications, etc.). Where a permit application is processed concurrently with a Coastal Development Permit, the permit approval expires on the date the associated Coastal Development Permit, including time extensions, expires.

Reference:

- *Coastal Zoning Ordinance Amendment, Section 35-169.6, page 113*

The draft amendments also eliminate the requirement for a Zoning Clearance or a Land Use Permit where a Coastal Development Permit is issued by the County as these are redundant processes. In limited instances where the Coastal Commission issues the Coastal Development Permit, a Zoning Clearance is required.

Development Agreements

Provisions for Development Agreements contained in Chapter 35.86 of the LUDC are proposed to be replicated in the Coastal Zoning Ordinance to clarify that Development Agreements may be used in the Coastal Zone.

Reference:

- *Coastal Zoning Ordinance Amendment, Section 35-179C, page 184*

Permit Expirations and Time Extensions

The draft amendments extend and standardize time periods for expiration of planning permits for consistency and to reflect current development timeframes. Currently, approvals have varied expiration dates of one to five years, depending on permit type, causing confusion. It is not uncommon for multiple

planning permits that relate to a single project to have varied expiration dates. Additionally, the typical time it takes from permit approval to completion is trending longer. The draft amendments establish four years as the standard expiration date for planning permits for consistency and to accommodate reasonable timeframes for project completion, reflective of the current development context. Alternative time limits may also be established in the permit approval.

While fewer requests for time extensions will be necessary with the increased time limits noted above, the draft amendments also standardize the allowances and process for time extensions. Currently, time extensions are routinely granted, but in some cases must be acted upon by the Planning Commission at a public hearing. This can add unnecessary processing cost and time. The draft amendments enable the Director to extend the expiration of a permit or approval one time for two years. Public notice or hearing is not required and the Director's decision is not subject to appeal.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.84.030, page 410*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.474.030, page 148*
- *Coastal Zoning Ordinance Amendment, Section 35-179B, page 175*

Noticing

The draft amendments consolidate and, where possible, standardize noticing requirements for various permits and approvals which are currently repeated for each different permit or approval type.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.106.020, page 438*
- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.496.020, page 173*
- *Coastal Zoning Ordinance Amendment, Section 35-181, page 201*

Changes to Approved Projects

The draft amendments specify procedures for consideration of minor changes to Design Review approval and establish Zoning Clearances as the follow-up permit to Substantial Conformity Determinations, rather than Land Use Permits. The draft amendments also:

- Clarify the time limits for Substantial Conformity Determinations and Amendments,
- Revise the required findings for Amendments to address conformance with applicable plans and consistency with environmental effects of the original approval rather than a determination that the original findings are still applicable,
- Consolidate redundant provisions in the CZO, and
- Refine the Guidelines for Minor Changes to Land Use Permits, Design Reviews, and Zoning Clearances (LUDC/MLUDC), Guidelines for Minor Changes to Land Use and Coastal Development Permits, Design Reviews, and Zoning Clearances (CZO), and the Substantial Conformity Determination Guidelines to reflect common practice, identify thresholds, and clarify applicability.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.84.040, page 416, and Appendices C and F, page 449*

- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.474.040, page 153, and Appendices B and D, page 183*

- *Coastal Zoning Ordinance Amendment, Section 35-179E, page 190, and Appendices B and D, page 258*

Permit Lapse and Revocation

The current Code includes language by which approvals become void and are automatically revoked. In particular, if the development and/or authorized use allowed by the Conditional Use Permit is discontinued for a period of more than 12 months, the Code states the Conditional Use Permit 'shall become void and be automatically revoked.' However, the County does not have the authority to revoke an approval without due process. In order to revoke an approval, the County would need to go through the revocation process which requires notification, decision maker findings, and a public process with opportunity for appeal. The draft amendments revise the current Code language specific to Conditional Use Permits to state that any permit or approval shall remain valid and in force unless the use or structure authorized by the approval is removed from the site or remains vacant and unused for its authorized purpose, or is abandoned or discontinued for a period greater than 12 consecutive months, after which the County **may** begin revocation proceedings.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.82.020, page 368*

- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.472.020, page 115*

- *Coastal Zoning Ordinance Amendment, Section 35-57B, page 1*

The draft amendments also refine the provisions for revocation of permits, which the current Code establishes only for Zoning Clearances, Land Use Permits, and Conditional Use Permits. As currently written, the Director is the review authority for the revocation or revision on Zoning Clearances and Land Use Permits, and review authority of the original permit is the review authority for the revocation or revision of Conditional Use Permits, typically the Planning Commission or Zoning Administrator. The draft amendments establish general procedures by which any permit granted under the Code may be revoked or revised. The Director would be the review authority for revocations unless an appeal is filed or the Director refers the decision to the Planning Commission or Board of Supervisors. Notice to the permittee and property owner is required, and public notice and hearing is required where the Planning Commission or Board of Supervisors is the review authority. This process is consistent with the current process for Land Use Permits and Zoning Clearances. The draft amendments include required findings, at least one of which must be made in order to revoke or revise a permit. Equivalent provisions are proposed to also be included in the Coastal Zoning Ordinance, which currently lacks such provisions.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Section 35.84.060, page 423*

- *Montecito Land Use and Development Code Ordinance Amendment, Section 35.474.060, page 159*

- *Coastal Zoning Ordinance Amendment, Section 35-179H, page 196*

Draft Housing Accommodation Amendments

The Draft Housing Accommodation Amendments include amendments to Residential, Commercial, and Special Purpose Zones; the Pedestrian Area- Old Town Orcutt (PA-OTO) Overlay Zone; and the Community Plan Overlays as described below.

All Zones

Edits and revisions to development standard language are proposed in all Residential, Commercial, and Special Purpose Zones; the Pedestrian Area- Old Town Orcutt (PA-OTO) Overlay Zone; and the Community Plan Overlays to standardize and simplify language and eliminate redundancies and obsolete standards. Common areas of this category of amendments include:

- Simplification of setback requirement language, including front and secondary front setback requirements.
- Standardization of design review requirement and accessory structures and uses language.
- Elimination of building separation requirements which are addressed in the Building Code.
- Removal of redundant and unnecessary statement of optional conditions for condominiums.
- Removal of affordable housing incentives which are obsolete due to current programs and proposed standards.

Residential Zones

The primary zones providing areas for multi-unit residential development are the Design Residential (DR) and Planned Residential Development (PRD) zones. Both zones accommodate development of densities from 0.1 to 40 units per acre, depending on location.

The current DR zone development standards reflect a low-density, suburban development type. This makes sense as prior to the recent Housing Element Update related rezones, approximately only 0.5 percent of areas zoned for residential development were zoned for densities of 20 units/acre or more. However, as the County has rezoned property with increased density allowances, up to 40 units/acre in some cases, and is working to achieve its affordable housing goals, development standards such as height, setbacks, site coverage, and open space that can lead to limitations on housing development need to be adjusted to reflect higher density housing types and enable achievement of allowable density. The location of all areas zoned for residential development of 20 units/acre or more are shown on the maps included in Exhibit 1: Areas zoned for residential development of 20 units/acre or more.

The DR zone currently has one set of standards that apply to all DR zones, regardless of allowed density. The proposed amendments create two sets of standards – one set that applies to areas with maximum densities of less than 20 units per acre and one set that applies to areas with a maximum density of 20 units per acre or more – calibrated to foster and accommodate the type, location, and character of residential development that occurs at different densities. With the adjustments and modifications, described below, DR zone standards can enable achievement of allowed densities. With the exception of

requirements discussed in more detail below, the current development standards are proposed to be carried forward.

For the PRD Zones, development standards are currently determined by Development Plan approval. The proposed amendments establish that any standard not determined by the Development Plan defaults to the DR Zone standard to reduce redundancy and ensure all standards are addressed.

Height Limit and Front Setback Requirements – Density of 20 Units/Acre or More

For areas with a maximum allowable density of 20 units/acre or more, the required front setback is reduced from 20 ft to 10 ft and the allowable height is increased from 35 ft to 45 ft. Vacant sites that these adjusted standards would apply to are the subject of a pending project application and/or part of the recent Housing Element Update rezones.

Site coverage

For all DR zones, the site coverage limitation is proposed to be eliminated to enable achievement of allowable density. Cumulative application of other development standards, including height, setbacks, parking, and open space requirements serve to limit site coverage.

Open Space

The current DR Zone requirement to retain 40% of net site area as open space is a barrier to achieving allowable density. This is particularly true when applied along with parking requirements, height limitations, and setback requirements, all of which serve to restrict the allowable building envelope.

As currently structured, all areas of the site that are not covered by structures or parking, accessways, and other developed areas or hard surfaced walkways are included in the calculation of open space. As such, areas that serve a variety of purposes – habitat protection, resource conservation, landscaping, recreational amenity, and others – are included. However, there are other standards and requirements that are focused on and tailored to addressing some of these interests; particularly habitat protection, resource conservation, and landscaping. Additionally, due to environmental laws and County policies, habitat areas and other open areas warranting of protection would not be zoned for housing.

Recognizing that environmental protection and landscaping objectives are addressed by other mechanisms and requirements, 'open space' as a requirement for residential development can then focus on the objective of a useable amenity that adds to the functionality and desirability of a project. The specific standards and requirements for open space can focus on achievement of this objective, while still allowing achievement of allowed density.

To this end, revised standards identify a minimum amount of open space to be provided per residential dwelling unit, rather than as a percentage of the entire site. The minimum requirement varies by the maximum allowed density in the district to reflect the applicable development context and enable allowed densities to be achieved. Areas with a maximum density of less than 20 units per acre are required to provide a minimum of 200 square feet of usable open space per unit. Areas with an allowed density of 20 units per acre or more are required to provide a minimum of 60 square feet of usable open

space per unit, a minimum of 25% of which must be provided as common open space. The balance of the required open space area may be provided as common or private open space.

Private open space provides open space areas for the exclusive use of occupants of an individual unit and includes balconies, decks, patios, yards, and other similar private areas.

Common open space provides areas for recreation, gathering, and enjoyment with shared access for all building occupants. Outdoor common open space includes recreational areas, landscaped areas, patios, swimming pools, barbeque areas, playgrounds, turf, or other such improvements as are appropriate to enhance the outdoor environment of the development and may be used by all occupants of the development. Common open space may be also be provided as public open space and developed as public parks, trails, or other public recreational facilities (e.g., sports fields or courts, playgrounds, picnic or BBQ areas, community center, pool/aquatic facility, gymnasium) to provide recreational opportunities for use by both the residents of the site and the public.

The standards also establish design and configuration requirements for the open space areas to ensure usability.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Chapter 35.23, page 46*
- *Montecito Land Use and Development Code Ordinance Amendment, Chapter 35.423, page 18*
- *Coastal Zoning Ordinance Amendment, Section 35-74 & 35-75, page 22*

Commercial Zones

Mixed use development is allowed in the Neighborhood Commercial (CN), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use – Los Alamos (CM-LA), and Professional Institutional (PI) Zones. The CN, C-1, C-2, C-3, and PI Zones represent a spectrum of commercial scale character, ranging from small-scale, neighborhood retail oriented zones such as CN and C-1 to larger-scale, general commercial and professional oriented zones such as C-3 and PI. The CM-LA zone applies to areas only within the Bell Street Corridor of the Los Alamos Community Plan. Residential development is currently allowed in these zones as a ratio of bedrooms to commercial square footage; two bedrooms per 700, 900, or 1,000 square feet of commercial gross floor area, depending on zone. This type of density allowance is overly limiting and provides no certainty regarding the number of residential dwelling units that could be accommodated on a site and is recognized as a governmental constraint and barrier to housing in the Housing Element Update. The proposed amendments to the Commercial Zone development standards are intended to facilitate mixed-use and residential development in Commercial Zones as appropriate to be consistent with the Housing Element Update and state law, while retaining the intended character of individual zones. A summary list of amendments for each zone follows.

CN Zone

- Limit density in mixed-use development based on units per acre rather than bedrooms per commercial square footage. 20 units/acre maximum to reflect the small scale character and development pattern of these areas.

- Reduce front setback to accommodate historic development pattern of commercial uses located at street frontage.
- Eliminate site coverage limitation to enable achievement of allowable density.
- Require nonresidential uses along street frontage to retain ground floor commercial street frontage. Residential uses are limited to upper stories or behind nonresidential uses.

C-1 Zone

- Limit density in mixed-use development based on units per acre rather than bedrooms per commercial square footage. 20 units/acre maximum to reflect the small scale character and development pattern of these areas.
- Reduce front setback to accommodate historic development pattern of commercial uses located at street frontage.
- Require nonresidential uses along street frontage to retain ground floor commercial street frontage. Residential uses are limited to upper stories or behind nonresidential uses (except for specific residential allowance on lots with no commercial use).

C-2 Zone

- Limit density in mixed-use development based on units per acre rather than bedrooms per commercial square footage. 30 units/acre maximum to reflect the scale and character of these areas.
- Minimum requirements for nonresidential uses and limits on residential square footage established to allow mixed use while retaining commercial nature of these areas.
- Additional height allowance (from 35 ft to 45 ft) for mixed used development located more than 50 ft from a residential zone.

C-3 Zone

- Limit residential density to one unit per 1,000 feet of commercial development, with a gross floor limit of 50% of the total gross floor area of all uses on site to ensure the principal use on site remains commercial.

CM-LA Zone

- Limit density based on units per acre rather than bedrooms per commercial square footage. 20 units/acre maximum to reflect the small scale character and development pattern of these areas.
- Simplify standards while continuing to require commercial street frontage along the Bell Street Corridor.

PI Zone

- Limit residential density to one unit per 1,000 feet of commercial development, with a gross floor limit of 50% of the total gross floor area of all uses on site to ensure the principal use on site remains commercial and/or professional.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Chapter 35.24, page 108*
- *Montecito Land Use and Development Code Ordinance Amendment, Chapter 35.424, page 44*
- *Coastal Zoning Ordinance Amendment, Section 35-77A, 35-78, & 35-83, page 39*

Special Purpose Zones

Mixed-use and/or residential development is allowed in the Mixed-Use (MU) Zone and Old Town Orcutt residential zones (OT-R, OT-R/LC, and OT-R/GC). These zones are specific to unique areas within the County and the proposed amendments consist of clean-up, clarification, and refinements of existing standards to reflect specific characteristics of the areas. A summary list of amendments for each zone follows.

MU Zone

- Modified density allowance from 'as determined by Planning Commission' to 40 units/acre (the highest density allowance in any County zoning designation).
- Simplified setback requirements and relocated standards to the development standards table.
- Increased allowable height from 35 ft to 45 ft to accommodate allowed density.
- Established measurable criteria for building location along front setback line.
- Modified the requirement for open space from a requirement of 'a' common open space area plus private open space of 5% of the dwelling unit floor area to a minimum amount per residential unit to be provided as a combination of common and private open space.
- Established configuration design standards for open space areas.
- Established a measurable criteria for the amount of required nonresidential uses along the street frontage while providing flexibility for the location of residential uses along the street frontage.
- Modified limit on amount of residential square footage from 50% of total gross floor area to 50% of the ground floor to provide flexibility while ensuring a certain amount of ground floor nonresidential uses.
- Removed obsolete and redundant standards.

OT-R, OT-R/LC, and OT-R/GC Zones

- Removed standards for densities that are not allowed in the zone.
- Removed requirement for 40% open space as — based on allowed density and existing small lot development pattern — typically, only 1-3 residential dwelling units will be possible.
- Removed site coverage limitations applicable to residential structures to enable achievement of allowed density. Setbacks, parking, and other requirements serve to limit site coverage and retain the established development pattern of the area. (See the PA-OTO Overlay Zone amendments for modifications to site coverage limitations for commercial and mixed-use development).

- Removed redundancies with PA-OTO Overlay Zone. The entire OT-R/LC and OT-R/GC Zones are within the PA-OTO Overlay, therefore, the PA-OTO Overlay Zone standards apply to the entire OT-R/LC and OT-R/GC Zones and vice versa.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Chapter 35.26, page 186*

Overlay Zones

The proposed amendments include modifications to the Pedestrian Area – Old Town Orcutt (PA-OTO) Overlay Zone and the Mixed-Use – Santa Ynez Valley (MU-SYV) Overlay Zone. The PA-OTO overlay zone is intended to promote pedestrian activity in the downtown portion of Old Town Orcutt. As described above, the entire OT-R/LC and OT-R/GC Zones are within the PA-OTO Overlay, therefore, the PA-OTO Overlay Zone standards apply to the entire OT-R/LC and OT-R/GC Zones and vice versa. However, the PA-OTO Overlay Zone establishes a Core Pedestrian Area and a Peripheral Pedestrian Area, and identifies specific standards for the respective areas. The MU-SYV Overlay Zone is intended to generate opportunities for in-fill housing while simultaneously protection the commercial viability and potential of commercial areas. A summary list of amendments for each overlay zone follows.

PA-OTO Overlay Zone

- Removed redundancies with OT-R/LC and OT-R/GC zone development standards.
- Removed site coverage limitation applicable to commercial and mixed use development in the Peripheral Pedestrian Area to enable achievement of allowable density. Setbacks, parking, and other requirements serve to limit site coverage and retain the established development pattern of the area.
- Relocated and refined overlay-specific parking requirements from Chapter 35.36, Parking and Loading Standards, into the overlay standards.

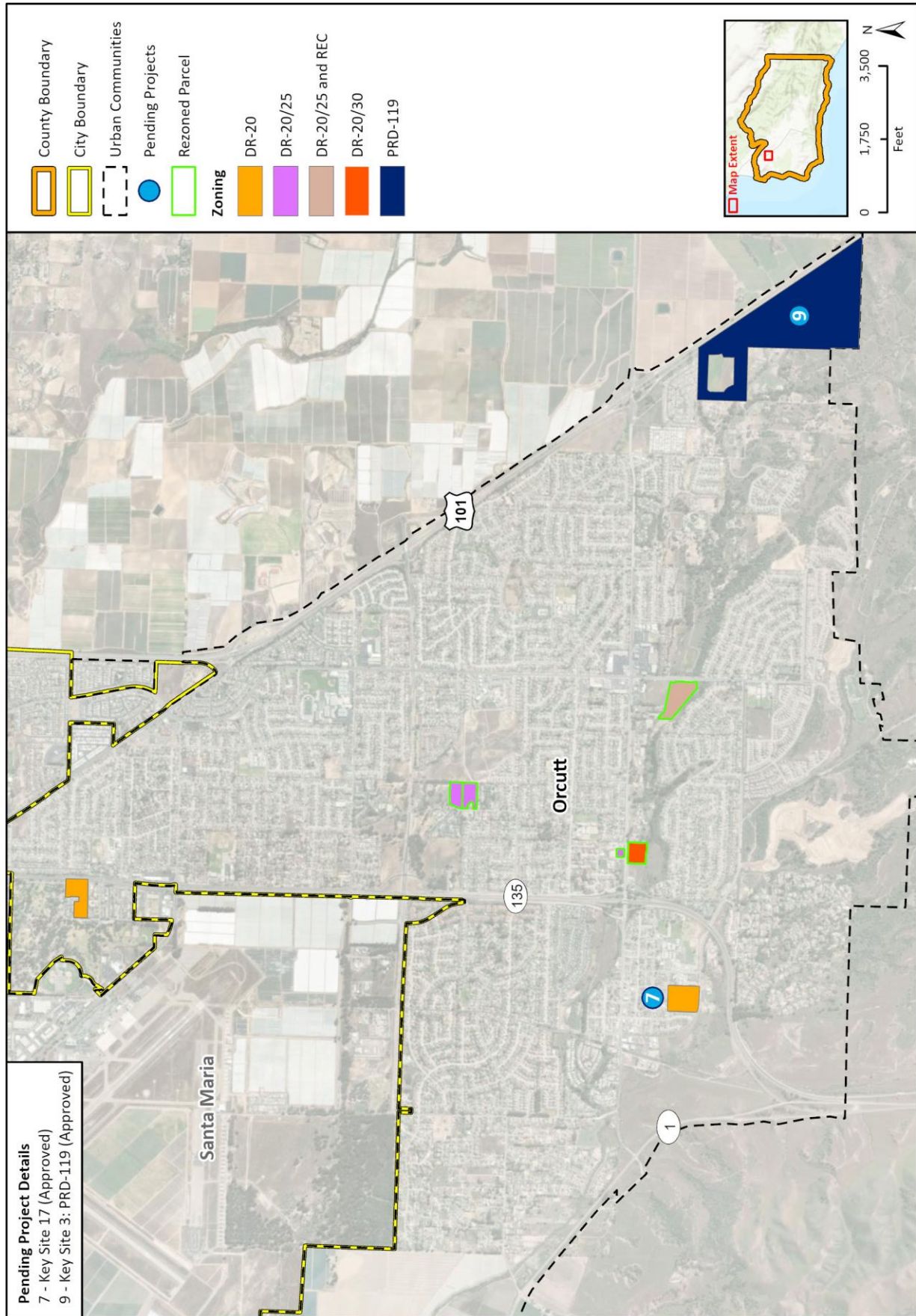
MU-SYV Overlay Zone

- Clarified language regarding allowable parking reduction.
- Simplified the limit on residential uses from a ratio of total gross floor area to simply 'upper stories', maintaining the intention of the MU-SYV Overlay Zone to allow residential uses while protecting commercial viability of the area by keeping a commercial street frontage.

Reference:

- *County Land Use and Development Code Ordinance Amendment, Chapter 35.28, page 250*

Exhibit 1: Areas zoned for residential development of 20 units/acre or more



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22-15518 EFS
 SBCC Rezoning Maps

