

ARTICLE II COASTAL ZONING CODE 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 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 7, GENERAL REGULATIONS, DIVISION 11, PERMIT PROCEDURES, AND DIVISION 17, GAVIOTA COAST PLAN, TO MODIFY THE PERMIT PROCESS FOR SUPPORTIVE HOUSING, MODIFY THE IMPLEMENTATION OF STATE DENSITY BONUS LAW, ESTABLISH OBJECTIVE DESIGN STANDARDS FOR MULTIPLE-UNIT AND MIXED-USE HOUSING, AND ESTABLISH STREAMLINED PERMIT PROCEDURES AND DEVELOPMENT STANDARDS FOR LOW BARRIER NAVIGATION CENTERS AS REQUIRED BY CHANGES IN STATE HOUSING LAW.

21ORD-00000-00003

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

SECTION 1:

DIVISION 2, Definitions, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add the new definitions of “Density Bonus Program,” “Housing Development,” and “Low Barrier Navigation Center,” and to revise the definition of “Special Care Home” to read as follows:

Density Bonus Program. Refers to the state mandated Density Bonus Program (Government Code Section 65915 et seq.) that entitles qualified housing projects to a density increase, incentives or concessions, waivers or reductions of development standards, and/or parking ratios as outlined in Section 35-144C (Density Bonus Program).

Housing Development. As used in Section 35-144C (Density Bonus Program) Density Bonuses and other Incentives for Affordable Housing, a housing development is a development project for five or more residential units, including mixed-use developments and shared housing buildings, as defined by Government Code Section 65915(o) or successor statute. Housing development also includes a subdivision or common interest development approved by the Department which consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling where the result of the rehabilitation would be a net increase in available residential units.

Low Barrier Navigation Center. (Government Code Section 65660(a)). A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. For purposes of this Definition, “Housing First” has the same definition as included in Welfare and Institutions Code Section 8255, or successor statute. “Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.

3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

Special Care Home. A residential home providing non-medical care and supervision (also known as a "Group Home-Children," "Adult Residential Home," "Residential Care Facility for the Elderly or Handicapped," or "Foster Home." Note: Homes which serve six or fewer persons shall be considered a residential use, subject to the regulations for any other residential dwelling in the applicable zone, and the residents and operators of the home shall be considered a family.

SECTION 2:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-68.3, Permitted Uses, of Section 35-68, AG-I – Agriculture I, to read as follows:

Section 35-68.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
8. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.

9. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
12. Cannabis, Cultivation and Nursery, subject to the provisions of Section 35-144U.
13. Cannabis, Distribution, subject to the provisions of Section 35-144U.
14. Cannabis, Non-volatile Manufacturing, subject to the provisions of Section 35-144U.
15. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 3:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-69.3, Permitted Uses, of Section 35-69, AG-II – Agriculture II, to read as follows:

Section 35-69.3 Permitted Uses.

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this [Section 35-69](#).
2. Sale of agricultural products pursuant to the provisions of [Section 35-131](#) (Agricultural Sales).
3. Commercial boarding of animals.
4. Private and/or commercial kennels.
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of [Section 35-141](#) (General Regulations).
6. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
7. One guest house or artist studio per legal lot subject to the provisions of [Section 35-120](#) (General Regulations) and accessory to the primary residential use located on the same lot.
8. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in [Section 35-174](#) (Development Plans).
9. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in [DIVISION 9, OIL & GAS FACILITIES](#).

10. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of [Section 35-177](#) (Reclamation Plans).
11. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations) and accessory to a residential use located on the same lot.
12. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities).
13. Transitional and Supportive Housing, subject to the provisions of [Section 35-144V](#) (Transitional and Supportive Housing).
14. Uses, buildings and structures accessory and customarily incidental to the above uses.
15. Cannabis, Cultivation and Nursery, subject to the provisions of [Section 35-144U](#).
16. Cannabis, Distribution, subject to the provisions of [Section 35-144U](#).
17. Cannabis, Non-volatile Manufacturing, subject to the provisions of [Section 35-144U](#).

SECTION 4:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-70.3, Permitted Uses, of Section 35-70, RR – Rural Residential, to read as follows:

Section 35-70.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this [Section 35-70](#).
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich, or other livestock not specifically enumerated herein; or three goats, hogs; shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no event shall more than three hogs be kept on any such lot.
3. Sale of agricultural products pursuant to the provisions of [Section 35-131](#) (Agricultural Sales).
4. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of [Section 35-141](#) (General Regulations).
5. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
6. One guest house or artist studio per legal lot, subject to the provisions of [Section 35-120](#) (General Regulations) and accessory to the primary residential use of the same lot.
7. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations) and accessory to a residential use of the same lot.

8. Greenhouses, hothouses, or other plant protection structures not exceeding 300 square feet.
9. The keeping of animals and poultry subject to the R-1/E-1 provisions of [Section 35-71.12](#), Subsections 3. through 9., only (Animals).
10. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
12. Uses, buildings and structures which are customarily incidental to the above uses.

SECTION 5:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-71.3, Permitted Uses, of Section 35-71, R-1/E-1 – Single-Family Residential, to read as follows:

Section 35-71.3 Permitted Uses

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of [Section 35-141](#).
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. One guest house or artist studio, subject to the provisions in [Section 35-120](#) (General Regulations) and accessory to the primary residential use of the same lot.
4. Home occupations subject to the provisions of [Section 35-121](#). (General Regulations) and accessory to a residential use of the same lot.
5. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
6. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
7. The keeping of animals and poultry accessory to the primary residential use located on the same lot and subject to the provisions of [Section 35-71.12](#).
8. Public parks, public playgrounds, and community centers operated by a public agency.

9. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities).
10. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
11. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 6:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-72.3, Permitted Uses, of Section 35-72, R-2 – Two Family Residential, to read as follows:

Section 35-72.3 Permitted Uses

1. One single family dwelling or one two family dwelling, i.e., duplex, per legal lot.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
4. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
5. Home occupations subject to the provisions of [Section 35-121](#) (General Regulations) and accessory to a residential use of the same lot.
6. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
7. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
8. The keeping of animals and poultry accessory to a residential use located on the same lot and subject to the provisions of [Section 35-71.12](#) (R-1/E-1, Animals).
9. Public parks, public playgrounds, and community centers operated by public agencies.
10. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the

residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 7:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-73.3, Permitted Uses, of Section 35-73, EX-1 – One-Family Exclusive Residential, to read as follows:

Section 35-73.3 Permitted Uses.

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of [Section 35-141](#) (General Regulations). Except as provided herein, trailers in any condition shall not be used for any purpose.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. One guest house or artist studio, subject to the provisions in [Section 35-120](#) (General Regulations) and accessory to the primary residential use of the same lot.
4. Golf courses and facilities incidental and subordinate to such use (e.g., restaurant, pro shop) but not including commercial driving tees, ranges, putting courses or miniature golf courses.
5. Parks, playgrounds, and community facilities operated by a non-profit homeowners association.
6. Orchards, truck and flower gardens, and the raising of field crops.
7. Greenhouses, hothouses, and other plant protection subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
8. The keeping of animals and poultry subject to the provisions of [Section 35-71.12](#) and accessory to the primary residential use of the same lot.
9. Home occupations subject to the provisions of [Section 35-121](#) (General Regulations) and accessory to a residential use of the same lot.
10. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

12. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 8:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-74.4, Permitted Uses, of Section 35-74, DR – Design Residential, to read as follows:

Section 35-74.4 Permitted Uses.

1. Single family, duplex, triplex, and multi-family dwelling units, including developments commonly known as row houses, town houses, condominiums, cluster, and community apartment projects.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Parking lots, carports, and garages designed and used for individual units within the district and either adjacent to such units or centrally located to serve a group of units.
4. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this [Section 35-74.4](#), for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
5. Golf courses.
6. Public parks, public playgrounds, and community centers.
7. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations) and accessory to a residential use of the same lot.
8. The keeping of animals accessory to a residential use located on the same lot and subject to the provisions of [Section 35-419.12](#) (R-1/E-1, Animals).
9. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
10. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

12. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 9:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-75.7, Permitted Uses, of Section 35-75, PRD – Planned Residential Development, to read as follows:

Section 35-75.7 Permitted Uses.

1. Residential units, either attached or detached, including single family dwellings, duplexes, row houses, town houses, apartments, and condominiums.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Recreational facilities, including but not limited to tennis courts, swimming pools, playgrounds, and parks for the private use of the residents of the development, provided such facilities are not operated for remuneration.
4. Laundromat, meeting rooms, for use by residents of the development.
5. Where required by the Coastal Land Use Plan, resort visitor-serving facilities.
6. Home Occupations, subject to the provisions of [Section 35-121](#) (General Regulations).
7. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this [Section 35-75.7](#), for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
8. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities).
9. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
10. The keeping of household pets accessory to a residential use of a dwelling located on the lot on which the animal keeping occurs provided that:
 - a. There shall not be more than three dogs permitted on any one lot.
 - b. Such animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.
 - c. The keeping of such animals is not injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Animal Services Division of the County Public Health Department.
 - d. Enclosures for such small animals shall be no closer than 25 feet to any dwelling located on another lot.

e. No rooster or peacock shall be kept or raised on the lot.

11. Uses, buildings, and structures accessory and customarily incidental to the above uses.

SECTION 10:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-76.4, Permitted Uses, of Section 35-76, SR-M – Medium Density Student Residential, to read as follows:

Section 35-76.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi-unit dwellings.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
4. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
5. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
6. Public parks, public playgrounds, and community centers.
7. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations).
8. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
9. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
10. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this [Section 35-76.4](#), for use by on-site residents and/or employees of the development; when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.

SECTION 11:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-77.4, Permitted Uses, of Section 35-77, SR-H – High Density Student Residential, to read as follows:

Section 35-77.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi unit dwellings.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
4. Dormitories, student housing facilities, residence halls, sororities and fraternities located in an area where such facilities are to be used by students of an educational institution.
5. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
6. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
7. Public parks, public playgrounds, and community centers.
8. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations).
9. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
10. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
11. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this [Section 35-77.4](#), for use by on-site employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels. *(Amended by Ord. 4067, 08/18/1992)*
12. Emergency Shelter.

SECTION 12:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-77A.3, Permitted Uses, of Section 35-77A, C-1 – Limited Commercial, to read as follows:

Section 35-77A.3 Permitted Uses.

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores,

clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.

2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Child Care Facilities.
8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in [Section 35-77A.6](#), Minimum Lot Size, and [Section 35-71](#) (R-1/E-1).
9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
10. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
12. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration, pursuant to [Section 35-179C](#) (Use Determination).
13. Low barrier navigation centers, subject to the provisions of Section 35-144I, and Government Code Section 65662.
14. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
15. Cannabis, Retail, subject to the provisions of [Section 35-144U](#).
16. Cannabis, Testing, subject to the provisions of [Section 35-144U](#).
17. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
 - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.

- b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

SECTION 13:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-78.3, Permitted Uses, of Section 35-78, C-2 – Retail Commercial, to read as follows:

Section 35-78.3 Permitted Uses.

1. Amusement enterprises if conducted wholly within a completely enclosed building, such as video arcades and pool halls.
2. Automobile service station, provided no gasoline is stored above ground.
3. New and used automobile and machinery sales, leases and rentals.
4. Automobile and machinery repair and service if conducted wholly within a completely enclosed building or within an area enclosed by a solid wall, hedge, or fence not less than six feet in height approved as to design by the Director, but not including automobile or machinery wrecking establishments or junk yards.
5. Retail stores, shops, or establishments supplying commodities for residents of the community, provided such enterprises are conducted within a completely enclosed building, such as bakeries, ice cream shops, grocery, and liquor stores, furniture, hardware, and appliance stores, department stores, sporting goods stores, pet shops, florist shops, automobile accessory stores, and the like.
6. Repair and service uses such as laundry and dry cleaning establishments, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, copy shops, radio and TV repair shops, etc.
7. Restaurants, bars, cocktail lounges, and microbreweries that are secondary and accessory to a restaurant, bar, or lounge.
8. Financial institutions such as banks and savings and loan offices, professional, administrative and general business offices.
9. Business, professional, and trade schools.
10. Hotels and motels.
11. Automobile parking lot.
12. Golf course, miniature or practice range.
13. Nursery.
14. Outdoor restaurant, cafe, or tea room.
15. Music recording studio.
16. Indoor theater.
17. Community non-profit recycling facility.

18. Residential uses existing at the time of adoption of this Article shall be considered permitted uses rather than legal nonconforming uses.
19. Any other light commercial use which the Planning Commission finds is of similar character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, vibration, danger to life or property, or other similar causes, pursuant to [Section 35-179C](#) (Use Determinations).
20. Spas or health clubs.
21. Non-Residential Child Care Center, pursuant to [Section 35-143.3](#).
22. Low barrier navigation centers, subject to the provisions of Section 35-144I, and Government Code Section 65662.
23. Cannabis, Retail, subject to the provisions of [Section 35-144U](#).
24. Cannabis, Testing, subject to the provisions of [Section 35-144U](#).
25. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses provided:
 - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments, and provided further that there shall be not more than five persons engaged in any such manufacture, processing, or treatment of products.
 - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life or property, or other similar causes.
26. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 14:

DIVISION 4, Section 35-78, “C-2 – Retail Commercial” of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-78.5, Uses Permitted With a Minor Conditional Use Permit, is hereby amended to revise number 21, Transitional and Supportive Housing, to read as follows:

35-78.5 Uses Permitted with a Minor Conditional Use Permit.

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Automobile and machinery repair and service conducted partially or wholly outdoors.
3. Boat sales yard and boat repair and services, but not including painting or junk yards for boats.
4. Cabinet shop.

5. Cleaning and dyeing establishment.
6. Electrical shop.
7. Frozen food locker as part of a retail store.
8. Furniture repair and upholstery.
9. Handicraft-type industries subject to the provisions of [Section 35-172.11](#) (Conditional Use Permits).
10. Lumber and building materials sales yard.
11. Mechanical car wash.
12. Plumbing, heating, and ventilating shop.
13. Pump sales and service.
14. Outdoor sale of pool supplies, patio furniture, and spas.
15. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
16. Sales or storage lot for trailers, including trailers used for carrying property, and recreational vehicles.
17. Sign painting shop.
18. Trailer rentals, including trailers used for carrying property, and truck rentals.
19. Welding and small tool machine shop.
20. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
21. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
22. Certified Farmer's Market.
23. Emergency Shelter.
24. Single Room Occupancy Facility.

SECTION 15:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change numbered items 10 onwards of Subsection 35-80.3 Permitted Uses, of Section 35-80 CH – Highway Commercial, to read as follows:

Section 35-80.3 Permitted Uses.

1. Motels and hotels.
2. Restaurants
3. Automobile service stations and garages, but not including junk yards or the storage or wrecking of used cars or machinery.
4. Dwellings occupied by the owner or his employees, and their families, where such persons manage

or operate the principal use of the property, including persons acting as caretakers or night watchmen, whose work makes it essential that they reside on the property.

5. Bus terminals and train stops.
6. Such agricultural uses as are permitted on any abutting parcel zoned in an agriculture or residential district.
7. Mini-mart/convenience stores of less than 3000 square feet of floor area.
8. Any other use which the Planning Commission determines to be a commercial establishment operated primarily for the purpose of serving the essential needs of travelers on highways, pursuant to Section 35-179C (Use Determinations).
9. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-80.4., for use by on-site employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
10. Low barrier navigation centers, subject to the provisions of Section 35-144I, and Government Code Section 65662.
11. Accessory uses, buildings, or structures customarily incidental to the above uses.
12. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 16:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change numbered item 5 of Subsection 35-80.5 Uses Permitted with a Minor Conditional Use Permit, of Section 35-80 CH – Highway Commercial, to read as follows:

Section 35-80.5 Uses Permitted With a Minor Conditional Use Permit

1. Commercial driving tees, putting ranges, and golf courses.
2. Truck service station (defined as a place of business primarily engaged in providing service station facilities for cargo vehicles.).
3. Mechanical car washes, except where the property abuts a residential district, subject to the construction of masonry walls, fencing, installation of landscaping, and other methods of reducing noise effects on abutting property, and subject to such controls over access, parking, and landscaping as will make such use compatible with adjacent uses.
4. Residences provided the residential use is secondary to a primary commercial use on the same lot.
5. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

SECTION 17:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-81.5, Permitted Uses, of Section 35-81, C-V – Resort/Visitor Serving Commercial, to revise numbered items 5 onwards, to read as follows:

Section 35-81.5 Permitted Uses.

1. Resort, guest ranch, hotel, motel, country club, convention and conference center.
2. Light commercial uses (i.e., barber and beauty shops, gift shops, restaurants, etc.) normally associated with the needs of visitors, provided such commercial activities are so designed and limited as to be incidental and directly oriented to the needs of visitors and do not substantially change the character of the resort/visitor-serving facility.
3. Recreational facilities, including but not limited to piers, boat docks, golf courses, parks, playgrounds, riding and hiking trails, tennis courts, swimming pools, beach clubs.
4. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this [Section 35-81.5](#), for use by on-site employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
5. Low barrier navigation centers, subject to the provisions of Section 35-144I, and Government Code Section 65662.
6. Accessory uses, buildings, and structures which are customarily incidental to the above uses.
7. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 18:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-81.7, Uses Permitted With a Minor Conditional Use Permit, of Section 35-81, C-V – Resort/Visitor Serving Commercial, to revise numbered item 2 to read as follows:

Section 35-81.7 Uses Permitted With a Minor Conditional Use Permit.

1. Residences, provided the residential use is secondary to a primary commercial use on the same lot.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

SECTION 19:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-83.4, Permitted Uses, of Section 35-83, PI – Professional and Institutional, to revise numbered items 14 onwards to read as follows:

Section 35-83.4 Permitted Uses.

1. Professional offices, studios, and office buildings.

2. Hospitals, sanitariums, medical clinics, special care homes, and similar buildings, when used for the treatment of human ailments, subject to the approval as to need of the Santa Barbara Subarea Advisory Counsel of the Health Systems Agency, Ventura-Santa Barbara.
3. Eleemosynary and philanthropic institutions for human beings.
4. Churches, libraries, museums, and schools, including business schools, but not including dance halls nor trade schools using heavy equipment.
5. Community, civic center, and governmental buildings and structures.
6. Clubs, golf courses, and country clubs.
7. Cemetery, crematory, or mausoleums.
8. Off-street parking facilities accessory and incidental to an adjacent commercial use.
9. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot.
10. Athletic clubs.
11. Banks and savings and loans offices.
12. Any other professional or institutional use which the Planning Commission finds is similar in character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, smoke, vibration, danger to life or property, or other similar causes.
13. Non-Residential Child Care Centers, that are ancillary to uses permitted by [Section 35-83](#) when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
14. Low barrier navigation centers, subject to the provisions of Section 35-144I, and Government Code Section 65662.
15. Cannabis, Testing, subject to the provisions of [Section 35-144U](#).
16. Uses, buildings and structures accessory and customarily incidental to the above uses.
17. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 20:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-83.6, Uses Permitted With a Minor Conditional Use Permit, of Section 35-83, PI – Professional and Institutional, to revise numbered item 2, to read as follows:

Section 35-83.6 Uses Permitted with a Minor Conditional Use Permit.

1. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).
3. Certified Farmer's Market.

SECTION 21:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-87.4, Uses Permitted With a Major Conditional Use Permit, of Section 35-87, M-CD – Coastal Dependent Industry, to revise numbered item 2, to read as follows:

Section 35-87.4 Uses Permitted With a Major Conditional Use Permit.

1. Dwellings for employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is to be located.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

SECTION 22:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-89.7, Uses Permitted With a Minor Conditional Use Permit, of Section 35-89, REC – Recreation District, to revise numbered item 2, to read as follows:

Section 35-89.7 Uses Permitted With a Minor Conditional Use Permit.

1. Residential structures for a caretaker.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

SECTION 23:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-90.3, Permitted Uses, of Section 35-90, RES – Resource Management, to revise numbered item 4, to read as follows:

Section 35-90.3 Permitted Uses.

1. One single family dwelling per legal lot.
2. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

3. One guest house subject to the provisions of [Section 35-120](#) (General Regulations) and accessory to the primary residential use of the same lot.
4. Transitional and Supportive Housing, subject to the provisions of Section 35-144V(Transitional and Supportive Housing).
5. The non-commercial keeping of animals and poultry accessory to the primary residential use located on the same lot.
6. Agricultural grazing.
7. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 24:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-91.4, Permitted Uses, of Section 35-91, MHP – Mobile Home Park, to revise numbered item 5, to read as follows:

Section 35-91.4 Permitted Uses.

1. Mobile Home Park.
2. Recreational facilities for the use of the residents of the park.
3. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
4. Accessory uses, structures, and buildings which are customarily incidental and subordinate to the uses permitted in this district.
5. Transitional and Supportive Housing, subject to the provisions of Section 35-144V (Transitional and Supportive Housing).

SECTION 25:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-92.4, Uses Permitted with a Major Conditional Use Permit, of Section 35-92, M-CR – Coastal Related Industry, to revise numbered item 2, to read as follows:

Section 35-92.4 Uses Permitted With a Major Conditional Use Permit.

1. Dwellings for employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is to be located.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-144V(Transitional and Supportive Housing).

SECTION 26:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-93A.3, Permitted Uses, of Section 35-93A, MT-TORO – Mountainous Area – Toro Canyon Planning Area, to revise numbered item 8, to read as follows:

Section 35-93A.3 Permitted Uses.

1. One single-family dwelling per legal lot.
2. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. One guest house subject to the provisions of [Section 35-120](#) (General Regulations).
4. The non-commercial keeping of animals and poultry.
5. Cultivated agriculture, vineyard, or orchard when there is evidence of permitted or legal non-conforming use within the previous ten-year period.
6. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations).
7. Accessory uses, buildings and structures that are customarily incidental to the above uses.
8. Transitional and Supportive Housing, subject to the provisions of Section 35-144V(Transitional and Supportive Housing).

SECTION 27:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete in its entirety Subsection 35-143.5, Transitional and Supportive Housing, of Section 35-143, Community Care Facilities.

SECTION 28:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add Section 35-144B Multiple-Unit And Mixed-Use Housing Objective Design Standards, to read as follows:

Section 35-144B. MULTIPLE-UNIT AND MIXED-USE HOUSING OBJECTIVE DESIGN STANDARDS

Section 35-144B.1 Purpose and Intent

- A. Purpose and Intent.** The purpose of this Section is to provide the public, building and design professionals, and decision-makers with objective criteria for multiple-unit and mixed-use housing development projects in the county. The intent is to provide clear design direction that enhances an area's unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high-quality living environment. It is also intended that this Section establish "objective" design standards, as that term is defined under state housing law, that apply to multiple-unit residential and mixed-use development projects where state housing law restricts County review of such projects to objective standards, to the fullest extent permitted under state housing law.
- B. Applicability.** The provisions of this Section apply to multiple-unit residential and mixed-use

development in all Zone Districts, including such development that constitutes a “housing development project” under Government Code Section 65589.5 (Housing Accountability Act) and “supportive housing” under Government Code Section 65651 (AB 2162), as well as any other multiple-unit residential or mixed-use development project for which the County may require compliance with “objective” standards under applicable state housing law.

- C. Consistency with All Objective Standards.** In addition to the objective design standards established in this Section, multiple-unit residential and mixed-use development projects shall also comply with all other applicable objective standards and policies, including all applicable policies and provisions of the Local Coastal Program, and all adopted design guidelines, per the Coastal Zoning Ordinance and the County’s Comprehensive Plan.
- 1. Exception.** Applicants may request concessions, incentives, or waivers of development standards pursuant to Section 35-144C (Density Bonus Program).
 - 2. Conflicting Standards.** If there is any conflict between the objective standards set forth in this Section and any existing County or State objective standards, the more restrictive objective standard shall apply.

Nothing in this Section is intended to limit the Department’s discretion, to the fullest extent permitted under law, to condition the approval of multi-unit residential and mixed-use development projects, as authorized under state housing law and this code.

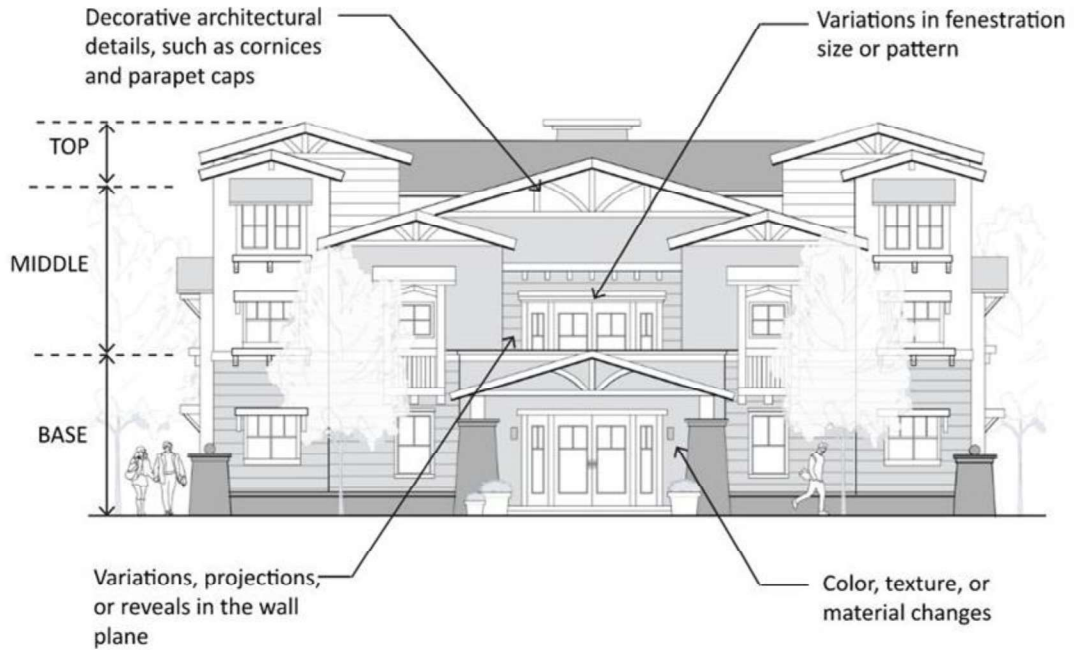
- D. Design Review Exemption.** Multi-unit and mixed-use projects that are subject to this Section, which comply with all applicable objective design review standards, shall not be subject to separate Design Review approval under Section 35-184 (Board of Architectural Review) of this code. In the event that any other provision of this code, in conflict with this provision, requires Design Review approval for a project subject to this Section, this Section shall apply. However, a maximum of one non-binding conceptual review by the appropriate Board of Architectural Review may occur to improve project design.
- E. Design Standards Compliance.** Department staff may consult with a Board of Architectural Review Chair, designee, or other design professional to assist in determining a project’s compliance with the objective design standards contained in this Chapter.

Section 35-144B.2 Building Design

- A. Building Form, Massing, and Articulation.**
- 1. Building Form and Vertical Hierarchy.** Buildings that are three stories or more in height shall be designed to differentiate between a defined base; a middle or body; and a top, cornice, or parapet cap. Buildings two stories or less shall include a defined base and a top, cornice, or parapet cap. All buildings shall achieve this effect through at least two of the following (See Figure 35-144B.1):
 - a.** Color, texture, or material changes.
 - b.** Variations, projections, or reveals in the wall plane.
 - c.** Variations in fenestration size or pattern.

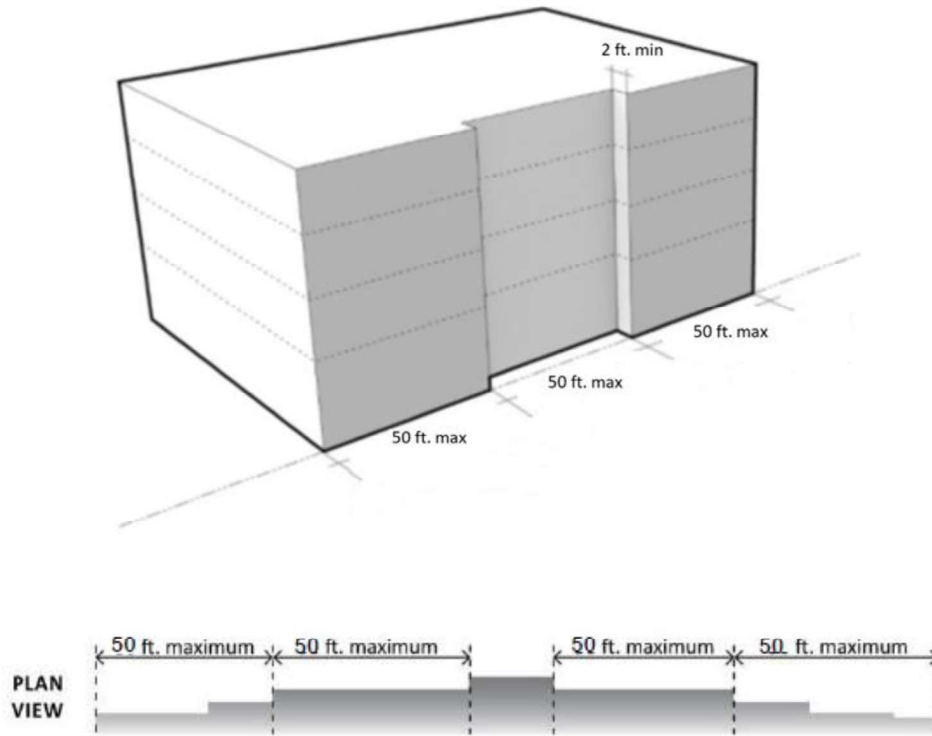
- d. Decorative architectural details, such as cornices and columns.

Figure 35-144B.1: Building Form And Vertical Hierarchy



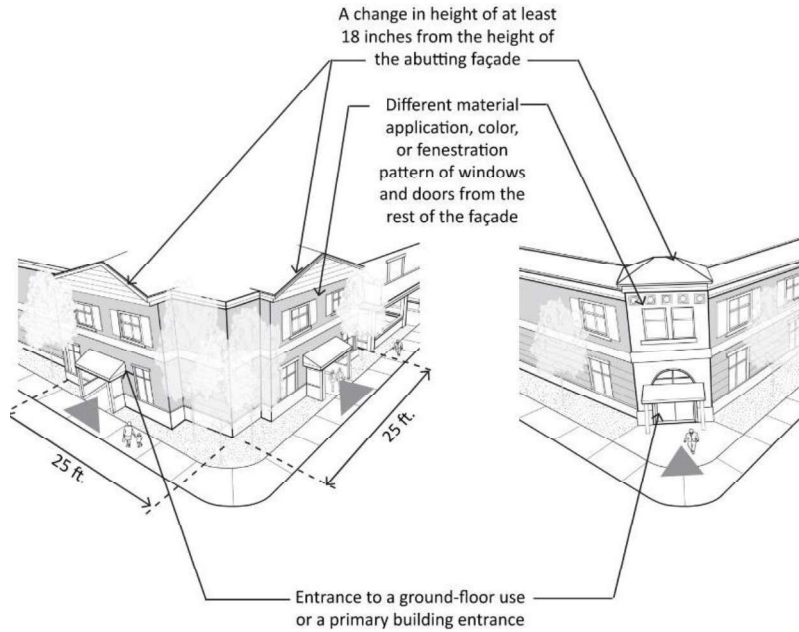
- 2. **Wall Plane Variation.** Building façades visible from the primary street shall not extend more than 50 feet in length without either an architectural element or a two-foot variation in depth in the wall plane. Architectural elements include: building entrances, front porches, balconies, upper-story setbacks, projections, and recessions, such as stoops, bay windows, overhangs, and trellises. (See Figure 35-144B.2).

Figure 35-144B.2: Wall Plane Variation



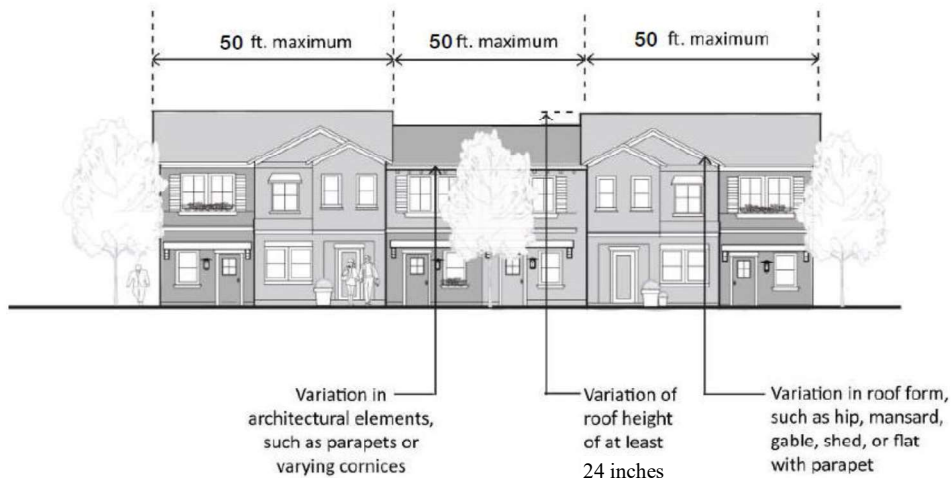
3. **All-Sided Architecture.** Buildings shall be designed and articulated with common details, articulation, materials, and elements on all sides.
4. **Corner Lots.** Buildings located on corner lots shall include one or more of the following features on both street-facing façades, located within 25 feet of the corner of the building closest to the intersection:
 - a. An entrance to a ground-floor use or a primary building entrance.
 - b. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade.
 - c. A change in height of at least 18 inches from the height of the abutting façade.

Figure 35-144B.3: Corner Lots



5. **Roof Line Variation.** Roof lines shall not extend more than a length of 50 feet without at least one prominent change as described below:
- a. Variation in roof form, such as hip, mansard, gable, shed, and flat with parapet.
 - b. Variation in architectural elements, such as parapets or varying cornices.
 - c. Variation of roof height of at least 24 inches for buildings of two stories or less and 30 inches for buildings of three stories or more (as measured from the highest point of each roof line).

Figure 35 -144B.4 Roof Line Variation



6. Roof Slopes.

- a. For buildings of three or more stories or roof spans of 30 feet or greater, sloped roofs shall have a minimum pitch of 4:12.

7. Flat Roofs and Parapets.

- a. Where rooftop equipment is located within 10 feet of a roof edge, a parapet shall be provided that is a minimum of six inches taller than all roof-top equipment.
- b. Interior side of parapet walls shall not be visible from a common open space or public right-of-way.
- c. Parapets shall be capped with precast treatment, continuous banding, projecting cornices, dentils, or similar edge treatment.

B. Building and Dwelling Unit Entrances. See Subsection 35-144B.3.A for orientation of building and dwelling unit entrances within a site.

1. Primary Building Entrance.

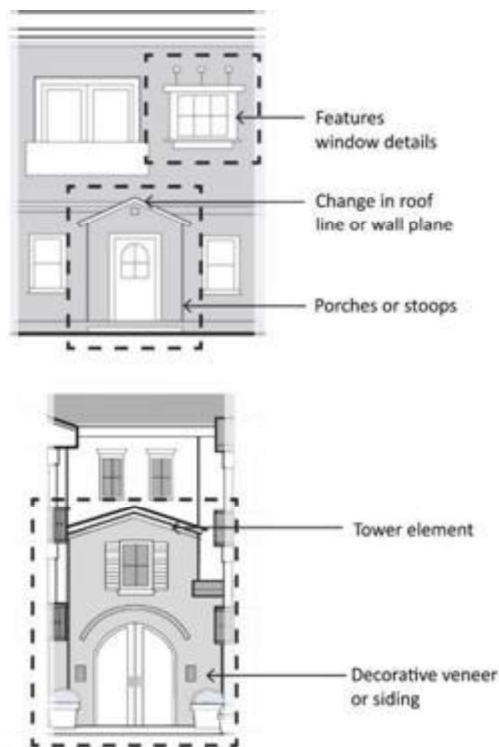
- a. **Street-Facing Entrance.** Buildings located within 20 feet of the primary street right-of-way shall have a ground-level primary building entrance facing the primary street.

2. Exterior Individual Dwelling Unit Entrance.

- a. **General Requirement.** All individual unit entrances shall have either a projected sheltering element or be recessed from the main facade; the projection or recess shall have a minimum depth of 24 inches.
- b. **Visibility.** All individual unit entrances shall be illuminated or shall face towards a common area or public street.

- c. **Street-Facing Unit Entrance.** Each dwelling unit located within 20 feet of a primary street right-of-way shall include at least one street-facing porch, balcony, or patio unless a setback of five feet or less is provided.
 - d. **Upper-Floor Unit Entrance.** Exterior entrances to individual dwelling units on upper floors are permitted.
3. **Architectural Treatments.** Entrances for buildings and individual dwelling units shall incorporate at least two of the following architectural treatments:
- a. Feature window details;
 - b. Towers;
 - c. Decorative veneer or siding;
 - d. Porches or stoops; or
 - e. Changes in roof line or wall plane.

Figure 35.33-5: Architectural Treatment at Entrances



C. Windows.

- 1. **Privacy.** Where windows are proposed within 10 feet of a window on another building, the design and placement shall avoid unfiltered/direct views into the adjacent site and shall be designed with one or more of the following:

- a. Use non-transparent or obscured glazing, such as frosted/patterned glass. Reflective glazing is not permitted.
- b. Provide permanent architectural screens or affixed louvers at windows.
- c. Offset windows horizontally at least 12 inches from any windows in adjacent buildings (edge to edge), so as not to have a direct line-of-sight into adjacent units.
- d. Permanent landscaping screening.

2. **Window Treatment.**

- a. **Design Treatment.** Windows shall either be recessed at least three inches from the plane of the surrounding exterior wall or shall have a trim or windowsill at least one-half inch in depth.
- b. **Windows Facing a Public Street.** Windows facing a public street shall feature enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.

D. **Materials and Colors.**

1. **Wall Material.** The primary exterior siding material for buildings shall be wood, composite wood, stone, stone veneer, granite, slate, brick, brick veneer, stucco, plaster, fiber cement, vinyl, or metal including aluminum or steel. The use of exposed plywood or glass curtain walls is prohibited.
2. **Window Consistency.** Window frame materials and color shall be used on all elevations.
3. **Material and Color Transition.** Changes in material or color shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as columns.
4. **Accent Material.** Use of two or more accent materials, such as glass, tile, brick, stone, concrete, wood, metal, or plaster, shall be incorporated to highlight building features.
5. **Architectural Consistency.** Affordable units and market-rate units in the same development shall be constructed of the same exterior materials and details such that the units are not distinguishable from one another in quality and detail.

E. **Parking Structures.**

1. **Wall Plane Variation.** Building façades visible from the primary street shall not extend more than 50 feet in length without at least one of the following: a two-foot variation in depth in the wall plane, architectural element, or other prominent feature that provides visual interest.
2. **Materials and Colors.** The parking structure shall utilize the same colors and materials as the primary buildings.
3. **Articulation.** The exterior of the parking structure shall apply at least one of the following as articulation:
 - a. Applied materials, such as brick, stone, and/or siding, which extend at least two inches from the face of the structure to the face of the applied materials. Painted concrete, smooth concrete, or stucco walls shall not be considered sufficient articulation.

b. Decorative architectural features, such as cut metal screens, awnings, trellises, louvers, and/or decorative security grills.

4. **Vertical Plantings.** Vertical plantings shall be located between openings, entrances, and architectural accent features. Plantings shall be evergreen vegetation that will grow to a minimum height equivalent to 75 percent of the height of the parking structure; container size shall be selected to achieve a height of at least 50 percent of the height of the parking structure within at least two years from the time of installation.

F. Garages and Carports.

1. Garages.

a. Garage doors shall be recessed a minimum of six inches from the surrounding wall plane.

b. Garages shall feature at least one of the following treatments:

i. Garage door windows.

ii. Paneled garage door surface.

iii. Two different colors.

iv. Alternative architectural materials, finishes, or treatments.

2. **Carports.** Carports shall incorporate the same colors and materials as the primary residential or mixed-use building design.

Section 35-144B.3 Site Design

A. Building Placement and Orientation.

1. **Street Facade.** If buildings on adjacent properties establish a contiguous street facade along the primary street frontage, new buildings shall be located to maintain the contiguous street wall, with allowances for variation in facade and entrances which are projected or recessed.

2. **Visibility of Entrances.** On all lots 60 feet or less in width, at least one primary building entrance or individual unit entrance shall be visible from the front or street side lot line. See Subsection 35-144B.3.C.

3. **Buffer for Adjacent Single Family Homes.** When developing multi-family buildings of three or more stories adjacent to single-family residential zones (e.g. R-1/E-1), site design shall utilize parking areas, common open space, landscaping, and/or other site features to provide a buffer for adjacent development.

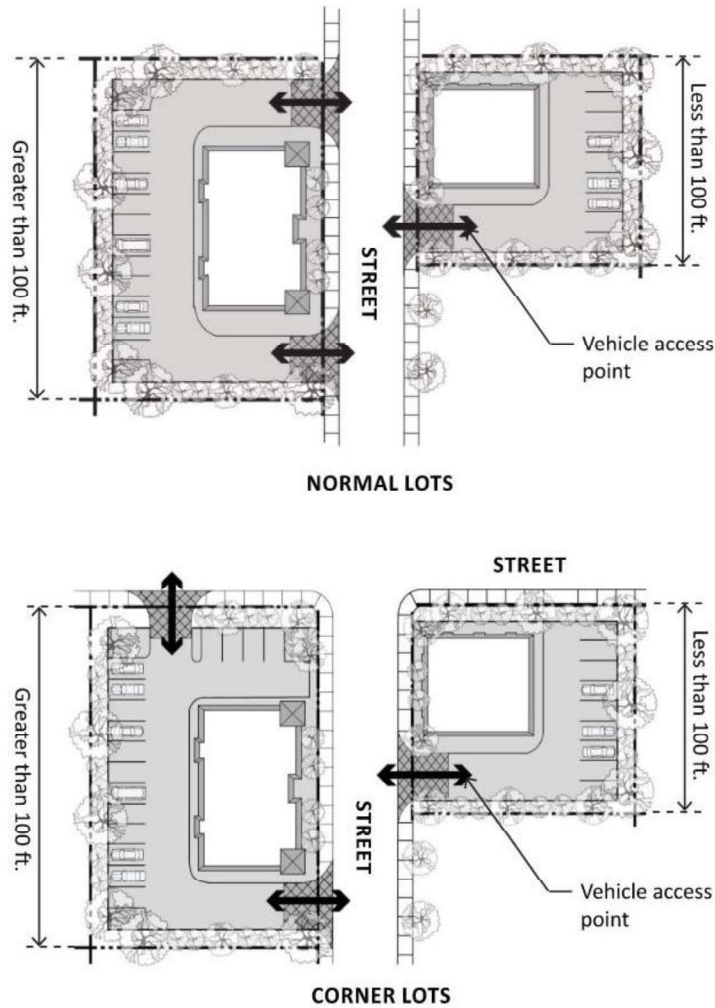
B. Vehicular Parking and Access. Vehicular parking and access shall comply with the provisions of Division 6, Parking Regulations, of this Code. In addition, projects shall provide the following:

1. **Primary Access.** Side street or alley access shall serve as the primary vehicular access to parking areas, if available. If not available, the primary street shall serve vehicular access.

2. **Number of Access Points.**

- a. Normal Lots. A maximum of one vehicle access point from the street is permitted per 100 feet of street frontage.
- b. Corner Lots.
 - i. One vehicular access point is permitted per lot where all street frontages are less than 100 linear feet.
 - ii. Two vehicular access points are permitted on lots where at least one street has a frontage of 100 linear feet or more.

Figure 35-144B.6: Vehicular Access Points



3. Parking Location. Parking areas shall not be located within any front or street side setback.

- 4. Mixed-Use Loading and Service Areas.** In addition to the provisions below, loading and service areas shall comply with the standards of Division 6, Parking Regulations, as applicable.
- a. All required loading and service areas shall be located adjacent to a façade other than the primary street frontage.
 - b. Loading and service areas shall be located so as to not disrupt or block the flow of on-site and off-site vehicular traffic.
 - c. Loading and service areas shall not be located adjacent to residential dwelling units or common open space areas.
 - d. Loading and service areas shall be screened from view with walls, solid fencing, and/or landscape privacy screening as described in Subsection 35-144B.3.E.
 - e. On-Site Loading Spaces. Every nonresidential use shall provide and maintain on-site loading and unloading spaces for vehicles as required by this Section:

Table 35-144B.1 Number of Spaces Required

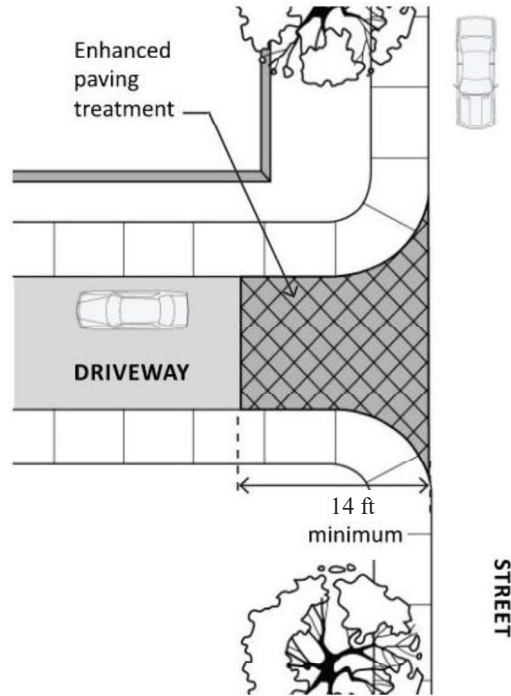
| Gross Floor Area (Square Feet) | Number of Spaces |
|--------------------------------|------------------|
| Office | |
| 5,000-36,000 | 1 |
| 36,000 and greater | 2 |
| Commercial | |
| 5,000-24,000 | 1 |
| 24,000-60,000 | 2 |

Table 35-144B.2 Minimum Dimensions for Loading Spaces

| | Minimum Length (feet) | Minimum Width (feet) | Required Vertical Clearance (feet) | Length of Maneuvering Space (feet) |
|--------------|-----------------------|----------------------|------------------------------------|------------------------------------|
| Space | 24 | 12 | None | 36 |

- 5. Enhanced Paving for Entrance Driveways.** Paving treatment using patterned and/or colored pavers, brick, or decorative colored and/or scored concrete shall be used for entrance driveways, a minimum of 14 feet in length, and spanning the width of the entrance driveway.

Figure 35-144B.7: Enhanced Paving For Entrance Driveways



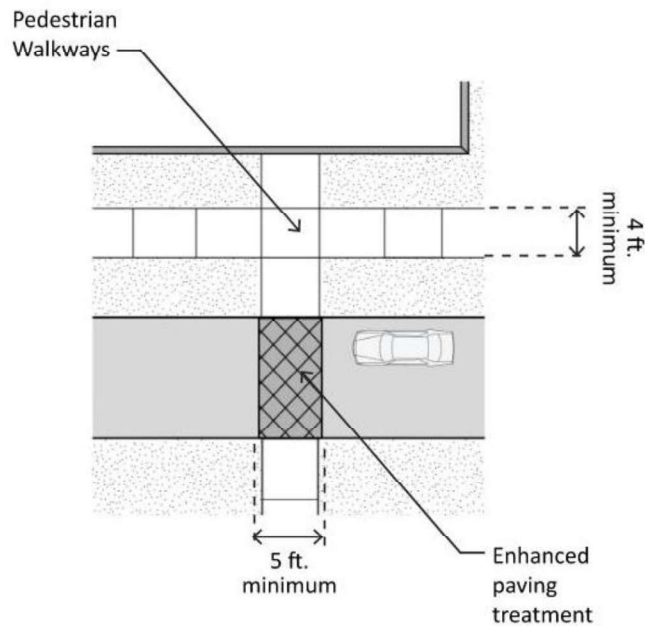
6. **Vehicle Light Intrusion.** Vehicle headlights shall be obstructed from direct alignment with habitable interior spaces with a minimum 3-foot high evergreen shrub or vine and/or features such as fencing or walls.

C. Pedestrian Circulation and Access.

1. **General.** The following pedestrian walkways shall be provided and interconnected within the site:
 - a. Pedestrian walkways shall connect residential dwelling units to areas throughout the site, such as vehicle parking areas, bicycle parking areas, common open space, waste and recycling enclosures, and other amenities.
 - b. Pedestrian walkways shall connect public sidewalks, building entrances, and vehicle parking areas.
 - c. Pedestrian walkways shall connect building entrances and vehicle parking areas through the site interior to all transit stops directly adjacent to the site.
2. **Pedestrian Walkways.** Pedestrian walkways shall be provided with a minimum width of four feet along their entire length and shall be designed as follows:

- a. Through Lot Connection. Through lots located more than 300 feet from a street intersection, measured from the closest point of the lot, shall provide a publicly accessible sidewalk or walkway connecting the two streets.
- b. Materials. Walkways shall be constructed of firm, stable, and slip-resistant materials, such as poured-in-place concrete (including stamped concrete), permeable paving, decomposed granite, or concrete pavers.
- c. Paving for Pedestrian Crossings. Where an intersection of pedestrian and vehicle access exists, enhanced paving treatment using patterned and/or colored pavers, brick, or decorative colored and scored concrete shall be used. Pedestrian crossings shall feature enhanced paving a minimum width of five feet and span the length of the intersecting drive area.

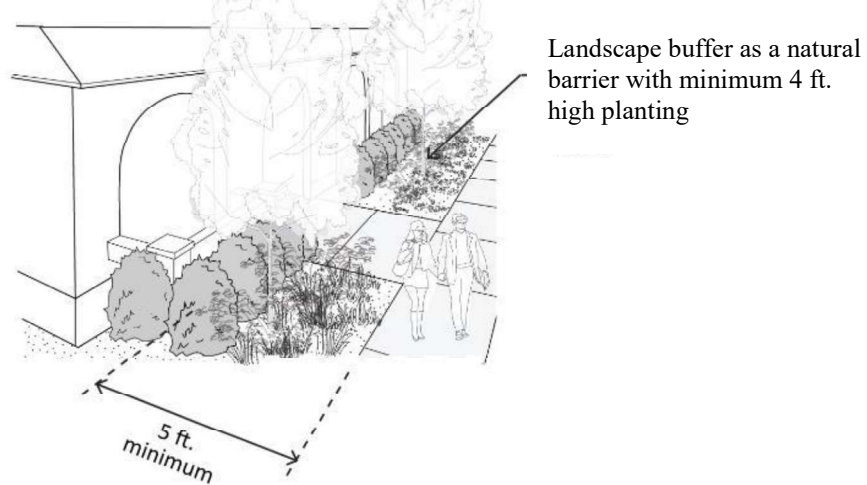
Figure 35-144B.8: Pedestrian Walkways



- d. Maintenance. Pedestrian walkways shall be maintained in good condition for the life of the project and shall not be allowed to fall into disrepair so as to constitute a nuisance or hazard to the public.
- 3. Enhanced Paving for Building Entrances.** Primary building entrances shall provide decorative and accent paving that contrast in color and texture with the adjacent walkway paving. Grasscrete is prohibited.

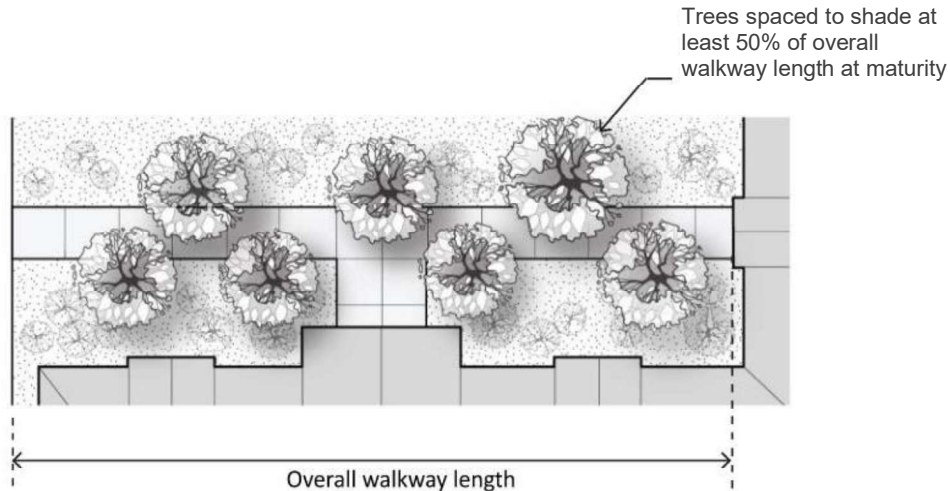
- D. Common Open Space.** Common open spaces for multiple-unit developments shall comply with the minimums required by the base Zone District in which they are located in accordance with Chapter 35. Rooftops may be used to satisfy up to 75% of the common open space requirements.
- E. Landscaping.** Landscaping shall be used for all outdoor areas that are not specifically used for parking, driveways, walkways, or open space.
- 1. Additional Landscaping Requirements.** Landscaping must comply with Section 35.434 (Landscaping) including all requirements of the State and County’s Water Efficient Landscaping Ordinance (WELO) including the submittal of irrigation plans.
 - 2. Plant Materials.** Plant materials are limited to non-invasive Mediterranean, California native, and other drought-tolerant species.
 - 3. Parking and Loading Area Landscaping.** Parking and loading area landscaping must comply with Section 35-115 (Landscaping/Screening of Parking Areas).
 - 4. Landscape Buffer.** A landscape buffer of a minimum width of five feet shall be located between all ground-level restricted open spaces and pedestrian walkways. The buffer shall be planted to create a barrier while ensuring visibility. Plants shall be selected to enhance security (e.g. spines or thorny plants) and shall be demonstrated to grow to a minimum height of four feet.

Figure 35-144B.9: Landscape Buffer



- 5. Pedestrian Walkways.** Pedestrian walkways shall be flanked on at least one side with landscaping and may include a mix of turf, groundcover, and shrubs. Trees shall be provided along walkways in order to shade at least 50 percent of the overall walkway length at maturity.

Figure 35-144.B.10: Pedestrian Walkways



6. **Number of Plants.** A minimum of one 15-gallon tree or equivalent box size and 10 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
7. **Groundcover.** Groundcover shall be sized and located to cover at least 75 percent of all landscape areas that are not planted with shrubs or trees within 5 years of installation.
 - a. While groundcovers and shrubs are establishing, a minimum layer of 3-inch bark mulch or decorative gravel shall be placed within all landscape areas to provide 100 percent coverage of such landscape areas.
8. **Plant Selection.** Artificial or synthetic plants, except for turf, are prohibited. Artificial turf is not permitted in front or street-side setbacks.
9. **Solar Access.** Landscaping shall not obstruct solar access to adjacent solar collectors for water heating, space heating or cooling, or electricity generation.
10. **Privacy.** Landscape screening shall obscure direct sight lines into dwelling units and open space areas from communal areas such as parking areas, common mailboxes, and pedestrian walkways. Landscape screening may be used in combination with walls, fencing, and/or trellises to screen views.
 - a. **Location.** Landscape screening shall fit within associated planting areas and canopy sizes must not overlap with building foundations or eaves.
 - b. **Plant Selection.** Landscape screening shall use evergreen trees, shrubs, and/or vines located and sized to buffer views. Deciduous species, perennials, and grasses or grass-like plants are not permitted for privacy screening.
 - c. **Minimum Sizes.** Landscape screening and vegetation shall use the following minimum container sizes at the time of planting:
 - i. Trees 15-gallon size.

- ii. Shrubs 5-gallon size.
- iii. Vines 5-gallon size.

Section 35-144B.4 Mixed Use Standards

- A. **Ground Floor Height.** The ground floor of a mixed-use building shall have a minimum floor height of 12 feet, measured from the finished ground floor to the bottom of the finished second floor.
- B. **Ground Floor Transparency.** Exterior walls facing a public street shall include transparent windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Parking garages are not required to meet the ground floor transparency requirement.
- C. **Street-Facing Setbacks.** Street-facing setbacks shall be landscaped and/or prepared for use by pedestrians. The setback area on each lot shall contain at least two amenities per 50 linear feet, such as benches, drinking fountains, shade structures, or other design element (e.g., public art, planters, kiosks, etc.).
- D. **Street-Facing Entrance.** Mixed-use buildings located within 20 feet of a primary street right-of-way shall incorporate at least one primary building entrance directly from the public sidewalk or right-of-way. The primary building entrance shall include weather protection that is a minimum of six feet wide and four feet deep by recessing the entrance or providing an awning or similar weather protection element.

Section 35-144B.5 Utilitarian Elements

- A. **Bicycle Parking.** Bicycle parking shall be provided as follows:
 - 1. **Parking Spaces Required.** One (1) space for every two (2) dwelling units. A minimum of two (2) spaces shall be provided.
 - 2. **Parking Location.** Bicycle parking must be located on the same lot as the use it serves.
 - a. Located at surface levels near main pedestrian entrances to nearby facilities or structures, or in the parking garages of such facilities or structures;
 - b. Located so as not to block pedestrian entrances, walkways, or circulation patterns in or around nearby facilities or structures;
 - c. Access to and from nearby public streets and sidewalks for the target users of the bicycle parking;
 - d. Accessible only to residents and owners, operators, and managers of a residential facility when the involved use is residential.
 - 3. **Size and Accessibility.** Each bicycle parking space must be a minimum of two feet in width and six feet in length and must be accessible without moving another bicycle. Two feet of clearance must be provided between bicycle parking and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways, and at least five feet from vehicle parking spaces.
 - 4. **Anchoring and Security.**

- a. Bicycle parking must be located in one or more of the following:
 - i. An enclosed bicycle locker;
 - ii. An illuminated, fenced, covered, and locked or guarded bicycle storage area;
 - iii. A secure area within a building or structure.
- b. Bicycle Locker. When using bicycle lockers, they shall be:
 - i. Of sufficient size to hold an entire bicycle; and
 - ii. Securely anchored to a permanent surface.
- c. Bicycle Rack. When using bicycle racks, they shall be:
 - i. Located and installed to support an entire bicycle, including the frame and wheels, so that the frame and wheels can be locked without damage when using a customary, heavy-duty cable, or U-shaped bicycle lock, or any other security device.

B. Trash, Recycling, and Green Waste Container Enclosures. Enclosures for recycling, green waste, and any other waste containers required by law are required for multiple-unit and mixed-use developments, and shall comply with the applicable provisions of this Code. Enclosures shall be located within a building, incorporated into the exterior building design, or located within a detached enclosure designed and placed as follows:

- 1. **Location.** The enclosure shall be located to the rear or side of the building(s) and located outside of view from a public right-of-way.
- 2. **Materials.** The enclosure shall incorporate the materials and colors of the primary residential or mixed-use building design.

C. Fences and Walls. Fences and walls shall comply with the provisions of Section 35-123 (Fences, Walls and Gate Posts) of this Code.

D. Lighting. Lighting shall comply with the provisions of Section 35-139 (Exterior Lighting) of this Code.

E. Screening of Mechanical Equipment. The following development standards shall apply to new development projects subject to this Section, as well as to the replacement or provision of new equipment that is added to serve existing building(s) that are subject to this Section.

- 1. **General Requirements.** All exterior mechanical equipment, whether on a roof, on the side of a structure, or located on the ground, must be screened from public view. Exterior mechanical equipment to be screened includes, without limitation, heating, ventilation, air conditioning, refrigeration equipment, plumbing lines, ductwork, transformers, smoke exhaust fans, water meters, backflow preventers, service entry sections, and similar utility devices.
 - a. Screening must be architecturally integrated into the main structure with regard to materials, color, shape, and size to appear as an integral part of the building or structure.
 - b. Equipment must be screened on all sides.

c. The use of expanded metal lath or chain link for the purpose of screening is prohibited.

2. Requirements for Specific Types of Mechanical Equipment. The following additional screening standards apply to the specified types of mechanical equipment.

a. Ground-Mounted Equipment. Ground-mounted equipment that faces a public viewing area must be screened to a height of 12 inches above the equipment and designed and painted to blend in with the surrounding area, unless such screening conflicts with utility access, in which case screening shall comply to the greatest extent that is technically feasible. Acceptable screening devices consist of decorative walls, berms, and/or plant materials.

b. Exterior Wall Equipment. Screening for wall-mounted equipment, (e.g., electrical meters, cable-connection boxes, electrical distribution cabinets, etc.) must incorporate elements of the building design (e.g., shape, color, texture, material, etc.). For screen walls that are three feet in height or lower, vegetative materials may be substituted for the screening device. This requirement does not apply to equipment that has accessibility and visibility requirements for health and safety.

F. Vents and Exhaust. All wall-mounted vent and exhaust elements shall be located at interior corners of building walls or behind building elements that conceal them from public view. All flashing, sheet metal vents, exhaust fans or ventilators, and pipe stacks shall be painted a color to match the adjacent roof or wall material.

Section 35-144B.6 Definitions.

For the purpose of Section 35-144B, the following definitions apply. Any terms used in this Section 35-144B that are undefined below, but that are defined in Division 2, Definitions, shall have the meaning ascribed to them in Division 2.

Arcade. A series of arches supported by columns, pilasters, or piers.

Bracket. A projection from a vertical surface providing structural or visual support, typically found under cornices, balconies, windows, or any other overhanging element.

Colonnade. A row or series of evenly-spaced columns set at regular intervals, often freestanding or supporting a roof.

Cornice. A projecting shelf along the top of a wall supported by a series of brackets; the exterior trim where a roof and wall meet, consisting of soffit, fascia, and crown molding.

Dentil. An architectural detail of small, repeating blocks, typically used as a decoration under the soffit of a cornice.

Fenestration. The arrangement, proportioning, and design of windows, doors, and other exterior openings in a building.

Grasscrete. A type of permeable surfacing product that is manufactured using reinforced concrete pavers and designed to allow for grass, gravel, or stone to fill in the voids of the pavers and is sturdy enough to accommodate occasional vehicular use.

Groundcover. Low-growing herbaceous or woody vegetation, other than turf, which typically grows less than two feet high and is used for understory planting under shrubs and trees. Generally, grows with a creeping or spreading habit and is used to cover bare soil areas within landscape planter areas.

Multiple-Unit. A housing development that contains two or more residential units.

Objective Design Standard. A standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal.

Parking Structure. A wholly or partly enclosed structure, comprised of one or more stories, used exclusively for the parking and storage of vehicles. A parking structure may be totally below-grade or subterranean, partially above-grade, or totally above-grade.

Pilaster. A partial pier or column, often with a base, shaft, and capital that is embedded in a wall and projects slightly.

Reveal. An inner surface of an opening or recess in a wall, typically in relation to a window or door.

Roof, Gable. A roof which slopes downward in two opposite directions from an upper, central ridge.

Roof, Hip. A roof which slopes downward in four directions from an upper, central point.

Roof, Mansard. A roof with a steep lower slope and flatter upper slope on all sides, either of convex or concave shape.

Roof, Shed. A roof which slopes downward in one direction and has no hips, ridges, or valleys.

Street, Primary. A primary street in relation to an existing or proposed site is the right-of-way with the higher street classification according to the City's Transportation Element, and which carries the greater volume of vehicular traffic.

Street Facade. The wall plane or facade of buildings facing a street, comprised of one or more contiguous buildings. Often used to describe a pedestrian-oriented environment.

SECTION 29:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to repeal existing Section 35-144C Density Bonus for Affordable Housing Projects in its entirety, and to adopt a new Section 35-144C Density Bonus Program, to read as follows:

Section 35-144C. Density Bonus Program.

Section 35-144C.1 Purpose and Intent

This Section implements State Density Bonus Law, including Government Code Sections 65915 through 65918, and successor statutes. State Density Bonus Law allows qualified projects to include more residential units than the Comprehensive Plan, including the Coastal Land Use Plan, and this Article would otherwise allow. In exchange, these projects must include a specified number of residential units for lower or moderate-income households, senior citizens, or special groups (i.e., transitional foster youth, disabled veterans, homeless persons, or lower income students). Qualified projects may also receive incentives or

concessions, waivers or reductions of development standards, and parking ratios. Special incentives are available for certain projects that include land donations or childcare facilities. There are also conditions under which the conversion of apartments to condominiums may receive a density bonus or other incentive.

State Density Bonus Law requires the County to adopt an ordinance that specifies how compliance with the State Density Bonus Law will be implemented. The intent of this Section is to implement State Density Bonus Law, as may be amended. The intent of the following regulations is to ensure that, to the maximum extent feasible, the provisions of Government Code 65915 through 65918 are implemented (1) in a manner that is consistent with the policies the Comprehensive Plan and the Coastal Land Use Plan, and (2) in a manner that is consistent with the policies of Chapter 3 of the Coastal Act. If legislation is enacted that amends Government Code sections 65915 through 65918 or other provisions of State Density Bonus Law which would supersede or preempt any section or subsection of this Section then, the Board deems that section or subsection null and void and this Section shall remain in effect without said section or subsection and continue to apply to all density bonus requests.

Section 35-144C.2 Eligibility

- A. Eligible projects.** Except as provided in Subsection B (Ineligible projects) below, the following projects shall be eligible for density bonuses, incentives or concessions, waivers or reductions of development standards, and/or parking ratios pursuant to the amount, type, and other applicable criteria in this Section and the State Density Bonus Law:
- 1. Housing developments.** A housing development for five or more residential units, including mixed-use developments, which will contain at least one of the following:
 - a.** A specific percent of the total units for lower, very low-, moderate-, or lower and moderate-income households pursuant to Government Code Sections 65915(b)(1)(A), (B), (D), and (G) or successor statutes;
 - b.** A senior citizen housing development pursuant to Government Code Section 65915(b)(1)(C) or successor statute;
 - c.** A mobile home park that limits residency based on age requirements for housing for older persons pursuant to Government Code Section 65915(b)(1)(C) or successor statute;
 - d.** Ten percent of the total units for transitional foster youth, disabled veterans, or homeless persons pursuant to Government Code Section 65915(b)(1)(E) or successor statute; or
 - 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) or successor statute.
 - 2. Condominium projects.** A project to convert apartments to a condominium that will provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income, or at least 15 percent of the total units of the proposed condominium project to lower income households pursuant to Government Code Section 65915.5 or successor statute. See Section 35-144C.8 (Condominium Projects) for information on qualified projects and applicable density bonuses and incentives.

- B. Ineligible projects.** The following projects shall be ineligible for density bonuses or other incentives or concessions:
- 1. Ineligible housing development projects.** An applicant shall be ineligible for a density bonus or any other incentives or concessions under this Section and Government Code Section 65915 if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity’s valid exercise of its police power; or occupied by lower or very low-income households, unless the proposed housing development replaces those units, and otherwise complies with the terms in Government Code Section 65915(c)(3) or successor statute.
 - 2. Ineligible condominium projects.** The following projects to convert apartments to a condominium shall be ineligible for a density bonus or other incentives:
 - a.** Pursuant to Government Code Section 65915.5(f) or successor statute, the apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were provided under this Section or Government Code Section 65915.
 - b.** Pursuant to Government Code Section 65919.5(g) and (h) or successor statutes, the condominium project is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through the County’s valid exercise of its police power; or occupied by lower or very low income households.

Section 35-144C.3 Density Bonus for Housing Developments

- A. Applicability.** The Department shall grant density bonuses in accordance with Government Code Sections 65915(b) and 65915(v) or successor statute to housing developments that meet the criteria in Subsection 35-144C.2.A. 1 (Housing developments) above, and Government Code Section 65915(b) or successor statute 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.
- B. Meaning.** “Density bonus” means a density increase over the otherwise maximum allowable gross residential density as of the date of application submittal by the applicant to the Department, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density.
- C. Amount/percentage.** The amount of density increase for eligible housing developments shall be calculated pursuant to the percentages, conditions, and other provisions in Government Code Section 65915(f) or successor statute

- D. Optional increase in amount/percentage.** The Department may grant a density bonus greater than what is described in Government Code Section 65915(f) or successor statute for housing developments that meet the requirements of this Section 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.
- E. Density bonus location.** Eligible housing developments and density bonuses shall be located in areas as defined in Government Code Section 65915(i) or successor statute.
- F. Continued affordability and affordable housing agreement – rental units.** An applicant shall agree to, and the County shall ensure, the continued affordability of all very low-, low-, and moderate-income rental units that qualified the applicant for a density bonus for a minimum duration as follows:
1. Projects that are funded without low-income housing tax credits shall ensure affordability for a minimum period of 90 years;
 2. Projects that are funded with low-income housing tax credits shall ensure affordability for a minimum period of 55 years.

In addition, the County shall enforce an affordable housing agreement, pursuant to the terms in Government Code Section 65915(c)(1) or successor statute.

- G. Continued affordability – for-sale units.** An applicant shall agree to, and the Department shall ensure that the qualified applicant for the density bonus award meets either of the following pursuant to Government Code Section 65915(c)(2) or successor statute:
1. The initial occupant of all for-sale units that qualified the applicant for the density bonus are persons and families of very low, low, or moderate income, the units are offered at an affordable housing cost, and are subject to an equity sharing agreement, unless this is in conflict with the requirements of another public funding source or Chapter 46 of the County Code.
 2. If the unit is not purchased by an income-qualified person or family within 180 days after the issuance of the certificate of occupancy, the unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies the requirements in the California Revenue & Tax Code §402.1(a)(10) and includes all of the following:
 - a. The nonprofit corporation has a determination letter from the Internal Revenue Service affirming its tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code and is not a private foundation as that term is defined in Section 509 of the Internal Revenue Code;
 - b. The nonprofit corporation is based in California;
 - c. All of the board members of the nonprofit corporation have their primary residence in California; and
 - d. The nonprofit corporation incorporates within their contracts for initial purchase a repurchase option that requires a subsequent purchaser of the property to offer the nonprofit corporation the right to repurchase the property prior to selling or conveying

that property to any other purchaser pursuant to an equity sharing agreement, unless this is in conflict with the requirements of another public funding source or Chapter 46 of the County Code; or affordability restrictions requiring the property to be sold or resold only to very low-, low-, or moderate-income households and preserved for lower-income housing for at least 45 years if the project is funded with low-income housing tax credits or at least 90 years if the project is funded without low-income housing tax credits.

For the purposes of this Chapter a qualified nonprofit housing corporation shall mean a nonprofit housing corporation organized pursuant to Internal Revenue Code §501(c)(3) that has received a welfare exemption under the California Tax and Revenue Code §214.15 for properties intended to be sold to low-income families who participate in a special no-interest loan program.

Section 35-144C.4 Incentives or Concessions for Housing Developments

- A. Applicability.** An applicant for a density bonus pursuant to Section 35-144C.3 (Density Bonus for Housing Developments) above, and Government Code Section 65915(b) or successor statute, may submit to the Department a proposal for the specific incentives or concessions that the applicant requests pursuant to this Section 35-144C.4 (Incentives or Concessions for Housing Developments) and Government Code Section 65915(d) or successor statute.
- B. Number of incentives or concessions.** Except as provided in Subsection D (Approval and findings for denial) below, and Government Code Section 65915(d)(1) or successor statute, the applicant shall receive from one to five incentives or concessions pursuant to Government Code Section 65915(d)(2) and Government Code Section 65915(v) or successor statutes.
- 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.
 - 2. Approval of mixed use zoning.** Approval of mixed use zoning in conjunction with the housing development if commercial, office, industrial or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing development and the existing or planned development in the area where the housing development will be located and 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.
 - 3. Other regulatory incentives or concessions.** Other regulatory incentives or concessions proposed by the applicant or the Department that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in Government Code

Section 65915(c) or successor statute.

4. **Direct financial incentives.** This Section 35-144C.4 (Incentives or Concessions for Housing Developments) does not limit or require the provision of direct financial incentives for a housing development, including the provision of publicly owned land by the County or the waiver of fees or dedication requirements.

D. Approval and findings for denial. The Department shall grant the incentives or concessions requested by the applicant unless the Department makes a written finding, based on substantial evidence, of any of the following:

1. The concession or incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs or for rents for the targeted units pursuant to Government Code Section 65915(d)(1)(A) or successor statute;
2. The concession or incentive would have a specific, adverse impact upon public health and safety, or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low- and moderate-income households pursuant to Government Code Section 65915(d)(1)(B) or successor statute; or
3. The concession or incentive would be contrary to state or federal law, including implementation of the Coastal Act, pursuant to Government Code Section 65915(d)(1)(C) or successor statute.

Section 35-144C.5 Waiver or Reduction in Development Standards for Housing Developments

A. Applicability. Except as provided in Subsection B (Limitations and standards for a waiver or reduction in development standards) below, an applicant may submit to the Department a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a housing development that meets the criteria in Subsection 35-144C.2.A.1 (Housing developments) above, and Government Code Section 65915(b) or successor statute at the densities or with the concessions or incentives permitted under this Section.

B. Limitations and standards for a waiver or reduction in development standards. The Department shall apply the following limitations and standards when considering an applicant's request for a waiver or reduction of development standards:

1. **Limitation on development standards.** The Department shall not apply any development standard that will have the effect of physically precluding the construction of a housing development meeting the criteria in Section 35-144C.2.A.1 (Housing developments) above, and Government Code Section 65915(b) or successor statute at the densities or with the concessions or incentives permitted by this Section.
2. **Impact on health or safety.** Nothing in this subdivision shall be interpreted to require the Department to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2) or successor statute, upon health or safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

3. **Impact on historical resources.** Nothing in this subdivision shall be interpreted to require the Department to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
4. **No effect on state and federal law.** Nothing in this subdivision shall be interpreted to require the Department to grant any waiver or reduction that would be contrary to state or federal law, including implementation of the Coastal Act.
5. **No effect on incentives or concessions.** A proposal for the waiver or reduction of development standards pursuant to this Section 35-144C.5 (Waiver or Reduction in Development Standards for Housing Developments) shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to Section 35-144C.4 (Incentives or Concessions for Housing Developments) and Government Code Section 659195(d) or successor statute.
6. **Limitation for a housing development near a major transit stop.** A housing development that receives a waiver from any maximum controls on density because it is located within one-half mile of a major transit stop shall only be eligible for a waiver or reduction of development standards as provided in Government Code Sections 65915(d)(2)(D) and 65915(f)(3)(D)(ii) or successor statutes, unless the Department agrees to additional waivers or reductions of development standards.
 - a. For purposes of this Section, “major transit stop” shall have the same meaning as defined in Public Resources Code Section 21155.
 - b. For purposes of this Section, “located within one-half mile of a major transit stop” shall have the same meaning as defined in Government Code Section 65915(o)(3) or successor statute.

Section 35-144C.6 Parking Ratios for Housing Developments

- 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.
- B. **Limited or no parking ratio for certain housing developments.** Notwithstanding Subsection A (Maximum parking ratios) above, and Government Code Section 65915(p)(1) or successor statute, and upon the request of the applicant, the Department shall impose a limited vehicular parking ratio or no vehicular parking ratio, inclusive of parking for persons with a disability and guests, for the following housing developments:
 1. The parking ratio shall not exceed 0.5 spaces per unit for a housing development that includes at least 20 percent low-income units or at least 11 percent very low-income units

and meets the remaining criteria in Government Code Section 65915(p)(2)(A) or successor statute.

2. The parking ratio shall not exceed 0.5 spaces per bedroom for a housing development that includes at least 40 percent moderate-income units and meets the remaining criteria in Government Code Section 65915(p)(2)(A) or successor statute.
3. No parking ratio or standards for a housing development that consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families shall be imposed if it meets the criteria in Government Code Section 65915(p)(3) or successor statute.
4. Pursuant to the criteria in Government Code Section 65915(p)(4) or successor statute, and notwithstanding Government Code Sections 65915(p)(1) and (8), no minimum parking requirement shall be imposed for a housing development that consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families and is a special needs housing development with either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day, or a supportive housing development.

C. General requirements. The Department shall apply the following requirements when processing an applicant's request for a reduced vehicular parking ratio in accordance with Government Code Section 65915(p) or successor statute:

1. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number.
2. For purposes of this Section, a housing development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking.
3. An applicant may request parking incentives or concessions beyond those provided in this Section 35-144C.6 (Parking Ratios for Housing Developments), pursuant to Government Code Section 65915(d), or successor statute.
4. Notwithstanding Subsection B (Limited or no parking ratio for certain housing developments), above, and Government Code Sections 65915(p)(2) and (3), or successor statutes, the Department may impose a higher vehicular parking ratio not to exceed the ratio described in Subsection A (Maximum parking ratios), above, , based upon substantial evidence found in a parking study or in order to avoid impacts on coastal access in accordance with the Local Coastal Program.
5. A request pursuant to this Section 35-144C.6 (Parking Ratios for Housing Developments) shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to Section 35-144C.4 (Incentives or Concessions for Housing Developments), above, and Government Code Section 65915(d) or successor statute.

Section 35-144C.7 Additional Density Bonus or Incentive or Concession for Land Donations or Childcare Facilities

A. Applicability and Type of Density Bonus. The Department shall grant an additional density bonus

or incentive or concession as follows:

1. **Land donations.** When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the County for the development of very low-income housing units, the applicant shall be entitled to an increase above the otherwise maximum allowable density mandated by Government Code Section 65915(b) or successor statute pursuant to the amount and conditions specified in Government Code Section 65915(g) or successor statute and any other applicable provisions in Government Code Section 65915.
2. **Childcare facilities.** A housing development that conforms to Government Code Sections 65915(b) and (h), or successor statutes, and includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the project shall receive an additional density bonus that is an amount of square feet of residential space or an additional incentive or concession pursuant to the amount and conditions of Section 35-144C.4 (Incentives or Concessions for Housing Developments) and Government Code Sections 65915(h) and (k) or successor statutes.

For purposes of this Section, “childcare facility” shall mean a day care center for children.

Section 35-144C.8 Condominium Projects

- A. **Applicability.** The Department shall grant a density bonus or provide other incentives of equivalent financial value to an eligible project to convert apartments to a condominium pursuant to the amount and criteria in this Section 35-144C.8 (Condominium Projects), Subsection 35-144C.2.A.2 (Condominium projects), and Subsection 35-144C.2.B.2 above, and Government Code Section 65915.5 or successor statute.
 1. **Density bonus.** For purposes of this Section 35-144C.8 (Condominium Projects) and Government Code Section 65915.5 or successor statute, “density bonus” means an increase in units of 25 percent over the number of apartments, to be provided within the existing structure or structures proposed for conversion.
 2. **Other Incentives.** For purposes this Section 35-144C.8 (Condominium Projects) and Government Code Section 65915.5 or successor statute, “other incentives of equivalent financial value” shall not be construed to require the County to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the Department might otherwise apply as conditions of conversion approval.
- B. **General requirements.** The following provisions and all applicable provisions in Government Code Section 65915.5 or successor statute shall apply to a project to convert apartments to a condominium:
 1. **Administrative costs.** The applicant shall pay for the reasonably necessary administrative costs incurred by the County pursuant to this Section 35-144C.8 (Condominium Projects) and Government Code Section 65915.5 or successor statute.
 2. **Conditions of approval.** The Department may place reasonable conditions on the granting of a density bonus or other incentives of equivalent financial value as it finds appropriate,

including, but not limited to, conditions which assure continued affordability of units to subsequent purchasers who are persons and families of low and moderate income or lower income households.

3. **Authority to deny.** Nothing in this Section 35-144C.8 (Condominium Projects) or Government Code Section 65915.5 or successor statute shall be construed to require the Department to approve a proposal to convert apartments to a condominium.

Section 35-144C.9 Processing

A. Pre-Application Assessment. Applicants should submit an application and obtain a Planning and Development Department Pre-Application Assessment before submitting a formal application for a housing development or a project to convert apartments to a condominium. The Pre-Application Assessment will provide information and guidance that applicants should consider before entering into binding commitments; incurring substantial expense in the preparation of plans, surveys, and other information; or submitting a formal planning permit application. The Pre-Application Assessment should relate to a specific proposal that outlines the concept and characteristics of the project. The Pre-Application Assessment application lists specific information that applicants should include to help ensure a thorough assessment.

1. **Processing time for a project to convert apartments to a condominium.** The Department shall, within 90 days of receipt of a Pre-Application Assessment for a project to convert apartments to a condominium, notify the applicant in writing of the manner in which the proposed project complies with Section 35-144C.8 (Condominium Projects), above, and Government Code Section 65915.5 or successor statute.

B. Formal planning permit application. The Department and applicants for density bonuses, incentives or concessions, waivers or reductions of development standards, and/or parking ratios pursuant to this Section and State Density Bonus Law, shall comply with the following procedures for processing planning permit applications:

1. **Planning permit applications.** Applicants for density bonuses, incentives or concessions, waivers or reductions of development standards, and/or parking ratios pursuant to this Section and State Density Bonus Law, shall complete and file the Density Bonus Program Supplemental Application and an application form(s) for the standard permit(s) (e.g., Coastal Development Permit, Development Plan, Conditional Use Permit, and/or Land Use Permit) required for the project by this Article, which includes the following information: site information, number of units, requested density bonus units, proposed number of affordable units, requested incentives, financial information, and site plan.

a. Additional information in the Coastal Zone. For projects located in the Coastal Zone, applicants shall also submit the following:

- 1) **Density bonus effects on coastal resources.** A discussion of whether the method proposed by the applicant for accommodating the requested density bonus will have an adverse effect on coastal resources. If the applicant indicates, or if the Department determines, that the method proposed for accommodating a requested density bonus will have an adverse effect on

coastal resources, the applicant shall submit an evaluation of:

- a. All feasible methods of accommodating the requested density increase.
- b. The effects of each method on coastal resources.
- c. The method that avoids adverse impacts to coastal resources.

2) **Incentive/concession effects on coastal resources.** A discussion of whether any incentive or concession requested by the applicant will have an adverse effect on coastal resources. If the applicant indicates, or if the Department determines, that an incentive or concession that is requested will have an adverse effect on coastal resources, the applicant shall submit an evaluation of:

- a. All feasible alternative incentives or concessions and their effects on coastal resources.
- b. Which of the feasible incentives or concessions avoids adverse impacts to coastal resources.

2. **Preparation, filing, and initial processing of the planning permit applications.** The Department and applicants shall follow the procedures and requirements in Section 35-57A. (Application Preparation and Filing) and Government Code Sections 65915(a)(2), 65915(a)(3), and 65943, or successor statutes, for the preparation, filing, and initial processing of the planning permit applications.

Once an application submitted pursuant to this Section is deemed complete, the Department shall provide the applicant with a determination as to the amount of density bonus for which the applicant is eligible; and if requested by the applicant, the parking ratio for which the applicant is eligible; and if requested by the applicant, whether the applicant has provided adequate information for the Department to make a determination as to incentives, concessions, or waivers or reductions of development standards requested by the applicant; and/or the amount of additional density bonus or incentive or concession for which the applicant is eligible.

3. **Permit review and decisions.** The Department shall follow the procedures in Division 11 (Permit Procedures) for the review, and approval, conditional approval, or denial of housing developments or a project to convert apartments to a condominium under this Section and State Density Bonus Law.

a. **Land use and development standards.** All housing developments or projects to convert apartments to a condominium shall comply with all applicable requirements of the primary zone in addition to the requirements of this Section and State Density Bonus Law. If a requirement of this Section or State Density Bonus Law conflicts with a requirement of the primary zone, the requirements of this Section and State Density Bonus Law shall control.

b. **Amendments or other discretionary approval.** The granting of density bonuses, incentives or concessions, waivers or reductions of development standards, and/or

parking ratios shall not be interpreted, in and of itself, to require a Local Coastal Plan amendment, Article text amendment, zoning map amendment, or other discretionary approval separate from the discretionary approval otherwise required for the project.

- c. **Affordable Housing (AH) overlay zone.** The Affordable Housing (AH) overlay zone provides density bonuses and other incentives for projects that provide a significant amount of affordable housing. Density bonuses and other incentives granted pursuant to the AH overlay zone shall be inclusive of the density bonuses and other incentives offered in this Section, and shall not be in addition to the density bonuses and other incentives offered in this Section.
- d. **Affordable housing agreement.** Prior to the issuance of any planning permit for a project receiving a density bonus or other incentive under this Section, the applicant shall record an affordable housing agreement for a project with rental units along with a resale restrictive covenant for projects with for-sale units, approved as to form by County Counsel. The agreements and covenants shall ensure the continued availability of the units for persons and households of the types and incomes included in Subsection 35-144C.2.A (Eligible projects), above, pursuant to the costs, periods, and other requirements in Government Code Sections 65915(c)(1), 65915(c)(2), and 65916 or successor statutes. All units shall be restricted for the maximum period allowed by this Section, Chapter 46 (Affordable Housing Enforcement), and Government Code Sections 65915(c)(1), 65915(c)(2), and 65916, or successor statutes.
- e. **Protection of coastal resources.**
 1. Any housing development approved in compliance with Government Code Section 65915 shall be consistent with all otherwise applicable policies and development standards of the County's Local Coastal Program.
 2. If the Department approves development with a density bonus, the Department shall find that the development, if it had been proposed without the density increase, would have been fully consistent with the policies and development standards of the County's Local Coastal Program.
 3. If the Department determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the Department shall require that the density increase be accommodated by those means.
 4. If, however, the Department determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a density increase, the Department shall:
 - a. Identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources.
 - b. Require implementation of the means that avoids adverse impacts to coastal resources

SECTION 30:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add Section 35-144I Low Barrier Navigation Centers, to read as follows:

Section 35-144I. Low Barrier Navigation Centers.

- A. Purpose.** This Section establishes permit procedures and development standards for low barrier navigation centers in compliance with Government Code Sections 65660 through 65668. The State Legislature intended Government Code Sections 65660 through 65668 (Assembly Bill 101 (Ting), 2019) to promote low barrier navigation centers, which help create permanent solutions for the County's homeless population by providing residents with shelter and access to the services necessary for them to obtain permanent housing.
- B. Applicability.** A low barrier navigation center may be approved on a lot in compliance with Subsection D.1, below, provided that the project is found consistent with all applicable policies and provisions of the Local Coastal Program.
1. The provisions of this Section 35-144I shall become null and void, and thereby automatically repealed, on January 1, 2027, unless otherwise extended by the State Legislature.
- C. Application and processing requirements.** The following application and processing requirements shall apply to applications for low barrier navigation centers:
1. **Permit required.** Prior to the development of a new building or use of an existing building as a low barrier navigation center, an applicant shall submit an application for a Coastal Development Permit in compliance with Section 35-57A (Application Preparation and Filing) and obtain a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).
 2. **Completeness determination deadline.** Within 30 days of receipt of an application for a low barrier navigation center, the Department shall notify an applicant whether the applicant's application is complete. If the Department does not make a written determination within 30 days, the application shall be deemed complete, pursuant to Government Code Section 65943, or successor statute.
 3. **Decision deadline.** Upon deeming an application complete, the Director shall approve, conditionally approve, or deny the application for a low barrier navigation center within 30 days.
 4. **Ministerial Review.** The Director shall consider an application for a low barrier navigation center ministerially without discretionary review or hearing.
 5. **Conflicts with other Sections of this Article.** Where there are conflicts between the standards in this Subsection 35-144I (Low Barrier Navigation Centers) and other requirements of this Article, the provisions of this Section shall prevail.
- D. Development Standards.** A low barrier navigation center that complies with all of the following development standards shall be allowed with a Coastal Development Permit.
1. **Zoning.** The low barrier navigation center shall only be located within nonresidential zones

permitting two-family or multifamily uses which consist of the following zones:

| Nonresidential Zones Permitting Two-Family or Multifamily Uses |
|--|
| C-1 (Limited Commercial) |
| C-2 (Retail Commercial) |
| CH (Highway Commercial) |
| C-V (Resort/Visitor Serving Commercial) |
| PI (Professional and Institutional) |

2. **Services Plan.** The applicant shall submit a written services plan that identifies staffing services and demonstrates that the low barrier navigation center will offer services to connect people to permanent housing.
3. **Coordinated entry system.** The low barrier navigation center shall be linked to a coordinated entry system, so that staff in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Government Code Section 576.400(d) or Section 578.7(a)(8) of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals. If the proposed project will receive funding from the County of Santa Barbara’s Community Services Department, the applicant shall submit a memorandum of understanding consistent with the County’s coordinated entry system procedures. If the proposed project will not receive funding from the Community Services Department, the applicant shall demonstrate compliance with the coordinated entry system requirements set forth in Government Code Section 65662(b), or successor statute.
4. **Housing First policies.** The low barrier navigation center shall comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
5. **Information collection.** The low barrier navigation center shall have a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
6. **Objective design review.** The low barrier navigation center shall not require Design Review by the Board of Architectural Review. For purposes of this Subsection 35-144I (Low Barrier Navigation Centers), new buildings, existing buildings, and, as applicable, additions to existing buildings shall comply with the following design review standards:
 - a. **Fences, walls, and gate posts.** The low barrier navigation center shall comply with the fences, walls, and gate posts regulations in Section 35-123 (Fences, Walls, and Gate Posts).
 - b. **Setbacks.** The low barrier navigation center shall comply with the setback requirements of the applicable zone and the setback requirements in Section 35-125 (General Setback Regulations). This standard shall not apply to existing permitted buildings.

- c. **Height.** The low barrier navigation center shall comply with height limitations of the applicable zone and the height measurement and limitations in Section 35-127 (Height). This standard shall not apply to existing permitted buildings.
- d. **Signs and advertising structures.** The low barrier navigation center shall comply with the sign and advertising structures standards in Chapter 3-138 (Signs and advertising structures).
- e. **Exterior lighting.** The low barrier navigation center shall comply with the lighting standards in Section 35-139 (Exterior Lighting).

SECTION 31:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add Section 35-144V, Transitional and Supportive Housing, to read as follows:

Section 35-144V. Transitional and Supportive Housing.

Section 35-144V.1 Purpose and Intent

In accordance with Government Code Sections 65650 through 65656, and 65583(c)(3) and successor statutes, this Section describes the permitting and development standards for transitional and supportive housing projects and identifies the criteria that must be met for supportive housing to qualify for ministerial review and the requirements associated with qualifying projects. This section is intended to promote the development of transitional and supportive housing.

Section 35-144V.2 Applicability

- 1. **Considered a residential use.** In compliance with Government Code Section 65583(a)(5), transitional and supportive housing shall be considered a residential use of property.

Section 35-144V.3 Permit Requirements

- 1. **Same Permit Requirements.** Except for projects that qualify for streamlined ministerial review as described under Subsection 35-144V.3.2 (By right supportive housing) below:
 - a. Transitional and supportive housing shall be allowed in any dwelling allowed in a specific zone, subject to the same permit requirements that apply to the dwelling that will be used for transitional or supportive housing.
 - b. No Conditional Use Permit, Variance, or other planning permit shall be required of transitional or supportive housing that is not required of a dwelling of the same type in the same zone.
 - c. When transitional or supportive housing is proposed to be located in a zone where the residential use requires a Conditional Use Permit, an additional Conditional Use Permit is not required if the existing residential use has obtained the necessary Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits).
- 2. **By right supportive housing.** In accordance with Government Code Section 65651(a) or successor statutes, provided that the project is found consistent with all applicable policies and provisions of the Local Coastal Program, an application for supportive housing shall be considered ministerially

without discretionary review or hearing if the project meets all of the following requirements:

- a. **Zoning.** The project is located within a zone where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, and zones where such uses are permitted with a Conditional Use Permit. For the purposes of this Section, multifamily uses shall include two-family dwellings (I.e., “dwelling, two-family,” as defined in Section 35-58. Definitions).

| Zones Permitting Two-Family and/or Multiple-family and/or Mixed Uses |
|--|
| R-2 (Two-Family Residential) |
| DR (Design Residential) |
| PRD (Planned Residential Development) |
| SR-M (Medium Density Student Residential) |
| SR-H (High Density Student Residential) |
| C-2 (Retail Commercial) |
| CH (Highway Commercial) |
| C-V (Resort/Visitor Serving Commercial) |
| PI (Professional and Institutional) |
| M-CR (Coastal Related Industry) |

- b. **Lower income housing.** One hundred percent of the units, excluding managers’ units, within the project shall be dedicated to lower income households and are, or will be, receiving public funding and are subject to a recorded affordable housing agreement with an affordability restriction for 55 years. For purposes of this paragraph, “lower income households” has the same meaning as defined in Section 50079.5 of the Health and Safety Code.
- c. **Minimum number of supportive housing units.** At least 25 percent of the units in the project or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the project consists of fewer than 12 units, then 100 percent of the units, excluding managers’ units, in the project shall be restricted to residents in supportive housing.
- d. **Supportive services.** Projects shall include onsite supportive services limited to tenant use that may include, but are not limited to, community rooms, case management offices, computer rooms, and community kitchens that comply with the following square footage requirements:
 - (1) Projects with 20 or fewer total units shall provide at least 90 square feet for onsite supportive services.
 - (2) Projects with more than 20 units shall provide at least 3 percent of the total nonresidential floor area for onsite supportive services
- e. **Dwelling unit facilities.** All dwelling units, excluding managers’ units, shall include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- f. **Replacement units.** The applicant shall replace any existing dwelling units on the site of the supportive housing project in the manner provided in Government Code Section 65915(c)(3) or successor statutes.

- g. **Fewer than 75 units.** The project shall consist of 75 units or fewer in accordance with Government Code Section 65651(d).

Section 35-144V.4 Development Standards

1. **Subject to same permit requirements and development standards.** Except for projects that qualify for streamlined, ministerial review as described in Subsection 35-144V.4.2 below, and in Government Code Section 65589.5 or successor statutes, transitional housing and supportive housing shall be allowed in any dwelling (residential use) allowed in a specific zone, subject to the same permit requirements (e.g., Coastal Development Permit or Conditional Use Permit) and the same development standards and occupancy restrictions that apply to the same type of dwelling that will be used for transitional housing or supportive housing in the same zone.
2. **By Right Supportive Housing**
 - a. **Exceptions for ministerial projects.** Projects that qualify for ministerial review in compliance with Subsection 35-144V.3.2 (By right supportive housing) above shall only be subject to objective development standards and policies that apply to other multifamily development within the same zone, and the objective design standards in Section 35-144B – Multiple-Unit and Mixed-Use Housing Objective Design Standards, provided that the project is found consistent with all applicable policies and provisions of the Local Coastal Program
 - b. **Parking.** If the supportive housing project qualifies for ministerial review in compliance with Subsection 35-144V.3.2 (By right supportive housing) above and is located within one-half mile of a public transit stop, minimum parking requirements will not be imposed for the units occupied by supportive housing residents, provided that the project is found consistent with all applicable policies and provisions of the Local Coastal Program pertaining to coastal access.

Section 35-144V.5 Support Services

1. Supportive services provided onsite shall only serve residents of that particular housing project.

Section 35-144V.6 Application and Processing Requirements

1. If required based on the permit type, notice of the application and pending decision on a permit for transitional or supportive housing shall be given in compliance with Section 35-181 (Noticing).
2. **Supportive services plan.** For all transitional or supportive housing projects, the applicant shall submit a written plan for providing supportive services with documentation demonstrating that supportive services will be provided onsite to residents in the project, as required by Government Code Section 65651 or successor statutes, and describing those services, which shall include all of the following:
 - a. **Services Provider.** The name of the proposed entity or entities that will provide supportive services.
 - b. **Funding Source.** The proposed funding source or sources for the provided onsite supportive services.
 - c. **Staffing.** Proposed staffing levels.

Section 35-144V.7 Deadlines for By Right Supportive Housing

1. Projects that qualify for ministerial review in conformance with Subsection 35-144V.3.2 (By right supportive housing) above shall be subject to the following processing deadlines:
 - a. **Completeness determination deadline.** Within 30 days of receipt of an application to develop supportive housing, the Department shall notify an applicant whether the applicant's application is complete. If the Department does not make a written determination within 30 days, the application shall be deemed complete, pursuant to Government Code Section 65943, or successor statute.
 - b. **Decision deadline.** The Director shall complete their review of the application to develop supportive housing within 60 days after the application is complete for a project with 50 or fewer units, or within 120 days after the application is complete for a project with more than 50 units.

Section 35-144V.8 Allowable Restrictions and Limits on Disapproval

1. Transitional and supportive housing shall comply with County ordinances, including restrictions on structure height, setbacks, lot dimensions, and placement of signs, as long as such restrictions are identical to those applied to other dwellings of the same type in the same zone.
2. Pursuant to Government Code Section 65589.5(d), the Department shall not disapprove a transitional or supportive housing project for very low, low-, or moderate-income households, or condition approval in a manner that renders the project infeasible for development for the use of very low, low-, or moderate-income households, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the findings in Government Code Sections 65589.5(d)(1) through (5).
3. Pursuant to Government Code Section 65589.5(j), or successor statute, if the Department proposes to disapprove a transitional or supportive housing project or approve it upon the condition that the project be developed at a lower density, the Department shall base its decision regarding the proposed project upon written findings supported by substantial evidence on the record that both of the conditions in Government Code Section 65589.5(j)(1) and (2) exist.

Section 35-144V.9 Fees

1. Transitional and supportive housing shall not be subject to any local business taxes, local registration fees, use permit fees, or other fees to which other dwellings of the same type in the same zone are not likewise subject.

Section 35-144V.10 Changes in Occupancy

1. **Not a change in Occupancy.** The use of a dwelling for purposes of transitional or supportive housing shall not constitute a change of occupancy for purposes of local building codes.
2. **Future changes in occupancy.** The required number of units in a supportive housing project dedicated to the target population may be reduced if termination of the operating subsidy or project-based rental assistance occurs at no fault of the project owner and if all conditions outlined in Government Code Section 65651 (c) are met.

Section 35-144V.11 Reasonable Accommodation

1. **Reasonable accommodation.** The requirements of this Article may be modified in compliance with Section 35-144Q (Reasonable Accommodation) if necessary to comply with the Federal Fair Housing Act and the California Fair Employment and Housing Act relating to accommodations for persons with disabilities including allowances for structural installations that are necessary to accommodate disabled residents (e.g., handrails, lifts, and ramps).

Section 35-144V.12 Conflicts with other Sections of this Article.

Conflicts with other Sections of this Article. Where there are conflicts between the standards in this Section 35-144V and other requirements of this Article, the provisions of this Section shall prevail.

SECTION 32:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection c, Decision-maker, hearing requirements and notice requirements, of Section 35-169.4.2 Coastal Development Permits for development that is appealable to the Coastal Commission in compliance with Section 35-182 (Appeals) and is not processed in compliance with Section 35-169.4.3, of Section 35-169.4, Processing, of Section 35-169 Coastal Development Permits, to read as follows:

c. Decision-maker, hearing requirements and notice requirements.

- 1) **Applications for certain solar energy facilities, accessory dwelling units and junior accessory dwelling units, low barrier navigation centers, and by-right supportive housing projects.** Applications for freestanding solar energy facilities that are accessory and incidental to the principal use of the lot that the system is located on and are sized to primarily supply only the principal use that the system is accessory and incidental to, accessory dwelling units and junior accessory dwelling units, low barrier navigation centers and by-right supportive housing projects, shall be processed in compliance with the following:
 - a) Notice of the submittal of the application and pending decision of the Director shall be given in compliance with [Section 35-181.2](#) (Notice of Public Hearing and Decision-Maker Action).
 - b) The Director shall review the application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Article, and other applicable conditions and regulations, and approve, conditionally approve, or deny the Coastal Development Permit. A public hearing shall not be required.
 - c) The action of the decision-maker is final subject to appeal, including an appeal to the Coastal Commission, in compliance with [Section 35-182](#) (Appeals).
- 2) **All other applications.** Applications for development other than such development specified in Subsection 2.c.1 (Applications for certain solar energy facilities and accessory dwelling units and junior accessory dwelling units, low barrier navigation centers, and by-

right supportive housing projects), above, shall be processed in compliance with the following:

- a) The decision-maker shall review the application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Article, and other applicable conditions and regulations.
- b) The Zoning Administrator shall hold at least one noticed public hearing unless waived in compliance with Subsection 2.d (Waiver of public hearing), below, on the requested Coastal Development Permit and approve, conditionally approve, or deny the request.
- c) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with [Section 35-181](#) (Noticing).
- d) The action of the decision-maker is final subject to appeal in compliance with [Section 35-182](#) (Appeals).

SECTION 33:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection B, Other Notices, Agreements, Covenants, and Easements, of Section 35-179D, Recordable Documents, to read as follows:

B. Other Notices, Agreements, Covenants, and Easements. Documents to require, or notify future buyers of real property of, the following are recordable.

1. Compliance with the parking requirements of this Coastal Zoning Ordinance, including, but not limited to, provision of an offsite parking easement.
2. Compliance with project and/or permit conditions of approval.
3. Declaration of Restrictions
4. Implementation of historic structural preservation and restoration/renovation plan or program.
5. Implementation of Stormwater Control Plan or Stormwater Quality Management Plan.
6. Maintenance of stormwater quality and retention measures.
7. Prohibitions on high water use/consumption businesses.
8. Affordable Housing Agreement and Resale Restrictive Covenant and Preemptive Right.
9. Water well meter monitoring, provision of meter records, and measures to take in the event water quality degrades.

SECTION 34:

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential Uses section

of Table 17-2, Allowed Land Uses and Permit Requirements in the Gaviota Coast Plan Area, of Section 35-430, Allowable Development and Planning Permit Requirements, to read as follows:

| | | | | | | | |
|---|--------------------------------|--|------------|------------|-----------|-----------|---------------------------------|
| Table 17-2 - Continued Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area | P | Permitted use, Coastal Permit required (2) | | | | | |
| | PP | Principal Permitted Use, Coastal Permit required (2) | | | | | |
| | MCUP | Minor Conditional Use Permit required | | | | | |
| | CUP | Major Conditional Use Permit required | | | | | |
| | E | Allowed use, No permit required | | | | | |
| | S | Permit determined by Specific Use Regulations | | | | | |
| | — | Use Not Allowed | | | | | |
| LAND USE (1) | PERMIT REQUIRED BY ZONE | | | | | | Specific Use Regulations |
| | AG-II | M-CD(3) | REC | RES | RR | TC | |

RESIDENTIAL USES

| | | | | | | | |
|---|--------|---------|------|------|------|---------|----------|
| Agricultural employee dwellings, 4 or fewer employees | PP | CUP (6) | — | MCUP | MCUP | — | 35-144R |
| Agricultural employee dwellings, 5 to 24 employees | P | CUP (6) | — | — | — | — | 35-144R |
| Agricultural employee dwellings, 25 or more employees | CUP | CUP (6) | — | — | — | — | 35-144R |
| Artist studio | P | — | — | MCUP | P | — | 35-120 |
| Caretaker/manager dwelling | — | CUP (6) | MCUP | — | — | — | |
| Dwelling, one-family (7) | PP | — | — | P | PP | — | |
| Farmworker dwelling unit (7) | PP | — | — | PP | PP | CUP (8) | 35-144.P |
| Farmworker housing complex | CUP | P | — | CUP | CUP | CUP | 35-144.P |
| Guesthouse | P | — | — | P | P | — | 35-120 |
| Home occupation | PP | — | — | PP | PP | — | 35-121 |
| Incentive dwelling unit | P | — | — | — | — | — | 35-470 |
| Pool house/cabaña | P | — | — | P | P | — | 35-120 |
| Residential accessory use or structure | P (11) | — | MCUP | P | PP | — | 35-119 |
| Accessory dwelling unit | PP | — | — | P | PP | — | 35-142 |
| Junior accessory dwelling unit | PP | — | — | P | PP | — | 35-142 |
| Special care home, 7 or more clients | MCUP | — | — | MCUP | MCUP | — | 35-143 |
| Supportive Housing | S | S | S | S | S | S | 35-144V |
| Transitional Housing | S | S | S | S | S | S | 35-144V |

Key to Zone Symbols

| | | | | | |
|--------------|----------------------------|------------|---------------------|-----------|-------------------------|
| AG-II | Agriculture II | REC | Recreation | RR | Rural Residential |
| M-CD | Coastal-Dependent Industry | RES | Resource Management | TC | Transportation Corridor |

Notes:

- (1) See [Section 35-58 \(Definitions\)](#) and [Section 35-420 \(Definitions\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see [Section 35-430.E \(Allowable land uses and permit requirements\)](#).
- (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (4) The proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for a CUP and prohibiting such use would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §2000cc.
- (5) See [Section 35-450.D \(School development\)](#) for specific use regulations.
- (6) May also include dwellings for the employees of the owner or lessee of the land engaged in a permitted use of the land on which the dwelling is located.
- (7) One-family dwelling may be a mobile home on a permanent foundation, see Section 35-141 (Mobile Homes on Foundations).
- (8) Only if single-family dwellings are allowed as a permitted use in an abutting zone district.
- (9) See [35-460.E \(Agricultural product sales\)](#) for specific use regulations.
- (10) Limited to the on-site production only; see [35-131 \(Agricultural Sales\)](#) for specific use regulations.
- (11) Detached garages, carports, storage sheds, fences, and swimming pools associated with a residential dwelling may be considered part of the Principal Permitted Use (PPU).

SECTION 35:

All existing indices, section references and numbering, and figure and table numbers contained in the Article II, the Santa Barbara County 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 36:

Except as amended by this ordinance, Divisions 2, 4, 7, 11, and 17 of Article II, the Santa Barbara County 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 37:

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 38:

If legislation is enacted which would superseded or preempt any section or subsection of this ordinance then the Board of Supervisors deems that section or subsection null and void and this ordinance shall remain in full force and effect without said section or subsection.

SECTION 39:

This ordinance and any portion of it 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, it, or 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 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 _____, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

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:

RACHEL VAN MULLEM
COUNTY COUNSEL

By 
Deputy County Counsel