

## **SANTA BARBARA MONTECITO PLANNING COMMISSION**

### **Staff Report for 2025 General Ordinance Amendment Package**

**Hearing Date:** November 19, 2025

**Deputy Director:** Alex Tuttle

**Staff Report Date:** November 10, 2025

**Division:** Long Range Planning

**Case Nos.:** 25ORD-00010, -00011, and -00013

**Staff Contact:** Corina Martin

**Environmental Document:** California

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Environmental Quality Act (CEQA) Exempt

MLUDC: Section 15061(b)(3)

CZO: Sections 15061(b)(3) and 15265

## **1.0 REQUEST**

Hearing on the request of the County of Santa Barbara Planning and Development Department (P&D) for the Montecito Planning Commission (MPC) to consider recommending that the County Planning Commission (CPC) and Board of Supervisors (Board):

1. Adopt an ordinance (Case No. 25ORD-00011) to amend the Santa Barbara County Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the County Code, as set forth in Attachment C-1.
2. Determine that the ordinance (Case No. 25ORD-00011) is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA.
3. Adopt an ordinance (Case No. 25ORD-00010) to amend the Santa Barbara County Coastal Zoning Ordinance (CZO), Article II, of Chapter 35, Zoning, of the County Code, as set forth in Attachment D-1.
4. Determine that the ordinance (Case Nos. 25ORD-00010) is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA.
5. Adopt an ordinance (Case No. 25ORD-00013) to repeal Ordinance No. 3916 (as amended), the Montecito Growth Management Ordinance, of Chapter 35B of the Santa Barbara County Code, as set forth in Attachment E-1.
6. Determine that the ordinance (Case Nos. 25ORD-00013) is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA.

The proposed amendments repeal the Montecito Growth Management Ordinance of Chapter 35B to comply with Senate Bill (SB) 330, modify State Density Bonus Provisions to comply with

Assembly Bill (AB) 3116 (Government Code Section 65915), and a general package consisting of various amendments to the MLUDC and CZO to amend existing text provisions and regulations, which are discussed more in detail below.

## **2.0 RECOMMENDATION AND PROCEDURES**

**2.1 Case No. 25ORD-00011.** Follow the procedures outlined below and recommend that the Board approve the MLUDC amendment (Case No. 25ORD-00011) based on the ability to make the required findings. The MPC's motion should include the following:

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board make the findings for approval of the proposed amendments (Attachment C-1);
2. Recommend that the Board determine that ordinance Case No. 25ORD-00011 is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA (Attachment B); and
3. Adopt the resolution (Attachment C) recommending that the Board adopt the ordinance to amend the MLUDC (Case No. 25ORD-00011), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment C-1).

**2.2 Case No. 25ORD-00010.** Follow the procedures outlined below and recommend that the CPC make a recommendation to the Board to approve the CZO amendment (Case No. 25ORD-00010) based on the ability to make the required findings. The MPC's motion should include the following:

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the CPC recommend to the Board to make the findings for approval of the proposed amendments (Attachment D-1);
2. Recommend that the Board determine that ordinance Case No. 25ORD-00010, is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA (Attachment B); and
3. Adopt the resolution (Attachment D) recommending that the CPC recommend to the Board to adopt the ordinance to amend the CZO (Case No. 25ORD-00010), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D-1).

**2.3 Case No. 25ORD-00013.** Follow the procedures outlined below and recommend that the Board repeal Chapter 35B (Case No. 25ORD-00013) based on the ability to make the required findings. The MPC's motion should include the following:

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board make the findings for approval of the proposed

amendment (Attachment E-1);

2. Recommend that the Board determine that ordinance Case No. 25ORD-00013 is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA (Attachment B); and
3. Adopt the resolution (Attachment E) recommending that the Board adopt the ordinance to repeal Chapter 35B (Case No. 25ORD-00013), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment E-1).

Please refer the matter to staff if the MPC takes other than the recommended actions for the development of appropriate materials.

### **3.0 JURISDICTION**

**3.1 Case No. 25ORD-00011 and 25ORD-00013** The MPC is considering these amendments based on Sections 65854 to 65857, inclusive, of the California Government Code, Section 2-25.2 of Chapter 2 of the Santa Barbara County Code, and Chapter 35.494 of the MLUDC, which require that the MPC, as the designated planning agency for the unincorporated area of the County located within the Montecito Community Plan area, review and consider proposed amendments to Chapter 35 of the County Code, inclusive of the MLUDC, and provide a recommendation to the Board.

**3.2 Case No. 25ORD-00010.** The MPC is considering these amendments based on Section 2-25.2 of Chapter 2 of the Santa Barbara County Code, which provides that the MPC may make recommendations to the CPC on text amendments to the CZO that will affect land use decisions within the Coastal Zone portion of the Montecito Community Plan area.

### **4.0 ISSUE SUMMARY**

The Planning and Development Department is committed to keeping the zoning ordinances accurate and up-to-date by routinely processing minor amendments that address emerging issues, and correct, simplify, and clarify existing language, in order to ensure that regulations keep pace with current trends, policies, and State law, and to improve the functioning of our zoning codes. The amendments to the CZO, MLUDC, and Chapter 35B include the following:

- Deleting and repealing unnecessary provisions
- Adding provisions for Art, Garden, and Architecture Tours to be consistent with the LUDC
- Clarifying or simplifying existing procedures, requirements, and definitions
- Implementing revisions in State law pertaining to Density Bonus provisions
- Repealing the Montecito Growth Management Ordinance pursuant to State law requirements
- Correcting minor errors and omissions

The complete text of the ordinance amendments are included in Attachments C-1 (MLUDC), D-1 (CZO), and E-1 (Chapter 35B). Deleted text is shown in strikethrough and new text is shown underlined.

## **5.0 PROJECT INFORMATION**

### **5.1 Montecito Growth Management Ordinance**

The Board of Supervisors adopted the Montecito Growth Management Ordinance (MGMO) in March 1991 to pace development in conjunction with services and resources available in the Montecito Community Plan Area. The MGMO is part of Chapter 35, Zoning, of the Santa Barbara County Code, codified as Chapter 35B. The MGMO implements certain provisions of the Montecito Growth Management Plan, “consisting of this ordinance [MGMO], Comprehensive Plan and Coastal Plan goals, policies and implementation measures and residential land use designations, and a growth management overlay to all zone districts in the Montecito Planning area.” [Ordinance No. 4763] The Board extended and amended the MGMO in 2010 and it is set to expire on December 31, 2030.

On October 9, 2019, SB 330, codified Government Code (GC) Section 66300(b)(1)(B), which states that cities and counties “shall not enforce any moratorium or similar restriction or limitation on housing development...” The MGMO is such a restriction or limitation on growth in the Montecito Community Plan Area and does not comply with State law. As such, the MGMO is not currently being implemented or enforced.

Further, Program 16 of the 2023-2031 Housing Element Update requires that the County “amend the zoning ordinances to clarify that the Montecito Growth Management Ordinance has been suspended to comply with SB 330.” Therefore, staff is proposing to formally repeal the MGMO to remove it from the County Code in accordance with current State law requirements and Program 16 of the Housing Element Update. The MGMO repeal can be found in Attachment E.

### **5.2 Art, Garden, and Architecture Tours**

On May 6, 2025, the Board adopted an ordinance (Ord. No. 5248) to facilitate community events such as artist, garden, and architectural tours within the unincorporated Inland Area of the county, outside of Montecito. Staff propose to incorporate similar provisions to the Montecito Community Plan Area and Coastal Zone. These community events provide an important resource and it has long been an objective of the County to update its zoning codes to accommodate such events.

The proposed amendments would allow art tours and other similar periodic events (e.g., garden and architecture tours) by updating the Temporary Use section of the MLUDC (Section

35.442.180, Temporary Uses and Trailers) and CZO (Section 35-137, Exempt Temporary Uses), as follows:

- Create a new category of temporary events, exempt from permit requirements, subject to specific standards;
- Limited to up to four times per year, no longer than three days per event;
- Open to the general public, with up to 300 attendees per event per day;
- Any reception shall be limited to non-residential zones; and
- Lots operating with a Conditional Use Permit (CUP) shall not conduct Tours and associated receptions or gatherings, unless expressly permitted by the approved CUP.

### **5.3 Other Minor Ordinance Amendments**

The proposed ordinances also include additional minor amendments to correct and clarify existing provisions in the MLUDC and Article II for the MPC's consideration and recommendation to the Board and are discussed in more detail below. The complete text of the minor ordinance amendments are included in Attachment C-1 (MLUDC) and Attachment D-1 (CZO). Deleted text is shown in strikethrough and new text is shown underlined.

#### **5.3.1 MLUDC Amendments**

- Section 35.430.150.C.1.a: Remove front setback width requirements for corner lots, establishing a single standard for corner lots, regardless of lot width.
- Chapter 35.432: Update existing provisions to align with recent changes to State Density Bonus Law (AB 3116).
- Section 35.422.030.E: Revise accessory structure allowances in the Resource Management Zone to allow garages and carports in order to comply with parking requirements in the MLUDC, which require two covered parking spaces for residential uses.
- Sections 35.444.010.C and D: Correct subsection typos for commercial telecommunication facilities.
- Section 35.442.015.E.1: Clarify amount and type of Accessory Dwelling Units or Junior Accessory Dwelling Units that may be permitted per lot.
- Section 35.442.120: Clarify floor area calculations are in gross square feet for guest houses, artist studios, and cabañas.
- Section 35.500.020. Lot, Interior: Revise existing definition to remove reference to subdivisions.

#### **5.3.2 CZO Amendments**

- Section 35-51B, Exemptions from Planning Permit Requirements: Correct an existing subsection reference.
- Section 35-57D, Initial Application Review and Section 35-57E, Permit to Run with the Land: Add new subsections to clarify existing practices and establish consistency with regulations in the LUDC and MLUDC.
- Section 35-58, Definitions: (1) Add new definitions for *Flood Control* for consistency with the Gaviota Coast Plan Overlay, and (2) revise *Lot*, *Interior* and *Major Public Works Project and Major Energy Facility* definitions.
- Section 35-68.7, Setbacks for Buildings and Structures: Clarify total front setback limit for hothouses, greenhouses, other plant protections, or related structures in the AG-I – Agriculture I zone.
- Section 35-119, Accessory Structures: Clarify gross floor area for accessory structures containing one or more accessory uses on lots of one acre or less.
- Section 35-120, Guest House, Artist Studio, or Pool House/ Cabaña: Clarify size limits are calculated in gross floor area.
- Section 35-126.2, Corner Lots Abutting Two or More Streets: Remove front setback width requirements for corner lots, establishing a single standard for corner lots, regardless of lot width.
- Section 35-142.5, Accessory dwelling units located within residential or mixed-use zones: Specify maximum number of ADUs allowed per lot in different configurations.
- Section 35-144C, Update existing provisions to align with recent changes to State Density Bonus Law.
- Section 35-144.M.5, Special Notice Requirements: Update noticing requirements for mobilehome park conversions consistent with Civil Code Section 798.56(g).
- Section 35-191.5, Floor Area Limit: Clarify Summerland Floor Area Ratio calculations consistent with Summerland Architectural Guidelines.

## 6.0 PROJECT ANALYSIS

### 6.1 Environmental Review

- 6.1.1 Case No. 25ORD-00011.** The proposed amendments to the MLUDC are recommended to be determined to be exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA. Consistent with Section 15061(b)(3), there is no possibility that the proposed minor ordinance amendments will have a significant effect on the environment. As explained further in Attachment B, no significant environmental impacts would occur as a result of these ordinance amendments.
- 6.1.2 Case No. 25ORD-00010.** The proposed amendments to the CZO are recommended to be determined to be exempt from environmental review pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for Implementation of CEQA. State CEQA Guidelines Section 15265 statutorily exempts local government activities involving the preparation

and adoption of local coastal program amendments from environmental review. 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.” As explained further in Attachment B, no significant environmental impacts would occur as a result of these ordinance amendments.

**6.1.3 Case No. 25ORD-00013.** The proposed amendments to repeal the Montecito Growth Management Ordinance is recommended to be determined to be exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA. Consistent with Section 15061(b)(3), there is no possibility that the proposed repeal of the ordinance will have a significant effect on the environment. In addition, no specific development projects are proposed as part of the ordinance repeal. As explained further in Attachment B, no significant environmental impacts would occur as a result of these ordinance amendments.

Please see the Notice of Exemption (Attachment B) for additional information.

## **6.2 Policy and Ordinance Consistency**

As discussed in the Findings for Approval (Attachment A), the proposed ordinance amendments do not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Montecito Community Plan, and the Coastal Land Use Plan, and the adoption of the proposed ordinance amendments will not result in any inconsistencies with the adopted policies and development standards.

The proposed ordinance to repeal the Montecito Growth Management Ordinance is consistent with and implements Program 16 of the *2023-2031 Housing Element Update* (Housing Element), which requires that the County “amend the zoning ordinances to clarify that the Montecito Growth Management Ordinance has been suspended to comply with SB 330.” The proposed State Density Bonus Law provision amendment is consistent with Program 13 of the Housing Element, which directs the County to develop an ordinance that updates County State Density Bonus Law provisions to comply with recent changes to State law by the end of 2025.

In addition, modifications to the Temporary Use sections of the CZO and MLUDC to facilitate community tours and streamline and clarify the process and standards regulating these events, is consistent with the Comprehensive Plan, Montecito Community Plan, and the Coastal Land Use Plan. The amendments establish a new temporary use category that is similar in nature to other existing temporary uses and modify permit requirements consistent with other provisions of the zoning code. Any tour events conducted in accordance with the new allowance would be temporary in nature and not involve any development or activities that would have the potential to be inconsistent with policies of the Comprehensive Plan, including applicable Community Plans and Coastal Land Use Plan.

The other minor amendments serve to clarify or simplify existing regulations and ensure greater consistency across the zoning ordinances where possible. No development would be approved as part of the minor ordinance amendments. In order for a land use entitlement to be approved based on these proposed amendments, the decision-maker still must determine that the project is consistent with the policies and development standards of the Comprehensive Plan, including the Montecito Community Plan, and the Coastal Land Use Plan, if applicable. Therefore, these amendments are consistent with the adopted Comprehensive Plan, including all community and area plans, and the Coastal Land Use Plan.

## **7.0 APPEALS PROCEDURE**

Ordinance amendments recommended for approval or denial are legislative acts that are automatically forwarded to the Board for final action. Therefore, the ordinance amendments are not subject to appeal.

## **ATTACHMENTS**

- A. Findings for Approval
- B. CEQA Notice of Exemption
- C. MLUDC Resolution (Case No. 25ORD-00011)
  - C-1. MLUDC Amendments with Changes Shown
- D. CZO Resolution (Case No. 25ORD-00010)
  - D-1. CZO Amendments with Changes Shown
- E. Montecito Growth Management Ordinance Resolution (Case No. 25ORD-00013)
  - E-1. Montecito Growth Management Ordinance Repeal