



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and
Development
Department No.: 053
For Agenda Of: 08/23/2016
Placement: Set Hearing
Estimated Time: 30 minutes on
09/20/2016
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn S. Russell, Ph.D., Director, Planning and Development
Director(s) (805) 568-2085
Contact Info: Mindy Fogg, Interim Deputy Director, Long Range Planning
(805) 884-6848

SUBJECT: 2015-2023 Housing Element Implementation: Design Residential (DR) Zone
Modifications

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

On August 23, 2016, set a hearing for September 20, 2016, to consider the recommendations of the County and Montecito Planning Commissions to approve Case Nos. 16ORD-0000-00006, 16ORD-00000-00007, and 16ORD-00000-00008 which would amend, respectively, the County Land Use and Development Code, the Montecito Land Use and Development Code, and the Article II Coastal Zoning Ordinance to implement Program 1.16 of the 2015-2023 Housing Element.

On September 20, 2016, your Board's actions should include the following:

a) Case No. 16ORD-00000-00006 (County Land Use and Development Code Amendment):

- i) Make the required findings for approval of the ordinance specified in Attachment 1 of this Board Letter, including CEQA findings;
- ii) Determine the ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) of CEQA, included as Attachment 2; and

iii) Adopt an ordinance (Case No. 16ORD-00000-00006) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 3).

b) Case No. 16ORD-00000-00007 (Montecito Land Use and Development Code Amendment):

- i) Make the required findings for approval of the ordinance specified in Attachment 4 of this Board Letter, including CEQA findings;
- ii) Determine the ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) of CEQA, included as Attachment 5; and
- iii) Adopt an ordinance (Case No. 16ORD-00000-00007) amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 6).

c) Case No. 16ORD-00000-00008 (Article II Coastal Zoning Ordinance Amendment):

- i) Make the required findings for approval of the ordinance specified in Attachment 7 of this Board Letter, including CEQA findings;
- ii) Determine the ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265 of CEQA, included as Attachment 8; and
- iii) Adopt an ordinance (Case No. 16ORD-00000-00008) amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 9).

Summary Text:

Program 1.16 (Design Residential Zone Modifications) of the Santa Barbara County 2015-2023 Housing Element recommends that the County amend the development standards of the Design Residential (DR) zone to encourage new affordable, senior, and special care housing developments. To effectuate Program 1.16, staff and the Planning Commissions are recommending the following amendments to the County Land Use and Development Code (LUDC), Montecito Land Use and Development Code (MLUDC), and Article II Coastal Zoning Ordinance (CZO):

- Increase the height limit for qualifying projects from 35 feet to 40 feet;
- Reduce the minimum open space requirement for qualifying projects from 40 percent to 30 percent;
- Reduce the parking requirements for qualifying projects; and
- Increase the maximum site coverage requirement for qualifying projects from 30 percent to 40 percent.

The proposed amendments would only apply to qualifying affordable, senior, and/or special care housing developments in the DR zone. The proposed amendments would help qualifying projects achieve the maximum density allowed under current zoning regulations. They would also allow for more creative and aesthetically pleasing projects. The proposed amendments would not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone. Qualifying projects would continue to require a discretionary permit and design review to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Accordingly, the proposed amendments would constitute a minor alteration to the existing DR zone development standards.

Subsequent to the County and Montecito Planning Commissions' review of the project, staff made minor revisions to the proposed amendments for clarification purposes. These revisions do not materially change the proposed amendments. The proposed LUDC and MLUDC amendments also delete existing unneeded language that only applies within the Coastal Zone.

Background:

Program 1.16 of the Santa Barbara County 2015-2023 Housing Element states:

The County shall evaluate and adopt as appropriate zoning ordinance amendments to increase the maximum site coverage (percent) for structures, and/or reduce the minimum net site area (percent) reserved for common and/or public open space in the Design Residential (DR) zone for affordable, special needs, and senior housing development consistent with the surrounding setting and Comprehensive Plan. The zoning ordinance amendments may also reduce parking standards and allow hard surfaced walkways and similar hard surfaces not currently included as open space to be included as open space.

The proposed amendments would modify the development standards for the height limit, open space, parking, and site coverage requirements in the DR zone. They would only apply to qualifying affordable housing (i.e., housing affordable to low, very low, and extremely low-income households), senior housing (i.e., housing for persons 55 years of age or older), and special care housing (i.e., housing for persons with mental, physical, and/or developmental disabilities). The County and Montecito Planning Commission staff reports (Attachments 10 and 11, respectively) contain detailed information regarding the proposed amendments to the DR zone and qualifying projects.

Approximately 146 DR zone sites exist in Santa Barbara County. The largest concentration of these sites is located in the Goleta area. The remaining DR zone sites are found near New Cuyama, Orcutt, Los Alamos, Vandenberg Village, Solvang, Montecito, Summerland, and Toro Canyon.

Approximately 121 of the 146 DR zone sites in Santa Barbara County are currently developed, while the remaining 25 DR zone sites are vacant. Please refer to Attachment 12 for a table of DR zone sites located in unincorporated Santa Barbara County.

Staff developed the proposed amendments with input from public and private housing organizations, agencies, and developers. Public outreach for the project included four meetings with the Building Industry Advisory Group (BIAG). Staff also met with and received valuable input from the Santa

Barbara Cities/County Joint Affordable Housing Task Group, Santa Barbara County Housing Authority, and Santa Barbara County Community Services Department.

On May 18, 2016, the Montecito Planning Commission held a public hearing and voted 3-1 to recommend that the Board of Supervisors adopt the proposed amendments for the MLUDC and CZO (see Attachments 13 and 14, respectively).

On June 1, 2016, the County Planning Commission held a public hearing on the proposed amendments for the LUDC and CZO. The County Planning Commission asked whether the proposed amendments modifying parking standards would provide sufficient parking spaces for residents, guests, and employees of qualifying affordable, senior, and special care housing projects in the DR zone. Staff explained that the current multiple dwelling unit parking standards require the same number of parking spaces for all developments, regardless of an occupant's age, income, or disabilities. These standards do not acknowledge that lower income households and seniors own fewer vehicles compared to the general population. Accordingly, the proposed amendments would require fewer parking spaces for qualifying affordable and senior housing developments in the DR zone. Similarly, occupants of special care homes often cannot drive and do not own cars. In this way, special care homes are similar to an extended-care medical facility. As such, the proposed amendments reduce the parking requirements for qualifying special care home developments in the DR zone to match the current parking requirements of extended-care medical facilities. For details on the proposed amendments' parking modifications, please refer to Attachment 10, County Planning Commission Staff Report, Section 6.4 and Attachment 11, Staff Memo – Parking Errata and Montecito Planning Commission Staff Report, Section 6.4.

Proximity to public transportation, neighborhood walkability, urban versus rural setting, and numerous other factors can affect parking demand on a case-by-case basis. As a result, the proposed amendments require a contingency parking plan (for example, see Attachment 3, Exhibit 1, Section 35.23.060.D.2.c.1). The contingency plans must show that applicants could modify proposed projects in later phases to provide the number of parking spaces currently required for conventional multiple-dwelling unit projects. Applicants must also monitor parking for at least three years to compare actual parking demand to existing parking supply. If demand exceeds supply, an applicant must implement the contingency plan and construct additional parking spaces. Therefore, the proposed amendments would eliminate the construction of unnecessary parking spaces, while ensuring that qualifying projects provide sufficient parking. After considering these provisions, the County Planning Commission did not recommend any changes to the proposed amendments and voted 5-0 to recommend that the Board of Supervisors adopt the proposed LUDC and CZO amendments (see Attachments 15 and 16, respectively).

Environmental Review:

The County and Montecito Planning Commissions recommended that your Board determine that the proposed amendments to the LUDC and MLUDC are exempt from CEQA pursuant to the CEQA Guidelines Section 15061(b)(3), and, for the amendment to the Coastal Zoning Ordinance, CEQA Guidelines Sections 15061(b)(3) and 15265. Section 15061(b)(3), the general rule exemption, states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that the activity is not subject to CEQA. Section 15265, the exemption for the adoption of coastal plans and programs, including amendments thereto, provides that

compliance with CEQA is the responsibility of the California Coastal Commission. Please see attached Notices of Exemption (Attachments 2, 5, and 8) for additional information.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Staff prepared the proposed DR zone amendments through a multi-year project initiated in summer 2015. Staff salaries and other costs for the project totaled approximately 1,300 hours and \$110,000. Funds for the current fiscal year are fully budgeted in the Long Range Planning Division's Operating Expenditures (General Fund Contribution) on page D-295 of the County of Santa Barbara's Operational Plan for Fiscal Year 2016-2018.

The project will not result in any facilities impacts. Implementation of the DR zone amendments will occur through the permit review process, which is funded by permit processing fees. There will be no cost to the County.

Special Instructions:

The Planning and Development Department will fulfill all noticing requirements and provide a copy of the notice and proof of publication to the Clerk of the Board.

Attachments:

1. LUDC Findings
2. LUDC CEQA Notice of Exemption
3. LUDC Ordinance Amendment, 16ORD-00000-00006
4. MLUDC Findings
5. MLUDC CEQA Notice of Exemption
6. MLUDC Ordinance Amendment, 16ORD-00000-00007
7. Article II CZO Findings
8. Article II CZO CEQA Notice of Exemption
9. Article II CZO Amendment, 16ORD-00000-00008
10. County Planning Commission Staff Report
11. Montecito Planning Commission Staff Report and Staff Memo – Parking Errata
12. Table of DR Zone Sites – County Wide
13. Resolution 16-11 MLUDC
14. Resolution 16-12 Article II CZO (Montecito Planning Commission)
15. Resolution 16-13 LUDC
16. Resolution 16-14 Article II CZO (County Planning Commission)

Authored by:

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