



COUNTY OF SANTA BARBARA

Planning and Development

1

2015 - 2023 Housing Element Implementation County LUDC and Article II Ordinance Amendments Board of Supervisors Hearing November 3, 2015



Purpose of This Hearing

2

- ❑ Review and adopt ordinance amendments that implement four programs contained in the 2015-2023 Housing Element Update (adopted 2/3/2015)
 - ❑ **Program 1.10:** State Density Bonus Law (Article II)
 - ❑ **Program 2.3:** Farmworker Employee Housing Law
 - ❑ **Program 2.5:** Fair and Safe Special Needs Housing
 - ❑ **Program 2.7:** Definition of Family

Program 1.10: State Density Bonus Law

3

- ❑ This program requires the County to revise Article II to increase the allowable density bonus for qualifying projects from 25 to 35 percent
- ❑ The proposed amendment amends Article II Section 35-144C (Density Bonus for Affordable Housing Project) to increase the allowable percentage increase
- ❑ Article II will become consistent with the State density bonus law

Program 2.3: Farmworker Employee Housing Law

4

- ❑ This program requires the County to revise the zoning ordinances to be consistent with the State Health and Safety Code (HSC) regarding permitting farmworker housing regulated by the State
- ❑ The proposed regulations apply only to State-licensed farmworker housing
- ❑ The existing zoning regulations regarding agricultural employee housing are not revised
- ❑ State regulations have been in effect since 1979

Program 2.3: Farmworker Employee Housing Law

5

- ❑ **Farmworker dwelling unit** - Farmworker housing that provides accommodations for six or fewer employees is deemed a single family dwelling
- ❑ **Farmworker housing complex** - Farmworker housing that consists of no more than 36 beds in a group quarters, or 12 units or spaces designed for use by a single-family or household, is deemed an agricultural use

Program 2.3: Farmworker Employee Housing Law

6

- ❑ Proposed ordinances include:
 - ❑ Definitions of Farmworker Dwelling Unit and Farmworker Housing Complex
 - ❑ Permit requirements:
 - ❑ Farmworker Dwelling Units - Same permit requirement for single-family dwellings (if allowed) in the applicable zone
 - ❑ Farmworker Housing Complexes - Same permit requirement for agricultural uses (if allowed) in the applicable zone
 - ❑ Development standards regarding density, parking, licensing

Program 2.5: Fair & Safe Special Needs Housing

7

- ❑ Required by Government Code Section 65583(c)(3)
- ❑ Implements the Federal Fair Housing Amendments Act of 1988 and the California's Fair Employment and Housing Act that promote the development fair housing opportunities
- ❑ The amendments create a process that allows individuals with disabilities to request a reasonable accommodation from the strict application of zoning regulations that pose barriers to the development of accessible housing

Program 2.5: Fair & Safe Special Needs Housing

8

- ❑ Individual with a disability:
 - ❑ An individual who has a physical or mental impairment that limits one or more major life activities
 - ❑ Anyone who is regarded as having such impairment
 - ❑ Anyone who has a record of such impairment
- ❑ Reasonable accommodations include:
 - ❑ Adjustments to allowed encroachments, floor area restrictions and setback requirements
 - ❑ Adjustments to buffer, height and screening requirements
 - ❑ Allowing widened driveways, parking areas or walkways that would otherwise not comply with landscape, lot coverage, or open space provisions

Program 2.5: Fair & Safe Special Needs Housing

- ❑ Review authority:
 - ❑ Director if the project requires only staff-level approval
 - ❑ Planning Commission or Zoning Administrator if the project requires discretionary approval
- ❑ Notice of the request for accommodation is provided to neighbors
- ❑ Conditions of approval may be required provided are not inconsistent with the fair housing laws
- ❑ Decision of review authority subject to appeal

Program 2.7: Definition of Family

10

- ❑ Program requires the County to revise the definition of Family
- ❑ Revised definition addresses HCD's concern that existing definition may not accommodate groups of people that may not be considered a single non-profit housekeeping unit

Planning Commission Recommendations

11

- ❑ 08-19-2015 Montecito Planning Commission hearing
- ❑ 09-02-2015 County Planning Commission hearing
- ❑ Unanimous recommendation for approval by both Commissions

Recommendations

12

- ❑ Follow the Recommended Actions in the Board Agenda Letter and:
 - ❑ Make the findings for approval;
 - ❑ Determine that these projects are exempt from CEQA; and
 - ❑ Adopt three Ordinances amending the:
 - ❑ County Land Use & Development Code
 - ❑ Montecito Land Use & Development Code
 - ❑ Article II Coastal Zoning Ordinance