

ATTACHMENT J:

County Planning Commission Staff Reports


February 5, 2014 – w/o Attachments

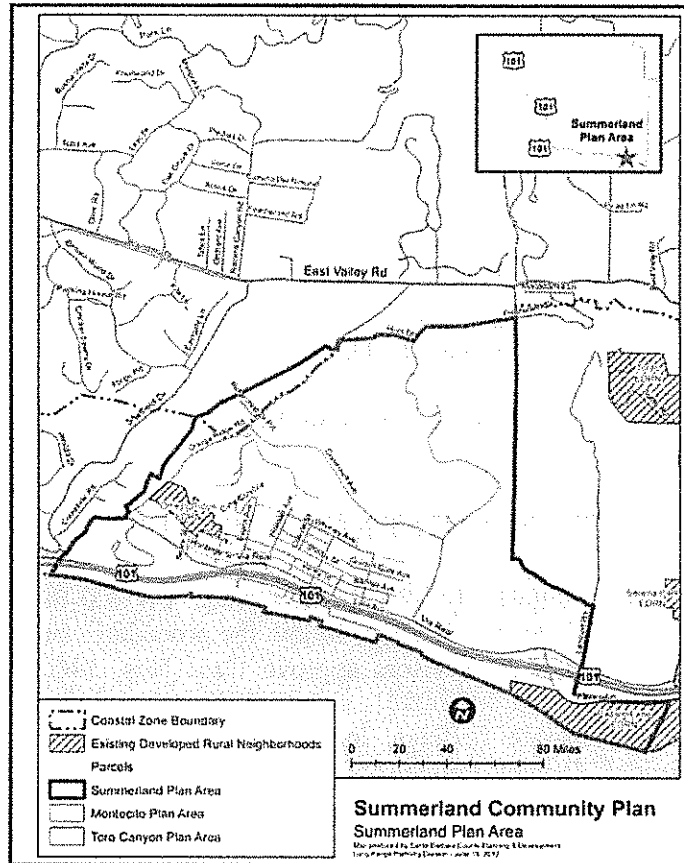
March 5, 2014 – with Attachments

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SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for the Summerland Community Plan Update

Hearing Date: February 5, 2014
Staff Report Date: January 23, 2014
Case No.: 14GPA-00000-00001,
14GPA-00000-00002, 14ORD-00000-00001, and
14ORD-00000-00002
Environmental Document: 13EIR-00000-00003

Deputy Director: Jeff Hunt, AICP 
Division: Long Range Planning
Supervising Planner: David Lackie
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1.0 REQUEST

Hearing on the request of the Planning and Development Department that the County Planning Commission:

- 1.1 **Case No. 14GPA-00000-00001.** Recommend that the Board of Supervisors adopt a general plan amendment amending the text in the Area/Community Goals (Section V), and adopting the Summerland Community Plan Update as an amendment to the Land Use Element of the Comprehensive Plan.
- 1.2 **Case No. 14GPA-00000-00002.** Recommend the Board of Supervisors adopt a general plan amendment amending the text in the Santa Barbara County Coastal Land Use Plan –

Chapter 4 “The Planning Areas,” and adopting the Summerland Community Plan Update as an amendment to the Coastal Land Use Plan of the Comprehensive Plan.

- 1.3 **Case No. 14ORD-00000-00001.** Recommend the Board of Supervisors adopt an ordinance amending the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, to adopt new zoning regulations as part of implementing the Summerland Community Plan Update.
- 1.4 **Case No. 14ORD-00000-00002.** Recommend the Board of Supervisors adopt an ordinance amending the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, to adopt new zoning regulations as part of implementing the Summerland Community Plan Update.
- 1.5 **Summerland Community Plan Residential and Commercial Design Guidelines.** Recommend the Board of Supervisors rescind the 1992 Board of Architectural Review Guidelines for Summerland and adopt the Summerland Residential Design Guidelines and the Summerland Commercial Design Guidelines.

The project involves all lots located in the Summerland Community Plan Area, First Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

- 2.1 **Case Nos. 14GPA-00000-00001, 14GPA-00000-00002, 14ORD-00000-00001, and 14ORD-00000-00002.** On February 5, 2014, follow the procedures outlined below and recommend that the Board of Supervisors approve Case Nos. 14GPA-00000-00001, 14GPA-00000-00002, 14ORD-00000-00001, and 14ORD-00000-00002 based upon the ability to make the appropriate findings, including CEQA findings, and adopt the Summerland Residential Design Guidelines and Summerland Commercial Design Guidelines. Your Commission’s motion should include the following:
 1. Make the findings for approval in Attachment B, including CEQA findings, and recommend the Board make the appropriate findings for approval of the proposed general plan amendments, ordinance amendments, and residential and commercial design guidelines.
 2. Recommend that the Board of Supervisors certify the Summerland Community Plan Update Final Supplemental Environmental Impact Report (Final SEIR) (State Clearinghouse No. 2011071036) (Attachment C) for Case Nos. 14GPA-00000-00001, 14GPA-00000-00002, 14ORD-00000-00001, 14ORD-00000-00002 and the Summerland Residential Design Guidelines and Summerland Commercial Design Guidelines, pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA).

3. Adopt the Resolution in Attachment D recommending that the Board of Supervisors adopt Case No. 14GPA-00000-00001, a general plan amendment amending the text in the Area/Community Goals (Section V), and adopting the Summerland Community Plan Update as an amendment to the Land Use Element of the Comprehensive Plan.
4. Adopt the Resolution in Attachment E recommending that the Board of Supervisors adopt Case No. 14GPA-00000-00002, a general plan amendment amending the text in the Santa Barbara County Coastal Land Use Plan – Chapter 4 “The Planning Areas,” and adopting the Summerland Community Plan Update as an amendment to the Coastal Land Use Plan of the Local Coastal Program.
5. Adopt the Resolution in Attachment F recommending that the Board of Supervisors adopt Case No. 14ORD-00000-00001, an ordinance amending the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, as set forth in Attachment F - Exhibit 1, to adopt new zoning regulations as part of implementing the Summerland Community Plan Update.
6. Adopt the Resolution in Attachment G recommending that the Board of Supervisors adopt Case No. 14ORD-00000-00002, an ordinance amending the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code, as set forth in Attachment G - Exhibit 1, to adopt new zoning regulations as part of implementing the Summerland Community Plan Update.
7. Adopt the Resolution in Attachment H recommending that the Board of Supervisors rescind the 1992 Board of Architectural Review Guidelines for Summerland and adopt the Summerland Community Plan Residential Design Guidelines (Exhibit 1 to Attachment H) and Summerland Community Plan Commercial Design Guidelines (Exhibit 2 to Attachment H).

Please refer the matter to staff if your Commission takes other than the recommended actions for development of appropriate materials and/or findings.

The Final SEIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara.

3.0 JURISDICTION

3.1 Case No. 14GPA-00000-00001. This project is being considered by the County Planning Commission based upon Sections 65353 to 65354, inclusive, of the California Government Code and in compliance with Section 2-25.2 of Chapter 2 of the Santa Barbara County Code that provides that the County Planning Commission may make recommendations to the Board of Supervisors on general plan amendments that will affect land use decisions within the County.

- 3.2 Case No. 14GPA-00000-00002.** This project is being considered by the County Planning Commission based upon Sections 65353 to 65354, inclusive, of the California Government Code and in compliance with Section 2-25.2 of Chapter 2 of the Santa Barbara County Code that provides that the County Planning Commission may make recommendations to the Board of Supervisors on general plan amendments that will affect land use decisions within the Coastal Zone.
- 3.3 Case No. 14ORD-00000-00001.** This project is being considered by the County Planning Commission based upon Sections 65854 to 65857, inclusive, of the California Government Code and Chapter 35.104 of the Santa Barbara County Land Use and Development Code (County LUDC). The Government Code and the County LUDC require that the County Planning Commission, as the designated planning agency for the unincorporated area of the County outside the non-Coastal Zone portion of the Montecito Community Plan Area, review and consider proposed amendments to the County LUDC and provide a recommendation to the Board of Supervisors.
- 3.4 Case No. 14ORD-00000-00002.** This project is being considered by the County Planning Commission based upon Sections 65854 to 65857, inclusive, of the California Government Code and in compliance with Section 2-25.2 of Chapter 2 of the Santa Barbara County Code that provides that the County Planning Commission may make recommendations to the Board of Supervisors on text amendments to the Article II Coastal Zoning Ordinance (Article II) of Chapter 35 of the County Code that will affect land use decisions within the Coastal Zone.

4.0 INTRODUCTION AND BACKGROUND

The Summerland Plan Area (Plan Area) is located in the southern portion of Santa Barbara County between the cities of Santa Barbara and Carpinteria. The Plan Area boundary includes the unincorporated area of the County of Santa Barbara known as Summerland. The Plan Area is bordered by Ortega Ridge Road on the west, the Montecito Planning Area on the north, Padaro Lane and the Toro Canyon Planning Area on the east, and the Pacific Ocean on the south. The Plan Area totals 907 acres and is situated within the Coastal Zone with the exception of a residential enclave along Ortega Ridge Road which is located in the inland area.

4.1 Introduction

The Summerland Community Plan Update (SCP Update) includes updates to the Introduction, Community Development, and Visual and Aesthetics sections; and a revised Transportation, Circulation, and Parking section. The update also includes amendments to the Land Use and Development Code and Article II – Coastal Zoning Ordinance to implement policies, development standards, and actions from the plan update. Lastly, the update includes new separate Summerland Residential Design Guidelines and Summerland Commercial Design Guidelines.

4.2 Background

In 1992, the Board of Supervisors adopted the Summerland Community Plan and Board of Architectural Review Guidelines for Summerland. Since then, several amendments to the Summerland Community Plan were approved by the Board of Supervisors.

- In 1995, the circulation component of the Summerland Community Plan was amended to add an exemption for specific affordable housing projects and special needs facilities from Circulation Element standards.
- In 1997, the Summerland Community Plan component of the Coastal Land Use Plan and the Coastal Zoning Ordinance were amended to change the land use designation and rezone a County-owned parcel at Greenwell Avenue and Asegra Road. The land use designation changed from Institution/Government Facility to Existing Public or Private Recreational and/or Open Space and the zoning changed from Rural Residential (RR-5) to Recreation.
- In 2005, the Summerland Community Plan component of the Coastal Land Use Plan was amended to change the land use designation and rezone a portion of Morris Place located at the eastern end of Lookout Park and a portion of Finney Street from Existing Public or Private Park/Recreation or Open Space to Residential with a density of 4.6 units per acre maximum.

4.3 Summerland Planning Advisory Committee Process

In 2007, the Board of Supervisors adopted Resolution 07-379 approving the formation of the Summerland Planning Advisory Committee (SunPAC) to assist staff with the development of the Summerland Community Plan Update.

In 2008, Planning and Development staff conducted two surveys to receive input on issues important to the community. The surveys included a Summerland Community Survey (mailed to residents and property owners), and a Summerland Business Owner Survey. The survey results helped inform and shape topics for discussion by the SunPAC and the survey results are included in Attachments I and J of this staff report.

From December 2007 to May 2011, the SunPAC held two workshops and 33 public meetings to advise staff on amendments to the Summerland Community Plan and develop the Summerland Residential Design Guidelines and Commercial Design Guidelines.

On November 5, 2013, the Board of Supervisors adopted a resolution to extend the SunPAC term of office to coincide with the term of offices of the First District Supervisor or upon adoption of the SCP Update, whichever occurs first.

5.0 PROJECT DESCRIPTION

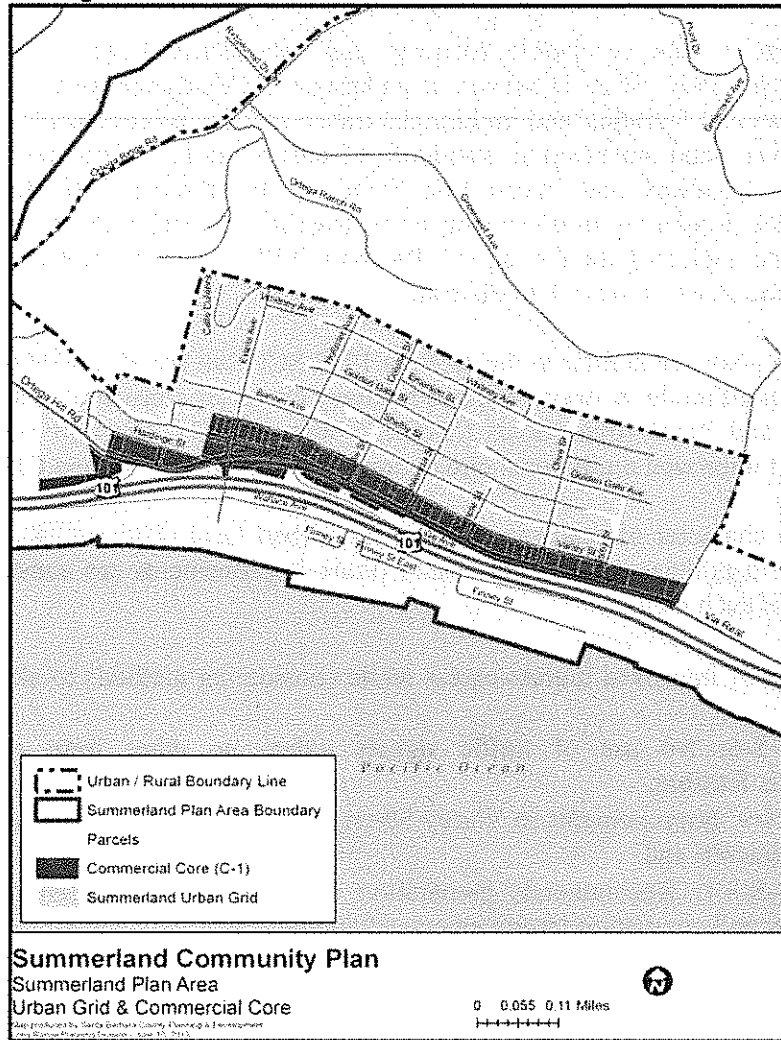
5.1 Overview of the Summerland Community Plan Update

The SCP Update, ordinance amendments, and Residential and Commercial Design Guidelines contained in this staff report reflect staff's recommendation to the Planning Commission. Staff and the SunPAC agree on a majority of the proposed amendments. Staff recommendations that differ from SunPAC recommendations are identified and discussed in this report.

The SCP Update includes a new Transportation, Circulation, and Parking section, policy and action changes in the Visuals and Aesthetics section, and updates to the Introduction and Community Development sections. The project would not change the existing land use and zoning designations in Summerland or the plan goals listed on page 17 of the 1992 SCP.

The SCP Update (Transportation, Circulation and Parking section, Residential and Commercial Design Guidelines, and zoning ordinance amendments) include new guidelines, standards and ordinance provisions specific to two new subareas within Summerland's Urban Area: the Urban Grid and Commercial Core (Figure 1). The Urban Grid is within the Coastal Zone and encompasses the following areas: single, two-family, and Design residential zone districts north of Lillie Avenue and Ortega Hill Road up to the Urban/Rural boundary; a mobile home park south of Ortega Hill Road; and a few recreation-zoned parcels. The Commercial Core is within the Urban Grid and encompasses the Limited Commercial (C-1) zone district on both sides of Lillie Avenue and the lower portion of Ortega Hill Road.

Figure 1 - Summerland Urban Grid and Commercial Core



A. Introduction (SCP Update Section I.A)

No substantive changes are proposed to the Introduction section. A new narrative describes the current project and text is updated throughout. The cover, acknowledgements, table of contents, and Plan Area map are also updated.

B. Transportation, Circulation, and Parking Section (SCP Update Section III.G)

This new section is structured as follows: (1) Introduction; (2) Roadway Classifications, and Project Consistency Standards; and (3) Transportation, Circulation, and Parking Goals, Policies,

Development Standards, and Actions. Below is a summary of new information included in this section.

1. Circulation

There is no change to the acceptable roadway and intersection level of service (LOS) designations from the 1992 SCP. However, installation of County-approved traffic calming devices, complete streets¹ facilities, and multimodal transportation improvements would now be exempt from roadway and intersection standards (Transportation, Circulation, and Parking chapter, Section 2. Roadway and Intersection Standards for Project Consistency). Actions relating to completed circulation improvements envisioned in the 1992 SCP have been removed from the SCP Update, including the Ortega Hill Road and Lillie Avenue streetscape and parking improvements and the Class I Ortega Hill bikepath.²

The new circulation goals are similar to the existing 1992 SCP, but are expanded to support safe ingress and egress, multimodal connections, and roadway character considerations for the Urban Grid, Urban Area, and Rural Area (Goals CIRC S-1 through S-3). The new policies support complete streets and improved multimodal circulation (Policies CIRC-S-10 and CIRC-S-11).

Preservation of the character of roadways outside the Urban Grid (Policy CIRC-S-3) and the following Urban Grid policies would help ensure future improvements are consistent with the roadway character of each area:

- Policy CIRC-S-5: Improved ingress/egress while considering methods to slow automobile speeds;
- Policy CIRC-S-6: No use of traffic signals unless no other form of intersection improvement is feasible;
- Policy CIRC-S-9: Improvements to Varley Street to facilitate vehicle passage and enhance residential character; and
- Action CIRC-S-4.1: Recommends preparation of a master circulation safety plan to consider safety and circulation improvements including:
 - Delineation of travel lanes in the Urban Grid;
 - Adding additional street lighting; and
 - Implementation of traffic calming measures.

Recommendation:

Staff and the SunPAC support the proposed circulation goals, policies, and actions discussed above.

¹ The National Complete Streets Coalition defines complete streets as "Streets for everyone. They are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists, and public transportation users of all ages and abilities are able to safely move along and across a complete street. Complete Streets make it easy to cross the street, walk to shops, and bicycle to work. They allow buses to run on time and make it safe for people to walk to and from train stations."

² Existing SCP Actions CIRC-S-14.1, CIRC-S-12.1, and CIRC-S-12.2.

2. Beach Connectivity

Connection of the community with the beach is physically interrupted by U.S. 101 and the Union Pacific Railroad. The existing plan supports public beach parking and access. Existing policies and action items supporting development of beach parking and access that are not completed have been updated and retained (Policy CIRC-S-13, Policy CIRC-S-14 and Action CIRC-S-14.1).

The goal for the new section is to increase community connection to the shoreline and multimodal access to the beach (Goal CIRC-S-4). Policies support working with Caltrans to reunify the community with the beach (Policy CIRC-S-13). The existing Wallace Avenue parking action is updated to study the feasibility of increased parking and improved pedestrian access on Wallace Avenue (Action CIRC-S-14.1).

Recommendation:

Staff and the SunPAC support the proposed circulation goals, policies, and actions discussed above.

3. Road Rights-of-Way (ROW)

Summerland contains numerous unimproved road rights-of-ways (ROW), particularly in the Urban Grid, with varied widths and surface conditions reflecting decades of fragmented development patterns. Current SCP policies prohibit vacation/abandonment of public ROW or issuance of encroachment permits within the ROW (1992 SCP Policy CIRC-S-17 and CIRC-S-18).

Based on input from Public Works staff and P&D staff, the SCP Update includes new policies that would allow ROW abandonment and encroachment permits subject to priorities and standards for public benefits and aesthetics (SCP Update Goal CIRC-S-5, Policies CIRC-S-17, and CIRC-S-18, and Action CIRC-S-18.1).

The policy change allowing ROW abandonments or encroachments is consistent with the practice in the rest of the unincorporated County. Permitted ROW encroachments would allow private property owners to connect to utilities, make drainage improvements, construct retaining walls to stabilize slopes and reduce erosion, and/or construct wider driveways to improve sight distance for safety. ROW abandonments or encroachments would be subject to Public Works standards and policies, as well as proposed SCP Update policies and actions. Per proposed Policy CIRC-S-17, priority use of excess public ROW shall be for enhancing public parking, pedestrian and bicyclist circulation, trails and coastal access potential, or other public benefits consistent with the SCP.

Recommendation:

Staff recommends the proposed circulation policies and actions discussed above.

SunPAC Recommendation: The SunPAC also supports the proposed circulation policies and actions discussed above with the following exceptions:

Policy CIRC-S-17 (ROW Abandonment): The SunPAC supports the proposed policy language describing priority use of excess public ROW. However, the SunPAC recommends adding the following additional language (shown in underline):

Policy CIRC-S-17: Priority use of excess public road right-of-way (ROW) shall be for enhancing public parking, pedestrian and bicyclist circulation, trails and coastal access potential, or other public benefits consistent with the Summerland Community Plan. Public Works and Planning and Development shall review all ROW abandonment requests to determine if a public benefit is available. If a public benefit is identified, abandonment of ROW may occur if an easement is dedicated that would achieve the same public benefit.

ROW abandonment requests shall be noticed consistent with zoning ordinance requirements for ministerial permit processing procedures. Abandonment of ROW may occur if an easement is dedicated that would achieve the same public benefit. Abandoned ROW area shall not be used to increase floor area ratios (FAR), subdivision potential, or density.”

Staff does not support these changes. The existing county-wide ROW abandonment process provides public notice at several critical junctures, including before the required Planning Commission and Board of Supervisors hearings. In addition, Action CIRC-S-17.1 directs Planning and Development and Public Works to “develop a program to increase public participation and noticing for ROW abandonment requests.” The provision regarding an easement duplicates provisions in the first paragraph of Action CIRC-S-17.1. Lastly, a public interest and rationale have not been established for restricting the use of a lot that has increased in size in conjunction with a ROW abandonment.

Action CIRC-S-18.1 (ROW Encroachments): The SunPAC recommends the following edits (shown in ~~strike through~~ and underline) to proposed Action CIRC-S-18.1:

Action CIRC-S-18.1: The County shall amend the Coastal Zoning Ordinance and the Land Use and Development Code upon adoption of the Summerland Community Plan Update to require the Board of Architectural Review (BAR) to review and approve ROW encroachments

~~included with a project subject to design review. The BAR shall make findings that permitted encroachments minimize visual and aesthetic impacts, and allow approval only if (a) the encroachment preserves a minimum distance of seven feet from edge of pavement in urban areas and 10 feet or greater in rural areas, and (b) either improves the ROW for public parking, bicycle, or pedestrian benefit; or is necessary for access into a privately owned property adjacent to the ROW, or is necessary to protect an existing legal structure (e.g. from slope failure) and there is no feasible onsite alternative.~~

Staff does not support SunPAC's amendment since County Public Works establishes appropriate county-wide standards for ROW encroachments and, in some instances, the purpose of a necessary ROW encroachment may extend beyond those specified in Action CIRC-S-18.1. In addition, Policy CIRC-S-18 already specifies when ROW encroachments should and should not be allowed. For example, this policy states that ROW encroachments "...shall not compromise public safety; block sight distances; impede existing or planned pathways, trails, and bikeways; or obstruct on-street parking areas or travel lanes."

4. Parking

Completed action items envisioned under the existing SCP, including parking restrictions on Greenwell Avenue and the circulation improvements on Ortega Hill Road and Lillie Avenue, are removed from the SCP Update (existing SCP Actions CIRC-S-14.1, CIRC-S-12.1, and Action CIRC-S-19.1). Uncompleted action items have been modified and remain in the Plan, such as amending the zoning ordinance to require additional residential parking spaces (Action CIRC-S-19.1).

Consistent with the 1992 SCP, the parking goal calls for adequate residential and commercial parking (GOAL CIRC-S-6). New Commercial Core specific actions, policies, and development standards include:

- Development of adequate short-term vehicle and bicycle parking (Policy CIRC-S-20);
- Analysis of commercial overflow and shared parking opportunities (Action CIRC-S-20.1); and
- DevStd CIRC-S-19.2 would encourage 18-foot residential driveway lengths for guest parking and is included as a guideline in the Residential Design Guidelines.

Recommendation:

Staff and the SunPAC support the proposed parking goals, policies, actions, and development standards discussed above.

C. **Visuals and Aesthetics Section (SCP Section IV.I)**

The SCP and other community plans are part of the Comprehensive Plan and typically contain comprehensive, long-range goals, policies, and actions to guide the growth and development of a

community. However, Action VIS-S-3.1 in the 1992 SCP contains specific height limits and Action VIS-S-5.1 requires strict adherence to Floor Area Ratio (FAR) requirements in the zoning ordinance. Specific development standards such as these are usually implemented through zoning ordinances, not community plans.

The SCP Update deletes Action VIS-S 3.1 and amends Action VIS-S-3.2, Policy VIS-S-5, and Actions VIS-S-5.1 and 5.2, thereby ensuring height and floor area development standards are placed only in the zoning ordinances. The SCP Update also amends Policy VIS-S-3 by deleting reference to private view protection because the County does not regulate private views of individuals. Deleting these references to private views would encourage uniformity of County planning documents.

The SCP Update also deletes actions that have already occurred (Action VIS-S-2.1, Action VIS-S-2.2, Action VIS-S-2.3, and Action VIS-S-4.1), and proposes minor text updates. (See Section 5.4.B below for staff and SunPAC recommendations addressing aesthetic and visual resources related amendments.)

5.4 Overview of the Article II and Land Use and Development Code Amendments

The SCP Update amends Chapter 35, Zoning for both the inland area (LUDC) and Coastal Zone (Article II) in the Plan Area. These amendments implement new actions and development standards that complement the proposed residential and commercial design guidelines.

A. Transportation, Circulation, and Parking Section Amendments

The SCP Update would amend some provisions of the zoning ordinances that implement the Transportation, Circulation, and Parking section of the SCP. These provisions are located in the community plan overlays in the Coastal Zoning Ordinance (Division 13, *Summerland Community Plan Overlay*) and the LUDC (Section 35.28.210, *Summerland Community Plan Overlay*). Staff recommends the following amendments:

- I. Require one additional residential parking space for lots between 7,500 and 10,000 square feet and two additional parking spaces for lots greater than 10,000 square feet (Action CIRC-S-19.1).

Recommendation:

The SunPAC concurs with staff's recommendation for the proposed residential parking space amendment.

B. Aesthetic and Visual Resources Related Amendments

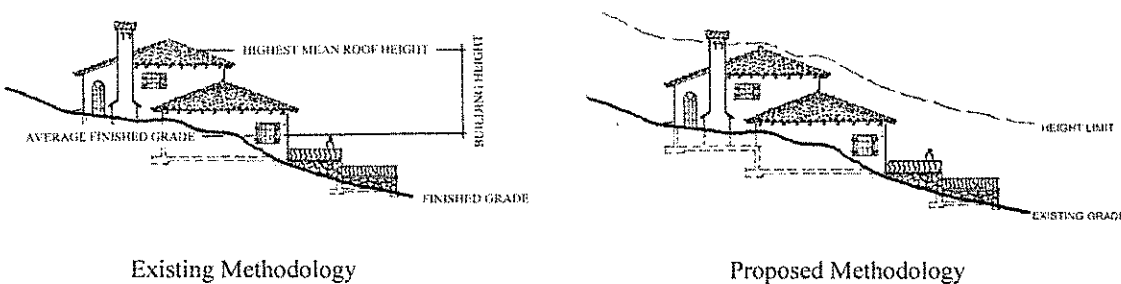
1. Height Methodology

Summerland is the only area in the County where building height is currently measured as the vertical distance between the average finished grade covered by the building to the highest points of the coping of a flat roof or to the mean height of the highest gable of a pitch or hip roof

(Figure 2 – Existing Methodology) (Coastal Zoning Ordinance Section 35-127 B and LUDC Section 35.30.090.C.3).

The existing average finished grade methodology allows manipulation of finished grade and measurement points, often resulting in visible exposed building massing, particularly on hillside elevations. It also penalizes using structural design that follows slope contours (i.e., using one or more ground levels to reduce grading and perceived building mass) due to measuring height from the average finished grade to the highest mean roof height.

Figure 2: Existing and Proposed Height Methodologies



Recommendation:

Staff recommends the following zoning ordinance amendments to Height Methodology. SunPAC recommendations that differ from staff recommendations are discussed below.

Staff recommends using the same height calculation methodology that has been used in the rest of the County since 2006,³ based on measuring maximum height from existing grade (Figure 2-Proposed Methodology), with the following benefits:

- Consistently applied and easily understood with predictable results;
- Uses the same methodology as the rest of the County;
- Encourages buildings that follow slope contours; and
- Discourages manipulating grade to gain more building height.

The proposed height methodology also reduces massing and encourages structure design to reflect the natural topography by fitting structures into hillsides, which is consistent with the Residential Design Guidelines. Furthermore, the proposed methodology eliminates the need for plate height floor area ratio (FAR) deductions since no elevation could be manipulated to exceed the height limit.

SunPAC Recommendation: The SunPAC recommends adopting a height methodology that measures height from either existing or finished grade, whichever is lower.

³ Since August 2007 in the Coastal Zone.

2. Height Limit

Existing 1992 SCP Action VIS-S-3 sets maximum height standards for urban and rural areas with no adjustments allowed. Table 1 shows the existing standards compared to proposed new standards and notes where the proposed standards differ from the SunPAC recommendations.

Table 1 – Height Limit

Plan Area/Subarea	Existing	Staff Proposed	SunPAC Recommendation
URBAN			
Height	22 feet	25 feet	25 feet
Roof Pitch Adjustment	No roof pitch adjustment	3 foot increase for a pitch of 4 in 12 or greater (Consistent with county-wide approach)	No roof pitch adjustment
URBAN GRID			
Height	22 feet	25 feet	25 feet
Roof Pitch Adjustment	No roof pitch adjustment	No roof pitch adjustment	No roof pitch adjustment
COMMERCIAL CORE			
Height	22 feet	25 feet (Public views s/o Lillie Avenue are primarily Hwy 101 and not ocean views, and the SunPAC reduced height limit would only apply to 6 parcels)	22 feet south of Lillie Avenue. 25 feet north of Lillie Avenue. (SunPAC height limit s/o Lillie Ave. is to reduce impacts to public views of the ocean and avoid a “corridor affect” along Lillie Ave.)
Roof Pitch Adjustment	No roof pitch adjustment	No roof pitch adjustment	3 foot increase for a pitch of 5 in 12 or greater.
RURAL			
Height	16 feet	16 feet	16 feet
Roof Pitch Adjustment	No roof pitch adjustment	3 foot increase for a pitch of 4 in 12 or greater	3 foot increase for a pitch of 4 in 12 or greater

Plan Area/Subarea	Existing	Staff Proposed	SunPAC Recommendation
EDRN			
Height	16 feet	25 feet (Staff recommends treating the 3-acre lot the same as the other lots in the EDRN. This will ensure that similar properties and property owners receive equal treatment under like circumstances.)	25 feet, except a 16-foot height limit for one 3-acre lot in the Padaro Lane EDRN (APN 005-260-014).
Roof Pitch Adjustment	No roof pitch adjustment	3 foot increase for a pitch of 4 in 12 or greater (Consistent with rest of county and with the EDRN on Padaro Lane in the Toro Canyon Plan Area.)	No roof pitch adjustment

Recommendation:

Staff recommends the zoning ordinance amendments to Height Limits shown in Table 1 above. SunPAC recommendations that differ from staff recommendations are shown in Table 1.

3. Maximum Height in Ridgeline and Hillside Locations.

All structures proposed in any zone district where there is a 16-foot drop in elevation within 100 feet in any direction from the proposed building footprint are subject to Ridgeline and Hillside Development Guidelines and separate maximum height limits. However, the Ridgeline and Hillside Development maximum height limit standards for structures are currently not applicable to Summerland because Summerland has a different methodology for measuring height than does the rest of the County. The SCP Update proposes to adopt the countywide height measurement methodology and, therefore, structures that are in the Urban Grid and/or subject to the Ridgeline and Hillside Development requirements would now be limited to a maximum height of 32 feet as measured from the highest part of the structure to the lowest point of the

structure where an exterior wall intersects the finished grade or the existing grade, whichever is lower (Figure 3).

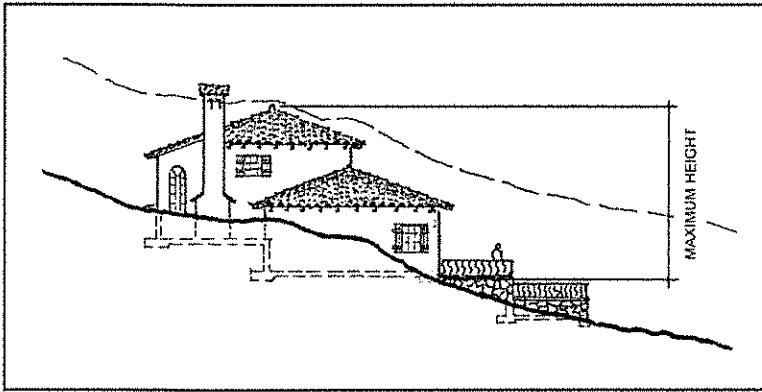


Figure 3: Proposed Maximum Height Methodology

Recommendation:

Staff recommends the zoning ordinance amendments to maximum height in ridgeline and hillside locations as discussed above.

SunPAC Recommendation: The SunPAC did not consider this issue.

4. Floor Area Ratio (FAR) Methodology and Limits

FAR is a tool used to regulate the size, bulk, scale, and profile of structures in the Plan Area since 1992. FAR is a ratio of a building's total floor area to the size of the lot on which it is situated. Generally, FAR is expressed as a decimal fraction (e.g., 0.50, 0.26) of the square footage of a lot. FAR limits the amount of building area (floor area) allowed on a lot. Basements, large garages, attached residential second units, and accessory structures may count toward the maximum allowable floor area and, therefore, may affect FAR.

The 1992 Board of Architectural Review Guidelines for Summerland and zoning ordinances contain FAR limits (maximum allowable floor area/square footage) for residential and commercial uses in Summerland. Since the adoption of FAR limits for Summerland, most development proposals have approached the maximum allowable floor area.

Recommendation:

Staff recommends the following zoning ordinance amendments to Floor Area Limits, Definitions, and Floor Area measurement methodologies in the Plan Area. SunPAC recommendations that differ from Staff recommendations are discussed below.

- a. For residential lots less than 10 acres, the SCP Update would not affect the current FAR limits.

b. The SCP Update would increase the existing maximum allowable floor area for development on residential lots 10 acres and greater from 8,000 square feet (sq. ft.) to the following:

- o 10,000 sq. ft. on lots of 10 acres or greater but less than 20 acres;
- o 12,000 sq. ft. on lots of 20 acres or greater but less than 40 acres; and
- o 15,000 sq. ft. on lots of 40 acres or greater.

c. Revise the methodology for calculating net floor area to measure from the interior surface of exterior walls rather than the exterior surface of the exterior walls.

This revision could result in a modest increase (5 to 10%) in floor area over what is permitted under the existing methodology. Consequently, the commercial and mixed use FAR is proposed to be decreased by 0.02 to compensate for the change; from 0.29 to 0.27 for commercial development and 0.35 to 0.33 for mixed use development.

d. Deduct attached Residential Second Unit (RSU) floor area from the total primary dwelling maximum square footage when the RSU is greater than 300 square feet.

Recommendation:

Staff and the SunPAC concur with the proposed FAR amendments (a-d) described above.

e. Update the definition of basement and the methodology for calculating basement area that is exempted from the maximum allowable FAR.

The current methodology exempts a limited basement area below a specified average finished grade.⁴ The current methodology encourages placing fill around a structure to gain exempted basement area, allows manipulation of average finished grade resulting in designs unrelated to existing topography, and limits the amount of exempted basement area even though other portions of the basement area may not be visible. In addition, for over 20 years of implementation, the existing methodology has proven extremely problematic for planners and applicants to implement, often leading to inconsistent results and disputes about how much of the basement area is exempt from FAR.

The proposed change would (1) provide a new definition of basement consistent with the California Residential Building Code and (2) provide a new methodology for determining what portion of the building is exempt from FAR. If the portion of the building meets the definition of "basement" (i.e., a story that is not a story above grade plane), then it will be exempt from the FAR calculation. The new definitions and methodology would improve the current definition and methodology by:

⁴ Pages 19 and 20 of the 1992 Design Guidelines state "Basements shall be defined as any usable or unused under floor space where the finished floor directly above is not more than 4 ft. above grade... For residential structures, basements shall be counted toward the FAR as follows: First 250 sq. ft. = 0%, next 250 sq. ft. = 50%, next 300 sq. ft. = 75%, over 800 sq. ft. = 100% - all sq. ft. counted and none 'free.'" The maximum square footage that could be exempted under the existing methodology is 350 square feet.

- Providing a basement definition that is consistent with California Building Code practice;
- Providing clarity and efficiency for planners and applicants in determining which portions of a structure is included or exempt from the FAR calculation;
- Removing the incentive to place fill around a structure and manipulate the average finished grade; and
- Providing consistency with the proposed height methodology.

Similar to the proposed height methodology, the proposed basement definition and measurement methodology would encourage setting structures into the hillside. By excavating basement area into the hillside in concert with the proposed new height methodology, property owners could increase useable space without creating mass or increasing the profile of the structure, and, would therefore help structures remain consistent with the scale of the neighborhood.

Recommendation:

Staff recommends the basement definition and methodology for calculating basement area exempted from the maximum allowable FAR, as described above.

SunPAC Recommendation: In part, the SunPAC proposed ordinance amendments would allow property owners to construct larger residences than otherwise allowed through the use of true basements. The amendments would also serve as another means to control the size, bulk, and scale of proposed residences. Specifically, the SunPAC recommended that the maximum allowable square footage per lot shall include all or a percentage of the lowest story of a proposed structure that does not qualify as a “true basement.” The lowest story may fall into one, two, or three categories (i.e., true basement, residential basement, not a basement) based on the distance between the upper floor and the lower of existing or finished grade. For example, 0% of a true basement (distance does not exceed 18 inches) counts toward the maximum allowable square footage whereas 40% of a residential basement (distance does not exceed 4 feet) counts toward the maximum allowable square footage.

Staff generally supports the concept recommended by the SunPAC. However, portions of the amendments are unclear, complex, and could result in inconsistent outcomes. For example, key terms such as “finished grade” and “elevation of the finished floor” are incomplete or undefined. Calculating the percentage (%) and associated “percent perimeter” is complicated on lots with moderate to steep slopes.

Staff recommends a more straightforward approach. The proposed ordinance amendments categorize the entire lowest story as either a “basement” or a “story above grade” (i.e., not a basement). These terms are defined in the California Building Code (2013). To further simplify the calculations, 100% of any basement is excluded from the maximum allowable square footage; 100% of any story above grade counts toward the maximum allowable square footage.

- f. Remove plate height and understory penalties from the zoning ordinances. The draft Residential and Commercial Guidelines address plate heights and understories as a building scale and form issue, ensuring that plate heights and understories are minimized and/or compatible with the existing scale of the neighborhood.

Recommendation:

Staff and the SunPAC recommend the changes to plate height and understory as described above.

5. Private Views

The existing 1992 SCP and 1992 Board of Architectural Review Guidelines for Summerland are the only County planning documents that contain provisions for protecting private views affected by a proposed project. Existing SCP Policy VIS-S-3 references protection of private views as follows:

Policy VIS-S-3: Public views from Summerland to the ocean and from the Highway to the foothills shall be protected and enhanced. Where practical, private views shall also be protected.

The 1992 Board of Architectural Review Guidelines for Summerland also reference private views with the following BAR findings for approval of a project that may impact an adjacent neighbor's views or privacy:

1. *The applicant has designed a project which limits impacts on his/her neighbor's views.*
2. *There are no feasible means to further mitigate the project's obstruction of views and privacy without reducing overall square footage.*
3. *The project is consistent with the adopted FAR's and Design Standards.*

Throughout the remainder of the County, the visual resource provisions in the Comprehensive Plan, zoning ordinances, and community design guidelines protect public views as seen from public viewing places (e.g., Coastal Act Policy 30251, Coastal Land Use Plan Policy 4-3 and 4-5, and Land Use Element Policy 3). In a similar vein, the Environmental Thresholds Visual Aesthetic Impact Guidelines clearly state that "All views addressed in these guidelines are public views, not private views." While the County does not regulate the private views of individuals, potential impacts to private views are addressed through the County's Design Guidelines, neighborhood compatibility analysis, and similar existing policies which is the general standard throughout the County. Deletion of these references to private views would encourage uniformity of County planning documents.

Recommendation:

- A. As reflected in the SCP Update, Staff recommends amending Policy VIS-S-3 by deleting the reference to private views. County policy does not protect for private views. The public views protection language would remain.

Policy VIS-S-3: Public views from Summerland to the ocean and from the Highway to the foothills shall be protected and enhanced. ~~Where practical, private views shall also be protected.~~

B. As reflected in the SCP Update, staff also recommends removing the private views and privacy language from the BAR findings. Views and privacy concerns will now be addressed in the Residential and Commercial Design Guidelines in the “good neighbor practices” for applicants and designers, and the “view and privacy guidelines” in the Site Design Chapter of the guidelines.

SunPAC Recommendation: The SunPAC recommends retaining the existing SCP Policy VIS-S-3 language and BAR findings addressing private views.

6. Summerland Design Review

Since the SCP was adopted in 1992, all applicable building, grading, landscaping, and other plans for new or altered buildings have been subject to review and approval by the BAR. In part, new or altered buildings and signs must conform to the 1992 Board of Architectural Review Guidelines for Summerland and to four specific findings in the LUDC (Section 35.28.210) and Coastal Zoning Ordinance (Section 35-191.8).

Recommendation:

As reflected in the SCP Update, staff recommends expanding the type of activities subject to BAR review and approval to include new ROW encroachments associated with a project undergoing design review, and proposals to site required residential parking spaces in the front setback area. The SCP Update also includes specific BAR findings for certain architectural styles and for structures proposed in the Rural Area. The SunPAC concurs with Staff’s recommendation.

SunPAC Recommendation: The SunPAC also recommends expanding BAR review and approval to include a change in the exterior building color for existing structures in the C-1 zone.

Staff does not recommend this change since the County does not require a permit to change paint color and there is no trigger for environmental review.

7. Outdoor Lighting

The project would expand and codify outdoor lighting requirements by moving them from the design guidelines to the zoning ordinances, creating mandatory enforceable standards and ensuring a higher level of compliance and consistency with the lighting standards adopted in recent community plans and plan updates. The lighting requirements would:

- Require hooded fixtures and light shielding;
- Prohibit search and laser source lights;

- Regulate motion sensors and hours of illumination; and
- Define lighting terms and types.

Recommendation:

Staff and the SunPAC concur with the proposed amendments.

8. Modification and Variance

a. Modification

The Coastal Zoning Ordinance (Section 35-179) and the Land Use and Development Code (Section 35.82.130) allow minor modifications to certain zoning ordinance regulations where, because of practical difficulties, integrity of design, topography, tree or habitat protections, or other similar site conditions, a modification in height or other standards would result in better design, resource protection, and land use planning. However, the 1992 SCP specifies height limits and FAR requirements (Action VIS-S-3.1, Action VIS-S-3.2, Action VIS-S-5.1) and states that they “must be adhered to for all development in Summerland.” As a result, modifications to the height regulations and FAR requirements are considered inconsistent with the SCP and the required findings for approval could not be made in the Summerland Plan Area.

Recommendation:

As reflected in the SCP Update, staff and the SunPAC recommend moving the height and FAR standards to the zoning ordinances, thus easing the existing restrictions on minor modifications to height regulations and FAR. An application for a modification would be subject to existing findings, which include:

- The modification is consistent with the SCP,
- The modification is minor in nature and results in a better site or architectural design as approved by the BAR,
- The project is compatible with the neighborhood, and
- The modification does not create adverse impacts to community character, aesthetics, or public views.

SunPAC Recommendation: The SunPAC also recommends the following additional Modification findings for development within the Plan Area:

1. *“The granting of a Modification to exceed maximum building height or allowable FAR will not result in a significant obstruction to public views regardless of existing or potential vegetation.”*

Staff does not support this change for two key reasons. First, the proposed finding duplicates an existing finding for approving a Modification that states “The project ...does not create an adverse impact to...public views.” Second, the phrase “regardless of existing or potential vegetation” is vague and subject to interpretation. For example, this

requirement could prohibit a minor height increase despite the fact that existing trees screen a proposed structure as seen from public viewing places. In such circumstances, planner and decision-maker would have to disregard the existing trees and analyze the potential effect of the proposed structure based on speculation that these trees would be removed in the future. Such speculation seems unwarranted since the existing trees already obstruct public views and the proposed structure would not further obstruct public views.

b. Variance

The Coastal Zoning Ordinance (Section 35-173) and Land Use and Development Code (Section 35.82.200) allow variances from the strict application of standards when exceptional conditions such as the size, shape, unusual topography, or other extraordinary situation or condition of a property, would impose practical difficulties or would cause undue hardship, depriving a property of privileges enjoyed by other property owners in the vicinity with identical zoning. State law (Government Code Section 65906) specifies the basic rules under which the County can consider variance proposals and the findings that must be made to approve a variance.

Recommendation:

As reflected in the SCP Update, staff is not recommending additional variance findings for the Summerland Community Plan Area beyond the guidance provided by State law (Government Code 65096).

SunPAC Recommendation: The SunPAC recommends the following additional variance finding for development within the Plan Area:

"The granting of a Variance to reduce the number of required parking spaces shall not result in an increase in on street parking."

9. Commercial Design Guidelines Sign Ordinance Amendments

In addition to requiring design review for changes to an existing sign, proposed zoning ordinance amendments would further regulate commercial signs as follows:

- Prohibit flashing signs;
- Regulate hours of illumination;
- Limit banner signs; and
- Require externally lit signs to have top mounted shielded fixtures.

Recommendation:

Staff and the SunPAC concur with the proposed amendments.

5.5 Overview of the Residential and Commercial Design Guidelines

The purpose of the design guidelines is to provide reasonable, practical, and objective guidance to assist property owners, developers, and designers in identifying the key design characteristics and components that define the character of the neighborhood and to use this information when designing new structures, additions, or alterations. The design guidelines are intended to allow flexibility to encourage innovative projects that are compatible with the community. The design guidelines complement the SCP and zoning ordinances and provide more specific detail and guidance than the plan or zoning ordinances.

The new guidelines would replace and expand upon the 1992 Board of Architectural Review Guidelines for Summerland. The existing and proposed guidelines are based on the following SCP Goal:

Strengthen and expand the existing design guidelines to promote view protection and protect the architectural character of the community. (SCP, page 17)

The format is generally consistent with recent design guidelines created for Goleta, Mission Canyon, and Los Alamos. The commercial and residential design guidelines are structured the same, with differences that reflect the diverse characteristics of the residential and commercial areas where appropriate.

The Commercial Design Guidelines promote a “village feel” sensitive to the existing community, promote compatibility with the surroundings of the site, and encourage improvement to the pedestrian space. The Commercial Design Guidelines emphasize business and mixed-use specific considerations, such as parking design, signage, fenestration, and mechanical equipment placement.

The Residential Design Guidelines distinguish between the Urban Grid, Urban Area, and Rural Area. This provides guidance to an applicant on locally appropriate architectural and landscape design concepts to ensure that a residential project will complement the character of Summerland. “Firewise” guidelines are included to help property owners consider safety given the Plan Area’s proximity to fire hazards and high fire zones.

The new, separate commercial and residential guidelines provide considerably more detail, explanation, and graphics on each topic. The guidelines are organized into seven chapters based upon the elements of design identified in the 1992 Board of Architectural Review Guidelines for Summerland.

Recommendation:

Staff and the SunPAC concur with rescinding the 1992 Board of Architectural Review Guidelines for Summerland and adopting new Summerland Residential Design Guidelines and Summerland Commercial Design Guidelines.

6.0 ENVIRONMENTAL REVIEW

The Draft SEIR was released for a 45-day comment period on September 19, 2013 and a public comment hearing was held October 17, 2013 at Summerland Presbyterian Church in Summerland. Public comment was received until the end of the comment period on November 6, 2013

The Final SEIR (Attachment C) has been prepared for the SCP Update pursuant to Section 15163 of the State Guidelines for the implementation of CEQA and the County of Santa Barbara CEQA Guidelines. State CEQA Guidelines Section 15163 allows preparation of a SEIR when only minor additions or changes would be necessary to make the previous certified EIR (91-EIR-07) adequately apply to the current project.

6.1 Summary of Environmental Analysis

The SEIR (13EIR-00000-00003) analysis substantiates findings in Attachment B that the SCP Update would not result in new significant environmental effects requiring additional mitigation measures, or cause a substantial increase in the severity of previously identified significant impacts requiring the preparation of a subsequent EIR.

The SEIR analyzed the following resource areas for potential change or new impacts: Aesthetics and Visual Resources, Greenhouse Gas Emissions, and Transportation/Circulation.

A. Aesthetics and Visual Resources

The Aesthetics and Visual Resources section describes existing methodologies, standards, and policies, proposed changes, and the impact of the proposed changes by the following topics: (1) methodology and standards for building height, (2) floor area ratio, (3) private views, (4) modifications, (5) road ROW policies, (6) parking requirements, and (7) the Commercial and Residential Design Guidelines. The SEIR found that impacts from the seven topical areas listed would be adverse but less than significant (Class III).

B. Greenhouse Gas Emissions

The 1992 SCP EIR did not include an analysis of greenhouse gas (GHG) emissions. At the time the SCP EIR was certified (1992), global climate change was not recognized as an issue requiring analysis under CEQA. This section of the SEIR provides a new analysis specific to buildout of the Plan Area and the cumulative impacts of GHG emissions, rather than separately analyzing GHG emissions impacts for each component of the SCP Update (i.e., revisions to the 1992 SCP, zoning ordinances amendments, and Commercial and Residential Design Guidelines).

The SCP Update Transportation/Circulation policies and actions encourage energy conservation and air quality improvements and would be implemented on a project-by-project basis to cumulatively reduce GHG emissions. Because quantitative program-level thresholds have not

been established at this time and the proposed measures would reduce GHG emissions to the extent feasible, impacts are considered less than significant after mitigation (Class II).

C. Transportation/Circulation

This chapter discusses the potential for the SCP Update to create new impacts to transportation and circulation, or to change the level of impacts previously analyzed in the 1992 SCP EIR. Topics analyzed are (1) trip generation and distribution, roadway and intersection volumes, and future level of service; (2) FAR ramifications upon traffic; (3) parking; (4) safety, and (5) multimodal transportation.

Impacts to SCP actions, trip generation and distribution, roadway and intersection volumes, and future level of service; FAR ramifications upon traffic; and safety, were found to be adverse but less than significant (Class III). Impacts to parking and multimodal transportation were found to be beneficial impacts (Class IV).

D. Environmentally Superior Alternative

The Final SEIR (13EIR-00000-00003) evaluated a No Project Alternative and Alternative A: FAR Exchange a method of reducing or eliminating potentially significant environmental impacts.

Alternative A: FAR Exchange.

Alternative A includes all components of the SCP Update project description plus a provision to allow a principle dwelling outside the Urban Grid to have a FAR larger than the maximum allowable square footage specified in the zoning ordinances in exchange for relinquishing development rights to (1) one potential or existing lot and (2) one potential principal dwelling.

By allowing one larger principal dwelling, Alternative A would provide an incentive to preserve open space, agricultural lands, and scenic resources by reducing development potential. Alternative A could reduce development potential in areas identified as visually sensitive, including Ortega Hill, Padaro Lane, and the Rural Area. The removal of additional development potential from these areas would help preserve the Plan Area's visual character and reduce impacts compared to maximum theoretical buildout under the No Project Alternative and SCP Update project description.

The aesthetic impacts of allowing larger homes would be offset by the relinquishment of development rights for one principal dwelling on one existing or potential lot. All structures would still need to be consistent with existing regulations, including the Summerland Community Plan, Comprehensive Plan, and Coastal Land Use Plan policies, design guidelines, and review findings, and zoning ordinances standards and findings.

Recommendation:

Staff recommends that the Planning Commission recommend to the Board of Supervisors that Alternative A is the environmentally superior alternative and adopt this alternative as the revised project description for the SCP Update.

The SunPAC did not take a position on Alternative A since it was developed during the environmental review phase after the SunPAC meetings concluded in May 2011.

Alternative A will be implemented through the following new development standard and zoning ordinance amendments:

SCP Update Amendment - Add the following development standard:

Dev Std VIS-S-5.1: A principal dwelling larger than the maximum allowable square footage per lot area specified in the Summerland Community Plan Overlay of the Coastal Zoning Ordinance (Section 35-191) or the Summerland Community Plan Overlay of the Land Use and Development Code (Section 35.28.210 G) may be allowed, except in the Urban Grid, in exchange for relinquishing development rights to (1) one potential or existing lot and (2) one potential principal dwelling.

Zoning Ordinances Amendment – Amend the LUDC (Section 35.28.210 G) and Coastal Zoning Ordinance (Article II) (Section 35-191) as appropriate to include the following:

- (1) Transfer of floor area. The maximum allowed floor area may be increased in compliance with the following:
 - (a) 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 G.1.b.(5)(c), below:
 - (i) The effective date of a rezone to eliminate the potential for subdivision is prior to the issuance of a building permit for a project that requests the increase in the maximum allowed floor area.
 - (ii) 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].
 - (b) 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 G.1.b.(5)(c), below:

- (i) 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].
 - (ii) A voluntary merger of the two lots is recorded prior to the issuance of a building permit for the project that requests the increase in the maximum allowed floor area.
- (c) In no event shall the maximum allowed floor area as adjusted in compliance with Subsections G.1.b.(5)(a) or G.1.b.(5)(a), above exceed:
- (i) 12,000 square feet on lots with a lot area (net) of less than 20 acres.
 - (ii) 15,000 square feet on lots with a lot area (net) of 20 acres or greater.

7.0 ATTACHMENTS

- A. Summerland Community Plan Update (copy available at <http://longrange.sbcountyplanning.org/planareas/summerland/summerland.php>)
- B. Findings for Approval
- C. Summerland Community Plan Update Final SEIR (copy available at <http://longrange.sbcountyplanning.org/planareas/summerland/summerland.php>)
- D. Resolution – Land Use Element Amendments Adopting the Summerland Community Plan Update
- E. Resolution – Coastal Land Use Plan Amendments Adopting the Summerland Community Plan Update
- F. Resolution – Land Use and Development Code Ordinance Amendment
Exhibit 1: 14ORD-00000-00001
- G. Resolution – Coastal Zoning Ordinance Amendment
Exhibit 1: 14ORD-00000-00002
- H. Resolution – Adopting the Summerland Residential Design Guidelines and Summerland Commercial Design Guidelines and rescinding the Board of Architectural Guidelines for Summerland (copies available at <http://longrange.sbcountyplanning.org/planareas/summerland/summerland.php>)
Exhibit 1: Summerland Residential Design Guidelines
Exhibit 2: Summerland Commercial Design Guidelines
- I. Summerland Community Survey Results
- J. Summerland Business Owners Survey Results



COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT
LONG RANGE PLANNING
MEMORANDUM

Date: February 26, 2014
To: County Planning Commission
From: David Lackie, Supervising Planner
Subject: Summerland Community Plan Update
March 5, 2014 Planning Commission Hearing

At the February 5, 2014 hearing, the County Planning Commission considered Summerland Community Plan Update (SCP Update) amendments including recommendations where staff and the Summerland Planning Advisory Committee (SunPAC) are in agreement, and where staff and the SunPAC recommendations are different.

Staff has revised the Findings for Approval (Attachment B) and proposed amendments to the Land Use and Development Code (LUDC) (Attachment C) and Coastal Zoning Ordinance (Article II) (Attachment D) based on the general consensus and direction provided by the Planning Commission. This memorandum also addresses clean-up items identified by staff subsequent to the February 5, 2014 hearing.

I. Summerland Community Plan

A. Introduction and Section II. A – Land Use Plan

- Planning Commission general consensus to support staff and the SunPac's recommendations. No changes required.

B. Visuals and Aesthetics – Section IV.I

- Planning Commission general consensus to support staff's recommendations. No changes required.

C. Transportation, Circulation and Parking – Section II.G

- **Policy CIRC-S-17 (ROW abandonment):** Planning Commission general consensus to support staff's recommendation. No change required.
- **Action CIRC-S-18.1 (ROW encroachments):** The SunPAC recommends additional policy language that would strictly limit the criteria for approving ROW encroachments. These criteria would be stricter than the current criteria used by the County Road

Commissioner (Attachment A) for approving ROW encroachments and is not supported by Planning and Development and Public Works Transportation Division staff. The Planning Commission requested to revisit this action at the March 5th hearing and Public Works staff will provide a summary of the current ROW encroachment application and approval process and be available to answer Commission questions.

- With the exception of continued discussion on Action CIRC-S-18.1, the Planning Commission supported the remaining policies and actions in the Transportation, Circulation and Parking section. Therefore, no changes are required.

II. LUDC and Article II Ordinance Amendments

A. Summerland Design Review

- Planning Commission general consensus to not support the SunPAC's recommendation to expand BAR review and approval to include a change in the exterior building color for existing structures in the C-1 zone. No change required.

B. Modifications

- Planning Commission general consensus to support staff's recommendation. No change required.

C. Variances

- Planning Commission general consensus to support staff's recommendation. No change required.

D. Height Methodology

- Planning Commission general consensus to support staff's recommendation to measure height from existing grade. No change required.

E. Height Limit

- Proposed height limit amendments where the Planning Commission expressed consensus are highlighted below in Table 1. No consensus was reached with respect to roof pitch adjustment allowance for Rural Neighborhood areas and the Planning Commission will revisit this issue at the March 5th hearing. The height limit amendments recommended by the Planning Commission are included in the revised LUDC Ordinance Amendments (Attachment C) and Article II Ordinance Amendments (Attachment D).

Note: Existing Developed Rural Neighborhood (EDRN) and Rural Neighborhood (RN) are synonymous Comprehensive Plan boundary lines. The only difference is location: EDRN's are located in the Inland Area and RN's are located in the Coastal Zone. Staff has corrected the terminology to use Rural Neighborhood (RN) since the two RN's in the Summerland Plan Area are in the Coastal Zone.

Table 1
Proposed Height Limit

Plan Area/Subarea	Existing	Staff Proposed	SunPAC Recommendation
URBAN			
Height	22'	25'	25'
Roof Pitch Adjustment	No	3' w/ pitch \geq 4 in 12	No
URBAN GRID			
Height	22'	25'	25'
Roof Pitch Adjustment	No	No	No
COMMERCIAL CORE			
Height	22'	25'	22' south of Lillie Avenue and Ortega Hill Road 25' north of Lillie Avenue
Roof Pitch Adjustment	No	No	3' w/ pitch of \geq 5 in 12
RURAL			
Height	16'	16'	16'
Roof Pitch Adjustment	No	3' w/ pitch \geq 4 in 12	3' w/ pitch \geq 4 in 12
Rural Neighborhood			
Height	16'	25'	25', except 16' APN 005-260-014
Roof Pitch Adjustment	No	3' w/ pitch \geq 4 in 12	No

F. Banner Signs

The Planning Commission directed staff to make the County Code, Article I – Sign Ordinance and Article II –Coastal Zoning Ordinance language consistent with respect to banner signs permitted in Summerland. The “Special Sign Standards for Summerland” from Article I have been added to Article II Section 35-138 (see Attachment D, page 7) and the text has been amended to include SunPAC’s recommendation that banners signs in Summerland may not be displayed for more than 30 days within a three month period instead of the current 45 days.

G. Residential Second Unit

- Planning Commission general consensus to support staff and SunPac’s recommendation. Staff has revised the ordinance text for clarity (See Attachment C, page 5 and Attachment D, page 15).

H. Adjustments to Maximum Allowed Floor Area

Staff consulted with the SunPAC chairman and individual SunPAC members to address how basement and below grade development should be counted towards maximum allowed floor area

limits. As presented below, staff's concept aligns with the SunPAC's intent to minimize apparent mass, bulk and scale of structures and develop a methodology that is straight-forward and can be replicated without significant time or cost. This approach moves away from creating a new definition for "basement" and instead proposes to use the term "Floor Below Grade."

In reviewing the floor below grade concept, staff also considered how to address "crawl space" and floor area with shallow ceiling heights and whether it should count towards maximum allowed floor area. The City of Santa Barbara has a definition for net floor area which excludes any areas with a ceiling height of less than five feet above finished grade. Staff is recommending to use this standard for Summerland and the measure is included in the amended definition for Floor Area, Net – Residential, and a new definition for Floor Area, Net Commercial (see below).

- A. New/amended LUDC/Article II definitions: (See Attachment C page 17-18, Attachment D page 10-11).

Floor below grade: (New) A floor wholly or partially below grade.

Floor Area, Net Commercial. (New) The gross floor area excluding shafts, stairways, corridors and halls, 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: (Amended)- ~~Floor Area Net is~~ The total floor area of all floors of a building 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. Easements or encroachments which diminish the usable area of the lot will be taken into consideration when establishing the lot area net, and this area shall be adjusted accordingly. Easements and encroachments include, but are not limited to, roads, well sites, utility installations, portions of the property that in effect are used by other properties, etc.

- B. Amend LUDC and Article II: Incorporate the following concepts and methodology as LUDC and Article II ordinance amendments.(See Attachment C page 5, Attachment D page 14).

Adjustments to Maximum Allowed Floor Area - Floor below grade

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 using the following formula:

$$A * B = \text{Area counted toward max FAR}$$

Where:

- A = Floor area below grade (as measured from interior surface of exterior wall) Figure 2.
B = Floor below grade adjustment – (Percentage of total wall area of a floor below grade that is exposed which is determined by dividing the total exposed wall area by the total wall area Figure 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. (Figure 1).
- If grade slopes away from exterior wall, the exposed wall area shall be calculated from the lowest point 6 feet out from the exterior wall face or at property line if closer than 6 feet (Figure 1).
- The area of exposed wall (Figure 1) is measured to finished grade.

Figure 1

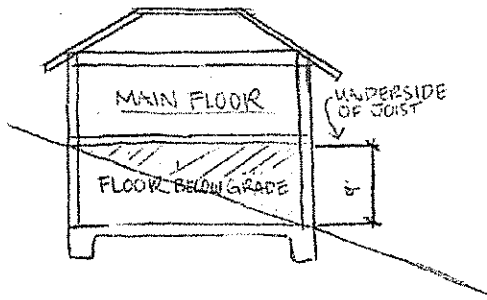


Figure 2

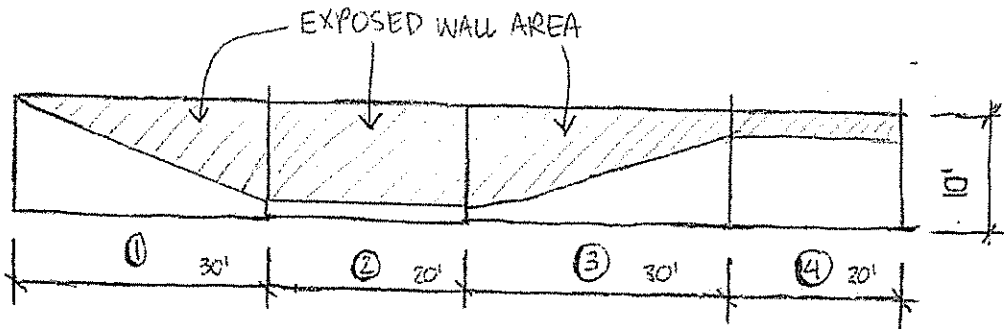
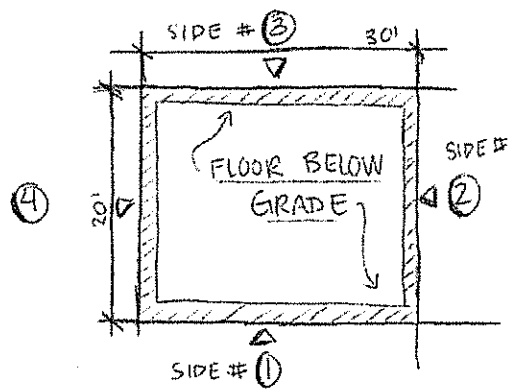


Figure 3

I. Transfer Floor Area

Staff has revised the ordinance language to require the land owner record an agreement with the County not to subdivide. The ordinance language also includes a provision for voluntary merger when the lot is contiguous to a lot that cannot be subdivided. A voluntary merger of the two lots and agreement not to subdivide would prohibit future subdivision of the newly created lot (See Attachment C, page 6 and Attachment D, page 15).

III. Proposed Action Items Concurrent With and Following Plan Adoption

Table 2 lists proposed SCP Update action items that will be accomplished concurrent with SCP Update adoption, and action items that will occur post-adoption as separately funded work program items or on-going monitoring/implementation measures.

Table 2
Summerland Community Plan Update
Implementing Actions by Chapter

Proposed Actions		Implement Concurrent w/ Plan Adoption	On-going or Future Implementation (Work Program Item)
Section II.G - Transportation, Circulation and Parking			
Action CIRC-S-2.1	Monitor roadway conditions		X
Action CIRC-S-5.1	Master Circulation Safety Plan		X
Action CIRC-S-5.2	Prioritize & fund road improvements		X
Action CIRC-S-12.1	Construct pedestrian/bicycle routes		X
Action CIRC-S-12.2	Develop stairs for pedestrian connectivity		X
Action CIRC-S-15.1	Improve beach access		X
Action CIRC-S-17.1	Increase public participation and noticing for ROW abandonment requests		X
Action CIRC-S-18.1	Amend zoning ordinances – BAR review and findings for ROW encroachments	X	
Action CIRC-S-20.1	Amend zoning ordinances – Parking standards	X	
Action CIRC-S-20.4	Consider additional parking restrictions		X
Action CIRC-S-21.1	Study opportunities to improve commercial parking		X
Action CIRC-S-21.3	Bicycle parking in the commercial core		X
Section IV. I - Visuals and Aesthetics			
Action VIS-S-2.1	Design Guideline goals	X*	X*
Action VIS-S-3.1	Develop Ordinance to address height of fences and hedges		X
Action VIS-S-6.1	Develop design criteria for Hwy 101 underpass		X

* The denoted items contain components that would occur concurrent with plan adoption and continue post-adoption.

Attachment A

County of Santa Barbara Public Works
Encroachment Permit – Policies

County of Santa Barbara, Public Works

Encroachment Permits - Policies

The County of Santa Barbara's Road Commissioner hereby approves and sets the following policies; for conflicting requirement, the most stringent shall govern:

General:

1. All encroachments shall be in conformance with applicable portions of the Comprehensive Plan, including the Local Coastal and community plans, as well as with current ADA requirements.
2. The Commissioner may take into account, factors such as aesthetics, in reviewing all encroachment permits. Above grade facilities shall be set back as far as possible and provide landscape or other approved screening to minimize the visual effect of the encroachment.

Clear Zone and Pedestrian access:

3. Road Encroachment Permits shall not be issued unless the Permittee agrees to assure a clear zone from the curb face and/or edge of pavement to the proposed encroachment. The clear zone is necessary to maintain an adequate safety zone that will provide adequate sight distance, adequate access, and safety for pedestrians, bicyclists, and equestrians, when applicable, along County roadways.

Retaining Walls, Block Walls, Garden Walls, Fences, etc.:

4. Shall be set back a minimum distance from the curb face or edge of pavement as follows:
 - Up to and including a 25 mph posted speed: 7 feet minimum,
 - Over 25 mph posted speed: 10 feet minimum,
5. May require conditions including additional setbacks beyond the above minimums, at intersections, curves, driveways or where determined necessary for sight distance, safety issues, including Fixed Object Criteria and to provide for pedestrian, bicyclist.

Landscaping and Irrigation:

6. For landscaping, a clear zone, set back from the curb face or edge of pavement shall be established as follows:
 - Up to and including a 25 mph posted speed: 7 feet
 - Over a 25mph posted speed: 10 feet
7. Landscaping shall be designed to provide sight distance clearance, pedestrian access; as well as bicyclist and equestrian access when applicable. (new or future).
8. Street trees shall be selected only from the Board of Supervisors Approved street tree list and root barriers installed within the drip line.
9. Irrigation shall be drip and emitter and not spray type irrigation to avoid overspray pavement/sidewalk.

Other Fixed Objects:

10. Mailboxes shall be constructed and/or located to meet County of Santa Barbara Engineering Standards' criteria for Fixed Objects and US Post Office standards. Road Shoulder construction and encroachments shall provide room for a mail truck to pull out of the travel lane wherever possible.


County of Santa Barbara, Public Works Encroachment Permits - Policies


11. Fixed Objects, (i.e., rocks , new proposed trees) shall be required to be set back based on current engineering standards from the edge of pavement not less than the following, providing adequate recovery zone for the traveling public:
 - Up to and including 25 mph – 7 feet minimum
 - Over 25mph - 10 feet minimum
12. Fixed objects shall be designed to provide sight distance clearance, pedestrian access; as well as bicyclist and equestrian access when applicable. (existing, new or future).

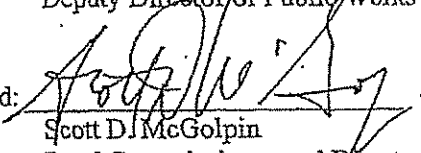
Entry Gates:

13. Where gates for vehicular entry are included as part of the encroachment, the clear zone shall be adequate to store a vehicle waiting to enter the site without overhanging onto the paved roadway/shoulder. A minimum of 25 feet from edge of pavement to the gate shall be provided.

These revisions shall be accepted as current policy for the Department of Public Works and shall be implemented immediately.

Approved:  Date: 4/9/08
Eric Pearson
Manager, Encroachment and Construction

Approved:  Date: 4/9/08
Dacé Morgan
Deputy Director of Public Works

Approved:  Date: 4/10/08
Scott D. McGolpin
Road Commissioner and Director of Public Works

Attachment B

Findings for Approval

Attachment B

Findings for Approval Summerland Community Plan Update

1.0 CEQA FINDINGS

1.1 FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Supplemental Environmental Impact Report (Final SEIR) (13EIR-00000-00003) for the Summerland Community Plan Update augments the previously certified Summerland Community Plan EIR (91-EIR-07) and Addendum certified by the Board of Supervisors on May 19, 1992. The Final SEIR (13EIR-00000-00003) was presented to the Board of Supervisors and all voting members of the Board of Supervisors have reviewed and considered the information contained in the Final SEIR (13EIR-00000-00003) and its appendices prior to approving the project. In addition, all voting members of the Board of Supervisors have reviewed and considered testimony and additional information presented at or prior to public hearing[s] on [XXX, 2014]. The Final SEIR reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this project.

1.1.2 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the Final Supplemental EIR (13EIR-00000-00003) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds and certifies that the Final Supplemental EIR has been completed in compliance with CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board located at 105 East Anapamu Street, Santa Barbara, CA 93101.

1.1.4 MITIGATION OF PROJECT IMPACTS

The Board of Supervisors finds that in accordance with the environmental impact analysis provided in 13EIR-00000-00003, the Summerland Community Plan Update as approved will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant impacts that require major revisions to the previously certified Summerland Community Plan EIR (91-EIR-07).

The Board of Supervisors also finds the previously certified Summerland Community Plan FEIR eliminated or substantially mitigated impacts related to the Summerland Community Plan Update and that the Final Supplemental EIR (13EIR-00000-00003) analysis has demonstrated that the Summerland Community Plan Update would not result in any new significant effects that require mitigation. Therefore, the previously certified Summerland Community Plan FEIR is consistent with CEQA with the minor additions and changes incorporated by the Final SEIR (13EIR-00000-00003).

1.1.5 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment.

The Summerland Community Plan Final EIR and Addendum included a Mitigation Monitoring and Reporting Plan that was certified by the Board of Supervisors in May 1992 and is still in place and applies to the Plan. The Santa Barbara County Board of Supervisors finds the Final Supplemental EIR (13EIR-00000-00003) analysis has demonstrated the Summerland Community Plan Update would not result in any new significant effects that require mitigation. Therefore, a new mitigation monitoring and reporting program is not required for the Summerland Community Plan Update.

2.0 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The Final Supplemental EIR (13EIR-00000-00003) identified one subject area for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). Feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

Greenhouse Gas Emissions

Impacts: The EIR identified potentially significant but mitigable cumulative impacts resulting from buildout of the Plan Area and the cumulative contribution of greenhouse gas emissions (GHG).

Mitigation: The SCP Update includes an updated Transportation, Circulation and Parking section including new goals, policies and actions that promote alternative modes of transportation and maximize multimodal access via transit lines, bikeways, and pedestrian trails.

Findings: The Board of Supervisors finds that SCP Update Transportation, Circulation and Parking goals, policies and actions mitigate or avoid significant effects on GHG

emissions to a level of insignificance. Since transportation is the largest emitter of GHG emissions, adoption of these SCP Update goals, policies and actions would reduce GHG emissions in the Plan Area on a project-by-project basis

3.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The Final SEIR (13EIR-00000-00003) evaluated a No Project Alternative and Alternative A: Floor Area Ratio Exchange as methods of reducing or eliminating potentially significant environmental impacts.

3.1 No Project Alternative

The No Project alternative assumes projected buildout under the existing 1992 Summerland Community Plan would continue under existing land use and zoning, and none of the policies, development standards, and actions of the Summerland Community Plan Update would be implemented, including the Residential Design Guidelines, Commercial Design Guidelines, and LUDC and Coastal Zoning Ordinance amendments.

The No Project Alternative fails to achieve the basic objectives of the project, stated as follows:

- Articulate and implement the community's desire to preserve neighborhood character and charm, and protect and enhance the quality of life enjoyed by residents and visitors.
- Provide new policy direction and development standards that facilitate proper and informed planning, and reflect the prevailing vision and goals of the area's residents.
- Provide reasonable, practical, and objective guidance to assist business owners, developers, and designers in identifying the key design characteristics and components that define the character of the neighborhood to consider when designing new or renovated buildings.
- Strengthen and expand the existing design guidelines to encourage high standards in design, sustainability, and neighborhood compatibility.
- Allow greater flexibility in design, guide creativity, and provide greater consistency with the countywide height and floor area measurement methodologies.
- Encourage commercial core redevelopment to compliment the Lillie Avenue streetscape improvements. Preserve, protect, and enhance the existing areas of commercial, social, and historical interest specific to the commercial core.
- Continue to regulate residential development, including estate-style developments approaching the maximum floor area.

- Consider the distinctive character and attributes of the Rural and Urban Areas as part of the design review process.
- Ensure that future circulation and parking improvements are compatible with the community character, guide new improvements desired by the community, and provide adequate transportation infrastructure for public health and safety.
- Strengthen connections between the community and the ocean, provide multimodal connections within Summerland and to surrounding areas, and promote beach access for all users.
- Provide cohesion with the Comprehensive Plan structure and implement the community's vision through policies in the community plan, regulations in the County Code, and guidelines for the South County Board of Architectural Review (SBAR) to consider in design review decisions.

The No Project Alternative would not (1) update the 1992 Summerland Community Plan, (2) adopt Residential Design Guidelines and Commercial Design Guidelines, and (3) amend the Land Use and Development Code (LUDC) and Coastal Zoning Ordinance (Article II). The No Project Alternative would also not achieve the key objectives articulated for the Community Plan. For example, steps would not be taken to allow greater flexibility in design and to achieve consistency with countywide height and floor area measurement methodologies. Unpermitted public right-of-way (ROW) encroachments would continue, and unmaintained ROW would remain neglected. Height would continue to be calculated in a manner that encourages flat building pads and allow large building faces to impact public views and community character. In addition, the 1992 SCP and 1992 Design Guidelines would not reflect changes in community character and objectives that have occurred over the course of the past two decades. Therefore, the Board of Supervisors finds the Summerland Community Plan Update revised project description (Alternative A) is preferable to the No Project Alternative.

3.2 Alternative A: Floor Area Ratio Exchange

Alternative A includes all components of the Summerland Community Plan Update project description plus a provision to allow a principle dwelling outside the Urban Grid, to have a Floor Area Ratio (FAR) larger than the maximum allowable square footage specified in the zoning ordinances in exchange for relinquishing development rights to (1) one potential or existing lot and (2) one potential principal dwelling.

Alternative A would achieve the project objectives and is within the scope of the project. By allowing one larger principal dwelling, Alternative A would provide an incentive to preserve open space, agricultural lands, and scenic resources by reducing development potential. Alternative A could reduce development potential in areas identified as visually sensitive, including Ortega Hill, Padaro Lane, and the Rural Area north and east of the Urban Boundary. The removal of additional development potential from these areas would help preserve the Plan Area's visual character and reduce impacts compared to

maximum theoretical buildout under the No Project Alternative and Summerland Community Plan Update project description.

The aesthetic impacts of allowing larger homes of up 12,000 square feet would be offset by the relinquishment of development rights on one existing or potential lot and on one principal dwelling and accessory development. All structures would still need to be consistent with existing regulations, including the Summerland Community Plan, Comprehensive Plan, and Coastal Land Use Plan policies, design guidelines and review findings, and zoning ordinances standards and findings.

The Board of Supervisors finds Alternative A to be the environmentally superior alternative and accepts this alternative as the revised project description for the Summerland Community Plan Update. The Board of Supervisors finds that Alternative A will be implemented through the following new development standard and zoning ordinance amendments:

Summerland Community Plan Update Amendment - Add the following development standard:

Dev Std VIS-S-5.1: A principal dwelling larger than the maximum allowable square footage per lot area specified in the Summerland Community Plan Overlay of the Coastal Zoning Ordinance (Section 35-191) or the Summerland Community Plan Overlay of the Land Use and Development Code (Section 35.28.210 G) may be allowed, except in the Urban Grid, in exchange for relinquishing development rights to (1) one potential or existing lot and (2) one potential principal dwelling. ~~The purpose is to provide an incentive for preserving open space, agricultural lands, and scenic resources by lowering densities and reducing nonconforming lots in sensitive areas.~~

Zoning Ordinances Amendment – Amend the LUDC (Section 35.28.210 G) and Coastal Zoning Ordinance (Article II) (Section 35-191) as appropriate to include the following:

- (5) 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:
 - (a) 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 G.5 (c), below:
 - (i) An Agreement Not to Subdivide 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.
 - (ii) 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].

(b) 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 G.5 (c) below:

(i) 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].

(ii) A voluntary merger of the two lots and an Agreement Not to Subdivide 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.

(iii) 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.

(c) In no event shall the maximum allowed floor area as adjusted in compliance with Subsections G.5 (a) or G.5 (b) above exceed:

(i) 12,000 square feet on lots with a lot area (net) of less than 20 acres.

(ii) 15,000 square feet on lots with a lot area (net) of 20 acres or greater.

4.0 ADMINISTRATIVE FINDINGS

4.1 AMENDMENTS TO THE DEVELOPMENT CODE, LCP AND ZONING MAP

Findings required for all amendments to the County Land Use and Development Code, the Local Coastal Program, and the County Zoning Map. In compliance with Section 35.104.060 of the County Land Use and Development Code (LUDC), and Section 35-180.6 of the Coastal Zoning Ordinance (Article II), prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

4.1.1 The request is in the interest of the general community welfare.

The 1992 Summerland Community Plan is outdated, and does not fully address current community concerns. The project retains the existing urban boundary, allows for continued infill residential and commercial development, incorporates new residential and commercial design guidelines to provide greater visual resource protection, amends visual resource policies and ordinance provisions regarding height limit and floor area ratio to provide consistency with County practices while protecting the Plan Area's significant visual resources, and provides flexibility in addressing road right-of-way abandonment and encroachments that can benefit the visual character of the area while

ensuring public access and public benefit issues continue to be addressed. In doing so, the project respects service, resource, and infrastructure capacities while accommodating development to a degree and in a manner which provides the greatest community welfare with the least public and private harm. Overall, Summerland Community Plan Update and LUDC and LCP amendments are in the interests of the general community welfare.

4.1.2 The request is consistent with the Comprehensive Plan, the Local Coastal Program, the requirements of State planning and zoning laws, and the Land Use and Development Code (LUDC).

As discussed in Section 5.0 of the Final SEIR, herein incorporated by reference, the project is consistent with the Comprehensive Plan, Local Coastal Program, and the LUDC. The Summerland Community Plan Update is focused in scope, covering, updating, and fine tuning topics addressed by the previously adopted 1992 Summerland Community Plan. The Summerland Community Plan Update includes a new Transportation, Circulation, and Parking section; policy changes in the Visual and Aesthetics section; and updates in the Introduction section. The Final SEIR identified no potential inconsistencies between the Summerland Community Plan Update and adopted Comprehensive Plan and Coastal Land Use Plan policies.

4.1.3 The request is consistent with good zoning and planning practices.

The project retains the existing urban boundary, allows for continued infill residential and commercial development, incorporates new residential and commercial design guidelines to provide greater visual resource protection, amends visual resource policies and ordinance provisions regarding height limit and floor area ratio to provide consistency with County practices while protecting the Plan Area's significant visual resources, and provides flexibility in addressing road right-of-way abandonment and encroachments that can benefit the visual character of the area while ensuring public access and public benefit issues continue to be addressed. The project updates standards for future growth consistent with good zoning and planning practices.

4.2 GENERAL PLAN AMENDMENT FINDINGS

Government Code Section 65358(a) requires a general plan amendment to be in the public interest.

The Summerland Community Plan Update is a planning and growth management plan that addresses future development in the Plan Area. It does not increase density or add new land uses. However, it does propose new goals, policies, development standards, and actions to enhance visual resource protection, address right-of-way and on-street parking issues, improve multimodal circulation, and preserve neighborhood character. The primary intent of the Summerland Community Plan Update is to articulate the community's expressed desire to preserve neighborhood character and charm and to protect and enhance the quality of life enjoyed by residents and visitors. Overall, it is in

the public interest to address future development in the Plan Area by adopting the goals, policies, development standards, and actions of the Summerland Community Plan Update.

Attachment C

Land Use and Development Code Ordinance Amendment
(Revised February 20, 2014)

Exhibit 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES, ARTICLE 35.3, SITE PLANNING AND OTHER PROJECT STANDARDS, ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES, ARTICLE 35.8, PLANNING PERMIT PROCEDURES, AND ARTICLE 35.11, GLOSSARY, TO IMPLEMENT NEW REGULATIONS AS PART OF THE SUMMERLAND COMMUNITY PLAN UPDATE.

Case No. 14ORD-00000-00001

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

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Table 2-11 - Residential Zones Development Standards of Section 35.23.050, Residential Zones Development Standards, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-11 - Residential Zones Development Standards

Development Feature	Requirement by Zone		
	RR & RR (CZ) Rural Residential	R-1/E-1 & R-1/E-1 (CZ) Single Family Residential	EX-1 & EX-1 (CZ) One-Family Exclusive Residential
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	One one-family dwelling per lot; plus one second unit where allowed in compliance with Section 35.42.230 (Residential Second Units); Farm employee units if allowed by Section 35.23.030 (Residential Zones Allowable Land Uses).		
	The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards), as applicable.		
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	50 ft from road centerline and 20 ft from right-of-way, or 20 ft from private easement serving 5 or more lots. Lot within SC-MC overlay – as required by Section 35.28.175 (SC-MC overlay)		75 ft from road centerline; 125 ft from centerline of road with right-of-way of 80 ft or more.
Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front setback. Lot within SC-MC overlay – as required by Section 35.28.175 (SC-MC overlay).		
Side	20 ft; 10% of lot width on a lot of less than 1 acre, with no less than 5 ft or more than 10 ft required.	10% of lot width; except where zoned for minimum lot area of: 2 acre or less - 5 ft minimum, 10 ft maximum required; 3 acre or more - 10 ft minimum, 20 ft maximum required.	25 ft; see Section 35.23.070 (EX-1 Zone Standards) for a lot less than 150 ft wide.
Rear	20 ft; 25 ft on a lot of less than 1 acre.	25 ft; 15 ft if rear abuts permanent open space or a street without access.	25 ft.
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses).		

Development Feature	Requirement by Zone		
	RR & RR (CZ) Rural Residential	R-1/E-1 & R-1/E-1 (CZ) Single Family Residential	EX-1 & EX-1 (CZ) One-Family Exclusive Residential
Building separation	None, except as required by Building Code.	5 ft between a dwelling or guesthouse, and another detached structure; otherwise none, except as required by Building Code.	
Height limit Maximum height	<i>Maximum allowable height of structures except where a lesser height is required by design review or other provisions of this Development Code. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>		
	35 ft. Toro Canyon Plan area - 25 ft for a residential structure.	Coastal - 25 ft. Inland - 35 ft. Toro Canyon Plan area - 25 ft. for a residential structure. <u>Summerland Community Plan area - 25 ft. for a residential structure in the Urban area and Existing Developed Rural Neighborhoods. 16 ft. in the Rural area. See Chapter 35.28.210 (Community Plan Overlays).</u>	Coastal Zone - 25 ft. Inland - 30 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards)		
Parking	See Chapter 35.36 (Parking and Loading Standards)		
Signs	See Chapter 35.38 (Sign Standards)		

SECTION 2:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection G, Summerland Community Plan area, of Section 35.28.210, Community Plan Overlays, of Chapter 35.28, Overlay Zones, to read as follows:

G. Summerland Community Plan area.

~~1. **Height limits.** The maximum allowable height of structures, per the approved height methodology, shall be 22 feet within the Urban Area and 16 feet within Rural Areas. For the purposes of this Section, "Urban Area" and "Rural Area" are as identified on the Summerland Community Plan Land Use Map. Compliance with the height limitations as identified in the Board of Architectural Review Guidelines for Summerland is required for all development. Exemptions from maximum allowable height are not allowed.~~

~~21. **Floor Area Ratio (FAR).** Proposed development shall not exceed the maximum floor area ratio (FAR) allowed by this Subsection.~~

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 remodels of and additions to existing one-family dwellings in any zone except Design Residential (DR) shall not exceed are subject to the following maximum FAR limitations, and the limitations provided in Subsection f. (Reduction in maximum FAR) following standards: below.

(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 Subsection G.1.a shall be in compliance with the following Table 2-28 (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 2-28 One-family Dwelling Floor Area Limits

Net Lot Area (square feet)	Maximum Allowed FAR	Maximum Allowable Net Floor Area per Lot Area (square feet) Maximum Allowed Floor Area
2,500 s.f. or less	0.50	950 N/A
2,501 s.f. to 3,600 s.f.	0.38	1,296 s.f.
3,601 s.f. to 4,700 s.f.	0.36	1,598 s.f.
4,701 s.f. to 5,800 s.f.	0.34	1,856 s.f.
5,801 s.f. to 6,900 s.f.	0.32	2,070 s.f.
6,901 s.f. to 8,100 s.f.	0.30	2,268 s.f.
8,101 s.f. to 9,400 s.f.	0.28	2,538 s.f.
9,401 s.f. to 10,800 s.f.	0.27	2,808 s.f.
10,801 s.f. to 12,000 s.f.	0.26	3,100 s.f.
More Than 12,000sf	See Note	
<p>Note: The maximum allowable floor area column sets a cap on each category so that there is no overlap between the categories. Each lot may develop to the limits set by the FAR for its lot size, except that lots to the larger end of each category may not develop structures larger than the maximum allowable floor area set for each category. The maximum floor area for lots over 12,000 square feet shall be established as a base of 2,500 square feet plus five percent of the net lot area, with a maximum allowable floor area of 8,000 square feet.</p>		

(2) **Lots of 12,000 square feet and greater.** On lots with a lot area (net) of 12,000 square feet and greater, the net floor area of structures subject to this Subsection G.1.a 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) See Subsection G.1.b. below, for allowable adjustments to the maximum floor area.

~~b. **Duplexes.** The maximum allowed FAR is 0.27 except where reduced in compliance with Subsection f (Reductions in maximum FAR) below. The maximum floor area shall be 3,600 square feet of total living area for both units of the duplex.~~

~~c. **Commercial and mixed use projects.**~~

~~(1) The maximum allowed FAR is 0.29 if the entire project is commercial, and 0.35 if it is a mixed use development, except where reduced in compliance with Subsection f (Reductions in maximum FAR) below.~~

~~(2) If mixed use, all of the additional floor area allowed over the 0.29 FAR shall be devoted exclusively to residential use.~~

~~(3) Commercial projects shall be subject to other county planning and environmental constraints which may have a bearing on the size of the building.~~

~~d. **Garage and right-of-way FAR limitations and exceptions.**~~

~~(1) **Residential garages.** For a residential lot, up to 500 square feet per dwelling unit may be allowed for a two-car garage and excluded from the maximum allowed FAR. For a one-family lot that is 12,000 square feet or larger, a three-car garage of up to 750 square feet may be excluded from the maximum allowed FAR. A garage exceeding these limits may be allowed; however, additional floor area above these limits shall be counted toward the maximum allowed net floor area of the dwelling. (2) **Commercial and mixed use garages.** For a commercial or mixed use project, up to 500 square feet~~

~~of garage floor area per 6,000 square feet of lot area may be excluded from the maximum allowed FAR (e.g., a commercial or mixed use project on a 12,000 square foot lot may exclude 1,000 square feet of garage space from the FAR calculations). On a pre-existing lot of less than 6,000 square feet, up to 500 square feet of garage space may be excluded.~~

~~(3) Abandoned east/west rights of way. For a lot with an abandoned east/west right of way, the abandoned area may only be credited 50 percent towards the total lot area used in the calculation of the FAR.~~

~~c. Existing structure that exceeds maximum FAR. An existing structure that exceeds the maximum allowed FAR may be altered or reconstructed provided that:~~

~~(1) The alterations or reconstruction shall not increase the FAR to an amount greater than was contained in the original structure; and~~

~~(2) The proposal complies with the Board of Architectural Review Guidelines for Summerland in all other respects.~~

~~f. Reductions in maximum FAR.~~

~~(1) Plate height. The maximum allowed FAR shall be reduced based on the average plate height (the distance between the floor and where the wall intersects with the roof or the floor joists of the story above), to regulate the height and bulk of the building.~~

~~(a) Lot less than one acre. The maximum allowed FAR shall be reduced as follows based on the average plate height.~~

Average Plate Height	FAR Reduced By
Up to 9 ft	0%
9 ft. to 10 ft	10%
over 10 ft	20%

~~(b) Lot of one acre or larger. A maximum of 40 percent of the floor area shall be allowed to exceed a plate height of nine feet. If more than 40 percent of the floor area exceeds a plate height of nine feet, the excess will be counted as two times the floor area.~~

~~(2) Understory. An understory (defined as the portion of the structure between the exposed finished floor and the finished grade, as defined by the latest edition of the Building Code) exceeding four feet in height shall reduce the maximum FAR otherwise allowed as follows.~~

Height of Understory	FAR Reduced By
Over 4 ft	10%
Over 6 ft	20%
8 ft or more	33%

~~A dwelling permitted prior to May 19, 1992 in the Coastal Zone, and June 21, 1992 in the Inland area shall not be subject to the above understory standards as long as a proposed addition conforms with the original building footprint in profile.~~

~~(3) Residential basements.~~

~~(a) A residential basement (usable or unused under floor space where the finished floor directly above is no more than four feet above grade, as defined by the latest edition of the Building Code) shall be counted toward the maximum allowed~~

FAR of a dwelling as follows:

First 250 sf. = 0 percent = 0 sf. counted, and 250 sf. does not count toward FAR

Next 250 sf. = 50 percent = 125 sf. counted and 125 sf. does not count toward FAR

Next 300 sf. = 75 percent = 225 sf. counted and 75 sf. does not count toward FAR

Over 800 sf. = 100 percent = all sf. counted toward FAR.

- (b) ~~The floor area that does not count toward the FAR per the above formula may be added to the allowable floor area of the structure; however, the increase in floor area resulting from this formula may be used only once per lot, including lots with multiple unit structures.~~
- (c) ~~A proposed residential structure that does not qualify for a basement credit may add five percent to its maximum allowed FAR, provided that no part of the lowest finished floor over the entire building footprint is more than 18 inches above grade.~~
- (d) ~~A basement shall be counted at 100 percent of its floor area unless there is no second floor on the structure or unless the second floor mass is set back from the downslope face of the first floor by a minimum of 10 feet at all locations.~~

b. Adjustments to maximum allowed floor area.

(1) Accessory structures (detached) on lots less than or equal to 10,000 square feet (net). Except as provided in compliance with Subsection G.1.b.(1)(a), 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.

(a) 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 G.1.b.(1), above.

(2) Floor below grade.

(a) 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:

(i) "A" equals the total floor area below grade as measured from the interior surfaces of exterior walls (see Figure 2-2), and

(ii) "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 2-3) which is determined by dividing the total exposed wall area by the total wall area.

(b) 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.

(c) Except as provided in Subsection (2)(c)(i), 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.

(i) 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 a 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.

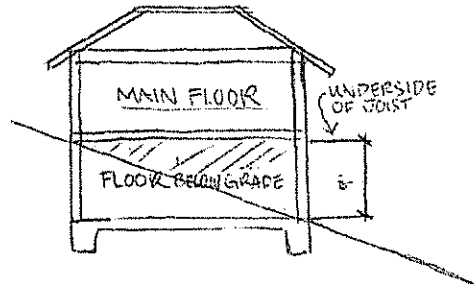


Figure 2-1

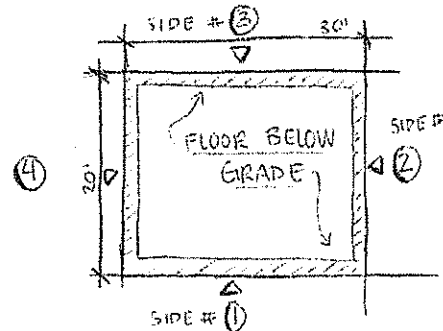


Figure 2-2

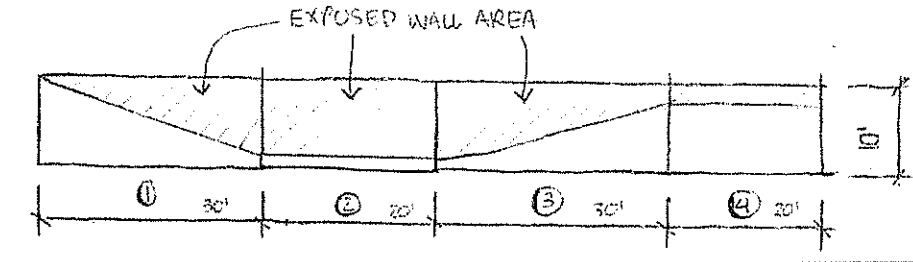


Figure 2-3

(3) Garages attached to a 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 garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with the FAR in Table 2-28 (One-family Dwelling Floor Area Limits), of Subsection G.1.a.(1), above.
- (b) Lots of 12,000 square feet (net) or greater. On lots with a lot area (net) of 12,000 square feet or greater, up to 750 square feet of floor area (net) used as an attached garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with Subsection G.1.a.(2), above.

(4) 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 Subsection G.1, above.

(5) Transfer of floor area. 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:

- (a) 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 G.5 (c), below:
 - (i) An Agreement Not to Subdivide 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.

- (ii) 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].
- (b) 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 G.5 (c) below:
 - (i) 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].
 - (ii) A voluntary merger of the two lots and an Agreement Not to Subdivide 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.
 - (iii) 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.
- (c) In no event shall the maximum allowed floor area as adjusted in compliance with Subsections G.5 (a) or G.5 (b) above exceed:
 - (i) 12,000 square feet on lots with a lot area (net) of less than 20 acres.
 - (ii) 15,000 square feet on lots with a lot area (net) of 20 acres or greater.
- c. 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.

2. Parking.

- a. Parking spaces required. All new one-family dwellings approved after [effective date of this ordinance] shall provide the following number of off-street parking spaces shown in Table 2-29 (Additional Parking Space Requirement), below, in addition to the number otherwise required by Chapter 35.36 (Parking and Loading Standards).

Table 2-29 Additional Parking-Space Requirement

<u>Net Lot Area (square feet)</u>	<u>Additional off-street parking spaces</u>
<u>Less than 7,500</u>	<u>0</u>
<u>7,500 to 10,000</u>	<u>1</u>
<u>10,000 and greater</u>	<u>2</u>

- (1) Use of permeable materials. Parking spaces 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.
- (2) 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 35.82.070 (Design Review).

- (3) Configuration. On lots of 10,000 square feet (net) or more in area, the additional parking spaces required in compliance with Table 2-29 (Additional Parking-Space Requirement) may be provided in a tandem arrangement with each other.

SECTION 3:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection C, Height measurement, of Section 35.30.090, Height Measurement, Exceptions and Limitations, of Chapter 35.30, Standards for All Development and Land Uses, to read as follows:

- C. **Height measurement.** The following methodology shall be used to determine the height of a structure. Additionally, Subsections D. through K. below, provide or reference additional specific height measurement criteria and exemptions for specific types of development.
1. **Height of structures located outside of the Summerland Community Plan Area.** The height of a structure located outside of the Summerland Community Plan Area shall be the vertical distance between the existing grade and the uppermost point of the structure directly above that grade except as provided in Subsection C.1.a below. The height of any structure shall not exceed the applicable height limit except as provided in Subsections D. through K. below. See Figure 3-2 (Height Limit).

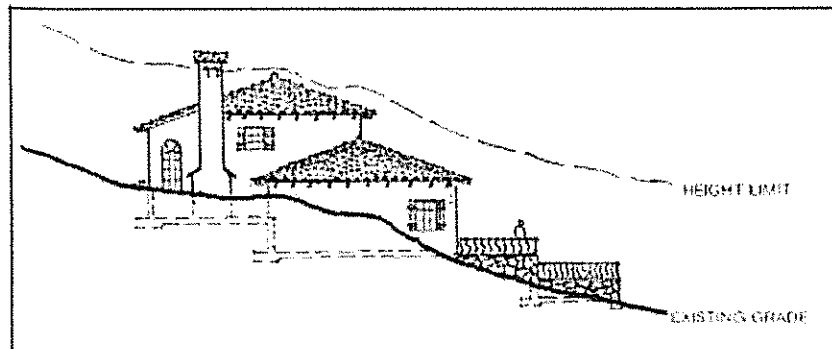


Figure 3-2 - Height Limit

- a. ~~Measurement from finished grade.~~ For lots located within the View Corridor (VC) Overlay, the height of a structure shall be the vertical distance between the average finished grade of the lot covered by the structure and the uppermost point of the structure directly above that grade.
2. **Maximum height in ridgeline/hillside locations.** In addition to the height limit applicable to a structure as described in Subsection C.1 (Height of structures located outside of the Summerland Community Plan Area) above, a structure subject to Chapter 35.62 (Ridgeline and Hillside Development) 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. 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 3-3 (Maximum Height).

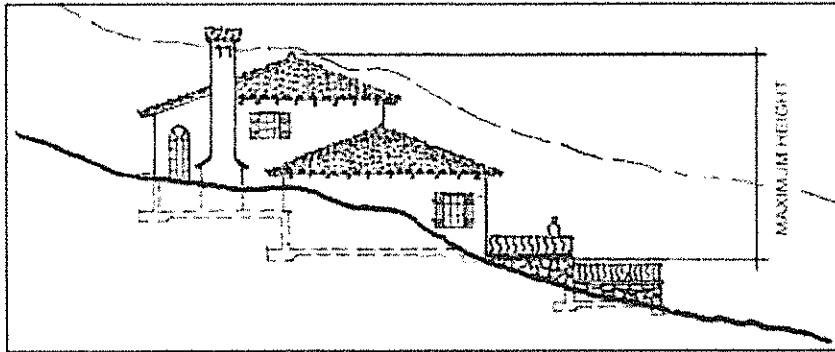


Figure 3-3 - Maximum Height

3. ~~Height of structures located within the Summerland Community Plan Area. The height of a structure located within the Summerland Community Plan Area shall be the vertical distance between the average finished grade of the lot covered by the building to the highest points of the coping of a flat roof or to the mean height of the highest gable of a pitch or hip roof. If there is no roof, then the height shall be measured to the uppermost point of the structure. The height of any structure shall not exceed the applicable height limit except as provided in Subsections D. through K. below. See Figure 3-4.~~

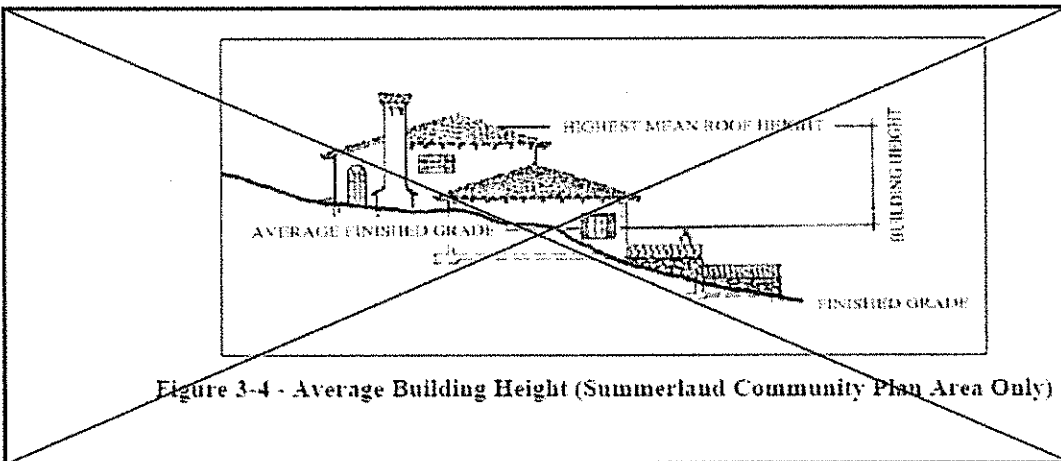


Figure 3-4 - Average Building Height (Summerland Community Plan Area Only)

SECTION 4:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection D, General height limit exceptions, of Section 35.30.090, Height Measurement, Exceptions and Limitations, of Chapter 35.30, Standards for All Development and Land Uses, to read as follows:

- D. **General height limit exceptions.** The height of a structure may exceed the applicable height limit in compliance with the following:
1. Chimneys, church spires, elevator, minor mechanical and stair housings, flag poles, towers, vents, and similar structures which are not used for human activity may be up to 50 feet in height in all zones where the excess height is not prohibited by Section 35.28.060 (Airport Approach Overlay) or Section 35.28.200 (View Corridor Overlay). The use of towers or similar structures to provide

higher ceiling heights for habitable space shall be deemed a use intended for human activity. No such structure shall be employed for any commercial or advertising use unless specifically allowed by the applicable zone, except that antennas and associated equipment may be located within such structures.

2. Except within the Summerland Community Plan Area, portions of a structure may exceed the applicable height limit by no more than three feet where the roof exhibits a pitch of four in 12 (rise to run) or greater.
3. ~~Except within the Summerland Community Plan Area,~~ 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.
4. Allowances for exceeding the applicable height limit in compliance with Subsections D.2 through and-D.3, above, are not cumulative.

SECTION 5:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.30.120, Outdoor Lighting, of Chapter 35.30, Standards for All Development and Land Uses, to re-title Subsection C, Santa Ynez Community Plan Area, as “Mission Canyon, Santa Ynez Valley and Summerland Community Plan areas” and read as follows:

C. ~~Santa Ynez Valley and Mission Canyon, Santa Ynez Valley and Summerland~~ Community Plan areas.

1. **General.** The regulations contained in this Subsection E. shall be known and referred to as the “Outdoor Lighting Regulations for the ~~Santa Ynez Valley and~~ Mission Canyon, Santa Ynez Valley and Summerland Community Plan Areas.”
2. **Purpose.** The purpose of this Subsection C. 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 night-time safety, utility, security and productivity. The County of Santa Barbara recognizes that the unique development patterns and environments ~~of the Santa Ynez Valley and~~ Mission Canyon, Santa Ynez Valley and Summerland make ~~it an~~ them ideal areas for astronomical observation and enjoyment of the nighttime sky. Additionally, resources in the plan areas warrant the protection of nighttime viewsheds and wildlife corridors from light trespass. The County, through the provisions contained herein, intends to preserve and protect the nighttime environment of the ~~Santa Ynez Valley and~~ Mission Canyon, Santa Ynez and Summerland by regulating unnecessary and excessive outdoor lighting.

See “Lighting” within Article 35.11 (Glossary) for definitions related to outdoor lighting used within this Chapter.

3. **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:
 - a. Provides approximate equivalence to the specific requirements of this Subsection C.
 - b. Is otherwise satisfactory and complies with the intent of this Subsection C.
4. **Prohibited lights and lighting.**
 - a. All illuminated advertising signs shall be off between 11:00 p.m. and sunrise the following

day, except that on-premises signs may be illuminated while the business is open to the public.

- b. All outside illumination for aesthetic and decorative purposes that is not fully shielded (full cutoff) shall be prohibited between 9:00 p.m. and sunrise the following day.
- c. Except for fully shielded (full cut off) lights, lighting associated with an outdoor recreational facility 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 C.
- d. 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.
- e. Mercury vapor lights.

5. Exemptions. The following are exempt from the provision of this Subsection C.

- a. All outdoor lighting fixtures lawfully installed prior to the effective date of this Subsection C (see Subsection C.9 (Effective date of Subsection C)), are exempt from the shielding requirements of this Subsection C, however, they shall be subject to the remaining requirements of this Subsection C.5 except that fully shielded (full cutoff) lights are not subject to a time restriction.
- b. Fossil fuel lights.
- c. Traffic control signs and devices.
- d. Street lights installed prior to the effective date of this ordinance.
- e. Temporary emergency lighting (e.g., fire, police, public works).
- f. Moving vehicle lights.
- g. Navigation lights (e.g., airports, heliports, radio/television towers).
- h. Seasonal decorations with individual lights in place no longer than 60 days.
- i. Lighting for special events as provided by Subsection C.9 (Temporary exemption).
- j. Temporary lighting for agricultural activities of a limited duration, not including unshielded arena lights.
- k. 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.
 - (1) Security lights shall be required to be fully shielded in order to be exempt in compliance with this Subsection.
- l. Light fixtures shown on construction plans associated with building permits approved prior to the effective date of this Subsection C (see Subsection C.9 (Effective date of Subsection C)) are excluded from compliance with this Subsection for the initial installation only.
- m. Solar walkway lights.

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

- a. All outdoor light fixtures installed after the effective date of this Subsection C (see Subsection C.9 (Effective date of Subsection C)) and thereafter maintained upon private property, public property, or within the public right-of way shall be fully shielded (full cutoff).
 - (1) Within the Summerland Community Plan Area, sign illumination shall only illuminate the signage and shall not spill into adjacent areas.

- b. All replaced or repaired lighting fixtures requiring a permit shall be subject to the requirements of this Subsection C.
 - c. Light trespass and glare shall be reduced to the maximum extent feasible through downward directional lighting methods.
 - d. Externally illuminated signs, advertising displays and building identification shall use top mounted light fixtures which shine downward and are fully shielded (full cutoff).
 - e. 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.
 - f. Illumination from recreational facility light fixtures shall be shielded to minimize glare extending towards roadways where impairment of motorist vision might cause a hazard.
7. **Submittal of plans and evidence of compliance.** Any application for a permit that includes outdoor light fixtures (except for exempt fixtures in compliance with Subsection C.5) shall include evidence that the proposed outdoor lighting will comply with this Subsection C. The application shall include:

- a. Plans showing the locations of all outdoor lighting fixtures.
- b. Description of the outdoor lighting fixtures including, manufacturers catalog cuts and drawings. Descriptions 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 C has been met.

8. **Temporary exemption.** The following temporary exemptions shall not be allowed within the Mission Canyon Community Plan area.
- a. 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, only all of the following findings are first made:
 - (1) The purpose for which the lighting is proposed is not intended to extend beyond 30 days.
 - (2) The proposed lighting is designed in such a manner as to minimize light pollution as much as feasible.
 - (3) The proposed lighting will comply with the general intent of this article.
 - b. The application for a temporary exemption shall at a minimum include all of the following information:
 - (1) Name and address of applicant and property owner.
 - (2) Location of proposed fixtures.
 - (3) Type, wattage and lumen output of lamp(s).
 - (4) Type and shielding of proposed features.
 - (5) Intended use of lighting.
 - (6) Duration of time for requested exemption.
 - (7) The nature of the exemption.
 - (8) Such other information as the Department may request.

9. Effective date of Subsection C.

- a. **Mission Canyon Community Plan area.** The effective date of Subsection C for the Mission Canyon Community Plan area is [effective date of this ordinance].
- b. **Santa Ynez Community Plan area.** The effective date of Subsection C for the Santa Ynez Community Plan area is November 5, 2009.
- c. **Summerland Community Plan area.** The effective date of Subsection C for the Summerland Community Plan area is [effective date of this ordinance].

SECTION 6:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Table 3-5 (Residential Parking Standards) of Section 35.36.050, Required Number of Spaces: Residential Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

Table 3-5 -- Residential Parking Standards

Residential	Parking Spaces Required
One-family and two-family dwellings (excluding EX-1, SR-H, SR-M & SLP zones)	2 spaces per dwelling unit (1) (2)
One-family located within EX-1 Zone	6 spaces per dwelling unit
Small Lot Planned Development	2 spaces per dwelling unit and 1 space per 5 lots (for storage of recreational vehicles)
Multiple dwelling units -- single bedroom or studio dwelling unit (excluding SR-H & SR-M zones)	Coastal 1 covered space per dwelling unit (3) and 1 space per 5 lots (for visitor parking) Inland 1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units -- 2 bedroom (excluding SR-H & SR-M zones)	Coastal 1 covered space and .5 space (covered or uncovered) per dwelling unit (3) (4) and 1 space per 5 dwelling units (for visitor parking) Inland 1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units -- 3 bedrooms or more (excluding SR-H & SR-M zones)	Coastal 1 covered space and 1 space (covered or uncovered) per dwelling unit and 1 space per 5 dwelling units (for visitor parking) Inland 2 spaces per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
One-family and multiple residential unit in SR-M and SR-H zone	2 spaces per studio or bedroom (3) (4) (5)
Fraternalities, sororities, dormitories and boarding and lodging houses (excluding SR-M & SR-HM zones)	1 space per 4 beds and 1 space per 2 employees
Fraternalities, sororities, dormitories and boarding and lodging houses (SR-M & SR-HM zones)	2 spaces per studio or bedroom and 1 space per 2 employees
Mobile Homes -- MHP zone	Coastal 1 space (covered) per site and 1 space per 3 mobile home spaces (for visitor parking) Inland 2 spaces per mobile home space and 1 space per 3 mobile home spaces (for visitor parking) and 1 space per 5 mobile home spaces (for storage of recreational vehicles)
Mobile Home -- MHS zone	2 spaces per lot and 1 space per 5 lots (for storage of recreational vehicles)

Residential	Parking Spaces Required
Retirement and special care homes (§3)	1 space per guest room and 1 space per 2 employees
Guesthouse	1 space per guesthouse
Residential second dwelling unit	1 space per bedroom

Notes:

- (1) In the Mission Canyon Community Plan area (excluding the RR zones), a minimum of 3 spaces shall be required for:
 - (a) A new dwelling unit.
 - (b) Additions to an existing dwelling unit, either individually or combined, greater than 500 square feet, or.
 - (c) An addition or remodel of an existing dwelling that includes one or more new bedrooms and results in a dwelling with three or more bedrooms.
- (2) In the Summerland Community Plan area additional parking spaces may be required in compliance with Section 35.28.210 (Community Plan Overlays).
- ~~(1) In the Single Family Restricted (SF) Overlay, an additional parking space shall be required for development that results in a total of more than 1,800 square feet of living space.~~
- ~~(2) If located within a one-mile radius of the boundaries of a college or university, a minimum of 2 parking spaces shall be provided, one of which shall be covered.~~
- ~~(3) One additional parking space shall be provided for each 80 square feet of cumulative excess area, calculated as follows:
 Bedrooms, area in excess of 160 square feet per bedroom (excluding area devoted to closets)
 Living room, area in excess of 400 square feet
 Dining room, area in excess of 400 square feet
 Total area of any room not a bathroom, kitchen, bedroom, living or dining room or a meeting room if dwelling is occupied by non-profit organization~~
- ~~(4) Regardless of the number of bedrooms, lots of 7,500 square feet (net) require no more than 4 parking spaces provided no additional parking spaces are required due to excess area as calculated per (3) above.~~
- ~~(5) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.~~

SECTION 7:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection B, Allowed signs, of Section 35.38.140, Special Sign Standards for Summerland, of Chapter 35.38, Sign Standards, to read as follows:

B. 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.

1. **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:
 - a. 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
 - b. 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.

2. **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.
3. **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 30 days within a three month period. ~~up to 45 days.~~

SECTION 8:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is

amended to amend Subsection D, Prohibited signs, of Section 35.38.140, Special Sign Standards for Summerland, of Chapter 35.38, Sign Standards, to read as follows:

- D. Prohibited signs.** It shall be unlawful to erect or maintain:
1. **Internally illuminated signs.** (e.g., fluorescent tube behind plastic panel)
 2. **Flashing signs.**
 3. **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 9:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 6, Gross floor area and footprint limitation, of Subsection B, Development Standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

6. **Gross floor area and footprint limitations.** Accessory structures, excluding barns, garages and stables, shall not exceed a gross floor area of 800 square feet if located on a lot of one gross acre or less. See also Section 35.42.230 (Residential Second Units).
 - a. **Summerland Community Plan area.** See Section 35.28.210.G (Summerland Community Plan area) for additional standards regarding the allowable floor area of detached accessory structures.

SECTION 10:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection E, Findings required for approval, of Section 35.82.060, Conditional Use Permits and Minor Conditional Use Permits, of Chapter 35.82, Permit Review and Decisions, to read as follows:

- E. Findings required for approval of Conditional Use Permits other than Conditional Use Permit applications submitted in compliance with Chapter 35.38 (Sign Standards).** A Conditional Use Permit application shall be approved or conditionally approved only if the review authority first makes all of the following findings, as applicable:
- ~~6. Additional findings required for sites within the Summerland Community Plan Area.~~
 - ~~a. If the project will result in a net increase in water use, there is sufficient water supply available to serve existing commitments.~~
 - ~~b. The development will not adversely impact existing recreational facilities and uses.~~

SECTION 11:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection B, Applicability, of Section 35.82.070, Design Review, of Chapter 35.82, Permit Review and Decisions, to re-title Subsection 4, Toro Canyon, and Mission Canyon, as "Mission Canyon, Summerland and Toro Canyon Plan areas" and read as follows:

4. **Summerland, Toro Canyon, and Mission Canyon, Summerland and Toro Canyon Plan areas.** In addition to the items identified in Subsection B.2 and Subsection B.3, above, for ~~sites~~ lots located

within the Mission Canyon Community Plan area, Summerland Community Plan area, and the Toro Canyon Area Plan area, ~~and the Mission Canyon Community Plan area~~, the provisions of this Section shall also apply to the following:

- a. Any structure, additions to a structure, or sign.
- b. Summerland Community Plan area. Within the Summerland Community Plan area, new encroachments of structures, fences, walls, landscaping, etc., into existing public road rights-of-way as part of a project otherwise requiring Design Review in compliance with Section 35.82.070 (Design Review).

SECTION 12:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 4, Additional finding required for Design Review applications within the Summerland Community Plan Area, of Subsection F, Findings required for approval, of Section 35.82.070, Design Review, of Chapter 35.82, Permit Review and Decisions, as follows:

4. **Additional findings required for Design Review applications within the Summerland Community Plan Area.**
 - a. Plans for new or altered structures will be in compliance with the Summerland Board of ~~Architectural Review Guidelines, Residential Design Guidelines.~~
 - b. Permitted encroachments of structures, fences, walls, landscaping, etc., into existing public road rights-of-way are consistent in style with the urban and rural areas and minimizes adverse 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.

SECTION 13:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection E, Findings required for approval, of Section 35.82.080, Development Plans, of Chapter 35.82, Permit Review and Decisions, to read as follows:

- E. **Findings required for approval.** A Development Plan application shall be approved or conditionally approved only if the review authority first makes all of the following findings, as applicable:
 - ~~8. Additional findings required for Preliminary or Final Development Plans for sites within the Summerland Community Plan Area.~~
 - a. ~~A modification to reduce the number of required parking spaces will not result in an increase in on-street parking.~~
 - b. ~~If the project will result in a net increase in water use, there is sufficient water supply available to serve existing commitments.~~

~~e. The development will not adversely impact existing recreational facilities and uses.~~

SECTION 14:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection E, Findings required for approval, of Section 35.82.200, Variances, of Chapter 35.82, Permit Review and Decisions, to read as follows:

E. Findings required for approval. A Variance application shall be approved or conditionally approved only if the Zoning Administrator first makes all of the following findings:

~~1. Findings required for all Variances:~~

- ~~a-1.~~ Due to special circumstances applicable to the subject property, including location, shape, size, surroundings, or topography, the strict application of this Development Code deprives the subject property of privileges enjoyed by other property in the vicinity and under identical zone classification.
- ~~b-2.~~ The granting of the Variance shall not constitute a grant of special privileges inconsistent with the limitations upon other property in the vicinity and zone in which the property is situated.
- ~~e-3.~~ The granting of the Variance will not be in conflict with the purpose and intent of this Development Code or the Comprehensive Plan.

~~2. Additional finding required for sites within the Summerland Community Plan area.~~

- ~~a. The granting of a Variance to reduce the number of required parking spaces shall not result in an increase in on-street parking.~~

SECTION 15:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to amend the existing definitions of "Floor Area, Net Residential - Summerland" and "Floor Area Ratio (FAR) - Summerland" to read as follows:

Floor Area, Net - Residential - Summerland. 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. ~~The total floor area of all floors of a building included within the exterior surfaces of the surrounding exterior walls, excluding unenclosed porches, balconies and decks.~~ Interior stairs shall be counted on only one floor.

Floor Area Ratio (FAR) - Summerland. A measurement of development intensity represented by the quotient of the Net Floor Area of the structure divided by the Net Lot Area. ~~The net floor area of the structure divided by the net lot area.~~

SECTION 16:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to add the following definitions of "Floor Area, Net Commercial - Summerland" and "Floor below grade –

Summerland.”

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

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

Section 17:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to delete the existing definitions of “Lot Area, Net - Summerland,” and “Mixed Use Development – Summerland.”

SECTION 18:

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 19:

Except as amended by this Ordinance, Articles 35.2, 35.3, 35.4, 35.8, and 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 20:

This ordinance shall take effect and be in force 30 days from the date of its passage 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 _____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER

CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

Attachment D

Coastal Zoning Ordinance Amendment
(Revised February 20, 2014)

Exhibit 1

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

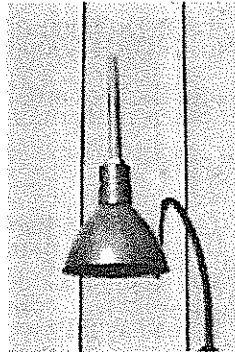
Light Pollution: Artificial light which causes a detrimental effect on the environment, astronomical research, enjoyment of the night sky or causes undesirable glare or light trespass.

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:

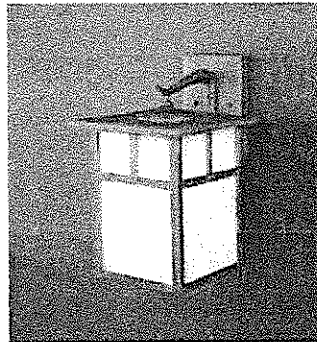
1. **Fully Shielded (full cutoff) Light:** An outdoor light fixture with a solid barrier that emits no light

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

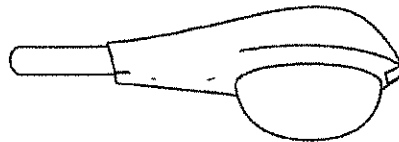
Fully Shielded (full cutoff) Light Fixtures



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. ~~Additional requirements, identified in Division 15 (Montecito Community Plan Overlay District), exist for those parcels identified with the MON overlay zone.~~

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 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 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 to 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.

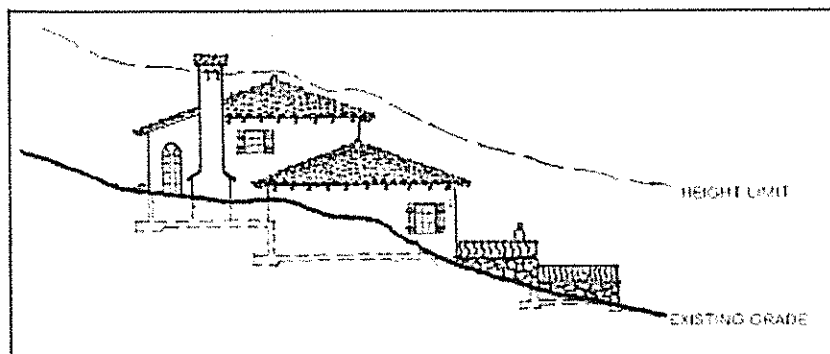
SECTION 5:

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 shall apply to structures located outside the Summerland Planning Area.~~ 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.2 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

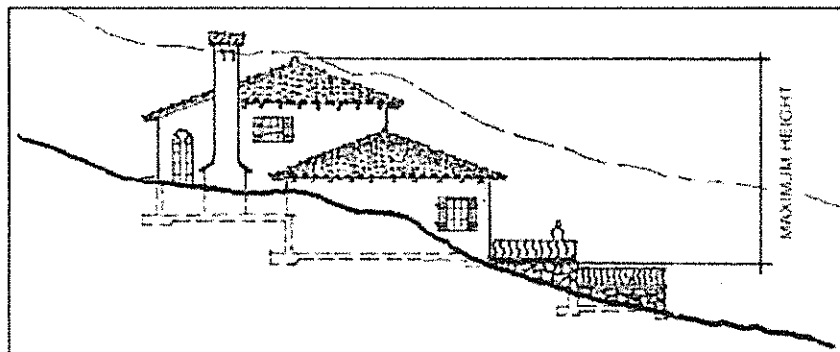


- a. **Measurement from finished grade.**
 - 1) **Montecito Community Planning area.** For structures located within the Montecito Community Plan area that are not subject to Section 35-144 (Ridgeline and Hillside Development Guidelines), the height of a structure shall be the vertical distance between 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



- a3. Exceptions 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.
- 1) 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 the F Airport Approach or 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.
- 2) 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 and Urban areas, 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.

- 3) 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.
- 4) 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.
- 5) 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.
- 6) 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.

~~2. Measurement from finished grade.~~

- ~~a. Montecito Planning area. For structures located within the Montecito Community Planning 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.~~
- ~~b. 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.~~

- ~~3. In addition to the height limit applicable to a structure as described in Section 35-127.1, a structure subject to the Ridgeline/Hillside Development Guidelines 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. 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. Except for structures located within the Montecito Planning Area, 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.~~

~~B. The following shall apply to structures located within the Summerland Planning Area:~~

- ~~1. The height of a structure shall be the vertical distance between the average finished grade of the lot covered by the building to the highest points of the coping of a flat roof or to the mean height of the highest gable of a pitch or hip roof. The height of any structure shall not exceed the applicable height limit except as provided below:~~

~~a. Exceptions.~~

- ~~1) Chimneys, church spires, elevator, minor mechanical and stair housings, flag poles, oil and gas derricks, 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 the F Airport Approach or 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. 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 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. ~~Additional requirements, identified in Division 13 (Summerland Community Plan Overlay) and Division 15 (Montecito Community Plan Overlay District), exist for parcels identified with the MON overlay zone 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.**

~~Prior to approving any Board of Architectural Review application, the Board of Architectural Review shall first make the following findings:~~

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.
 2. 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.
 3. 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.
 4. d. Mechanical and electrical equipment shall be well integrated in the total design concept.
 5. e. There shall be harmony of material, color, and composition of all sides of a structure or building.
 6. f. A limited number of materials will be on the exterior face of the building or structure.
 7. 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.
 8. 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.
 9. 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.
 10. j. Signs including their lighting, shall be well designed and shall be appropriate in size and location.
 11. 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.
12. ~~Other findings, identified in Division 15 (Montecito Community Plan Overlay District), are required for these parcels identified with the MON overlay zone.~~
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.

Sec. 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, corridors and halls, unusable attics, unenclosed porches and balconies, and any areas with a ceiling height of less than five feet above finished

floor.

~~FLOOR AREA, NET~~ **Floor Area, Net Residential:** ~~Floor Area Net is~~ The total floor area of all floors of a building 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. Easements or encroachments which diminish the usable area of the lot will be taken into consideration when establishing the lot area net, and this area shall be adjusted accordingly. Easements and encroachments include, but are not limited to, roads, well sites, utility installations, portions of the property that in effect are used by other properties, etc.

~~FLOOR AREA RATIO~~ **FAR Floor Area Ratio (FAR):** ~~is~~ A measurement of development intensity represented by the quotient of the Net Floor Area Net of the structure divided by the Net Lot Area Net.

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

~~MIXED USE DEVELOPMENT~~ **Mixed Use Development, Residential Component:** Dwellings associated with a mixed use project. Mixed Use Development is a structure(s) on a parcel where 49 percent or less of the usable square footage (excluding garages) is for residential purposes.

~~PLATE HEIGHTS~~ **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.

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 Minimum Lot Size for a Duplex. Reserved for Future Use.

~~Notwithstanding any language to the contrary within this Article, the minimum net lot area for a duplex in the 10-R-2 zone district is 10,000 square feet.~~

Section 35-191.4 Building Height Limit.

~~Notwithstanding the height requirements contained in individual zone districts, the height for structures within the urban area shall be 22 feet and the height for structures within the rural area shall be 16 feet. The height limitations as identified in the BAR Guidelines for Summerland must be adhered to for all development within the SUM Overlay District. For the purposes of this Section, "urban" and "rural" are as designated on the "Summerland Community Land Use Map." These height limitations shall apply except as provided for in Section 35-127, Height.~~

~~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 to Area Ratios (FARs) Floor Area Limit.

1. ~~Floor Area Ratios for Different Types of Projects~~ **Floor area limit.** The following shall be the Floor Area Ratios (FARs) for commercial and residential projects within the SUM Overlay District: ~~Structures subject to this subsection shall not exceed the following maximum floor area limits.~~

- a. ~~Single Family Residential Floor Area Ratios (FAR).~~ All new single family residences one family dwellings and remodels of and additions to single family residences in any zone district except the Design Residential District shall not exceed the following standards:

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

Note: The maximum allowable square footage column sets a cap on each category so that there is no overlap between the categories. Each parcel may develop to the limits set by the FAR for its parcel size except those parcels to the larger end of each category which may not develop structures larger than the maximum allowable square footage set for each category. The maximum square footage for lots over 12,000 sq. ft. shall be established as a base of 2,500 sq. ft. plus five percent of the lot area net with a maximum allowable square footage of 8,000.

- 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. Duplex FARs 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).

~~The FAR for duplexes shall be 0.27. Maximum duplex size shall be 3,600 of total living area for both units of the duplex.~~

c. Commercial and Mixed Use Floor Area Ratios- 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.

~~The maximum FAR shall be 0.29 if the entire project is commercial or 0.35 if it is a mixed use development. If mixed use, all of the additional square footage allowed over the 0.29 FAR shall be devoted exclusively to residential use. Commercial projects will be subject to other county planning and environmental constraints which may have a bearing on the size of the building.~~

d. Limitations and Exceptions to FAR.

1) Garages.

~~For residential lots, up to 500 square feet per dwelling unit may be allowed for a two-car garage. For larger single family lots (12,000 square feet and above), a three-car garage may be up to 750 square feet. Larger garages may be allowed, however excess square footage will be counted towards the net floor area of the dwelling.~~

~~For commercial and mixed use projects, up to 500 square feet of garages per 6,000 square feet of lot area can be excluded from the FAR (e.g., a commercial or mixed use project on a 12,000 square feet lot can exclude 1,000 square feet of garage space from the FAR calculations). On pre-existing lots of less than 6,000 square feet up to 500 square feet of garage space can be excluded.~~

2) Abandoned East/West Rights of Way. ~~For lots with abandoned east/west right of ways, such abandoned area may only be credited 50 percent towards the total lot area used in the calculation of the FAR.~~

f. Existing Structures that Exceed the FAR. ~~Existing structures that exceed the FAR may be altered or reconstructed provided:~~

1) ~~The alterations or reconstruction shall not increase the FAR to an amount greater than was contained in the original structure; and~~

2) ~~The proposal conforms to the adopted Board of Architectural Review Guidelines for Summerland in all other respects.~~

2. Adjustments to Floor to Area Ratios.

a. Plate Heights.

1) Lots Less than 1 Acre in Size. ~~To regulate the height and bulk of a building, plate heights shall be factored into the FAR as follows:~~

Average Plate Height	FAR Adjustments
----------------------	-----------------

Average Plate Height	FAR Adjustments
Up to 9'	0%
9' - 10'	-10%
over 10'	-20%

2) ~~Lots One Acre and Greater in Size. A maximum of 40 percent of the floor area shall be allowed to exceed a plate height of nine feet. If more than 40 percent of the floor area exceeds a plate height of nine feet, the excess will be computed as two times the floor area.~~

b. ~~Understories. Understories exceeding four feet in height shall reduce the FAR purposes as follows:~~

Height of Understory	FAR Adjustment
Over 4 feet	-10%
Over 6 feet	-20%
8 feet or over	-33%

~~Homes built prior to the implementation of this section (May 19, 1992) shall not be subject to the understory standards as long as any proposed addition conforms with the original building footprint in profile.~~

e. ~~Basements. For residential structures, basements shall be counted toward the FAR as follows:~~

~~First 250 sq. ft. = 0% = 0 sq. ft. counted and 250 sq. ft. does not count toward FAR.~~

~~Next 250 sq. ft. = 50% = 125 sq. ft. counted and 125 sq. ft. does not count toward FAR.~~

~~Next 300 sq. ft. = 75% = 225 sq. ft. counted and 75 sq. ft. does not count toward FAR.~~

~~Over 800 sq. ft. = 100% = All sq. ft. counted toward FAR.~~

~~The square footage that does not count toward the FAR per the above formula may be added to the allowable floor area of the structure. However, the increase in floor area pursuant to this formula may be used only once per lot, including lots with multiple unit structures.~~

~~A proposed residential structure that does not qualify for a basement credit may add five percent to the FAR provided that no part of the lowest finished floor over the entire building footprint is more than 18 inches above grade.~~

~~Basements shall be counted at 100 percent of floor area unless there is no second floor on the structure or unless the second floor mass is set back from the downslope face of the first floor by a minimum of 10 feet at all locations.~~

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 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:

(i) "A" equals the total floor area below grade as measured from the interior

surfaces of exterior walls (see Figure 13-2), and

- (ii) "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.
- 2) 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.
 - 3) Except as provided in Subsection (b)(3)(i), 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.
 - (i) 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 a 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.

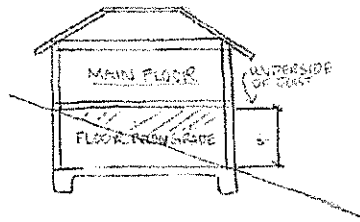


Figure 13-1

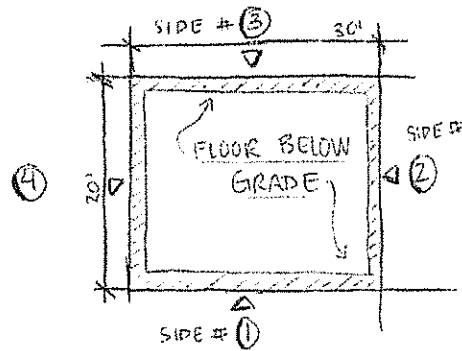


Figure 13-2

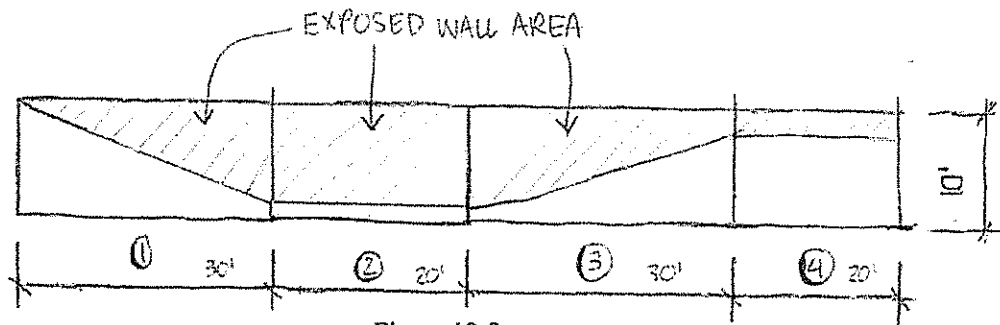


Figure 13-3

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 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.

- b) Lots of 12,000 square feet (net) or greater. On lots with a lot area (net) of 12,000 square feet or greater, up to 750 square feet of floor area (net) used as an attached garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with Subsection 1.a. above.
- 2) Garages accessory to commercial and mixed-use development.
- a) Except as provided below, for commercial and mixed-use development, up to 500 square feet of floor area (net) used as a garage for the parking of 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 FAR 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 for the parking of motor vehicles) is not included in the net floor area used to determine compliance with the FAR in Subsection 1.c. above.
 - d) 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.
 - e) 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.e.(3), below:
 - (i) An Agreement Not to Subdivide 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.
 - (ii) 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.e.(3), below:
 - (i) 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].
 - (ii) A voluntary merger of the two lots and an Agreement Not to Subdivide 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.
 - (iii) 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.e. (1) or 2.e. (2) above exceed:
 - (i) 12,000 square feet on lots with a lot area (net) of less than 20 acres.

(ii) 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 (BAR)

1. Board of Architectural Review required. All applicable building, grading, landscaping and other plans for new or altered buildings structures shall be reviewed and approved by the County Board of Architectural Review unless exempt from Board of Architectural Review in compliance with Section 35-184.2 (Applicability). In addition to the findings set forth in Section 35-184.5 of this Article, the County Board of Architectural Review shall also find that the new or altered building is in conformance with the Summerland Board of Architectural Review Guidelines.

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 Findings

- 1. ~~In addition to the findings that are required for approval of a development project (as development is defined in the Santa Barbara County Coastal Plan), as identified in each section of Division 11 Permit Procedures of Article II, a finding shall also be made that the project meets all the applicable development standards included in the Summerland Community Plan of the Coastal Land Use Plan.~~
- 2. ~~A modification or variance to reduce the number of required off-street parking spaces shall not be granted unless a finding is made that the modification or variance will not result in an increase in on-street parking.~~
- 3. ~~Prior to approval of discretionary projects which would result in a net increase in water use, a finding shall be made that there is sufficient water supply available to serve existing commitments.~~
- 4. ~~In approving new development, the County shall make a finding that the development will not adversely impact existing recreational facilities and uses.~~

Section 35-191.9 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).

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

- 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 35-191.10 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 ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

