



Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Elise Dale, Assistant Director

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

MONTECITO PLANNING COMMISSION
HEARING OF NOVEMBER 19, 2025

RE: 2025 General Ordinance Amendment Package; 25ORD-00010, 25ORD-00011, 25ORD-00013

Hearing on the request of the County of Santa Barbara Planning and Development Department (P&D) for the Montecito Planning Commission (MPC) to consider recommending that the County Planning Commission (CPC) and Board of Supervisors (Board):

- a) Adopt an ordinance (Case No. 25ORD-00011) to amend the Santa Barbara County Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the County Code;
- b) Determine that the ordinance (Case No. 25ORD-00011) is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA.
- c) Adopt an ordinance (Case No. 25ORD-00010) to amend the Santa Barbara County Coastal Zoning Ordinance (CZO), Article II, of Chapter 35, Zoning, of the County Code;
- d) Determine that the ordinance (Case Nos. 25ORD-00010) is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA.
- e) Adopt an ordinance (Case No. 25ORD-00013) to repeal Ordinance No. 3916 (as amended), the Montecito Growth Management Ordinance, of Chapter 35B of the Santa Barbara County Code; and
- f) Determine that the ordinance (Case Nos. 25ORD-00013) is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA.

The proposed amendments repeal the Montecito Growth Management Ordinance of Chapter 35B to comply with Senate Bill (SB) 330, and a general package consisting of various amendments to the MLUDC and Article II to amend existing text provisions and regulations.

Dear Honorable Members of the Board of Supervisors:

At the Montecito Planning Commission hearing of November 19, 2025, Commissioner Kerns moved, seconded by Commissioner Kupiec and carried by a vote of 3 to 2 (Miller and Rockenbach no) to:

Case Nos. 24ORD-00011 and 25ORD-00013

1. Make the required findings for approval (Attachment A of the staff report dated November 10, 2025), including CEQA findings, and recommend that the Board make the required findings for approval of the proposed amendments and ordinance repeal (Attachment C-1, Case No. 25ORD-00011 and E-1, Case No. 25ORD-00013 of the staff report dated November 10, 2025);
2. Recommend that the Board determine that the ordinances (Case Nos. 25ORD-00011 and 25ORD-00013) are exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA (Attachment B of the staff report dated November 10, 2025); and
3. Adopt the resolutions (Attachments C and E) recommending that the Board adopt ordinances to amend the MLUDC (Case No. 25-00011) and repeal Chapter 35B (25ORD-00013), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachments C-1 and E-1 of the staff report dated November 10, 2025).

Case No. 24ORD-00010

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the CPC recommend to the Board to make the findings for approval of the proposed amendments (Attachment D-1, Case No. 25-00010 of the staff report dated November 10, 2025);
2. Recommend that the Board determine that the ordinance (Case Nos. 25ORD-00010) is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for the Implementation of CEQA (Attachment B of the staff report dated November 10, 2025); and
3. Adopt the resolution (Attachment D) recommending that the CPC recommend to the Board to adopt an ordinance to amend the CZO (Case No. 25ORD-00010) of Chapter 35B of the Santa Barbara County Code (Attachment D-1 of the staff report dated November 10, 2025), as revised at the hearing of November 19, 2025.

Sincerely,



Jeff Wilson
Secretary to the Montecito Planning Commission

cc: Alex Tuttle, Deputy Director, Long Range Planning
Corina Martin, Planner

Attachments: **Attachment A – Findings**

**Attachment C – MLUDC Resolution
Attachment D – CZO Resolution
Attachment E – MGMO Repeal Resolution**

JW/dmv

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ATTACHMENT A: FINDINGS FOR APPROVAL

Case Nos. 24ORD-00010, -00011, and -00013

1.0 CEQA FINDINGS

- 1.1 **Case No. 25ORD-00010.** The Montecito Planning Commission finds, and recommends that the County Planning Commission recommend that the Board find, that the proposed amendments to Article II, the Coastal Zoning Ordinance (CZO) (Case No. 25ORD-00010), are exempt from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265.
- 1.2 **Case No. 25ORD-00011.** The Montecito Planning Commission finds, and recommends that the Santa Barbara County Board of Supervisors (Board) find, that the proposed amendments to the Montecito Land Use and Development Code (MLUDC) (Case No. 25ORD-00011), are exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).
- 1.3 **Case No. 25ORD-00013.** The Montecito Planning Commission finds, and recommends that the Santa Barbara County Board of Supervisors (Board) find, that the proposed amendment to repeal Ordinance No. 3916 and Chapter 35B, of the Santa Barbara County Code (Case No. 25ORD-00013), is exempt from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265.

Please see the Notice of Exemption (Attachment B) for more information.

2.0 ADMINISTRATIVE FINDINGS

In compliance with CZO Section 35-180.6 and MLUDC Section 35.494.060.A, the following findings shall be made by the Montecito Planning Commission in order to recommend approval of text amendments to the CZO and MLUDC, and the Board shall adopt the following findings in order to approve text amendments to the CZO and MLUDC:

2.1 The request is in the interests of the general community welfare.

The Montecito Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments are in the interest of the general community welfare since the amendments will revise the CZO and MLUDC to achieve the following:

- Expand the list of allowable temporary uses to facilitate community events such as artist, garden, and architecture tours within the Montecito Community Plan Area and Coastal Zone, which provide an important community resource and offer a way to celebrate the region's culture and creativity;
- Implement revisions to the State Density Bonus Law Provisions to comply with recent changes to State law and continue to promote residential development in accordance with Assembly Bill 3116; and
- Process other minor ordinance amendments to update existing text provisions, add and modify definitions, clarify size limits in net or gross square feet for accessory structures

(including guest houses, artist studios, and pool houses/cabañas), revise corner lot setbacks, specify maximum number of ADUs allowed per lot, clarify Summerland floor area ratios, revise accessory structure allowances in the Resource Management Zone to allow garages and carports, and correct typos and reference errors.

These updates will ensure compliance with various state laws, clarify and simplify development standards while ensuring neighborhood compatibility, and establish clear, effective, and consistent regulations within the County's zoning codes, all of which is in the general community welfare.

2.2 CZO: The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws and this Article [Article II, the CZO].

MLUDC: The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code [MLUDC].

The Montecito Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments are consistent with the Comprehensive Plan, Coastal Land Use Plan (CLUP), CZO, and MLUDC. The proposed amendments implement Programs 13 and 16 of the *2023-2031 Housing Element Update* (Housing Element), which directs the County to develop an ordinance that updates County State Density Bonus Law provisions to comply with recent changes to State law by the end of 2025, and adopt an ordinance to repeal the Montecito Growth Management Ordinance to comply with Senate Bill 330.

The ordinance amendments to Temporary Uses in the MLUDC and CZO to facilitate community tours are consistent with the remaining portions of the MLUDC and CZO that are not revised by these amendments. The amendments establish a new temporary use category that is similar in nature to other existing temporary uses and modify permit requirements consistent with other provisions of the zoning code. Any tour events conducted in accordance with the new allowance would be temporary in nature and not involve any development or activities that would have the potential to be inconsistent with policies of the Comprehensive Plan, including applicable Community Plans.

Furthermore, the minor amendments clarify, correct, and revise existing text provisions and development standards to achieve clarity and consistency, and would not alter the purpose and intent of any policies of the Comprehensive Plan or applicable Community Plans. The proposed ordinance amendments are also consistent with the remaining portions of the CZO and MLUDC that would not be revised by these ordinances.

Therefore, and as discussed further in Section 6.2 of the Montecito Planning Commission Staff Report, dated November 10, 2025, and incorporated by reference, these ordinances are consistent with the Coastal Land Use Plan and the Comprehensive Plan, including the Montecito Community Plan, the requirements of State planning and zoning Laws, and the MLUDC and CZO.

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

The Montecito Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments are consistent with sound zoning and planning practices to

regulate land uses for the overall protection of the environment and community values since they will revise the CZO and MLUDC to be consistent with State regulations regarding State Density Bonus Law, expand allowable temporary uses to facilitate community events, and clarify existing text provisions to provide clear and effective standards, and achieve consistency across the County's zoning codes. As a result, the changes are consistent with good zoning and planning practices and will benefit the public. As discussed in Finding 2.2, above, the proposed amendments are consistent with the Comprehensive Plan, including the Montecito Community Plan, CLUP, CZO, and MLUDC.

ATTACHMENT C: MONTECITO LAND USE AND DEVELOPMENT CODE RESOLUTION

RESOLUTION OF THE MONTECITO PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING SECTION 35-2, THE MONTECITO LAND USE AND DEVELOPMENT CODE (MLUDC) OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING 35.3, MONTECITO SITE PLANNING AND OTHER PROJECT STANDARDS, 35.4, MONTECITO STANDARDS FOR SPECIFIC LAND USES, AND 35.10, GLOSSARY TO ADD ART, GARDEN, AND ARCHITECTURAL TOURS AS A NEW ALLOWABLE TEMPORARY USE, IMPLEMENT NECESSARY REVISIONS TO THE EXISTING STATE DENSITY BONUS LAW PROVISIONS TO ALIGN WITH CHANGES TO STATE LAW, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS, AND REVISIONS TO EXISTING REGULATIONS AND DEVELOPMENT STANDARDS.

RESOLUTION NO.: 25-19

CASE NO.: 25ORD-00011

WHEREAS, on November 27, 2007, by Ordinance No. 4660, the Board adopted the MLUDC, Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code;

WHEREAS, on September 22, 2024, the State Legislature adopted Assembly Bill (AB) 3116 (GC Section 65915) modifying State Density Bonus Law for additional benefits for student housing developments;

WHEREAS, the Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the Board adopt an ordinance (Case No. 25ORD-00011) amending Divisions 35.3, Montecito Site Planning and Other Project Standards, 35.4, Montecito Standards for Specific Land Uses, and 35.10, Glossary; of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code to establish art, garden, and architectural tours as a new allowable temporary use, implement revisions to existing State Density Bonus Law provisions, and make other minor clarifications, corrections, and revisions to existing regulations and development standards;

WHEREAS, the proposed MLUDC amendment is attached hereto as Exhibit 1 and is incorporated by reference;

WHEREAS, the proposed MLUDC amendment is consistent with the Comprehensive Plan, including the Montecito Community Plan, and the requirements of State planning, zoning, and development laws;

WHEREAS, the proposed MLUDC amendment is in the interest of the general community welfare since it will serve to (1) enable events that are important to County residents and contribute to an active arts and culture community, and (2) implement the requirements of State law that promote incentives for the development of residential housing in accordance with Government Code Sections 65915 that will increase the supply of housing in the Inland Area portion of the Montecito Community Plan Area; and

WHEREAS, this Montecito Planning Commission held a duly noticed public hearing on November 19, 2025, as required by Government Code Section 65854, on the proposed MLUDC amendment at which hearing the proposed amendment was explained and comments invited from the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of health, safety, and general welfare of the residents of the County, to recommend that the Board adopt the following Ordinance:
 - a. An ordinance (Case No. 25ORD-00011) amending Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment C-1).
3. In compliance with the provisions of Government Code Section 65855, the Montecito Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above-mentioned recommendation of this Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated November 10, 2025.
4. A certified copy of this Resolution shall be transmitted to the Board in compliance with Government Code Section 65855.
5. The Chair of this Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above mentioned action by the Montecito Planning Commission.

2025 General Ordinance Amendment Package
Case Nos. 25ORD-00010, -00011, and -00013
Montecito Planning Commission
Hearing Date: November 19, 2025
Attachment C – Page 3

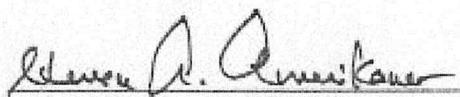
PASSED, APPROVED, AND ADOPTED this 19th day of November 2025, by the following vote:

AYES: Kupiec, Kerns, Amerikaner

NOES: Miller, Rockenbach

ABSTAIN:

ABSENT:

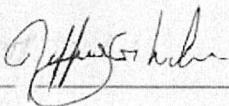


STEVEN AMERIKANER, CHAIR
Montecito Planning Commission

ATTEST:

JEFF WILSON
SECRETARY TO THE COMMISSION

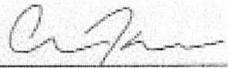
By



APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By



DEPUTY COUNTY COUNSEL

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11.19.25\Attachment C. MLUDC Resolution.docx

Exhibit 1 – MLUDC Amendment (Case No. 25ORD-00011)

ATTACHMENT D: ARTICLE II COASTAL ZONING ORDINANCE RESOLUTION

RESOLUTION OF THE MONTECITO PLANNING COMMISSION

COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

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

RESOLUTION NO.: 25- 15

CASE NO.: 25ORD-00010

WHEREAS, on July 19, 1982, by Ordinance 3312, the Board adopted Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code;

WHEREAS, on September 22, 2024, the State Legislature adopted Assembly Bill (AB) 3116 (Government Code Section 65915) modifying State Density Bonus Law for additional benefits for student housing, and senior citizen housing developments;

WHEREAS, the Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the County Planning Commission recommend that the Board adopt an ordinance (Case No. 25ORD-00010) amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 7, General Regulations, and Division 13, Summerland Community Plan Overlay, of the CZO of Chapter 35, Zoning, of the Santa Barbara County Code to implement new regulations regarding art, garden, and architectural tours; and to make other minor clarifications, corrections, and revisions, subject to the recommended revisions identified herein;

WHEREAS, the proposed CZO amendment is attached hereto as Exhibit 1 and is incorporated by reference;

WHEREAS, the proposed CZO amendment is consistent with the Comprehensive Plan, including all community and area plans, and the requirements of the State planning, zoning, and development laws;

WHEREAS, the proposed CZO amendment is in the interest of the general community welfare since it will serve to implement the requirements of State law that promote residential development in accordance with State Density Bonus Law that will increase the supply of housing in the Coastal Zone; update existing regulations to better conform to the requirements of State and federal law, enable events that important to County residents and contribute to an active arts and culture community, and correct and clarify existing text provisions; and

WHEREAS, this Montecito Planning Commission held a duly noticed public hearing on November 19, 2025, as required by Government Code Section 65854, on the proposed CZO amendment at which hearing the proposed amendment was explained and comments invited from the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of health, safety, and general welfare of the residents of the County, to recommend that the Board adopt the following Ordinance:
 - a. An ordinance amending Article II, the CZO (Case No. 25ORD-00010) of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D-1).
3. In compliance with the provisions of Government Code Section 65855 and County Code 2-25.2, the Montecito Planning Commission recommends that the County Planning Commission recommend that the Board, following the required noticed public hearing, approve and adopt the above-mentioned recommendation of this Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated November 10, 2025, and with the following revision recommended by the Montecito Planning Commission at the November 19, 2025 hearing:
 - a. To add "or 80 feet, respectively" in Section 35-68.7.4, Setbacks for Buildings and Structures.
4. A certified copy of this Resolution shall be transmitted to the Board in compliance with Government Code Section 65855.

2025 General Ordinance Amendment Package
Case Nos. 25ORD-00010, -00011, and -00013
Montecito Planning Commission
Hearing Date: November 19, 2025
Attachment D – Page 3

5. The Chair of this Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above mentioned action by the Montecito Planning Commission.

PASSED, APPROVED, AND ADOPTED this 19th day of November 2025, by the following vote:

AYES: Kupiec, Kerns, Amerikaner

NOES: Miller, Rockenbach

ABSTAIN:

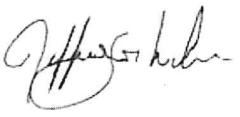
ABSENT:



STEVEN AMERIKANER, CHAIR
Montecito Planning Commission

ATTEST:

JEFF WILSON
SECRETARY TO THE COMMISSION

By 

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By 

DEPUTY COUNTY COUNSEL

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Exhibit 1 – CZO Amendment (Case No. 25ORD-00010)

ATTACHMENT D-1: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

ORDINANCE NO. _____

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

25ORD-00010

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

SECTION 1:

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

B. **Exempt activities and structures.** The following types of development are exempt from the requirements of this Article to obtain a Coastal Development Permit, except as noted below.

Development that does not qualify as an exempt activity or structure in compliance with this Subsection A (Exempt activities and structures) may still be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits).

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

SECTION 2:

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

Section 35-57D. Initial Application Review.

A. **Filing and acceptance of an application.** An application is considered to be filed after it has been accepted for processing by the Department and required fees and/or deposits have been paid. The Director shall review each application for receipt of all submittal requirements and accuracy prior to acceptance of the application. The Director's acceptance of an application for processing shall be based on the Department's list of required application contents in Section 35-57A (Application Preparation and Filing).

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

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

- 1. Notification of applicant.** As required by Government Code Section 65943, within 30 calendar days of either the initial application filing or subsequent filings after a determination of application incompleteness has been made, the applicant shall be informed in writing, either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the Incomplete letter, shall be provided.
- 2. Appeal of determination.** After an initial determination of application incompleteness, where the Director has determined for a second or additional time that an application is incomplete, and the applicant believes that the application is complete and/or that the information requested by the Director is not required, the applicant may appeal the Director's determination in compliance with Chapter 35-182 (Appeals).
- 3. Time for submittal of additional information.** When an application is incomplete, the time used by the applicant to submit the required additional information shall not be considered part of the time within which the determination of completeness or incompleteness shall occur. The time available to an applicant for submittal of additional information is limited by Subsection B.4 (Expiration of application) below.
- 4. Expiration of application.**
 - a.** If an applicant fails to provide the additional information specified in the Director's letter within 90 days following the date of the letter, the application shall expire and be deemed withdrawn, without any further action by the County.
 - b.** The Director may grant one 90-day extension.
 - c.** After the expiration of an application, future County consideration shall require the submittal of a new, complete application and associated fees.
- 5. Environmental information.** After an application has been accepted as complete, the Director may require the applicant to submit additional information needed for the environmental review of the project in compliance with the requirements of the California Environmental Quality Act Guidelines.

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

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

SECTION 3:

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended add a new Section 35-57E, Permit to Run with the Land, to read as follows:

Section 35-57E. Permit to Run with the Land.

Planning permits approved in compliance with this Article shall be deemed to run with the land through any change of ownership of the subject site, from the effective date of the permit, except in any case where a permit expires and becomes void in compliance with this Article or as otherwise specified in the planning permit. All applicable conditions of approval shall continue to apply after a change in property ownership.

SECTION 4:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add and revise existing definitions to Section 35-58, Definitions, to read as follows:

...

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

...

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

...

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

...

SECTION 5:

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Section 35-68.7, of Section 35-68, AG-I – Agriculture I, to read as follows:

Section 35-68.7 Setbacks for Buildings and Structures.

1. **Front:** 50 feet from the centerline and 20 feet from the right-of-way line of any street.
2. **Side and Rear:** 20 feet from the lot lines of the lot on which the building or structure is located.

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

SECTION 6:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Section 35-119.10, of Section 35-119, Accessory Structures, to read as follows:

Section 35-119. Accessory Structures.

...

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

...

SECTION 7:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Section 35-120.4, of Section 35-120, Guest House, Artist Studio, or Pool House/Cabaña, to read as follows:

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

SECTION 8:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Section 35-126.2, Corner Lots Abutting Two or More Streets, of Section 35-126, Through, Corner, Interior, and Odd Shaped Lots, to read as follows:

2. Corner Lots Abutting Two or More Streets.

- a. ~~If a corner lot is less than 100 feet in width, A corner lot shall have a front setback along each property line adjacent to a street. The front setback adjacent to the front line (see definition of Front Line) of the lot shall be considered the primary front setback and the front setback that is not adjacent to the front line shall be considered a secondary front setback. The front setback along the property line considered the front line shall conform to the front setback requirements of the applicable zone district. The front setback along the property line not considered the front line shall be not less than 20 percent of the width of the lot, but in no case shall said front setback be less than 10 feet or greater than 15 feet.~~
- b. ~~If a corner lot is 100 feet or greater in width, there shall be a front setback along each street abutting the lot and all such setbacks shall conform to the front setback requirements of the applicable zone district.~~
- eb. The rear setback for a corner lot backing upon a key lot may be reduced to the size of the required side setback for the key lot or 10 feet, whichever is greater, provided the total front, side, and rear setback area required by the applicable district regulations is not reduced. An accessory structure on a corner lot backing up on a key lot shall be setback from the rear property line by a distance equal to the side setback requirements applicable to the key lot.

SECTION 9:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add Subsection 8 to Section 35-137.3.1.d Exempt Temporary Uses, of Section 35-137, Temporary Uses, to read as follows:

Section 35-137.3 Processing.

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

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

...

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

Use Permit requirements only if the following provisions, in addition to all of the criteria in a. through c. of this section above, are met:

...

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

- a) Commercial sales or transactions of goods in residential zones are limited to properties with home occupations, including artist studios, operating under a valid Coastal Development Permit or qualifying as an exempt home occupation pursuant to Section 35-121.5 (Exceptions to Permit Requirements for Home Occupations).
- b) No more than four events per calendar year may be conducted by a single entity or on an individual lot and individual events shall last no longer than three consecutive days.
- c) Admission is open to the general public, with or without ticket sales. The number of registered attendees present at the event does not exceed 300 per day.
- d) The use of a lot for reception or gathering functions in support of the tour shall be limited to non-residential zones, unless conducted in compliance with Subsection 35.137.1.d.3 above.
- e) Tours and associated reception or gathering functions in support of a tour shall not be conducted on a lot operating under a Conditional Use Permit, unless expressly permitted by that permit.

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

SECTION 10:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Subsection 1, General standards, of Section 35-142.5, Accessory dwelling units located within residential or mixed-use zones, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

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

This Section 35-142.5 provides standards for certain accessory dwelling units in accordance with Government Code Section 65852.2(e)(1). An accessory dwelling unit that complies with all of the

following standards, as applicable, shall be permitted with a Coastal Development Permit and any other necessary approvals. An accessory dwelling unit that does not comply with this Section 35-142.5 may be allowed in compliance with Section 35-142.6, below.

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

...

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

SECTION 11:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Subsection e of Section 35-144C.2.A.1 Eligibility, of Section 35-144C, Density Bonus Program, to read as follows:

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

SECTION 12:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Subsection C.1 of Section 35-144C.4, Incentives or Concessions for Housing Developments, of Section 35-144C, Density Bonus Program, to read as follows:

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

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

SECTION 13:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Subsection A of Section 35-144C.6, Parking Ratios for Housing Developments, of Section 35-144C, Density Bonus Program, to read as follows:

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

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

SECTION 14:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Subsection 3 of Section 35-144M.5, Special Notice Requirements, of Section 35-144M, Mobilehome Park Closure, to read as follows:

Section 35-144M.5 Special Notice Requirements.

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

...

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

...

SECTION 15:

DIVISION 13, Summerland Community Plan Overlay, of Article II, the Santa Barbara County Coastal

Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Section 35-191.2, Definitions, of Section 35-191, Summerland - SUM, to read as follows:

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

SECTION 16:

DIVISION 13, Summerland Community Plan Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to revise Section 35-191.5, Floor Area Limit, of Section 35-191, Summerland - SUM, to read as follows:

Section 35-191.5 Floor Area Limit.

1. **Floor area limit.** Structures subject to this subsection shall not exceed the following maximum floor area limits.
 - a. **One-family dwellings.** All new one-family dwellings, and additions to existing one-family dwellings, and attached accessory structures in any zone district except the Design Residential (DR) Zone District are subject to the following standards:
 - 1) **Lots having a lot area (net) of less than 12,000 square feet.** On lots with a lot area (net) of less than 12,000 square feet, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall be in compliance with the following Table 13-1 (One-Family Dwelling Floor Area Limits). The net floor area shall not exceed the amount calculated using the FAR or the Maximum Allowable Square Footage per Lot Area, whichever is less.

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

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

- 2) **Lots between 12,000 square feet and 10 acres.** On lots with a lot area (net) of 12,000 square feet and greater but less than 10 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 2,500 square feet plus five percent of the net lot area; however, in no case shall the net floor area exceed 8,000 square feet.
- 3) **Lots between 10 acres and 20 acres.** On lots with a lot area (net) of 10 acres and greater but less than 20 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 10,000 square feet.
- 4) **Lots between 20 acres and 40 acres.** On lots with a lot area (net) of 20 acres and greater but less than 40 acres, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 12,000 square feet.
- 5) **Lots 40 acres and greater.** On lots with a lot area (net) of 40 acres or greater, the net floor area of structures subject to this Section 35-191 (Summerland - SUM) shall not exceed 8,000 square feet plus 0.25 percent of the net lot area; however, in no case shall the net floor area exceed 15,000 square feet.
- 6) **Accessory dwelling units and junior accessory dwelling units.** The floor area limits enumerated above do not apply to existing or proposed accessory dwelling units or junior accessory dwelling units approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

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

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

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

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

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

- a. **Accessory structures (detached) on lots less than or equal to 10,000 square feet (net).**
Except as provided in compliance with Subsection 2.a.1), below, the cumulative gross floor area of all detached accessory structures located on a lot less than or equal to 10,000 square feet (net) shall not exceed 500 square feet. No such limit exists on lots greater than 10,000 square feet.
 - 1) If the dwelling does not include an attached garage, then a detached garage used for the parking of motor vehicles no greater than 500 square feet of floor area (net) may also be allowed in addition to the cumulative floor area (gross) allowed in compliance with Subsection 2.a4.a, above.
- b. **Floor below grade.**
 - 1) The provisions of this subsection only apply to structures with two or more floors.
 - 2) The amount of floor area of a floor below grade that is included in the net floor area used to determine compliance with the maximum allowed floor area is calculated by multiplying "A" times "B" where:
 - a) "A" equals the total floor area below grade as measured from the interior surfaces of exterior walls (see Figure 13-2), and
 - b) "B" equals the floor below grade adjustment which is the percentage of the total wall area of a floor below grade that is exposed (see Figure 13-3) which is determined by dividing the total exposed wall area by the total wall area.
 - 3) The height of the wall area used to determine the total wall area is measured from the finished floor of the floor below grade to the bottom of the floor joist supporting the floor above, however, only a maximum of 10 feet shall be used in calculating the total wall area.
 - 4) Except as provided in Subsection b.4)a), below, the height of the exposed exterior wall area used to determine the total exposed wall area is measured to the finished grade adjacent to the exterior wall.
 - a) If the grade adjacent to any exterior wall slopes downward, then the height of the exposed wall area shall be calculated from a point located six feet away from the exterior wall surface or a the property line if the property line is located within six feet of the exterior wall surface. This does not apply to the minimum drainage required to comply with building code requirements.

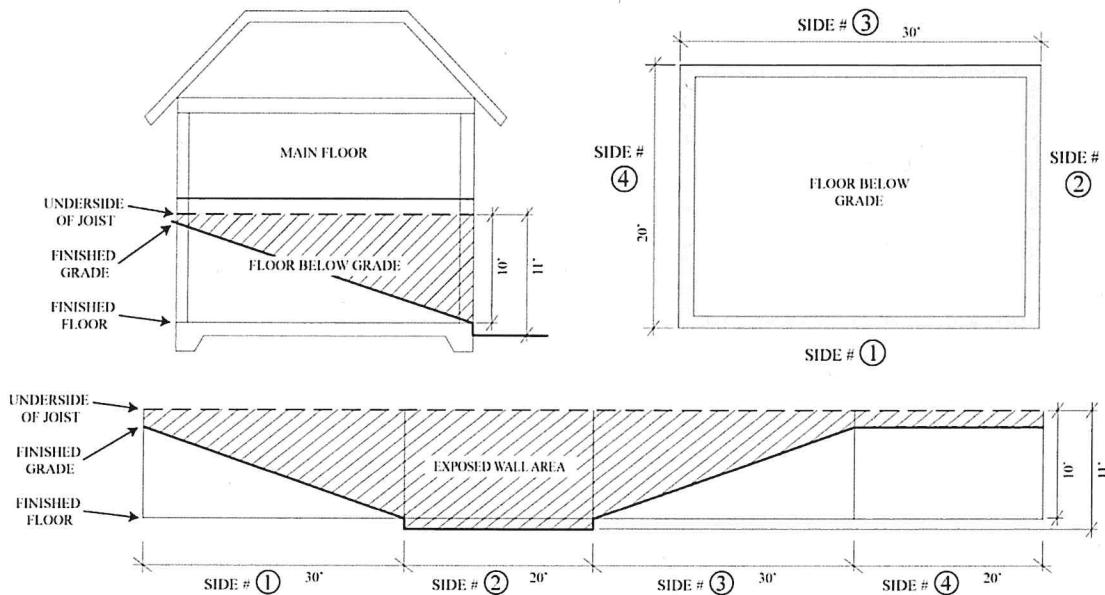


Figure 13-1 - Illustrative example for calculating the floor below grade adjustment

c. **Garages.**

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

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

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

b) **Lots 12,000 square feet (net) or greater.** On lots with a lot area (net) of 12,000 square feet or greater, up to 750 square feet of floor area (net) used as an attached three-car garage for the parking of motor vehicles is not included in the net floor area used to determine compliance with the FAR in Subsection 35-191.5.1 above.

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

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

a) Except as provided below, for mixed-use development, up to 500 square feet of floor area (net) used as a garage for the parking of two motor vehicles per each 6,000 square feet of lot area (net) is not included in the net floor area used to

determine compliance with the maximum allowed floor area in Subsection 1.c, above.

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

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

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

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

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

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

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

- 1) **Elimination of potential subdivision.** The maximum allowed floor area on a lot that may be subdivided in compliance with all applicable provisions of the Local Coastal Program and with the applicable zone in effect as of June 9, 2016 may be increased in compliance with the following and Subsection 2.f.3), below:
 - a) A Declaration of Restriction acceptable to the County shall be recorded by the property owner prior to the issuance of a building permit to eliminate the subdivision potential of the lot in perpetuity.
 - b) The increase in the maximum allowed floor area is limited to one-half of the maximum allowed floor area that would otherwise be allowed for a lot that is equal in size to the minimum lot size required in compliance with the applicable zone in effect as of June 9, 2016.

- 2) Elimination of existing lot.** The maximum allowed floor area on a lot that cannot be subdivided in compliance with all applicable provisions of the Local Coastal Program and with the applicable zone in effect as of June 9, 2016 may be increased in compliance with the following and Subsection 2.f.3), below:
 - a) The lot is contiguous to a lot that cannot be subdivided in compliance with the applicable zone in effect as of June 9, 2016.
 - b) A voluntary merger of the two lots and a Declaration of Restriction acceptable to the County shall be recorded by the property owner prior to the issuance of a building permit to eliminate the subdivision potential of the lot in perpetuity.
 - c) The increase in the maximum allowed floor area is limited to one-half of the maximum allowed floor area that would otherwise be allowed on either of the lots that are the subject of the voluntary merger.
- 3) In no event shall the maximum allowed floor area as adjusted in compliance with Subsections 2.f.1) or 2.f.2) above exceed:**
 - a) 12,000 square feet on lots with a lot area (net) of less than 20 acres.
 - b) 15,000 square feet on lots with a lot area (net) of 20 acres or greater.

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

SECTION 17:

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

SECTION 18:

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

SECTION 19:

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.

2025 General Ordinance Amendment Package
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Montecito Planning Commission
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Attachment D-1 – Page 15

SECTION 20:

This ordinance and any portion of it approved by the California Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the Board voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURA CAPPES, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEN
COUNTY COUNSEL

2025 General Ordinance Amendment Package
Case Nos. 25ORD-00010, -00011, and -00013
Montecito Planning Commission
Hearing Date: November 19, 2025
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By _____

Deputy County Counsel

ATTACHMENT E: MONTECITO LAND USE AND DEVELOPMENT CODE RESOLUTION

**RESOLUTION OF THE MONTECITO PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE REPEALING ORDINANCE NO. 3916 AND CHAPTER 35B OF THE SANTA BARBARA COUNTY CODE THAT ESTABLISHED A GROWTH MANAGEMENT PLAN.

RESOLUTION NO.: 25-16

CASE NO.: 25ORD-00013

WHEREAS, on March 12, 1991, by Ordinance 3916, the Board of Supervisors adopted the Montecito Growth Management Ordinance as Chapter 35B of the Santa Barbara County Code;

WHEREAS, on October 9, 2019, the State Legislature adopted Senate Bill (SB) 330 (Government Code Section 66300(b)(1)(B), which states that cities and counties "shall not enforce any moratorium or similar restriction or limitation on housing development...";

WHEREAS, the Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the Board adopt an ordinance (Case No. 25ORD-00013) amending Chapter 35B of the Santa Barbara County Code to repeal the Montecito Growth Management Ordinance;

WHEREAS, the proposed amendment is attached hereto as Exhibit 1 and is incorporated by reference;

WHEREAS, the proposed amendment is consistent with the Comprehensive Plan, including the Montecito Community Plan and the Coastal Land Use Plan, the Coastal Act of 1976, and the requirements of State planning, zoning, and development laws;

WHEREAS, the proposed amendment is in the interest of the general community welfare since it will serve to implement the requirements of State law that promote residential development in accordance with Government Code Section 66300 and will remove a limitation that is not currently being implemented or enforced in the Inland Area portion of the Montecito Community Plan Area; and

WHEREAS, this Montecito Planning Commission held a duly noticed public hearing on November 19, 2025, as required by Government Code Section 65854, on the proposed amendment at which hearing the proposed amendment was explained and comments invited from the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

2025 General Ordinance Amendment Package
Case Nos. 25ORD-00010, -00011, and -00013
Montecito Planning Commission
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1. The above recitations are true and correct.
2. The Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of health, safety, and general welfare of the residents of the County, to recommend that the Board adopt the following Ordinance:
 - a. An ordinance (Case No. 25ORD-00013) repealing Chapter 35B of the Santa Barbara County Code (Attachment E-1).
3. In compliance with the provisions of Government Code Section 65855, the Montecito Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above-mentioned recommendation of this Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated November 10, 2025.
4. A certified copy of this Resolution shall be transmitted to the Board in compliance with Government Code Section 65855.
5. The Chair of this Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above mentioned action by the Montecito Planning Commission.

PASSED, APPROVED, AND ADOPTED this 19th day of November 2025, by the following vote:

AYES: Kupiec, Kerns, Amerikaner

NOES: Miller, Rockenbach

ABSTAIN:

ABSENT:



STEVEN AMERIKANER, CHAIR
Montecito Planning Commission

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Montecito Planning Commission
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Attachment E – Page 3

ATTEST:

JEFF WILSON
SECRETARY TO THE COMMISSION

By



APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By



DEPUTY COUNTY COUNSEL

G:\GROUP\COMP\Zoning Ordinance Amendment Program\2025 Ordinance Amendment Package\2025 General Zoning Package\Hearings\MPC 11.19.25\Attachment E. MGMO Repeal Resolution.docx

Exhibit 1 – MGMO Amendment (Case No. 25ORD-00013)

ATTACHMENT E-1: MONTECITO GROWTH MANAGEMENT ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NO. 3916 AND CHAPTER 35B OF THE SANTA BARBARA COUNTY CODE THAT ESTABLISHED A GROWTH MANAGEMENT PLAN.

25ORD-00013

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

SECTION 1:

This Ordinance repeals and rescinds Ordinance No. 3916 as amended by Ordinance Nos. 4105, 4133, 4140, 4148, 4190, 4381, 4587, 4724, and 4763.

SECTION 2:

Chapter 35B, the Montecito Growth Management Ordinance, of the Santa Barbara County Code is hereby repealed and rescinded.

SECTION 3:

Within the Coastal Zone portion of Santa Barbara County, this ordinance and any portion of this ordinance approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514, whichever occurs later; and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent, a newspaper of general circulation published in the County of Santa Barbara.

SECTION 4:

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 5:

Within the non-Coastal Zone portion of Santa Barbara County, this ordinance shall take effect and be in force 30 days from the date of its passage; and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of

2025 General Ordinance Amendment Package
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the Board of Supervisors voting for and against the same in the Santa Barbara Independent, 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 _____, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURA CAPPs, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEN
COUNTY COUNSEL

By _____
Deputy County Counsel