

Coming Soon - The City of Santa Barbara's New Zoning Ordinance

On Tuesday, July 11, 2017, the Santa Barbara City Council will consider a new zoning ordinance for the city. If the council votes to introduce and subsequently adopt the new zoning ordinance (NZO), it will be effective 30 days later—unless the council decides on a later effective date. This means that the NZO could be in effect by late August for most of Santa Barbara. (For projects in the coastal zone, the current zoning regulations will continue to apply until the NZO is certified by the California Coastal Commission, anticipated in late 2018/early 2019.)

Once effective, all new projects will be required to comply with the new zoning standards, with limited exceptions. A project that has already been issued a building permit, been deemed complete, or received discretionary approval (including Project Design Approval) before the effective date will have the option of proceeding under the old zoning standards or complying with the new standards.

As currently drafted, the NZO includes changes that could affect the development potential of properties and/or the permitting process. Here are some changes you may be interested in:

- **Accessory Dwelling Units (ADUs, aka “Granny Flats”)** will continue to be permitted provided they follow all regulations laid out in the recently passed state law on the issue. The city is considering imposing some restrictions on ADUs, within the limits allowed by state law, through a separate process.
- The **initial expiration period for most discretionary permits and approvals** will increase from two years to three years.
- **M-1 Manufacturing Industrial Zone** (currently known as M-1 Light Industrial) will see a reduction in allowed non-industrial uses. Stand-alone offices will no longer be allowed, but an office that is accessory to an industrial use will be allowed as long as it meets with the requirements of the new code.
- **Mobile food vending** will be allowed on private, nonresidential property. One truck will be allowed per lot for up to four hours a day. There is also a 90-day cap on how many days per year a mobile food vendor is allowed to operate on a lot.
- The NZO introduces a **new “compatibility” standard of review for nonconforming use changes**. An existing nonconforming use may be changed to another nonconforming use that is “compatible with the purpose of the zone and surrounding uses.” The code includes a list of elements to be considered in making this Community Development Director-level determination (e.g., building code occupancy classification; land use classification; potential impacts such as noise, light or glare, odors, etc.).
- The NZO includes a variety of **changes to parking requirements**. For all **food service uses**, there will be a new citywide parking standard of one space/250 square feet. This change will result in a lower parking requirement for fast food and potentially lowers parking required for other types of restaurants. **Small residential units** (600 square feet or less with one bedroom) will have to provide one uncovered parking space per unit instead of the current

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minimum of 1.25 to two spaces. Additionally, **tandem parking** will be allowed in mixed-use developments, multiunit residential projects, and nonresidential uses as long as each set is assigned to the same unit. **Valet parking** will be allowed on private property. A separate measure is making its way through the city to allow for on-street valet parking. There will also be an option to substitute up to 10 percent of required parking spaces in multiunit residential and mixed-use projects and up to 25 percent in nonresidential ones with spaces dedicated to **car sharing services**.

- The NZO combines the **maximum floor area allowance for garages and accessory buildings** on residential lots. This change provides greater design flexibility and increases the total allowed accessory/garage floor area on lots one acre or greater.

To find out more about the New Zoning Ordinance, visit the [City of Santa Barbara's website](#).

Brownstein's team of experienced land use planners and attorneys are always available to assist with your land use and permitting needs in the City of Santa Barbara and other local jurisdictions.

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