

EXHIBIT D:

**Ordinance No. 4887 Summerland Community Plan Update Article II Ordinance Amendment
(Case No. 14ORD-00000-00002)**

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EXHIBIT D

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 6, PARKING REGULATIONS, DIVISION 7, GENERAL REGULATIONS, DIVISION 11, PERMIT PROCEDURES, DIVISION 12, ADMINISTRATION, AND DIVISION 13, SUMMERLAND COMMUNITY PLAN OVERLAY, TO IMPLEMENT NEW REGULATIONS AS PART OF THE SUMMERLAND COMMUNITY PLAN UPDATE.

Case No. 14ORD-00000-00002

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

DIVISION 2, DEFINITIONS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-58, Definitions, to add the following definitions “Lighting”, “Light Pollution”, “Light Shielding”, “Light Trespass” and “Outdoor Recreation Facility” to read as follows:

Lighting: The method or equipment used to provide artificial illumination as used in Section 35-191.10 (Exterior Lighting) of this Article. Types of lighting include the following:

1. **Downward Directional Light.** Direction of light downward, rather than upward or outward, with the intention of directing light where it is needed. Downward lighting also prevents unnecessary and unwanted spillover of light to adjacent areas and properties.
2. **Fossil Fuel Light.** Light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels, for example: gas, propane and kerosene lighting.
3. **High Intensity Discharge Lamp.** High pressure sodium, mercury vapor, metal halide, low pressure sodium, and other similar lamps.
4. **Luminous Tube Light.** Gas filled glass tubing which when subjected to high voltage becomes luminescent in a color characteristic of the gas used (neon, argon, etc.).
5. **Outdoor Light Fixture.** Artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, exterior to or in the absence of a structure, used for flood lighting, general illumination or advertisement. Such devices include, but are not limited to, outdoor lighting for:
 - Billboards and other signs
 - Buildings and structures
 - Landscape lighting
 - Parking lots
 - Sports and Outdoor Recreational facilities
 - Street lighting
 - Walkway lighting

Light Pollution: Artificial light which causes a detrimental effect on the environment, astronomical research, enjoyment of the night sky or causes undesirable glare or light trespass.

Light Shielding: A barrier around a light fixture that conceals or partially conceals the lamp and controls light distribution. Types of light shielding include the following:

1. **Fully Shielded (full cutoff) Light:** An outdoor light fixture with a solid barrier that emits no light

rays above the horizontal plane and effectively obscures the visibility of the lamp.

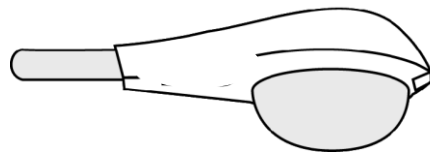
Fully Shielded (full cutoff) Light Fixtures



2. **Partially Shielded Light.** An outdoor light fixture that may allow some light to pass through a semi-translucent barrier, and/or may allow visibility of the lamp from certain perspectives.



3. **Unshielded Light.** An outdoor light fixture lacking means to restrict light emitted above the horizontal plane.



Light Trespass: Artificial light that produces unnecessary and/or unwanted illumination offsite including skyward or on a sensitive habitat.

Outdoor Recreation Facility: An area designated for active recreation, whether publicly or privately owned, including baseball and softball diamonds, soccer and football fields, equestrian arenas, golf courses, tennis courts, skateboard ramps and swimming pools.

SECTION 2:

DIVISION 4, ZONING DISTRICTS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Subsection 35-71.11, Parking, of Section 35-71, R-1/E-1 - Single Family Residential, to read as follows:

Section 35-71. R-1/E-1 - Single Family Residential.

Section 35-71.11 Parking.

Parking shall be provided as specified in DIVISION 6, PARKING REGULATIONS. In addition, not more than one bus or non-passenger motor vehicle or trailer used in commerce may be parked overnight on any lot, provided such bus, motor vehicle, or trailer does not exceed two axles, four tons, or eight feet in height and provided further that this restriction shall not apply to the emergency overnight parking of disabled motor vehicles or trailers and the occasional overnight parking of moving vans, pickup, or delivery or construction vehicles or trailers when such occasional overnight parking is reasonably serving the residential use of a particular parcel.

SECTION 3:

DIVISION 4, ZONING DISTRICTS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Subsection 35-77A.9, Height Limit, of Section 35-77A, C-1 - Limited Commercial, to read as follows:

Section 35-77A.9. Height Limit.

1. Except as provided below, no building or structure shall exceed 25 feet to the highest point of the roof.
 - a. Within the Summerland Community Plan Area, no building or structure in the Commercial Core area south of Lillie Avenue and south of Ortega Hill Road shall exceed 22 feet to the highest point of the roof.

SECTION 4:

DIVISION 6, PARKING REGULATIONS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-108, Required Number of Spaces: Residential, to read as follows:

Section 35-108. Required Number of Spaces: Residential.

Parking spaces shall be permanently maintained on the same building site on which the dwelling(s) is located except as provided in Section 35-76, Medium Density Student Residential, and Section 35-77, High Density Student Residential:

1. **Single family and two family dwellings:** Two spaces per dwelling unit.
 - a. Division 13 (Summerland Community Plan Overlay) and Division 15 (Montecito Community Plan Overlay District) include additional parking requirements.
2. **Multiple Dwelling Units:**
 - a. **Single bedroom or studio dwelling unit:** One covered space per dwelling unit.
 - b. **Two bedroom dwelling:** One covered space plus 0.5 spaces covered or uncovered per dwelling unit. Such spaces shall be located within 200 feet from the building served by such spaces.
 - c. **Three or more bedroom dwellings:** One covered space plus one space covered or uncovered per

dwelling unit, located as required in b), above.

d. Developments located within a radius of one mile of the boundaries of a college or university shall provide a minimum of two parking spaces per dwelling unit, of which one shall be covered.

e. **Visitor parking:** One space per five dwelling units.

3. **Guest houses:** One space per guest house.

4. **Mobile homes in mobile home parks:** One covered space per site and one space for every three sites for guest parking.

5. **Fraternalities, sororities, dormitories, and boarding and lodging houses:** One space per four bed spaces and one space per two employees.

6. **Retirement and special care homes:** One space per guest and one space per two employees.

SECTION 5:

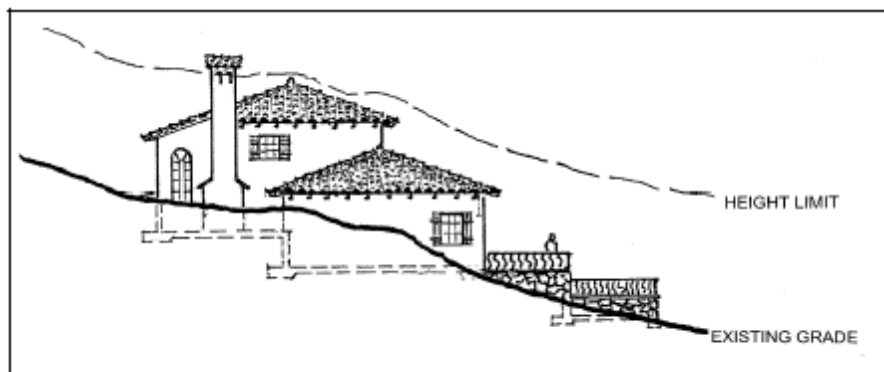
DIVISION 7, GENERAL REGULATIONS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-127, Height, to read as follows:

Section 35-127. Height.

A. **Height measurement.** The following methodology shall be used to determine the height of a structure. Additionally, the following subsections provide or reference additional specific height measurement criteria and exemptions for specific types of development.

1. **Height of structures.** The height of a structure shall be the vertical distance between the existing grade and the uppermost point of the structure directly above that grade except as provided in Section 35-127.A.1.a, below. The height of any structure shall not exceed the applicable height limit except as provided below. See Figure 7-1 - Height Limit.

Figure 7-1 - Height Limit



a. **Measurement from finished grade.**

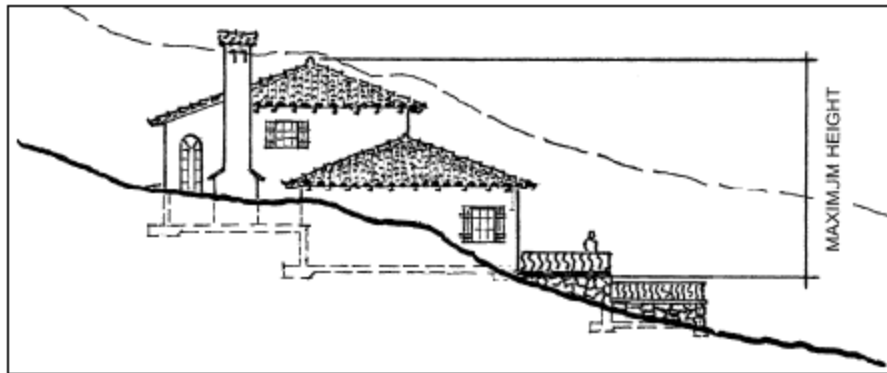
1) **Montecito Community Planning area.** For structures located within the Montecito Community Plan area that are not subject to Section 35-144 (Ridgeline and Hillside Development Guidelines), the height of a structure shall be the vertical distance between the finished grade and the uppermost point of the structure directly above that grade if any portion of the structure is located above an area of the site where the finished grade is 10 feet or more above existing grade.

2) **View Corridor (VC) Overlay District.** For structures located within the View Corridor (VC) Overlay District, the height of a structure shall be the vertical distance between the average finished grade and the uppermost point of the structure directly

above that grade as described in Section 35-96.

2. **Maximum height limit in ridgeline/hillside locations and within the Summerland Community Plan Urban Grid and Commercial Core areas.** In addition to the height limit applicable to a structure as described in Section 35-127.A.1, a structure subject to Section 35-144 (Ridgeline and Hillside Development Guidelines) or located within the Summerland Community Plan Area Urban Grid and Commercial Core areas shall not exceed a maximum height of 32 feet as measured from the highest part of the structure, excluding chimneys, vents and noncommercial antennas, to the lowest point of the structure where an exterior wall intersects the finished grade or the existing grade, whichever is lower.
 - a. In the case where the lowest point of the structure is cantilevered over the ground surface, then the calculated maximum height shall include the vertical distance below the lowest point of the structure to the finished grade or the existing grade, whichever is lower.
 - b. Except for structures located within the Montecito Community Plan and Summerland Community Plan Urban Grid and Commercial Core areas, this 32 foot limit may be increased by no more than three feet where the highest part of the structure is part of a roof element that exhibits a pitch of four in 12 (rise to run) or greater. See Figure 7-2 - Maximum Height.

Figure 7-2 - Maximum Height



3. **General height limit exceptions.** The height of a structure may exceed the applicable height limit in compliance with the following provided that the height also is in compliance with the F Airport Approach Overlay District.
 - a. Chimneys, church spires, elevator, minor mechanical and stair housings, flag poles, noncommercial antennas, towers, vents, and similar structures which are not used for human activity may be up to 50 feet in height in all zone districts where such excess heights are not prohibited by Section 35-96 (VC - View Corridor Overlay District). The use of towers or similar structures to provide higher ceiling heights for habitable space shall be deemed a use intended for human activity.
 - b. Except as provided below, portions of a structure may exceed the height limit applicable to the subject structure by no more than three feet where the roof exhibits a pitch of 4 in 12 (rise to run) or greater.
 - 1) Within the Summerland Community Plan Urban Grid, adjustments to the height limit applicable to the subject structure due to roof pitch are not allowed, except that within the Commercial Core area, portions of a structure may exceed the height limit applicable to the subject structure by no more than three feet where the roof exhibits a pitch of 5 in 12 (rise to run) or greater.
 - c. In order to provide for architectural character, architectural elements, whose aggregate area is less than or equal to 10 percent of the total roof area of the structure or 400 square feet,

whichever is less, may exceed the height limit by no more than eight feet when approved by the Board of Architectural Review.

- 1) Allowances for exceeding the applicable height limit in compliance with Subsection A.3.b, above, and this Subsection A.3.c are not cumulative.
 - d. Temporary drilling rigs necessary to explore for and develop oil and gas reservoirs or to operate the La Goleta gas storage reservoir (located on APN 071-210-001, as of June 30, 2006) may exceed the applicable height limit for a period of four years or less, provided the temporary use is completed in a diligent manner. Upon written request by the operator, the Director may grant up to two one-year extensions, provided that the operator is diligent in completing an established drilling program.
 - e. Workover/pulling rigs necessary to service oil/gas and injection wells, or to operate the La Goleta gas storage reservoir (located on APN 071-210-001, as of June 30, 2006) may exceed the applicable height limit, provided that the use of these rigs is completed in a diligent manner.
 - f. Amine columns, distillation columns, stripper columns, and flare stacks associated with oil and gas production, gas processing, or oil/gas transportation, as allowed in compliance with Division 9 of this Article, may exceed the applicable height limit where compliance would render such facilities technically infeasible.
- B. Antennas and the associated support structure (e.g., lattice tower, monopole, or similar structure) used for the commercial reception and transmission of communication signals (e.g., radio, television, and wireless) or with amateur radio stations may be up to 50 feet in height. These facilities may exceed 50 feet up to a maximum of 75 feet in height where technical requirements dictate. Amateur radio antennas may exceed 75 feet when the County finds that an increased height is necessary in order to allow for the operational needs of the operator. Antennas used in connection with wireless communication facilities may exceed 75 in height feet if:
1. The antenna is mounted on or within an existing building and the highest point of the antenna does not protrude above the roof of the building, including parapet walls and architectural facades, that the antenna(s) is mounted on.
 2. The antenna is mounted on an existing, operational public utility pole or similar support structure (e.g., street light standard), as determined by Planning and Development, provided the highest point of the antenna does not exceed the height of the existing utility pole or similar support structure that it is mounted on.

SECTION 6:

DIVISION 7, GENERAL REGULATIONS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-138, Signs and Advertising Structures, to read as follows:

Section 35-138. Signs and Advertising Structures.

Except as provided below, signs and advertising structures are regulated by Article 1 of this Chapter 35 of the Code of Santa Barbara County and any amendments thereto.

A. Special Sign Standards for Summerland.

1. **Applicability.** Signs within the Commercial, Industrial, and Public Utility zones located within the Summerland Community Plan Area shall comply with the regulations of the other Sections of this Chapter, as well as the regulations of this Section. If there is a conflict, the regulations of this Section shall apply.

2. **Allowed signs.** Only those signs of each type listed below shall be allowed to be erected or maintained on any structure, or lot located in the Commercial, Industrial, and Public Utility Zones.

a. **Wall signs.** One or more wall signs on each street frontage unlighted or indirectly lighted. These signs shall not exceed the lesser of the following areas:

- 1) One-tenth of the square footage of the structure façade of that portion of a single floor occupied by a business and upon which façade the wall sign is to be located; or
- 2) 60 square feet.

If more than one business occupies the same structure, the businesses may have separate signs or they may share the sign space, so long as the combined sign area does not exceed the allowed sign area.

b. **Identification signs.** One identification sign, unlighted or indirectly lighted, not to exceed 10 square feet in area, and not more than five feet in height measured from the ground to the top of the sign, that identifies the business primarily being conducted on the premises.

c. **Banner signs.** One banner sign, unlighted, not to exceed 16 square feet on the façade having street frontage of the structure occupied by the business. The banner sign may not be displayed for more than a rolling 30 days within a three month period.

3. **Sign standards.**

a. **Construction.** The exposed face of signs shall be either of wood (painted and/or carved) or of painted non-gloss material. Signs of other material shall be deemed to be banner signs.

b. **Illumination.** Illuminated signs shall be externally lit and the lighting source shall be shielded or situated so as not to cast stray light beyond the property line on which they are installed. The source of illumination shall be extinguishable at closing time of the business.

c. **Neon signs.** Neon signs that comply with the following criteria may be approved by the Board of Architectural Review in compliance with Section 35-184 (Board of Architectural Review):

- 1) The sign is not within 100 feet of residentially zoned areas.
- 2) The sign does not face directly towards or is visible from residentially zoned areas.
- 3) The sign is compatible with other uses on the property and in the immediate vicinity.
- 4) The sign is appropriate for the type of structure.
- 5) The sign is appropriate for the type of business.
- 6) The sign is artistic and subtle in the design and execution.
- 7) The sign is secondary in size and purpose to the primary signage of the business.

4. **Prohibited signs.** It shall be unlawful to erect or maintain:

a. **Internally illuminated signs.** (e.g., fluorescent tube behind plastic panel).

b. **Pole signs.** Freestanding pole signs higher than five feet measured from the ground at the base of the supporting structure to the top of the sign.

SECTION 7:

DIVISION 7, GENERAL REGULATIONS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-139, Exterior Lighting, to read as follows:

Section 35-139. Exterior Lighting.

All exterior lighting shall be hooded and no unobstructed beam of exterior lighting shall be directed toward any area zoned or developed residential. No lighting shall be so designed as to interfere with vehicular traffic at any portion of a street. Division 13 (Summerland Community Plan Overlay) and Division 15 (Montecito Community Plan Overlay District) include additional requirements.

SECTION 8:

DIVISION 12, ADMINISTRATION, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-184.6, Findings Required for Approval, of Section 35-184, Board of Architectural Review, to read as follows:

Section 35-184. Board of Architectural Review.

Section 35-184.6 Findings Required for Approval.

- 1. Findings for all Board of Architectural Review applications.** A Board of Architectural Review application shall be approved or conditionally approved only if the Board of Architectural Review first makes all of the following findings:
 - a. In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.
 - b. In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.
 - c. Overall building shapes, as well as parts of any structure (buildings, walls, fences, screens, towers or signs) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property.
 - d. Mechanical and electrical equipment shall be well integrated in the total design concept.
 - e. There shall be harmony of material, color, and composition of all sides of a structure or building.
 - f. A limited number of materials will be on the exterior face of the building or structure.
 - g. There shall be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.
 - h. Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well designed relationship to one another, respecting the environmental qualities, open spaces, and topography of the property.
 - i. Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of planting which will be appropriate to the project, and adequate provisions for maintenance of all planting.
 - j. Signs including their lighting, shall be well designed and shall be appropriate in size and location.
 - k. The proposed development is consistent with any additional design standards as expressly adopted by the Board of Supervisors for a specific local community, area, or district pursuant to Section 35-144A of this Article.

2. Additional findings required for Board of Architectural Review applications within the Montecito Community Plan area.

- a. A Board of Architectural Review application for a lot located within the Montecito Community Plan area shall be approved or conditionally approved only if the Board of Architectural Review also first makes all of the findings identified in Section 35-213 (BAR Findings Required for Approval).

3. Additional findings required for Board of Architectural Review applications within the Summerland Community Plan area.

- a. Plans for new or altered structures will be in compliance with the Summerland Residential Design Guidelines or Summerland Commercial Design Guidelines, as applicable.
- b. Permitted encroachment of structures, fences, walls, landscaping, and other development, into existing public road rights-of-way is consistent in style with the urban and rural areas and minimizes visual or aesthetic impacts.
- c. Landscaping or other elements are used to minimize the visual impact of parking proposed to be located in front setback areas.
- d. If Monterey or Contemporary architectural styles are proposed, the design is well executed within the chosen style, and the style, mass, scale, and materials proposed are compatible with the surrounding neighborhood.
- e. If located in the Rural Area:
 - 1) All structures (primary and accessory structures, including residences, garages, guest houses, barns, corrals, sheds, greenhouses, lath houses, artist studios, etc.) and private driveways are located on slopes of 20 percent or less.
 - 2) Special attention is focused on the design of future structures in order to minimize use of large vertical faces. Large understories and exposed retaining walls shall be avoided.
 - 3) All structures, fences, walls, and roofs are constructed using medium to dark earthtone colors and construction materials that are compatible with the natural surroundings.
 - 4) All colors blend in with the surrounding soils, vegetation, and rock outcroppings.
 - 5) Light colors such as white, offwhite, grey, etc. are not used.
 - 6) Night lighting is of low intensity, and is hooded, shielded, and directed away from property boundaries.
 - 7) Any necessary retaining walls shall be constructed in earthtones using materials or construction methods which create a textured effect and, where feasible, native groundcovers are planted to cover retaining walls from view.
 - 8) All cut and fill slopes are planted with native drought-tolerant groundcover immediately after grading is completed.
 - 9) All mitigation measures required for minimizing impacts to agricultural resources are applied as aesthetic mitigation measures such that the existing rural agricultural setting is preserved.

SECTION 9:

DIVISION 13, SUMMERLAND COMMUNITY PLAN OVERLAY, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-191, Summerland - SUM, to read as follows:

Section 35-191. Summerland - SUM.

Section 35-191.1 Applicability.

The provisions of this section apply to the community of Summerland as defined by the Summerland Community Land Use Map. All provisions of the Summerland Community Plan, Coastal Land Use Plan and applicable portions of the Comprehensive Plan, including all the goals, objectives, policies, actions, development standards and design guidelines, shall also apply to the area zoned with the SUM Overlay District.

Section 35-191.2 Definitions.

For the purposes of this Section, the following definitions apply to the area zoned with the SUM Overlay District:

Floor Area, Net Commercial. The gross floor area excluding shafts, stairways, unusable attics, unenclosed porches and balconies, and any areas with a ceiling height of less than five feet above finished floor.

Floor Area, Net Residential. The total floor area of all floors of a primary residence on a residential lot or on a lot devoted to residential use as measured to the interior surfaces of exterior walls, or from the centerline of a common or party wall separating two structures, excluding any areas with a ceiling height of less than five feet above finished floor, unenclosed porches, balconies and decks. Interior stairs shall be counted on only one floor.

Floor Area Ratio (FAR). A measurement of development intensity represented by the quotient of the Net Floor Area of the structure divided by the Net Lot Area.

Floor below Grade. A floor wholly or partially below grade.

Mixed Use Development, Residential Component. Dwellings associated with a mixed use project.

Plate height. Plate height is the distance between the floor and where the wall intersects with the roof or the floor joists of the story above.

Summerland Community Plan Area Commercial Core. The area encompassing the Limited Commercial (C-1) zone as shown on the Summerland Community Plan Urban Grid and Commercial Core map.

Summerland Community Plan Area Urban Grid. The Single and Two Family Residential (R-1/E-1, R-2) and Design Residential (DR) zone districts up to the Urban Area/Rural Area boundary line as shown on the Summerland Community Plan Urban Grid and Commercial Core map.

True Basement, Commercial. Any under-floor space below an interior floor located directly above where the distance between the finished grade around the exterior perimeter of a commercial structure and the elevation of the finished floor directly above does not exceed 18 inches at any point.

Understory. The portion of the structure between the exposed finished floor and the finished grade (as defined by the latest edition of the Uniform Building Code).

Section 35-191.3 Reserved for Future Use.

Section 35-191.4 Height Limit.

Notwithstanding the height limits contained in Division 4 (Zoning Districts), the allowable height of structures shall be 25 feet for structures located within the Urban Area and Rural Neighborhoods, and 16 feet for structures located in the Rural Area.

1. The height of a structure shall be determined in compliance with Section 35-127 (Height).

Section 35-191.5 Floor Area Limit.

1. **Floor area limit.** Structures subject to this subsection shall not exceed the following maximum floor area limits.

- a. **One-family dwellings.** All new one-family dwellings and additions to existing one-family dwellings in any zone district except the Design Residential (DR) Zone District are subject to the following standards:

- 1) **Lots having a lot area (net) of less than 12,000 square feet.** On lots with a lot area (net) of less than 12,000 square feet, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall be in compliance with the following Table 13-1 (One-family Dwelling Floor Area Limits). The net floor area shall not exceed the amount calculated using the FAR or the Maximum Allowable Square Footage per Lot Area, whichever is less.

Table 13-1 - One-family Dwelling Floor Area Limits

Net Lot Area (square feet)	FAR	Maximum Allowable Net Floor Area per Lot Area (square feet)
2,500	0.50	950
2,501 to 3,600	0.38	1,296
3,601 to 4,700	0.36	1,598
4,701 to 5,800	0.34	1,856
5,801 to 6,900	0.32	2,070
6,901 to 8,100	0.30	2,268
8,101 to 9,400	0.28	2,538
9,401 to 10,800	0.27	2,808
10,801 to 12,000	0.26	3,100

- 2) **Lots between 12,000 square feet and 10 acres.** On lots with a lot area (net) of 12,000 square feet and greater but less than 10 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 2,500 square feet plus five percent of the net lot area; however, in no case shall the net floor area exceed 8,000 square feet.
- 3) **Lots between 10 acres and 20 acres.** On lots with a lot area (net) of 10 acres and greater but less than 20 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 10,000 square feet.
- 4) **Lots between 20 acres and 40 acres.** On lots with a lot area (net) of 20 acres and greater but less than 40 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 12,000 square feet.
- 5) **Lots 40 acres and greater.** On lots with a lot area (net) of 40 acres or greater, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 15,000 square feet.
- b. Two-family dwellings.** All new two-family dwellings and additions to existing two-family dwellings are subject to the following standards:
- 1) The net floor area of the two-family dwelling shall not exceed the amount calculated using a 0.27 FAR.
 - 2) The total maximum habitable area of both units shall be 3,600 square feet of floor area (net).
- c. Commercial and Mixed Use development.**
- 1) **Commercial development.** The net floor area of a development containing only commercial uses shall not exceed the amount calculated using a 0.27 FAR.
 - 2) **Mixed use development.** The net floor area of a development containing both commercial and residential uses shall not exceed the amount calculated using a 0.33 FAR.
 - a) All net floor area that exceeds the amount calculated using a 0.27 FAR shall be utilized exclusively for residential uses; however, the residential use shall be secondary to the commercial use.

2. Adjustments to maximum allowed floor area.

a. Accessory structures (detached) on lots less than or equal to 10,000 square feet (net). Except as provided in compliance with Subsection 2.a.1), below, the cumulative gross floor area of all detached accessory structures located on a lot less than or equal to 10,000 square feet (net) shall not exceed 500 square feet.

1) If the dwelling does not include an attached garage, then a detached garage used for the parking of motor vehicles no greater than 500 square feet of floor area (net) may also be allowed in addition to the cumulative floor area (gross) allowed in compliance with Subsection 4.a, above.

b. Floor below grade.

- 1) The provisions of this subsection only apply to structures with two or more floors.
- 2) The amount of floor area of a floor below grade that is included in the net floor area used to determine compliance with the maximum allowed floor area is calculated by multiplying “A” times “B” where:
 - a) “A” equals the total floor area below grade as measured from the interior surfaces of exterior walls (see Figure 13-2), and
 - b) “B” equals the floor below grade adjustment which is the percentage of the total wall area of a floor below grade that is exposed (see Figure 13-3) which is determined by dividing the total exposed wall area by the total wall area.
- 3) The height of the wall area used to determine the total wall area is measured from the finished floor of the floor below grade to the bottom of the floor joist supporting the floor above, however, only a maximum of 10 feet shall be used in calculating the total wall area.
- 4) Except as provided in Subsection b)4)a), below, the height of the exposed exterior wall area used to determine the total exposed wall area is measured to the finished grade adjacent to the exterior wall.
 - a) If the grade adjacent to any exterior wall slopes downward, then the height of the exposed wall area shall be calculated from a point located six feet away from the exterior wall surface or at the property line if the property line is located within six feet of the exterior wall surface. This does not apply to the minimum drainage required to comply with building code requirements.

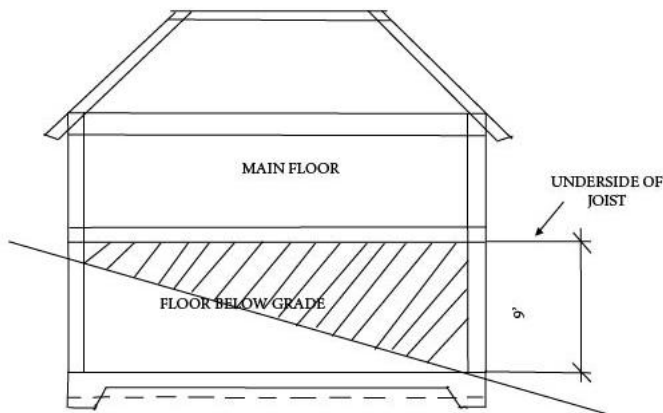


Figure 13-1

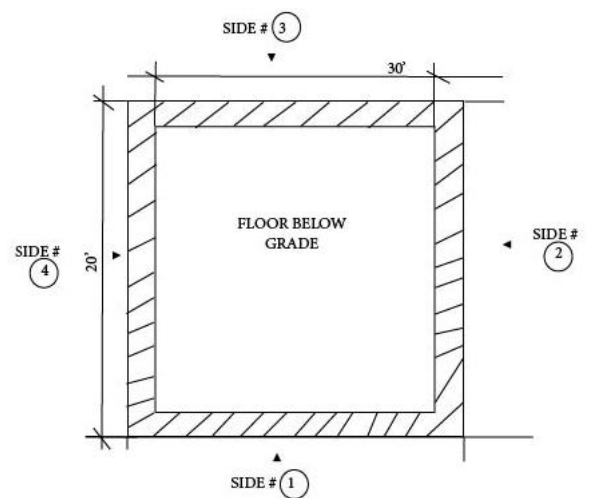


Figure 13-2

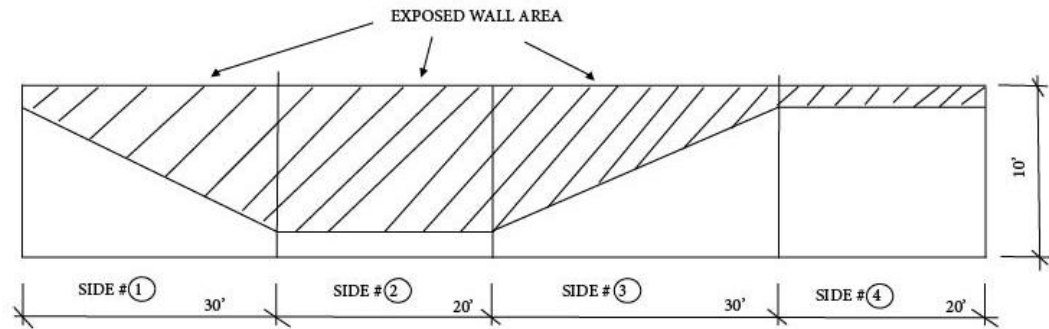


Figure 13-3

c. Garages.

1) Garages attached to a primary dwelling.

- a) **Lots of less than 12,000 square feet (net).** On lots with a lot area (net) of less than 12,000 square feet, up to 500 square feet of floor area (net) used as an attached two-car garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with the FAR in Table 13-1 (One-family Dwelling Floor Area Limits (Net Lot Area Less than 12,000 Square Feet)), of Subsection 1.a, above.

Larger garages may be allowed, however, excess square footage will be counted toward the net floor area of the dwelling.

2) Garages accessory to mixed-use development.

- a) Except as provided below, for mixed-use development, up to 500 square feet of floor area (net) used as a garage for the parking of two motor vehicles per each 6,000 square feet of lot area (net) is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above.
- i) On lots less than 6,000 square feet (net) existing as of [effective date of this ordinance] up to 500 square feet of floor area (net) used as a garage to accommodate the parking of two motor vehicles is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above.

Larger garages may be allowed, however, excess square footage will be counted toward the net floor area of the dwelling.

- 3) Commercial parking area.** A commercial parking area is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above, where the elevation of the finished floor located directly above the commercial parking area is four feet or less above the exterior finished grade for a minimum of 67 percent of the exterior perimeter of the commercial parking area.

d. Commercial basements. Basement floor area (net) that complies with the definition of True Basement, Commercial, and is used as storage, non-retail commercial accessory uses, or mechanical space, is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above, as follows:

- 1) One-story commercial structures.** 100 percent of the basement floor area (net).
- 2) Two-story commercial structures.** 50 percent of the basement floor area (net).

- e. **Residential Second Units.** Up to 300 square feet of floor area (net) devoted to an attached residential second unit is not included in the net floor area used to determine compliance with the Subsection 1, above.
- f. **Transfer of floor area.** Except in the Urban Grid, up to one-half of the maximum allowed floor area of a principal dwelling may be transferred to an existing or new principal dwelling as follows:
 - 1) **Elimination of potential subdivision.** The maximum allowed floor area on a lot that may be subdivided in compliance with the applicable zone in effect as of [effective date of this Ordinance] may be increased in compliance with the following and Subsection 2.f.3), below:
 - a) A Declaration of Restriction acceptable to the County shall be recorded by the property owner prior to the issuance of a building permit to eliminate the subdivision potential of the lot.
 - b) The increase in the maximum allowed floor area is limited to one-half of the maximum allowed floor area that would otherwise be allowed for a lot that is equal in size to the minimum lot size required in compliance with the applicable zone in effect as of [effective date of this Ordinance].
 - 2) **Elimination of existing lot.** The maximum allowed floor area on a lot that cannot be subdivided in compliance with the applicable zone in effect as of [effective date of this Ordinance] may be increased in compliance with the following and Subsection 2.f.3), below:
 - a) The lot is contiguous to a lot that cannot be subdivided in compliance with the applicable zone in effect as of [effective date of this Ordinance].
 - b) A voluntary merger of the two lots and an Declaration of Restriction acceptable to the County shall be recorded by the property owner prior to the issuance of a building permit to eliminate the subdivision potential of the lot.
 - c) The increase in the maximum allowed floor area is limited to one-half of the maximum allowed floor area that would otherwise be allowed on either of the lots that are the subject of the voluntary merger.
 - 3) In no event shall the maximum allowed floor area as adjusted in compliance with Subsections 2.f.1) or 2.f.2) above exceed:
 - a) 12,000 square feet on lots with a lot area (net) of less than 20 acres.
 - b) 15,000 square feet on lots with a lot area (net) of 20 acres or greater.
- 3. **Existing structures that exceed the maximum allowed floor area.** An existing structure that exceeds the maximum allowed floor area (net) may be altered or reconstructed provided that the proposal complies with the Summerland Residential Design Guidelines in all other respects.

Section 35-191.6 Board of Architectural Review

- 1. **Board of Architectural Review required.** All applicable building, grading, landscaping and other plans for new or altered structures shall be reviewed and approved by the Board of Architectural Review unless exempt from Board of Architectural Review in compliance with Section 35-184.2 (Applicability).

Section 35-191.7 Permit Procedures.

- 1. A Coastal Development Permit for grading for a building pad shall not be issued until the proposed structure has received final approval from the County Board of Architectural Review.

Section 35-191.8 Parking.

1. All new single family dwellings approved after [effective date of this ordinance] shall provide the following number of off-street parking spaces in addition to the number otherwise required in compliance with Division 6 (Parking Regulations).

Lot Size (net)	Additional Off-Street Parking Spaces
Less than 7,500 square feet	0
7,500 to 10,000 square feet	1
10,000 square feet and greater	2

- a. **Use of permeable materials.** Parking space shall be paved with permeable materials on a suitable base, including concrete pavers, turf block, and permeable asphalt, provided that such materials are consistent with the County Fire Department or applicable fire district minimum structural design standards for emergency access.
- b. **Location.** Parking spaces shall be located outside of required setback areas for the lot, except that one parking space may be located within the front setback area provided the location is approved by the Board of Architectural Review in compliance with Section 35-191.6 (Board of Architectural Review).
- c. **Configuration.** On lots of 10,000 square feet (net) or more in area, the additional parking spaces required in compliance with the table above may be provided in a tandem arrangement with each other.

Section 35-191.9 Exterior Lighting.

All exterior lighting installed on or after [effective date of this ordinance] shall comply with the following:

1. In addition to the permit application submittal requirements required in Division 11 (Permit Procedures), any application for a permit that includes outdoor light fixtures shall include plans showing the location and lumen output of all outdoor light fixtures, both existing and proposed.
2. The regulations contained in this Subsection 3. shall be known and referred to as the “Outdoor Lighting Regulations for the Summerland Community Plan Area.”
 - a. **Purpose and intent.** The purpose of this Subsection is to create standards for outdoor lighting that minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures. These standards conserve energy and preserve the nighttime sky while maintaining nighttime safety, utility, security, and productivity.
 - b. **Approved materials and methods of installation.** The provisions of this Subsection are not intended to prevent the use of any design, material, or method of installation not specifically proscribed by this Subsection provided any such alternate has been approved by the County. The Department may approve any such alternate provided that the proposed design, material, or method:
 - 1) Provides approximate equivalence to the specific requirements of this Subsection.
 - 2) Is otherwise satisfactory and complies with the intent of this Subsection.
 - c. **Prohibited lights and lighting.**
 - 1) All illuminated advertising signs on and off premises shall be off between 11:00 p.m. and sunrise, except that on-premises signs may be illuminated while the business is open to the public.
 - 2) All outside illumination for aesthetic and/or decorative purposes for any structure and/or surrounding landscape, public or private, and for outdoor recreational facilities that is not fully shielded shall be prohibited between 9:00 p.m. and sunrise. All illumination of exterior areas between 9:00 p.m. and sunrise shall be shielded.
 - 3) Except as provided below, lighting associated with an outdoor recreational facility with lights that are not fully shielded (full cutoff) may only be illuminated between 9:00 p.m. and sunrise

the following day to complete a specific organized recreational event in progress and under illumination in conformance with this Subsection at 9:00 p.m. Fully shielded (full cutoff) lights are not subject to a time restriction.

- 4) Search lights, laser source lights, or similar high intensity lights shall not be permitted except in emergencies by police and/or fire personnel, or for the purposes of gathering meteorological data.
- 5) Mercury vapor lights are prohibited.

d. Exemptions. The following are exempt from the provisions of Subsection 3.

- 1) All outdoor lighting fixtures lawfully installed prior to [effective date of this ordinance] are exempt from the shielding requirements of this Subsection; however, they shall be subject to the remaining requirements of this Subsection, except that fully shielded (full cutoff) lights are not subject to a turn-off time.
- 2) Fossil fuel lights.
- 3) Traffic control signs and devices.
- 4) Street lights installed prior to [effective date of this ordinance].
- 5) Temporary emergency lighting (e.g., fire, police, public works).
- 6) Moving vehicle lights.
- 7) Navigation lights (e.g., airports, heliports, radio/television towers).
- 8) Seasonal decorations with individual lights in place no longer than 60 days.
- 9) Except as provided below, lighting for special events as provided by Subsection 3.h (Temporary exemption).
- 10) Temporary lighting for agricultural activities of a limited duration, not including unshielded arena lights.
- 11) Except as provided below, security lights of any wattage that are controlled by a motion-sensor switch and which do not remain on longer than 10 to 12 minutes after activation.
 - a) Security lights shall be required to be fully shielded in order to be exempt in compliance with this Subsection.
- 12) Light fixtures shown on building permits that were approved prior to [effective date of this ordinance] are excluded from compliance with this Subsection until the fixture is replaced.
- 13) Solar walkway lights.

e. General requirements. All non-exempt light fixtures that require a County permit prior to installation shall be subject to the following general requirements:

- 1) All outdoor light fixtures installed after [effective date of this ordinance] and thereafter maintained upon private property, public property, or within the public right-of way shall be fully shielded (full cutoff).
 - a) Sign illumination shall only illuminate the signage and shall not spill into adjacent areas.
- 2) All replaced or repaired lighting fixtures requiring a permit shall be subject to the requirements of this Subsection.
- 3) Light trespass and glare shall be reduced to the maximum extent feasible through downward directional lighting methods.
- 4) Externally illuminated signs, advertising displays, and building identification shall use top mounted light fixtures which shine downward and are fully shielded (full cutoff).
- 5) Outdoor light fixtures used for outdoor recreational facilities shall be fully shielded (full cutoff) except when such shielding would cause impairment to the visibility required in the intended recreational activity. In such cases, partially shielded fixtures and downward lighting methods shall be utilized to limit light pollution, glare, and light trespass to a reasonable level as determined by the Director.

6) Illumination from recreational facility light fixtures shall be shielded to minimize glare extending towards roadways where impairment of motorist vision might cause a hazard.

f. Submittal of plans and evidence of compliance. Any application for a permit that includes outdoor light fixtures (except for exempt fixtures in compliance with this Subsection) shall include evidence that the proposed outdoor lighting will comply with this Subsection. The application shall include:

- 1) Plans showing the locations of outdoor lighting fixtures.
- 2) Description of the outdoor lighting fixtures, including manufacturer's catalog cuts and drawings. Description and drawings should include lamp or bulb type, wattage, lumen output, beam angle, and shielding.

The above plans and descriptions shall be sufficiently complete to enable the plan examiner to readily determine whether compliance with the requirements of this Subsection has been met.

g. Temporary exemption.

- 1) The Director may grant a temporary exemption, as defined herein, for such activities, including, but not limited to circuses, fairs, carnivals, sporting events, and promotional activities, if he first makes all of the following findings:
 - a) The purpose for which the lighting is proposed is not intended to extend beyond 30 days.
 - b) The proposed lighting is designed in such a manner as to minimize light pollution as much as feasible.
 - c) The proposed lighting will comply with the general intent of this article.
- 2) The application for a temporary exemption shall at a minimum include all of the following information:
 - a) Name and address of applicant and property owner.
 - b) Location of proposed fixtures.
 - c) Type, wattage, and lumen output of lamp(s).
 - d) Type and shielding of proposed features.
 - e) Intended use of lighting.
 - f) Duration of time for requested exemption.
 - g) The nature of the exemption.
 - h) Such other information as the Department may request.

SECTION 10:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 11:

Except as amended by this Ordinance, Division 2, 4, 6, 7, 11, 12 and 13 of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 12:

This ordinance and any portion of this ordinance approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514, whichever occurs later; and before the

expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 6th day of May, 2014, by the following vote:

AYES: Supervisor Carbajal, Wolf, Farr, Adam & Lavagnino

NOES:

ABSTAINED:

ABSENT:

(signed copy on file)

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By (signed copy on file)
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By (signed copy on file)
Deputy County Counsel