



County of Santa Barbara
BOARD OF SUPERVISORS
Minute Order

December 6, 2016

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT

File Reference No. 16-00877

RE: HEARING - Consider amending the Santa Barbara County Land Use and Development Code (LUDC), the Article II Coastal Zoning Ordinance (Article II), and the Montecito Land Use and Development Code (MLUDC) of the County Code, to implement new regulations and other revisions permitting and prohibiting the land use of Short-Term Rentals, as follows: (EST. TIME: 2 HR. 30 MIN.)

a) Consider recommendations regarding Case No. 16ORD-00000-00009 (County LUDC Amendments), as follows:

i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings (Attachment 1a of the Board memo, dated November 17, 2016);

ii) Determine that adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA (Attachment 2 of the Board Agenda Letter, dated November 15, 2016); and

iii) Adopt 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, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, Article 35.8, Planning Permit Procedures, Article 35.10, Land Use and Development Code Administration, and Article 35.11, Glossary, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00009) (Attachment 3a of the Board memo, dated November 17, 2016);

b) Consider recommendations regarding Case No. 16ORD-00000-00011 (MLUDC Amendments), as follows:

i) Make the required findings for approval, including CEQA findings (Attachment 7 of the Board Agenda Letter, dated November 15, 2016);

ii) Determine that adoption of this Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of CEQA (Attachment 8 of the Board Agenda Letter, dated November 15, 2016); and

iii) Adopt an Ordinance amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, and Division 35.10, Glossary of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the land use of Short-Term Rentals (Case No. 16ORD-00000-00011) (Attachment 9 of the Board Agenda Letter dated November 15, 2016);

c) Consider recommendations regarding Case No. 16ORD-00000-00012 (Article II Amendments), as follows:



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- i) Make the required findings for approval, including CEQA findings (Attachment 4a of the Board memo, dated November 17, 2016);
- ii) Determine that adoption of this Ordinance is exempt from the CEQA pursuant to Section 15061(b)(3) and section 15265 of the State Guidelines for Implementation of CEQA (Attachment 5 of the Board Agenda Letter, dated November 15, 2016); and
- iii) Adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, Division 7 General Regulations, and Division 12, Administration, to implement new regulations regarding the land use of Short-Term Rentals and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00012) (Attachment 6a of the Board memo, dated November 17, 2016);
- d) Consider recommendations regarding Resolution Transmitting Case No. 16ORD-00000-00012 (Article II Amendments) to the Coastal Commission, as follows:
 - i) Adopt a Resolution transmitting Article II amendments (16ORD-00000-00012) for certification by the California Coastal Commission as an amendment to Santa Barbara County's certified Local Coastal Program (Attachment 10 of the Board Agenda Letter, dated November 15, 2016);
 - ii) Find that transmittal of the Resolution is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the CEQA under State CEQA Guidelines Section 15378(b)(5); and
 - iii) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY



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Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be acted on as follows:

Directed staff to provide additional information to the Board including but not limited to the following:

Possible permit path for homestays and farmstays and to review the home occupation permit path.

Possible creation of overlays for areas in which Short term Rentals (STRs) are allowed.

Information on Coastal Commission requests to other jurisdictions in regards to STRs.

Information regarding the specific zones, zoning ordinances (Coastal, Inland, Montecito), and geographical locations where the existing Transient Occupancy Tax (TOT) certificates are located.

Statistics on how many STRs are owner-occupied.

Information on STR rental rates (by zone district)

Specific information regarding zoning enforcement costs - how much additional staff would be required to enforce STR regulations.

Provide a list of additional development standards (e.g., requiring proof in insurance coverage, Agricultural Preserve Advisory Committee (APAC) review of STRs on lands subject to LCA contracts, proof of TOT certificate).

Information regarding how other jurisdictions regulate the allowance of STRs.

Confer with the Treasurer-Tax-Collector regarding how the application for the TOT certificate can be revised to provide additional relevant information including if the home is owner-occupied or a second unit.

Provide historic and current vacancy rates for unincorporated Santa Barbara County.

Provide information on the impact of second units being used as STRs instead of their main legislative purpose.

Information on how many second dwelling units are being used as STRs.

Include the original Planning Commission recommendations; and

Return to the Board as appropriate for an informational hearing for direction from the Board.



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No further action taken.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Noes: 1 - Supervisor Wolf