

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report

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

Hearing Date: June 1, 2016

Staff Report Date: May 12, 2016

Case Nos.: 16ORD-00000-00006 and
16ORD-00000-00008

Environmental Document:

Exemption §15061(b)(3) and §15265

Interim Deputy Director: Mindy Fogg

Division: Long Range Planning

Supervising Planner: Allen Bell

Supervising Planner Phone #: 805-568-2056

Staff Contact: Ryan Cooksey

Staff Contact Phone #: 805-884-6836

1.0 REQUEST

Hearing on the request of the Planning and Development Department that the County Planning Commission:

- 1.1 Case No. 16ORD-00000-00006.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 16ORD-00000-00006) amending Article 35.2, Zones and Allowable Land Uses, and Article 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, as set forth in Attachment C, to amend the maximum height limit, maximum site coverage, minimum open space (and definition thereof) requirements, and parking requirements of affordable, senior, and special care housing developments in the Design Residential zone; and
- 1.2 Case No. 16ORD-00000-00008.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 16ORD-00000-00008) amending Division 4, Zoning Restrictions, and Division 6, Parking Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, as set forth in attachment F, to amend the maximum height limit, maximum site coverage, minimum open space (and definition thereof) requirements, and parking requirements of affordable, senior, and special care housing developments in the Design Residential zone.

2.0 RECOMMENDATION AND PROCEDURES

2.1 Case No. 16ORD-00000-00006. Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No. 16ORD-00000-00006 as shown in Attachment C based upon the ability to make the appropriate findings. Your Commission's motion should include the following:

1. Make the findings for approval, including CEQA findings, and recommend that the Board of Supervisors make the findings for approval of the proposed amendment (Attachment A);
2. Recommend that the Board of Supervisors determine that this project is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA (Attachment B); and,
3. Adopt a Resolution recommending that the Board of Supervisors approve Case No. 16ORD-00000-00006, an ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment C).

2.2 Case No. 16ORD-00000-00008. Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No. 16ORD-00000-00008 as shown in Attachment F based upon the ability to make the appropriate findings. Your Commission's motion should include the following:

1. Make the findings for approval, including CEQA findings, and recommend that the Board of Supervisors make the findings for approval of the proposed amendment (Attachment D);
2. Recommend that the Board of Supervisors determine that the adoption of this project is exempt from the California Environmental Quality Act pursuant to Sections 15061(b)(3) and 15265 of the Guidelines for Implementation of CEQA (Attachment E); and
3. Adopt a Resolution recommending that the Board of Supervisors approve Case No. 16ORD-00000-00008, an ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment F).

Please refer back to staff if the County Planning Commission takes other than the recommended action for appropriate materials.

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on the following:

- 3.1 Case No. 16ORD-00000-00006.** This project is being considered by the County Planning Commission based upon Sections 65854 to 65857, inclusive, of the California Government Code and Chapter 35.104 of the Santa Barbara County Land Use and Development Code (LUDC). The Government Code and the LUDC require that the County Planning Commission, as the designated planning agency for the unincorporated area of the County outside of the Montecito Community Plan Area, review and consider proposed amendments to the LUDC and provide a recommendation to the Board of Supervisors.
- 3.2 Case No. 16ORD-00000-00008.** This project is being considered by the County Planning Commission in compliance with Section 2-25.2 of Chapter 2 of the Santa Barbara County Code that provides that the County Planning Commission may make recommendations to the Board of Supervisors on amendments to the Article II Coastal Zoning Ordinance (CZO) of Chapter 35 of the County Code.

4.0 PROJECT OVERVIEW

Program 1.16 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 needs housing developments. Specifically, Program 1.16 states the following:

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.

For the purposes of this project, special needs housing developments are developments that provide housing for individuals with mental, physical, and development disabilities. Under the LUDC and the CZO, such special needs housing developments are defined as special care homes (see Attachment G). Accordingly, henceforth, the phrase special care home(s) or special care housing shall be used in lieu of special needs housing.

To effectuate Program 1.16, staff is recommending the County amend the LUDC, MLUDC, and CZO. As stated in Section 3.0 above, the County Planning Commission is considering the recommended amendments to the LUDC (Attachment C) and CZO (Attachment F). Each amendment would incorporate modifications to the DR zone development standards for qualifying affordable, senior, and special care housing developments. Specifically, these modifications would allow for the following:

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

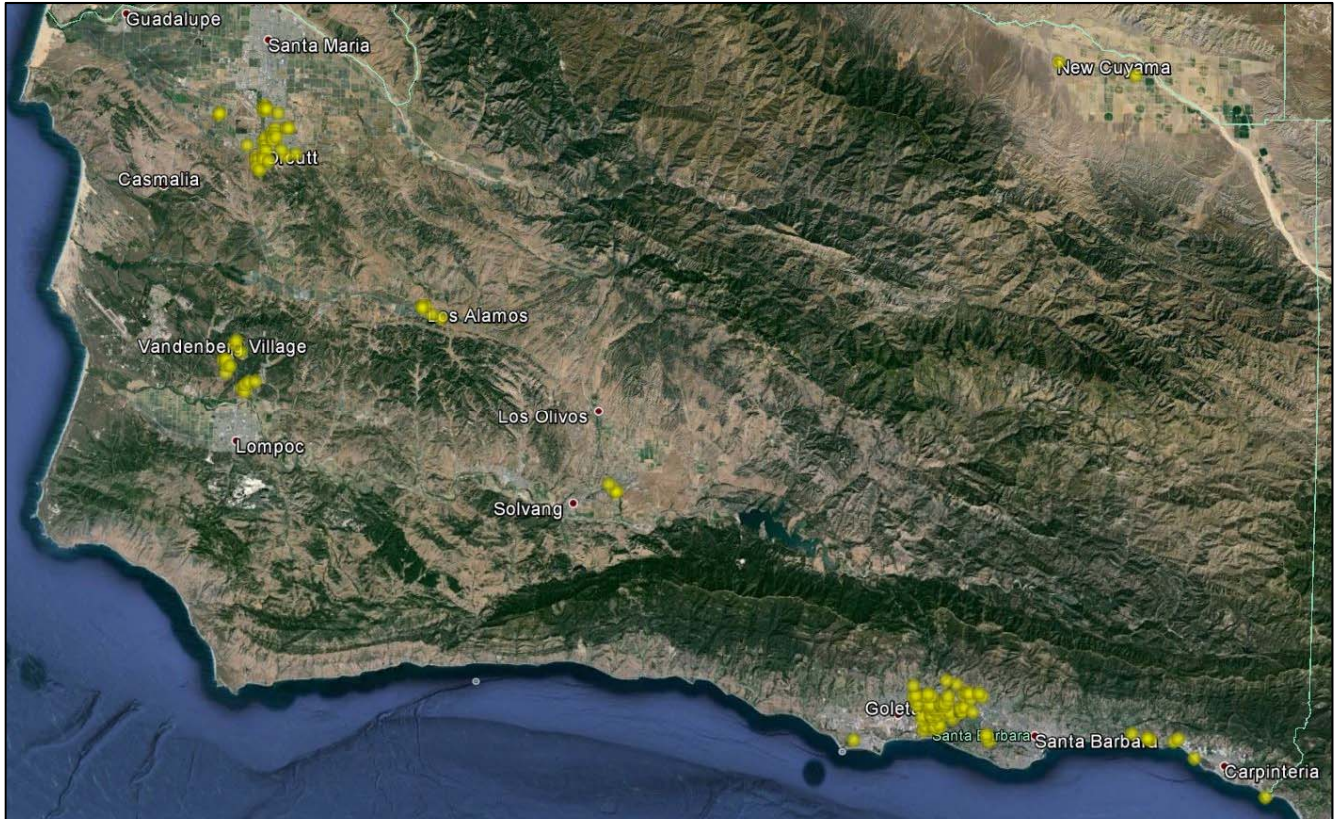
Details regarding these recommended modifications are provided in Section 6.0, below. These modifications would not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone. Rather, the modifications would help qualifying affordable, senior, and special care housing developments achieve the maximum density allowed under current zoning regulations, as well as allow for more creative and aesthetically pleasing project designs.

5.0 BACKGROUND

5.1 DR Zone Sites in Santa Barbara County (Excluding Montecito)

There are 141 DR zone sites located in Santa Barbara County and outside the Montecito Community Plan area. The largest concentration of these DR zone sites is located in and around the Goleta area.

The remaining DR zone sites are found in proximity to New Cuyama, Orcutt, Los Alamos, Vandenberg Village, Solvang, Summerland, and Toro Canyon. The aerial photograph below depicts the distribution of DR zone sites county-wide.



A total of 116 of the 141 DR zone sites in Santa Barbara County are currently developed, while the remaining 25 DR zone sites are vacant. A total of 13 of the DR zone sites are in the Coastal Zone. Of the 13 DR zone sites in the Coastal Zone, all are developed except two sites (one of which is County-owned and located within a floodway). Please refer to Attachment I for an appendix of DR zone sites located in Santa Barbara County and outside the Montecito Community Plan area. The recommended modifications would only pertain to: (1) the development of a vacant DR zone site with a qualifying affordable, senior, or special care housing development, (2) the redevelopment of a DR zone site with a qualifying affordable, senior, or special care housing development, or (3) the rezone of a site to DR and the development or redevelopment of that site with qualifying affordable, senior, or special care housing.

5.2 Purpose of the DR Zone and the Need for Program 1.16

As stated in Section 35.23.020 of the LUDC, the purpose of the DR zone is as follows:

The DR zone is applied to areas appropriate for one-family, two-family and multi-family dwellings. This zone is intended to ensure comprehensively planned and well-designed residential development, while allowing flexibility and encouraging innovation and diverse design, and requiring that substantial open space be maintained within new residential developments.

As stated in Section 35-74.1 of the CZO, the purpose of the DR zone is as follows:

It is the purpose of this district to provide areas for residential development in a wide range of densities, housing types, and design, and to create open space within new

residential developments. The intent is to ensure comprehensively planned and well-designed single family and multiple residential developments.

Affordable, senior, and special care housing developments are typically more complex projects than single-family homes. Accordingly, comprehensive planning and thoughtful design play a critical role in creating a project that is functional, aesthetically pleasing, and compatible with the surrounding neighborhood. Therefore, the DR zone is well suited to potentially help address the County's affordable, senior, and special care housing demands.

There is a clear demand for new affordable, senior, and special care housing. Specifically, the 2015-2023 Housing Element provides the following information:

Affordable Housing

- The Regional Growth Forecast projects approximately 13,078 people will be added to the unincorporated county in the 2015-2025 planning period.
- A significant number of lower-income jobs are expected in the region as the agricultural, hospitality, tourism, and retail industries continue to thrive.

Senior Housing

- The elderly population in the County is projected to increase, as a proportion of the total population, from 13% in 2010 to 16% in 2020. Accordingly, an increasing demand exists for senior housing.

Special Care Housing

- Considering the elderly population in the County is projected to increase as a proportion of the total population from 13% in 2010 to 16% in 2020, it follows that the demand for special care housing developments for this population will increase as well.

Program 1.16 encourages affordable, senior, and special care housing developments to help the County meet its anticipated need for such housing.

5.3 Montecito Planning Commission

The Montecito Planning Commission (MPC) reviewed a similar package of amendments on May 18, 2016. By a 3-1 vote, the MPC recommended that the amendments to the Montecito Land Use and Development Code (MLUDC) and CZO be approved. Since the MPC's review, staff has made non-substantive, minor revisions to the CZO to rectify incorrect references and provide clarifying language.

6.0 DISCUSSION AND STAFF RECOMMENDATIONS

Consistent with Program 1.16, staff is recommending modified development standards for affordable, senior, and special care housing. Specifically, staff is recommending modifications to the following development standards: height limit, open space, parking, and site coverage. These recommended modifications are intended to encourage the types of housing development specified in Program 1.16. These modifications would not allow new land uses or increase the maximum density allowed under

zoning regulations in the DR zone.

Staff developed the proposed modifications with input from public and private housing organizations, agencies, and developers. Public outreach for the project included four meetings (August 2015, October 2015, December 2015, and February 2016) with the Building Industry Advisory Group (BIAG). The BIAG is comprised of housing developers operating within the county. Staff also met with and received valuable input from the Santa Barbara Cities/County Joint Affordable Housing Task Group on April 28, 2016. This group includes representatives from more than 10 local cities, housing authorities, non-profit organizations, and private developers. Staff also received helpful input from the Santa Barbara County Housing Authority and the Santa Barbara County Community Services Department.

6.1 Qualifying Projects

Program 1.16 targets affordable, senior, and special care housing developments. Staff recommends that the following types of projects qualify for the modified development standards:

1. **Affordable Housing.** Housing developments with all housing units (excluding units inhabited by employees of the development living on-site) dedicated and restricted to housing affordable to low-income households, very low-income households, and/or extremely low-income households, as defined in Table 2.7, page 2-11 of the Santa Barbara County 2015-2023 Housing Element Update (see Attachment G).
2. **Senior Housing.** Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to housing at least one senior person. For the purposes of this section, a senior person is defined as someone 55 years of age or older (as is consistent with California Civil Code Section 51.3).
3. **Affordable Senior Housing.** Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in item No. 1, above) for seniors (as defined in item No. 2, above).
4. **Mixed Affordable Housing and Senior Housing.** Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in item No.1, above), senior housing (as defined in item No. 2, above), and/or affordable senior housing (as defined in item No. 3, above).
5. **Special care housing.** Special care homes are defined in the LUDC and CZO (see Attachment H).

6.2 Height Limit

Aside from the Inland portion of the Toro Canyon Plan area, affordable, senior, and special care housing developments in the DR zone are currently subject to a 35-foot height limit. In the Inland portion of the Toro Canyon Plan area, such developments are subject to a 25-foot height limit. However, no DR zone sites exist in the Inland portion of the Toro Canyon Plan area. Staff received input that the current 35-foot height limit does not accommodate the space required between stories for mechanical equipment, such as heating, ventilation, and air conditioning. Accordingly, a 35 foot, three story structure must incorporate a flattened, unarticulated roof, which in turn presents aesthetic problems. Staff also received input that the current 35-foot height limit could, by precluding the option of constructing a three-story structure, inhibit the build-out of a project to the maximum density allowed under zoning regulations. Increasing the DR zone height limit to 40 feet, for qualifying projects located outside of the Inland portion of the Toro Canyon Plan area, would allow for the development of aesthetically pleasing, three story structures. As no DR zone sites exist in the Inland portion of the Toro Canyon Plan area, staff is not recommending a modification to the associated 25-foot height limit.

Recommendation: Staff recommends increasing the height limit for affordable, senior, and special care housing developments in the DR zone (located outside the Inland portion of the Toro Canyon Plan area) to 40 feet. 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, this modification would constitute a minor increase to the DR zone height limit.

6.3 Open Space

In the DR Zone in the Coastal Zone, a minimum of 40 percent of the net site area must currently be reserved as common open space and/or public open space. In the Inland area, a minimum of 40 percent of the net site area shall be reserved as common open space. Public open space may be used by any member of the public, while common open space may be used by residents or guests of a development. The LUDC and CZO define the types of space that qualify as common open space and public open space (see Attachment H). Staff received input that reducing the open space requirement would help affordable, senior, and special care housing developments to achieve the maximum density allowed under current zoning regulations.

Recommendation: Staff recommends the following development modifications for affordable, senior, and special care housing developments in the DR zone:

1. Reduce the open space requirement to 30 percent;
2. Re-define open space in the Inland area to include public open space as well as common open space;
3. Allow the following to also qualify as common open space: (1) decks or patios associated with swimming pools, (2) community patios, (3) hard surfaced sidewalks where they occur within common open space, and (4) detention basins that function as common open space; and

4. Allow detention basins that function as public open space to also qualify as public open space.

The recommended modifications would make the open space requirements consistent for Inland area and Coastal Zone projects. They would also revise the definitions of common open space and public open space to explicitly include types of space that already implicitly qualify as such under the existing zoning regulations. 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, these recommended modifications would constitute a minor alteration to the existing DR zone development standards.

6.4 Parking

Affordable and/or Senior Housing

Due to financial constraints, low, very low, and extremely low income households own fewer cars as compared to the general population. Seniors, due to the effects of aging and financial constraints associated with a lack of active income, also own fewer cars. The County zoning ordinances do not contain explicit parking requirements for affordable and/or senior housing developments. As a result, such developments are subject to the parking requirements for market-rate, multiple-dwelling unit developments. Input from public outreach and staff's research has determined that the parking requirements for market-rate multiple-dwelling unit developments are greater than the parking demands associated with affordable housing and/or senior housing multiple dwelling unit developments. This determination is based upon the following:

- The BIAG, the Santa Barbara Cities/County Joint Affordable Housing Task Group, the Santa Barbara County Housing Authority, and the Santa Barbara County Community Services Department. These entities informed staff that applying the market-rate, multiple-dwelling unit parking requirements to affordable and/or senior housing developments results in such projects being over-parked (over-parked meaning there are more parking spaces than needed for the development). In particular, these groups referenced the Pescadero Lofts affordable housing development in Isla Vista, the Shepherd Place senior housing development in the city of Carpinteria, and the Cypress Meadows senior housing development in city of Ventura, as examples of affordable or senior developments that are over-parked. Each of the aforementioned affordable or senior housing developments were approved subject to parking requirements at least as demanding as Santa Barbara County's market-rate, multiple-dwelling unit parking requirements.

Accordingly, the aforementioned groups urged staff to reduce the parking requirements for affordable and/or senior housing developments. The aforementioned groups have reviewed and support staff's recommended parking requirements for affordable and/or senior housing developments. Staff also received input that the parking demands for affordable and/or senior developments vary on a case by case basis. Factors such as an urban versus rural setting, proximity to public transportation, quality of public transportation, proximity to commercial development, and the need for vehicles for transportation to work each play a critical role in determining parking demand. Therefore, staff is recommending a parking contingency plan requirement (see Attachment C, Section 1, Section 35.23.060.D.2.c.1 and Attachment F, Section 1, Section 35-74.14.2.c.1). The parking contingency plan requires that

the applicant submit annual parking evaluations to the County and, if necessary, construct additional parking for the development.

- Parking requirements for affordable and/or senior housing developments in surrounding jurisdictions. The city of Santa Barbara requires (regardless of the number of bedrooms) one space per affordable unit, one space per senior unit, and 0.5 spaces per affordable senior unit. The city of Santa Maria requires one space per three senior units (600 square feet or less in size) and one space per senior unit (greater than 600 square feet in size). Ventura County allows the parking requirements for senior and/or affordable housing developments to be reduced on a project specific basis as demonstrated to be commensurate with the reduction in parking demand. The city of Goleta, city of Carpinteria, San Luis Obispo County, and Ventury County do not provide explicit parking requirements for affordable or senior housing developments.
- The Institute of Transportation Engineer's *Parking Generation Report* (4th Edition, 2010) (industry standard for determining parking demands). The *Parking Generation Report* does not address affordable housing parking demands. The *Parking Generation Report* indicates that the average peak parking demand for a senior dwelling unit (of unspecified size) is 0.59 parking spaces. However, staff's recommended parking requirements for senior housing developments are higher based upon a parking demand analysis of local senior housing developments (see bullet immediately below).
- A parking demand analysis of three senior apartment complexes located Santa Barbara, Carpinteria, and Ventura (*Heritage Ridge Project, Updated Traffic, Circulation, and Parking Study*, Associated Transportation Engineers, January 29, 2016). The *Heritage Ridge* parking study indicated an average peak parking demand of 0.75 spaces per single bedroom senior unit.

Table 1, below, depicts the existing and staff's proposed parking requirements for affordable and/or senior housing developments.

Special Care Housing

Special needs populations often cannot drive and are associated with reduced car ownership. Special care homes provide housing for individuals with mental, physical, and development disabilities and are often functionally similar to a rest home or extended-care medical service facility. Accordingly, these types of developments should generate similar parking demands. Rest homes or extended-care medical service facilities require one parking space per three beds and one parking space per three employees. However, special care homes currently require one parking space per guestroom and one parking space per two employees under both the LUDC and CZO. Accordingly, the parking requirements for qualifying special care housing developments can be reduce to achieve consistency with the parking requirements for rest homes or extended-care medical service facilities. Table 1, below, depicts the existing and staff's proposed parking requirements for qualifying special care housing developments.

Proposed Parking Requirements

Staff is recommending the parking requirements for qualifying development in the DR zone be modified as shown in Table 1, below. As stated above, staff has determined that the current parking

requirements for qualifying development are greater than the parking demands associated with such development. Accordingly, the recommended modifications would eliminate the construction of unnecessary parking spaces.

Table 1 – Parking Requirements for Qualifying Development

Residential Development	LUDC – Existing Parking Requirement	LUDC – Recommended Parking Requirement	CZO - Existing Parking Requirement	CZO - Recommended Parking Requirement
Affordable housing – single bedroom or studio units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable housing – 3 bedroom, or more, units	2 spaces/dwelling unit and; 1 space/5 dwelling units (visitor parking)	1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 1 space/dwelling unit	1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – single bedroom or studio units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – 3 bedroom, or more, units	2 spaces/dwelling unit and; 1 space/5 dwelling units (visitor parking)	1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 1 space/dwelling unit	1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Senior housing – single bedroom or studio unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Senior housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Special care home	1 space/guestroom and; 1 space/2 employees	1 space/3 beds and; 1 space/3 employees	1 space/guestroom and; 1 space/2 employees	1 space/3 beds and; 1 space/3 employees

6.5 Site Coverage

Under the LUDC and CZO, the maximum percentage of net site area that may be covered by buildings on a DR zone lot is also 30 percent for buildings containing dwelling units (i.e. residential uses). Staff received input that increasing the maximum site coverage requirement would help affordable, senior, and special care housing developments achieve the maximum density allowed under zoning regulations.

Recommendation: Staff recommends increasing the maximum allowable site coverage for qualifying developments to 40 percent for buildings containing residential uses. The recommended modifications would constitute a small increase to the DR site coverage limitation. 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, these modifications would constitute a minor alteration to the existing DR zone development standards.

7.0 ENVIRONMENTAL REVIEW

7.1 Case No. 16ORD-00000-00006

The proposed ordinance amendment to the County Land Use and Development Code is recommended to be determined exempt from environmental review pursuant to Section 15061(b)(3) of the California Guidelines for Implementation of the California Environmental Quality Act (CEQA). Section 151061(b)(3), the general rule exemption, states:

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, the activity is not subject to CEQA.

As explained further in Attachment B, no significant environmental impacts would occur as a result of the ordinance amendment.

7.2 Case No. 16ORD-00000-00008

The proposed ordinance amendment to the CZO is recommended to be determined exempt from environmental review pursuant to Sections 15265 and 15061(b)(3) of the California Guidelines for Implementation of the California Environmental Quality Act (CEQA). Section 15265, the statutory 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. Section 151061(b)(3), the general rule exemption, states:

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, the activity is not subject to CEQA.

As explained further in Attachment E, no significant environmental impacts would occur as a result of the ordinance amendment.

8.0 POLICY CONSISTENCY

The 2015-2023 Housing Element is one of seven mandatory elements of the County Comprehensive Plan. The Board of Supervisors adopted the 2015-2023 Housing Element after making a finding that the element was in conformity with other mandatory and optional elements of the Comprehensive Plan. The 2015-2023 Housing Element contains Program 1.16 and more than 35 other programs to carry out the County's housing goals and policies. Therefore, the proposed ordinance amendments implement and are in conformity with the Comprehensive Plan, including the 2015-2023 Housing Element.

The proposed ordinance amendments do not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the community and area plans, or the Coastal Land Use Plan, and the adoption of the proposed ordinance amendments will not result in any inconsistencies with adopted policies and development standards. The proposed ordinance amendments would not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone. In addition, as discussed in Section 6.0, above, the recommended modifications to the DR zone development standards would be minor in nature and would provide parking requirements more accurately reflecting the demands of affordable, senior, and special care housing developments.

The proposed ordinance amendments only apply to qualifying affordable, senior, and special care housing developments (see Section 6.1 above). Qualifying development would require discretionary review and approval. Discretionary approval requires that the proposed development be consistent with the policies and development standards of the Comprehensive Plan, including the community and area plans, and the Coastal Land Use Plan if applicable, and the applicable findings for approval can be made. Qualifying development would also require design review approval. In part, design review approval requires that a project be compatible with its surrounding area and consistent with the applicable design standards of the Comprehensive Plan.

Therefore, these amendments may be found consistent with the adopted Comprehensive Plan, including the community and area Plans, and the Coastal Land Use Plan.

9.0 ORDINANCE COMPLIANCE

The proposed ordinances are consistent with the remaining portions of the LUDC and CZO that would not be revised by these ordinances. In order to approve a development project based on these proposed amendments, it still must be determined that the project is consistent with the whole of the LUDC and CZO as applicable.

10.0 PROCEDURES

10.1 County Land Use and Development Code

The County Planning Commission may recommend approval, approval with revisions, or denial of the proposed ordinance to the Board of Supervisors.

10.2 Article II Coastal Zoning Ordinance

The County Planning Commission may recommend approval, approval with revisions, or denial of the proposed ordinance to the Board of Supervisors.

11.0 APPEALS PROCEDURE

Ordinance amendments are legislative acts that require final action by the Board of Supervisors; therefore, an appeal of the action of the County Planning Commission is not required.

12.0 ATTACHMENTS

- A. 16ORD-00000-00007 LUDC Findings
- B. 16ORD-00000-00007 LUDC Notice of Exemption
- C. 16ORD-00000-00007 LUDC Resolution and Proposed Ordinance
- D. 16ORD-00000-00008 Article II Findings
- E. 16ORD-00000-00008 Article II Notice of Exemption
- F. 16ORD-00000-00008 Article II Resolution and Proposed Ordinance
- G. Table 2.7 - Definitions Used for Comparing Income Levels, page 2-11, of the Santa Barbara County 2015-2023 Housing Element
- H. Definitions of special care home, common open space, and public open space – LUDC and CZO
- I. Appendix of DR Zone Sites – County-wide (Excluding Montecito)

ATTACHMENT A: FINDINGS

CASE NO. 16ORD-00000-00006

1.0. CEQA FINDINGS

1.1 CEQA Guidelines Exemption Findings

- 1.1.1** The County Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed project, 16ORD-00000-00006, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.104.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the Santa Barbara County Land Use and Development Code (LUDC), the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to the LUDC, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the LUDC:

2.1 The request is in the interests of the general community welfare.

The Santa Barbara County Comprehensive Plan's 2015-2023 Housing Element contains policies and programs to enhance the affordability of the housing supply, as well as promote, encourage, and facilitate housing for senior and special needs groups. The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to effectuate Program 1.16 of the County Comprehensive Plan's 2015-2023 Housing Element. Program 1.16 requires the County to consider zoning ordinance amendments providing modified development standards to encourage the development of affordable, senior, and special care housing. Accordingly, the proposed ordinance amendment will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock.

2.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the County Land Use and Development Code.

Adoption of the proposed ordinance, as analyzed in the County Planning Commission staff report, dated May 12, 2016, which is hereby incorporated by reference, will effectuate Program 1.16 of the 2015-2023 Housing Element. The 2015-2023 Housing Element is one of seven mandatory elements of the County Comprehensive Plan. The Board of Supervisors adopted the 2015-2023 Housing Element after making a finding that the element was in conformity with other mandatory and optional elements of the Comprehensive Plan. The 2015-2023 Housing Element contains Program 1.16 and more than 35 other programs to carry out the County's housing goals and policies. Therefore,

the proposed ordinance amendments implement and are in conformity with the Comprehensive Plan, including the 2015-2023 Housing Element.

The proposed ordinance amendments will not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the community and area plans, and the adoption of the proposed ordinance amendments will not result in any inconsistencies with adopted policies and development standards. The proposed ordinance amendment will not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone. Furthermore, as stated in Section 6.0 of the County Planning Commission staff report, dated May 12, 2016, which is hereby incorporated by reference, the modifications to the DR zone development standards proposed by this ordinance amendment will be minor in nature and will provide parking requirements more accurately reflecting the demands of affordable, senior, and special care housing developments.

The proposed ordinance amendments will only apply to qualifying affordable, senior, and special care housing developments (see Section 6.1 the County Planning Commission staff report, dated May 12, 2016, which is hereby incorporated by reference). Qualifying development will require discretionary review and approval. Discretionary approval requires that the proposed development be consistent with the policies and development standards of the Comprehensive Plan, including the community and area plans, and the applicable findings for approval can be made. Qualifying development will also require design review approval. In part, design review approval requires that a project's design be compatible with its surrounding area and consistent with the applicable design standards of the Comprehensive Plan. Therefore, these amendments may be found consistent with the Comprehensive Plan, including the community and area plans.

The proposed ordinance amendment is also consistent with the remaining portions of the County Land Use and Development Code that would not be revised by this ordinance amendment.

Accordingly, this ordinance may be found to be consistent with the Comprehensive Plan, including the community and area plans, the requirements of State Planning and Zoning Laws, and the County Land Use and Development Code.

2.3 The request is consistent with good zoning and planning practices.

The proposed ordinance, as analyzed in the County Planning Commission staff report dated May 12, 2016, which is hereby incorporated by reference, is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since it will not alter the permitted uses within the DR zone, will not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone, and will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock. As discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive

Plan, including the community and area plans, and the County Land Use and Development Code.

ATTACHMENT B: NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Ryan Cooksey, Planner
Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 as defined in the State and County guidelines for the implementation of CEQA.

APN(s): Not applicable.

Case No.: 16ORD-00000-00006

Location: The proposed ordinance amendment would apply solely to the unincorporated area of Santa Barbara County located outside the Montecito Community Plan Area and the Coastal Zone.

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

Project Description: 16ORD-00000-00006 proposes to amend Article 35.2, Zones and Allowable Land Uses, and Article 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County code regarding modified development standards for qualifying affordable, senior, and special care housing developments. The development standards that would be modified are as follows:

- Height limitations;
- Open space requirements;
- Parking requirements; and
- Site coverage limitations.

Exempt Status:

- Ministerial
 Statutory
 Categorical Exemption
 Emergency Project
 No Possibility of Significant Effect, Section 15061(b)(3)

Cite specific CEQA Guideline Section: Section 15061(b)(3) - No possibility of significant effect.

CEQA Section 15061(b)(3) states:

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. 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, the activity is not subject to CEQA.

Reasons to support exemption findings:

The following provides a brief discussion of the proposed amendments.

Qualifying Projects

The project would amend Section 35.23.060 of the County Land Use and Development Code (LUDC) to include the following language, defining the types of development that would be eligible for the modified development standards:

1. Affordable housing projects. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site) dedicated and restricted to housing affordable to low-income households, very low-income households, and/or extremely low-income households, as defined in Table 2.7, page 2-11 of the Santa Barbara County 2015-2023 Housing Element Update;
2. Senior housing projects. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to housing at least one senior person. For the purposes of this section, a senior person is defined as someone 55 years of age or older;
3. Affordable senior housing. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in item No. 1, above) for seniors (as defined in item No. 2, above);
4. Mixed affordable housing and senior housing. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in item No.1, above), senior housing (as defined in item No. 2, above), and/or affordable senior housing (as defined in item No. 3, above); and
5. Special care homes. Special care homes as defined in Section 35.110.020 (Definitions of Specialized Terms and Phrases) of the LUDC.

Height Limitations

Section 35.23.060 of the LUDC would be revised to increase the height limit for qualifying projects (located outside the Inland portion of the Toro Canyon Plan area) from 35 feet to 40 feet.

Qualifying projects would require a discretionary permit and design review in order to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Furthermore, qualifying projects would require project specific CEQA analysis. Accordingly, this modification would constitute a minor increase to the DR zone height limit.

Open Space Requirements

Section 35.23.060 of the LUDC would be revised to reduce the open space requirement for qualifying projects from 40 percent to 30 percent.

Furthermore, the LUDC currently only allows common open space to be counted toward a project's open space requirement. Section 35.23.060 of the LUDC would be revised to allow for public open space, as well as common open space, to count toward a qualifying project's open space requirement.

The recommended modifications would make the open space requirements consistent for inland and coastal zone projects. The recommended modifications would also expand the definitions of common open space and public open space to explicitly include types of space that already implicitly qualify as such under the existing zoning regulations. Qualifying projects would require a discretionary permit and design review in order to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Furthermore, qualifying projects would require project specific CEQA analysis. Accordingly, these recommended modifications would constitute a minor alteration to the existing DR zone development standards.

Parking Requirements – Affordable Housing and/or Senior Housing

Affordable housing and senior housing developments are currently subject to market-rate multiple-dwelling unit development parking requirements. The parking requirements for market-rate multiple-dwelling unit developments are greater than the parking demands associated with affordable housing and/or senior housing multiple dwelling unit developments. Accordingly, Section 35.23.060 of the LUDC would be revised to allow for the parking requirements for senior housing and/or affordable housing developments in the DR zone to be modified as shown in Table 1 – Parking Requirements for Qualifying Projects, below.

As the current parking requirements for affordable and senior housing developments are greater than the parking demands associated with such developments, the recommended modifications would serve to eliminate the construction of unnecessary parking spaces. Furthermore, qualifying projects would require project specific CEQA analysis.

Table 1 – Parking Requirements for Qualifying Projects

Residential Development	LUDC – Existing Parking Requirement	LUDC – Recommended Parking Requirement	CZO - Existing Parking Requirement	CZO - Recommended Parking Requirement
Affordable housing – single bedroom or studio units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable housing – 3 bedroom, or more, units	2 spaces/dwelling unit and; 1 space/5 dwelling units (visitor parking)	1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 1 space/dwelling unit	1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – single bedroom or studio units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – 3 bedroom, or more, units	2 spaces/dwelling unit and; 1 space/5 dwelling units (visitor parking)	1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 1 space/dwelling unit	1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Senior housing – single bedroom or studio unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Senior housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Special care home	1 space/guestroom and; 1 space/2 employees	1 space/3 beds and; 1 space/3 employees	1 space/guestroom and; 1 space/2 employees	1 space/3 beds and; 1 space/3 employees

Parking Requirements –Special Care Housing

Special care homes provide housing for individuals with mental, physical, and development disabilities and are functionally similar to a rest home or extended-care medical service facility. Accordingly, these types of developments should generate similar parking demands. Rest homes and extended-care medical service facilities require one space per three beds and one space per

three employees. However, special care homes currently require more parking under both the LUDC and CZO. As shown in Table 1, above, Section 35.23.060 of the LUDC would be revised to allow for the parking requirements for special care housing developments to be reduced to achieve consistency with the parking requirements for rest homes and extended-care medical service facilities. The recommended modification would serve to more accurately capture the parking demand of special care housing developments and eliminate the construction of unnecessary parking spaces. Furthermore, qualifying projects would require project specific CEQA analysis.

Site Coverage

The maximum percentage of net site area that may be covered by buildings containing dwelling units (i.e. residential uses) is currently 30 percent.

Section 35.23.060 of the LUDC would be revised to allow for the maximum site coverage for qualifying projects to be increased to 40 percent for buildings containing dwelling units (i.e. residential uses).

The recommended modifications would make the site coverage requirements for the DR zone consistent for inland and coastal zone projects. Qualifying projects would require a discretionary permit and design review in order to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Furthermore, qualifying projects would require project specific CEQA analysis. Accordingly, these recommended modifications would constitute a minor alteration to the existing DR zone development standards.

Conclusion

As discussed above, the ordinance revisions are minor in nature. Furthermore, the ordinance revisions would eliminate the construction of unnecessary parking spaces by implementing parking requirements that more accurately reflecting the demands of affordable, senior, and special care housing developments. The proposed ordinance revisions would not allow for new uses in the DR zone, result in an increase in permitted densities, or result in modifications to resource protection policies or zoning regulations.

The proposed ordinance amendments would not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the community and area Plans, and the adoption of the proposed ordinance amendments would not result in any inconsistencies with adopted policies and development standards. Qualifying development would require discretionary review and approval, as well as project specific CEQA analysis. Discretionary approval requires that the proposed development be consistent with the resource protection policies, zoning regulations, and development standards of the Comprehensive Plan, including the community and area Plans. Qualifying development would also require design review approval. In part, design review approval requires that a project's design be compatible with its surrounding area and consistent with the applicable design standards of the Comprehensive Plan.

Therefore, it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment.

Department/Division Representative _____ Date _____

Acceptance Date (date of final action on project): _____

Date Filed by County Clerk: _____

Note: A copy of this form must be posted at Planning and Development six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days.

Distribution: (post six days prior to action, and post original after project approval)

Hearing Support Staff

16ORD-00000-00006 case file

**ATTACHMENT C: 16ORD-00000-00006
RESOLUTION AND ORDINANCE**

RESOLUTION OF THE COUNTY PLANNING COMMISSION

COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE)
BOARD OF SUPERVISORS THE ADOPTION OF AN) RESOLUTION NO. 16 - _____
AMENDMENT TO SECTION 35-1, THE SANTA)
BARBARA COUNTY LAND USE AND) Case No.:
DEVELOPMENT CODE, OF CHAPTER 35, ZONING,) 16ORD-00000-00006
OF THE COUNTY CODE, AMENDING ARTICLE 35.2,)
ZONES AND ALLOWABLE USES, AND ARTICLE)
35.3, SITE PLANNING AND OTHER PROJECT)
STANDARDS, TO IMPLEMENT PROGRAM 1.16,)
DESIGN RESIDENTIAL (DR) ZONE)
MODIFICATIONS, OF THE 2015 – 2023 HOUSING)
ELEMENT UPDATE.)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Land Use and Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code; and
- B. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County, to recommend that the Board of Supervisors adopt an ordinance (Case No. 16ORD-00000-00006) Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, to implement new regulations.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Community and Area Plans, and the requirements of the State Planning, Zoning and Development Laws.
- D. The proposed Ordinance is in the interest of the general community welfare since the amendment will serve to effectuate Program 1.16 of the County Comprehensive Plan's 2015-2023 Housing Element. Program 1.16 requires the County to adopt zoning

ordinance amendments providing modified development standards to encourage the development of affordable, senior, and special care housing. Accordingly, the proposed ordinance amendment will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock.

- E. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the County Planning Commission Staff report dated May 12, 2016.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the County Planning Commission.

PASSED, APPROVED AND ADOPTED this 1st day of June, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LARRY FERINI, CHAIR
County Planning Commission

ATTEST:

DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

Exhibit 1 – 16ORD-00000-00006

EXHIBIT 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES AND ARTICLE 35.3, SITE PLANNING AND OTHER PROJECT STANDARDS, TO IMPLEMENT PROGRAM 1.16, DESIGN RESIDENTIAL (DR) ZONE MODIFICATIONS, OF THE 2015 – 2023 HOUSING ELEMENT UPDATE.

Case No. 16ORD-00000-00006

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35.23.060, DR Zone Standards, of Chapter 35.23, Residential Zones, to read as follows:

35.23.060 - DR Zone Standards

Proposed development and new land uses within the DR zone shall comply with the following standards, in addition to those in Section 35.23.050 (Residential Zones Development Standards).

- A. Maximum density.** The number of dwelling units on a lot shall not exceed the maximum specified by Table 2-12 (DR Zone Maximum Density) for each DR zoning designation shown in Table 2-12 (DR Zone Maximum Density).

Table 2-12 - DR Zone Maximum Density

Zoning Map Symbol	Dwelling Units per Gross Acre
DR-0.1	0.1
DR-0.2	0.2
DR-0.33	0.33
DR-0.5	0.5
DR-1	1
DR-1.5	1.5
DR-1.8	1.8
DR-2	2
DR-2.5	2.5
DR-3	3
DR-3.3	3.3
DR-3.5	3.5

DR-4	4
DR-4.6	4.6
DR-5	5
DR-6	6
DR-7	7
DR-8	8
DR-9	9
DR-10	10
DR-12	12
DR-12.3	12.3
DR-14	14
DR-16	16
DR-20	20
DR-25	25
DR-30	30

B. Open space.

1. **Minimum area.** Except for developments that are permitted in compliance with Subsection D (Affordable housing, senior housing, or special care housing developments), below, the minimum open space area shall be as follows:
 - a. **Coastal Zone.** A minimum of 40 percent of the net site area shall be reserved for the life of the project as common open space and/or public open space.
 - b. **Inland area.** A minimum of 40 percent of the net site area shall be reserved for the life of the project as common open space within the Inland area.
2. **Title to open space area.** Title to the common open space, common recreational facilities, common parking areas, and private streets shall be held by a non-profit association of all homeowners within the project area, or any other non-profit individual or entity on such reasonable terms and conditions as the Board may prescribe. The reasonable terms and conditions may include restricting the rights to develop the property to the uses described in the approved Final Development Plan for the project. The preservation and maintenance of all common open space, common recreational facilities, common parking areas, and private streets shall be the obligation of the individual or entity holding title to these areas.

C. Condominiums, stock cooperatives, community apartments - Inland area. In the Inland area only, the review authority may apply the following standards as conditions of approval of a condominium, stock cooperative, or community apartment project where allowed in compliance with Article 35.2 (Zones and Allowable Land Uses) within the DR zone.

1. **Laundry facilities.** Each dwelling unit shall be provided separate laundry facilities. The Final Development Plan shall show sufficient space, utility connections, and vents to allow for the installation of a clothes washer and dryer in each unit or in a garage, not to encroach upon parking.
 - a. **Affordable housing projects.** For affordable housing overlay projects or housing developments that provide a minimum of 50 percent of the housing units at the required affordable income levels, the laundry facilities may be provided in a common area

within the development. A minimum of one standard capacity size washer and dryer shall be provided for each four dwelling units contained within the same structure.

2. **Open space.**
 - a. **Common.** Common open space and recreation areas shall be designed to provide access for the handicapped.
 - b. **Private.** Each dwelling unit shall include a private outdoor patio area in the form of ground level patios or upper story balconies. Private patios shall not be less than 20 percent of the gross floor area of the dwelling unit. If the required patio area is less than 200 square feet, then this requirement shall be satisfied by providing only one patio or balcony for the dwelling unit.
3. **Storage space.** Each dwelling unit shall be provided with at least 180 cubic feet of weatherproofed, enclosed, lockable, and easily accessible storage space onsite in addition to the storage space of closets, cabinets, and pantries contained within the dwelling units.
4. **Utility metering.** Individual metering for utilities shall be provided for each unit, unless the metering would conflict with an innovative energy efficient or resource conserving utility system designed for the project.

D. Affordable housing, senior housing, or special care housing developments. This subsection provides revised development standards for height limit, open space, parking, and site coverage in order to provide incentives and greater flexibility for certain affordable housing, senior housing, or special care housing developments proposed on lots zoned DR consistent with Program 1.16 of the 2015-2023 Housing Element.

1. **Applicability.** This Subsection D (Affordable housing, senior housing, or special care housing developments) shall only apply to projects that comply with the types of development specified below:
 - a. **Affordable housing.** For the purposes of this section, affordable housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site) dedicated and restricted to housing affordable to low-income households, very low-income households, and/or extremely low-income households, as defined in Table 2.7, page 2-11 of the Santa Barbara County 2015-2023 Housing Element Update.
 - b. **Senior housing.** For the purposes of this section, senior housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to housing at least one senior person. For the purposes of this section, a senior person is defined as someone 55 years of age or older.
 - c. **Affordable senior housing.** For the purposes of this section, affordable senior housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in Section 35.23.060.D.1.a, above) for seniors (as defined in Section 35.23.060.D.1.b, above).
 - d. **Mixed affordable housing and senior housing.** For the purposes of this section, mixed affordable housing and senior housing is defined as housing developments with

all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in Section 35.23.060.D.1.a, above), senior housing (as defined in Section 35.23.060.D.1.b, above), and/or affordable senior housing (as defined in Section 35.23.060.D.1.c, above).

e. Special care housing. For the purposes of this section, special care as defined in Section 35.110.020 (Definitions of Specialized Terms and Phrases).

2. Modified development standards for qualifying projects. The following development standards regarding height limit, open space, parking, and site coverage shall apply to projects developed in compliance with this Subsection D (Affordable housing, senior housing, or special care housing developments) instead of the respective standards listed in Table 2-11 (Residential Zones Development Standards), Subsection B (Open space), above, and Chapter 35.36 (Parking and Loading Standards). These modified development standards shall be considered the site development standards for calculating density bonuses and granting incentives or concessions in compliance with the California Density Bonus Law (Government Code Section 65915 – 65918) and the Density Bonus Program (see Chapter 35.32, Density Bonus for Affordable Housing).

a. Height limit. 40 feet for projects located outside the Toro Canyon Plan area.

b. Open space. A minimum of 30 percent of the net site area shall be reserved for the life of the project as common open space and/or public open space.

(1) Calculation of common open space. Common open space may also include the areas listed below in addition to the areas listed in the definition of common open space in Section 35.110.020 (Definitions of Specialized Terms and Phrases). Hard surfaced sidewalks located outside of common open space shall not qualify as common open space.

(a) Community patios.

(b) Deck or patios associated with swimming pools located within common open space areas.

(c) Detention basins that function as common open space.

(d) Hard surfaced sidewalks when located within common open space areas.

(2) Calculation of public open space. Public open space may also include the areas listed below in addition to the areas listed in the definition of public open space in Section 35.110.020 (Definitions of Specialized Terms and Phrases).

(a) Detention basins that function as public open space.

(3) Title to open space area. Title to the common open space, common recreational facilities, common parking areas and private streets shall be held in accordance with Section 35.23.060.B.2.

c. Parking. Parking requirements shall be as follows:

Residential Development	Parking Spaces Required
<u>Affordable housing – single bedroom or studio units</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable housing – 2 bedroom units</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable housing – 3 bedroom, or more, units</u>	<u>1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable senior housing – single bedroom or studio units</u>	<u>0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable senior housing – 2 bedroom units</u>	<u>0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable senior housing – 3 bedroom, or more, units</u>	<u>1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Senior housing – single bedroom or studio unit</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Senior housing – 2 bedroom units</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Special care home (1)</u>	<u>1 space/3 beds and; 1 space/3 employees</u>

Notes:

- (1) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.

(1) Contingency parking plan.

- (a) A contingency parking plan shall be submitted with all applications proposing to utilize these modified parking standards. The contingency parking plan shall demonstrate that the proposed development can be modified to provide parking as required irrespective of Section 35.23.060.D. Space required for the contingency parking plan shall not count toward the open space requirement for the proposed development.
- (b) Applicants shall evaluate parking post-occupancy and shall submit annual post-occupancy parking evaluations to the County during the first three years of occupancy. The County may require the submittal of additional annual parking evaluations if the units are not fully occupied within three years. The evaluations shall compare actual parking demand to existing parking supply and address the occupancy rate of the development. If the County determines that the number of existing parking spaces is less than actual parking demand, the applicant shall implement the contingency parking plan and construct additional parking spaces.

d. Maximum site coverage. 40 percent of the net site area for structures containing residential uses.

- 3. Requirement to record an affordable housing agreement and resale and rental restrictive covenant for affordable housing and senior housing projects.** Prior to issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) for an affordable housing project or senior housing project, each project shall record, as applicable:
- a. Affordable housing projects.** An affordable housing agreement and resale and rental restrictive covenant, or other equivalent document approved as to form by the County Counsel, which outlines the following: the sales and/or rental prices for the various types of units to be established; and provisions for the sale, resale, renting and restrictions that will be applicable to the project, to ensure the continued availability for a minimum of 45 years, restarting for up to 90 years upon resale of a unit, of units for purchase or occupancy by target households. In addition, the running of the covenant, or other equivalent document approved as to form by the County Counsel, shall be tolled during any period of violation of said document's terms.
 - b. Senior housing projects.** A senior housing agreement and resale and rental restrictive covenant, or other equivalent document approved as to form by the County Counsel, which outlines the provisions for the sale, resale, renting and restrictions that will be applicable to the project, to ensure the continued availability, for a minimum of 45 years, restarting for up to 90 years upon resale of a unit, of units for purchase or occupancy by seniors. In addition, the running of the covenant, or other equivalent document approved as to form by the County Counsel, shall be tolled during any period of violation of said document's terms.

SECTION 2:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the R-2 & R-2 (CZ) Two-Family Residential, DR & DR (CZ) Design Residential, and PRD & PRD (CZ) Planned Residential Development portion of Table 2-11 – Residential Zone Development Standards, of Section 35.23.050, Residential Zones Development Standards, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-11 - Residential Zone Development Standards – Continued

Development Feature	Requirement by Zone		
	R-2 & R-2 (CZ) Two-Family Residential	DR & DR (CZ) Design Residential	PRD & PRD (CZ) Planned Residential Development
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	One one-family dwelling or one duplex per lot.	See Section 35.23.060 (DR Zone Standards).	As specified in the Land Use Element or Coastal Land Use Plan, as applicable.
	The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards), as applicable.		
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	50 ft from road centerline and 20 ft from right-of-way, or 20 ft from easement serving 5 or more lots.	Coastal - 50 ft from public road centerline; 45 ft from a private road centerline; 20 ft from a right-of-way. Inland - 20 ft from right-of-way, or 20 ft from easement serving 5 or more dwellings.	As determined by Final Development Plan.
Front – Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or greater - same as primary front setback.		
Side	10% of lot width, with no less than 5 ft or more than 10 ft required.	Coastal – One-half the height of the structure subject to the setback. Inland - 10 ft (1).	
Rear	25 ft; 15 ft if rear abuts permanent open space or a street without access.	Coastal - One-half the height of the structure subject to the setback. Inland - 10 ft (1).	
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses) .		
Building separation	5 ft between a dwelling and other detached structure.	5 ft between a habitable structure and another structure.	
Site coverage	<i>Maximum percentage of net site area covered by buildings.</i>		
Maximum coverage	N.A.	30% for structures containing dwelling units. (2)	30% for structures containing dwelling units; 50% for all structures.

Development Feature	Requirement by Zone		
	R-2 & R-2 (CZ) Two-Family Residential	DR & DR (CZ) Design Residential	PRD & PRD (CZ) Planned Residential Development
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations).</i>		
Maximum height	Coastal - 25 ft. Inland - 35 ft.	35 ft; 25 ft for a residential structure within the Toro Canyon Plan area (2).	35 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards).		
Parking	See Chapter 35.36 (Parking and Loading Standards).		
Signs	See Chapter 35.38 (Sign Standards).		

Notes:

- (1) Except where a larger setback is required by the Commission for light, air, or privacy in the review of a discretionary planning permit within the Inland area.
 - (2) See Section 35.23.060.D for site coverage and height limit standards for qualifying affordable housing, senior housing, or special care housing developments.
-

SECTION 3:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35.36.050, Required Number of Spaces: Residential Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

35.36.050 - Required Number of Spaces: Residential Uses

Residential parking requirements shall be in compliance with the provisions in this Section, and in [Section 35.36.080 \(Standards for All Zones and Uses\)](#) and in [Section 35.36.100 \(Standards for Residential Zones and Uses\)](#) below.

- A. **Not applicable to CM-LA zone.** Table 3-5 shall not apply to development on lots zoned CM-LA (Community Mixed Use - Los Alamos). Development located in the CM-LA (Community Mixed Use - Los Alamos) zone shall be in compliance with the parking standards of Subsection 35.36.110.H (Community Mixed Use - Los Alamos (CM-LA) zone), as applicable.

Table 3-5 - Residential Parking Standards

Residential	Parking Spaces Required
One-family and two-family dwellings (excluding EX-1 & SLP zones)	2 spaces per dwelling unit (1) (2)
One-family located within EX-1 Zone	6 spaces per dwelling unit
Small Lot Planned Development	2 spaces per dwelling unit and 1 space per 5 lots (for storage of recreational vehicles)
Multiple dwelling units - single bedroom or studio dwelling unit (3) (4)	1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 2 bedrooms (3) (4)	1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 3 bedrooms or more (3) (4)	2 spaces per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Fraternities, sororities, dormitories and boarding and lodging houses	1 space per 4 beds and 1 space per 2 employees
Mobile Homes - MHP zone	2 spaces per mobile home space and 1 space per 3 mobile home spaces (for visitor parking) and 1 space per 5 mobile home spaces (for storage of recreational vehicles)
Mobile Home - MHS zone	2 spaces per lot and 1 space per 5 lots (for storage of recreational vehicles)
Retirement and special care homes (not including senior housing) (4) (5)	1 space per guest room and 1 space per 2 employees
Guesthouse	1 space per guesthouse
Residential second dwelling unit	1 space per bedroom

Notes:

- (1) In the Mission Canyon Community Plan area (excluding the RR zone), a minimum of 3 spaces shall be required for:
 - (a) A new dwelling unit,
 - (b) Habitable additions to an existing dwelling unit, either individually or combined, greater than 500 square feet, or
 - (c) An addition or remodel of an existing dwelling that includes one or more new bedrooms and results in a dwelling with three or more bedrooms.
- (2) In the Summerland Community Plan area additional parking spaces may be required in compliance with Section 35.28.210 (Community Plan Overlays).
- (3) Includes residential units constructed as a live/work unit or a mixed-use residential component.
- ~~(4) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.~~
- (4) See Section 35.23.060.D for parking requirements for qualifying affordable housing, senior housing, and special care housing developments.
- (5) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.

SECTION 4:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 5:

Except as amended by this Ordinance, Articles 35.2 and 35.3, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 6:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PETER ADAM, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENT D: FINDINGS

CASE NO. 16ORD-00000-00008

1.0. CEQA FINDINGS

1.1 CEQA Guidelines Exemption Findings

- 1.1.1** The County County Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed project, 16ORD-00000-00008, is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15265 and 15061(b)(3). Please see Attachment E, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35-180.6 of the Santa Barbara County Article II Coastal Zoning Ordinance (CZO), the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to the CZO, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the CZO:

2.1 The request is in the interests of the general community welfare.

The Santa Barbara County Comprehensive Plan's 2015-2023 Housing Element contains policies and programs to enhance the affordability of the housing supply, as well as promote, encourage, and facilitate housing for senior and special care groups. The proposed ordinance amendment is in the interest of the general community welfare since the amendment will serve to effectuate Program 1.16 of the County Comprehensive Plan's 2015-2023 Housing Element. Program 1.16 requires the County to adopt zoning ordinance amendments providing modified development standards to encourage the development of affordable, senior, and special care housing. Accordingly, the proposed ordinance amendment will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock.

2.2 The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws, and this Article (the CZO).

Adoption of the proposed ordinance, as analyzed in the County Planning Commission staff report, dated May 12, 2016, which is hereby incorporated by reference, will effectuate Program 1.16 of the 2015-2023 Housing Element. The 2015-2023 Housing Element is one of seven mandatory elements of the County Comprehensive Plan. The Board of Supervisors adopted the 2015-2023 Housing Element after making a finding that the element was in conformity with other mandatory and optional elements of the Comprehensive Plan. The 2015-2023 Housing Element contains Program 1.16 and more than 35 other programs to carry out the County's housing goals and policies. Therefore,

the proposed ordinance amendments implement and are in conformity with the Comprehensive Plan, including the 2015-2023 Housing Element.

The proposed ordinance amendments will not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan and community and area plans, and the adoption of the proposed ordinance amendments will not result in any inconsistencies with adopted policies and development standards. The proposed ordinance amendment will not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone. Furthermore, as stated in Section 6.0 of the County Planning Commission staff report, dated May 12, 2016, which is hereby incorporated by reference, the modifications to the DR zone development standards proposed by this ordinance amendment are minor in nature and will provide parking requirements more accurately reflecting the demands of affordable, senior, and special care housing developments.

The proposed ordinance amendments will only apply to qualifying affordable, senior, and special care housing developments (see Section 6.1 the County Planning Commission staff report, dated May 12, 2016, which is hereby incorporated by reference). Qualifying development will require discretionary review and approval. Discretionary approval requires that the proposed development be consistent with the policies and development standards of the Comprehensive Plan, including the Coastal Land Use Plan and community and area plans, and the applicable findings for approval can be made. Qualifying development will also require design review approval. In part, design review approval requires that a project's design be compatible with its surrounding area and consistent with the applicable design standards of the Comprehensive Plan. Therefore, these amendments may be found consistent with the Comprehensive Plan, including the Coastal Land Use Plan and community and area plans.

The proposed ordinance amendment is also consistent with the remaining portions of the CZO that would not be revised by this ordinance amendment.

Accordingly, this ordinance may be found to be consistent with the Comprehensive Plan, including the Coastal Land Use Plan and community and area plans, the requirements of State Planning and Zoning Laws, and the CZO.

2.3 The request is consistent with good zoning and planning practices.

The proposed ordinance, as analyzed in the County Planning Commission staff report dated May 12, 2016, which is hereby incorporated by reference, is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since it will not alter the permitted uses within the DR zone, will not allow new land uses or increase the maximum density allowed under zoning regulations in the DR zone, and will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock. As

discussed in Finding 2.2, above, the amendment is consistent with the Comprehensive Plan, including the Coastal Land Use Plan and community and area plans, and the CZO.

ATTACHMENT E: NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Ryan Cooksey, Planner
Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 as defined in the State and County guidelines for the implementation of CEQA.

APN(s): Not applicable.

Case No.: 16ORD-00000-00008

Location: The proposed ordinance amendment would apply solely to the unincorporated area of Santa Barbara County located within the Coastal Zone.

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

Project Description: 16ORD-00000-00008 proposes to amend Division 4, Zoning Districts, and Division 6, Parking Regulations, of the Santa Barbara County Article II Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the County Code, regarding modified development standards for qualifying affordable, senior, and special care housing developments. The development standards that would be modified are as follows:

- Height limitations;
- Open space requirements;
- Parking requirements; and
- Site coverage limitations.

Exempt Status:

- Ministerial
 Statutory
 Categorical Exemption
 Emergency Project
 No Possibility of Significant Effect Section 15061(b)(3)

Cite specific CEQA Guideline Section: Section 15061(b)(3) - No possibility of significant effect and Section 15265 (Adoption of Coastal Plans and Programs).

Section 15061(b)(3). CEQA Section 15061(b)(3) states that “the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant

effect on the environment. 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, the activity is not subject to CEQA.”

Section 15265. CEQA Section 15265 states that CEQA does not apply to activities and approvals pursuant to the California Coastal Act necessary for the preparation and adoption of a local coastal program.

Reasons to support exemption findings:

The following provides a brief discussion of the proposed amendments.

Qualifying projects

Section 35-74 of the CZO would be revised to include the following language, defining the types of development that would be eligible for the modified development standards proposed in this ordinance amendment:

1. Affordable housing projects. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site) dedicated and restricted to housing affordable to low-income households, very low-income households, and/or extremely low-income households, as defined in Table 2.7, page 2-11 of the Santa Barbara County 2015-2023 Housing Element Update;
2. Senior housing projects. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to housing at least one senior person. For the purposes of this section, a senior person is defined as someone 55 years of age or older;
3. Affordable senior housing. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in item No. 1, above) for seniors (as defined in item No. 2, above);
4. Mixed affordable housing and senior housing. Housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in item No.1, above), senior housing (as defined in item No. 2, above), and/or affordable senior housing (as defined in item No. 3, above); and
5. Special care homes. Special care homes as defined as defined in Section 35-38 (Definitions) of the CZO.

Height limitations

Section 35-74 of the CZO would be revised to increase the height limit for qualifying project from 35 feet to 40 feet.

Qualifying projects would require a discretionary permit and design review in order to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Furthermore, qualifying projects would require project specific CEQA analysis. Accordingly, this modification would constitute a minor increase to the DR zone height limit.

Open space requirements

Section 35-74 of the CZO would be revised to reduce the open space requirement for qualifying projects from 40 percent to 30 percent.

Furthermore, the CZO currently only allows common open space to be counted toward a project's open space requirement. Section 35-74 of the CZO would be revised to allow for public open space, as well as common open space, to count toward a qualifying project's open space requirement.

The recommended modifications would make the open space requirements consistent for inland and coastal zone projects. The recommended modifications would also expand the definitions of common open space and public open space to explicitly include types of space that already implicitly qualify as such under the existing code. Qualifying projects would require a discretionary permit and design review in order to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Furthermore, qualifying projects would require project specific CEQA analysis. Accordingly, these recommended modifications would constitute a minor alteration to the existing DR zone development standards.

Parking requirements – affordable housing and/or senior housing

Affordable housing and senior housing developments are currently subject to market-rate multiple-dwelling unit development parking requirements. The parking requirements for market-rate multiple-dwelling unit developments are greater than the parking demands associated with affordable housing and/or senior housing multiple dwelling unit developments. Accordingly, Section 35-108 of the CZO would be revised to allow for the parking requirements for senior housing and/or affordable housing developments in the DR zone to be modified as shown in Table 1 – Parking Requirements for Qualifying Projects, below.

As the current parking requirements for affordable and senior housing developments are greater than the parking demands associated with such developments, the recommended modifications would serve to eliminate the construction of unnecessary parking spaces. Furthermore, qualifying projects would require project specific CEQA analysis.

Table 1 – Parking Requirements for Qualifying Projects

Residential Development	LUDC – Existing Parking Requirement	LUDC – Recommended Parking Requirement	CZO - Existing Parking Requirement	CZO - Recommended Parking Requirement
Affordable housing – single bedroom or studio units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable housing – 3 bedroom, or more, units	2 spaces/dwelling unit and; 1 space/5 dwelling units (visitor parking)	1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 1 space/dwelling unit	1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – single bedroom or studio units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Affordable senior housing – 3 bedroom, or more, units	2 spaces/dwelling unit and; 1 space/5 dwelling units (visitor parking)	1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 1 space/dwelling unit	1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Senior housing – single bedroom or studio unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Senior housing – 2 bedroom units	1 space/dwelling unit and; 1 space/5 dwelling units (visitor parking)	0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)	1 covered space/dwelling unit and; 0.5 spaces/dwelling unit	1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)
Special care home	1 space/guestroom and; 1 space/2 employees	1 space/3 beds and; 1 space/3 employees	1 space/guestroom and; 1 space/2 employees	1 space/3 beds and; 1 space/3 employees

Parking requirements – special care housing

Special care homes provide housing for individuals with mental, physical, and development disabilities and are functionally similar to a rest home or extended-care medical service facility. Accordingly, these types of developments should generate similar parking demands. Rest homes and extended-care medical service facilities require one space per three beds and one space per three employees. However, special care homes currently require more parking under both the

CZO. As shown in Table 1, above, Section 35-108 of the CZO would be revised to allow for the parking requirements for special care housing developments to be reduced to achieve consistency with the parking requirements for rest homes and extended-care medical service facilities. The recommended modification would serve to more accurately capture the parking demand of residential special care housing developments and eliminate the construction of unnecessary parking spaces. Furthermore, qualifying projects would require project specific CEQA analysis.

Site coverage

The maximum percentage of net site area that may be covered by buildings containing dwelling units is currently 30 percent.

Section 35-74 of the CZO would be revised to allow for the maximum percentage of net site area that may be covered by buildings containing dwelling units to be 40 percent.

Qualifying projects would require a discretionary permit and design review in order to ensure compliance with County policy and zoning regulations, as well as compatibility with the surrounding neighborhood. Furthermore, qualifying projects would require project specific CEQA analysis. Accordingly, these recommended modifications would constitute a minor alteration to the existing DR zone development standards.

Conclusion

As discussed above, the ordinance revisions are minor in nature. Furthermore, the ordinance revisions would eliminate the construction of unnecessary parking spaces by implementing parking requirements that more accurately reflecting the demands of affordable, senior, and special care housing developments. The proposed ordinance revisions would not allow for new uses in the DR zone, result in an increase to the maximum densities allowed under zoning regulations, or result in modifications to resource protection policies or zoning regulations.

The proposed ordinance amendments would not alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan and Community and Area plans, and the adoption of the proposed ordinance amendments would not result in any inconsistencies with adopted policies and development standards. Qualifying development would require discretionary review and approval, as well as project specific CEQA analysis. Discretionary approval requires that the proposed development be consistent with the resource protection policies, zoning regulations, and development standards of the Comprehensive Plan, including the Coastal Land Use Plan and Community and Area plans. Qualifying development would also require design review approval. In part, design review approval requires that a project's design be compatible with its surrounding area and consistent with the applicable design standards of the Comprehensive Plan.

Therefore, it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment.

Department/Division Representative

Date

Acceptance Date (date of final action on project): _____

Date Filed by County Clerk: _____

Note: A copy of this form must be posted at Planning and Development six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days.

Distribution: (for posting six days prior to action, and posting original after project approval)

Hearing Support Staff

16ORD-00000-00008 case file

ATTACHMENT F: 16ORD-00000-00008
RESOLUTION AND ORDINANCE

RESOLUTION OF THE COUNTY PLANNING COMMISSION

COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE)
BOARD OF SUPERVISORS THE ADOPTION OF AN) RESOLUTION NO. 16 - _____
AMENDMENT TO THE SANTA BARBARA COUNTY)
ARTICLE II COASTAL ZONING ORDINANCE, OF) Case No.:
CHAPTER 35 OF THE COUNTY CODE, AMENDING) 16ORD-00000-00008
DIVISION 4, ZONING DISTRICTS, AND DIVISION 6,)
PARKING REGULATIONS, TO IMPLEMENT)
PROGRAM 1.16, DESIGN RESIDENTIAL (DR) ZONE)
MODIFICATIONS, OF THE 2015 – 2023 HOUSING)
ELEMENT UPDATE.)
)

WITH REFERENCE TO THE FOLLOWING:

- A. On July 19, 1982, by Ordinance 3312, the Board of Supervisors adopted the Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- B. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County, to recommend that the Board of Supervisors adopt an ordinance (Case No. 16ORD-00000-00008) amending Article II of Chapter 35 of the Santa Barbara County Code, the Coastal Zoning Ordinance, to implement new regulations.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Ordinance is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Plan, the Santa Barbara County Comprehensive Plan including the Montecito Community Plan and Coastal Land Use Plan, and the requirements of the State Planning, Zoning and Development Laws.
- D. The proposed Ordinance is in the interest of the general community welfare since the amendment will serve to effectuate Program 1.16 of the County Comprehensive Plan's 2015-2023 Housing Element. Program 1.16 requires the County to adopt zoning ordinance amendments providing modified development standards to encourage the development of affordable, senior, and special care housing. Accordingly, the proposed

ordinance amendment will serve to implement the County's 2015-2023 Housing Element and encourage the diversification of the County's housing stock.

- E. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment D of the County Planning Commission Staff report dated May 12, 2016.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors..
4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the County Planning Commission.

PASSED, APPROVED AND ADOPTED this 1st day of June, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LARRY FERINI, CHAIR
County Planning Commission

ATTEST:

DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

Exhibit 1 – 16ORD-00000-00008

EXHIBIT 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 4, ZONING DISTRICTS, AND DIVISION 6, PARKING REGULATIONS, TO IMPLEMENT PROGRAM 1.16, DESIGN RESIDENTIAL (DR) ZONE MODIFICATIONS, OF THE 2015 – 2023 HOUSING ELEMENT UPDATE.

Case No. 16ORD-00000-00008

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-74, DR – Design Residential, to read as follows:

Section 35-74. DR - Design Residential.

Section 35-74.1 Purpose and Intent.

It is the purpose of this district to provide areas for residential development in a wide range of densities, housing types, and design, and to create open space within new residential developments. The intent is to ensure comprehensively planned and well-designed single family and multiple residential developments.

Section 35-74.2 Preliminary Development Plan to be Included in Application for Rezoning.

Unless the Planning Commission expressly waives the requirement, an application for a rezoning to this district shall include a Preliminary Development Plan as part of the application. Upon approval by the Board of Supervisors of the rezoning and Preliminary Development Plan, the Preliminary Development Plan may be incorporated into the rezoning ordinance.

Section 35-74.3 Processing.

No permits for development including grading shall be issued except in conformance with an approved Final Development Plan, as provided in Section 35-174 (Development Plans), and with Section 35-169 (Coastal Development Permits) except that development of one single-family dwelling on a single lot shall not require a Development Plan. Such single-family dwellings shall be subject to the processing and development requirements of the R-1/E-1 zoning district. *(Amended by Ord. 3959, 02/21/1992)*

Section 35-74.4 Permitted Uses. *(Amended by Ord. 3518, 06/03/1985; Ord. 4378, 11/16/1999)*

1. Single family, duplex, triplex, and multi-family dwelling units, including developments commonly known as row houses, town houses, condominiums, cluster, and community apartment projects.

2. Parking lots, carports, and garages designed and used for individual units within the district and either adjacent to such units or centrally located to serve a group of units.
3. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-74.4, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels. *(Added by Ord. 4067, 08/18/1992)*
4. Golf courses.
5. Public parks, public playgrounds, and community centers.
6. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
7. The keeping of animals accessory to a residential use located on the same lot and subject to the provisions of Section 35-419.12 (R-1/E-1, Animals). *(Amended by Ord. 4557, 12/07/2004)*
8. Greenhouses, hothouses, and other plant protection structures subject to all of the following: *(Added by Ord. 3959, 02/21/1992; amended by Ord. 4557, 12/07/2004)*
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
9. Special Care Homes, subject to the provisions of Section 35-143.4. *(Added by Ord. 4378, 11/16/1999)*
10. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises. *(Added by Ord. 4378, 11/16/1999; amended by Ord. 4557, 12/07/2004)*

Section 35-74.5 Uses Permitted With a Major Conditional Use Permit.

1. Dormitories, student housing facilities, residence halls, sororities, and fraternities located in an area where such facilities are to be used by students of a permitted educational institution.
2. Commercial kennels. *(Added by Ord. 4067, 08/18/1992)*

Section 35-74.6 Uses Permitted With a Minor Conditional Use Permit.

1. Dining commons, cafeterias, tobacco and magazine shops, book stores, bicycle rental and repair shops, and similar facilities accessory and incidental to developments permitted in paragraph 1. hereof, provided such uses are within the building and designed and used solely for the service and convenience of the residential development to which they are accessory and incidental.
2. Residential Child Care Center. *(Amended by Ord. 3518, 06/03/1985; Ord. 4067, 08/18/1992)*
3. Private kennels. *(Added by Ord. 4067, 08/18/1992)*

Section 35-74.7 Lot Size/Density.

The maximum density for each lot zoned DR shall be specified by a number following the DR on the lot on the applicable Santa Barbara County Zoning Map and said number represents the number of dwelling units per gross acre permitted on such lot, as follows:

District Designation	Dwelling Units Per Gross Acre	Gross Land Area Per Dwelling Unit
DR-0.1	0.1	435,600 (10 acres)
DR-0.2	0.2	217,800 (5 acres)
DR-0.33	0.33	130,680 (3 acres)
DR-0.5	0.5	87,120 (2 acres)
DR-1	1.0	43,560 (1 acres)
DR-1.5	1.5	29,040 (square feet)
DR-1.8	1.8	24,200 (square feet)
DR-2	2.0	21,780 (square feet)
DR-2.5	2.5	17,424 (square feet)
DR-3	3.0	14,520 (square feet)
DR-3.3	3.3	13,200 (square feet)
DR-3.5	3.5	12,445 (square feet)
DR-4	4.0	10,890 (square feet)
DR-4.6	4.6	9,470 (square feet)
DR-5	5.0	8,712 (square feet)
DR-6	6.0	7,260 (square feet)
DR-7	7.0	6,222 (square feet)
DR-8	8.0	5,445 (square feet)
DR-9	9.0	4,840 (square feet)
DR-10	10.0	4,356 (square feet)
DR-12	12.0	3,630 (square feet)
DR-12.3	12.3	3,540 (square feet)
DR-14	14.0	3,111 (square feet)
DR-16	16.0	2,722 (square feet)
DR-20	20.0	2,178 (square feet)
DR-25	25.0	1,742 (square feet)
DR-30	30.0	1,452 (square feet)

Section 35-74.8 Setbacks for Buildings and Structures.

1. **Front:** 20 feet from the right-of-way line and 50 feet from the centerline of any public street and 45 feet from the centerline of any private street.
2. **Side and Rear:** One-half the height of the building or structure.

Section 35-74.9 Distance Between Buildings.

The minimum distance between buildings designed or used for human habitation and any other building on the same building site shall be five feet. *(Amended by Ord. 3839, 03/20/1990)*

Section 35-74.10 Building Coverage.

Except for developments that are permitted in compliance with Section 35-74.14 (Affordable housing, senior housing, or special care housing developments), the minimum open space area shall be as follows:

Not to exceed 30 percent of the net area of the property shall be covered by buildings containing dwelling units.

Section 35-74.11 Height Limit.

Except for developments that are permitted in compliance with Section 35-74.14 (Affordable housing, senior housing, or special care housing developments), the height limit shall be as follows:

No building or structure shall exceed a height of 35 feet.

Section. 35-74.12 Parking.

In addition to the requirements of DIVISIONS 6 - PARKING REGULATIONS, the following regulations shall apply:

1. **Parking Area Setbacks.** Uncovered parking areas shall be located no closer than 15 feet to the street right-of-way line nor closer than five feet to any property line.
2. **Design.**
 - a. Parking areas shall be arranged so as to prevent through traffic to other parking areas.
 - b. Uncovered parking areas shall be screened from the street and adjacent residences to a height of at least four feet with hedges, dense plantings, solid fences or walls. *(Amended by Ord. 4067, 08/18/1992)*

Section 35-74.13 Open Space and Landscaping.

1. Except for developments that are permitted in compliance with Section 35-74.14 (Affordable housing, senior housing, or special care housing developments), not less than 40 percent of the net area of the property shall be devoted to common and/or public open space.
2. Any driveway or uncovered parking area shall be separated from property lines by a landscaped strip not less than five feet in width.
3. Title to the common open space, common recreational facilities, common parking areas, and private streets shall be held by a non-profit association of all homeowners within the project area, or any other non-profit individual or entity on such reasonable terms and conditions as the Board of Supervisor may prescribe. Said reasonable terms and conditions may include restricting the rights to develop such property to those uses described in the approved Final Development Plan for the project area. Preservation and maintenance of all common open space, common recreational facilities, common parking areas, and private streets shall be the obligation of the individual or entity holding title to said areas. *(Amended by Ord. 4557, 12/07/2004)*

Section 35-74.14 Affordable housing, senior housing, or special care housing developments.

This Section provides development standards for building coverage, height limit, parking, and open space in order to provide incentives and greater flexibility for certain affordable housing, senior housing, or special care housing developments proposed on lots zoned DR consistent with Program 1.16 of the 2015-2023 Housing Element.

- 1. Applicability.** This Section 35-74.14 (Affordable housing, senior housing, or special care housing developments) shall only apply to projects that comply with the types of development specified below:

 - a. Affordable housing.** For the purposes of this section, affordable housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site) dedicated and restricted to housing affordable to low-income households, very low-income households, and/or extremely low-income households, as defined in Table 2.7, page 2-11 of the Santa Barbara County 2015-2023 Housing Element Update.
 - b. Senior housing.** For the purposes of this section, senior housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to housing at least one senior person. For the purposes of this section, a senior person is defined as someone 55 years of age or older.
 - c. Affordable senior housing.** For the purposes of this section, affordable senior housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in Section 35-74.14.1.a, above) for seniors (as defined in Section 35-74.14.1.b, above).
 - d. Mixed affordable housing and senior housing.** For the purposes of this section, mixed affordable housing and senior housing is defined as housing developments with all housing units (excluding units inhabited by employees of the development living on-site or and/or units inhabited by people as required for consistency with federal, state, and/or local fair housing law) dedicated and restricted to affordable housing (as defined in Section 35-74.14.1.a, above), senior housing (as defined in Section 35-74.14.1.b, above), and/or affordable senior housing (as defined in Section 35-74.14.1.c).
 - e. Special care housing.** For the purposes of this section, special care homes as defined in Section 35-38 (Definitions).
- 2. Modified development standards for qualifying projects.** The following development standards regarding building coverage, height limit, parking, and open space shall apply to projects developed in compliance with Section 35-74.14 (Affordable housing, senior housing, or special care housing developments) instead of the respective standards listed in Section 35-74.10 (Building Coverage), Section 35-74.11 (Height Limit), and Section 35-74.13 (Open Space and Landscaping), above, and Division 6 (Parking Regulations). These modified development standards shall be considered the site development standards for calculating density bonuses and granting incentives or concessions in compliance with the California Density Bonus Law (Government Code Section 65915 – 65918) and the Density Bonus Program (see Chapter 35.432, Density Bonus for Affordable Housing).

 - a. Maximum building coverage.** 40 percent of the net site area for structures containing residential uses.
 - b. Height limit.** 40 feet.
 - c. Parking.** Parking requirements shall be as follows:

Residential Development	Parking Spaces Required
<u>Affordable housing – single bedroom or studio units</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable housing – 2 bedroom units</u>	<u>1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable housing – 3 bedroom, or more, units</u>	<u>1.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable senior housing – single bedroom or studio units</u>	<u>0.5 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable senior housing – 2 bedroom units</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Affordable senior housing – 3 bedroom, or more, units</u>	<u>1.25 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Senior housing – single bedroom or studio unit</u>	<u>0.75 spaces/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Senior housing – 2 bedroom units</u>	<u>1 space/dwelling unit and; 1 space/5 dwelling units (visitor and employee parking)</u>
<u>Special care home (1)</u>	<u>1 space/3 beds and; 1 space/3 employees</u>

Notes:

(1) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.

(1) Contingency parking plan.

(a) A contingency parking plan shall be submitted with all applications proposing to utilize these modified parking standards. The contingency parking plan shall demonstrate that the proposed development can be modified to provide parking as required irrespective of section 35-74.14. Space required for the contingency parking plan shall not count toward the open space requirement for the proposed development.

(b) Applicants shall evaluate parking post-occupancy and shall submit annual post-occupancy parking evaluations to the County during the first three years of occupancy. The County may require the submittal of additional annual parking evaluations if the units are not fully occupied within three years. The evaluations shall compare actual parking demand to existing parking supply and address the occupancy rate of the development. If the County determines that the number of existing parking spaces is less than actual parking demand, the applicant shall implement the contingency parking plan and construct additional parking spaces.

d. Open Space. A minimum of 30 percent of the net site area shall be reserved for the life of the project as common open space and/or public open space.

(1) Calculation of common open space. Common open space may also include the areas listed below in addition to the areas listed in the definition of common open space in Section 35-38 (Definitions). Hard surfaced sidewalks located outside of common open

space shall not qualify as common open space.

(a) Community patios.

(b) Deck or patios associated with swimming pools located within common open space areas.

(c) Detention basins that function as common open space.

(d) Hard surfaced sidewalks when located within common open space areas.

(2) Calculation of public open space. Public open space may also include the areas listed below in addition to the areas listed in the definition of Public Open Space in Section 35-38 (Definitions).

(a) Detention basins that function as public open space.

(3) Title to open space area. Title to the common open space, common recreational facilities, common parking areas and private streets shall be held in accordance with Section 35-74.13.3, above.

3. Requirement to record an affordable housing agreement and resale and rental restrictive covenant for affordable housing and senior housing projects. Prior to issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Zoning Clearance in compliance with Section 35-179A (Zoning Clearances) for an affordable housing project or senior housing project, each project shall record, as applicable:

a. Affordable housing projects. An affordable housing agreement and resale and rental restrictive covenant, or other equivalent document approved as to form by the County Counsel, which outlines the following: the sales and/or rental prices for the various types of units to be established; and provisions for the sale, resale, renting and restrictions that will be applicable to the project, to ensure the continued availability for a minimum of 45 years, restarting for up to 90 years upon resale of a unit, of units for purchase or occupancy by target households. In addition, the running of the covenant, or other equivalent document approved as to form by the County Counsel, shall be tolled during any period of violation of said document's terms.

b. Senior housing projects. A senior housing agreement and resale and rental restrictive covenant, or other equivalent document approved as to form by the County Counsel, which outlines the provisions for the sale, resale, renting and restrictions that will be applicable to the project, to ensure the continued availability, for a minimum of 45 years, restarting for up to 90 years upon resale of a unit, of units for purchase or occupancy by seniors. In addition, the running of the covenant, or other equivalent document approved as to form by the County Counsel, shall be tolled during any period of violation of said document's terms.

SECTION 2:

DIVISION 6, Parking Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-108, Required Number of Spaces: Residential, to read as follows:

Section 35-108. Required Number of Spaces: Residential.

Parking spaces to be permanently maintained on the same building site on which the dwelling(s) in located, except as provided in Section 35-76, Medium Density Student Residential, and Section 35-77, High Density Student Residential:

1. **Single family and two family dwellings:** Two spaces per dwelling unit.
2. **Multiple Dwelling Units:**
 - a. **Single bedroom or studio dwelling unit:** One covered space per dwelling unit.
 - b. **Two bedroom dwelling:** One covered space plus 0.5 spaces covered or uncovered per dwelling unit. Such spaces shall be located within 200 feet from the building served by such spaces.
 - c. **Three or more bedroom dwellings:** One covered space plus one space covered or uncovered per dwelling unit, located as required in b), above.
 - d. Developments located within a radius of one mile of the boundaries of a college or university shall provide a minimum of two parking spaces per dwelling unit, of which one shall be covered.
 - e. **Visitor parking:** One space per five dwelling units.
 - f. See Section 35-74.14 for parking requirements for qualifying affordable housing and/or senior housing developments.
3. **Guest houses:** One space per guest house.
4. **Mobile homes in mobile home parks:** One covered space per site and one space for every three sites for guest parking.
5. **Fraternalities, sororities, dormitories, and boarding and lodging houses:** One space per four bed spaces and one space per two employees.
6. **Retirement and special care homes:** Not including senior housing, One space per guest and one space per two employees. See Section 35-74.14 for parking requirements for qualifying special care housing developments.

SECTION 3:

All existing indices, section references, and figure and table numbers contained in Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 4:

Except as amended by this Ordinance, Division 4, Zoning Districts, and Division 6, Parking Regulations, Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 5:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PETER ADAM, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENT G: TABLE 2.7
DEFINITIONS USED FOR COMPARING INCOME LEVELS, PAGE 2-11,
OF THE SANTA BARBARA COUNTY 2015-2023 HOUSING ELEMENT

Income Category	Definition
Extremely Low-Income	Up to 30% of County Median Income
Very Low-Income	31% to 50% of County Median Income
Low-Income	51% to 80% of County Median Income
Moderate Income	81% to 120% of County Median Income
Above Moderate Income	121% and above of County Median Income

Source: State Income Limits for 2014, Memorandum (State HCD 2014).

**ATTACHMENT H:
DEFINITIONS OF SPECIAL CARE HOME, COMMON OPEN SPACE,
AND PUBLIC OPEN SPACE -
COUNTY LAND USE AND DEVELOPMENT CODE (LUDC) &
ARTICLE II COASTAL ZONING ORDINANCE (CZO)**

LUDC

Special Care Home. A residential home providing 24-hour non-medical care and supervision that is eligible for a license for a capacity of seven or more clients from the State Department of Social Services, Community Care Licensing Division or a licensing agency authorized by the Department as a "Group Home-Children," "Transitional Home, including substance abuse recovery," "Adult Residential Home," "Residential Care Facility for the Elderly or Handicapped," or "Foster Home."

Common Open Space. Common open space includes recreational areas and facilities for the use of the residents or guests of a development. These areas and facilities include tennis courts, swimming pools, playgrounds, community gardens, landscaped areas for common use, or other open areas of the site needed for the protection of the habitat, archaeological, scenic, or other resources. Water bodies may be included but shall not be credited for more than five percent of the total common open space requirement. Common open space shall not include driveways, public or private streets, parking lots, private patios and yards, other developed areas or hard surfaced walkways.

Public Open Space. Public open space includes public parks, recreational support facilities (e.g., restrooms, stairways, picnic tables), public parking lots, beaches, access corridors such as bike paths, hiking, or equestrian trails, usable natural areas, and vista points that are accessible to members of the general public. Environmentally sensitive habitat areas and archaeological sites may be included in public open space. Water bodies such as streams, ponds, and lakes may be included in public open space only if available for active recreational purposes (e.g., swimming, boating, fishing) but in no case shall water bodies be credited for more than five percent of the total public open space requirement. Public open space shall not include areas which are unusable for recreational purposes (e.g., private or public streets, private parking lots, hazardous areas such as steep slopes and bluff faces).

CZO

Special Care Home. A residential home providing non-medical care and supervision (also known as a "Group Home-Children," "Transitional Home, including substance abuse recovery," "Adult Residential Home," "Supported Housing," "Residential Care Facility for the Elderly or Handicapped," or "Foster Home"). Note: Homes which serve 14 or fewer persons shall be considered a residential use, subject to the regulations for any other residential dwelling in the applicable zone district, and the residents and operators of the home shall be considered a family.

Common Open Space. Common open space shall include but not be limited to recreational areas and facilities for the use of the prospective residents or guests of a development such as tennis courts, swimming pools, playgrounds, community gardens, landscaped areas for common use, or other open areas of the site needed for the protection of the habitat, archaeological, scenic, or other resources. (Water bodies may be included but shall not be credited for more than five percent of the total required common open space.). Common open space shall not include driveways, public or private streets, parking lots, private patios and yards, other developed areas or hard surfaced walkways.

Public Open Space. Public open space shall include but not be limited to public parks, recreational support facilities (restrooms, stairways, picnic tables, etc.), public parking lots, beaches, access corridors such as bike paths, hiking, or equestrian trails, usable natural areas, and vista points which are accessible to members of the general public. Environmentally sensitive habitat areas and archaeological sites may be included in public open space. Water bodies such as streams, ponds, and lakes may be included in public open space only if available for active recreational purposes, i.e., swimming, boating, or fishing but in no case shall water bodies be credited for more than five percent of the total required public open space requirement. Public open space shall not include areas which are unusable for recreational purposes, i.e., private or public streets, private parking lots, or hazardous areas such as steep slopes and bluff faces.

The definition of special care home in the Coastal Zoning Ordinance has been revised by an ordinance amendment approved by the Board of Supervisors and awaiting certification by the California Coastal Commission. The revised definition is provided below.

CZO

Special Care Home. Special care homes are residential care facilities (including group homes) licensed by the State that provide non-medical care on a 24-hour basis to persons who require special care or services including assistance with daily living activities. (per 15ORD-00000-00004)

**ATTACHMENT I: APPENDIX OF DR ZONE SITES –
 COUNTY-WIDE (EXCLUDING MONTECITO)**

Supervisory District	Site Number	Development Status	Zoning	Size (acres)	Within Coastal Zone
1	1	Developed	DR-3.5	3.7	Yes
1	2	Developed	DR-1.8	6.9	Yes
1	3	Developed	DR-3.3	12.6	Yes
1	4	Developed	DR-25	0.6	Yes
1	5	Developed	DR-2.5	15.2	Yes
1	6	Developed	DR-2.5	8.3	Yes
1	7	Developed	DR-9	0.6	Yes
1	8	Developed	DR-2	11.7	Yes
1	9	Developed	DR-6	8.1	
1	10	Vacant	DR-4.6	7.2	
2	11	Developed	DR-10	11.9	
2	12	Developed	DR-4.6	21.8	
2	13	Vacant	DR-1.8	13.6	
2	14	Vacant	DR-1	6.3	Yes
2	15	Vacant; County-owned property mostly in flood channel	DR-2	5.9	Yes
2	16	Developed	DR-2	16.3	Yes
2	17	Developed	DR-1.8	1.9	
2	18	Developed	DR-0.5	5.9	Partial
2	19	Developed	DR-6	14.7	
2	20	Developed	DR-1.8	29.3	
2	21	Developed	DR-3.5	19.9	
2	22	Developed	DR-3.5	12.3	
2	23	Developed	DR-4.6	9.7	
2	24	Developed	DR-3.3	18.8	
2	25	Developed	DR-4.6	3.3	
2	26	Developed	DR-4.6	9.9	
2	27	Developed	DR-4.6	4.5	
2	28	Developed	DR-4.6	2.8	
2	29	Developed	DR-4.6	2.1	
2	30	Developed	DR-4.6	4.0	
2	31	Developed	DR-4.6	11.9	
2	32	Developed	DR-8	0.5	
2	33	Developed	DR-12.3	1.8	
2	34	Developed	DR-8	3.5	
2	35	Developed	DR-12.3	1.1	
2	36	Developed	DR-8	1.1	
2	37	Developed	DR-20	1.0	
2	38	Developed	DR-20	1.7	

Supervisory District	Site Number	Development Status	Zoning	Size (acres)	Within Coastal Zone
2	39	Developed	DR-12.3	15.2	
2	40	Developed	DR-4.6	11.2	
2	41	Vacant	DR-20	16.8	
2	42	Developed	DR-20	1.0	
2	43	Developed	DR-20	24.2	
2	44	Developed	DR-4.6	52.1	
2	45	Developed	DR-30	2.6	
2	46	Developed	DR-4.6	10.9	
2	47	Developed	DR-6	5.0	
2	48	Developed	DR-10	32.5	
2	49	Developed	DR-10	1.7	
2	50	Vacant	DR-20	1.6	
2	51	Developed	DR-20	1.7	
2	52	Developed	DR-3.3	6.2	
2	53	Developed	DR-8	6.9	
2	54	Developed	DR-3.3	10.3	
2	55	Developed	DR-12.3	9.7	
2	56	Developed	DR-7	8.2	
2	57	Developed	DR-1.8	8.1	
2	58	Developed	DR-10	2.3	
2	59	Developed	DR-8	28.3	
2	60	Developed	DR-4.6	4.1	
2	61	Developed	DR-3.3	10.4	
2	62	Developed	DR-4.6	26.8	
2	63	Developed	DR-1	14.1	
2	64	Developed	DR-1	12.1	
2	65	Developed	DR-3.3	45.0	
2	66	Developed	DR-3.3	9.2	
2	67	Developed	DR-3.3	8.9	
2	68	Vacant	DR-1	60.5	
2	69	Vacant	DR-1	2.9	
2	70	Vacant	DR-4.6	10.3	
2	71	Developed	DR-8	14.3	
2	72	Developed	DR-4.6	9.4	
2	73	Developed	DR-3.3	6.3	
2	74	Developed	DR-1.8	35.9	
2	75	Developed	DR-1	29.1	
2	76	Vacant	DR-20	15.0	
2	77	Vacant	DR-20	2.8	
2	78	Vacant	DR-20	1.3	
2	79	Developed	DR-20	1.2	
2	80	Vacant	DR-0.2	9.7	
3	81	Developed	DR-3	10.2	Yes
3	82	Vacant	DR-25	3.2	
3	83	Vacant	DR-14	2.3	

Supervisory District	Site Number	Development Status	Zoning	Size (acres)	Within Coastal Zone
3	84	Developed	DR-1	14.2	
3	85	Developed	DR-4.6	50.5	
3	86	Vacant	DR-4.6	5.0	
3	87	Vacant	DR-4.6	19.7	
3	88	Developed	DR-4.6	5.5	
3	89	Developed	DR-1.8	47.7	
3	90	Developed	DR-1.8	50.1	
3	91	Developed	DR-10	7.3	
3	92	Developed	DR-20	4.6	
3	93	Vacant	DR-12	21.0	
3	94	Developed	DR-20	29.6	
3	95	Vacant	DR-20	7.2	
3	96	Developed	DR-14	14.2	
3	97	Developed	DR-5	16.4	
3	98	Vacant	DR-6	2.5	
3	99	Developed	DR-6	20.3	
3	100	Developed	DR-1.8	9.1	
3	101	Developed	DR-8	2.4	
3	102	Developed	DR-1.8	4.1	
3	103	Developed	DR-4.6	21.2	
3	104	Vacant	DR-4.6	5.6	
3	105	Developed	DR-3.3	6.6	
3	106	Vacant	DR-4.6	1.7	
4	107	Developed	DR-0.5	6.6	
4	108	Developed	DR-1	82.5	
4	109	Developed	DR-1	12.1	
4	110	Developed	DR-0.5	8.0	
4	111	Developed	DR-6	16.6	
4	112	Developed	DR-6	9.0	
4	113	Vacant	DR-20	10.5	
4	114	Developed	DR-3.3	11.2	
4	115	Developed	DR-8	7.9	
4	116	Developed	DR-3.3	18.1	
4	117	Developed	DR-14	2.9	
4	118	Developed	DR-3.3	7.2	
4	119	Developed	DR-3.3	6.0	
4	120	Developed	DR-6	4.7	
4	121	Developed	DR-3.3	20.7	
4	122	Developed	DR-4.6	11.5	
4	123	Developed	DR-6	6.9	
4	124	Developed	DR-3.3	31.2	
4	125	Vacant	DR-3.3	4.9	
4	126	Developed	DR-3.3	36.1	
4	127	Developed	DR-3.3	39.3	
4	128	Developed	DR-3.3	16.8	

Supervisory District	Site Number	Development Status	Zoning	Size (acres)	Within Coastal Zone
4	129	Vacant, but within Airport No-Build Corridor	DR-3.3	15.8	
4	130	Developed	DR-4.6	8.5	
4	131	Developed	DR-8	6.6	
4	132	Developed	DR-12.3	23.7	
4	133	Developed	DR-3.3	18.3	
4	134	Developed	DR-8	4.9	
4	135	Developed	DR-12.3	4.1	
4	136	Developed	DR-12.3	1.8	
4	137	Developed	DR-12.3	0.8	
4	138	Developed	DR-8	1.7	
4	139	Developed	DR-8	1.6	
4	140	Developed	DR-20	8.5	
4	141	Developed	DR-4.6	2.7	