

## ATTACHMENT D-1: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

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

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 7, GENERAL REGULATIONS, AND DIVISION 13, SUMMERLAND COMMUNITY PLAN OVERLAY TO ADD ART, GARDEN, AND ARCHITECTURE TOURS AS A NEW ALLOWABLE TEMPORARY USE, IMPLEMENT NECESSARY REVISIONS TO THE EXISTING STATE DENSITY BONUS LAW PROVISIONS TO ALIGN WITH CHANGES TO STATE LAW, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS, AND REVISIONS TO EXISTING REGULATIONS AND DEVELOPMENT STANDARDS.

25ORD-00010

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

### **SECTION 1:**

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended revise Subsection B.1, of Section 35-51B, Exemptions from Planning Permit Requirements, to read as follows:

B. **Exempt activities and structures.** The following types of development are exempt from the requirements of this Article to obtain a Coastal Development Permit, except as noted below. Development that does not qualify as an exempt activity or structure in compliance with this Subsection A (Exempt activities and structures) may still be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits).

1. **Exemption does not apply.** An exemption for the types of development described in Subsections B.2 through B.45, B.9 and B.11, below, shall not apply, and a Coastal Development Permit shall be required in addition to any other required planning permit, where:

...

### **SECTION 2:**

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended add a new Section 35-57D, Initial Application Review, to read as follows:

#### **Section 35-57D. Initial Application Review.**

A. **Filing and acceptance of an application.** An application is considered to be filed after it has been accepted for processing by the Department and required fees and/or deposits have been paid. The Director shall review each application for receipt of all submittal requirements and accuracy prior to acceptance of the application. The Director's acceptance of an application for processing

shall be based on the Department's list of required application contents in Section 35-57A (Application Preparation and Filing).

**B. Special provisions for applications subject to review under the California Environmental Quality Act.**

Projects subject to environmental review as required by the California Environmental Quality Act shall be subject to the following requirements:

**1. Notification of applicant.** As required by Government Code Section 65943, within 30 calendar days of either the initial application filing or subsequent filings after a determination of application incompleteness has been made, the applicant shall be informed in writing, either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the Incomplete letter, shall be provided.

**2. Appeal of determination.** After an initial determination of application incompleteness, where the Director has determined for a second or additional time that an application is incomplete, and the applicant believes that the application is complete and/or that the information requested by the Director is not required, the applicant may appeal the Director's determination in compliance with Chapter 35-182 (Appeals).

**3. Time for submittal of additional information.** When an application is incomplete, the time used by the applicant to submit the required additional information shall not be considered part of the time within which the determination of completeness or incompleteness shall occur. The time available to an applicant for submittal of additional information is limited by Subsection B.4 (Expiration of application) below.

**4. Expiration of application.**

a. If an applicant fails to provide the additional information specified in the Director's letter within 90 days following the date of the letter, the application shall expire and be deemed withdrawn, without any further action by the County.

b. The Director may grant one 90-day extension.

c. After the expiration of an application, future County consideration shall require the submittal of a new, complete application and associated fees.

**5. Environmental information.** After an application has been accepted as complete, the Director may require the applicant to submit additional information needed for the environmental review of the project in compliance with the requirements of the California Environmental Quality Act Guidelines.

**C. Referral of application.** At the discretion of the Director, or where otherwise required by this Development Code or State or Federal law, an application may be referred to any County department or public agency that may be affected by or have an interest in the proposed project.

**D. Right of entry/inspection.** Every applicant seeking a permit or any other action in compliance with this Article shall allow County staff involved in the review of the application access to any premises or property which is the subject of the application at all reasonable times.

### **SECTION 3:**

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 add and revise existing definitions to Section 35-58, Definitions, to read as follows:

...

**Flood Control:** The act or technique of trying to control water with dams, berms, drainage, weirs, etc, to minimize occurrence of floods.

...

**Lot, Interior:** A lot that (1) has no street frontage or (2) the street frontage is less than 40 feet in width ~~and the lot was not created by a subdivision resulting in five or more lots.~~

...

**Major Public Works Project and Major Energy Facility:** Any public works project or energy facility exceeding ~~\$50,000~~348,398 in estimated cost of construction, as may be amended from time to time in accordance with Coastal Commission Regulations (see CCR §13012(a)).

...

### **SECTION 4:**

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 revise Section 35-68.7, of Section 35-68, AG-I – Agriculture I, to read as follows:

#### ***Section 35-68.7      Setbacks for Buildings and Structures.***

1. **Front:** 50 feet from the centerline and 20 feet from the right-of-way line of any street.
2. **Side and Rear:** 20 feet from the lot lines of the lot on which the building or structure is located.
3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single-Family Residential District.
4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within 30 feet of the right-of-way line of any street nor within 50 feet of the lot line of a lot zoned residential. On lots containing five or more gross acres, an additional setback of 30 feet (for a total of 60 or 80 feet, respectively) from the lot lines of the lot on which the structure is located is required.

### **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 revise Section 35-119.10, of Section 35-119, Accessory Structures, to read as follows:

**Section 35-119. Accessory Structures.**

...

10. On lots of one acre or less, the gross floor area of an accessory structure, including accessory structures containing one or more accessory uses, shall not exceed 800 square feet, excluding garages, barns and stables.

...

**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 revise Section 35-120.4, of Section 35-120, Guest House, Artist Studio, or Pool House/Cabaña, to read as follows:

4. The gross floor area of such guest house, artist studio, or pool house/cabana shall not exceed 800 square feet; however, on lots greater than one acre, such structures may be attached to another accessory structure so that the total area of the combined structures exceeds 800 square feet, provided no interior access exists between the guest house, artist studio, or cabaña and the other accessory structure.

**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 revise Section 35-126.2, Corner Lots Abutting Two or More Streets, of Section 35-126, Through, Corner, Interior, and Odd Shaped Lots, to read as follows:

**2. Corner Lots Abutting Two or More Streets.**

- a. If a corner lot is less than 100 feet in width, A corner lot shall have a front setback along each property line adjacent to a street. The front setback adjacent to the front line (see definition of Front Line) of the lot shall be considered the primary front setback and the front setback that is not adjacent to the front line shall be considered a secondary front setback. ~~t~~The front setback along the property line considered the front line shall conform to the front setback requirements of the applicable zone district. The front setback along the property line not considered the front line shall be not less than 20 percent of the width of the lot, but in no case shall said front setback be less than 10 feet or greater than 15 feet.

~~b. If a corner lot is 100 feet or greater in width, there shall be a front setback along each street abutting the lot and all such setbacks shall conform to the front setback requirements of the applicable zone district.~~

**e.** The rear setback for a corner lot backing upon a key lot may be reduced to the size of the required side setback for the key lot or 10 feet, whichever is greater, provided the total front, side, and rear setback area required by the applicable district regulations is not reduced. An accessory structure on a corner lot backing up on a key lot shall be setback from the rear property line by a distance equal to the side setback requirements applicable to the key lot.

## **SECTION 8:**

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 add Subsection 8 to Section 35-137.3.1.d Exempt Temporary Uses, of Section 35-137, Temporary Uses, to read as follows:

### ***Section 35-137.3 Processing.***

No permits for temporary uses subject to the provisions of this Section shall be approved or issued except in conformance with the following requirements.

1. **Exempt temporary uses.** The following temporary uses of property, as defined in this ordinance and which meet all of the criteria in a. through c. of this section, which may include, but are not limited to, the erection of temporary structures such as fences, booths, tents or the parking of trailers, are exempt from any Coastal Development Permit or Conditional Use Permit requirements:

...

d. The Director of the Planning and Development Department, or the decision-maker, may determine that temporary use shall be subject to Coastal Development Permit and/or Conditional Use Permit review, even if the development meets all of the criteria in a. through c. of this section, if the Director, or decision-maker, determines that unique or changing circumstances exist relative to a particular temporary event that have the potential for significant adverse impacts on coastal resources. In addition, the following temporary uses of property are exempt from Coastal Development Permit or Conditional Use Permit requirements only if the following provisions, in addition to all of the criteria in a. through c. of this section above, are met:

...

**7) Art, garden, and architecture tours.** Tours organized by a civic, educational, or service institution or organization directly engaged in civic, charitable, or philanthropic efforts, and involving community tours of individual properties, are exempt from the permit requirements of this Section provided:

a) Commercial sales or transactions of goods in residential zones are limited to properties with home occupations, including artist studios, operating under a

valid Coastal Development Permit or qualifying as an exempt home occupation pursuant to Section 35-121.5 (Exceptions to Permit Requirements for Home Occupations).

- b) No more than four events per calendar year may be conducted by a single entity or on an individual lot and individual events shall last no longer than three consecutive days.
- c) Admission is open to the general public, with or without ticket sales. The number of registered attendees present at the event does not exceed 300 per day.
- d) The use of a lot for reception or gathering functions in support of the tour shall be limited to non-residential zones, unless conducted in compliance with Subsection 35.137.1.d.3 above.
- e) Tours and associated reception or gathering functions in support of a tour shall not be conducted on a lot operating under a Conditional Use Permit, unless expressly permitted by that permit.

**7) 8) Similar temporary uses.** Other temporary uses which, in the opinion of the Director of the Planning and Development Department, are similar to those identified in this section.

## **SECTION 9:**

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 revise Subsection 1, General standards, of Section 35-142.5, Accessory dwelling units located within residential or mixed-use zones, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

### ***Section 35-142.5 Accessory dwelling units located within residential or mixed-use zones.***

This Section 35-142.5 provides standards for certain accessory dwelling units in accordance with Government Code Section 65852.2(e)(1). An accessory dwelling unit that complies with all of the following standards, as applicable, shall be permitted with a Coastal Development Permit and any other necessary approvals. An accessory dwelling unit that does not comply with this Section 35-142.5 may be allowed in compliance with Section 35-142.6, below.

1. **General standards.** The following development standards shall apply to all accessory dwelling units allowed in compliance with this Section 35-142.5:

...

- 4. Lot Requirements.** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit permitted under this Subsection 35-142.5 shall not be allowed in addition to an Accessory Dwelling Unit permitted under Subsection 35-142.6, regardless of the order of construction.

## **SECTION 10:**

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 revise Subsection e of Section 35-144C.2.A.1 Eligibility, of Section 35-144C, Density Bonus Program, to read as follows:

- e. Twenty percent of the total units for lower income students in an eligible student housing development pursuant to Government Code Section 65915(b)(1)(F)(i) or successor statute.

## **SECTION 11:**

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 revise Subsection C.1 of Section 35-144C.4, Incentives or Concessions for Housing Developments, of Section 35-144C, Density Bonus Program, to read as follows:

C. **Types of incentives or concessions.** For the purposes of this Section and in accordance with Government Code Section 65915(k), incentive or concession means any of the following:

- 1. **Modification of development standards.** A reduction in site development standards or a modification of zoning requirements or architectural design requirements of this Article that exceed the minimum building standards in County Code Chapter 10, Building Regulations, that would otherwise be required, that results in identifiable and actual cost reductions provided that the project (as modified to include a density bonus, incentives, or concessions) is found consistent with all applicable policies and provisions of the Local Coastal Program. For the purposes of this Section 35-144C.4, a “development standard” is as defined in Government Code Section 65915(o)(2) or successor statutes (e.g., height limitation, setback requirement, floor area ratio).

## **SECTION 12:**

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 revise Subsection A of Section 35-144C.6, Parking Ratios for Housing Developments, of Section 35-144C, Density Bonus Program, to read as follows:

- A. **Maximum parking ratios.** Upon the request of the applicant, except as provided in Subsection B (Limited or no parking ratio for certain housing developments) below, and Government Code Sections 65915(p)(2), (3), and (4), or successor statutes, the Department shall not require a vehicular parking ratio for a housing development meeting the criteria of this Section that exceeds the following:
  - 1. Zero to one bedroom: one onsite parking space.

2. Two to three bedrooms: one and one-half onsite parking spaces.
3. Four and more bedrooms: two and one-half onsite parking spaces.
- 4. One bedspace in a student housing development: zero parking spaces.**

### **SECTION 13:**

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 revise Subsection 3 of Section 35-144M.5, Special Notice Requirements, of Section 35-144M, Mobilehome Park Closure, to read as follows:

#### ***Section 35-144M.5 Special Notice Requirements.***

The following special notice requirements are in addition to any notice that may be required in compliance with Section 35-181 (Noticing). The applicant shall verify, to the satisfaction of the Director that a good faith effort has been made to ensure that each park resident and mobilehome owner has received or will receive each of the following notices and documents. No hearing on a proposed mobilehome park closure shall be scheduled until the applicant has provided verification of the notification to the satisfaction of the Director.

...

3. **Written notice.** A written notice, in addition to the public hearing notice required in compliance with Section 35-181 (Noticing) and Civil Code Section 798.56 (g), as amended, at least 15 days before the scheduled hearing on the application for the Conditional Use Permit, informing residents that the applicant will be appearing before a local government board, commission, or body to request permits for a change of use of the mobilehome park, in compliance with Civil Code Section 798.56(g).

...

### **SECTION 14:**

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 revise Section 35-191.2, Definitions, of Section 35-191, Summerland - SUM, to read as follows:

**Floor Area, Net Residential:** The total floor area of all floors of a primary residence, including attached accessory structures, 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.

### **SECTION 15:**

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 revise Section 35-191.5, Floor Area Limit, of Section 35-191, Summerland - SUM, to read as follows:

**Section 35-191.5    *Floor Area Limit.***

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

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

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

**Table 13-1 - One-Family Dwelling Floor Area Limits**

Net Lot Area (square feet)	FAR	Maximum Allowable Net Floor Area per Lot Area (square feet)
2,500	.50	950
2,501 to 3,600	.38	1,296
3,601 to 4,700 sf	.36	1,598
4,701 to 5,800 sf.	.34	1,856
5,801 to 6,900 sf.	.32	2,070
6,901 to 8,100 sf.	.30	2,268
8,101 to 9,400 sf.	.28	2,538
9,401 to 10,800 sf.	.27	2,808
10,801 to 12,000 sf.	.26	3,100

**2)    Lots between 12,000 square feet and 10 acres.** On lots with a lot area (net) of 12,000 square feet and greater but less than 10 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 2,500 square feet plus five percent of the net lot area; however, in no case shall the net floor area exceed 8,000 square feet.

**3)    Lots between 10 acres and 20 acres.** On lots with a lot area (net) of 10 acres and greater but less than 20 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 10,000 square feet.

**4) Lots between 20 acres and 40 acres.** On lots with a lot area (net) of 20 acres and greater but less than 40 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 12,000 square feet.

**5) Lots 40 acres and greater.** On lots with a lot area (net) of 40 acres or greater, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 15,000 square feet.

**6) Accessory dwelling units and junior accessory dwelling units.** The floor area limits enumerated above do not apply to existing or proposed accessory dwelling units or junior accessory dwelling units approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

**b. Two-family dwellings.** All new two-family dwellings, ~~and~~ additions to existing two-family dwellings, and attached accessory structures are subject to the following standards:

- 1) The net floor area of the two-family dwelling and attached accessory structures shall not exceed the amount calculated using a 0.27 FAR.
- 2) The total maximum habitable area of both units shall be 3,600 square feet of floor area (net).

**c. Commercial and Mixed Use development.**

- 1) **Commercial development.** The net floor area of a development containing only commercial uses shall not exceed the amount calculated using a 0.27 FAR.
- 2) **Mixed use development.** The net floor area of a development containing both commercial and residential uses shall not exceed the amount calculated using a 0.33 FAR.
  - a) All net floor area that exceeds the amount calculated using a 0.27 FAR shall be utilized exclusively for residential uses; however, the residential use shall be secondary to the commercial use.

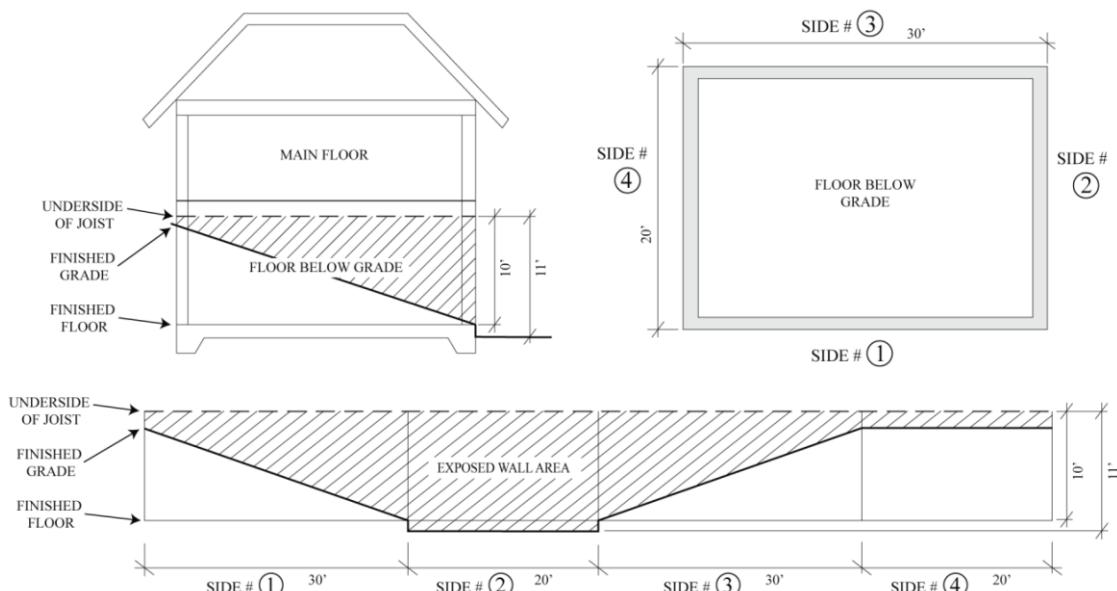
**2. Adjustments to maximum allowed floor area.**

**a. Accessory structures (detached) on lots less than or equal to 10,000 square feet (net).** Except as provided in compliance with Subsection 2.a.1), below, the cumulative gross floor area of all detached accessory structures located on a lot less than or equal to 10,000 square feet (net) shall not exceed 500 square feet. No such limit exists on lots greater than 10,000 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 2.a.4.e, above.

**b. Floor below grade.**

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



**Figure 13-1 - Illustrative example for calculating the floor below grade adjustment**

c. **Garages.**

1) **Garages attached to a primary dwelling.**

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

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

b) **Lots 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 three-car garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with the FAR in Subsection 35-191.5.1 above.

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

2) **Garages accessory to mixed-use development.**

a) Except as provided below, for mixed-use development, up to 500 square feet of floor area (net) used as a garage for the parking of two motor vehicles per each 6,000 square feet of lot area (net) is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above.

i) On lots less than 6,000 square feet (net) existing as of June 9, 2016 up to 500 square feet of floor area (net) used as a garage to accommodate the parking of two motor vehicles) is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above.

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

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

d. **Commercial basements.** Basement floor area (net) that complies with the definition of True Basement, Commercial, and is used as storage, non-retail commercial accessory uses, or

mechanical space, is not included in the net floor area used to determine compliance with the maximum allowed floor area in Subsection 1.c, above, as follows:

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

**e. Accessory dwelling units and junior accessory dwelling units.** Notwithstanding Subsection 35-191.5.1.a.6 above, any floor area (net) devoted to an attached accessory dwelling unit in excess of 850 square feet for units with up to one bedroom or 1,000 square feet for two or more bedrooms, shall be included in the net floor area calculation used to determine compliance of the principal dwelling(s) with Subsection 1, above.

**f. Transfer of floor area.** Except in the Urban Grid, up to one-half of the maximum allowed floor area of a principal dwelling may be transferred to an existing or new principal dwelling as follows:

- 1) Elimination of potential subdivision.** The maximum allowed floor area on a lot that may be subdivided in compliance with all applicable provisions of the Local Coastal Program and with the applicable zone in effect as of June 9, 2016 may be increased in compliance with the following and Subsection 2.f.3), below:
  - a) A Declaration of Restriction acceptable to the County shall be recorded by the property owner prior to the issuance of a building permit to eliminate the subdivision potential of the lot in perpetuity.
  - b) The increase in the maximum allowed floor area is limited to one-half of the maximum allowed floor area that would otherwise be allowed for a lot that is equal in size to the minimum lot size required in compliance with the applicable zone in effect as of June 9, 2016.
- 2) Elimination of existing lot.** The maximum allowed floor area on a lot that cannot be subdivided in compliance with all applicable provisions of the Local Coastal Program and with the applicable zone in effect as of June 9, 2016 may be increased in compliance with the following and Subsection 2.f.3), below:
  - a) The lot is contiguous to a lot that cannot be subdivided in compliance with the applicable zone in effect as of June 9, 2016.
  - b) A voluntary merger of the two lots and a Declaration of Restriction acceptable to the County shall be recorded by the property owner prior to the issuance of a building permit to eliminate the subdivision potential of the lot in perpetuity.
  - c) The increase in the maximum allowed floor area is limited to one-half of the maximum allowed floor area that would otherwise be allowed on either of the lots that are the subject of the voluntary merger.
- 3) In no event shall the maximum allowed floor area as adjusted in compliance with Subsections 2.f.1) or 2.f.2) above exceed:**

- a) 12,000 square feet on lots with a lot area (net) of less than 20 acres.
- b) 15,000 square feet on lots with a lot area (net) of 20 acres or greater.

**3. Existing structures that exceed the maximum allowed floor area.** An existing structure that exceeds the maximum allowed floor area (net) may be altered or reconstructed provided that the proposal complies with the Summerland Residential Design Guidelines in all other respects.

**SECTION 16:**

All existing indices, section references, and figure and table numbers contained in Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

**SECTION 17:**

Except as amended by this ordinance, Divisions 1, 2, 4, 7, and 13 of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

**SECTION 18:**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 19:**

This ordinance and any portion of it approved by the California 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 California Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the Board voting for and against the same in 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 \_\_\_\_\_, 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

2025 General Ordinance Amendment Package  
Case Nos. 25ORD-00009, -10, -11, and -13  
Board of Supervisors  
Hearing Date: February 3, 2026  
Attachment D-1: CZO Amendment with Changes Shown  
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ABSENT:

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BOB NELSON, 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:

RACHEL VAN MULLEN  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel