

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AMENDING THE SANTA BARBARA  
MUNICIPAL CODE BY ADDING SECTION 30.185.045  
PERTAINING TO REGULATIONS FOR ADAPTIVE REUSE  
PROJECTS

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

SECTION 1. Chapter 30.185 of Title 30 of the Santa Barbara Municipal Code is amended by adding Section 30.185.045 which reads as follows:

**30.185.045 Adaptive Reuse Projects.**

Adaptive reuse projects shall be located, developed, and operated in compliance with the following standards:

A. **Purpose.** The purpose of this section is to encourage and facilitate the conversion of existing nonresidential buildings throughout the City into new residential uses, to revitalize the downtown, maintain historic structures, and reduce construction waste.

B. **Definitions.** The following words or phrases as used in this Section shall have the following meanings:

1. **Adaptive Reuse Project.** A change of use of all or any portion of an existing building envelope from nonresidential use to one or more new residential units.

2. **Existing Building Envelope.** The building volume within the fully enclosed exterior walls, foundations, roof, windows, and doors of a building that existed with a final inspection/certificate of occupancy issued at least 5 years prior to the date of application submittal for an adaptive reuse project.

C. **Where Allowed.** Adaptive reuse projects are allowed in all zones that allow multi-unit residential use, subject to the development standards in this section.

D. **Conversion Types.** Adaptive reuse projects may only convert:

1. Nonresidential land uses to a residential use.
2. Nonresidential land uses to either mixed use or live-work, consistent with the land uses allowed by the zone.
3. The following uses are prohibited in an adaptive reuse project:
  - a. New Hotel or Similar Use
  - b. New or Conversion of Industrial Uses
4. Notwithstanding any of the foregoing, any existing floor area may convert to an adaptive reuse project if allowed by State law; however, adaptive reuse projects utilizing State regulations are not eligible for the incentives in this section unless they meet all the requirements of this section.

E. **Existing Buildings.** An adaptive reuse project shall be located within the existing building envelope, with no additions proposed outside the building volume, except as follows:

1. Maximum 600 square feet or 10% of the existing building floor area, whichever is greater, of additional floor area is allowed outside the existing building envelope to provide residential amenities that serve all units on-site (such as a laundry room, bicycle storage room, or recreation room).
2. Additions necessary for egress, circulation, accessibility, or other improvements to comply with the Building Code, are allowed outside the existing building envelope, up to the minimum size required by the Building Code.
3. Residential additions may be constructed within the existing building envelope, such as mezzanines and lofts.

F. **Demolition.** An adaptive reuse project shall not demolish or substantially redevelop the existing building as defined in Section 30.140.200, Substantial Redevelopment.

G. **Average Unit Size.** All the residential units in an adaptive reuse project must meet the standards in Section 30.140.150, Residential Unit, and shall not exceed the following average unit size:

1. **Rental Units:** 1,200 square feet
2. **Ownership Units:** 2,000 square feet

**Exception:** The Community Development Director may approve larger unit sizes with a determination that the unit sizes are necessary to accommodate the existing building size or shape; the location of building elements such as vertical circulation,

exterior windows, access doors; or to facilitate the legalization of preexisting unauthorized residential units.

**H. Required Ground Floor Nonresidential Space on State Street.** For adaptive reuse projects located on State Street, from Montecito Street to Sola Street, nonresidential uses (excluding parking, storage or other non-occupiable space) are required on the ground floor for the full width of the ground floor fronting onto State Street. The required nonresidential space must be a minimum of 35 feet deep, measured perpendicular to the façade of the building, and may include common residential entries or lobbies but no portion of a residential unit.

**I. Development Incentives.** Adaptive reuse projects are entitled to the following incentives:

1. **Density.** The addition of residential units shall not be counted toward the maximum residential density limits applicable for the lot.

2. **Open Yard.** Any minimum open yard areas required for residential uses shall not apply.

3. **Setbacks.** Existing building setbacks shall remain, and any setback requirements related to the conversion of existing buildings to residential use shall not apply. Additions to the existing building envelope to accommodate new floor area as specified in Subsection E, may continue nonconforming setbacks.

4. **Parking.** An adaptive reuse project is not required to provide additional automobile parking spaces, if all the following conditions are met:

a. Bicycle parking in accordance with Chapter 30.175, Parking Regulations, is provided.

b. Parking spaces shall be maintained, or may be reduced or increased, in accordance with the requirements of Chapter 30.175, Parking Regulations; except that when calculating the minimum number of parking spaces for residential units, the required number shall not exceed one space per unit.

c. Any requirement to provide electric vehicle supply equipment or parking spaces that are accessible to persons with disabilities is met.

**J. Review Process.**

1. **Building Permits.** Adaptive reuse projects must comply with applicable state and local building codes and require approval of a building permit. Alternative building standards shall be considered pursuant to the California Existing Building Code and the California Historic Building Code, as applicable.

2. **Discretionary Review.** Adaptive reuse projects shall be exempt from all City discretionary review with the following exceptions:

a. If the project is in the coastal zone, an application for a Coastal Development Permit shall be submitted as required by Chapter 30.210, Coastal Permits.

b. If the project includes a subdivision, an application shall be submitted as required by Title 27, Subdivisions. The incentives identified in Subsection 30.185.045.I, Development Incentives, shall apply to condominium development, notwithstanding Section 27.13.060, Physical Standards for Condominiums.

c. If the project includes allowed additions, or exterior alterations, it will be processed according to the discretionary review procedures (e.g., design review, development plan) applicable to multi-unit residential or mixed-use development in the same zone except as follows:

(1) Adaptive reuse projects are exempt from any mandatory pre-application or concept review.

(2) Minor design alterations, as specified in the applicable Design Guidelines, may be approved as a ministerial action by the Community Development Director without review by the Design Review body.

3. **Inclusionary Housing.** An adaptive reuse project shall include inclusionary housing consistent with either Chapter 30.160, Inclusionary Housing, or Section 30.150.110, Inclusionary Requirements for Rental Housing Projects, except:

a. Adaptive reuse projects located within the Central Business District, as delineated in Figure 30.175.050.B., with fewer than 40 rental units are exempt from the inclusionary housing requirements in Section 30.150.110, Inclusionary Requirements for Rental Housing Projects.

Existing residential units retained on-site shall be counted towards the total unit quantity in the adaptive reuse project when calculating inclusionary housing requirements.

4. **Historic Resources.** Adaptive reuse projects for Designated Historic Resources must comply with Chapter 30.157, Historic Resources.

5. **Contaminated Fill.** If an adaptive reuse project is proposed in the "Area of Potential Contaminated Fill," as identified on a map on file with the Community Development Department – Planning Division, and there is ground disturbance or foundation repair proposed as part of the project, it shall not be approved unless the applicable agency makes a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, that the site is suitable for residential use.

SECTION 2. Severability. If any provision of this Ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. California Environmental Quality Act. This action is exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) [General Rule]. The proposed adaptive reuse ordinance establishes a regulatory framework that facilitates the conversion of existing structures to residential or mixed-use development and does not directly approve or authorize any specific construction nor does it grant entitlements or directly result in any physical changes to the environment.