



City of Carpinteria

COUNCIL AGENDA STAFF REPORT December 9, 2024

ITEM FOR COUNCIL CONSIDERATION

1. Conduct second readings of Ordinance Nos. 788, 789, 790, and 791, (Attachments A through D) making changes to Carpinteria Municipal Code, Title 14- Zoning, by adding Chapter 14.19- RMU Residential/Mixed Use, adding Chapter 14.51- Objective Design Standards, and amending the City's zoning map to rezone specified sites from Industrial/Research Park ("M-RP") and Commercial Planned Development ("CPD") to Residential/Mixed Use ("RMU");
2. Adopt Resolution No. 6350, certifying that Ordinance Nos. 788, 789, 790, and 791 are intended to carry out the policies of the City's certified Local Coastal Program consistent with the California Coastal Act, and direct that the proposed Local Coastal Program Amendment be transmitted to the California Coastal Commission; and that the adopted Ordinances be transmitted to the California Department of Housing and Community Development for certification consistent with Housing Element law; and
3. Determine that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR (Attachment E) satisfies the environmental review requirements of CEQA.

STAFF RECOMMENDATION

Staff recommends City Council take the following actions:

1. Adopt Ordinance Nos. 788, 789, 790, and 791 (second readings), as read by titles only; and
2. Adopt Resolution No. 6350; and
3. Determine that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or

subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR satisfies the environmental review requirements of CEQA.

Sample motion: I move to adopt Ordinance Nos. 788, 789, 790, and 791 (second readings), as read by titles only, adopt Resolution No. 6350, as read by title only, and find that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR satisfies the environmental review requirements of CEQA.

BACKGROUND

Housing Element Overview

The Housing Element is a required component of the City's General Plan that identifies and plans for existing and projected housing needs within the eight-year planning cycle. Under State law (Gov. Code § 65580 et seq.), all cities are required to plan for housing to accommodate population growth and existing housing problems such as overcrowding and high housing cost. State law recognizes that most housing is built by private developers, not cities. However, cities are required to adopt policies, plans, and development regulations to encourage a variety of housing types that are affordable for persons at all income levels. The Regional Housing Needs Assessment ("RHNA") is the process by which each jurisdiction's share of new housing needs is determined.

For Santa Barbara County jurisdictions, the 6th Cycle RHNA process was completed in 2021. Based on the RHNA, the City of Carpinteria ("City") must plan to accommodate a total of 901 additional housing units of varying income levels during this eight-year cycle (2023-2031). On January 22, 2024, the City Council adopted the current Housing Element¹, which outlines how the RHNA allocation can be achieved during this cycle through a variety of methods (e.g., pending project applications, underutilized sites, accessory dwelling units, and rezoning of candidate opportunity sites).

Housing Element Certification

The State Legislature has delegated authority to the California Department of Housing and Community Development ("HCD") to review Housing Elements and certify their substantial compliance with State law. A finding of Housing Element substantial compliance by HCD is referred to as "certification" of the Housing Element.

If a local government's Housing Element is not certified, or if it is de-certified during the cycle for non-compliance with State law, the jurisdiction faces the possibility of litigation, which could result in the loss of land use discretion, ineligibility for housing grants, and other penalties. For example, some local agencies have received project applications

¹ <https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/>

submitted under the “Builder’s Remedy” provisions of the Housing Accountability Act (Gov. Code § 65589.5), which may allow developers to avoid compliance with the local agencies’ general plan and zoning requirements in certain circumstances.

City of Carpinteria Compliance with State Housing Element Law

To date, the City’s 6th Cycle 2023-2031 Housing Element Update has not been certified by HCD. Although the City submitted a substantially compliant Housing Element to HCD on January 23, 2024, the State was not able to certify it due to the exceedance of statutory deadlines.

Pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), since the City did not adopt a compliant Housing Element by the statutory deadline, it was required to implement Program 1 (Adequate Sites to Accommodate Regional Housing Needs) within one year from the statutory deadline of February 15, 2023. Therefore, as further explained in HCD’s letter² dated March 21, 2024, the Housing Element cannot be certified until the City completes the necessary rezones to accommodate the RHNA shortfall under Program 1.

City Council First Reading of Zoning Amendments

On November 25, 2024³, the City Council took the first step in implementing Program 1 by conducting the first reading of Ordinance Nos. 788, 789, 790, and 791 (Attachments A through D). This staff report and the Attachments thereto reflect the pertinent changes made by the City Council at that hearing and a summary of the Council’s actions is provided in the discussion, below.

DISCUSSION

Housing Element Program 1 – Adequate Sites to Accommodate Regional Housing Needs

Required Zoning Amendments to Accommodate the RHNA

A description of Program 1 (Adequate Sites to Accommodate Regional Housing Needs) is provided beginning on page 6 of the City’s adopted Housing Element, with additional detailed information about the City’s residential land inventory described in Appendix B of the Element. These documents explain the breakdown by income of the required 901 RHNA units, including 418 units for lower-income households (286 very-low income and 132 low-income households, respectively), 135 units for moderate-income households, and 348 units for above-moderate-income households.⁴ As shown in the land inventory

² Available here: <https://carpinteriaca.gov/wp-content/uploads/2024/09/sbb-carpinteria-adopted-out-032124.pdf>

³ Available here (Item 13): https://carpinteria.granicus.com/player/clip/1544?view_id=2&redirect=true

⁴ HCD sets the income limits for the various affordable housing categories annually based on federal and state law. The income limits for 2024 are available here: <https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2024.pdf>.

analysis in Appendix B, the City can already accommodate 126 lower-income units and all of the moderate, and above-moderate units based on pending projects, underutilized sites (i.e., existing zoning), and anticipated accessory dwelling units (Table 1).

Table 1. Land Inventory Summary (taken from Table B-1 of the Housing Element)

	Income Category				Total
	Very Low	Low	Mod	Above	
RHNA 2023-2031	286	132	135	348	901
Completed, Approved & Pending Projects (Table B-3)	-	3	-	259 ⁵	262
Net Remaining RHNA	415		135	89	639
Vacant Sites (Table B-4)	-		10	5	15
Underutilized R Overlay Sites (Table B-5)	56		47	-	103
Other Underutilized Sites (Table B-6)	-		153	153	306
ADUs	67		7	38	112
Surplus (Shortfall)	(292)		82	107	(103)

Since the City can currently only accommodate 126 out of the 418 required lower-income housing units, there is a resulting RHNA shortfall of 292 potential lower-income units. Therefore, implementation of Program 1 requires the rezoning of enough area to accommodate 292 lower-income units plus a reasonable buffer. HCD expects a minimum buffer of 15 percent. At a proposed density of 20 dwelling units per acre, the land area to be rezoned under Program 1 must be equal to, or greater than, 16.8 acres (14.6 acres to cover the shortfall and 2.2 acres to cover the 15 percent buffer).

As further described in Program 1, City staff envisioned using a Residential Overlay District for the proposed rezones such that the underlying zone of the land (e.g., commercial, industrial, etc.) would remain but would have an overlay applied to allow for the option of high-density, residential-only development. However, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay that allowed both a higher density and a lower density development option did not satisfy Housing Element Law. Accordingly, the implementation of Program 1 now requires the complete change of zoning districts on sufficient property to cover the RHNA shortfall.

Additional aspects of Housing Element Program 1 that must be factored into the zoning amendments include:

- **Density Minimums:** Government Code Section 65583.2(c)(3) requires that the City apply a minimum residential density of at least 20 units per acre to all rezone sites that are used to accommodate the City's RHNA for lower-income units.

⁵ This total includes the estimated units for the Lagunitas Mixed-Used pending project, Candidate Opportunity Site #5, which is recommended to be rezoned (see description below). As explained further below, the rezoning of Candidate Opportunity Site #5 would provide the property owner with additional flexibility should the currently pending Lagunitas Mixed-Use project not proceed.

- Number of Units: Government Code Section 65583.2(h) and Program 1 requires that rezone sites permit at least 16 units per site.
- Ministerial Permitting: Government Code Section 65583.2(h) and Program 1 require that the City permit “use-by-right” owner-occupied and rental multifamily housing projects that provide at least 20 percent of the units as affordable to lower-income households. As defined in Government Code Section 65583.2(i), “use by right” means that the housing project is not subject to discretionary review or approval, or environmental review under CEQA.
- Development Standards: As part of the zoning amendments, the City must also ensure that the densities can be achieved and that standards do not pose unreasonable constraints on the cost and supply of housing. Moreover, the development standards applied to the rezone sites must be “objective” (i.e., standards that involve no personal or subjective judgement by a public official) such that ministerial and streamlined permitting can be accomplished.
- Predominantly Residential/Mixed-Use Development: Government Code Section 65583.2(h) and Program 1 also require that either: (1) at least 50 percent of the lower income housing need be accommodated on residential-only sites; or (2) all the lower income housing needs may be accommodated on mixed-use sites if those sites allow for (a) 100 percent residential use and (b) require that residential use occupy 50 percent or more of the total floor area of the mixed-use project. As discussed further below, staff’s and Planning Commission’s recommendation implements option (2).

Identified Candidate Opportunity Sites

In the recently adopted Housing Element, 19 sites (each site is made up of one or more legal parcels) were identified as “Candidate Opportunity Sites” (also referred to as the “Sites” throughout this report) that may be suitable for rezoning to cover the RHNA shortfall. These Candidate Opportunity Sites are described in Appendix B of the Housing Element (see Table B-6, Figures B-2a and B-2b⁶, and in the site profiles Figure B-4⁷).

An additional site, known as Site #5, located at 6380 Via Real, was identified as a “pending project” in the final Housing Element because an application was in process for the Lagunitas Mixed-Use Project on the subject property. However, the applicants for that project have stalled on processing their current application.⁸ Therefore, Site #5 is available for consideration in the proposed Sites to be rezoned. A list of all 20 Candidate Opportunity Sites is provided in Table 2 below.

⁶ Available here: <https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Final-Readopted-Version.pdf>

⁷ Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version_Reduced.pdf

⁸ The applicant, however, may resume processing of their current application based on the zoning currently in effect for the site in accordance with State law.

Table 2 – List of 20 Candidate Opportunity Sites (Site #17 was removed⁹)

Site #	Location	Current General Plan Land Use Category	GPA Required
1	Via Real	Agriculture (AG) & Open Space Recreation (OSR)	Yes
2	5800 Via Real	Agriculture (AG)	Yes
3	1000 Bega Way	Research & Development Industrial (RDI)	No
4	6250 Via Real	Research & Development Industrial (RDI)	No
5	6380 Via Real	Research & Development Industrial (RDI)	No
6	Cindy Ln; Mark Ave; Rose Ln	Research & Development Industrial (RDI)	No
7	Cindy Ln; Via Real	Research & Development Industrial (RDI)	No
8	Mark Ave; Cindy Ln	Research & Development Industrial (RDI)	No
9	Cindy Ln	Research & Development Industrial (RDI)	No
10	5320 Carpinteria Ave	General Commercial (GC)	No
11	5437 Carpinteria Ave	General Commercial (GC)	No
12	Eugenia Pl	General Commercial (GC)	No
13	Eugenia Pl	General Commercial (GC)	No
14	Eugenia Pl	General Commercial (GC)	No
15	Carpinteria Ave	General Commercial (GC)	No
16	Carpinteria Ave	General Commercial (GC)	No
18	Holly Av; Carpinteria Ave	General Commercial (GC)	No
19	6 th St; Walnut St	General Industrial (GI) & General Commercial (GC)	Yes
20	Palm Ave	General Commercial (GC)	No
21	Carpinteria Ave	Research & Development Industrial (RDI)	No

Phased Approach to Rezones

If the City still had ample time to implement Program 1, staff would recommend a wholistic approach to analyzing all 20 of the sites listed in Table 2. However, since it is in the City’s best interest to have a certified Housing Element as quickly as possible, staff outlined a two-phased approach to the City Council at a public hearing¹⁰ on May 28, 2024 (Item 12). The Zoning Amendments approved by City Council on November 25th and reflected in Ordinance Nos. 788, 789, 790, and 791 (Attachments A through D) are the first phase. The remaining Candidate Opportunity sites will be included for consideration in the City of Carpinteria General Plan Update that is currently in process. In particular, the three Candidate Opportunity Sites that would require a General Plan Amendment (“GPA”), as noted in Table 2 above, must be deferred to the second phase to be considered with the comprehensive General Plan Update.

Maps depicting Phase 1 Candidate Opportunity Sites, as approved by City Council on November 25th, are provided in Figures 1, 2 and 3 in Attachment F. For reference, the existing zoning map of the City is provided in Figure 4 of Attachment F.

⁹ Site #17 was removed because a development application was processed that made the site a pending project rather than a Candidate Opportunity Site for rezoning.

¹⁰ Available here: https://carpinteria.granicus.com/player/clip/1449?view_id=2&redirect=true

Proposed Project – Housing Element Zoning Amendments

The proposed Project for the City Council's consideration has three main components: (A) a new Residential / Mixed Use Zoning District, (B) a new set of Objective Design Standards that would apply to any developments in the new Residential / Mixed Use Zoning District, and (C) the rezoning of select Candidate Opportunity Sites to Residential / Mixed Use.

A. Proposed Residential / Mixed Use Zoning District

Attachment A is proposed Ordinance No. 788 for a new Residential / Mixed Use ("RMU") zone district that would enable the City to achieve the Housing Element Program 1 goals. The RMU zone would be applied to select properties in the General Commercial ("GC") or the Research & Development Industrial ("RDI") land use categories described in the City's General Plan/Coastal Land Use Plan ("GP/CLUP"). Under the new RMU zone district, future development or re-development of the selected sites would be required to include multi-family housing and may be residential-only or mixed-use. Permitted uses would include:

- Multifamily residential development and mixed uses at a density of 20 (minimum) to 25 (maximum) dwelling units per acre;
- Parking and accessory uses (e.g., storage, laundry facilities, private open space, public open space, bike racks, etc.);
- For sites in the GC Land Use Category: the option to have commercial uses, except for sites fronting on Linden and Carpinteria Avenues within the downtown "T" (based on Community Design Element Subarea 2a) which must include a commercial use on the ground floor fronting the avenue;
- For sites in the RDI Land Use Category: the option to have offices and/or research, development, and laboratory uses.

The RMU zone would allow for ministerial (use by right) permitting if at least 20 percent of the residential units proposed are designated for lower-income households (see Table 3 below). Any commercial or office component of a mixed-use development that provides the minimum 20 percent lower-income units could also be permitted ministerially if the proposed uses are consistent with those listed under "development plan approval" in the Commercial Planned Development District (in GC) or the Industrial/Research Park District (in RDI).

Table 3. Review Types in the Proposed RMU Zone District

<u>Ministerial Review</u>	<u>Streamlined Review</u>
<ul style="list-style-type: none"> • For mixed-use and residential-only projects restricting at least 20% of units to lower-income residents (people with incomes 80% or below the Area Median Income) • No public hearings required • Staff may not exercise discretion in project review—i.e., review limited to conformance with Objective Design Standards and other objective regulations in zone district • Permit is not appealable (except to Coastal Commission in the appeals jurisdiction) • Project receives an administrative Coastal Development Permit (“CDP”) 	<ul style="list-style-type: none"> • For mixed-use and residential-only projects with less than 20% of units restricted to lower-income residents • Will go to Architectural Review Board and Planning Commission hearings but can only be “measured against” Objective Design Standards and other objective regulations in zone district • Project is appealable • Project receives Development Plan (“DP”) and CDP approval

Development projects in the RMU zone would be required to adhere to the Objective Design Standards (described under “B” below and shown in Attachment B) in order to facilitate streamlined or ministerial permitting. In addition, the proposed RMU Zone includes its own set of unique development standards which establish allowed density, setbacks, building coverage, building height, etc. as summarized in Table 4 below.

Table 4. Proposed Development Standards in the RMU Zone District.

Density	20 (minimum) to 25 (maximum) dwelling units/acre. Applies to both residential-only and mixed-use developments.
Setbacks	5 feet minimum from all property lines. <i>Exception for sites fronting Via Real:</i> 15 ft min. front setback, 5 ft min. other sides.
Distance between buildings	10 ft minimum.
Building coverage	75% maximum
Height	35 ft. maximum
Parking	Lower-income dwelling units: Studio and one-bedroom units: one parking space per unit. Two-bedroom or larger units: 1.5 parking spaces per unit. Four-bedroom or larger units: 2.5 parking spaces per unit. All other dwelling units: Studio and one-bedroom units: one parking space per unit. Two-bedroom or larger units: two parking spaces per unit. Four-bedroom or larger units: 2.5 parking spaces per unit.
Common or public open space	20% minimum. A maximum of 50% of the required open space may be provided on rooftops or upper-story decks.
Fence height	In the front setback, may not exceed 4 ft.
Mixed-use requirement	For mixed-use developments, at least 80 percent of the ground floor frontage facing the primary street shall be designated for commercial uses and at least 50 percent of the gross floor area shall be designated for residential use. Sites with frontage on Linden and Carpinteria Avenues within the downtown “T” (based on Community Design

	Element Subarea 2a boundary) shall be limited to mixed-use (commercial and residential) development.
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B. Proposed Objective Design Standards

Attachment B is proposed Ordinance No. 789 setting forth new Objective Design Standards (“ODS”) that would apply to development projects in the RMU zone. The proposed Standards were updated after receiving input from the Architectural Review Board (ARB) at a public hearing¹¹ on October 17, 2024 (Agenda Item 2). A copy of the Minutes from the October 17th ARB meeting is included as Attachment G.

The ODS are organized into sections by design topic. Importantly, language in the section “Building Form, Massing, and Articulation” describes the general shape a building must take, including variation on building facades and rooflines, floor height, and step backs, and reduced massing for upper floors. The section “Site Design” describes how different areas and elements of a development (e.g. siting of commercial in mixed-use developments, driveways, pedestrian pathways, loading areas, etc.) connect to or are buffered from one another. The remaining sections address additional components like placement of building entrances, landscaping, bicycle parking, and allowed exterior materials.

Notable changes that were made based on input from the public and the ARB members include:

- Changed the required roofline variation to occur every 30 feet rather than every 50 feet;
- Increased the required number of 5-gallon plants per 1,000 square feet from 10 to 20;
- Remove BBQ grills from allowed amenities in common/public open spaces; and
- Allow garages to accommodate tandem parking.

The ARB also requested that staff find a way to prohibit trees with invasive root systems that would damage sidewalks and other infrastructure. Staff is working on a tree list to use in the implementation of the ODS. The changes recommended by the ARB members are incorporated into Ordinance 789 in Attachment B.

C. First Phase Rezones

Although there are 20 Candidate Opportunity Sites for potential rezoning under Program 1, not all of the sites need to be rezoned in order to accommodate the RHNA shortfall of 292 lower-income units. As noted above under the description of Program 1, the land area to be rezoned must be equal to, or greater than, 16.8 acres (14.6 acres to cover the shortfall and 2.2 acres to cover the 15 percent buffer).

¹¹ Available here: https://carpinteria.granicus.com/player/clip/1527?view_id=2&redirect=true

On November 25, 2024, the City Council selected eight sites for the first phase of rezones. The eight selected sites are summarized in Table 5 below, included in Ordinance Nos. 790 and 791 (Attachments C and D), and depicted in Figures 1, 2 and 3 in Attachment F.

Table 5. First Phase of Rezones

Priority	Site #	Location	Acres	Lower Income Units*	Moderate Income Units*
High	Site 10	5320 Carpinteria Ave	1.08	21	0
High	Site 11	5437 Carpinteria Ave	1.98	25	0
High	Site 15	4602 et al Carpinteria Ave	2.45	40	8
High	Site 18	Holly and Carpinteria Ave	1.47	22	6
Medium	Site 12	1145 et al Eugenia Place	4.66	92	0
Medium	Site 13	1101 & 1135 Eugenia Place	0.80	16	0
Medium	Site 14	1065 et al Eugenia Place	1.88	19	16
Neutral	Site 7	1001 Mark, Cindy, and Via Real	5.51	110	0
		Total	19.83	345	30

*Assumes 20 dwelling units per acre

These eight sites were selected, not only because they would provide enough capacity to meet the RHNA, but also because they meet certain siting criteria making them optimal for medium-density residential developments with lower-income units. The following are common characteristics of all eight sites:

- Already developed and allow residential, commercial or light industrial uses
- Negligible environmental constraints
- Close proximity to transit
- Close proximity to amenities (grocery stores, schools, recreation, employment)

Sites 10, 11, 15, and 18 are labeled as “High” priority because they take access from Carpinteria Avenue and are generally close to the City’s Downtown “T” District. Sites 12-14 are labeled as “Medium” priority because although they are proximal to the downtown area, they are set back from Carpinteria Avenue and are comprised of multiple smaller parcels with different owners.

Unfortunately, the “High” and “Medium” priority sites only add up to 14.99 acres. The primary goal for this phase is to rezone at least 16.8 acres that would potentially yield capacity for 336 lower income units (shortfall plus 15 percent buffer). Thus, Site 7 is also included because it is a relatively small site (5.51 acres) that fronts on a main arterial street, Via Real, adjacent to a pending residential project (see Figures 1-3 in Attachment F).

D. Potential Interim-Phase Rezones

At the November 25th City Council hearing for the first reading of the proposed zoning amendments, there was considerable discussion regarding two additional Candidate Opportunity Sites – Site No. 5 and Site No. 21 (see Table 6 below).

Staff and the Planning Commission recommended including Site 5 as an extra property for rezone in the first phase. Site 5 was categorized as a “pending project” in the final adopted Housing Element. It had originally been included on the candidate site list in the land inventory, but was subsequently removed when an application for the Lagunitas Mixed-Use Project was formally submitted to the City. For reference, that proposal was conceptually reviewed by a joint meeting of the City Council, Planning Commission, and Architectural Review Board on June 18, 2024 (Item 1). More recently, however, this application appears to have stalled and the property is pending new ownership. In the absence of an active project application, the property may be considered as a potential rezone site for the new RMU zone district. Based on the early evaluations and site profiles, Site 5 met most of the criteria (developable land, proximity to transit, proximity to amenities, single ownership, etc.) to be considered a suitable site for rezoning to higher-density residential. The early inclusion of Site 21 as a rezone Site could help the City stay ahead of any “no net loss” implications¹² until the second phase of rezones is considered as part of the General Plan Update. However, members of the public raised concerns at the November 25th hearing regarding future development of Site 5 under the proposed RMU zoning.

Site No. 21 consists of two properties on the Carpinteria Bluffs adjacent to Viola Fields. Although staff and the Planning Commission did not recommend Site No. 21 to be part of the first phase of rezones, it was included in the draft CEQA Addendum (Attachment E) and made available for the City Council’s consideration to include in Phase 1. After receiving public input in favor of including Site 21 in the first phase of rezones, the City Council considered it during deliberations.

Based on the discussions, it was clear that the Councilmembers would not reach a majority vote to include Site No. 5 and/or Site No. 21. Instead, they passed a motion to defer consideration of these sites and directing staff to bring these two Sites back for further consideration in early 2025.

Table 6. Sites To Be Reconsidered in Early 2025

Site #	Location	Acres	Lower Income Units	Moderate Income Units	Notes
Site 5	6380 Via Real	8.63	169	0	Staff and Planning Commission recommend including as additional buffer to assist with the Housing Element certification.
Site 21	6155 Carpinteria Ave	6.31	126	0	Bluffs location with environmental constraints, but has property owner interest for multi-family housing with affordable units.

¹² No Net Loss Law (Gov. Code § 65863) requires that the City maintain sufficient sites to accommodate any unmet RHNA throughout the eight-year planning period. If one of the sites rezoned in Phase 1 is entitled/developed but does not provide the expected number of lower-income units, then the City may need to rezone additional area to demonstrate there are sufficient sites available to cover the remaining RHNA shortfall. The proposed 15 percent buffer further helps the City comply with No Net Loss Law.

E. Sites Not Recommended for Phase 1 Rezones

The remaining 10 Candidate Opportunity Sites, as shown in Table 7 below, will be deferred to future consideration as part of the General Plan Update. This will allow more time for property owner input, site analysis, and public outreach. Sites 1, 2, and 19, in particular, must be deferred to the future General Plan Update process since a change to RMU zoning would need to be preceded by a change to these sites' current Land Use Designation to avoid vertical inconsistency between zoning and land use designations. Such changes to the City's Land Use Map would require a GPA.

Table 7. Sites Recommended for Phase 2 (to be considered at a later date)

Site #	Location	Acres	Lower Income Units	Moderate Income Units	Notes
Site 3	1000-1010 Bega Way	9.68	175	0	Good location/site but currently manufacturing uses with no property owner interest.
Site 4	6250 Via Real	8.47	166	0	Good location/site but currently Extra Space Storage with no property owner interest.
Site 6	Cindy Ln, Mark Ave, and Rose Ln	10.58	210	0	Set back from Via Real with multiple RDI uses.
Site 8	Mark Ave, Cindy Ln, and Via Real	10.02	199	0	Good location/site that is partially underutilized.
Site 9	Cindy Lane	4.49	89	0	Vacant site that may have environmental constraints.
Site 16	4621, 4631, 4643 Carpinteria Ave	0.67	0	9	Planning Commission removed from Phase1 based on property owner input. This site would only count as "moderate" income units.
Site 20	592, 586, 510 Palm Ave	0.77	0	11	Good location/site but would not count toward low-income RHNA shortfall.
Site 1	Via Real	15.81	316	0	GPA Required
Site 2	5800 Via Real	16.74	242	0	GPA Required
Site 19	5201 6 th & 546 Walnut	3.29	65	0	GPA Required

Rezoning some or all of the remaining Candidate Opportunity Sites during Phase 2 might become necessary to avoid future de-certification of the City's Housing Element. For example, if one of the sites rezoned in Phase 1 is entitled/developed but does not provide the expected number of lower-income units, then the City may need to rezone additional area to demonstrate there are sufficient sites available to cover the remaining RHNA shortfall.¹³ If some of the remaining Candidate Opportunity Sites are not rezoned in Phase 2, they could still be considered later (e.g., next housing cycle), or could be proposed for privately-initiated rezoning by an applicant without having to start the CEQA and stakeholder outreach process from the beginning.

¹³ If these sites are rezoned, but not developed, the sites would count toward the City's zoning capacity in the next Housing Element cycle. If the sites are developed during this planning period, they would count toward the City meeting its RHNA obligations.

Planning Commission Recommendation

The proposed Housing Element Zoning Amendments were considered by the Planning Commission at its November 4, 2024 meeting¹⁴ (Item 2). At the hearing, specific input was requested by staff on two items:

1. What the name of the new zone district for residential and mixed use should be.
2. Whether Site 5 should be included in the Phase 1 rezones.

The Planning Commission recommended that the new zone be titled Residential / Mixed Use (RMU); and also recommended that Site 5 *should* be included in Phase 1. After hearing public testimony, the Planning Commission also recommended that Site 16 be removed from the Phase 1 rezones. As shown in Table 6 above, Site 16 was estimated to only have moderate-income units and, therefore, was not necessary to address the current RHNA shortfall. Accordingly, Site 16 has been removed from the recommended Sites list (Table 5), to reflect the Commission's recommendation.

With those specific recommendations, the Planning Commission voted unanimously (5-0) to recommend that the City Council adopt the proposed zoning amendments and find that the Addendum to the certified 2003 Program EIR (Attachment E) satisfies the environmental review requirements of CEQA.

City Council First Reading

At the November 25, 2024 public hearing, City Council conducted the first reading of Ordinance Nos. 788, 789, 790, and 791. The following actions were taken:

- Ordinance No. 788: Approved 4-0-0-1 (Clark absent);
- Ordinance No. 789: Approved 4-0-0-1 (Clark absent);
- Ordinance No. 790: Removed Site 5 (APN 001-190-097) and approved the Ordinance 4-0-0-1 (Clark absent) as amended;
- Ordinance No. 791: Approved 3-0-1-1 (Solorzano recused, Clark absent); and
- Direct staff to return in early 2025 with proposed rezones of Sites 5 and 21 to RMU: Approved 4-0-0-1 (Clark absent)

ENVIRONMENTAL

The proposed zoning amendments are logical follow-on discretionary actions to the City's existing GP/CLUP, which was approved in 2003 with the certification of a Program EIR. CEQA Guidelines Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR have occurred. The draft Addendum provided in Attachment E (along with the link to the previously certified Program EIR) outlines the minor clarifications and

¹⁴ Available here: https://carpinteria.granicus.com/player/clip/1535?view_id=2&redirect=true

information to be added, and explains why such changes do not result in the identification of new or substantially more severe significant impacts. The draft Addendum evaluates the new RMU Zone District and Objective Design Standards. It further evaluates all 17 Candidate Opportunity Sites for rezoning that would not require a GPA.

Further, the City will need to process the rezones as a local coastal program amendment (“LCPA”) with the California Coastal Commission (“Coastal Commission”). The Coastal Commission will ultimately approve, modify, or deny the LCPA and conduct environmental review under its Certified Regulatory Program pursuant to California Public Resources Code Section 21080.5, CEQA Guidelines Sections 15250-15253, and Public Resources Code Section 30000 et seq. Therefore, while this Addendum is sufficient in itself, an additional level of environmental review will also be conducted by the Coastal Commission.

Therefore, as described in more detail in the Addendum in Attachment E, the changes resulting from the proposed zoning amendments do not constitute substantial changes to the GP/CLUP, would not involve substantial changes in the magnitude of impacts identified in the previously certified Program EIR, and would not result in new significant impacts. Accordingly, an addendum is the appropriate CEQA document for the Project.

POLICY CONSISTENCY

The Coastal Act and Carpinteria’s Local Coastal Program (LCP)

The City of Carpinteria is located entirely within the California Coastal Zone. As such, the proposed zoning amendments constitute a change to the City’s certified Local Coastal Program (“LCP”), and thus require compliance with City’s GP/CLUP and the Coastal Act. Where actions may result in conflict with coastal resource policies, those that are most protective of significant coastal resources shall be prioritized (Pub. Res. Code, § 30007.5). Since the recommended Phase 1 rezone sites are located in commercial and light industrial areas near the downtown and the City’s office park district, they are unlikely to be found at odds with State or local coastal resource protection policies.

Consistency with the 2023-2031 Housing Element

As described in this staff report, the proposed Project is intended to implement Program 1 of the adopted 2023-2031 Housing Element. If approved by the City Council, the Project would be submitted to the HCD for review, approval, and final Housing Element certification.

Consistency with the City’s General Plan/Coastal Land Use Plan (GP/CLUP)

The proposed Project would be consistent with all applicable GP/CLUP policies. An in-depth policy consistency analysis is provided in Attachment H.

Next Steps

Following the City Council's adoption (first and second reading) of the zoning amendments, the amendments would then be sent concurrently to the California Coastal Commission and HCD for their respective reviews and certifications. If changes are required by one or both agencies prior to certification, such changes would be returned to the Planning Commission and/or City Council, depending upon their significance, for consideration and (revised) approval prior to resubmittal for final certification.

Effectuation of Ordinances Nos. 788, 789, 790, and 791 would occur immediately upon the date certified by the Coastal Commission, pursuant to Public Resources Code Section 30514, or following the City Council's certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations. Resolution No. 6350 (Attachment I) directs City staff to transmit the Ordinances to the Coastal Commission and HCD.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

As noted above, Program 1 (Adequate Sites to Accommodate Regional Housing Needs) must be completed in order to receive Housing Element certification from HCD. If a compliant Housing Element is not certified: (1) the City may also have limited access to State funding, and (2) developers and advocates may have grounds to sue the City for not being compliant with State law.

Two of the Candidate Opportunity Sites are proposed for rezoning in a separate City Council action due to the segmentation requirements of the Political Reform Act, which apply because of a potential conflict of interest with respect to a Councilmember's real property interests. Accordingly, discussion and consideration of the two sites, which are Sites 15 and 18, are proposed to be conducted separately. A separate ordinance has been prepared for the rezoning of Sites 15 and 18 (see Ordinance 791 in Attachment D).

The City Attorney's Office assisted in the preparation of this Staff Report and will be available to answer questions at the meeting.

FINANCIAL CONSIDERATIONS

Staff time necessary to complete the ordinance development and adoption work is paid for from the City's General Fund and Measure X Program, and has been budgeted for in the current FY2024-25 adopted Budget as part of the Community Development Department's Advance Planning program work.

OPTIONS

1. Adopt Ordinance Nos. 788, 789, 790, and 791 (second reading), approve Resolution 6350, and find that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a

supplemental or subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR satisfies the environmental review requirements of CEQA. (*Staff recommendation*)

2. Direct staff to modify the Ordinances. Significant modifications should be redirected to the Planning Commission for further consideration.
3. Reject Ordinance Nos. 788, 789, 790, and 791 (second reading) and Resolution 6350.

ATTACHMENTS

Attachment A Ordinance 788, adding Chapter 14.19 of the Carpinteria Municipal Code to include a new Residential / Mixed Use (RMU) Zoning District.

Attachment B Ordinance 789, adding Chapter 14.51 of the Carpinteria Municipal Code to include new Objective Design Standards.

Attachment C Ordinance 790, amending the City's official Zoning Maps to rezone select parcels (Sites 7, 10, 11, 12, 13, and 14) to the new Residential / Mixed Use (RMU) Zoning District.

Attachment D Ordinance 791, amending the City's official Zoning Maps to rezone select parcels (Sites 15 and 18) to the new Residential / Mixed Use (RMU) Zoning District.

Attachment E 2003 GP/CLUP EIR and Draft CEQA Addendum thereto.

Attachment F Figures 1 through 4 as follows:
1. Rezone Sites
2. Rezone Sites, Aerial Imagery
3. Future Zoning
4. Existing Zoning

Attachment G October 17, 2024 ARB Meeting Minutes (re: proposed ODS)

Attachment H: Consistency Analysis with the City's GP/CLUP

Attachment I: Resolution 6350 directing that the proposed Local Coastal Program Amendment be transmitted to the California Coastal Commission and the California Department of Housing and Community Development for certification.

Staff Contact: Mindy Fogg, Principal Planner
Community Development Department
(805) 755-4408 / mindyf@carpinteriaca.gov



Signature

Reviewed by: Nick Bobroff, Director
Community Development Department
(805) 755-4407 / nickb@carpinteriaca.gov



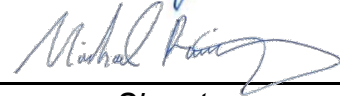
Signature

Reviewed by: Ryan Kintz, Assistant City Manager
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Signature

Reviewed by: Michael Ramirez, City Manager
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Signature

Attachment A.

Ordinance 788, adding Chapter 14.19 of the Carpinteria Municipal Code to include a new Residential / Mixed Use Zoning District.

2023-2031 Housing Element Zoning Amendments, Second Reading
December 9, 2024 City Council Meeting

ORDINANCE NO. 788

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, ADDING CHAPTER 14.19 – RMU RESIDENTIAL/MIXED USE, TO TITLE 14 - ZONING OF THE CARPINTERIA MUNICIPAL CODE TO IMPLEMENT PROGRAM 1 OF THE 2023-2031 HOUSING ELEMENT

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria (“City”) is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City’s 2023-2031 Housing Element (“Housing Element”) on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development (“HCD”) for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised 2023-2031 Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City implements Program 1- Adequate Sites to Accommodate Regional Housing Needs, completing the necessary rezones to address the City’s housing capacity shortfall pursuant to the Regional Housing Needs Assessment (“RHNA”); and

WHEREAS, recent California case law has determined that a city may not rely on a residential zoning overlay to satisfy the requirements of Housing Element law (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193), and therefore City staff

determined that a new zone district would be necessary to accommodate the RHNA allocation and fulfill the City's obligations under Program 1 of the Housing Element; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element law (Gov. Code §65583.2) and Program 1; and

WHEREAS, City staff have prepared an Addendum to the 2003 General Plan/Coastal Land Use Plan ("GP/CLUP") Program Environmental Impact Report ("PEIR") for this zoning amendment ("Addendum"), as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 789, 790, and 791), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, including naming the new zone district proposed by this Ordinance "Residential/Mixed Use" ("RMU"), and to determine that the provided Addendum is the appropriate review document for this Ordinance pursuant to CEQA; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum, was introduced on a first reading, and the Council moved to approve this Ordinance on a 4-0-0-1 (Clark absent) vote; and

WHEREAS, this proposed amendment to Title 14 - Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State Planning and Zoning Law, including, but not limited to, State Housing Element Law; and

WHEREAS, the City Council finds that the RMU zone district, in combination with the proposed Objective Design Standards and sites selected for rezoning to the RMU zone district, satisfies the requirements of State Housing Element Law and Housing Element Program 1, and aims to incentivize the development of deed-restricted affordable housing in Carpinteria.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Addition of Chapter 14.19 to Title 14.

Chapter 14.19 – RMU Residential/Mixed Use, is added to Title 14 – Zoning of the Carpinteria Municipal code and shall read as follows:

CHAPTER 14.19 – RMU RESIDENTIAL/MIXED USE

14.19.010 – Purpose and Intent.

The purpose of the RMU district is to provide areas of the City for higher density residential-only and mixed-use (commercial and residential) development, particularly as infill development, to increase the availability of workforce housing while maintaining commercial opportunities in the City’s downtown. The intent of this district is to:

- A. Help the City provide adequate sites to satisfy its Regional Housing Needs Allocation;
- B. Provide opportunities for lower-income, special-needs, and workforce housing;
- C. Cultivate pedestrian- and alternative transportation-friendly neighborhoods where residences are nearby to business, service, and employment locations; and
- D. Encourage infill development in the City’s downtown that preserves and enhances the City’s “beach town” character.

14.19.020 – Processing Accessory Dwelling Units and Junior Accessory Dwelling Units.

The following processes shall govern development of such units in the RMU district, in accordance with Chapter 14.72 (Accessory dwelling units and junior accessory dwelling units):

- A. Accessory dwelling units and junior accessory dwelling units shall be permitted in the RMU district.
- B. Accessory dwelling units, outside the coastal zone appeals jurisdiction, shall be subject to approval of an administrative coastal development permit.
- C. Accessory dwelling units, within the coastal zone appeals jurisdiction, shall be subject to approval of an administrative coastal development permit, appealable to the California Coastal Commission as provided in Chapter 14.78 (Appeals).
- D. Junior accessory dwelling units shall be subject to issuance of a building permit.

14.19.030 – Processing.

- A. Uses identified in Section 14.19.040 shall be allowed as a use by right subject to the issuance of an administrative coastal development permit. For the purposes of this section, “use by right” means the City’s review shall not require a development plan, conditional use permit, environmental review under the California Environmental Quality Act, or other discretionary review or approval in accordance with Government Code Section 65583.2(i) and Government Code Section 65589.5(f) for multifamily residential housing. Any subdivision of a site

shall be subject to all laws, including, but not limited to, Title 16 – Subdivisions, implementing the Subdivision Map Act. The City shall process an administrative coastal development permit for a use by right as follows:

1. The Planning Director shall approve or deny administrative coastal development permits.
 2. No public hearing shall be required.
 3. Public notice shall be required in accordance with Chapter 14.76.
 4. Pursuant to Section 30603 of the Coastal Act, within California Coastal Commission's coastal appeals area, the Planning Director's decision to approve an administrative coastal development permit in the RMU zone district may be appealed to the Coastal Commission within ten working days. Proposed development in the RMU zone district that is located outside of the coastal zone appealable area is not appealable to the Coastal Commission.
 5. An applicant may request non-binding conceptual review by the Architectural Review Board to improve project design.
- B. For all uses conditionally permitted pursuant to Section 14.19.060, a conditional use permit shall be submitted, processed, and approved as provided in Chapter 14.62.
- C. For all other permitted uses pursuant to Section 14.19.050, prior to the issuance of a coastal development permit, a development plan shall be submitted, processed, and approved as provided in Chapter 14.68, with the exception that Architectural Review Board and Planning Commission review shall be limited to analysis of the project's compliance with Chapter 14.51, Objective Design Standards, and the regulations of this Chapter.
- D. Once a final decision of approval, conditional approval (if applicable), or denial is issued by the Planning Director or Planning Commission, as applicable, the notice of final action shall be provided within five working days to the Executive Director of the Coastal Commission and to any interested parties who requested notice in writing.

14.19.040 – Uses permitted by right.

- A. The following uses shall be allowed as a use by right in the RMU district:
1. Mixed-use commercial and multifamily residential developments, subject to the provisions of Sections 14.19.070 through 14.19.100, that provide a minimum of 20 percent of deed-restricted residential units for lower-income households;
 2. Multifamily residential-only developments, subject to the provisions of Sections 14.19.070 through 14.19.100, that provide a minimum of 20 percent of deed-restricted units for lower-income households;
 3. Public parks, playgrounds, and open space areas provided as part of a mixed-use or multifamily residential development;
 4. Low barrier navigation centers, as defined in Government Code Section 65660 and subject to the provisions of Government Code Section 65662;

5. Supportive housing developments, as defined by Health and Safety Code Section 50675.2 and subject to the provisions of Government Code Section 65651;
 6. Transitional housing developments, as defined by Health and Safety Code Section 50675.2;
 7. Home occupations, as provided in Section 14.50.030;
 8. Accessory uses and structures incidental to permitted residential uses, including laundry and storage rooms; garages, carports, and parking lots; bus stop shelters; multifamily residence mailboxes; and bike racks;
 9. Accessory uses and structures incidental to commercial portions of mixed-use developments, including storage rooms, garbage enclosures, and loading zones; and
 10. Personal use cannabis cultivation, as provided in Chapter 14.59.
- B. For the purpose of this Chapter, “lower-income” means a household that earns 80 percent or below of the area median income applicable to Santa Barbara County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.
- C. For the purpose of this Section, permitted commercial uses for commercial portions of mixed-use developments shall be as follows:
1. For parcels with a Research Development Industrial (RDI) land use designation, as listed in Section 14.26.030.
 2. For parcels with a General Commercial (GC) land use designation, as listed in Section 14.20.030.

14.19.050 – Uses permitted subject to development plan approval.

Mixed-use commercial and multifamily residential developments that do not meet the affordability requirements of Section 14.19.040(A)(1) and multifamily residential-only developments that do not meet the affordability requirement to Section 14.19.040(A)(2) shall require approval of a development plan in accordance with Section 14.19.030(C). Uses subject to development plan approval shall comply with the provisions of Sections 14.19.070 through 14.19.100 and all applicable provisions of the Title 14 of the City’s Code.

14.19.060 – Uses permitted subject to conditional use permit.

- A. Permitted uses subject to a conditional use permit in the RMU district shall be as follows:
1. As provided in Chapter 14.62;
 2. For parcels with a Research Development Industrial (RDI) land use designation, as listed in Section 14.26.040; or
 3. For parcels with a General Commercial (GC) land use designation, as listed in Section 14.20.040.
- B. Such conditional uses shall not prevent the development from meeting the standards in Sections 14.19.070 through 14.19.100, inclusive.

- C. Projects proposing such conditional uses shall also incorporate multifamily residential use. In addition to the findings in Section 14.62.040(8), the following finding must also be made:
1. The proposed use will not be detrimental to the health, safety, and general welfare of the residential use also proposed by the project.

14.19.070 – Objective design standards.

Projects shall be designed pursuant to the design standards in Chapter 14.51.

14.19.080 – Density.

The number of dwelling units per gross acre shall be a minimum of 20 and maximum of 25, unless otherwise allowed by applicable State housing law or Title 14 of the City's Code.

14.19.090 – Development standards.

The following development standards shall apply:

- A. Affordability. Projects qualifying for an administrative coastal development permit pursuant to Section 14.19.030 shall record a restrictive covenant that ensures the continued affordability of all acutely low-, extremely low-, very low-, low-, and moderate-income rental units for 55 years and all acutely low-, extremely low-, very low-, low-, and moderate-income for-sale units for 45 years, unless a different affordability term is required by low-income tax credit regulations or other applicable law.
- B. Setbacks. All structures shall be located pursuant to the following setbacks:
 1. No less than five feet from the property line or 25 feet from the street centerline, whichever is greater.
 2. For sites with frontage on Via Real, no less than 15 feet from the property line abutting Via Real, and 5 feet from all other property lines.
- C. Distance between buildings. The distance between two adjacent buildings shall be no less than 10 feet.
- D. Building coverage. Not more than 75 percent of the net area of the property shall be covered with any portion of a building.
- E. Building height. No building or structure shall exceed a height of 35 feet.
- F. Parking. Unless modified by State law, minimum parking requirements shall be as follows:
 1. Visitor, guest, and employee parking: one space per five units.
 2. Parking for units affordable to lower-income households:
 - a. Studio and one-bedroom units: one parking space per unit.
 - b. Two-bedroom or larger units: 1.5 parking spaces per unit.
 - c. Four-bedroom or larger units: 2.5 parking spaces per unit.
 3. Parking for all other units:
 - a. Studio and one-bedroom units: one parking space per unit.
 - b. Two-bedroom units or larger: two parking spaces per unit.

- c. Four-bedroom or larger units: 2.5 parking spaces per unit.
- 4. Parking for commercial uses shall be as provided in Section 14.54.040.
- G. Open space. At least 20 percent of the net area of the property shall be used for common and/or public open space. A maximum of 50 percent of the required open space may be provided on rooftops or decks above ground level.
- H. Fences, walls, and plantings. Fences, walls, and plantings providing a solid screen (i.e., at least 90 percent opacity when viewed from the public right of way) that are located in a front yard setback shall not exceed a height of four feet.
- I. For mixed-use developments, at least 80 percent of the ground floor frontage facing the primary street shall be designated for commercial uses and at least 50 percent of the gross floor area shall be designated for residential use. For the purposes of this section, a leasing or property management office for a residential development on the same site shall be considered a commercial use.

14.19.100 – Development standards— specific sites.

The following development standards shall apply to specified sites, in addition to the development standards in Section 14.19.090:

- A. Sites with frontage on Linden Avenue or Carpinteria Avenue within Community Design Element Subarea 2a shall be limited to mixed-use (commercial and residential) development.
- B. For sites with frontage on Linden Avenue or Carpinteria Avenue, 50 percent of the residential units shall be a mix of studios and one-bedroom units.

14.19.110 – Noticing requirements.

Noticing shall be conducted pursuant to Chapter 14.76, with the exception that no public hearing shall occur or be noticed for projects qualifying as a use by right pursuant to Section 14.19.040.

SECTION 3. Severability.

This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, “provisions”) thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.

The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act (“CEQA”) Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report (“EIR”) for this Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.

This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council's certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara..

PASSED, APPROVED AND ADOPTED this 9th day of December, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held December 9, 2024.

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria

Attachment B.

Ordinance 789, adding Chapter 14.51 of the Carpinteria
Municipal Code to include new Objective Design
Standards.

2023-2031 Housing Element Zoning Amendments, Second Reading
December 9, 2024 City Council Meeting

ORDINANCE NO. 789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, ADDING CHAPTER 14.51 – OBJECTIVE DESIGN STANDARDS, TO TITLE 14 – ZONING OF THE CARPINTERIA MUNICIPAL CODE TO IMPLEMENT PROGRAM 1 OF THE 2023-2031 HOUSING ELEMENT

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria (“City”) is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the City of Carpinteria City Council first adopted the City’s 2023-2031 Housing Element (“Housing Element”) on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development (“HCD”) for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised 2023-2031 Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City completes necessary rezones to address the shortfall of sites to accommodate the City’s Regional Housing Needs Allocation (“RHNA”); and

WHEREAS, projects seeking approval under the allowances of the Housing Accountability Act (Gov. Code §65589.5) and Senate Bill 423 (Gov. Code §65913.4) are required to comply with objective, quantifiable, written development standards, conditions, and policies provided that those objective standards, conditions, and policies do not render the project infeasible; and

WHEREAS, in response to the increased streamlining of planning and design review for housing projects by State law, jurisdictions throughout the State have implemented Objective Design Standards (“ODS”) for projects which are required by State law to undergo ministerial planning review; and

WHEREAS, to ensure that housing projects in the City seeking streamlined or ministerial review pursuant to State law implement quality architectural and site design that remains compatible with the existing scale and character of Carpinteria, the ODS proposed by this Ordinance are included as part of the City’s implementation of Housing Element Program 1; and

WHEREAS, at the October 17, 2024 meeting of the Architectural Review Board, City staff presented the Board with proposed ODS, which would apply to specified residential and mixed-use projects, and invited feedback from the Board and members of the public, and after deliberation the Board recommended that the proposed ODS be brought to the Planning Commission with comments attached; and

WHEREAS, City staff have prepared an Addendum to the 2003 General Plan/Coastal Land Use Plan (“GP/CLUP”) Program Environmental Impact Report (“PEIR”) for this zoning amendment (“Addendum”), as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act (“CEQA”) Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 789, 790 and 791), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 12, 2024, the California Coastal Commission Executive Director issued a Memorandum on Streamlined Ministerial Approval Process in the Coastal Zone (Government Code Section 65913.4) (“SB 423 Memo”), which, among other things, recommends that local agencies develop objective design standards for projects proposed under Senate Bill 423 (Gov. Code, § 65913.4), and this Ordinance proposes objective design standards consistent with said SB 423 Memo; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum, was introduced on a first reading, and the Council moved to approve this Ordinance on a 4-0-0-1 (Clark absent) vote; and

WHEREAS, this proposed amendment to Title 14 – Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State Planning and Zoning Law (Gov. Code, § 65000 et seq.), including, but not limited to, State Housing Element Law; and

WHEREAS, the City Council finds that the ODS, in combination with the proposed RMU Residential/Mixed Use zone district and sites selected for rezoning to the RMU zone district, satisfy the requirements of State Housing Element Law and Housing Element Program 1, and incentivize the development of deed-restricted affordable housing in Carpinteria.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Addition of Chapter 14.51 to Title 14.

Chapter 14.51 – Objective Design Standards, is added to Title 14 – Zoning of the Carpinteria Municipal Code and shall read as follows:

CHAPTER 14.51 – OBJECTIVE DESIGN STANDARDS.

14.51.010 – Purpose and Intent.

The purpose of this chapter is to provide objective design standards for certain mixed-use and multifamily residential developments in the City of Carpinteria in order to provide ministerial and/or streamlined review of such projects. The intent of this Chapter is to maintain the City’s unique small-town character and vibrant neighborhoods while encouraging and incentivizing residential and mixed-use developments that:

- A. Provide housing opportunities for residents of all income levels, including family and workforce housing;
- B. Revitalize neighborhoods and provide opportunities for infill development;
- C. Cultivate pedestrian and alternative transportation-friendly spaces; and
- D. Are sensitive to and compatible with existing development with respect to massing, setbacks, and rooflines.

14.51.020 – Applicability.

- A. The provisions of this Chapter shall apply to:
 - 1. Any residential or mixed-use development in the Residential/Mixed Use (RMU) 20/25 Zone District;
 - 2. Any residential development subject to a streamlined, ministerial approval process pursuant to California Government Code Sections 65913.4, 65852.24, and 65912.100-140; and
 - 3. Any development that constitutes a “housing development project” under California Government Code Section 65589.5 (Housing Accountability Act) that is inconsistent with the City’s general plan land use designation and

- zoning ordinance, or meets the criteria in Government Code Section 65589.5, subdivision (h)(11).
- B. In the case of conflict between this Chapter and other regulations of Title 14 – Zoning, the objective standards established by this Chapter shall prevail.

14.51.030 – Processing.

- A. Permit processing shall be as provided for in the underlying base zone district.
- B. Any project that seeks an exception, waiver, or modification to the provisions of this Chapter, excluding waivers or modifications granted pursuant to State Density Bonus Law (Gov. Code, § 65915 et seq.) as implemented by chapter 14.77, shall require the filing and approval of a Development Plan Modification as provided for in Section 14.50.120 of this title.

14.51.040 – Building form, massing, and articulation.

- A. *Building Form and Vertical Hierarchy.* Buildings that are higher than two stories shall be designed to differentiate between a defined base (first floor); a middle or body (e.g., second or third floor); and a top, cornice, or parapet cap (architectural features). Two-story buildings shall include a defined base and a top, cornice, or parapet cap. All buildings shall achieve this effect through at least two of the following:
1. Color, texture, or material changes;
 2. Variations, projections, or reveals in the wall plane;
 3. Variations in fenestration design or pattern; or
 4. Decorative architectural features, such as cornices and columns.
- B. *Story height.* The ground story shall have a maximum story height of ten (10) feet for residential use and 12 feet for commercial use. The height of upper stories shall not exceed nine feet.
- C. *Wall plane variation.* Building facades visible from the primary right-of-way shall not extend more than 30 feet in length without either a two-foot variation in depth in the wall plane or one of the following projected or recessed architectural elements: porches, stoops, porticos, balconies, bay windows, overhangs, terraces, and/or trellises.
- D. *Street Façade.* If buildings on adjacent properties establish a contiguous street façade along the primary right-of-way frontage, such as the 900 block of Linden Avenue, new buildings shall be located to maintain the contiguous street-facing wall, with allowances for variation in façade and entrances which are projected or recessed.
- E. *Corner lots.* Buildings located on corner lots shall include one or more of the following features on both street-facing facades, located within 25 feet of the corner of the building closest to the intersection:
1. An entrance to a ground-floor use or a primary building entrance;
 2. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade; or

3. A change in height of at least 18 inches from the height of the abutting façade.
- F. *Roofline variation.* Rooflines shall provide one of the following prominent changes a minimum length of every 30 feet:
1. Variation in roof form, such as hip, mansard, gable, shed, or flat with parapet;
 2. Variation in architectural elements, such as parapets and cornices; or
 3. Variation of roof height of 18 inches minimum (as measured from the highest point of each roof line).
- G. *Upper floor massing.* Upper floors shall be reduced in bulk and massing: upper floors shall each have up to a total maximum floor area of 80 percent of the total net floor area of the ground floor. For lots with 5,000 square feet or less, upper floors shall have a total maximum floor area of up to 70 percent of the total net floor area of the ground floor.
- H. *Contextual Upper Story Stepback.*
1. Where a building's façade is within 20 feet of a street side property line, at least 30 percent of the façade of the upper floor(s) shall be stepped back from the ground floor façade at least 2 feet.
 2. Where a building on an abutting lot across a side lot line is single-story, any proposed building located within 15 feet of the side lot line shall step back at least 30 percent of the upper floor(s)' façade from the ground floor façade at least 2 feet.
- I. *Common open space.* Common open spaces for multifamily residential developments shall comply with the minimums required by the base Zone District in which they are located.
1. *Rooftop open space.* Open spaces located on a building rooftop shall be a minimum of 15 feet away from any property line abutting a residential use.
- J. *All-sided architecture.* Fenestration, materials, and common details shall be carried over on all sides of the building visible from public rights-of-way.
- K. *Limits on garages.* To minimize the dominance of garage doors along street frontages, a garage facing and visible from a public street shall not occupy more than 50 percent of the width of a building façade facing that street, except that it may be 12 feet wide in any circumstance. Mixed-use developments shall not have any street-facing garage doors along the primary right-of-way. Garage doors shall be recessed a minimum of four inches from the surrounding wall plane.
1. Where the width of a garage exceeds 30% of the linear front or side elevations, the garage shall be recessed a minimum of 3 feet from the front wall of the building, or provide a trellis extending in front of the face of the garage.
 2. Garage doors shall feature at least one of the following treatments:
 - a. Garage door windows;
 - b. Paneled garage door surface;
 - c. Two different colors; or
 - d. Accent material.

14.51.050 – Site design.

- A. *Siting of commercial uses.* Commercial components of a mixed-use development shall always be located closest to the primary right-of-way. Where a combination of commercial and residential uses is provided within the same building, commercial uses shall be located on the ground floor and closest to the primary right-of-way.
- B. *Front-facing open space.* For developments fronting Linden Avenue or Carpinteria Avenue, any ground-floor courtyard, open space, or building setback from the street-facing property line shall be used for landscaping, outdoor dining/seating, public plazas, and/or building entries.
- C. *Vehicular circulation and access.*
 - 1. Vehicular site access to parking areas shall be provided via side streets or alleys, when present.
 - 2. A maximum of one vehicle access point from the street is permitted per 100 feet of street frontage. For corner lots, one vehicular access point is permitted per lot where all street frontages are less than 100 linear feet, and two vehicular access points are permitted on lots where at least one street has a frontage of 100 linear feet or more.
 - 3. For developments fronting Linden Avenue or Carpinteria Avenue, parking areas shall not be located within any front or street side setback, or between any building and the primary right-of-way.
- D. *Loading and service areas.* New commercial uses requiring the receipt or distribution of material or merchandise by vehicles or trucks shall provide one (1) off-street loading space for 5,000 to 20,000 square feet of commercial area, and two (2) off-street loading spaces for commercial area greater than 20,000 square feet. Additional loading spaces shall be provided pursuant to Section 14.54.090.
 - 1. Required loading and service areas shall not be located between a building and the primary right-of-way.
 - 2. Loading and service areas shall not be located in drive aisles so as to not disrupt or block the flow of on-site and off-site vehicular traffic. Striping and signage shall be as provided in Chapter 10.04.
 - 3. Loading and service areas shall be located in parking areas and alleys, when present.
 - 4. Loading and service areas shall be screened from view from public rights-of-way with walls, solid fencing, and/or landscape privacy screening pursuant to Section 14.51.110.
- E. *Pedestrian circulation and access.* Pedestrian walkways shall be a minimum width of four feet and shall be designed as follows:
 - 1. Pedestrian walkways shall connect public sidewalk right-of-way to areas throughout the site, such as building entrances, unit entrances, vehicle parking areas, bicycle parking areas, common open space areas, waste and recycling enclosures, and any transit stops directly adjacent to the site. Such walkways shall also connect buildings and amenities within the development to one another.

2. Where through lots are located more 300 feet from a street intersection, as measured from the closest point of the lot, pedestrian walkways shall be designed to provide public access connecting the two streets.
 3. Pedestrian walkways shall be constructed of firm, stable and slip-resistant materials, such as concrete, permeable paving, decomposed granite, stone, or brick.
- F. *Private open space screening.* When a private open space (e.g. patio or balcony) is located within 20 feet of another residence or another private open space, the private open space shall be enclosed with a wall or fence that is a minimum of four feet in height.
- G. *Usable open spaces.* Required common or public open spaces shall be a minimum of ten feet by ten feet. At least one of the common or public open spaces shall incorporate at least one of the following elements:
1. Picnic tables;
 2. Permanently installed benches or seating;
 3. Sport court or field, playground, or other children's play area;
 4. Community garden;
 5. Swimming pool; or
 6. Pet park with a minimum of one trash receptacle.
- H. *Paving.* For lots not fronting Linden Avenue or Carpinteria Avenue, the maximum amount of impervious surface area in the front setback is 30 percent.

14.51.060 – Utilitarian elements.

- A. *Bicycle parking.* All developments shall provide bicycle parking spaces. Short-term bicycle parking is intended to serve shoppers, customers, couriers, guests, and other visitors to a site who generally stay for less than 2 hours. Long-term bicycle parking is intended to serve residents and commuters who generally stay at a site for long periods of time (e.g., overnight or for a work shift).
1. *Required number of spaces.*
 - a. Short-term bicycle parking. One space per five residential units, plus one space per 250 square feet of commercial space; or four spaces, whichever is greater.
 - b. Long-term bicycle parking. One space per two residential units, plus one space per 1,000 square feet of commercial space.
 2. *Location and required elements.*
 - a. Multifamily residential uses – Long-term bicycle parking. Long-term bicycle parking shall be located in an enclosed bicycle locker, a covered storage area or room, or a rack or stand in a room with key access limited to residents.
 - b. Commercial uses – Long-term bicycle parking. Long-term bicycle parking shall be provided by a rack or stand within 100 feet of an entrance to the building it serves, or in an enclosed bicycle locker, covered storage area, or room.

- c. Short-term bicycle parking. Short-term bicycle parking shall be located outside of pedestrian walkways, and within 100 feet of an entrance to the building it serves.
 3. *Size and accessibility*. Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving other bicycles. Two feet of clearance shall be provided between a bicycle parking space and walls, poles, landscaping, street furniture, pedestrian walkways, and parking areas.
- B. *Pedestrian-oriented commercial setback areas*. Front setback areas between a commercial use and the primary right-of-way shall be landscaped and shall contain at least one amenity per 50 linear feet, such as benches or other seating, drinking fountains, shade structures, or other design element (e.g., public art, planters, kiosks, etc.).
- C. *Lighting*. Outdoor light fixtures, including pole lights, wall-mounted lights, and bollards, shall be fully shielded and downward-facing in order to minimize glare and light trespass within and beyond the project site.
 1. *Light intensity*. The maximum light intensity shall not exceed a maintained value of ten foot-candles, when measured at finished grade.
 2. *Light temperature*. Lights shall be light-emitting diode (LED) lights with a color temperature no higher than 3000 Kelvins.
- D. *Vents and Exhaust*. All wall-mounted vent and exhaust elements shall be located at interior corners of building walls or behind building elements that conceal them from view from any public right-of-way.
- E. *Screening of mechanical equipment*. The following screening standards apply to specified types of mechanical equipment:
 1. *Ground-mounted equipment*. Ground-mounted equipment that faces a public viewing area must be screened to a height of 6 inches above the equipment, unless such screening conflicts with utility access. Acceptable screening devices consist of walls, fences, or berms. Screening materials for walls or fences shall be selected from an exterior finish, siding, fencing, or wall material utilized elsewhere on the primary building of the development it serves.
 2. *Wall-mounted equipment*. Wall-mounted equipment (e.g., electrical meters, cable connection boxes, electrical distribution cabinets, etc.) shall provide screening that incorporates the exterior wall or accent colors of the building, unless such screening conflicts with accessibility and visibility requirements for health and safety. For screen walls that are three feet in height or lower, vegetative materials may be substituted for the screening device.
 3. *Rooftop equipment*. Where rooftop equipment is located within 10 feet of a roof edge, a parapet shall be provided that is a minimum of six inches taller than all roof-top equipment. Rooftop equipment located within or adjacent to rooftop open space shall be screened to a height of 6 inches above the equipment in the manner provided by subsection (1) above.
- F. *Trash, recycling, and other waste containers*. Enclosures for recycling, green waste, and any other waste containers required by law shall be located within a

building, incorporated into the exterior building design, or located within a detached enclosure designed and placed as follows:

1. The enclosure shall be located to the rear or side of the building(s) and located outside of view from a public right-of-way, and
2. The enclosure shall incorporate the materials and colors of the primary building design.

14.51.070 – Building and dwelling unit entrances.

- A. *Separate entrances.* Building entrances and lobbies for residential units shall be separate from non-residential entrances.
- B. *Street-facing commercial entrances.* Commercial components of mixed-use development along the primary right-of-way shall have main entrances facing the primary right-of-way and directly accessible from the sidewalk by a pedestrian walkway. Such entrances shall provide weather protection that is a minimum of six feet wide and four feet deep by recessing the entrance or providing an awning or similar weather protection element.
- C. *Downtown street-facing entrance.* Buildings fronting Linden Avenue or Carpinteria Avenue shall provide an entrance directly from the public sidewalk or right-of-way a minimum of every 40 feet. Each shall have one or more of the following:
 1. Entrance flanked by columns, decorative fixtures, or other similar elements;
 2. Entrance recessed within a large arch or cased decorative opening;
 3. Entrance covered by a large portico projecting at least 6 feet from the surrounding wall plane; or
 4. Entrance covered by an awning.
- D. *Downtown enhanced paving.* Building entrances fronting Linden Avenue or Carpinteria Avenue shall provide paving treatment using patterned and/or colored pavers, brick, or decorative colored and/or scored concrete that contrasts in color and texture from the adjacent walkway or right-of-way paving.
- E. *Exterior entrances to residential units.*
 1. All individual exterior unit entrances shall have either a projected sheltering element or be recessed from the main facade; the projection or recess shall have a minimum depth of 24 inches.
 2. Entrance types such as a stoop, porch, patio, or courtyard may serve more than one residential unit.
 3. Individual exterior unit entrances shall be illuminated, or face toward a common area or public street.
 4. Each residential unit located within 20 feet of a primary right-of-way with an exterior entrance shall include at least one street-facing porch, balcony, or patio unless a setback of five feet or less is provided.
 5. The entrance to residential units located on the ground floor may be raised up to a maximum finished floor height of 42 inches above the abutting sidewalk height, unless otherwise required for safety or sea level rise reasons.

14.51.080 – Windows.

- A. *General Treatment.* Windows shall provide one of the following:
 - 1. Window trim or windowsill a minimum of one-half inch in depth; or
 - 2. Window recess a minimum of three inches in depth from the surrounding wall plane.
- B. *Windows Facing a Public Street.* Windows facing a public street shall feature one or more enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
- C. *Privacy.* Where buildings are located within 15 feet of one another, residential window design on the building facades adjacent to one another shall avoid unfiltered/direct views into building interiors and shall be designed with one or more of the following:
 - 1. Offset windows horizontally at least 12 inches from any windows in adjacent buildings (edge to edge), so as not to have a direct line-of-sight into adjacent units;
 - 2. Non-transparent or obscured glazing, such as frosted/patterned glass, glass block, or non-operable opaque windows. One-way mirror glass or film is not permitted;
 - 3. Permanent architectural screens or affixed louvers at windows; or
 - 4. Clerestory windows a minimum height of 5 feet from the ground.

14.51.090 – Materials and colors.

- A. *Wall material.* The primary exterior wall siding material shall be selected from stucco, plaster, wood, composite wood, stone, stone veneer, brick, brick veneer, or vinyl. The use of exposed plywood or glass curtain walls is prohibited.
- B. *Material transition.* Changes in materials or colors shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as a column or pier.
- C. *Window Consistency.* Window frame materials and color shall be used on all elevations.
- D. *Fences, walls, and hedges.* Fences and walls shall be constructed from materials such as wood, vinyl, wrought iron, brick, and stone. Chain link and barbed wire fencing is prohibited. Both sides of all fences and walls shall feature the same color and treatment.
- E. *Vents and exhaust.* All flashing, sheet metal vents, exhaust fans or ventilators, and pipe stacks shall be painted a color to match the adjacent roof or wall material.

14.51.100 – General building design and architecture.

- A. *Architectural Consistency.* Affordable units and market rate units in the same development shall be constructed of the same exterior materials and details such that the units are not distinguishable from one another in quality and detail.
- B. *Roofs.*

1. Parapets shall be capped with precast treatment, continuous banding, projecting cornices, dentils, or similar edge treatment. The interior side of parapet walls shall not be visible from a common open space or public right-of-way.
 2. Roofs with overhanging eaves shall have an underside of stained wood, painted wood, or stucco. Exposed plastic is prohibited.
 3. Corbels and brackets shall be constructed of stone, wood, or stucco. Exposed plastic is prohibited.
- C. *Downtown ground floor transparency.* New mixed-use commercial building facades facing Linden Avenue or Carpinteria Avenue shall include windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Windows and doors associated with a commercial use shall not use an opaque, frosted, or glazed material.
1. The bottom of any product display window shall not be more than three and a half feet from the elevation of the sidewalk.
 2. Transparent or translucent glazing is required on the ground floor facade. Opaque, dark tinted glass, and mirror treatments that obstruct interior views at the street level are not permitted.
- D. *Decorative window treatments.* Windows facing Linden Avenue or Carpinteria Avenue shall feature one or more of the following enhanced or decorative window treatments:
1. Decorative architectural brackets, trim, exterior shutters, or awnings;
 2. Planter boxes or hanging planters;
 3. Balconies;
 4. Decorative accent material (such as wood or tile) as wainscot; or
 5. Bay windows.
- E. *Decks and balconies.* Decks and balconies shall be constructed such that at least 75 percent of the area between the finished floor and the railing is an opaque material. All decks and balconies on a building shall use consistent colors, materials, and form.
- F. *Vehicle Light Intrusion.* Vehicle headlights shall be obstructed from direct alignment with habitable interior first-story spaces with a minimum three-foot-high fence, wall, or other solid architectural feature.
- G. *Carports.* Carports shall incorporate the same colors and materials as the primary residential or mixed-use building design. Solar panels shall be permitted on carports in accordance with building code.
- H. *Tandem parking.* Garages may be designed to accommodate tandem parking.

14.51.110 – Landscaping.

Landscaping shall be designed for all outdoor areas that are not specifically designated for buildings, walkways, driveways and parking, or open space. For further requirements, see the provisions of the base zoning district.

- A. *Groundcover.* Groundcover shall be sized and located to cover at least 75 percent of all landscape areas that are not planted with shrubs or trees at the time building occupancy is granted.

1. While groundcovers and shrubs are establishing, a minimum layer of 3-inch bark mulch or decorative gravel shall be placed within all landscape areas to provide 100 percent coverage of such landscape areas.
- B. *Plant selection.* Landscaping shall utilize non-invasive Mediterranean, local California native, and other WELO-compliant drought-tolerant species. Landscaping shall comply with the provisions of Chapter 15.90 – Water Efficient Landscaping, as applicable. Artificial or synthetic plants are prohibited.
- C. *Number of Plants.* A minimum of one 15-gallon tree or equivalent box size and 20 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
- D. *Landscape privacy buffer.* A landscape buffer of a minimum width of five feet shall be located between all ground-level private open spaces, and pedestrian walkways or common/public open spaces. Plants shall be selected to enhance security (e.g. thorny plants) and shall be demonstrated to grow to a minimum height of four feet.
 1. *Exception.* Plantings providing a solid screen that are located in a front yard setback or facing the primary right-of-way shall not exceed a height of four feet.
- E. *Pedestrian walkways.* Pedestrian walkways shall be flanked on at least one side with landscaping, and include a mix of groundcover, shrubs, and trees. Trees shall be selected and spaced to shade at least 25 percent of the overall walkway length at full maturity.
- F. *Solar Access.* Landscaping shall not obstruct solar access to adjacent solar collectors for water heating, space heating or cooling, or electricity generation.

14.51.120 – Community Development Director substantial conformance determination.

The Community Development Director may make a determination that a substitution for, or minor deviation from, an objective standard specified in this section substantially supports the intent of the standard. Only the standards in the following sections are subject to a substantial conformance deviation:

- A. Section 14.51.040 – subsections A, C, E, F, and K;
- B. Section 14.51.050 – subsections B and G;
- C. Section 14.51.060 – subsection E;
- D. Section 14.51.070 – subsection C;
- E. Section 14.51.080 – subsections B and C; and
- F. Section 14.51.100 – subsection D.

SECTION 3. Severability.

This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, “provisions”) thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted

this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.

The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act (“CEQA”) Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report (“EIR”) for this Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.

This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council’s certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this 9th day of December, 2024 by the following vote:

- AYES: COUNCILMEMBER(S):
- NOES: COUNCILMEMBER(S):
- ABSENT: COUNCILMEMBER(S):
- ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held December 9, 2024.

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria

Attachment C.

Ordinance 790, amending the City's official Zoning Maps to rezone select parcels to the new Mixed Use Zoning District.

2023-2031 Housing Element Zoning Amendments, Second Reading
December 9, 2024 City Council Meeting

ORDINANCE NO. 790

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA,
CALIFORNIA, AMENDING THE CITY ZONING MAP TO REZONE CERTAIN
PROPERTIES IN THE CITY TO IMPLEMENT PROGRAM ONE OF THE 2023-2031
HOUSING ELEMENT**

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria (“City”) is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City’s 2023-2031 Housing Element (“Housing Element”) on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development (“HCD”) for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City completes necessary rezones to address the shortfall of sites to accommodate the City’s Regional Housing Needs Allocation (“RHNA”); and

WHEREAS, recent California case law has determined that a city may not rely on a residential zoning overlay to satisfy the requirements of Housing Element law (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193), and therefore City staff determined that rezoning sites to a newly created zone district would be necessary to

accommodate the RHNA allocation and fulfill the City's obligations under Program 1 of the Housing Element; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element Law (Gov. Code § 65583.2) and Program 1, and proposing a phased approach to rezoning sites that would not require a General Plan/Coastal Land Use Plan ("GP/CLUP") amendment or Environmental Impact Report for the City to rezone sufficient sites to accommodate its RHNA and to attain Housing Element certification from HCD; and

WHEREAS, City staff have prepared an Addendum to the 2003 GP/CLUP Program Environmental Impact Report ("PEIR") for this zoning amendment ("Addendum"), as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 788, 789 and 791), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, including the addition and removal of specified sites from the recommended rezone site list, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum, was introduced on a first reading, and the Council moved to remove Site 5 (APN 001-190-097) from the Ordinance and approve this Ordinance as amended on a 4-0-0-1 (Clark absent) vote; and

WHEREAS, this proposed amendment to Title 14 - Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State Planning and Zoning Law (Gov. Code, § 65000 et seq.), including, but not limited to, State Housing Element Law; and

WHEREAS, the City Council finds that the sites selected for rezoning to the RMU zone district, in combination with the proposed Objective Design Standards and RMU zone district, satisfy the requirements of State Housing Element Law and Housing Element Program 1, and aim to incentivize the development of deed-restricted affordable housing in Carpinteria.

WHEREAS, the sites to be rezoned by this Ordinance were selected because they are already developed, contain minimal environmental constraints for redevelopment, and/or are in close proximity to transit, employment, schools, retail, and recreational opportunities; and

WHEREAS, the sites to be rezoned by this Ordinance are intended to accommodate the City’s RHNA and bring the City into substantial compliance with State Housing Element Law.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Amendment to Zoning Map.

The City of Carpinteria Zoning Map is hereby amended as follows, and as shown in the attached Exhibit 1 (to be provided upon 2nd reading):

Candidate Site#	Assessor’s Parcel No.	Existing Zone Designation	New Zone Designation
7	001-190-023 001-190-091 001-190-093 001-190-092	Industrial/Research Park (M-RP)	Residential/Mixed Use (RMU) 20/25
10	001-070-058	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
11	003-280-005 003-280-017	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
12	003-162-009 003-162-011 003-162-012	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
13	003-870-006 003-870-007 003-870-005 003-870-009 003-870-010 003-870-003 003-870-002 003-870-001 003-870-004	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
14	003-860-001 003-860-005 003-860-003 003-860-004 003-860-002 003-860-006 004-041-011 004-041-012 004-041-015 003-860-007 003-860-008	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25

SECTION 3. Severability.

This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, “provisions”) thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.

The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act (“CEQA”) Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report (“EIR”) for the Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.

This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council’s certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this 9th day of December, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

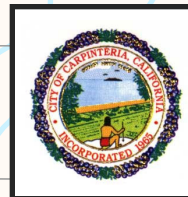
I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held December 9, 2024.

Brian C. Barrett, CMC, City Clerk
City of Carpinteria


APPROVED AS TO FORM:




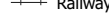




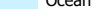
Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria

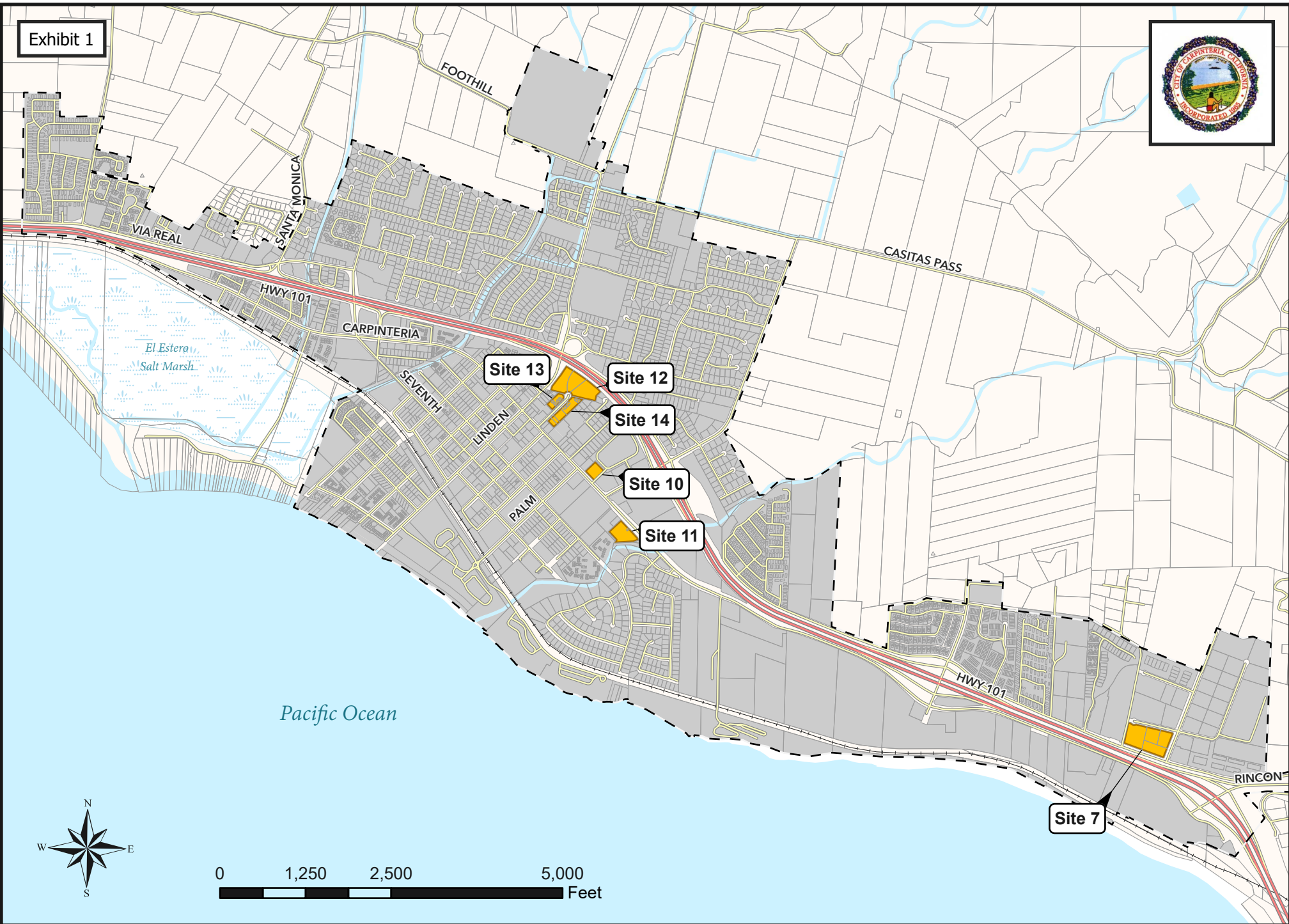
Exhibit 1



City of Carpinteria Proposed Rezoning

 RMU-20/25 Residential/Mixed Use

-  Existing Zoning
-  Freeway
-  Roads
-  Railways
-  Creeks/Rivers
-  Parcels
-  City Limits
-  Lakes/Marsh
-  Ocean



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Attachment D.

Ordinance 791, amending the City's official Zoning Maps to rezone select parcels to the new Mixed Use Zoning District.

2023-2031 Housing Element Zoning Amendments, Second Reading
December 9, 2024 City Council Meeting

ORDINANCE NO. 791

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA,
CALIFORNIA, AMENDING THE CITY ZONING MAP TO REZONE CERTAIN
PROPERTIES IN THE CITY TO IMPLEMENT PROGRAM ONE OF THE 2023-2031
HOUSING ELEMENT**

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria (“City”) is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City’s 2023-2031 Housing Element (“Housing Element”) on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development (“HCD”) for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City completes necessary rezones to address the shortfall of sites to accommodate the City’s Regional Housing Needs Allocation (“RHNA”); and

WHEREAS, recent California case law has determined that a city may not rely on a residential zoning overlay to satisfy the requirements of Housing Element law (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193), and therefore City staff determined that rezoning sites to a newly created zone district would be necessary to

accommodate the RHNA allocation and fulfill the City's obligations under Program 1 of the Housing Element; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element law (Gov. Code § 65583.2) and Program 1, and proposing a phased approach to rezoning sites that would not require a General Plan/Coastal Land Use Plan ("GP/CLUP") amendment or Environmental Impact Report for the City to rezone sufficient sites to accommodate its RHNA and to attain Housing Element certification from HCD; and

WHEREAS, City staff have prepared an Addendum to the 2003 GP/CLUP Program Environmental Impact Report ("PEIR") for this zoning amendment, as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 788, 789 and 790), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, including the addition and removal of specified sites from the recommended rezone site list, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum to the 2003 GP/CLUP PEIR, was introduced on a first reading, and the Council moved to approve this Ordinance on a 3-0-1-1 (Solorzano recused, Clark absent) vote; and

WHEREAS, this proposed amendment to Title 14 - Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State planning and housing laws including, but not limited to, the provisions of Housing Element Law; and

WHEREAS, the City Council finds that the sites selected for rezoning to the RMU zone district, in combination with the proposed Objective Design Standards and RMU zone district, satisfy the requirements of State Housing Element Law and Housing Element Program 1, and aim to incentivize the development of deed-restricted affordable housing in Carpinteria.

WHEREAS, the sites to be rezoned by this Ordinance were selected because they are already developed, contain minimal environmental constraints for redevelopment, and/or are in close proximity to transit, employment, schools, retail, and recreational opportunities; and

WHEREAS, the sites to be rezoned by this Ordinance are intended to accommodate the City’s RHNA and bring the City into substantial compliance with State Housing Element Law.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Amendment to Zoning Map.

The City of Carpinteria Zoning Map is hereby amended as follows, and as shown in the attached Exhibit 1 (to be provided upon 2nd reading):

Candidate Site#	Assessor’s Parcel No.	Existing Zone Designation	New Zone Designation
15	004-039-002 004-039-010 004-039-009	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
18	003-151-018 004-039-007	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25

SECTION 3. Severability.

This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, “provisions”) thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.

The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act (“CEQA”) Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report (“EIR”) for the Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.

This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council’s certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section

13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this 9th day of December, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held December 9, 2024.

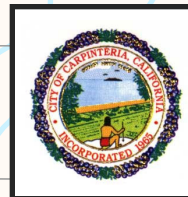
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:


Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria




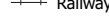




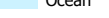
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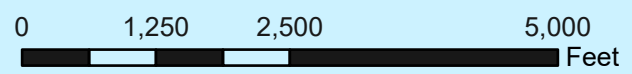
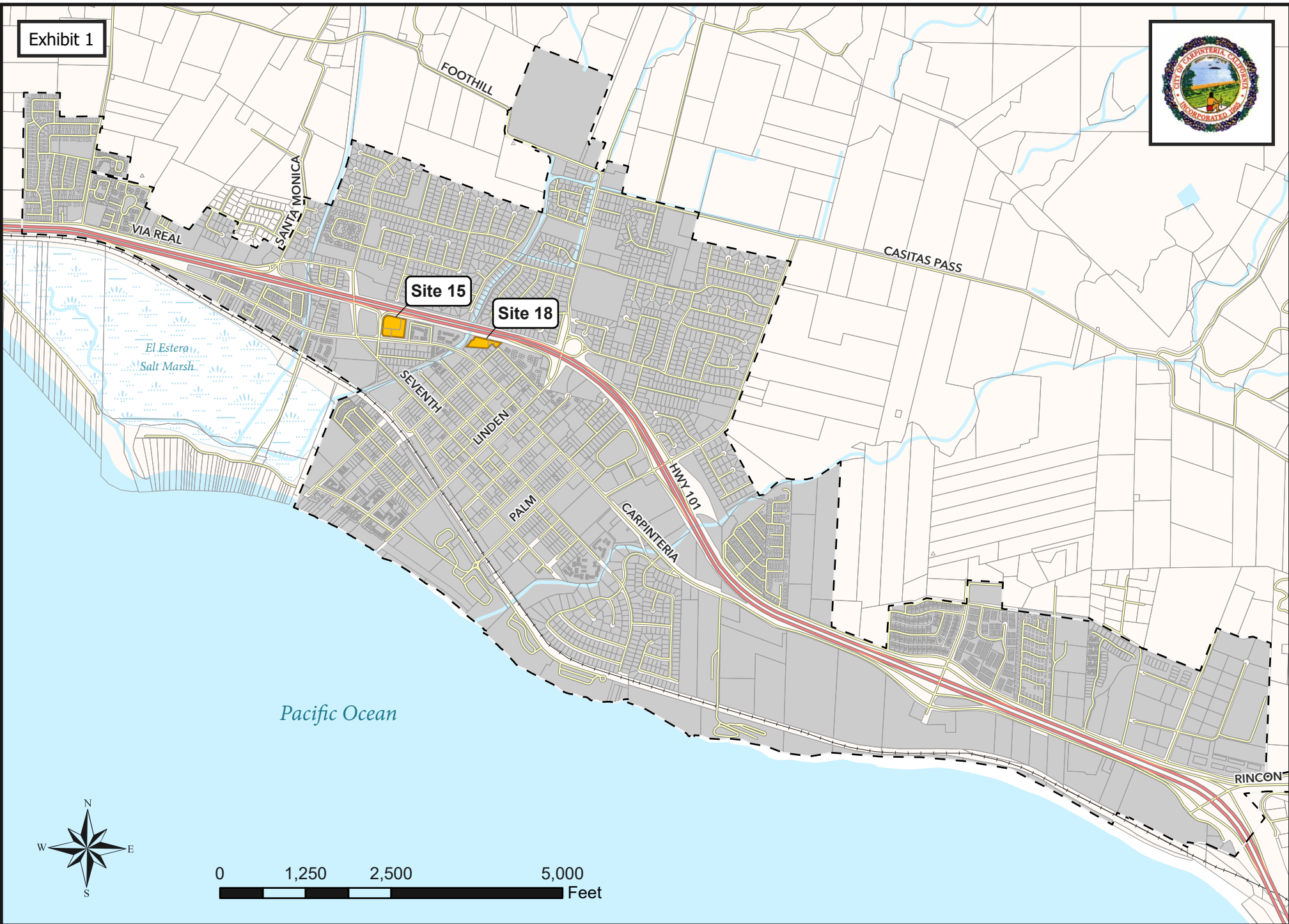
Exhibit 1



City of Carpinteria Proposed Rezoning

 RMU-20/25 Residential/Mixed Use

-  Existing Zoning
-  Freeway
-  Roads
-  Railways
-  Creeks/Rivers
-  Parcels
-  City Limits
-  Lakes/Marsh
-  Ocean



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Attachment E.

2003 GP/CLUP EIR and Draft CEQA Addendum thereto

2023-2031 Housing Element Zoning Amendments, Second Reading
December 9, 2024 City Council Meeting

The Previously Certified Program Environmental Impact Report (PEIR) for the City of Carpinteria's 2003 General Plan/Coastal Land Use Plan (GP/CLUP) was combined with the City's GP/CLUP.

Analysis pursuant to the California Environmental Quality Act (CEQA) occurs throughout the document with a full summary in Appendix A.

The full document is available at this link:

https://carpinteriaca.gov/wp-content/uploads/2023/09/cd_General-Plan.pdf

CEQA ADDENDUM

City of Carpinteria 2023-2031 Housing Element Update Rezone Amendments Project 24-2279-ORD/LCPA Environmental Impact Report SCH 1997121111

November 25, 2024

I. Summary of this Addendum

This addendum to the Program Environmental Impact Report (“PEIR”)¹ for the City of Carpinteria’s (“City”) General Plan/Coastal Land Use Plan (“GP/CLUP”) (“Addendum”) assesses the potential environmental impact(s) associated with implementation of Program 1 of the City of Carpinteria 2023-2031 Housing Element, as required by the California Environmental Quality Act (“CEQA”) (California Public Resources Code 21000 et seq.) and in compliance with the State CEQA Guidelines (14 California Code of Regulations 15000 et seq.).

The City, as the lead agency under CEQA, must consider the potential environmental impacts of the proposed Project, which includes:

- Adding a new Residential/Mixed Use (“RMU”) Zoning District to the Carpinteria Municipal Code;
- Adding new Objective Design Standards to the Carpinteria Municipal Code; and
- Amending the City’s Zoning Map to rezone certain parcels of land to RMU.

The goal of the proposed Project is to accommodate and encourage residential development in accordance with Program 1 of the City’s adopted 2023-2031 Housing Element. This Addendum is being prepared pursuant to Sections 15162-15164 of the CEQA Guidelines, and is an informational document intended to be used in the planning and decision-making process.

The fundamental conclusion of this Addendum is that the proposed Project would not result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the PEIR for the City’s GP/CLUP, which was certified in 2003 with State Clearing House (“SCH”) number 1997121111. Additionally, the Project would not involve any substantial changes to the components of, or circumstances surrounding, the City’s GP/CLUP that would require major revisions to the PEIR. Thus, a subsequent or supplemental EIR need not be prepared in accordance with California Public Resources Code Section 21166.

¹ The previously certified PEIR was combined with the City’s GP/CLUP, available at this link: https://carpinteriaca.gov/wp-content/uploads/2023/09/cd_General-Plan.pdf

Housing Element Program 1

On January 22, 2024, the City of Carpinteria City Council (“City Council”) adopted the current Housing Element², which outlines how the City’s Regional Housing Needs Allocation (“RHNA”) can be achieved during the 2023-2031 cycle through a variety of methods and programs. While the Housing Element is adopted and in effect, it cannot be officially certified by the California Department of Housing and Community Development (“HCD”) until the City implements Program 1 – Adequate Sites to Accommodate Regional Housing Needs.

A description of Program 1 (Adequate Sites to Accommodate Regional Housing Needs) is provided beginning on page 6 of the City’s adopted Housing Element, with additional detailed information about the City’s residential land inventory described in Appendix B of the Element. These documents explain the breakdown by income of the required 901 RHNA units, including 418 units for lower-income households, 35 units for moderate-income households, and 348 units for above-moderate-income households. Using the land inventory analysis in Appendix B, the City can currently accommodate 126 lower-income units and all of the moderate, and above-moderate units based on pending projects, underutilized sites (i.e., existing zoning), and anticipated accessory dwelling units.

Since the City can currently only accommodate 126 out of the 418 required lower-income housing units, there is a resulting RHNA shortfall of 292 potential lower-income units. Therefore, the City is required to implement Program 1 which involves rezoning sufficient land to accommodate 292 lower-income units plus a reasonable buffer³.

As described in Program 1, City staff initially envisioned using a Residential Overlay District for the proposed rezones such that the underlying zone of the land (e.g., commercial, industrial, etc.) would remain but would have an overlay applied to allow for the option of high-density residential development. However, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city’s reliance on a zoning overlay that allowed for both a higher density and a lower density residential development option did not satisfy Housing Element Law. Accordingly, the implementation of Program 1 now instead requires a zoning change on sufficient sites to cover the RHNA shortfall.

Additional aspects of Housing Element Program 1 that must be factored into the zoning amendments include:

- **Density Minimums**: Government Code Section 65583.2(c)(3) and Program 1 require that the City apply a minimum residential density of at least 20 units per acre to all rezone sites that are used to accommodate the City’s RHNA for the

² Available here: <https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/>.

³ HCD expects at least a buffer of 15 percent for a total of 336 units. At a proposed density of 20 dwelling units per acre, the land area to be rezoned under Program 1 would be approximately 16.8 acres (14.6 acres to cover the shortfall and 2.2 acres to cover the 15 percent buffer).

lower-income units. Therefore, the zoning amendments must include this minimum density.

- **Number of Units:** Government Code Section 65583.2(h) and Program 1 require that the residential rezones include at least 16 units per site.
- **Ministerial Permitting:** Government Code Section 65583.2(h) and Program 1 require that the City permit “use-by-right” owner-occupied and rental multifamily housing projects that provide at least 20 percent of the units as affordable to lower-income households. As defined in Government Code Section 65583.2, “use by right” means that the housing project is not subject to discretionary review or approval, or environmental review under CEQA.
- **Development Standards:** As part of the rezoning program, the City must also ensure that allowable densities can be achieved and that development standards do not pose unreasonable constraints on the cost and supply of housing. Thus, the development standards applied to the rezone sites must be “objective” (i.e., standards that involve no personal or subjective judgement by a public official) such that streamlined permitting can be accomplished.
- **Predominantly Residential Mixed Use Development:** Government Code Section 65583.2(h) and Program 1 also require that one of the following standards is satisfied: (1) At least 50 percent of the lower income housing need to be accommodated on residential-only sites; or (2) All the lower income housing needs may be accommodated on mixed-use sites if those sites allow for (a) 100 percent residential use and (b) require that residential use occupy 50 percent or more of the total floor area of the mixed-use project.

In the adopted Housing Element, 19 sites (each site is made up of one or more legal parcels) were identified as “Candidate Opportunity Sites” (also referred to as the “Sites” throughout this Addendum) that may be suitable for rezoning to cover the RHNA shortfall. These Candidate Opportunity Sites are described in Appendix B of the Housing Element (see Table B-6, Figures B-2a and B-2b⁴, and in the site profiles Figure B-4⁵).

In addition, Site #5 (located at 6380 Via Real and commonly referred to as “Lagunitas”) was originally identified as a Candidate Opportunity Site considered for rezoning but was changed to a “pending project” in the final adopted Housing Element when an application for development was submitted. However, the applicants for the proposed development have stalled on processing their current application. Therefore, City staff and Planning Commission recommend that Site #5 also be included in the list of Candidate Opportunity Sites (Table 1 below). If Site #5 is rezoned, it would provide the landowner with the opportunity to move forward with a project under the proposed RMU zone.

⁴ Available here: <https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Final-Readopted-Version.pdf>.

⁵ Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version_Reduced.pdf.

Table 1 – Summary of All 20 Candidate Opportunity Sites (Site #17 was removed⁶)

Site #	Location	Current General Plan Land Use Category	GPA Required?
1	Via Real	Agriculture (AG) & Open Space Recreation (OSR)	Yes
2	5800 Via Real	Agriculture (AG)	Yes
3	1000 Bega Way	Research & Development Industrial (RDI)	No
4	6250 Via Real	Research & Development Industrial (RDI)	No
5	6380 Via Real	Research & Development Industrial (RDI)	No
6	Cindy; Mark; Rose	Research & Development Industrial (RDI)	No
7	Cindy Ln; Via Real	Research & Development Industrial (RDI)	No
8	Mark Ave; Cindy Ln	Research & Development Industrial (RDI)	No
9	Cindy Ln	Research & Development Industrial (RDI)	No
10	5320 Carpinteria Ave	General Commercial (GC)	No
11	5437 Carpinteria Ave	General Commercial (GC)	No
12	Eugenia Pl	General Commercial (GC)	No
13	Eugenia Pl	General Commercial (GC)	No
14	Eugenia Pl	General Commercial (GC)	No
15	Carpinteria Ave	General Commercial (GC)	No
16	Carpinteria Ave	General Commercial (GC)	No
18	Holly Av; Carpinteria Ave	General Commercial (GC)	No
19	6 th St; Walnut St	General Industrial (GI) & General Commercial (GC)	Yes
20	Palm Ave	General Commercial (GC)	No
21	Carpinteria Ave	Research & Development Industrial (RDI)	No

Out of the 20 Candidate Opportunity Sites, three would require a General Plan Amendment (“GPA”) to modify the corresponding Land Use Designations in order to permit the proposed residential uses. The Final PEIR for the City’s GP/CLUP included analysis of potential development under the existing Land Use Designations and did not anticipate such GPAs. Therefore, the three Candidate Opportunity Sites that require GPAs (Site Numbers 1, 2, and 19) are not currently under consideration for rezone amendments and are removed from further analysis in this CEQA Addendum. The Project thus does not require any amendment to the GP/CLUP.

All of the remaining 17 Candidate Opportunity Sites may be rezoned consistent with Program 1 without any changes to the GP/CLUP policies or Land Use Map.

II. Proposed Project Description: Zoning Amendments

Consistent with Program 1 of the Housing Element, the proposed Project analyzed in this CEQA Addendum consists of the following three components:

- A. The addition of the RMU Zoning District in Title 14 of the Carpinteria Municipal Code (“CMC”);
- B. The addition of Objective Design Standards in Title 14 of the CMC;

⁶ Site #17 was removed because a development application was processed that made the site a pending project rather than a Candidate Opportunity Site for rezoning.

C. The amendments to the Zoning Map to rezone select Candidate Opportunity Sites from their current zoning designations to the new RMU Zone.

All three of these Project components are logical follow-on discretionary actions to the GP/CLUP and are covered by the City’s previously certified PEIR. While all three components combine to describe the whole of the Project, a project under CEQA is essentially the action(s) which would result in a physical change to the environment. In this case, the potential direct and indirect environmental effects from the proposed Project would come from the future development or redevelopment of the rezoned Sites.

It is not likely that all 17 Candidate Opportunity Sites (Table 2) will be rezoned as part of the Project. Ultimately, the City Council may choose a subset of these eligible Sites in order to meet the City’s immediate RHNA shortfall plus a reasonable buffer. Even though it is unlikely that all 17 Sites will be rezoned, this Addendum’s analysis covers all 17 Sites in order to assess whether or not there will be any significant impacts which require additional environmental review if all 17 Sites are rezoned.

Table 2 – Proposed Project: 17 Sites to be Potentially Rezoned to RMU

Site #	Location	Site Size (ac)	Current Zoning	Current GP	Potential Units w/Rezone*	Potential Lower-Income Units	Potential Moderate Income Units	Existing Use
3	1000 Bega Way	9.68	M-RP	RDI	175	175	0	Industrial Research
4	6250 Via Real	8.47	M-RP	RDI	166	166	0	Storage
5	6380 Via Real	8.63	M-RP	RDI	169	169	0	Vacant
6	Cindy Ln; Mark Av; Rose Ln	10.58	M-RP	RDI	210	210	0	Industrial Research
7	Cindy Ln; Via Real	5.51	M-RP	RDI	110	110	0	Industrial Research
8	Mark Av; Cindy Ln	10.02	M-RP	RDI	199	199	0	Industrial Research
9	Cindy Ln	4.49	M-RP	RDI	89	89	0	Vacant
10	5320 Carpinteria Av	1.08	CPD	GC	21	21	0	Commercial
11	5437 Carpinteria Av	1.98	CPD	GC	25	25	0	Apartments and partially vacant
12	Eugenia Pl	4.66	CPD	GC	92	92	0	Commercial
13	Eugenia Pl	0.80	CPD	GC	16	16	0	Commercial Condos
14	Eugenia Pl	1.88	CPD	GC	35	19	16	Commercial Condos & Commercial
15	Carpinteria Av	2.45	CPD	GC	48	40	8	Commercial
16	Carpinteria Av	0.67	CPD	GC	9	0	9	Commercial & Residential
18	Holly Av; Carpinteria Av	1.47	CPD	GC	28	22	6	Commercial & Residential
20	Palm Av	0.77	CPD	GC	11	0	0	Commercial
21	Carpinteria Av	6.31	M-RP	RDI	125	125	11	Industrial & Vacant
Totals		79.45	n/a	n/a	1,528	1,478	50	

* Assumes 20 dwelling units per acre.

As shown in Table 2, each of the Candidate Opportunity Sites covered by this Addendum is currently zoned either Commercial Planned Development (“CPD”) or Industrial/Research Park (“M-RP”). The CPD zoning designation aligns with the corresponding General Commercial (“GC”) land use designation; the M-RP zoning

designation aligns with the Research and Development Industrial (“RDI”) land use designations. Under the new RMU District, future development of the Sites would include the following:

- A. Multifamily residential development and mixed uses at a density of 20 (minimum) to 25 (maximum) dwelling units per acre;
- B. Parking and accessory uses (e.g., storage, laundry facilities, private open space, public open space, bike racks, etc.);
- C. For sites in the GC land use category: the option to have commercial uses as part of a mixed-use development (except for sites fronting on Linden and Carpinteria Avenues within the downtown “T” (based on Community Design Element Subarea 2a) which would be required to include a commercial use on the ground floor fronting the avenue);
- D. For sites in the RDI land use category: the option to have offices and/or research, development, and laboratory uses, as part of a mixed-use development.

Since the commercial/office uses along with some residential uses are already permissible under the Sites’ current zone districts and land use designations, the primary changes for the purpose of CEQA analysis are the net addition of the new residential density and accompanying accessory uses.

III. Analysis – Consistency with GP/CLUP

The proposed Project would facilitate the development of housing (and affordable housing, in particular), but would not exceed the buildout anticipated by the City’s GP/CLUP and accompanying PEIR. Each of the 17 Candidate Opportunity Sites have a Land Use Designation of either General Commercial (“GC”) or Research & Development Industrial (“RDI”). Both of these land use categories currently allow for residential uses in their definitions:

General Commercial (GC)

The GC land use category is characterized by a mixture of retail, wholesale, service and office uses, usually located along major transportation corridors. This category includes a variety of commercial intensities. The Central Business District identifies the downtown commercial area. It is characterized by a variety of offices, retail businesses, specialty shops, entertainment uses, and residential land uses. The City encourages this area to be pedestrian-oriented. (emphasis added)

Research & Development Industrial (RDI)

The RDI land use category is characterized by well-designed groups of office, research and development and light industrial uses. These land uses typically employ a large number of persons, and are attractively designed to be compatible with less intense uses, such as residential. (emphasis added)

More explicitly, the following specific Land Use objectives and policies demonstrate that the rezones are consistent with the GP/CLUP. (See also the full GP/CLUP Consistency Analysis prepared for the project as Attachment H to the November 25, 2024 City Council Staff Report).

- **Objective LU-3:** *Preserve the small beach town character of the built environment of Carpinteria, encouraging compatible revitalization and avoiding sprawl development at the city's edge.*

Discussion: Site Nos. 8 and 9 are located at the City's eastern edge, but still within the Urban Boundary. Site No. 8 is developed with industrial uses and is adjacent to similar uses to the north and west, with Highway 101 to the south. Site Nos. 5 and 9 are vacant but surrounded by existing residential and/or industrial development on three sides. Mixed-use or residential development of these two Sites would not be considered sprawl given the existing and planned urban uses for the area.

The remaining 14 Candidate Opportunity Sites are infill sites that are not located near the City's edge. Each is a reasonable walking distance from neighborhood serving uses (e.g., schools, grocery stores, pharmacies, parks, etc.) and from public transit stops. With the application of the Objective Design Standards, the future residential and mixed-use development on these sites would be compatible with the existing small beach town character.

- **Policy LU-3a.** *New development shall occur contiguous to existing developed areas of the city. Higher density in certain residential neighborhoods and for residential uses in commercial districts shall be provided as a means to concentrate development in the urban core consistent with zoning designations, particularly where redevelopment of existing structures is proposed. (emphasis added)*

Discussion: All 17 Candidate Opportunity Sites are located within existing developed areas of the city. Site No. 21 has the least amount of surrounding development but supports existing industrial uses on half of its surface area and is adjacent to a public park to the west, Highway 101 to the north, offices to the east, and the railroad corridor to the south.

The RMU Zone would require any new development plans to include medium-density multifamily residential uses. Consistent with this policy, the Project would concentrate development in the City's urban core by focusing on locations with existing commercial/industrial land use designations. It would also prompt redevelopment on most of the Sites, particularly where existing buildings (e.g., office spaces) have seen diminished demand in recent years.

- **Objective LU-6:** *Create flexible land use and zoning standards for general commercial and industrial parcels that allow opportunities for residential use to*

expand, as determined appropriate by the City, in response to changing needs relative to the jobs/housing balance locally and in the region, and as incentive toward the development of affordable housing. (emphasis added)

Discussion: The application of the new RMU Zone to Candidate Opportunity Sites would be directly in response to the changing needs identified in the City's 2023-2031 Housing Element, including the local and regional jobs/housing balance and the incentivization of affordable housing development. The goals of the Housing Element's programs are to:

- 1) providing diverse housing sites and opportunities;
 - 2) conserving and improving the existing affordable housing stock;
 - 3) removing governmental and other constraints to housing development;
and
 - 4) affirmatively furthering fair housing.
- **Policy LU-6a.** *The City may consider and permit mixed use (i.e., residential/commercial or residential/industrial) on parcels designated on Figure LU-1 for commercial or industrial use. Such mixed use may be considered if the City has found that either the allowance would encourage rehabilitation of important existing housing stock, or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that mixed use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Mixed-use development shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site. (emphasis added)*

Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential on parcels designated for commercial and industrial would result in affordable housing production. During the Housing Element Update process, only Candidate Opportunity Sites that were compatible with existing and anticipated uses in the area surrounding the Site were selected. Application of the new RMU Zone to such Sites would enable the City to meet its near-term RHNA obligations.

This would also help the City to improve and maintain an appropriate jobs-housing balance. As explained in the 2023-2031 RHNA Plan⁷, the Santa Barbara County Association of Governments (SBCAG) reviewed the jobs and housing balance of all jurisdictions in Santa Barbara County. The region's growth forecast, which forms the basis for the RHNA, considers areas where there are significant imbalances in jobs and housing and the likelihood of those imbalances changing in the future by applying existing and future jobs. The RHNA Plan includes consideration of existing and projected relationships

⁷ Available here: https://www.sbcag.org/wp-content/uploads/2023/08/final_rhna_plan.pdf

between low-wage jobs and lower-income housing. As such, the SBCAG-adopted RHNA methodology includes a jobs housing fit adjustment factor that seeks to house more low-wage workers near higher housing cost areas and encourage zoning for more affordable housing types. The methodology used in the RHNA Plan was based, in part, on the following objective:

“Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.”

The RHNA Plan’s South-Coast emphasis on an improved jobs housing balance, income parity, and affirmatively furthering fair housing, strives to improve the jobs housing fit between low-wage jobs and the housing needs of low wage workers. The proposed rezoning of Candidate Opportunity Sites in Carpinteria to a new RMU zone would be a significant step toward meeting that goal in the South County.

- ***Policy LU-6b.*** *The City may consider and permit residential use on a parcel or parcels not designated for such use under certain circumstances. Such residential use may be considered on a parcel or parcels designated for commercial or industrial use if the City has found that either the allowance would encourage rehabilitation of important existing housing stock or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that residential use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Residential use shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site. A residential overlay zone district shall be maintained by the city with the purpose of permitting residential development on a parcel or parcels otherwise designated on the official land use and zoning maps of the city for commercial or industrial use. Implementation of the Residential Overlay zone district shall be permissive in nature and shall not be construed to restrict use already allowed in the base zone district. Further, the city shall retain the authority for determining where implementation of the residential overlay zone is appropriate. To encourage retention of local businesses where parcels are already developed for commercial or industrial use, application of the Residential Overlay shall be considered only after mixed use development, as allowed through policy LU-6a above, has been determined by the City to not be appropriate.*

Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential development on the selected Sites designated for commercial and industrial land uses would result in affordable housing production in the community. The 17 Candidate Opportunity Sites were identified because future mixed-use and

residential development on the selected properties would be compatible with existing uses surrounding the sites (see Housing Element Appendix B, including Site Profiles).

Although a residential overlay district was the preferred method to implement Program 1 in the Housing Element, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay did not satisfy Housing Element Law. Thus, a new RMU Zoning District has been created to meet the intent of this policy as well as the goals and programs of the Housing Element. The proposed RMU Zone would still be permissive in nature in that it would continue to allow for the uses that are currently permitted in the CPD and M-RP Zones. However, it would require multifamily housing to be included in any future development with incentives to include affordable units in accordance with State law.

Finally, the authority for determining the locations of the new RMU Zone stays with the City Council. City staff recommends that Sites fronting on Linden Avenue and Carpinteria Avenue maintain a commercial component on the ground floor within the downtown "T" (based on Community Design Element Subarea 2a). In any case, the Planning Commission and the City Council will take into consideration whether multifamily residential uses are appropriate for the location prior to rezoning a Candidate Opportunity Site.

IV. CEQA Findings

The PEIR for the City's GP/CLUP was certified in April of 2003. CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an EIR has been certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

The previously certified PEIR evaluated the potential impacts of the City's adoption of the GP/CLUP, including the buildout of the Land Use Map. As described in the Land Use Element, an additional 972 residential units and approximately 196,000 square feet of commercial and research park space was anticipated at buildout of the GP/CLUP. Based on the City's annual reports on the GP/CLUP since 2003, just over half of the anticipated residential units have been built and/or permitted. As such, there is still growth capacity under the existing Plan and corresponding PEIR.

Since the proposal to rezone commercial and light industrial zones under the GC and RDI Designation areas to the new RMU zone would reduce potential for commercial and research park development while increasing potential residential development, a direct comparison of the 2003 anticipated buildout to the new potential buildout is not possible. However, a general comparison can be done.

For example, mixed-use and residential-only developments are already permissible at densities up to 20 dwelling units per acre in the CPD and M-RP zones (i.e., "existing capacity"). The RMU zone would increase density to allow for up to 25 dwelling units per acre. As shown in Table 3 below, the Project would potentially allow for up to 397 more residential units than the existing zoning/capacity. Thus, an additional 397 units would not exceed planned buildout under the existing GP/CLUP. The certified PEIR contemplated the potential impacts associated with the Project, including the full potential build out that had not occurred. Therefore, the Project does not propose substantial changes to the amount of development within the City that was evaluated in the PEIR for the GP/CLUP.

Table 3. Buildout Comparison

Site #	Location	Site Size (ac)	Maximum Units w/Rezone*	Existing Capacity	Increase from Rezones
3	1000 Bega Way	9.68	242	193	49
4	6250 Via Real	8.47	211	169	42
5	6380 Via Real	8.63	215	172	43
6	Cindy Ln; Mark Ave; Rose Ln	10.58	264	211	53
7	Cindy Ln; Via Real	5.51	137	110	27
8	Mark Ave; Cindy Ln	10.02	250	200	50
9	Cindy Ln	4.49	112	89	23
10	5320 Carpinteria Ave	1.08	27	21	6
11	5437 Carpinteria Ave	1.98	49	39	10
12	Eugenia Pl	4.66	116	93	23
13	Eugenia Pl	0.8	20	16	4
14	Eugenia Pl	1.88	47	37	10
15	Carpinteria Ave	2.45	61	49	12
16	Carpinteria Ave	0.67	16	13	3
18	Holly Ave; Carpinteria Ave	1.47	36	29	7
20	Palm Ave	0.77	19	15	4
21	Carpinteria Ave	6.31	157	126	31
Totals		79.45	1,979	1,582	397

The proposed Project would not modify the GP/CLUP or its Land Use Map. The future development of the 17 Candidate Opportunity Sites would be infill development that was already planned for under the existing GP/CLUP and analyzed in the PEIR. Further, the proposed Project would serve to implement many of the Land Use Element policies that specifically anticipated the need for mixed-use and residential infill uses in the GC and RDI land use categories.

With the exception of potential agricultural conversion, the previously certified PEIR found that all potential impacts of the GP/CLUP would be less than significant with adherence to the objectives and policies therein.

The proposed Project would not convert any agricultural resources and would not result in any new significant environmental effects, nor would it change the nature or scope of any previously identified impact areas or their mitigation measures. No open space areas or environmentally sensitive areas are proposed to be developed or indirectly impacted. Applicable mitigation measures are included as part of the City's GP/CLUP and would apply to any future development proposals on the parcels affected by the proposed map revisions. Therefore, this Addendum finds the following:

1. The proposed Project will not require any major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. There are no substantial changes that have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified as complete, showing any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Further, the City will need to process the rezones as a local coastal program amendment (“LCPA”) with the California Coastal Commission (“Coastal Commission”). The Coastal Commission will ultimately approve, modify, or deny the LCPA and conduct environmental review under its Certified Regulatory Program pursuant to California Public Resources Code Section 21080.5, CEQA Guidelines Sections 15250-15253, and Public Resources Code Section 30000 et seq. Therefore, while this Addendum is sufficient in itself, an additional level of environmental review will also be conducted by the Coastal Commission.

As identified above, the proposed Project would implement Program 1 of the City’s 2023-2031 Housing Element and would involve Zoning Amendments to add a new Residential/Mixed Use (RMU) Zoning District and new Objective Design Standards, and to amend the Zoning Map to rezone up to 17 Candidate Opportunity Sites to RMU. The primary changes from the Project are additional residential density on sites already zoned to permit medium density residential use and mixed use. The proposed Project would not result in any changes to City land use designations or GP/CLUP policies. The changes resulting from the proposed Project do not constitute substantial changes to the GP/CLUP, its circumstances, or include new information of substantial importance. The modifications would not involve substantial changes in the magnitude of impacts identified in the previously certified PEIR and would not create new

potentially significant impacts that would require mitigation. Therefore, none of the circumstances identified in CEQA Guidelines Section 15162(a) are present.

Pursuant to CEQA Guidelines Section 15164, an addendum is the appropriate CEQA document for the Project. There is no substantial evidence in light of the whole public record suggesting that the project would result in significant environmental impacts not otherwise addressed in the previous EIR. Consequently, a subsequent or supplemental EIR is not required.

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## Attachment F.

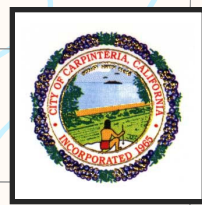
Figures 1 through 4 as follows:

1. Rezone Sites
2. Rezone Sites, Aerial Imagery
3. Future Zoning
4. Existing Zoning


2023-2031 Housing Element Zoning Amendments, Second Reading  
December 9, 2024 City Council Meeting




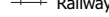




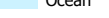
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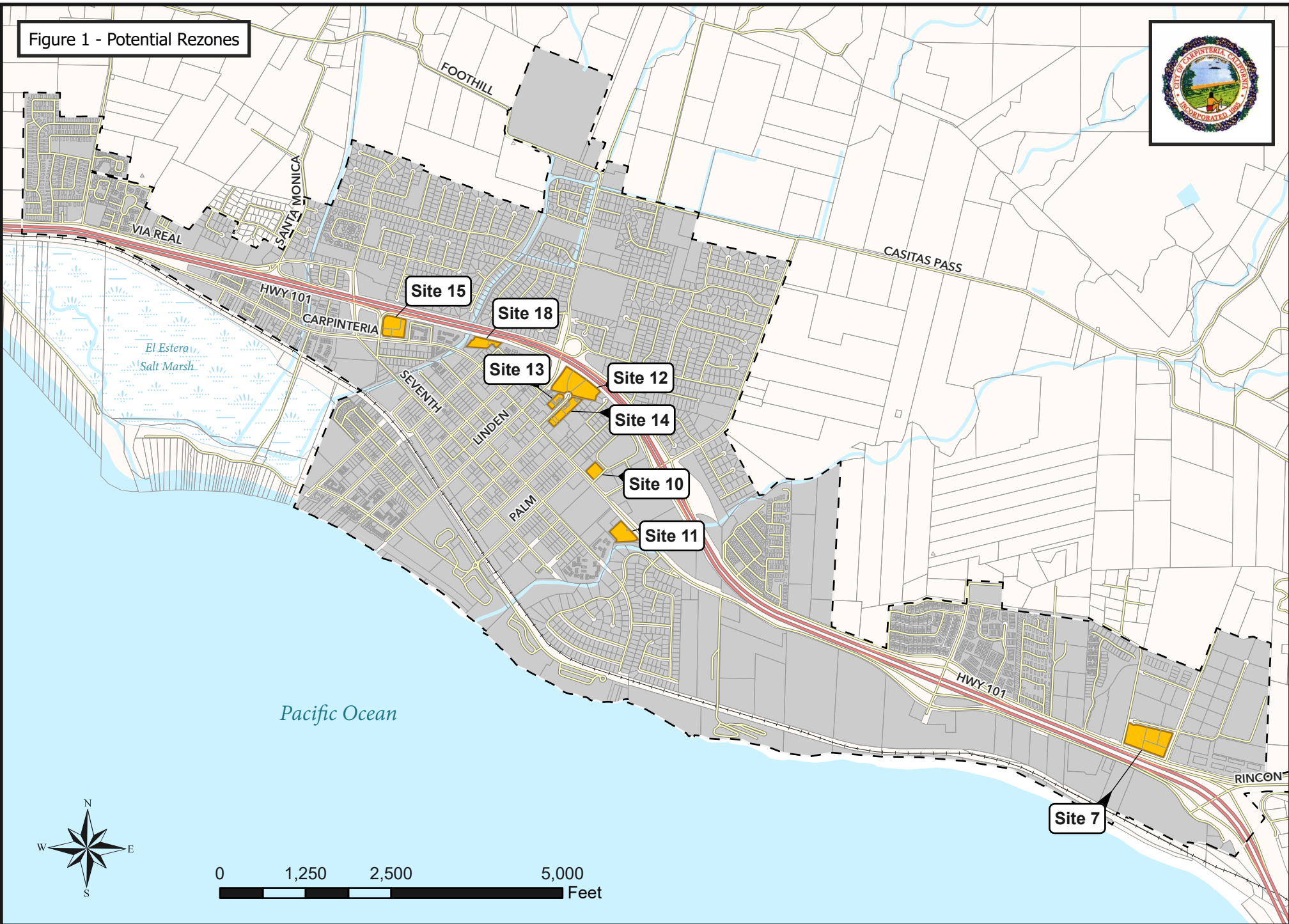
Figure 1 - Potential Rezones



# City of Carpinteria Proposed Rezoning

 RMU-20/25 Residential/Mixed Use

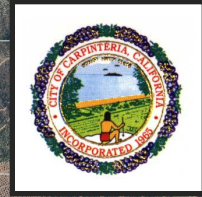
-  Existing Zoning
-  Freeway
-  Roads
-  Railways
-  Creeks/Rivers
-  Parcels
-  City Limits
-  Lakes/Marsh
-  Ocean



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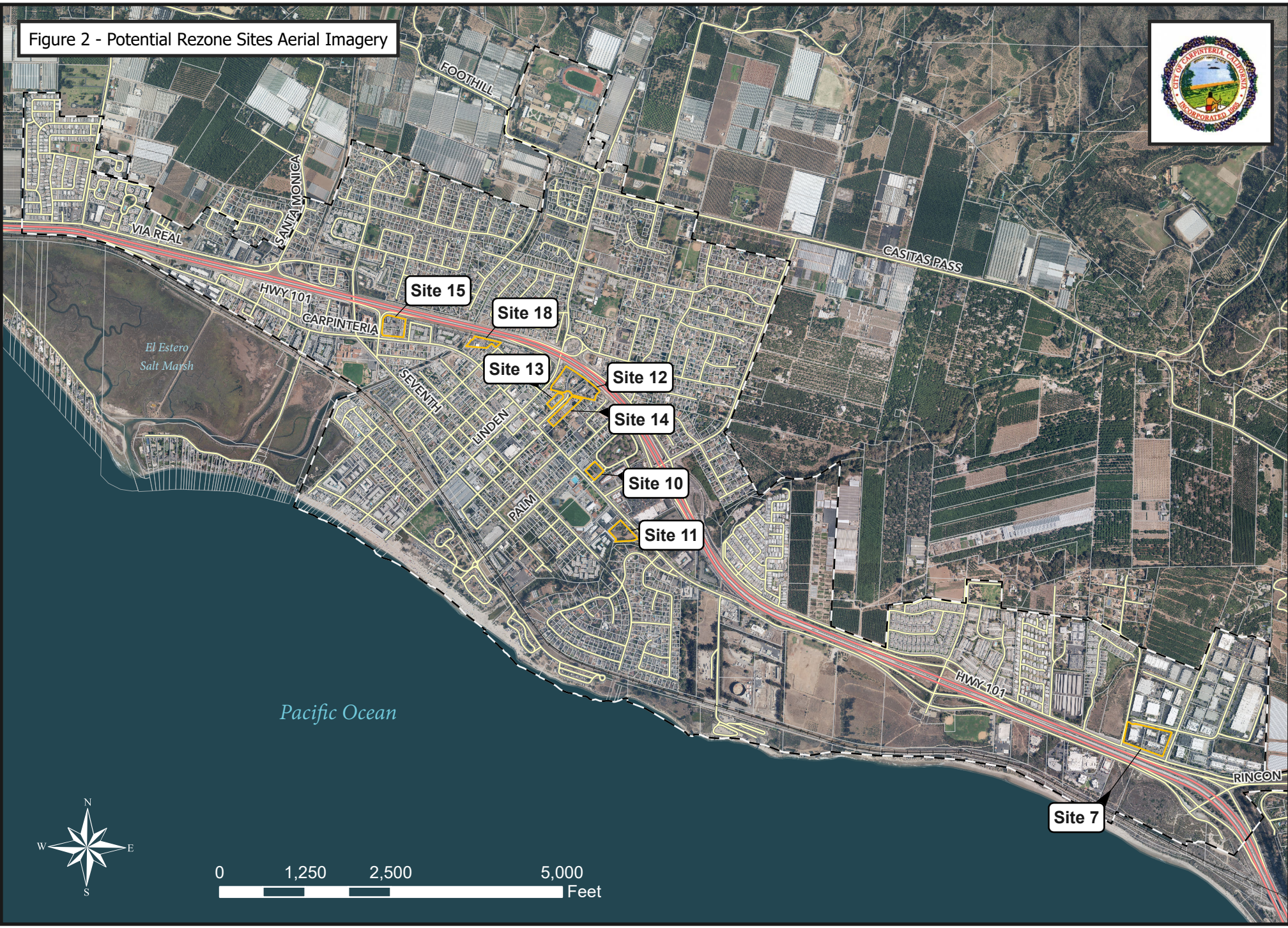
Figure 2 - Potential Rezone Sites Aerial Imagery



# City of Carpinteria Proposed Rezoning Aerial Imagery

RMU-20/25 Residential/Mixed Use

- Freeway
- Roads
- Railways
- Parcels
- City Limits
- Ocean

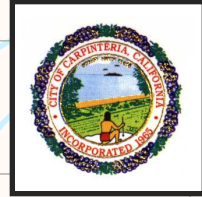




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Figure 3 - Potential Future Zoning

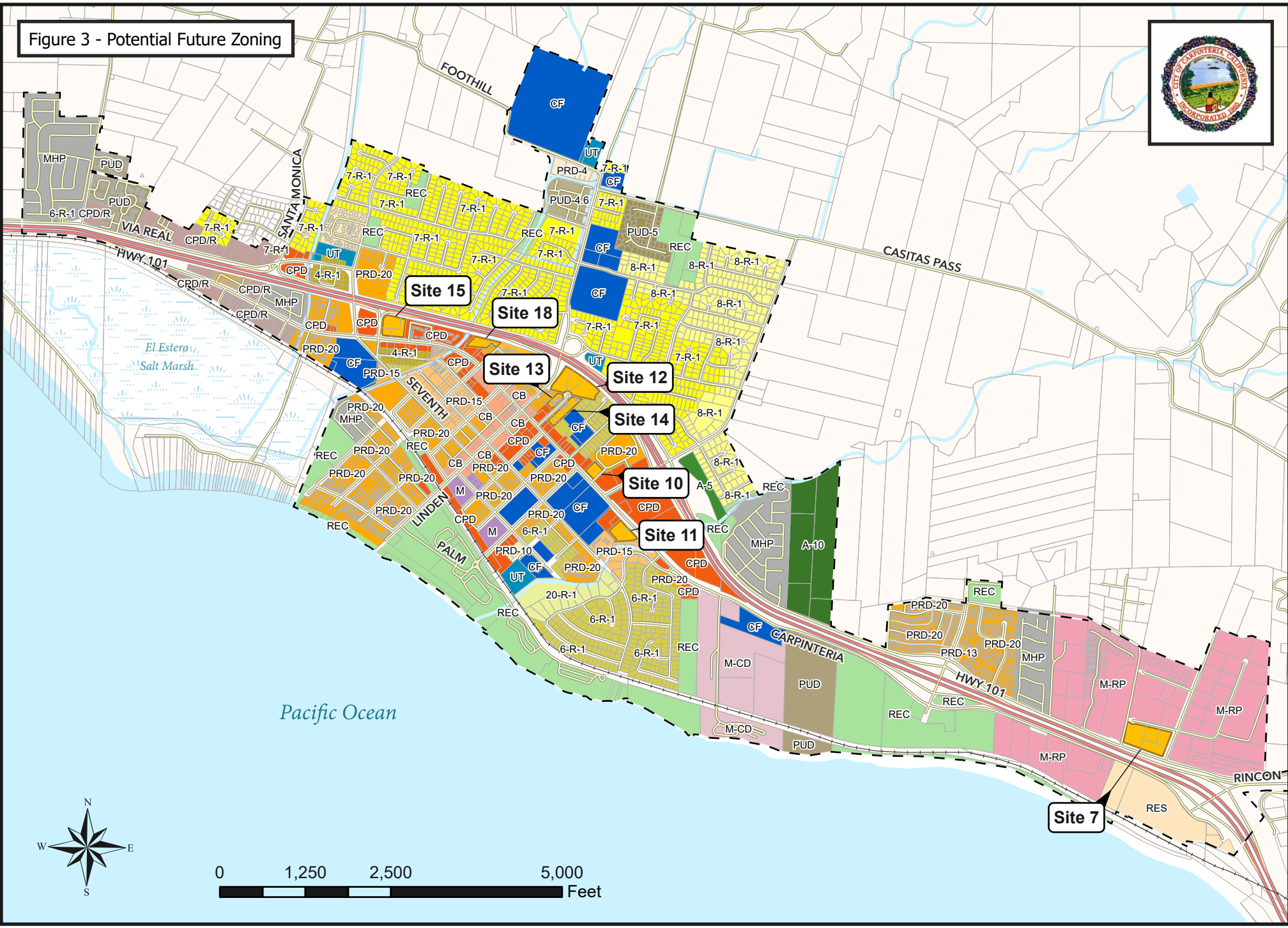


# City of Carpinteria Proposed Rezoning

- Residential**
- Single Family Residential District
    - 20-R-1 - Min. Lot Size 20,000 square feet
    - 8-R-1 - Min. Lot Size 8,000 square feet
    - 7-R-1 - Min. Lot Size 7,000 square feet
    - 6-R-1 - Min. Lot Size 6,000 square feet
    - 4-R-1 - Min. Lot Size 4,000 square feet
  - Planned Residential Development District
    - PRD-4 - Max. Density 4 Units/Acre
    - PRD-10 - Max. Density 10 Units/Acre
    - PRD-13 - Max. Density 13 Units/Acre
    - PRD-15 - Max. Density 15 Units/Acre
    - PRD-18 - Max. Density 18 Units/Acre
    - PRD-20 - Max. Density 20 Units/Acre
  - Planned Unit Development District
    - PUD-5 - Max. Density 5 Units/Acre
    - PUD-4.6 - Max. Density 4.6 Units/Acre
    - PUD Planned Unit Development District
  - MHP Mobile Home Park Planned Development Dist.
- Industrial**
- M General Industrial District
  - M-CD Coastal Industrial District
  - M-RP Industrial/Research Park District
- Commercial**
- CPD Commercial Planned Development District
  - CB Central Business District
  - CPD/R Commercial Planned Dev. Dist./Res. Overlay
  - RES Resort District
- Other**
- A-10 Agricultural - Minimum 10-Acre Parcel
  - A-5 Agricultural - Minimum 5-Acre Parcel
  - CF Community Facility District
  - REC Recreation District
  - UT Public Utility District

**RMU-20/25 Residential/Mixed Use**

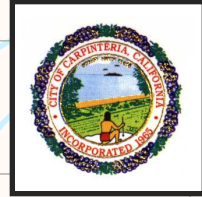
- Freeway
- Roads
- Railways
- Creeks/Rivers
- Parcels
- City Limits
- Lakes/Marsh
- Ocean



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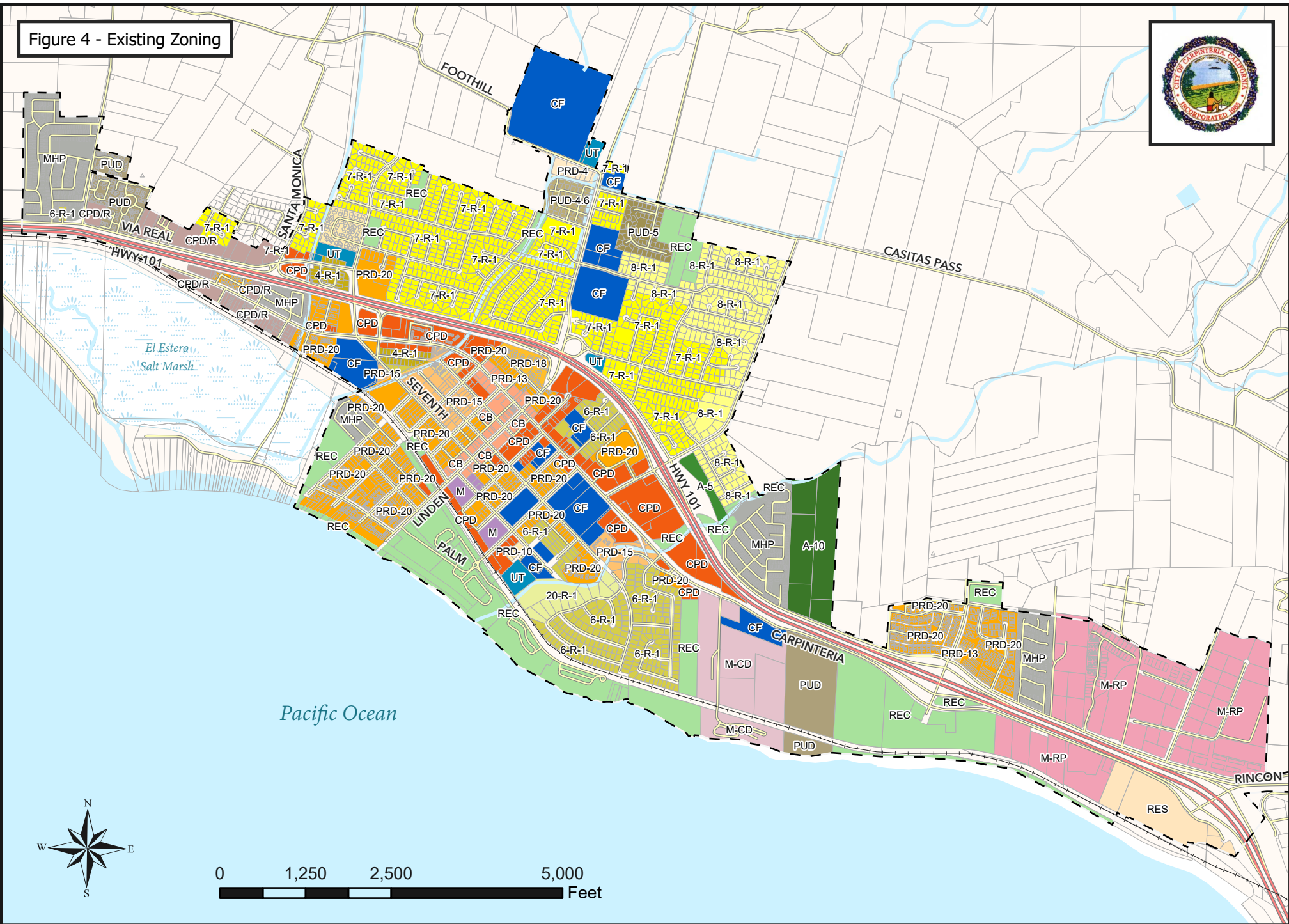


Figure 4 - Existing Zoning



# City of Carpinteria Existing Zoning

- Residential**
  - Single Family Residential District
    - 20-R-1 - Min. Lot Size 20,000 square feet
    - 8-R-1 - Min. Lot Size 8,000 square feet
    - 7-R-1 - Min. Lot Size 7,000 square feet
    - 6-R-1 - Min. Lot Size 6,000 square feet
    - 4-R-1 - Min. Lot Size 4,000 square feet
  - Planned Residential Development District
    - PRD-4 - Max. Density 4 Units/Acre
    - PRD-10 - Max. Density 10 Units/Acre
    - PRD-13 - Max. Density 13 Units/Acre
    - PRD-15 - Max. Density 15 Units/Acre
    - PRD-18 - Max. Density 18 Units/Acre
    - PRD-20 - Max. Density 20 Units/Acre
  - Planned Unit Development District
    - PUD-5 - Max. Density 5 Units/Acre
    - PUD-4.6 - Max. Density 4.6 Units/Acre
    - PUD Planned Unit Development District
  - MHP Mobile Home Park Planned Development Dist.
- Industrial**
  - M General Industrial District
  - M-CD Coastal Industrial District
  - M-RP Industrial/Research Park District
- Commercial**
  - CPD Commercial Planned Development District
  - CB Central Business District
  - CPD/R Commercial Planned Dev. Dist./Res. Overlay
  - RES Resort District
- Other**
  - A-10 Agricultural - Minimum 10-Acre Parcel
  - A-5 Agricultural - Minimum 5-Acre Parcel
  - CF Community Facility District
  - REC Recreation District
  - UT Public Utility District



- Freeway
- Roads
- Railways
- Creeks/Rivers
- Parcels
- City Limits
- Lakes/Marsh
- Ocean

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# Attachment G.

October 17, 2024 Architectural Review Board (ARB)  
Meeting Minutes (re: proposed ODS)

2023-2031 Housing Element Zoning Amendments, Second Reading  
December 9, 2024 City Council Meeting

## ACTION MINUTES

The meeting was called to order at 5:31 p.m. by Vice Chair Blakemore

### **ROLL CALL**

**Boardmembers present:** Amy Blakemore, Vice Chair  
Richard Johnson  
Richard Little  
Patrick O'Connor

**Boardmembers absent:** Chair Brad Stein

### **OTHERS PRESENT:**

Approximately 4 members of the public;  
Community Development Director Nick Bobroff;  
Principal Planner Brian Banks;  
Principal Planner Mindy Fogg;  
Senior Planner Syndi Souter; and  
Assistant Planner Megan Musolf

**PUBLIC COMMENT:** None

### **PROJECT REVIEW**

- 1) Project: Minear-Almgren Fence & Gates, Project 24-2307-FENCE/ARB  
Address: 1455 Camellia Circle  
Applicant: Brian Brodersen, landscape architect, for Jeffrey Becker, Becker  
Group, Managing Member of Seaside Apartment Investors, LLC  
Planner: Syndi Souter

Request of Holly Minear and Hans Almgren, property owners, to consider Project 24-2307-FENCE/ARB for preliminary review of a proposal for approval of "as-built" redwood fencing and gates, ranging from 3.75-feet to 8-feet in height, that were constructed in the front and side yard setbacks of the property. The property is a 9,147 square-foot parcel zoned Single Family Residential (7-R-1) and shown as APN 003-590-023, addressed as 1455 Camellia Circle.

Ex Parte Communications Disclosure: None

### Staff Comments:

Syndi Souter provided a presentation and described the project. Syndi detailed the "as built" fence plans, and described the previously existing fence design and heights as compared to the existing fence the Board is reviewing. Syndi concluded her presentation with an analysis of the proposed (as-built) fence relative to the zoning code requirements and Neighborhood design objectives and policies, and asked for the Board's comments on the following issue areas:

- Design and materials for the fencing and gates;
- Height of fencing and gates; and
- Location of fencing in front yard setback.

Applicant Comments:

Holly Minear and Hans Almgren, property owners, were in attendance and provided brief comments. Holly explained to the Board that it was time to replace the fencing and that the rebuilt fence was very similar to the previously existing fence's height, location and material/design. She further explained that the purpose of the 8-foot portion is to screen the RV stored on the adjacent property from view. Hans related that their 8-foot portion of fence is lower in height than the adjacent neighbor's fences.

Public Comments:

Miles Calkins, a neighbor at 1450 Camellia Circle, spoke in support of approving the existing fence as designed/constructed, and that it is appropriate for the neighborhood.

Boardmember Discussion:

Boardmember O'Connor commented that the fence looks nice and he supports approval of it.

Boardmember Little commented that the fencing material and design is appropriate but is concerned with the height of the portion of fence within the front setback and recommends that the first and second "tiers" be brought down to the 3-foot ordinance standard.

Boardmember Johnson commented that there was precedent set by the previous fence's construction although the previous fence was not permitted. He has no objections to the fence as designed, including the fence material and design.

Vice Chair Blakemore commented that she sees the value in the way the fence is located and designed, but is concerned with the height of the first tier of fence height nearest the street being a safety concern with respect to line-of-site and pedestrian safety. Vice Chair Blakemore suggested that the Board consider a conceptual motion to reduce the first tier of fence (currently 3.70-feet) to 3-feet.

**ACTION:** Motion by Vice Chair Blakemore, seconded by Boardmember O'Connor, to recommend approval to the Director with the condition that the first tier of fencing in the front setback currently a 3.70-feet in height be reduced to 3-feet in height.

**VOTE:** 4-0

- 2) Project: Objective Design Standards for Multifamily Residential and Mixed-Use Developments  
Address: Citywide  
Applicant: City of Carpinteria  
Planners: Mindy Fogg and Megan Musolf

Request of by the City of Carpinteria to consider Project 24-2279-ORD/LCPA for review of proposed Objective Design Standards (ODS) that would apply to specified multifamily residential and mixed-use developments in the City. The ODS are proposed as a new chapter in Title 14, Zoning, of the Carpinteria Municipal Code and are part of a larger project to rezone sites in the City to satisfy the City's 2023-2031 Housing Element Program 1, Adequate Sites to Accommodate Regional Housing Needs Allocation.

Ex Parte Communications Disclosure: Boardmember O'Connor commented that he reached out to Long Rang Planning staff with questions about which properties are proposed for the new Mixed Use Zone.

Staff Comments:

Community Development Director Nick Bobroff introduced the City's long-range planning team, comprised of Mindy Fogg, Principal Planner, and Megan Musolf, Assistant Planner. Megan provided a presentation and described the purpose of the Objective Design Standards (ODS) as a component of the larger effort to implement Program One of the City's 2023-2031 Housing Element, and how they would apply to future residential and mixed-use projects within certain zone districts. Megan provided an overview of the topics of the proposed ODS for the ARB's consideration and the related proposed standards of a new Chapter in the Zoning Ordinance (14.51). Megan concluded her presentation with a list of particular Ordinance sections requiring additional input from the Board, and asked for the Board's overall comments on the following elements of the Objective Design Standards:

- Massing and placement of multi-story buildings, particularly regarding required setbacks and height limits for upper stories;
- Design elements specific to the Downtown T area (Linden and Carpinteria Avenues);
- Architectural styles permitted (or not permitted) by the design standards;
- Privacy considerations for residences within a mixed-use development, particularly regarding window placement on adjacent building facades; and
- Colors and materials, including exterior lighting.

Vice Chair Blakemore opened the discussion to boardmembers for questions. Boardmember O'Connor relayed his understanding of how the ODS would be implemented in the context of the Housing Element and proposed mixed-use zone (MU 20/25), and wondered if the ODS could be an opportunity to readdress how density is calculated for larger housing projects, particularly regarding the exclusion of non-buildable area from the calculation. He also asked if staff had considered consulting the Design Review Committee to review the ODS. Principal Planner Brian Banks noted that this could be discussed following public comment.

Boardmember Little asked if Housing Element candidate site property owners had a say in whether their property is rezoned by the City to MU 20/25. Mindy responded that a rezone could be done without property owner support, but that staff invite all property owners to attend Planning Commission and City Council meetings or submit comments so that their comments are considered in the decision-making process. Boardmember Little also asked if a citywide parking needs study had been completed to inform the required parking ratios in the ODS. Nick responded that no study has been done, but the ODS parking ratios for affordable units matched the parking ratios provided in State density bonus law. Boardmember Johnson commented that many residents do not use their garages for parking vehicles, adding to parking problems.

Applicant Comments: N/A

Public Comments:

Annie Sly addressed the Board with questions regarding if the purpose of the ODS is to protect the City from "Builder's Remedy" projects; if after the City approves the ODS can the State still overrule them; questioned how long the rezone process will take; and if there are any other remaining requirements still left to be completed for the City's Housing Element to be compliant with State housing requirements. Nick Bobroff then began responding to the questions at the request of Vice



Chair Blakemore, explaining that implementing ODS does give the city some “protection” since projects required by State law to be reviewed ministerially would still have to comply with them. The ODS could function as a “backstop” when projects cannot be reviewed by the ARB or Planning Commission. Brian added that well-crafted ODS are key for City staff to complete ministerial review of projects. Nick continued that Housing Element implementation programs do get reviewed by the State’s Department of Housing and Community Development (HCD), and HCD could reject the implementation if it is deemed to not sufficiently support housing production, but that many of the types of standards in the ODS have been implemented successfully by other jurisdictions. Mindy noted that staff is currently aiming to have the rezones adopted by City Council by January 2025, and then staff would immediately submit the project to the California Coastal Commission and HCD for review.

Boardmember Discussion:

Chair Stein provided an email to the Board expressing that the proposed Objective Design Standards are very thorough and clear, but he has concerns that raising the height to 35-feet from the current 30-foot height limit, when combined with allowed height exceptions for certain elements such as mechanical enclosures and elevators can result in buildings with a height in excess of 40-feet. Vice Chair Blakemore acknowledged Chair Stein’s comments. Mindy clarified that the proposed increase in height limit would be contained in the new MU zone district, not the ODS, although the ODS do propose height limits for each story. Nick added that HCD has informed the City that the current 30-foot height limit is an impediment for three-story buildings, which are necessary to achieve the required housing element densities.

Boardmember Little inquired if the proposed ODS contained any standards that conflicted with the recently approved mixed-use project at 4745 Carpinteria Ave. Megan replied that staff had considered this project in writing the ODS, but the ODS were not modeled after it. Brian elaborated that staff had used the project as an example of appropriate story height in the context of a larger discussion about setting story heights for small residential units. Boardmember Little suggested not listing BBQ grills as an amenity in open space areas. He agreed with the proposed story heights. He said he felt that stepbacks larger than two feet would be better for the proposed “contextual upper story stepbacks,” and that screening for upper-story private open spaces should be no higher than four feet. He commented that every 50 feet felt too far for a roofline variation requirement, and recommended it be changed to 30 feet. Boardmember Little asked, in relation to the proposed 15-foot rooftop open space setback, if the current proposal to renovate the Palms building on Linden would satisfy this standard. Staff said it may on some sides, and Nick clarified that the 15-foot setback was intended to prevent rooftop open spaces from looking down into peoples’ private yards. Nick suggested language could be added to clarify the setback would be needed when the abutting property is residential, and the Board agreed. Finally, Boardmember Little brought up the idea of allowing tandem parking, and staff responded that they would look into how it could be incorporated in the ODS.

Boardmember O’Connor felt the City should implement neighborhood-specific design standards in the future. He related back to his prior comments regarding density and said he wanted to prevent high-rise buildings on small lots with environmental or other constraints. Nick responded that the State requires a minimum density of 20 units per acre for Housing Element rezone sites, and that density is calculated with gross lot size. Boardmember O’Connor expressed that only the buildable area on a site should be considered in density calculations, and Nick replied that staff, for the ODS and MU 20/25 zone, is working with existing Zone Code rules which utilize gross lot size. Lastly, Boardmember

O'Connor questioned how projects would be handled in the proposed MU 20/25 zone that reuse existing structures. Brian responded that staff expect most projects that would utilize the ODS would likely be full demo/rebuild type projects due to the high cost of retrofitting old buildings for new residential, and Mindy noted that it could be feasible for a few candidate sites to repurpose existing buildings while meeting the ODS.

Boardmember Johnson expressed that he felt the ODS were a sound starting point, although many hours could be spent discussing them. Nick replied that the proposed ODS, if implemented, can be reviewed and changed in the future once projects have begun to actually use them. Boardmember Johnson concurred with Boardmember O'Connor's comments regarding calculation of density, and then expressed concern about the ODS pushing buildings right up to the front property line. Nick responded that no MU 20/25 rezone sites are proposed on Linden Ave where a zero-foot setback exists, and that the MU 20/25 zone proposes 5-to-15-foot front setbacks.

Vice Chair Blakemore commented that the proposed 35-foot height limit in the MU 20/25 zone should be inclusive of elevators and other equipment on top of buildings. She felt there should not be any exceptions to the proposed story height limits for certain roof styles, and that the two-foot upper story stepback was adequate—a larger stepback would not accommodate higher densities. She did not support allowing BBQ grills in common/public open spaces. For landscaping requirements, Vice Chair Blakemore recommended increasing the required number of 5-gallon plants per 1,000 square feet from 10 to 20, and to find a way to prohibit trees with invasive root systems that would damage sidewalks and other infrastructure (she suggested compiling a list of trees to avoid).

**ACTION:** Motion by Vice Chair Blakemore, seconded by Boardmember Johnson, to recommend approval to the Planning Commission with their comments attached.

**VOTE:** 4-0

**OTHER BUSINESS:** None

**CONSENT CALENDAR:**

3) Action Minutes of the Architectural Review Board Meeting of September 26, 2024.

**ACTION:** Motion by Boardmember Johnson, seconded by Boardmember Little, to approve the minutes as drafted.

**VOTE:** 3-0 (O'Connor abstained)

**MATTERS REFERRED BY THE PLANNING COMMISSION/CITY COUNCIL:** None

**MATTERS PRESENTED BY BOARDMEMBERS/STAFF:** None

**ADJOURNMENT**

Vice Chair Blakemore adjourned the meeting at 7:00 p.m. to the next scheduled meeting to be held at 5:30 pm on Thursday, November 14, 2024. All Boardmembers present expect to attend.

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Chair, Architectural Review Board

**ATTEST:**

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Secretary, Architectural Review Board

# Attachment H.

## Consistency Analysis with the City's General Plan/Coastal Land Use Plan

2023-2031 Housing Element Zoning Amendments, Second Reading  
December 9, 2024 City Council Meeting

**City of Carpinteria**  
**General Plan/Coastal Land Use Plan (GP/CLUP) Consistency Analysis**  
**for the 2023-2031 Housing Element Update Zoning Amendments**  
**Project 24-2279-ORD/LCPA**

On January 22, 2024, the City Council adopted the 2023-2031 Housing Element<sup>1</sup>, which outlines how the Regional Housing Needs Allocation (“RHNA”) can be achieved during the 2023-2031 cycle through a variety of methods and programs. Now the City must implement Program 1 - Adequate Sites to Accommodate Regional Housing Needs.

This analysis provides an evaluation of the proposed Project, which is the implementation of Program 1. It requires amendments to the Carpinteria Municipal Code (“CMC”) and Local Coastal Program (“LCP”) and consists of the following three main components:

- A. The addition of the Residential/Mixed Use (“RMU”) Zoning District in Title 14 of the CMC;
- B. The addition of Objective Design Standards (“ODS”) in Title 14 of the CMC;
- C. The amendments to the Zoning Map to rezone select Candidate Opportunity Sites from their current zoning districts to the new RMU Zone.

The amendments to the Zoning Map would involve up to 17 Candidate Opportunity Sites, which are listed in Table 1.

**Table 1 – Proposed Project: 17 Sites to be Potentially Rezoned to Residential/Mixed Use**

| Site # | Location                    | Site Size (ac) | Current Zoning | Current General Plan |
|--------|-----------------------------|----------------|----------------|----------------------|
| 3      | 1000 Bega Way               | 9.68           | M-RP           | RDI                  |
| 4      | 6250 Via Real               | 8.47           | M-RP           | RDI                  |
| 5      | 6380 Via Real               | 8.63           | M-RP           | RDI                  |
| 6      | Cindy Ln; Mark Ave; Rose Ln | 10.58          | M-RP           | RDI                  |
| 7      | Cindy Ln; Via Real          | 5.51           | M-RP           | RDI                  |
| 8      | Mark Ave; Cindy Ln          | 10.02          | M-RP           | RDI                  |
| 9      | Cindy Ln                    | 4.49           | M-RP           | RDI                  |
| 10     | 5320 Carpinteria Ave        | 1.08           | CPD            | GC                   |
| 11     | 5437 Carpinteria Ave        | 1.98           | CPD            | GC                   |
| 12     | Eugenia Pl                  | 4.66           | CPD            | GC                   |
| 13     | Eugenia Pl                  | 0.80           | CPD            | GC                   |
| 14     | Eugenia Pl                  | 1.88           | CPD            | GC                   |
| 15     | Carpinteria Ave             | 2.45           | CPD            | GC                   |
| 16     | Carpinteria Ave             | 0.67           | CPD            | GC                   |
| 18     | Holly Ave; Carpinteria Ave  | 1.47           | CPD            | GC                   |
| 20     | Palm Ave                    | 0.77           | CPD            | GC                   |
| 21     | Carpinteria Ave             | 6.31           | M-RP           | RDI                  |

<sup>1</sup> Available here: <https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/>

The proposed Project would facilitate the development of housing (and affordable housing, in particular), but would not exceed the buildout anticipated by the City's 2003 GP/CLUP. Each of the 17 Candidate Opportunity Sites have a Land Use Designation of either General Commercial ("GC") or Research & Development Industrial ("RDI"). Both of these land use categories allow for residential uses in their definitions:

**General Commercial ("GC")**

*The GC land use category is characterized by a mixture of retail, wholesale, service and office uses, usually located along major transportation corridors. This category includes a variety of commercial intensities. The Central Business District identifies the downtown commercial area. It is characterized by a variety of offices, retail businesses, specialty shops, entertainment uses, and residential land uses. The City encourages this area to be pedestrian-oriented.*

**Research & Development Industrial ("RDI")**

*The RDI land use category is characterized by well-designed groups of office, research and development and light industrial uses. These land uses typically employ a large number of persons, and are attractively designed to be compatible with less intense uses, such as residential.*

**I. Project Consistency with the Land Use Element**

The following analysis focuses on how the proposed Project is consistent with applicable Land Use Element objectives and policies.

**Objective LU-1:** *Establish the basis for orderly, well planned urban development while protecting coastal resources and providing for greater access and recreational opportunities for the public.*

**Discussion:** This objective was taken into consideration during the 2023-2031 Housing Element Update process. Candidate Opportunity Sites chosen for potential rezoning were screened to ensure that their locations make sense for siting future housing in the City while ensuring there would be minimal impacts to coastal resources, coastal access, and recreational opportunities. Site profiles for Candidate Opportunity Sites are provided in Figure B-4 of Appendix B<sup>2</sup> of the Housing Element. All Sites were selected based on substantial evidence that they could be rezoned to realistically accommodate additional housing within the City without significant impacts to agricultural land, visitor serving commercial uses, environmentally sensitive areas, and hazards associated with flooding and sea level rise. Moreover, the 17 Sites (Table 1 above) under consideration for the proposed Project are located in commercial and light-industrial/research park

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<sup>2</sup> Available here: [https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version\\_Reduced.pdf](https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version_Reduced.pdf)

areas of the City and would support compatible housing and/or mixed-use development in context with other existing and planned development patterns.

**Policy LU-1a:** *The policies of the Coastal Act (Public Resources Code Section 30210 through 30263) are hereby incorporated by reference (and shall be effective as if included in full herein) as the guiding policies of the land use plan.*

Discussion: The proposed Project would comply with the provisions of the Coastal Act and with the City's Local Coastal Plan ("LCP"). Appendix B of the Housing Element describes the City's Candidate Opportunity Sites and includes an initial evaluation of those sites with respect to Coastal Act and the City's certified LCP's protections for coastal resources. The candidate sites were selected based on substantial evidence that these sites could be rezoned to realistically accommodate additional housing within the City without significant impacts to agricultural land, visitor serving commercial uses, environmentally sensitive areas, and hazards associated with flooding and sea level rise.

**Policy LU-1d:** *Ensure that the type, location and intensity of land uses planned adjacent to any parcel designated open space/recreation or agriculture (as shown on Figure LU-1) are compatible with these public resources and will not be detrimental to the resource.*

Discussion: Of the 17 Candidate Opportunity Sites under consideration for the proposed Project (Table 1), no Sites are located next to agriculture and only Site #21 is located adjacent to designated open space/recreation. Site #21 consists of two properties to the east of Viola Fields, an active ball field. The Site supports both vacant land and existing development with the presence of a warehouse that was built in 1962. Future multifamily residential and/or mixed-use development on Site #21 would not be detrimental to the adjacent recreational area since the uses are compatible, the properties involved are easily accessible for vehicles and pedestrians, and future development would not create any hazards or nuisances that would disrupt the ongoing use of the ball fields.

**Objective LU-3:** *Preserve the small beach town character of the built environment of Carpinteria, encouraging compatible revitalization and avoiding sprawl development at the city's edge.*

Discussion: The overall Project would be consistent with this objective. The intent of the standards in the RMU Zone and ODS is to ensure that future housing growth occurs in a manner that is compatible with the existing small beach town character.

Site Nos. 8 and 9 are located at the City's eastern edge. Site No. 8 is developed with industrial/office park uses and is adjacent to similar uses to the north and west, with Highway 101 to the south. Site No. 9 is vacant but surrounded by industrial development to the north, south, and west. Mixed-use or residential development of these two Sites would not be considered sprawl given the existing and planned uses for the area.

The remaining 15 Candidate Opportunity Sites are infill sites that are not located near the City's edge. Each is a reasonable walking distance from neighborhood serving uses (e.g., schools, grocery stores, pharmacies, parks, etc.) and from public transit stops, and is either served by all needed utilities or has direct access to existing utilities. With the application of the ODS, the future residential and mixed-use development would be compatible with the existing small beach town character.

**Policy LU-3a.** *New development shall occur contiguous to existing developed areas of the city. Higher density in certain residential neighborhoods and for residential uses in commercial districts shall be provided as a means to concentrate development in the urban core consistent with zoning designations, particularly where redevelopment of existing structures is proposed.*

Discussion: The proposed Project would be consistent with this policy. It would incentivize new residential development adjacent to existing development in commercial and light industrial/research park designations to allow for redevelopment and infill in the urban core, near existing services and jobs.

All 17 Candidate Opportunity Sites are located adjacent to existing developed areas of the City. Site No. 21 has the least amount of surrounding development but supports existing industrial uses on half of its surface area and is adjacent to a public park to the west, Highway 101 to the north, offices to the east, and railroad corridor to the south.

The RMU Zone would require any new development plans to include medium-density multifamily residential uses. Consistent with this policy, the rezones would concentrate development in the City's urban core by focusing on locations with existing commercial/research park land use designations. It would also prompt redevelopment on most of the Sites, particularly where existing buildings (e.g., office spaces) have seen diminished demand in recent years.

Therefore, the new RMU zone district requiring residential densities of 20-25 dwelling units per acre on up to 17 select Candidate Opportunity Sites (Table 1) that are located in GC and RDI designated areas would appropriately concentrate higher-densities in the urban core and prompt redevelopment of existing structures.

**Policy LU-3c.** *Work cooperatively with the County to strive to achieve a jobs/housing balance in the Carpinteria Valley.*

Discussion: The proposed Project is the implementation of a key program from the adopted 2023-2031 Housing Element. Both the City's and the County's Housing Elements this cycle were prepared through a cooperative assessment with the Santa Barbara County Association of Governments ("SBCAG"). See more detailed discussion under Policy LU-6a below.



**Policy LU-3h.** *Develop land uses that encourage the thoughtful layout of transportation networks, minimize the impacts of vehicles in the community, and encourage alternative means of transportation.*

**Policy LU-3i.** *Ensure the provision of adequate services and resources, including parking, public transit and recreational facilities, to serve proposed development.*

Discussion: Consistent with these Policies, identified Candidate Opportunity Sites were selected, in part, based on their proximity and access to important services, including but not limited to transportation infrastructure and recreational areas. All of the sites under consideration are located directly on, or within short walking distance (i.e., less than ¼ mile) of the City's main bus route.

**Policy LU-3j.** *Ensure that the Zoning Ordinance contains applicable zoning districts to provide consistent implementation of the Land Use categories.*

**Policy LU-3l.** *Land use designations established on the City's land use map that permit a range of residential densities should not be interpreted to permit development that is incompatible with the existing development pattern in an area. A density within the allowable range that is most compatible with the predominant pattern of development in the area should be used as the guide for determining the appropriateness of the proposed development.*

**Policy LU-3m.** *Where residential use is permitted in commercially designated areas and a density standard is provided, specific plans or similar implementation tools should be created to establish appropriate controls for the intensity of residential use in the district.*

Discussion: The proposed RMU zone district has been designed to be vertically consistent with the types and intensities of development contemplated for the GC and RDI land use categories, including provisions for accommodating multifamily residential and mixed-use infill opportunities in these land use categories, and also complying with the requirements of Housing Element law as it pertains to rezones required to meet the City's RHNA.

**Policy LU-5a.** *The City shall continue to give priority to agriculture, coastal-dependent industry and visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over residential, general industrial, or general commercial development.*

Discussion: Consistent with this Policy, none of the Candidate Opportunity Sites currently under consideration are designated for agriculture, coastal-dependent industry, or visitor-serving commercial use.

**Objective LU-6:** *Create flexible land use and zoning standards for general commercial and industrial parcels that allow opportunities for residential use to expand, as determined appropriate by the City, in response to changing needs relative to the jobs/housing balance locally and in the region, and as incentive toward the development of affordable housing.*

Discussion: The application of the new RMU Zone and ODS to Candidate Opportunity Sites would be directly in response to the changing needs identified in the City's 2023-2031 Housing Element, including the local and regional jobs/housing balance and the incentivization of affordable housing development. The goals of the Housing Element's programs are:

- 1) providing diverse housing sites and opportunities;
- 2) conserving and improving the existing affordable housing stock;
- 3) removing governmental and other constraints to housing development; and
- 4) affirmatively furthering fair housing.

Consistent with this Objective, the proposed RMU Zone would establish a new zoning district that aligns with the GC and RDI land use categories intended to promote infill residential and mixed-use development at densities that would encourage the production of workforce housing and incentivize the inclusion of below-market rate housing units in such projects. Compared to other zone districts within the City that allow for multifamily residential uses, the proposed RMU Zone would allow for slightly more relaxed development standards (e.g., height, setbacks, parking) in an effort to accommodate targeted densities.

**Policy LU-6a.** *The City may consider and permit mixed use (i.e., residential/commercial or residential/industrial) on parcels designated on Figure LU-1 for commercial or industrial use. Such mixed use may be considered if the City has found that either the allowance would encourage rehabilitation of important existing housing stock, or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that mixed use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Mixed-use development shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site.*

Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential development on parcels designated for commercial and industrial uses would result in affordable housing production. During the Housing Element Update process, only Candidate Opportunity

Sites that were compatible with existing and anticipated uses in the areas surrounding the Sites were selected. Application of the new RMU Zone to such Sites would enable the City to meet its near-term RHNA obligations in a manner that can be found consistent with this Policy directive.

This would also help the City to improve and maintain an appropriate local/regional jobs-housing balance. As explained in the 2023-2031 RHNA Plan<sup>3</sup>, SBCAG reviewed the jobs and housing balance of all jurisdictions in Santa Barbara County. The region's growth forecast, which forms the basis for the RHNA, considers areas where there are significant imbalances in jobs and housing, and the likelihood of those imbalances changing in the future by applying existing and future jobs. The RHNA Plan includes consideration of existing and projected relationships between low-wage jobs and lower-income housing. As such, the SBCAG-adopted RHNA methodology includes a jobs-housing fit adjustment factor that seeks to house more low-wage workers near higher housing cost areas and encourage zoning for more affordable housing types. The methodology used in the RHNA Plan was based, in part, on the following objective:

“Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.”

The RHNA Plan's South-Coast emphasis on an improved jobs-housing balance, income parity, and affirmatively furthering fair housing, strives to improve the jobs-housing fit between low-wage jobs and the housing needs of low wage workers. The proposed rezoning of Candidate Opportunity Sites in Carpinteria to a new RMU zone would be a significant step toward meeting that goal in the South County.

**Policy LU-6b.** *The City may consider and permit residential use on a parcel or parcels not designated for such use under certain circumstances. Such residential use may be considered on a parcel or parcels designated for commercial or industrial use if the City has found that either the allowance would encourage rehabilitation of important existing housing stock or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that residential use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Residential use shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site. A residential overlay zone district shall be maintained by the city with the purpose of permitting residential development on a parcel or parcels otherwise designated on the official land use and zoning maps of the city for commercial or industrial use. Implementation of the Residential Overlay zone district shall be permissive in nature and shall not be construed to restrict use already allowed in the base zone*

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<sup>3</sup> Available here: [https://www.sbcag.org/wp-content/uploads/2023/08/final\\_rhna\\_plan.pdf](https://www.sbcag.org/wp-content/uploads/2023/08/final_rhna_plan.pdf)

*district. Further, the city shall retain the authority for determining where implementation of the residential overlay zone is appropriate. To encourage retention of local businesses where parcels are already developed for commercial or industrial use, application of the Residential Overlay shall be considered only after mixed use development, as allowed through policy LU-6a above, has been determined by the City to not be appropriate.*

Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential development on the selected Sites designated for commercial and industrial uses would result in affordable housing production in the community. The 17 Candidate Opportunity Sites were identified because future mixed-use and residential development on the selected properties would be compatible with existing uses surrounding the sites (see Housing Element Appendix B, including Site Profiles), and could help contribute towards meeting the City's workforce and affordable housing needs.

Although a residential overlay district was the preferred method to implement Program 1 in the Housing Element, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay did not satisfy Housing Element Law. Thus, a new RMU Zoning District has been created to meet the intent of this policy as well as the goals and programs of the Housing Element. The proposed RMU Zone would still be permissive in nature in that it would continue to allow for the uses that are currently permissible in the GC and RDI land use categories and their corresponding zone districts. However, it would require multifamily housing to be included in any future development with incentives to include affordable units in accordance with State law.

Finally, the authority for determining the locations of the new RMU Zone stays with the City Council. City staff recommends that Sites fronting on Linden Avenue and Carpinteria Avenue within the Downtown "T" (based on Community Design Element Subarea 2a) be required to be developed in a mixed-use fashion that maintains a commercial component on the ground floor. Outside of the Downtown "T," sites rezoned to the RMU district would have the option of being developed in a mixed-use arrangement or residential-only. In any case, the Planning Commission and the City Council will take into consideration whether multifamily residential uses are appropriate for the location prior to rezoning a Candidate Opportunity Site.

**Policy LU-6c.** *Parcels designated coastal-dependent industrial or visitor-serving commercial shall not be considered for mixed-use or residential use, with the exception that second-story mixed-use or residential use shall be allowed on visitor-serving commercial parcels in the Downtown Core District.*

Discussion: Consistent with this Policy, none of the identified Candidate Opportunity Sites are designated for coastal-dependent industrial or visitor-serving commercial use. Proposed rezone sites were instead selected from existing sites designated for GC and

RDI land uses that currently allow for mixed-use and residential uses in certain circumstances.

## II. Project Consistency with the Community Design Element

The following analysis focuses on how the draft ODS in particular are consistent with applicable Community Design objectives and policies.

### Citywide Community Design Objectives

**Objective CD-1:** *The size, scale and form of buildings, and their placement on a parcel should be compatible with adjacent and nearby properties, and with the dominant neighborhood or district development pattern.*

**Objective CD-2:** *Architectural designs based on historic regional building types should be encouraged to preserve and enhance the unique character of the city.*

**Objective CD-3:** *The design of the community should be consistent with the desire to protect views of the mountains and the sea (California Coastal Act of 1976 §30251).*

Discussion: The ODS propose standards which address the relationship between the project site, adjacent sites, and the new development. Section 14.51.040- Building Form, Massing, and Articulation proposes contextual standards that reflect structures surrounding a proposed project, such as a requirement to maintain an existing contiguous street façade (like on parts of Carpinteria and Linden Avenues); upper story step backs when a project is within 20 feet of a side property line or when adjacent to a single-story building; and reduced upper-story massing (80% of the ground story, or 70% for lots of 5,000 square feet or less). Section 14.51.050 – Site Design proposes standards that ensure building façades remain in character and coherent with the surrounding neighborhood, such as requiring commercial components of mixed-use developments to be located on the ground floor facing the primary street and designating street-facing open spaces on Carpinteria and Linden Avenues to be used for public plazas, dining, or entry spaces.

The requirements for building massing and variation do not confine buildings to a certain architectural style, allowing for the continued charming variety of architectural styles seen in the City, while at the same time requiring elements that prevent boxy, generic structures. For example, façades must incorporate variations in wall depth or elements like a porch or stoop to create animated spaces. Proposed restrictions on story heights prevent structures from being taller than necessary and roofline variation requirements create breaks in massing at the top of buildings, allowing for views to remain incorporated in projects.

## Key Physical Community Design Characteristics

**Objective CD-5:** *The streets of neighborhood interiors should be designed to be the “living rooms” of the neighborhood, where children and adults can safely play or walk. The design and details of streets, frontages and buildings should support this objective.*

**Policy CD-5a.** *Main entrances to homes should be oriented to the street. Entry elements such as porches, stoops, patios and forecourts are encouraged. Such entry elements should be selected for their compatibility with the adjacent houses and the general neighborhood pattern.*

**Policy CD-5b.** *Garages should not dominate views from any public street.*

**Policy CD-5c.** *Low walls, low fences and hedges should be encouraged along the frontages to define the edge of the private yard area, where appropriate.*

**Policy CD-5d.** *Houses within a neighborhood may vary in materials and style, but strong contrasts in scale, color and roof forms should generally be avoided.*

**Discussion:** Many of the proposed standards address street frontages and the relationship between public and private spaces. Section 14.51.070 proposes requirements for the placement and design of building entrances, a key component of how the public interacts with building façades. The proposed ODS include elements that make public entrances inviting and interesting, and in mixed-use settings require separate entrances to residential and commercial spaces. Entrances would be required to provide a weather-sheltering element and/or decorative features, and street-facing entrances would need to incorporate enhanced paving to differentiate from the public right-of-way. Additional proposed requirements include maximum four-foot-tall fences, walls, or plantings around private open spaces within 20 feet of other residences, a limit on garages to occupy no more than 50% of a façade, and pedestrian walkways that connect public rights-of-way to key elements within a development (such as entrances, bicycle parking, and other amenities). Together, these various ODS would create inviting, interesting façades and entryways that would make neighborhood streets feel safe and vibrant.

**Policy CD-6a.** *Neighborhood-serving commercial or apartment buildings should be oriented to the street that bounds or enters the neighborhood. Front doors should face the street, with primary access directly from the public sidewalk. The buildings should be compatible in scale with nearby residential buildings.*

**Policy CD-6b.** *Parking lots should be beside or behind the buildings, not in front. On-street customer parking for small neighborhood-serving shops, restaurants, offices and service businesses is encouraged. Such on-street parking should be managed as short-*

*term convenience parking, and should not conflict with parking for coastal access or for nearby residences.*

**Discussion:** The proposed ODS would require commercial uses to locate main entrances toward the primary street. Parking and loading areas would not be permitted between any building and the primary right-of-way. The number of required parking spaces is determined by the zone district and is not included in the proposed ODS.

**Objective CD-7:** *Enhance and maintain the Linden Avenue downtown core, the Carpinteria Avenue commercial core, the Eugenia professional office area, the Casitas Village, Shepard's Place Shopping Center, and the Cindy Lane-Mark Avenue industrial park districts.*

**Policy CD-7a.** *Retail and commercial uses should generally have large transparent "storefront" windows for display of merchandise to pedestrians. Blank sections of walls on street frontages are strongly discouraged.*

**Policy CD-7c.** *Loading and trash facilities should be located where they are screened from view. The use of alley and service roads is encouraged for these facilities.*

**Policy CD-7d.** *Courtyard housing types, with multiple small units fronting onto a common courtyard or garden, are encouraged as an alternative to apartment "blocks" or more massive buildings within mixed-use districts.*

**Discussion:** The proposed ODS would be applicable to any sites rezoned to the proposed RMU zone district, as well as specified projects which could receive ministerial or streamlined review under the California Government Code. New mixed-use and/or residential developments could "enhance" these areas by providing new housing and job opportunities and public amenities. Commercial frontages on Linden and Carpinteria Avenues would have to incorporate transparent windows and doors for at least 50% of the wall area between three and seven feet high, and wall plane variation requirements proposed in Section 14.51.040 would additionally prevent "blank sections" of frontages. Mechanical equipment, waste receptacles, and loading areas for commercial uses would require screening from public view through landscaping or enclosures, and loading zones would be prohibited along the primary street façade. Developments would be prevented from forming apartment "blocks" with unbroken facades through a combination of the zone district's development standards (e.g., building coverage, open space requirements) and the ODS (e.g., minimum dimensions for open space, contextual upper-story setbacks, wall plane variation requirements).

**Objective CD-8:** *To encourage and facilitate pedestrian and bicycle pathways.*

**Policy CD-8a.** *All streets should be designed with safe and pleasant pedestrian ways at their edge. Pedestrian ways shall be spatially separated from vehicular traffic by elements such as trees, other plantings, streetlights, and/or parked cars.*

**Policy CD-8b.** *To provide convenient pedestrian routes, the existing network of automobile lanes, trails and pedestrian ways in the Downtown District and adjacent neighborhoods should be preserved, reinforced and extended into other neighborhoods. This pedestrian network should be in addition to, not in lieu of, pedestrian ways on the streets.*

**Discussion:** The proposed ODS provide several standards related to pedestrian access and circulation on a site. Walkways would be a required minimum of four feet wide and would need to connect the public sidewalk to areas all throughout the site. For sites located more than 300 feet from an intersection, a public access walkway would be required through the lot to connect blocks to one another. Landscaping would be required to flank at least one side of each walkway, with trees planted to shade at least 25% of the walkway at maturity, providing buffer from other uses (e.g. parking or street areas). While the ODS do not address bicycle infrastructure in the public right-of-way, the ODS do propose requirements for bicycle parking for both commercial and residential uses, enhancing the bike-friendliness of the City.

**Objective CD-10:** *Areas with attractive frontage designs should be maintained. New development should be carefully planned with frontage areas, which maintain and enhance the quality of Carpinteria's streetscape.*

**Policy CD-10a.** *Minor variations in front yard building alignments within a block are encouraged. Relatively steady setback patterns clearly define the public space of the street and reinforce small town character.*

**Policy CD-10b.** *Frontages where residential uses abut a major thoroughfare should include buffering elements such as yards, forecourts, courtyards, and tree rows. Sound walls are the most primitive form of buffer and should be used only where other methods are impractical. If sound walls are used they should be attractive and well landscaped.*

**Policy CD-10c.** *Commercial and mixed-use frontages should generally have wide sidewalks adequate to encourage customers and residents to walk, shop and linger in the public right-of-way. Commercial buildings should have large windows and entries on the street at the ground level. Residential ground floor uses should be set up or back from the street enough to afford privacy within the dwelling.*

**Policy CD-10e.** *Frontages with existing uses such as the parking, loading or storage of vehicles should be screened with walls and plantings that are consistent with the neighborhood character. These elements should be in scale with pedestrians.*



Discussion: Attractive building frontages are a key focus of the proposed ODS. Section 14.51.040 would address frontages on a larger scale, requiring wall plane variation, vertical breaks in color, material, or texture, roofline variation, and reduced upper story massing to prevent “looming” multi-story façades. Where an established façade setback pattern exists (such as along Linden Ave and parts of Carpinteria Ave), new developments would be required to maintain that pattern to fit in with the building character. Other sections propose standards to enliven and beautify frontages in smaller ways, such as requiring that front setbacks of commercial mixed-use spaces be public/pedestrian-oriented (e.g. providing seating, public art, etc.); that front entrances along the downtown “T” provide enhanced paving and decorative/weather protective elements; and that garages be recessed from the main wall plane and provide decorative treatments, like trellises or windows to soften their appearance.

A downtown ground floor transparency requirement is proposed, which would mandate that new mixed-use commercial facades facing Linden or Carpinteria Avenues include windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Commercial components of mixed-use developments would be required to always be located closest to the primary street, and on the ground floor when commercial and residential is proposed in the same building, thereby siting the residential units away from the primary street. A five-foot landscaping privacy buffer would be required between all private open spaces (e.g. patios) and public spaces. As mentioned previously, loading areas and mechanical equipment would be required to provide screening through fences, landscaping, or other means to blend in with the surrounding character. For sites fronting Linden or Carpinteria Avenues, off-street parking would not be permitted in the front or side setback. Taken together, all of these standards would enhance neighborhood character and avoid blank, uninviting facades at the pedestrian, building, and block level.

**Objective CD-11:** *Existing public spaces should be maintained, and new public spaces should be incorporated into neighborhoods and districts as an important aspect of their design.*

**Policy CD-11a.** *Open space, in the form of parks and greens should be an integral part of each neighborhood plan, not configured as residual space unusable by the residents.*

**Policy CD-11c.** *All public spaces and facilities should reflect quality design.*

**Policy CD-11f.** *Landscape design guidelines should emphasize the use of native drought tolerant plant materials, and the importance of trees as the primary elements of the town landscape. All landscaping shall utilize only non-invasive type plants.*

Discussion: The amount of required common and/or public open space is set by the zone district, but the ODS propose standards to enhance these spaces for the benefit of a development’s residents and the public. As mentioned above, the ODS propose that

common/public open spaces be a minimum of 10 x 10 feet (preventing situations such as a long, narrow strip of residual land between buildings being counted as “open space”) and provide at least one amenity to make the space useful— elements such as picnic tables, seating areas, play areas, and community gardens are proposed. Along Linden and Carpinteria Avenues, the ODS would require that any ground-floor courtyard, open space, or building setback from the street-facing property line be used for outdoor dining, public plazas, or entries, allowing for smaller public spaces to nestle along high foot traffic streets. Section 14.51.110 would additionally require that all landscaping utilize non-invasive Mediterranean, local California native, and other drought-tolerant species, and would prohibit artificial plants. Proposed minimum plant quantities (one 15-gallon tree or equivalent box size and 20 five-gallon shrubs per 1,000 square feet of landscaped area) would prevent developments from looking barren before landscaping has matured and from having large swaths of hardscape, mulch, woodchips, or similar materials. These proposed requirements aim to create “quality design” for public spaces incorporated in new developments.

## **Community Design Subareas**

### Subarea 2. The Downtown and Old Town

**Objective CDS2-2:** *Preserve and enhance the downtown’s historic status as the center of commercial activity by encouraging a range of uses that serve both residents and visitors.*

**Objective CDS2-3:** *Preserve and enhance the downtown’s historic status as the center of civic activity by encouraging the construction and expansion of cultural and governmental facilities in the downtown.*

**Policy CDS2-a.** *Ensure that new intensified land uses within the Downtown remain consistent with the city’s “small beach town” image.*

**Policy CDS2-b.** *To enhance the pedestrian character of the downtown’s streets, plazas, paseos, parks and lanes.*

Discussion: The proposed ODS would contribute to the downtown’s status as the center of commercial and civic activity by requiring building designs that blend residential and mixed-use into the existing vibrant cityscape. Mixed-use developments would require commercial frontages to be public and visitor-oriented—architecturally detailed street-facing entrances and pedestrian amenities in front setbacks—while residential-only developments would require adequate privacy for residents while maintaining openness and “curb appeal”—windows with improvements like shutters or awnings; a maximum height of four feet for fences, walls, or hedges facing a public street to prevent the street from being walled off; and no expansive, blank garage doors facing the street. New downtown development accommodating both commercial and residential uses has the

potential to create a pedestrian-centric neighborhood with people in close proximity to work, home, cultural and leisure amenities, and shopping areas.

Subarea 2a. The Downtown Core District

**Objective CDS2A-2:** *Preserve and enhance the downtown’s historic status as the center of commercial activity of the city by encouraging a range of uses that serve both residents and visitors.*

Discussion: Consistent with this Objective, proposed rezones within the Downtown Core are limited to sites along the periphery of the Downtown “T” that are not designated for visitor-serving commercial use, but where mixed-use or multifamily residential uses would be appropriate and can help to preserve and enhance commercial activity throughout the downtown. The proposed ODS ensure that new development of these sites is pursued in a manner that preserves the character of the community.

**Policy CDS2A-a.** *Encourage and carefully regulate the development of two- and three-story mixed-use building along Linden and Carpinteria Avenues, to define a vital, lively, and valuable center for the city while prioritizing visitor-serving commercial uses.*

**Policy CDS2A-b.** *Ensure that intensified land uses within the subarea support a lively place to visit, live, work and shop, and that the scale and character of the District remain consistent with the city’s “small beach town” image.*

**Policy CDS2A-c.** *Encourage the gradual but systematic transformation of Carpinteria Avenue from a highway commercial strip to an integrated downtown street similar in character to Linden Avenue.*

**Policy CDS2A-d.** *Enhance the pedestrian character of the District’s streets, plazas, paseos, parks and lanes.*

Discussion: The proposed ODS would carefully regulate development of mixed-use projects in this key downtown “T” area. The “intensity” of land uses would be more precisely regulated by the new RMU zone district. But the proposed ODS would require reduced upper story massing, upper story setbacks, and roofline variation, which can lessen the perceived intensity of a development from the street or sidewalk. Required architectural details on windows, entryways, and roofs without a strict architectural style imposed overall would invite interesting variety and add to Carpinteria’s eclectic “small beach town” feel. The ODS propose to site parking and loading areas away from Carpinteria and Linden Avenues, preventing pedestrian-hostile frontages dominated by asphalt.

Subarea 4. The Northeast

**Objective CDS4-1:** *Strengthen the visual and physical connections between the subarea, the downtown and other neighborhoods and districts in the city.*

**Objective CDS4-2:** *To take advantage of the subarea's unique mixture of workplaces and affordable housing to develop a vital living and working center for the city.*

**Objective CDS4-3:** *Enhance existing residential neighborhoods and ensure that new development improves the neighborhood scale and character.*

Discussion: The ODS propose design requirements that would appropriately blend residential and commercial uses in a mixed-use development supported by the Northeast neighborhood objectives. Currently, the Northeast as viewed from Via Real lacks significant draw and pedestrian-oriented infrastructure, and the industrial/commercial uses are entirely separated from residential uses. The ODS would require new development to amplify pedestrian infrastructure and design frontages that engage residents and passers-by, as indicated by analysis above, while still maintaining the business-oriented nature of the easternmost portion. The Northeast may currently be considered to lack the “small beach town character” that other areas of the City have, and the ODS would create a more cohesive sense of design in Carpinteria that prioritizes people instead of cars, and integrates residences with surrounding commercial areas.

Subarea 6. The Bluffs

**Objective CDS6-1:** *Maintain the Carpinteria Bluffs Access, Recreation & Open Space Master Program as the coordinated plan for the Carpinteria Bluffs area that will allow development of uses identified in the Land Use Plan herein, so as to complement one another and preserve and enhance the site's coastal environment. The plan should be maintained so as to include information adequate to define the environmental resources and hazards within the Carpinteria Bluffs, and to delineate precise and appropriate policies for their management.*

**Objective CDS6-2:** *Ensure that development is controlled to avoid impacts to significant viewsheds, vistas, and view corridors.*

Discussion: Of the 17 Candidate Opportunity Sites under consideration for the proposed Project (Table 1), only Site #21 is located in the Bluffs subarea. Site #21 consists of two properties to the east of Viola Fields, an active ball field. The Site supports both vacant land and existing development with the presence of a warehouse that was built in 1962. Future multifamily residential and/or mixed-use development on Site #21 would be

required to comply with the RMU development standards and ODS, as well as policies for coastal resource protection.

### III. Project Consistency with the Circulation Element

The following analysis focuses on how the proposed Project is consistent with applicable Circulation Element objectives and policies.

**Objective C-3:** *Provide a balanced transportation network with consistent designations and standards for roadways that will provide for the safe and efficient movement of goods and people through the community.*

**Policy C-3k.** *Segregate by design, enforcement and traffic pattern, routes of significant industrial and residential conflict.*

Discussion: The proposed Project would allow for future development of mixed-use and multifamily residential projects adjacent to commercial and light industrial/research park uses. However, careful consideration was given to selecting Candidate Opportunity Sites where the combination of residential uses with commercial/industrial uses would not result in direct land use conflicts, including those related to traffic patterns. The 17 Candidate Opportunity Sites are located on or very near arterial streets that have existing capacity for local vehicle trips and also have direct access to existing public transit. An additional benefit related to the locations of the 17 Sites is that multifamily development in these locations is expected to reduce overall vehicle miles traveled by placing more workforce housing near jobs.

**Objective C-7:** *Build demand for alternative transportation use by increasing ease, effectiveness, and social acceptability, and through foresighted planning.*

**Policy C-7b.** *Develop safe and direct pedestrian accessibility between residential areas, schools, parks, and shopping areas in both new and existing urban areas.*

**Policy C-8l.** *As a requirement of new development, significant attention must be paid to bicycle-friendly infrastructure and the maintenance of nearby old infrastructure.*

Discussion: The Project would increase demand for alternative transportation by placing housing in areas that are walkable, bicycle-friendly, near public transit, and close to neighborhood services. The ODS component of the proposed Project specifically addresses pedestrian access and circulation, as well as requiring adequate bicycle parking.

#### IV. Project Consistency with the Open Space, Recreation & Conservation Element

The following analysis focuses on how the proposed Project is consistent with applicable Open Space, Recreation & Conservation Element objectives and policies.

**Objective OSC-1:** *Protect, preserve and enhance local natural resources and habitats.*

**Policy OSC-1a.** *Protect Environmentally Sensitive Habitat Area(s) (ESHA) from development and maintain them as natural open space or passive recreational areas.*

**Policy OSC-1b.** *Prohibit activities, including development, that could damage or destroy ESHA.*

Discussion: The majority of the properties included in the Candidate Opportunity Sites list do not have any environmentally sensitive habitats, nor are they located in proximity to such resources. Four sites, Site 5, Site 11, Site 18, and Site 21, are located immediately adjacent to City creeks (Carpinteria Creek, Franklin Creek, and Lagunitas Creek). Existing creek protection policies implemented through the City's Creeks Preservation Program would apply to redevelopment of these sites under the proposed RMU zoning designation. Likewise, Site 21 is known to contain limited quantities of sensitive sage and bluff scrub habitat, which would be subject to the City's ESHA protection policies. Assumed densities and development potential for these sites factored in applicable resource protection policies (e.g., setback requirements, etc.), while still allowing for reasonable redevelopment scenarios.

**Objective OSC-11:** *Carpinteria will conduct its planning and administrative activities so as to maintain the best possible air quality.*

**Policy OSC-11b.** *Promote the reduction of mobile source emissions related to vehicular traffic (e.g. promote alternative transportation, vanshare, buses).*

**Policy OSC-11d.** *Encourage the improvement of air quality in the Carpinteria Valley by implementing measures in the South Coast Air Quality Attainment Plan. For air quality enhancement, measures will include but not be limited to, measures to reduce dependence on the automobile and encourage the use of alternative modes of transportation such as buses, bicycles and walking.*

Discussion: The Project would minimize emissions from vehicles by placing residents near jobs and services. It would increase demand for alternative transportation by locating housing in areas that are walkable, bicycle-friendly, near public transit, and close to neighborhood services. All of the Candidate Opportunity Sites are located directly on the City's main transit line or within short (< ¼ mi.) walking distance of the route.

**Policy OSC-13a.** *Preserve broad, unobstructed views from the nearest public street to the ocean, including but not limited to Linden Avenue, Bailard Avenue, Carpinteria Avenue, and U.S. Highway 101. In addition, design and site new development on or adjacent to bluffs, beaches, streams, or the Salt Marsh to prevent adverse impacts on these visual resources. New development shall be subject to all of the following measures*

- a. *Height and siting restrictions to avoid obstruction of existing views of visual resources from the nearest public areas.*
- b. *In addition to the bluff setback required for safety, additional bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Blufftop structures shall be set back from the bluff edge sufficiently far to ensure that the structure does not infringe on views from the beach except in areas where existing structures already impact public views from the beach. In such cases, the new structure shall not be greater in height than adjacent structures and shall not encroach seaward beyond a plane created by extending a straight line (“stringline”) between the nearest building corners of the existing buildings on either side of the proposed development. Patios, balconies, porches and similar appurtenances, shall not encroach beyond a plane created by extending a straight line between the nearest corners closest to the beach from the existing balconies, porches or similar appurtenances on either side of the proposed development. If the stringline is grossly inconsistent with the established line of seaward encroachment, the Planning Commission or City Council may act to establish an encroachment limit that is consistent with the dominant encroachment line while still limiting seaward encroachment as much as possible.*
- c. *Special landscaping requirements to mitigate visual impacts.*

**Policy OSC-13b.** *Require new development or redevelopment in the downtown section of Carpinteria to conform with the scale and character of the existing community and consistent with the city’s theme of a small beach-oriented community.*

**Policy OSC-13f.** *Where appropriate, use open space lands as buffers for noise and visual nuisances and as transitions between incompatible uses.*

**Policy OSC-13g.** *Require new development to protect scenic resources by utilizing natural landforms and native vegetation for screening structures, access roads, building foundations, and cut and fill slopes in project design which otherwise complies with visual resources protection policies.*

Discussion: The proposed Project must allow for ministerial and streamlined permitting of medium-density multifamily housing per State law. As written, the draft RMU Zone, coupled with the draft ODS, would allow for such development on select rezone sites in the City while protecting important visual resources and broad unobstructed views. The RMU Zone standards would limit building and structure heights to 35 feet, require setbacks and distance between buildings, restrict building site coverage, and limit fence/wall heights.

The ODS propose many standards which address the relationship between the project site, adjacent sites, and the new development. They would prevent development from forming apartment “blocks” with unbroken facades via minimum dimensions for open space, contextual upper-story setbacks, and wall plane variation requirements. Attractive building frontages are a key focus of the proposed ODS, which include standards to enliven and beautify frontages. Proposed “Site Design” standards would ensure building façades remain in character and coherent with the surrounding neighborhood, such as requiring commercial components of mixed-use developments to be located on the ground floor facing the primary street and designating street-facing open spaces on Carpinteria and Linden Avenues to be used for public plazas, dining, or entry spaces.

Landscaping would be required to flank at least one side of each walkway, with trees planted to shade at least 25% of the walkway at maturity, providing buffer from other uses (e.g. parking or street areas). Section 14.51.110 of the ODS would additionally require that all landscaping utilize non-invasive Mediterranean, local California native, and other drought-tolerant species, and would prohibit artificial plants. Proposed minimum plant quantities (one 15-gallon tree or equivalent box size and 20 five-gallon shrubs per 1,000 square feet of landscaped area) would prevent developments from looking barren before landscaping has matured and from having large swaths of hardscape, mulch, woodchips, or similar materials. These proposed requirements aim to create “quality design” for public spaces incorporated in new developments.

## V. Project Consistency with the Safety Element

The following analysis focuses on how the proposed Project is consistent with applicable Safety Element objectives and policies.

**Objective S-4:** *Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from flooding.*

**Policy S-4a.** *All new development proposed in the 100-year floodplain must adhere to the County of Santa Barbara Floodplain Management Ordinance, Chapter 15-A of the County Code.*



Discussion: Some of the Candidate Opportunity Sites for potential rezoning to the RMU Zone are located within, or partially within 100-year flood zones. The flood zone maps are currently undergoing review and modification with the Federal Emergency Management Agency (FEMA). In any case, future development within the selected rezone sites would have to be evaluated for potential flooding and adhere to the City's and County's standards for development in areas prone to inundation.

With the exception of Site No. 21, none of the other Candidate Opportunity Sites for rezoning were identified in the City's Sea Level Rise Vulnerability Assessment and Adaptation Project ("SLRVAAP") as being vulnerable to sea level rise impacts resulting from one to five feet of sea level rise. The potential for impacts to Site No. 21 are associated with coastal bluff face retreat in the event of five feet of sea level rise. However, the City's existing bluff setback requirements and ESHA buffer requirements would offer adequate distancing from the bluff edge to mitigate sea level rise impacts over the expected economic life of any future development on the site.

**Objective S-5:** *Minimize the potential risks and reduce the loss of life, property and economic and social dislocation resulting from urban and wildland fires.*

**Policy S-5a.** *All new structures must adhere to the Carpinteria-Summerland Fire Protection District Ordinance and the Santa Barbara County Fire Department Ordinances, where applicable.*

**Policy S-5b.** *All new structures, whether within or outside the urban limit zone, must adhere to the city Fire Sprinkler Ordinance.*

Discussion: None of the Candidate Opportunity Sites for potential rezoning to the RMU Zone are located in high-fire severity zones. In any case, future development within the selected rezone sites would have to comply with all applicable fire safety standards.

## **VI. Project Consistency with the Noise Element**

The following analysis focuses on how the proposed Project is consistent with applicable Noise Element objectives and policies.

**Objective N-1:** *The City will minimize noise impacts of Highway 101 traffic on residential and other sensitive land uses.*

**Policy N-1a.** *The City will plan noise-compatible land uses or design developments with noise attenuation features near Highway 101.*

**Objective N-3:** *The City will minimize the adverse effects of traffic generated noise from City streets on residential and other sensitive land uses.*

**Policy N-3a.** *The City will encourage site planning and traffic control measures that minimize the effects of traffic noise.*

Discussion: The proposed Project would create an RMU zone district and rezone select parcels to RMU such that streamlined and ministerial permitting of medium-density housing can occur within the City. Some of the potential rezone sites are located near Highway 101 and busy arterial streets. The California Building Code Section 1206.4 states:

Interior noise levels from exterior sources must not exceed 45 decibels (dB) in any habitable room. The noise metric shall be either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.

Based on these requirements of the Building Code, even ministerial projects must be designed and constructed in a manner that will attenuate excessive exterior noise levels.

## **VII. Project Consistency with the Public Facilities and Services Element**

The following analysis focuses on how the proposed Project is consistent with applicable Public Facilities and Services Element objectives and policies.

**Objective PF-6:** *To ensure that new development is adequately served by utilities and does not impact existing service areas in the community.*

**Policy PF-6a.** *The ultimate responsibility to ensure that the facilities (including systemwide improvements) needed to support the project are available at the time that they are needed shall be that of the sponsor of development projects.*

**Policy PF-6b.** *Development projects shall not result in a quantifiable reduction in the level of public services provided to existing development, nor shall new development increase the cost of public services provided to existing development.*

**Policy PF-6c.** *Development projects within Carpinteria shall be required to:*

1. *construct and/or pay for the new on-site capital improvements that are required to support the project;*
2. *ensure that all new off-site capital improvements that are required by the project are available prior to certificate of occupancy;*
3. *be phased so as to ensure that the capital facilities that will be used by the new development are available prior to certificates of occupancy;*
4. *ensure that, in the event that public services or off-site capital facilities are impacted prior to development, the level of service provided to existing development will not be further impacted by the new development; and*
5. *provide for the provision of public services, and shall not increase the cost of public services provided to existing development.*

**Policy PF-6d.** *In cases where the City and/or special district requires capital facilities needed by development to be oversized, extended, or otherwise built over and above the minimum necessary to serve the development and the cost of such improvements is greater than the project's fair share of those facilities, at the city's discretion, a reimbursement agreement may be established with the developer to allow him to recoup the cost of providing capital facilities beyond the need directly created by his project from subsequent new development.*

Discussion: Although future development in the RMU Zone would be streamlined, it would not be exempt from these policies requiring that adequate services and utilities are available to the development project. Any future development or redevelopment accommodated under the new RMU zoning would be required to pay for its incremental increased demands on infrastructure and services through the City's Development Impact Fee program.

Additionally, as analyzed in the GP/CLUP, the Carpinteria Valley Water District, Carpinteria Sanitary District, and Carpinteria Summerland Fire Department have capacity to serve the full buildout of the planned growth. The proposed Project would not exceed the anticipated buildout of the GP/CLUP.

## **VIII. Project Consistency with the Housing Element**

Finally, the project would be consistent with the adopted 2023-2031 Housing Element because the purpose of the project is to implement Program 1 - Adequate Sites to Accommodate Regional Housing Needs.

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Attachment I.

Resolution 6350 Transmitting Ordinance Nos. 788, 789, 790, and 791 to the California Coastal Commission and the California Department of Housing and Community Development

2023-2031 Housing Element Zoning Amendments, Second Reading
December 9, 2024 City Council Meeting

RESOLUTION NO. 6350

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CERTIFYING THAT ORDINANCE NUMBERS 788, 789, 790, AND 791 ARE INTENDED TO CARRY OUT THE POLICIES OF THE CITY'S LOCAL COASTAL PROGRAM CONSISTENT WITH THE CALIFORNIA COASTAL ACT; DIRECTING THAT ORDINANCE NUMBERS 788, 789, 790, AND 791 BE TRANSMITTED TO THE CALIFORNIA COASTAL COMMISSION FOR FILING PURSUANT TO PUBLIC RESOURCES CODE SECTION 30510 AND IN ACCORDANCE WITH SECTION 13551 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS; AND DIRECTING THAT ORDINANCE NUMBERS 788, 789, 790, AND 791 BE TRANSMITTED TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR HOUSING ELEMENT CERTIFICATION PURSUANT TO GOVERNMENT CODE SECTION 65585.

PROJECT 24-2279-LCPA/ORD

WHEREAS, the City of Carpinteria ("City") is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City's 2023-2031 Housing Element ("Housing Element") on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development ("HCD") for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff held numerous meetings with HCD staff and California Coastal Commission staff regarding revisions to the Housing Element that would be protective of coastal resources and comply with Housing Element Law, made the necessary revisions to the Housing Element, and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted its 2023-2031 Housing Element to the HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the 2023-2031 Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City implements Housing Element Program 1, completing necessary rezones to address the shortfall of sites to accommodate the City's Regional Housing Needs Allocation ("RHNA"); and

WHEREAS, pursuant to Government Code Section 65860(a), the City's Zoning Ordinance (Title 14 of the Carpinteria Municipal Code) and Local Coastal Program must be amended to align with the required amendments to the Housing Element of the City's General Plan, including, but not limited to, Program 1; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element law (Gov. Code § 65583.2) and Program 1, and proposing a phased approach to rezoning sites that would not require a General Plan/Coastal Land Use Plan ("GP/CLUP") amendment or new Environmental Impact Report for the City to attain Housing Element certification from HCD; and

WHEREAS, on May 28, 2024, the City Council directed staff to proceed with phased implementation of Program 1 where in phase 1 the City would rezone sufficient sites to meet its RHNA shortfall that would not require a GP/CLUP amendment or new Environmental Impact Report, and in phase 2 the City would consider additional rezones for sites identified in Program 1 as part of its ongoing GP/CLUP amendment process; and

WHEREAS, in an effort to expeditiously implement Program 1 in a manner concurrent with recent case law,¹ City staff developed a new Residential/Mixed Use Zone District (Ordinance No. 788), Objective Design Standards ("ODS") which would apply to specified residential and mixed-use projects (Ordinance No. 789), and a

¹ *Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193, which determined that a jurisdiction may not rely on a residential zoning overlay to satisfy State Housing Element law if the overlay allows for both a higher density and a lower density development option.

phased rezone of recommended sites in the City to the Residential/Mixed Use Zone District (Ordinance Nos. 790 and 791); and

WHEREAS, City staff prepared the Residential/Mixed Use Zone District (Ordinance No. 788) and ODS (Ordinance No. 789) to contain the development standards described in Program 1 of the City's Housing Element and in accordance Housing Element Law, including, but not limited to, Government Code Section 65583.2, subdivisions (c), (h), and (i); and

WHEREAS, based on the factors and evidence described in the Housing Element and evidence in the record, the recommended sites in the City to rezone to the Residential/Mixed Use Zone District (Ordinance Nos. 790 and 791) are suitable to accommodate the City's lower income RHNA shortfall during the Housing Element planning period; and

WHEREAS, City staff have prepared a California Coastal Act and GP/CLUP consistency analysis for Ordinance Nos. 788, 789, 790, and 791, which based on substantial evidence concluded that adoption of these ordinances is consistent with the California Coastal Act as implemented by the City's GP/CLUP; and

WHEREAS, City staff have prepared an Addendum to the 2003 GP/CLUP Program Environmental Impact Report ("PEIR") for this zoning amendment, as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for the zoning amendments, for the purpose of implementing Program 1, and at this public hearing, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the amendments with specified changes, including the addition and removal of specified sites from the recommended rezone site list, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 25, 2024, following a duly noticed public hearing of the City Council, Ordinance Nos. 788, 789, 790, and 791 were introduced on a first reading, and, after considering all the evidence in the record, the Council moved to approve the Ordinances as follows:

- Ordinance No. 788: Approved 4-0-0-1 (Clark absent);
- Ordinance No. 789: Approved 4-0-0-1 (Clark absent);
- Ordinance No. 790: Removed Site 5 (APN 001-190-097) and Approved the Ordinance 4-0-0-1 (Clark absent) as amended;

- Ordinance No. 791: Approved 3-0-1-1 (Solorzano recused, Clark absent); and

WHEREAS, in addition to introducing upon first reading, Ordinance Nos. 788, 789, 790, and 791—which are sufficient to accommodate the City’s lower income RHNA shortfall—the City Council requested that the Council consider rezoning of additional sites (Housing Element Inventory Sites 5 and 21) to the Residential/Mixed Use District through a separate action in early 2025; and

WHEREAS, on December 9, 2024, at a duly noticed public hearing of the City Council, Ordinance Nos. 788, 789, 790, and 791 were heard on a second reading, and the Council adopted the Ordinances; and

WHEREAS, Ordinance Nos. 788, 789, 790, and 791 shall take effect immediately upon the date certified by the California Coastal Commission, pursuant to Public Resources Code Section 30514, or following the City Council’s certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and

WHEREAS, on December 9, 2024, after consideration of the Planning Commission’s recommendation, receipt of public comment, due consideration of all evidence in the record, and discussion among the Council members and staff, the City Council adopted this Resolution certifying that Ordinance Nos. 788, 789, 790, and 791 are intended to carry out the policies of the City’s GP/CLUP consistent with the California Coastal Act, and directed that these Ordinances be transmitted to the California Coastal Commission for filing pursuant to Public Resources Code Section 30510 and in accordance with Section 13551 of Title 14 the California Code of Regulations; and be submitted to HCD so that the City may achieve Housing Element certification pursuant to Government Code Section 65585; and

WHEREAS, on October 17, 2024, a notice appeared in a newspaper of general circulation in the City informing the public of Project 24-2279-LCPA/ORD, the Ordinances proposed, and the availability and location of review drafts and other associated documents, and on October 23, 2024 the City mailed notices to the parties described in California Code of Regulations (“CCR”), Title 14, Section 13515(a), pursuant to CCR Title 14, Section 13515(c); and

WHEREAS, the proposed amendments and additions approved for submittal to both the California Coastal Commission and HCD by the City Council as set forth below and as attached hereto and incorporated herein by reference, reflect the findings and determinations of the Planning Commission and City Council; and

WHEREAS, a full and complete copy of the project materials (Project No. 24-2279-LCPA/ORD) is on file with the City’s Community Development Department,

located at 5775 Carpinteria Avenue, Carpinteria, California, and is available to the public.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The foregoing recitals, incorporated herein by reference, are true and accurate and are based on substantial evidence in the record.

Section 2. Pursuant to Public Resources Code Section 30510 and Government Code Sections 65854, 65855, 65856, and 65860, the City Council held a public hearing on the proposed amendments to the Local Coastal Program and Zoning Code (Title 14 of the Carpinteria Municipal Code) and is transmitting all proposed amendments and additions to the California Coastal Commission for submittal and filing pursuant to Section 13551 of Title 14 of the California Code of Regulations, as well as to the California Department of Housing and Community Development in order to achieve Housing Element certification pursuant to Government Code Section 65585.

Section 3. Ordinance Nos. 788, 789, 790, and 791 have been found by the City of Carpinteria City Council to appropriately carry out the policies of the City's Coastal Land Use Plan consistent with the California Coastal Act and are consistent with the City's adopted Housing Element and State Housing Element Law.

PASSED, APPROVED AND ADOPTED this 9th day of December 2024, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 9th day of December 2024.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, Legal Counsel
Brownstein Hyatt Farber Schreck, LLP,
Acting as City Attorney