# ORDINANCE NO. 6129

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SANTA BARBARA MUNICIPAL CODE SECTIONS 30.20.030, 30.25.030, 30.30.30, 30.140.220, 30.150.010, 30.150.040, AND 30.150.050 TO ELIMINATE THE EXPIRATION DATE FROM THE AVERAGE UNIT-SIZE DENSITY INCENTIVE PROGRAM

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 30.20.030 of Chapter 30.20 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

### 30.20.030 Development Standards.

Tables 30.20.030A and 30.20.030B prescribe the development standards for Residential Zones. Section numbers refer to other sections of this title, while individual letters refer to subsections that directly follow the tables. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

TABLE 30.20.030.A: DEVELO ZONES	PMENT	STANDA	RDS-R	ESIDE	NTIAL S	INGLE UNIT
Zone	RS-1A	RS-25	<b>RS-15</b>	<b>RS-10</b>	RS-7.5	RS-6
Lot Size and Street Frontage						
Minimum Net Lot Area for Newly Created Lots (sq. ft. unless noted)	ted Lots (sq. ft. See also Chapter 27.60, Parcel Maps for Urban Lot					
Average Slope less than 10%, and all lots with frontage on the Pacific Ocean regardless of slope	1 acre	25,000	15,000	10,000	7,500	6,000
Average Slope 10% to 20%	1.5 acre	37,500	22,500	15,000	11,250	9,000
Average Slope over 20% to 30%	2 acres	50,000	30,000	20,000	15,000	12,000
Average Slope over 30%	3 acres	75,000	45,000	30,000	22,500	18,000
Minimum Dublia Straat	100	100	90	75	60	60
Minimum Public Street Frontage (ft.)	See also §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines					
Maximum Base Residential	Density		10-3-17			

TABLE 30.20.030.A: DEVELO	PMENT	STANDA	RDS-R	ESIDE	NTIAL S	
ZONES Zone	RS-1A	RS-25	DQ 15	DS 10	DC 75	RS-6
Maximum Density (per lot)	1 unit	1 unit	1 unit			1 unit
Additional Residential Densi	-		1 unit	Tunt	Tunit	
Auditional Residential Densi	See §30.		Additio	nal Poci	idential	Unit
	See <u>950</u> .	105.050,	Additio		uentiai	Onit
All lots, in compliance with the applicable section	See § <u>30.</u>	185.040,	Access	ory Dwe	elling Ur	nits
	See Cha Bonus ar					and Density
Maximum Floor Area						
Maximum Floor Area	Applicat	le only to	lots de	veloped	, or pro	posed to be
(Floor to Lot Area Ratio) (sq.	develop	ed, with a	u building	g with tv	vo or me	ore stories or
ft.)		or more ir				
Less than 4,000 sq. ft. Net Lot			A, Maxin	num Flo	or Area	(Floor to Lot
Area	Area Ra					
4,000 to 9,999 sq. ft. Net Lot						ea) = Maximum
Área			aiso (A),	Maxim	um Fioo	r Area (Floor to
	Lot Area	(0.125 m	امما امتقاد		ant lat a	
10,000 to 14,999 sq. ft. Net		•				num Floor Area
Lot Area					<b>, Maxin</b>	
15,000 and more sq. ft. Net Lot Area	(Floor to Lot Area Ratio) Not Applicable					
Structure Form and Location	1			161.53		
	Studio: 2	220 squa	re feet;			
Minimum Residential Unit Size	All other	units: 40	0 squar	e feet		
	See §30	.140.150	, Reside	ential Ur	nit	
Maximum Height (ft.)	30, exce	ept as fur	her limit	ted in ac	cordan	ce with
	and the second s	.170, So				
Minimum Setbacks (ft.),			).090, E	ncroach	ments i	nto Setbacks
Residential Structures	and Ope	n Yards				
Front	35	30	30	25	20	Portions of structures 15 feet or less in height: 15;
						Portions of structures more than 15

Zone	RS-1A	RS-25	RS-15	<b>RS-10</b>	RS-7.5	RS-6
						feet in height: 20;
						Street facing covered parking: 20
	See also	B, Setb	ack Red	uction f	or Slopii	
Interior	15	10	10	8	6	5
Minimum Setbacks (ft.), Nonresidential Structures	See also and Ope		0.090, E	ncroach	ments i	nto Setbacks
Front	Same as	s for Res	idential	Structur	es	
Interior (Conversion and Alterations)	nonresic structure to the se	es that co etback re	ructures ontain no quireme	, or alter onreside nts for r	ations o ntial use esidenti	of existing es, are subject al structures.
	30	20	20	12	12	10
Interior (New or Additions)						ect to the
	setback requirements for residential structures. Portions of structures that contain residential uses are					
Minimum Setbacks, Mixed- Use	subject to the setback for residential structures, an portions of structures used for nonresidential uses subject to the setback requirement for nonresiden				ntial uses are	
	nonresic	of struct lential us nent for r	ses are s	ubject t	o the se	
Minimum Setbacks,	See §30	.175.060				Automobile and
Uncovered Parking	Bicycle I					
Materials		nirror like				nreflective. hes are
Open Yard						
Open Yards	See §30	.140.140	, Open	Yards		
TABLE 30.20.030.B: DEVEL ZONES	OPMENT	STAND	ARDS-	TWO-UI	NIT AND	MULTI-UNIT
Zone	R-	2	R-	M	1	R-MH
Lot Size and Street Frontage			100		199	
Minimum Net Lot Area for						
Newly Created Lots (sq. ft.)						

TABLE 30.20.030.A: DEVELC ZONES	OPMENT S	STAND	ARDS-R	ESIDEN	ITIAL SI	NGLE UNIT
Zone	RS-1A	<b>RS-25</b>	RS-15	RS-10	RS-7.5	RS-6
Average Slope 10% to 20%	10,50				1	
Average Slope over 20% to 30%	14,00	00				
Average Slope over 30%	21,00	00				
Minimum Public Street	60		60	)		60
Frontage (ft.)	See §30.1 §30.140.1					ess; and
Maximum Base Residential I	Antice			act of		
Less than 5,000 sq. ft. Net Lot Area	1 un	it			1 unit	
5,000 to 5,999 sq. ft. Net Lot Area	1 un	it		2	2 units	
6,000 to 6,999 sq. ft. Net Lot Area	2 units average less th 10%, 1 otherw	slope nan unit	2 units			
7,000 and more sq. ft. Net Lot Area		1				
Average Slope less than 10%	1 unit/3,5 ft. of ne area	et lot				
Average Slope 10% to 20%	1 unit/5,2 ft. of ne area	et lot				ı. ft. of net lot
Average Slope over 20% to 30%	1 unit/7,0 ft. of ne area	et lot				
Average Slope over 30%	1 unit/10 sq. ft. of r area	net lot				
Additional Residential Densi	ty Allowa	nces		2023		
All lots, in compliance with the applicable section	See <u>§30.185.040</u> , Accessory Dwelling Units See Chapter <u>30.150</u> , Average Unit-Size Density Incentive Program See Chapter <u>30.145</u> , Affordable Housing and Density Bonus and Development Incentives					
Structure Form and Location		u Devel	opinent l	ncentive	50	And the second second
Minimum Residential Unit Size	See §30.1	40.150,	Resider	ntial Unit	1	

Zone	RS-1A	RS-25	RS-15	RS-10	RS-75	RS-6
	30	10-20	4		KS-7.5	45
Maximum Height (ft.)	Except as	furthe			l lance with	
	§30.140.1					
Minimum Setbacks (ft.), Residential Structures	See also § and Open	30.14 Yards	0.090, Er	croachr	nents into	Setbacks
	See Chapt Incentive F	Progra	<u>150</u> , Ave m	rage Un	it-Size De	nsity
	Portions of structures	15	1st and 2			
	feet or less height: 15;		Portions of structures above 2nd story: 20			
Front	structures than 15 fee	covered				
	covered			parking: parking,	: 10 , street-fac	cing: 20
	See also (I Setback Reduction Sloping Lo	for				
			1st and 2	<sup>nd</sup> Storie	es: 6	
			Portions 10	of struct	ures abov	e 2nd story:
Interior	Covered parking: 3 Other		Covered • Single Residenti	-Unit Re		and Two-Unit
	structures:	1	provided Reductio 55 Feet o	in C, Int n for Co r Less a ed Park	erior Setb vered Par and D, Inte ing Oppos	king on Lots erior Setback
Vinimum Setbacks (ft.),	See also §					Setbacks
Nonresidential Structures	and Open		,			

TABLE 30.20.030.A: DEVEL ZONES	OPMENT STAN	DARDS-RESIDENTIAL SINGLE UNIT				
Zone	RS-1A RS-2	5 RS-15 RS-10 RS-7.5 RS-6				
Front	Same as for Re	sidential Structures				
Interior (Conversions and Alterations)	Conversions of existing residential structures to nonresidential structures, or alterations of existing structures that contain nonresidential uses, are subject to the setback requirements for residential structures.					
Interior (New or Additions)	12	New nonresidential structures or additions to existing nonresidential structures are subject to the following interior setback: <ul> <li>1<sup>st</sup> and 2<sup>nd</sup> Stories: 12</li> <li>Portions of structures above 2<sup>nd</sup> story: 20</li> <li>Exception: Neighborhood Markets and Community Gardens are subject to the setback requirements for residential</li> </ul>				
Minimum Setbacks, Mixed- Use	Portions of structures that contain residential uses are subject to the setback for residential structures, and portions of structures used for nonresidential uses are subject to the setback requirement for nonresidential structures. Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.					
Minimum Setbacks,		60, Location of Required Automobile and				
Uncovered Parking	Bicycle Parking					
Open Yard						
Open Yards	See <u>§30.140.140</u> , Open Yards See Chapter <u>30.150</u> , Average Unit-Size Density Incentive Program					

Additional Residential Zone Development Regulations

A. Maximum Floor Area (Floor to Lot Area Ratio).

1. *Floor Area*, *Precluded Development-RS Zones.* No application for a Building Permit may be approved for a project in an RS Zone that will: (1) result in an increase of the floor area on the lot; (2) change the location of any floor area on the

second or higher story of any structure on the lot; or (3) increase the height of any portion of a structure on the lot to 17 feet or higher if any of the following will occur:

a. The floor area will exceed the allowable maximum floor area for the lot; or

b. The floor area will exceed 85% of the allowable maximum floor area and any of the following apply:

i. The average slope of the lot or the building site is 30% or greater,

ii. The height of any structure on the lot is more than 25 feet, or

iii. The lot is located in the Hillside Design District and 500 or more cubic yards of grading is proposed to occur outside the footprint of the main or accessory buildings. Soil located within five feet of an exterior wall of a main or accessory building that is excavated and re compacted shall not be included in the calculation of the volume of grading outside the building footprint.

2. *Measuring Floor Area Pursuant to this Section*. In determining floor area pursuant to this section see Section 30.15.070, Measuring Floor Area, and the following:

a. Below Grade Excluded. On any floor which is partly below and partly above grade, such as a basement, cellar, or understory, the total floor area of that floor may be excluded from the floor to lot area ratio (FAR) if no more than a cumulative total width of 12 feet per elevation has a distance from finished grade to ceiling greater than four feet.

b. Partially Below Grade Reduced. On any floor which is partly below and partly above grade, such as a basement, cellar or understory, the total floor area of that floor may be reduced by 50% from the floor to lot area ratio (FAR) if more than 12 feet, but less than one half the entire length of the perimeter has a distance from grade to ceiling greater than four feet.

c. All Other Floor Area Included. If more than one half the entire length of the perimeter of any floor has a distance from grade to ceiling greater than four feet, it is included in the floor to lot area ratio (FAR).

d. Accessory Dwelling Unit and Junior Accessory Dwelling Unit Included. Floor area within a portion of a structure designed and permitted as an accessory dwelling unit or junior accessory dwelling unit is included.

## FIGURE 30.20.030.A.2: MEASURING FLOOR AREA



B. Setback Reduction for Sloping Lots.

1. **Residential Single Unit Zones**. In Residential Single Unit zones, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback for all stories is reduced by five feet.

2. **R-2 Zone**. In the R-2 Zone, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback for all stories is reduced to 10 feet.

C. Interior Setback Reduction for Covered Parking on Lots 55 Feet or Less. The required interior setback for covered parking on lots in the R-M or R-MH zone less than 55 feet in width, measured at the location of the covered parking structure, and developed with multi-unit residential may be reduced to three feet by the appropriate Design Review body provided the covered parking opening does not face a street or alley and the interior depth of the covered parking structure does not exceed 20 feet.

D. Interior Setback Reduction for Covered Parking Opposite the Primary Front Lot Line. The required interior setback for covered parking on lots in the R-M or R-MH zone developed with multi-unit residential may be reduced to three feet on the lot line opposite the primary front lot line. In the event of two or more front lot lines, the setback of only one opposite lot line may be reduced to three feet.

### FIGURE 30.20.030.C AND D: INTERIOR SETBACK REDUCTION FOR COVERED PARKING



SECTION 2. Section 30.25.030 of Chapter 30.25 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## 30.25.03 Development Standards.

Table 30.25.030 prescribes the development standards for Commercial and Office Zones. Section numbers refer to other sections of this Title, while individual letters refer to subsections that directly follow the table. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

TABLE <u>30.25.030</u> : DEVELC ZONES	PMENT ST	ANDARDS-C	OMMERCIAL	AND OFFICE		
Zone	O-R	O-M	C-R	C-G		
Lot Size and Street Frontag	ge					
	None; except 3,500 sq. ft. of net lot area is required for lots that include residential uses					
Minimum Public Street Frontage (ft.)	None, See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines					
Maximum Base Residential Density						
Less than 5,000 sq. ft. Net Lot Area	1 unit					

TABLE 30.25.030: DEVELC	PMENT ST	ANDARDS-	-COMMERCI	AL AND OFFICE
ZONES Zone	O-R	О-М	C-R	C-G
5,000 to 6,999 sq. ft. Net Lot Area	2 units	0-11/1	0-1	0-0
7,000 and more sq. ft. Net Lot Area	3 units, or 1 greater	unit/3,500	sq. ft. of net lo	ot area, whichever is
Additional Residential Den		nces		
	See §30.18	5.040, Acce	essory Dwellin	-
All lots, in compliance with the applicable section	Program	it <u>30. 150,</u> A	verage Unit-5	ize Density Incentive
	Bonus and		ffordable Hou nt Incentives	sing and Density
Structure Form and Locati	1			
Minimum Residential Unit Size	Studio: 220 All other un	·		
	See §30.14	0.150, <b>Res</b> i	idential Unit	
Maximum Height (ft.)	45	45	45	45; 60 for Community Benefit Project or Community Benefit Housing Project (§30.140.100.B) See also A,
Additional Height Limitations Adjacent to all	Height is fu Solar Acces			Theater Additions e with §30.140.170,
Residential Zones Minimum Setbacks (ft.)	See also §3 Open Yards	8 <u>0.140.090</u> , S	Encroachmer	nts into Setbacks and Size Density Incentive
Front		tial and mix	opment: Same ed-use	Residential only development: Same as R-M Zone

TABLE <u>30.25.030</u> : DEVE	LOPMENT STA	NDARDS-C	OMMERCIA	L AND OFFICE		
ZONES Zone	0-R	0-M	C-R	C-G		
		<ul> <li>1<sup>st</sup> and 2<sup>nd</sup> Stories: 10</li> <li>Portions of structure above</li> </ul>				
Interior, Adjacent to a	development: R-M Zone	Residential only development: Same as R-M Zone R-M Zone R-M Zone		only t: Same as R-M ial and mixed-use		
Nonresidential Zone	<ul> <li>mixed-use de</li> <li>1<sup>st</sup> and 2<sup>nd</sup></li> <li>Portions of above 2nd store</li> </ul>	Stories: 6 structure	developmen	t: 0		
Interior, Adjacent to a Residential Zone	mixed-use de Nonresidentia of any structu less in height Nonresidentia of any structu 30 feet in heig Portions of str nonresidentia requirement f	velopment: al structures re in a mixe 15 al structures re in a mixe ght: 20 ructures use l uses are s or nonreside	Same as R-M , and the non ed-use develo , and the non ed-use develo ed by both the ubject to the ential structur	residential portion opment, 30 feet or residential portion opment, more than e residential and setback res.		
Uncovered Parking	See § <u>30.175.</u> Bicycle Parkir		on of Require	d Automobile and		
Open Yard			Ale ta d			
Open Yards	yard pursuant	Any lot developed with residential uses shall provide open yard pursuant to §30.140.140, Open Yards.				
	See Chapter : Program	<u>30.150</u> , Ave	erage Unit-Siz	e Density Incentive		

Additional Commercial and Office Zone Development Regulations

A. Theater Additions. A stage addition to a live performance theater shall not be considered as part of the height of the structure under the following circumstances:

1. The stage addition is devoted solely to rigging fly systems,

2. The addition is made to a theater that existed as of December 31, 2003, and

3. The stage addition does not exceed the height of the theater as such theater existed on December 31, 2003.

SECTION 3. Section 30.30.030 of Chapter 30.30 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

### 30.30.030 Development Standards.

Table 30.30.030 prescribes the development standards for Manufacturing Zones. Section numbers refer to other sections of this Title. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

TABLE 30.30.030: DEVELOP	MENT STANDARDS-MANUFA	CTURING ZONES	
Zone	M-C	M-1	
Lot Size and Street Frontage			
Minimum Net Lot Area for Newly Created Lots (sq. ft.)	None; except 3,500 sq. ft. of net lots that include residential uses	lot area is required for	
Minimum Public Street Frontage (ft.)	None, See <u>§30.140.180</u> , Street I and <u>§30.140.120</u> , Location of Lo		
Maximum Base Residential I	Density		
Less than 5,000 sq. ft. Net Lot Area	1 unit	One Coreteker Linit	
5,000 to 6,999 sq. ft. Net Lot Area	2 units	One Caretaker Unit See <u>§30.185.120</u> ,	
7,000 and more sq. ft. Net Lot Area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater	Caretaker Unit	
Additional Residential Densi	ty Allowances		
	See § <u>30.185.040</u> , Accessory Dwelling Units		
All lots, in compliance with the applicable section	See Chapter <u>30.150</u> , Average Unit-Size Density Incentive Program	None applicable	
	See Chapter <u>30.145</u> , Affordable Housing and Density Bonus and Development Incentives		
Structure Form and Location			
Minimum Residential Unit Size	Studio: 220 square feet;		

TABLE 30.30.030: DEVELOF	MENT STANDARDS-MANUFAG	CTURING ZONES
Zone	M-C	M-I
	All other units: 400 square feet	
	Soc \$20,140,150, Posidential Li	ait
	See §30.140.150, Residential Ur 45;	111
	-0,	
Maximum Height (ft.)	60 for Community Benefit Projec Housing Project (§30.140.100.B)	-
Additional Height Limitations Adjacent to all Residential Zones	Height is further limited in accord Solar Access Height Limitations	lance with § <u>30.140.170</u> ,
	See also §30.140.090, Encroach and Open Yards	ments into Setbacks
Minimum Setbacks (ft.)		
	See Chapter <u>30.150</u> , Average Un Incentive Program	nit-Size Density
	Residential only structures: Sam	e as R-M Zone
Front	Nonresidential and mixed-use de	welcoment: 0
	Residential only structures: Sam	
Interior, Adjacent to a Nonresidential Zone		
	Nonresidential and mixed-use de	
	Residential structures and the re	
	mixed-use development: Same a	as R-M Zone
Interior Adia cont to a	Nonresidential, and the nonresid structure in a mixed-use develop or less: 15	
Interior, Adjacent to a Residential Zone	Nonresidential structures, and th	e nonresidential portion
	of any structure in a mixed-use d 30 feet in height: 20	
	Portions of structures used by bo	oth the residential and
	nonresidential uses are subject t	
	requirement for nonresidential st	
Uncovered Parking	See §30.175.060, Location of Re Bicycle Parking	equired Automobile and
Open Yard		
	Any lot developed with residentia open yard pursuant to §30.140.1	
Open Yards	See Chapter <u>30.150</u> , Average Ui Incentive Program	nit-Size Density

SECTION 4. Section 30.140.220 of Chapter 30.140 of Title 30 of the Santa Barbara Municipal Code is deleted in its entirety.

SECTION 5. Section 30.150.010 of Chapter 30.150 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

### 30.150.010 Purpose.

The Average Unit-Size Density Incentive Program carries out a key program directed by the 2011 General Plan. The Program facilitates the construction of smaller housing units by allowing increased density and development standard incentives in selected areas of the City. Housing types that provide housing opportunities to the City's workforce are encouraged and facilitated by the program.

SECTION 6. Section 30.150.040 of Chapter 30.150 of Title 30 of the Santa Barbara Municipal Code is deleted in its entirety as follows:

SECTION 7. Section 30.150.050 of Chapter 30.150 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

#### 30.150.050 Status of R-M and R-MH Residential Density.

Notwithstanding the provisions of Chapter 30.20, Residential Zones, the following incentive program is available regarding the residential density of new development projects in zones of the City which otherwise would apply the R-M residential density:

A. Average Unit-Size Density Incentive Program. Projects developed in accordance with the provisions of the Average Unit-Size Density Incentive Program established in Section 30.150.070, Average Unit-Size Density Incentives, hereof are exempt from the standard R-M residential density provisions specified in Table 30.20.030.B, Development Standards–Two-Unit and Multi-Unit Zones.

B. **Development of Affordable Housing**. Projects that meet the affordability criteria of the State Density Bonus Law or the City's Affordable Housing Policies and Procedures may continue to propose development pursuant to the density incentives established in Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives.

SECTION 8. Elimination of the program expiration date is categorically exempt from the California Environmental Quality Act under Section 15305 of the CEQA Guidelines [Minor Alterations in Land Use Limitations] and Santa Barbara Municipal Code (SBMC) section 22.100.070.C.5 Minor Alterations in Land Use Limitations. SBMC Section 22.100.070.C.5(c) specifies that that categorical exemptions in this class include "Adoption or amendment of land use or development ordinances, regulations, standards, or guidelines that substantially maintain existing land use intensity or density". In addition, SBMC Section 22.100.070.C.5(g) specifies that exemptions include "Extension of time limits on approved projects where circumstances have not changed." Eliminating the Average Unit-Size Density Incentive Program expiration date continues a program that was previously analyzed without changes, and maintains existing land use intensity or density.

# **ORDINANCE NO. 6129**

STATE OF CALIFORNIA	)
COUNTY OF SANTA BARBARA	) ) ss.
CITY OF SANTA BARBARA	)

I HEREBY CERTIFY that the foregoing ordinance was introduced on November 7,

2023 and adopted by the Council of the City of Santa Barbara at a meeting held on

December 5, 2023, by the following roll call vote:

AYES: Councilmembers Eric Friedman Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Mayor Randy Rowse

NOES: Councilmember Kristen W. Sneddon

ABSENT: None

ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on December 5, 2023.

Sarah Gorman, MMC City Clerk Services Manager I HEREBY APPRO the fonegoing ordinance on December 5, 2023. V jou ! Randy Rowse Mayor