

MONTECITO PLANNING COMMISSION

Staff Report

Montecito Architectural Guidelines and Development Standards Limited Update, Phase II Detached Accessory Buildings

Hearing Date: October 18, 2017
Staff Report Date: October 10, 2017
Case Nos.: 17ORD-00000-00011 and
17ORD-00000-00012
Environmental Document: Notice of
Exemption, CEQA Guidelines Sections
15061(b)(3) and 15265

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1.0 REQUEST

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

- 1.1 Recommend that the Board of Supervisors adopt a resolution amending the *Montecito Architectural Guidelines and Development Standards*, as set forth in Exhibit 1, Attachment C.
- 1.2 **Case No. 17ORD-00000-00011.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00011) amending Division 35.2, Montecito Zones and Allowable Land Uses, and Division 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, as set forth in Exhibit 2, Attachment C.
- 1.3 **Case No. 17ORD-00000-00012.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00012) amending Division 15, Montecito Community Plan Overlay District, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, as set forth in Exhibit 3, Attachment C.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors approve the *Montecito Architectural Guidelines and Development Standards Limited Update, Phase II* (Case Nos. 17ORD-00000-00011 and 17ORD-00000-00012), based upon the project's consistency with the Comprehensive Plan, including the Local Coastal Program and the Montecito Community Plan, and based on the ability to make the required findings, including California Environmental Quality Act (CEQA) findings.

Your Commission's motion should include the following:

- 2.1 Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board of Supervisors make the required findings for approval of the proposed amendments to the *Montecito Architectural Guidelines and Development Standards*, Montecito Land Use and Development Code, and the Coastal Zoning Ordinance.
- 2.2 Recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265 (Attachment B).

- 2.3** Adopt a resolution (Attachment C) recommending that the Board of Supervisors take the following actions:
- a) Adopt a resolution amending the *Montecito Architectural Guidelines and Development Standards* (Exhibit 1);
 - b) Adopt an ordinance amending the Montecito Land Use and Development Code (Case No. 17ORD-00000-00011), Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code (Exhibit 2); and
 - c) Adopt an ordinance amending the Coastal Zoning Ordinance (Case No. 17ORD-00000-00012), of Chapter 35, Zoning, of the Santa Barbara County Code (Exhibit 3).

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

3.0 JURISDICTION

The Montecito Planning Commission (MPC) is considering this project based on the following:

- 3.1** Section 35.472.070.G of the Montecito Land Use and Development Code (MLUDC), which authorizes the MPC to hold a hearing to consider proposed design standards, including the *Montecito Architectural Guidelines and Development Standards (Guidelines)*, and provide a recommendation to the Board of Supervisors.
- 3.2** Sections 65854 to 65857, inclusive, of the California Government Code and Chapter 35.494 of the MLUDC, which require that the MPC, as the designated planning agency for the unincorporated area of the county located within the Montecito Planning Area, consider proposed amendments to the MLUDC and provide a recommendation to the Board of Supervisors.
- 3.3** Section 35-57C of the Coastal Zoning Ordinance (CZO), of Chapter 35 of the Santa Barbara County Code, which states that the Planning Commission reviews Local Coastal Program Amendments and provides recommendations to the Board of Supervisors.
- 3.4** Government Code Sections 65854 and 65855, which state: “The planning commission shall hold a public hearing on the proposed... amendment to a zoning ordinance... After the hearing, the planning commission shall render its decision in the form of a written recommendation to the legislative body...”

Sections 2-25.2(a) and (b)(1) of Chapter 2 – Administration of the Santa Barbara County Code, which states in part: “...the Montecito planning commission shall assume the powers and duties given to the planning commission in chapter 21 and articles II and IV of chapter 35 of this Code within the Montecito planning area...”

4.0 ISSUE SUMMARY

The *Guidelines*, MLUDC, and CZO do not regulate the total number or cumulative floor area of detached accessory buildings on residential lots in Montecito. The MLUDC and CZO contain standards that limit the size and height of individual detached accessory buildings, but some of these standards are unclear. As a result, some detached accessory buildings are relatively large and tall in comparison to surrounding development. This has led to community concern regarding neighborhood compatibility and the preservation of Montecito's semi-rural character.

To address these concerns, the Board of Supervisors directed staff to consider new guidelines and/or zoning standards to limit the size and/or number of detached accessory buildings on residential lots in Montecito. Staff recommends the following amendments to the *Guidelines* and zoning ordinances:

1. Clarify that the building footprint limitation (800 square feet) for accessory structures applies to unenclosed accessory buildings (e.g., carports and covered patios) (MLUDC and CZO);
2. Limit the height of two-story guesthouses, artist studios, and cabanas in the Inland Area to 25 feet (MLUDC);
3. Clarify that the rear setback limit (30 percent) for detached accessory structures applies to the cumulative total of all accessory structures (MLUDC and CZO);
4. Limit lot coverage to 40 percent of the gross lot area (MLUDC and CZO); and
5. Add guidelines to limit the cumulative net floor area of detached accessory buildings (*Guidelines*).

Staff recommends that the MPC adopt a resolution (Attachment C) recommending the adoption of the proposed amendments to the *Guidelines*, MLUDC, and CZO (Exhibits 1-A, 2, and 3 to Attachment C, respectively). For these exhibits, language that is proposed to be added is shown as underlined, and language that is proposed to be deleted is shown as struck-through. The use of an ellipsis (...) indicates ordinance language that has been omitted for the sake of brevity since the text is unchanged.

5.0 BACKGROUND

5.1 Background

On May 10, 2017, the MPC received a staff briefing regarding detached accessory buildings and the potential amendments listed above. The MPC provided the following initial comments and recommendations regarding potential amendments to the *Guidelines*, MLUDC, and CZO. The MPC did not take a formal action at the May 10, 2017, hearing on this matter.

1. Unenclosed Accessory Buildings
 - Apply the 800 square-foot building footprint limitation (MLUDC Section 35.442.020.B.6 and CZO Section 35-210.2) to all portions of a building under a permanent roof, including unenclosed portions (i.e., roof supported by posts or columns rather than walls).

2. Height Limit
 - The visibility of two-story detached accessory buildings is a concern.
 - Limit the maximum height of detached accessory buildings in the Inland Area to 25 feet to match the maximum height of accessory dwelling units (ADUs) proposed in the Montecito ADU ordinance amendments (Case No. 16ORD-00000-00015, May 17, 2017).
3. Rear Setback Regulations
 - Clarify that the rear setback regulations (MLUDC Section 35.442.020.B.4.a.3 and CZO Section 35-210.1) apply to the cumulative footprint of all detached accessory buildings, which shall not exceed 30 percent of the rear setback.
4. Floor Area
 - Limit overall lot coverage to 40 percent or less.
 - Use a sliding scale tied to lot size as a guideline to limit the aggregate floor area of detached accessory buildings, similar to the table proposed for limiting the size of ADUs proposed in the Montecito ADU ordinance amendments.

Many of the proposed amendments focus on accessory buildings (i.e., accessory structures with a solid, permanent roof, such as a garage or guest house) as opposed to accessory structures (i.e., accessory structures with or without a solid, permanent roof, such as pools, tennis courts, and trellises). Accessory buildings contribute to the size, bulk, and scale of development. In contrast, accessory structures typically have fewer visual impacts. The definition section of MLUDC and CZO include the term “accessory structure.” To avoid confusion, staff has added the definition of “accessory building” to both zoning ordinances.

The proposed amendments address ADUs in a manner compliant with state law. However, the zoning ordinances do not currently use or define the term ADU. Therefore, staff has also added the definition of “accessory dwelling unit” to the MLUDC and CZO.

For additional information, please see the MPC marked agenda dated May 10, 2017 (Attachment D).

6.0 PROJECT INFORMATION

6.1 Unenclosed Accessory Buildings

Issue: The MLUDC and CZO limit accessory structures to a building footprint of 800 square feet (MLUDC Section 35.442.020.B.6 and CZO Section 35-210.2). However, the zoning ordinances are unclear whether the 800 square-foot limitation applies to unenclosed accessory buildings, meaning roofed buildings supported by columns or posts (e.g., carports and covered breezeways).

Recommendation: The MPC and the Montecito Board of Architectural Review (MBAR) recommended applying the 800 square-foot limitation to all portions of an accessory building under a solid roof or other permanent covering, including unenclosed portions. Therefore, the proposed amendments clarify that the 800 square-foot building footprint includes “any fully enclosed, partially

enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.” This provision does not apply to accessory buildings with an open roof of lattice, girders, or rafters (e.g., trellises, arbors, and pergolas). Please see Exhibits 2 and 3 to Attachment C for the proposed MLUDC and CZO amendments, respectively.

6.2 Height Limits

Issue: The MLUDC states that guesthouses, artist studios, and cabanas located in the Inland Area “shall not exceed a height of 16 feet or contain more than one story” and “may be located above or below another accessory structure” (MLUDC Section 35.442.120.F). This provision clearly allows guesthouses, artist studios, and cabanas to be part of a two-story combined accessory building, but it is unclear regarding how the 16 foot height limit applies to such two-story buildings. This has led to two interpretations of the height limit. The first interpretation allows each accessory use to be 16 feet in height, meaning a two-story combined accessory building could have an overall height of up to 32 feet. The second interpretation allows accessory buildings to have an overall height of 16 feet, regardless of whether the building includes one or two stories.

The CZO does not contain provisions to allow a guesthouse, artist studio, or cabana to be located above or below another accessory structure. Thus, the CZO imposes a stricter height limit because it only states, “No guest house, artist studio, or cabanas shall exceed a height of 16 feet...”

Recommendation: The MPC recommended limiting the maximum height of detached accessory buildings in the Inland Area to match the maximum height proposed for ADUs in Montecito. Accordingly, the proposed MLUDC amendments (Exhibit 2, Attachment C) limit the height of two-story combined accessory buildings containing a guesthouse, artist studio, or cabana to 25 feet. The CZO imposes a stricter height limit on detached accessory buildings than the MLUDC (see above paragraph). Therefore, staff does not recommend any amendments to the CZO.

6.3 Rear Setback Regulations

Issue: The zoning ordinances state that an accessory structure may not exceed 30 percent of the required rear setback (MLUDC Section 35.442.020.B.4.a.3 and CZO Section 35-210.1). However, the ordinances are not explicit regarding whether this standard applies to individual accessory structures or the cumulative total of all accessory structures, which encroach into the rear setback.

Recommendation: The MPC and the MBAR agreed that the rear setback regulations should mean that the cumulative footprint of all detached accessory buildings on a lot should not exceed 30 percent of the rear setback. The proposed MLUDC and CZO amendments (Exhibits 2 and 3 to Attachment C, respectively) clarify that the “cumulative footprint of all accessory structures” shall not exceed 30 percent of the required rear setback.

6.4 Lot Coverage

Issue: The zoning ordinances regulate the size of individual detached accessory buildings (MLUDC Section 35.442.020.B.6 and CZO Section 35-210.2), but they do not regulate the cumulative floor area

of all detached accessory buildings on a lot. This has led to community concern regarding overdevelopment, particularly on small lots.

Recommendation: Given the MPC’s comments about limiting lot coverage to 40 percent, staff included a 40 percent maximum lot coverage regulation in the proposed MLUDC and CZO amendments. For this regulation, lot coverage means “the total gross floor area of all covered buildings located on a lot, including an existing accessory dwelling unit but excluding a proposed accessory dwelling unit.” For purposes of this regulation, “existing” means there is an active, unexpired planning or building permit, including an exemption or zoning clearance, that allows for the construction of the detached accessory building or ADU, or that construction of the detached accessory building or ADU has been completed. “Proposed” means that an application for an ADU has been submitted and final action on the application has not been taken.

6.5 Floor Area

Issue: The *Guidelines* do not address detached accessory building floor area. In 2016, the Montecito Association suggested adding a guideline to limit the cumulative floor area of detached accessory buildings. In short, this guideline involved granting lots an “allowance” for detached accessory building floor area based on a percentage of the Recommended Maximum House Net Floor Area. Staff presented this idea to the MPC on May 10, 2017, as a potential *Guidelines* amendment for Phase II.

The MPC supported the idea of a detached accessory building allowance (DAB Allowance) guideline. For this guideline, the MPC recommended using a scale similar to the scale in the proposed ADU ordinance amendments for Montecito. Following this direction, staff created a “stepped” scale (Table 1) with accompanying *Guidelines* language that outlines what floor area is included in the DAB Allowance. The methodology for the proposed guidelines is discussed below.

Table 1: “Stepped” Scale

Size of Lot	Recommended DAB Allowance (% of Rec. Max. House Net Floor Area)	Possible DAB Floor Area
0 – 9,999 SF	10%	180 - 238 SF
10,000 – 19,999 SF	15%	356 - 443 SF
20,000 SF – 1 acre	20%	590 - 860 SF
Over 1 acre – 2 acres	25%	1,075 - 1,500 SF
Over 2 acres	30%	1,800+ SF

To create the “stepped” scale in Table 1, staff gathered input from the public, MBAR, and MPC regarding how much development seemed appropriate on various lot sizes. For example, several attendees at the public workshop agreed that 600 to 800 square feet of detached accessory building floor area seemed appropriate on a one acre lot. In addition, the MPC at the hearing of May 10, 2017, suggested limiting lot coverage to 40 percent or less. Accordingly, staff chose increasing percentages for the “stepped” scale that best aligned with the comments received during public outreach. This “stepped” scale approach would limit residential development in a manner consistent with Goal LU-M-1 of the Montecito Community Plan, which seeks to “protect the semi-rural quality of life” and “promote area-wide and neighborhood compatibility” in Montecito.

Staff also proposed *Guidelines* language that generally requires any detached accessory building floor area in excess of the DAB Allowance be added to the House Net Floor Area calculations. An exception exists for proposed ADUs. This guideline allows applicants to propose more detached accessory building floor area than provided for in the DAB Allowance. Applicants who are constrained by small lots would have the flexibility to develop larger or additional detached accessory buildings, but still maintain a balance between detached accessory buildings and other development on a lot provided that the house (primary residential building) is smaller than the Recommended Maximum House Net Floor Area (*Guidelines* Section III.B.3.a. and Section IV.D.). However, in some circumstances, incorporating this excess floor area into the calculated floor area of the house could result in a calculated house net floor area that exceeds the Recommended Maximum House Net Floor Area, particularly on smaller lots. Since the house net floor area calculations are guidelines, the MBAR retains the discretion to determine whether the proposed project is, overall, in scale with its neighborhood and should be approved.

Staff presented the “stepped” scale and proposed guidelines to the MBAR on July 6, 2017. Some members commented that the scale was unfair because the DAB Allowances increased significantly between lot size categories. Some members of the MBAR and the public also commented that the proposed guideline should account for the floor area of ADUs and garages. In response, staff made revisions to the proposed guidelines and presented them to the MBAR on August 10, 2017.

Recommendation: Staff’s recommendation includes the proposed *Guidelines* amendments as discussed above, with the following revisions (Exhibit 1-A, Attachment C):

- Staff added language requiring any existing detached accessory building floor area to count toward the DAB Allowance, including the floor area of existing detached ADUs or garages.
- Staff converted the “stepped” scale to a “graduated” scale (Table 2) that incrementally increases the DAB Allowance relative to lot size. The formulas for the allowances are based on the original formula for Recommended Maximum House Net Floor Area. Staff then tailored the following formulas to keep the range of possible detached accessory building floor areas similar to those proposed in Table 1.

Table 2: “Graduated” Scale

Size of Lot	Recommended DAB Allowance (formula based on lot size)	Possible DAB Floor Area
0.25 acres or less	$180 + (250 \times L)$ Where L is parcel area in acres	180 – 243 SF
Over 0.25 – 0.5 acres	245 + 800 for each acre over 0.25	245 – 445 SF
Over 0.5 – 1 acre	445 + 730 for each acre over 0.50	445 – 810 SF
Over 1 acre – 2 acres	810 + 690 for each acre over 1	810 – 1,500 SF
Over 2 acres	1,500 + 495 for each acre over 2	1,500 SF and up

6.6 Public Outreach

Public outreach for the project included a public workshop at Westmont College (June 28, 2017), a meeting with members of the Montecito Association Land Use Committee (August 3, 2017), and four public meetings of the MBAR (February 23, March 9, July 6, and August 10, 2017). Attachments E, F, G, and H contain approved minutes of the February, March, July, and August MBAR meetings, respectively. Staff also placed display advertisements in regional newspapers, sent notices to various community organizations and individuals, and continuously updated a project webpage with hearing and meeting information.

Certain members of the Montecito Association recently presented a proposal for regulating all development on a lot, including the floor area of the primary residential building and detached accessory buildings. In summary, this proposal places a cap on total lot development and allows the allotted floor area to be freely distributed between the primary residential building and all other buildings on a lot, provided that the size of the primary residential building does not exceed the Recommended Maximum House Net Floor Area. Members of the Montecito Association presented this proposal to the MBAR during the hearing of August 10, 2017. Though the MBAR supported using staff’s “graduated” scale over the previous “stepped” scale, they preferred the Montecito Association’s approach overall.

However, the Montecito Association’s proposal is outside of the scope of work for Phase II because it addresses total lot development, whereas the Board of Supervisors directed staff to only address detached accessory buildings. Furthermore, staff has not fully analyzed this proposal, so it is unclear what level of environmental review would be necessary under CEQA. Changing direction this late in the planning process would require the Board of Supervisors’ authorization because staff would need increased funds and additional time to draft amendments, conduct public outreach, and otherwise process this proposal.

7.0 ENVIRONMENTAL REVIEW

The proposed amendments to the *Guidelines*, MLUDC (Case No. 17ORD-00000-00011), and CZO (Case No. 17ORD-00000-00012) are exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). Section 15061(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.” The proposed amendments clarify and strengthen existing development standards and minimize potential adverse visual impacts to neighborhoods and Montecito’s semi-rural setting. These changes will not allow new land uses, increase permitted densities, or modify resource protection policies. Rather, the proposed amendments may limit the size and/or number of detached accessory buildings on residential lots in Montecito. Therefore, it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment. Thus, the amendments to the *Guidelines*, MLUDC are exempt from CEQA pursuant to Guidelines Section 15061(b)(3).

In addition, the proposed CZO amendments (Case No. 17ORD-00000-00012) and *Guidelines* applicable to the Coastal Zone are exempt from environmental review pursuant to CEQA Guidelines Section 15265. This section exempts local government activities involving the preparation and adoption of local coastal program amendments. The proposed *Guidelines* and CZO amendments (Case Number 17ORD-00000-00012) affect portions of the County located within the Coastal Zone and constitute an amendment to the County’s Local Coastal Program. Therefore, the proposed amendments to the *Guidelines* and CZO are statutorily exempt from CEQA pursuant to Guidelines Section 15265.

Please see the Notice of Exemption (Attachment B) for additional details on the CEQA exemption determination.

8.0 POLICY CONSISTENCY

Staff reviewed the project for consistency with the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan (CLUP) of the Local Coastal Program, and the Montecito Community Plan (MCP). The policy consistency analysis is presented below.

REQUIREMENT	DISCUSSION
Land Use	
<p>MCP GOAL LU-M-1: <i>In Order To Protect The Semi-Rural Quality Of Life, Encourage Excellence In Architectural And Landscape Design. Promote Area-Wide And Neighborhood Compatibility; Protect Residential Privacy, Public Views, And To The Maximum Extent Feasible, Private Views Of The Mountains And Ocean.</i></p> <p>MCP Policy LU-M-1.1: <i>Architectural and development guidelines shall be adopted, implemented, and enforced by the County in order to preserve, protect and enhance the semi-</i></p>	<p>Consistent. The proposed <i>Guidelines</i> amendments include guidelines to limit cumulative detached accessory building floor area based on lot size. These guidelines are intended to limit the size, bulk, and scale of detached accessory buildings, thus encouraging building designs that are compatible with existing development on the lot and within the neighborhood. Thus, the proposed <i>Guidelines</i> amendments are consistent with the public and private resource protection goals outlined in MCP Goal LU-M-1.</p>

REQUIREMENT	DISCUSSION
<p><i>rural environment of Montecito and the natural mountainous setting.</i></p> <p>MCP Action LU-M-1.1.1: <i>Architectural Guidelines and Development Standards shall be developed by the County in consultation with the Montecito Association, and the General Plan Advisory Committee and adopted by the County Board of Supervisors ... in order to preserve, protect and enhance the semi-rural environment of Montecito. ... These guidelines shall address (but not be limited to):</i></p> <ul style="list-style-type: none"> <i>a. Residential floor area allowed based on lot size;</i> <i>b. Potential visual impacts resulting from project design and neighborhood compatibility issues;</i> <i>c. Site planning (e.g. location of easements; impacts to sensitive habitats; amount and extent of grading; size, mass, scale, height of structure);</i> <i>d. Impacts to public and private views and of the mountains and ocean; ...</i> <p><i>The County (with assistance from the Montecito community) shall periodically review and update the Architectural Guidelines and Development Standards to strive to ensure their continued effectiveness.</i></p>	<p>Action LU-M-1.1.1 directs the County (with assistance from the Montecito community) to periodically review and update the <i>Guidelines</i> to ensure continued effectiveness. Phase II is consistent with this action because staff worked with community groups and organizations to draft the <i>Guidelines</i> and zoning ordinance amendments. Specifically, staff gathered input for the amendments by meeting with the Montecito Association Land Use Committee, hosting a public workshop, and attending four public hearings of the MBAR, as described in this staff report above.</p> <p>Furthermore, Phase II enhances the effectiveness of the <i>Guidelines</i> by adding guidelines to limit the cumulative floor area of detached accessory buildings based on lot size (these buildings were not previously addressed in the <i>Guidelines</i>). Adding these guidelines will reduce the potential for overdevelopment, minimize adverse visual impacts to the neighborhood, and encourage proper site planning.</p>
Visual Resources	
<p>Coastal Act 30251: <i>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. ...</i></p> <p>CLUP Policy 4-1: <i>Areas within the coastal zone which are now required to obtain approval from the County Board of Architectural Review, because of the requirements of the “D”- Design</i></p>	<p>Consistent. Projects within the Montecito Plan Area, including those within the Coastal Zone, have been required to undergo design review (i.e., obtain approval from the Board of Architectural Review) for over 35 years. Therefore, Phase II is consistent with the Coastal Act 30251 and the County’s certified Local Coastal Program (CLUP) Policy 4-1 because the project includes amendments that clarify and strengthen regulations regarding residential development within the Coastal Zone portions of the Montecito Plan Area.</p>

REQUIREMENT	DISCUSSION
<p><i>Supervision Combining Regulations or because they are within the boundaries of Ordinance #453, shall continue to be subject to design review. ...</i></p> <p>CLUP Policy 4-3 and Land Use Element Visual Resources Policy 2: <i>In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</i></p> <p>CLUP Policy 4-4 and Land Use Element Visual Resources Policy 3: <i>In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.</i></p> <p>MCP GOAL VIS-M-1: <i>Protect The Visual Importance Of The Santa Ynez Mountain Range And Ocean Views As Having Both Local And Regional Significance And Protect From Development Which Could Adversely Affect This Quality.</i></p> <p>MCP Policy VIS-M-1.1: <i>Development shall be subordinate to the natural open space characteristics of the mountains.</i></p> <p>MCP Policy VIS-M-1.3: <i>Development of property should minimize impacts to open space views as seen from public roads and viewpoints.</i></p>	<p>Phase II is compatible with CLUP Policies 4-3 and 4-4, Land Use Element Visual Resources Policies 2 and 3, and the visual resource policies of the MCP because the proposed amendments clarify existing regulations and add new regulations and guidelines that apply to residential development, including development in rural and urban areas.</p> <p>Specifically, the proposed amendments for Phase II clarify the building footprint and rear yard setback regulations for detached accessory buildings (MLUDC and CZO); add a 40 percent maximum lot coverage limitation related to detached accessory buildings (MLUDC and CZO); limit the maximum height of detached accessory buildings in the Inland Area (MLUDC); and add guidelines to limit the cumulative net floor area of detached accessory buildings based on lot size (<i>Guidelines</i>). Combined, these amendments are consistent with the visual resources protection policies mentioned above because they promote good design and protect public views, limit the maximum height of detached accessory buildings in the Inland Area, and improve existing guidelines regarding the size, bulk, and scale of physical development. Thus, the proposed amendments ensure the compatibility of new development with the semi-rural character of Montecito.</p>

9.0 ORDINANCE COMPLIANCE

Similar to the discussion in Section 8.0 above, the proposed zoning ordinance amendments would not alter the purpose or intent of the MLUDC or CZO. The proposed MLUDC and CZO amendments add language to clarify the building footprint and rear setback encroachment regulations for detached accessory buildings and add a 40 percent maximum lot coverage regulation. The proposed MLUDC amendments also limit the maximum height of two-story detached accessory buildings in the Inland Area and do not conflict with other zoning ordinance provisions. Furthermore, proposed projects based on these amendments would still need to be consistent with the whole of the MLUDC and CZO. Therefore, the proposed ordinance amendments are consistent with the MLUDC and CZO.

10.0 APPEALS PROCEDURE

Zoning ordinance amendments recommended for approval or denial are forwarded to the Board of Supervisors for final action. Therefore, no appeal procedure is available or required to contest the MPC's recommendations on this matter.

ATTACHMENTS

- A. Findings for Approval
- B. Notice of Exemption
- C. Resolution of the Montecito Planning Commission
 - Exhibit 1 – Resolution of the Board of Supervisors
 - Exhibit 1-A – *Guidelines* Amendments
 - Exhibit 2 – MLUDC Amendments (Case No. 17ORD-00000-00011)
 - Exhibit 3 – CZO Amendments (Case No. 17ORD-00000-00012)
- D. MPC Marked Agenda (May 10, 2017)
- E. MBAR Approved Minutes (February 23, 2017)
- F. MBAR Approved Minutes (March 9, 2017)
- G. MBAR Approved Minutes (July 6, 2017)
- H. MBAR Approved Minutes (August 10, 2017)