

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA PREZONING CERTAIN  
PROPERTY AND ADOPTING A ZONING CODE  
AMENDMENT FOR THE VERONICA MEADOWS  
SPECIFIC PLAN AREA

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA does hereby  
ordain as follows:

**SECTION ONE. Findings**

The City Council makes the following findings in accordance with the City Charter  
and Santa Barbara Municipal Code:

1. The proposed pre-zoning is consistent with the proposed General Plan. Upon annexation to the City, APN 047-010-011 will be designated on the City's General Plan as Major Hillside, Open Space, Buffer/Stream and Pedestrian/Equestrian Trail, APN 047-010-016 is designated on the General Plan as Residential, Two Dwelling Units per Acre, Buffer/Stream and Pedestrian/Equestrian Trail, and a portion of APN 047-010-053 is designated on the General Plan as Residential, Two Dwelling Units per Acre. The proposed pre-zoning of that property to Veronica Meadows Specific Plan known as the SP-9 Zone would also be consistent with the proposed General Plan.
2. The proposed pre-zoning will be beneficial to and not detrimental to the public health, safety, or welfare. The prezoning of that property to Veronica Meadows Specific Plan known as the SP-9 Zone will bring beneficial development to the area in a way that is sensitive to and compatible with surrounding land uses and the existing natural environment. The prezone is beneficial to the public health, safety, and welfare.
3. Duly noticed public hearings before the Planning Commission and the City Council were held to receive and consider public testimony regarding the proposed prezoning.
4. An environmental impact report was prepared and certified in compliance with the California Environmental Quality Act and a mitigation monitoring program and findings were adopted in conjunction with the certification.
5. With respect to Section 1507 of the City Charter, build-out of the Veronica Meadows Specific Plan will result in significant and unavoidable cumulative traffic impacts; all project-specific traffic impacts will be less

than significant. The City Council has weighed and balanced the overall community benefits of the project against the unavoidable traffic impacts and has concluded that the benefits of the project outweigh the significant traffic impacts sufficiently to make the adverse affects acceptable. Short-term impacts on air quality due to construction will be significant, but mitigable. Long term air quality impacts due to the land development would be less than significant. Short-term noise impacts from construction activities would be significant and unmitigable; however, no long term significant noise impacts would occur. Development of the project will not adversely affect the City's water or wastewater resources.

6. The Veronica Meadows Specific Plan meets all provisions of Article 8, Chapter 3, of Division 1 of Title 7 of the California Planning and Zoning Law (Government Code Sections 65450 through 65457).
7. The Veronica Meadows Specific Plan is consistent with the General Plan and Local Coastal Plan in that the establishment of the Veronica Meadows Specific Plan will create a single-family residential zone district where specific development standards are established to cluster development, maintain a semi-rural setting, restore a section of a degraded creek and riparian corridor, and, protect the natural environment.
8. The Veronica Meadows Specific Plan is consistent with the policies of the General Plan and the Local Coastal Plan as follows:
  - a. Land Use Element Policy 4.1 will be met because the Specific Plan provides for residential development.
  - b. Conservation Element Visual Resources Policy 1.0 and LCP Policies 6.8 and 6.10 will be met because the Specific Plan requires that all residential structures be located a minimum of 100 feet from the top of creek bank.
  - c. Conservation Element Visual Resources Policy 3.0 and LCP Policy 9.1 will be met because the scenic view corridors across the site will be maintained.
  - d. Conservation Element Visual Resources Policy 5.0 will be met because the Specific Plan requires that Area B and at least 50% of Area A be dedicated to open space.
  - e. Conservation Element Visual Resources Policy 6.0 will be met because the Specific Plan does not propose ridgeline development.
  - f. Conservation Element Air Quality Policy 4.0 will be met because the development allowed by the Specific Plan will not result in significant air quality impacts.

- g. Conservation Element Biological Resources Policy 5.0 will be met because the Specific Plan requires that all residential structures be located a minimum of 100 feet from the top of creek bank.
- h. Housing Policies 3.2 and 3.3 and LCP Policy 5.3 will be met because the density of development allowed by the Specific Plan is consistent with the surrounding neighborhood. Additionally, any development within the zone must be reviewed and approved by the Single Family Design Board in terms of neighborhood compatibility.
- i. Noise Element Policy 3.0 will be met because the type of development allowed by the Specific Plan area is consistent and compatible with surrounding development.
- j. Circulation Element Policy 5.1.5 and LCP Policy 3.4 will be met because the Specific Plan allows public trails to traverse the property, which will provide improved pedestrian, bicycle and other connections between Hidden Valley, Bel Air, and Campanil neighborhoods, and better access between these neighborhoods and Arroyo Burro Beach.
- k. LCP Policy 3.3 will be met because residential development allowed by the Specific Plan must provide two off-street parking spaces per unit.

## **SECTION TWO. City Pre-zoning**

Upon annexation of Assessor Parcel Numbers 047-010-011, 047-010-016 and a portion of 047-010-053 to the City of Santa Barbara, as evidenced by the recordation of the LAFCO Resolution of Approval in the official records of Santa Barbara County, the Sectional Zone Map SE-02 of Chapter 28.12, Zone Map of the Santa Barbara Municipal Code, is amended by changing the zoning of said property to SP-9/S-D-3, Specific Plan #9 (Veronica Meadows Specific Plan) and Coastal Zone Overlay, where applicable, depicted on the map attached hereto as Exhibit B.

## **SECTION THREE. Zoning Code Amendment**

Upon annexation of Assessor Parcel Numbers 047-010-011, 047-010-016 and a portion of 047-010-053 to the City of Santa Barbara, as evidenced by the recordation of the LAFCO Resolution of Approval in the official records of Santa Barbara County, Title 28 of the Santa Barbara Municipal Code is hereby amended to add a new Chapter thereto, (Chapter 28.50 - the "Veronica Meadows Specific Plan" known as the "SP-9 Zone") which reads as follows:

**Section 28.50.005. Legislative Intent.**

It is the purpose of the SP-9 Zone to establish a single-family residence district where specific development standards are established to cluster development, maintain a semi-rural setting, restore a section of degraded creek and riparian corridor, and protect the natural environment.

**Section 28.50.030. Uses Permitted.**

The uses permitted in the SP-9 Zone as depicted on attached Map A (attached as an exhibit to the Chapter and dated as of June 24, 2008) shall be as follows:

A. Area A – Residential Development: Uses permitted in Area A (as depicted on Map A) are:

1. A single residential unit occupying a single lot.
2. Uses, buildings, and structures typically allowed by the City incidental, accessory and subordinate to the permitted residential uses.
3. A Home Occupation.
4. A State-licensed Small Family Day Care Home.
5. A State-licensed Large Family Day Care Home, subject to the provisions in Chapter 28.93 of this Title.
6. State authorized, licensed or certified uses to the extent such a use is required by state law.
7. Creek stabilization, habitat restoration, and related maintenance.
8. Private open space including, but not limited to, patios, decks, and yards for the private use of the residents of individual homes.
9. Common open space and passive recreational areas.
10. Public trails as approved by the City.
11. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
12. Utilities, storm drain system, flood control projects or other infrastructures as approved by the City.
13. The gazebo structure required by the Environmental Impact Report as mitigation for potentially significant impacts to cultural resources.

B. Area B – Open Space: Area B (as depicted on Map A) shall be maintained in its natural state to preserve the steep slopes from erosion or landslide, preserve the creek environment, and maintain the scenic quality of the area. Uses permitted in Area B are the following:

1. Public trails along the Arroyo Burro Creek corridor.
2. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
3. Subsurface utilities, flood control projects or other infrastructure as approved by the City.

**Section 28.50.035. Uses Permitted Upon the Granting of a Conditional Use Permit.**

The uses allowed by conditional use permit shall be as provided in Chapter 28.94 of this Title. However, no development is permitted in Area B under any circumstances.

**Section 28.50.040. Conditions, Restrictions and Modifications.**

In connection with any development approval required to be issued by the City , the City may impose such appropriate and reasonable conditions and restrictions as it may deem necessary for the protection of property in the neighborhood or in the interest of public health, safety and welfare in order to carry out the purposes and intent of this Chapter. While the provisions of Chapter 28.92 (Variances, Modifications and Zone Changes) shall be applicable within this zone, it is the intent of this Specific Plan that no variance, modification, or other approval shall be granted that would result in a number of residential units within Area A that exceeds the maximum number of residential dwelling units originally specified in Section 28.50.085 and that Area B be permanently maintained in its natural state.

**Section 28.50.045. Prohibition of Shiny Roofing and Siding.**

The materials used for roofing and siding on any building shall be of a non-reflective nature and any shiny, mirror-like or glossy metallic finish for such materials is prohibited.

**Section 28.50.050. Building Height.**

No building in this zone shall exceed a height of thirty feet (30') nor exceed the height limitation imposed for the protection and enhancement of solar access by Chapter 28.11 of this Title.

**Section 28.50.060. Setback and Open Yard Requirements.**

A. **FRONT SETBACK.** Each lot shall provide a front setback of not less than twenty feet (20'), except as permitted by Section 28.50.065.

B. **INTERIOR SETBACKS.** Each lot shall provide interior setbacks of not less than six feet (6'), except as permitted by Section 28.50.065.

C. **REAR YARD SETBACKS.** Each lot shall provide a rear setback of not less than six feet (6'), except that those lots abutting the open space drainage (identified as Lot 31 in Figure 4-7 of the 2008 Final Revised EIR) may be permitted to have a zero setback.

D. **OPEN YARD:**

1. Minimum Size: One area of 1,250 square feet
2. Minimum Dimensions: 20 feet by 10 feet
3. Maximum Slope: None
4. Location and Configuration:

a. Open yard may consist of any combination of ground level areas such as: patios, ground floor decks, pathways, landscaped areas, natural areas, flat areas, or hillsides, so long as the overall size and dimensions of the open yard meet the requirements described in Section 28.50.060.D.1 and 2 above, and is not located in any of the following areas:

- (1) A portion of the front yard; or
- (2) Any areas designed for use by motor vehicles, including but not limited to driveways and parking areas; or
- (3) On decks, patios, terraces or similar, where the average height above grade is greater than 36". Average height shall be calculated by measuring the height of each corner of the deck, adding those heights together, and dividing by the number of corners.

b. If the open yard is provided on a slope greater than 20%, the open yard shall contain a flat area as follows:

- (1) Minimum size: 160 square feet
- (2) Minimum dimensions: 10 feet by 10 feet
- (3) Maximum slope: 2%
- (4) The flat area may be provided at grade, or on decks pursuant to Section 28.50.060.D.4.a.

c. Lots with multiple frontages shall have a primary front yard designated by the property owner, and agreed to in writing by the Community Development Director. All other front yards shall be designated as secondary front yards. Ground level open yard may be provided in the secondary front yard, up to ten feet (10') from the front property line, provided that it is unobstructed and meets all other requirements.

d. On lots of less than 7,000 square feet and an average slope of 20% or less the following is required:

(1) The open yard may be provided in one area, or in separate areas of not less than 400 square feet each (minimum dimensions of 20 feet by 10 feet required), and

(2) Up to 850 square feet of the open yard may be provided in the remaining front yard, provided that it is unobstructed and meets the minimum dimensions required.

### **Section 28.50.065. Reduction in Setback Requirements.**

A. **FRONT SETBACK REDUCTION.** The required front setback may be reduced to 15 feet when:

1. The lot is less than 7,000 square feet and the required parking is provided in a detached garage in the rear yard; or
2. The lot is a triangular lot of less than 7,000 square feet; or
3. The subject lot abuts a private street.

B. **ATTACHED MAIN BUILDINGS.** Main buildings may be constructed on an interior property line, when attached to another main building on an adjacent

property, as follows:

1. The buildings are attached by not less than eight feet (8') in length of one of the walls or roof, or not less than one hundred percent (100%) of any wall less than eight feet (8') in length; and

2. Said configuration shall be allowed for no more than four (4) lots within the zone, resulting in no more than two buildings containing two dwelling units.

C. **ACCESSORY BUILDINGS.** Interior setbacks are not required for detached accessory buildings, screened trash areas, or attached porte cocheres not exceeding 14 feet wide by 18 feet long where three of the four sides are open, as approved by the City's Single Family Design Board.

**Section 28.50.070. Distance Between Buildings.**

No main building shall be closer than twenty feet (20') to any other main building on the same lot.

**Section 28.50.080. Lot Area and Frontage Requirements.**

Each single-family dwelling with its accessory buildings hereafter erected shall be located upon a lot having the following:

A. A net area, excluding street rights of way and other publicly dedicated improvements, of not less than 5,000 square feet, provided that a minimum average net lot area of 7,000 square feet shall be provided for all residential lots in Area A.

B. Not less than 60 feet of frontage on a public or private street, except as the Planning Commission or City Council may allow by subdivision map approval at the Alan Road cul-de-sac, or by Modification.

**Section 28.50.085. Allowable Density of Development.**

The maximum number of residential units in this zone shall be twenty three (23). However, if at least two affordable units are provided, the maximum number of residential units in this zone maybe increased to twenty five (25) units.

**Section 28.50.090. Open Space and Landscaping.**

Not less than 50 percent (50%) of the gross acreage of Area A shall be common open space devoted to planting, walkways, natural drainage features (e.g., bioswales, retention basins), riparian corridor, public agency access and passive recreational areas.

**Section 28.50.095. Street Requirements.**

In order to maintain a semi-rural ambiance, and where necessary to preserve natural terrain features or open space, the Planning Commission or City Council may grant exceptions to City street design standards as may be deemed necessary to assure that the intent of this Chapter is observed, that adequate public parking is provided, and the public welfare and safety secured.

**Section 28.50.100. Off-street Parking.**

Off-street parking shall be provided as required in Chapter 28.90 of this Title.

**Section 28.50.105. Garages and Accessory Buildings.**

- A. Detached accessory buildings shall not exceed two (2) stories or thirty feet (30') in height.
- B. Accessory buildings, excluding garages, shall not have a total aggregate square footage in excess of 500 square feet.
- C. Garages shall not have a total aggregate square footage in excess of 600 square feet.

**Section 28.50.110. Home Size and Development Restrictions.**

- A. Notwithstanding any other provision of this Code, residential structures in this zone, except as provided by Section 28.50.110.B below, shall not exceed a total net square footage of 3,800 square feet, excluding garages and accessory structures.
- B. Notwithstanding any other provision of this Code, residential structures in this zone located adjacent to and with access from Alan Road shall not exceed a total net square footage of 2,500 square feet, excluding garages and accessory structures. Home size in this area shall be massed and designed to provide an appropriate transition to existing adjacent homes along Alan Road as determined appropriate by the Single Family Design Board.
- C. All residential structures shall be located within the "Grading and Landscaping" envelope shown on the Development Plan exhibit as approved by the City in connection with the subdivision of this real property.
- D. All residential structures shall be located a minimum of one-hundred feet (100') from the top of creek bank, which is defined as the Adjusted Top of Bank in Figure 4-4 of the certified Final Revised Environmental Impact Report for the Veronica Meadows Specific Plan, dated May 2008.
- E. For the purposes of this Chapter, the term "net square footage" shall be defined and calculated in the manner which that term is used and calculated pursuant to the SBMC Section 28.15.083.

**Section 28.50.115. Architectural Control.**

All development within the SP-9 Zone shall be subject to the review and approval of the Single Family Design Board for consistency with the City's Single Family Design Guidelines; however, home sizes shall not be subject to height or size limitations beyond those identified in Sections 28.50.050, 28.50.105 and 28.50.110, and no Floor Area Ratio maximums shall apply to the homes initially constructed within Area A, but shall apply thereafter. The grades of individual lots and roads shall blend with the natural topography of the site, minimize site

grading, and balance on-site earthwork to the maximum extent feasible. Where the Single Family Design Guidelines conflict with this Chapter, this Chapter shall govern proposed development, with emphasis on the Legislative Intent of the Zone (Section 28.50.005).

**Section 28.50.120. Exemption from SBMC Chapter 28.43.**

Development within the SP-9 Zone shall be exempt from the Inclusionary Housing requirements of SBMC Chapter 28.43 – the “City of Santa Barbara Inclusionary Housing Ordinance.”

**Section 28.50.130. Affordable Housing Provision.**

If Affordable Housing units are provided, the lots on which they are located shall be no less than 3,000 square feet in size. Said lots and associated development shall comply with the provisions of this Zone in all other aspects, unless said provisions are reduced through a Modification, pursuant to Chapter 28.92 of this Title.

**Section 28.50.140. Fencing.**

Fencing within fifty feet (50') of the top of creek bank, which is defined as the Adjusted Top of Bank in the certified Final Environmental Impact Report for the Veronica Meadows Specific Plan dated May 2008, shall be approved by the Community Development Director after being reviewed for comments only by the Single Family Design Board. Fencing abutting the open space drainage (identified as Lot 31 in Figure 4-7 of the Final Revised EIR) shall be open. All other fencing shall be subject to the provisions of Section 28.87.170 of this Title.

**Section 28.50.150. Area Map.**

The map attached hereto as Exhibit A (dated as of June 24, 2008), and labeled “Veronica Meadows Specific Plan Area” is hereby approved and incorporated in this Chapter by this reference.

**SECTION FOUR. Zoning Map Amendments**

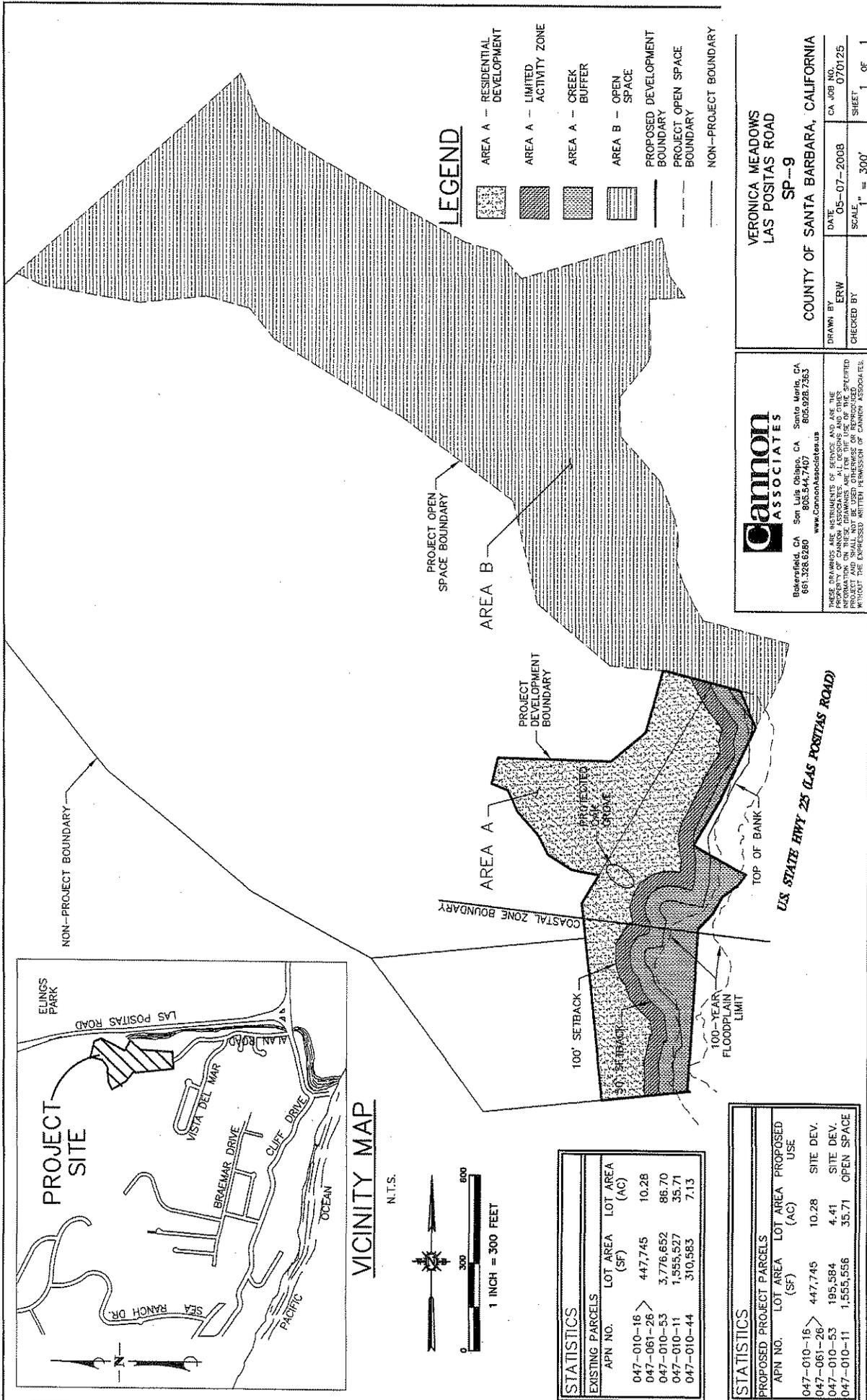
(a) Upon annexation to the City of Santa Barbara, as evidenced by the recordation of the LAFCO Resolution of Approval in the official records of Santa Barbara County, Assessor Parcel Numbers 057-010-011, 047-010-016, and a portion of 047-010-053 are zoned SP-9/S-D-3, Specific Plan #9 (Veronica Meadows Specific Plan) and Coastal Zone Overlay, where applicable, as depicted on the map attached hereto.

(b) Upon annexation to the City of Santa Barbara, as evidenced by the recordation of the LAFCO Resolution of Approval in the official records of Santa Barbara County, Sectional Zone Map SE-02 of Chapter 28.12, Zone May of the Santa Barbara Municipal Code, is amended by changing the zoning of a property

located at 900-1100 Las Positas Road (APN 047-061-026) from E-3/S-D-3 to SP-9 (Specific Plan #9)/S-D-3 (Coastal Zone Overlay).

**SECTION FIVE:** The real property comprising the Peak-Las Positas Reorganization Annexation No. 116 to the City of Santa Barbara (900-1100 Las Positas Road, Assessor Parcel Numbers 047-010-11, 047-010-016, and a portion of 047-010-053) as described in the legal description attached hereto as Exhibit A to the Ordinance shall, as a condition of the City's Annexation and approval of a specific plan for such real property, be owned jointly at all times by one ownership entity and the separate parcels thereof shall not be conveyed, transferred, or alienated except as a unit owned and maintained by the same legal entity. An agreement in a form acceptable to the City Attorney, evidencing this requirement shall be recorded in the official records of Santa Barbara County prior to or concurrently with the recordation of the Resolution of the annexation approval or recordation of the Final Subdivision Map.

**SECTION SIX:** The Peak-Las Positas Partners shall execute an agreement, in a form acceptable to the City Attorney, accepting the requirements of this Specific Plan and agreeing to abide by the terms and conditions of the Veronica Meadows Specific Plan and to fully defend and indemnify the City with respect to any litigation concerning the City's approval of the Specific Plan, which agreement shall be executed by Peak-Las Positas Partners prior to the effective date of this Ordinance.



**LEGEND**

- AREA A -- RESIDENTIAL DEVELOPMENT
- AREA A -- LIMITED ACTIVITY ZONE
- AREA A -- CREEK BUFFER
- AREA B -- OPEN SPACE
- PROPOSED DEVELOPMENT BOUNDARY
- PROJECT OPEN SPACE BOUNDARY
- NON-PROJECT BOUNDARY

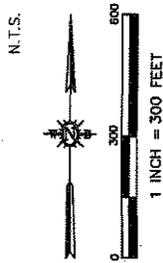
VERONICA MEADOWS  
LAS POSTAS ROAD  
SP--9  
COUNTY OF SANTA BARBARA, CALIFORNIA

DRAWN BY ERW DATE 05-07-2008 CA JOB NO. 070125  
CHECKED BY SCALE 1" = 300' SHEET 1 OF 1

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**VICINITY MAP**



**STATISTICS**

EXISTING PARCELS	APN NO.	LOT AREA (SF)	LOT AREA (AC)	PROPOSED USE
	047-010-16	447,745	10.28	SITE DEV.
	047-061-26	3,776,652	86.70	SITE DEV.
	047-010-53	1,555,527	35.71	OPEN SPACE
	047-010-44	310,583	7.13	

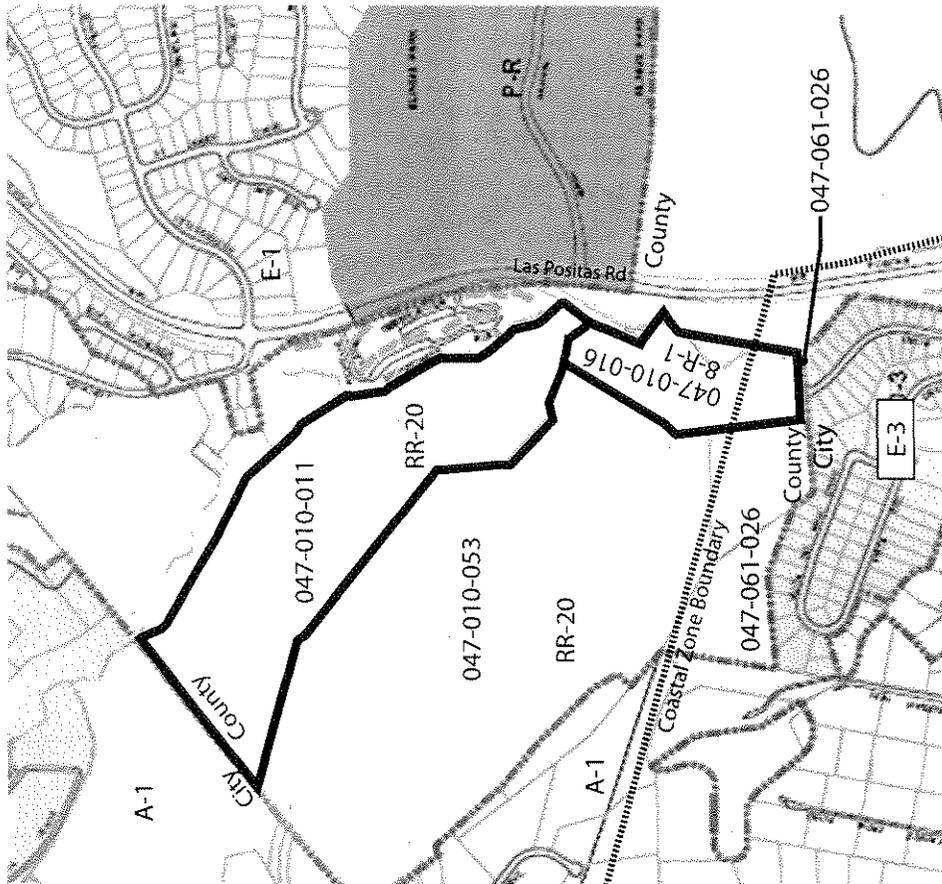
**STATISTICS**

PROPOSED PROJECT PARCELS	APN NO.	LOT AREA (SF)	LOT AREA (AC)	PROPOSED USE
	047-010-16	447,745	10.28	SITE DEV.
	047-061-26	195,584	4.41	SITE DEV.
	047-010-11	1,555,556	35.71	OPEN SPACE

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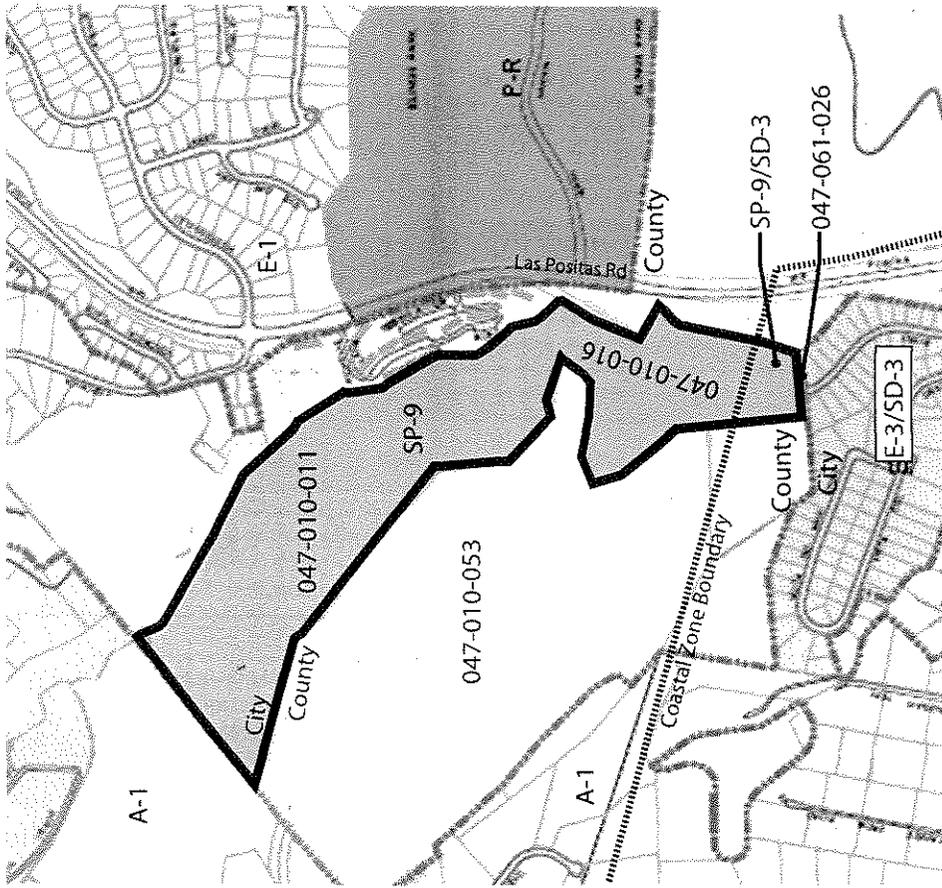
**CURRENT**  
COUNTY ZONING:

8-R-1 (Single Family Residential: 8,000 sq. ft. minimum lot size)  
RR-20 (Rural Residential: 20 acre minimum lot size)



**PROPOSED**  
CITY ZONING:

SP-9 (Veronica Meadows Specific Plan) and  
SD-3 (Coastal Overlay Zone)



Zoning Map