



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: November 20, 2007
Placement: Set Hearing
Estimated Tme: 15 minutes on 11/27/2007
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director John Baker (805.568.2085)
Contact Info: Dianne Black, Development Services Director (805.568.2086)
SUBJECT: Land Use & Development Codes and Zoning Map Amendments

County Counsel Concurrence
As to form: Yes

Auditor-Controller Concurrence
As to form: N/A

Other Concurrences: N/A

Recommended Actions:

That the Board of Supervisors set for hearing of November 27, 2007 to consider the recommendations of the County and Montecito Planning Commissions and:

- A. Adopt findings for approval of the proposed ordinances (Attachment A);
- B. Find that adoption of these ordinances are categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) and Section 15625 of the Guidelines for Implementation of CEQA (Attachment B);
- C. Adopt an Ordinance (Case No. 07RZN-00000-00018) amending the County Zoning Map within the Montecito Community Plan Area to change the zoning of Assessor's Parcel Numbers 009-230-025 and 009-230-025-026 from Retail Commercial (C-2) to Neighborhood Commercial (CN) (Attachment C);
- D. Adopt an Ordinance (Case Nos. 07ORD-00000-00003 and 07ORD-00000-00004) amending Section 35-1, the Santa Barbara County Land Use and Development Code, and Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D);
- E. Adopt a Resolution transmitting these Ordinances and Resolution for certification by the California Coastal Commission as an amendment to Santa Barbara County's certified Local Coastal Program (Attachment E).

Summary Text:

This project is an outgrowth of the first phase of the Zoning Ordinance Reformatting Project (ZORP) that began in 2003 and culminated on October 17, 2006 with the adoption by the Board of Supervisors of the County and Montecito Land Use and Development Codes that replaced the then-existing Article I (Sign Ordinance), Article II (Coastal Zoning Ordinance), Article III (Inland Zoning Ordinance), Article IV (Montecito Zoning Ordinance) and Article V (Road Naming and Street Addressing Ordinance). As adopted, the County Land Use and Development Code (CLUDC) contains the zoning regulations that apply to both the Coastal Zone and non-Coastal Zone (Inland area) portions of the County located outside of the Montecito Community Plan area, and the Coastal Zone portion of the Montecito Community Plan area. The existing Montecito Land Use and Development Code (MLUDC) contain zoning regulations that apply to only the non-Coastal Zone (Inland area) portion of the Montecito Community Plan area.

During the preparation of the Land Use and Development Codes, the Board committed to the adoption of a comprehensive Development Code for the Montecito Community Plan area that includes both the Coastal Zone and Inland area zoning regulations once the new Codes were adopted. This requires amending the MLUDC to add the necessary Coastal Zone regulations and amending the CLUDC to remove the regulations that apply only within the Coastal Zone portion of the Montecito Community Plan area.

1. County Land Use and Development Code (Case No. 07ORD-00000-00003)

The proposed draft CLUDC reflects the removal of the Montecito Coastal Zone regulations and also incorporates all the recent amendments made to the Land Use and Development Codes regarding:

- use of the Zoning Clearance process following the approval of Conditional Use Permits and Development Plans when a Substantial Conformity Determination is not required
- approving a Coastal Development Permit concurrent with the approval of a Conditional Use Permit or a Development Plan in order to provide only one Coastal Commission appeal potential.
- shifting the jurisdiction over Coastal Development Permit applications in the Coastal Zone Appeals Jurisdiction from the Montecito Commission to the Director when the requirement for a public hearing has been waived.

At the request of the Board of Directors of the Hope Ranch Park Homes Association the draft CLUDC also proposes to revise the building separation requirements for structures located within the EX-1 (One-Family Exclusive Residential) zone that is applied only within Hope Ranch. The Hope Ranch Board of Directors, in response to requests from property owners within Hope Ranch, voted unanimously to submit the request to the County. The revised separation requirements were also discussed by the Hope Ranch Architectural Board of Review. As revised, the building separation requirements for the EX-1 zone would be consistent with the existing requirements for the single-family residential (R-1/E-1) zone commonly used throughout the rest of the County. The following table shows the proposed revisions.

Building separation	Existing	Proposed
Between a dwelling and guest house	50 ft.	None, except as required by Building Code
Between a dwelling or guest house and another accessory structure	10 ft. if 1-story structure	5 ft.
	15 ft. if 2-story structure	5 ft.

Lastly, this ordinance amendment includes several minor revisions to the existing CLUDC to correct or clarify the existing text; for example, grammar, punctuation and spelling corrections, inclusion of the full title of the section in section references (e.g., having the text read **Section 35.82.050, Coastal Development Permits**, instead of just **Section 35.82.050**), revising the format of certain tables to be consistent throughout the Code, correcting section references, correcting obvious errors in allowable uses and permit requirements, and re-phrasing some text so that it reads more clearly.

2. Montecito Land Use and Development Code (Case No. 07ORD-00000-00004)

In creating the new comprehensive MLUDC, not all of the permitted and conditionally permitted uses currently allowed in the Coastal Zone for the whole of the County were carried forward into the new MLUDC. This is due to the fact that the Coastal Zone portion of the Montecito Community Plan area is essentially built-out such that many of the uses presently allowed in the Coastal Zone would be incompatible with the existing development within the Montecito Community Plan area, as opposed to the remainder of the Coastal Zone in the County where there is much more undeveloped and under-developed property. Therefore, in moving the Coastal Zone regulations from the CLUDC to the MLUDC, the text was revised to primarily conform the language regarding allowable uses in the Coastal Zone to the existing allowable uses, permit requirements and development standards of the existing MLUDC. Attachment F of this report summarizes the revisions that were made to the existing MLUDC in order to incorporate the text from the CLUDC as it relates to development within the Coastal Zone portion of the Montecito Community Plan Area.

The MLUDC as drafted also incorporates all the recent amendments made to the Land Use and Development Codes summarized above.

Lastly, the proposed draft MLUDC also includes several minor revisions to the existing MLUDC to correct or clarify the existing text similar to the examples noted above for the CLUDC.

3. County Zoning Map Amendment (Case No. 07RZN-00000-00018)

This project also proposes to change the zone designation from Retail Commercial (C-2) to Neighborhood Commercial (CN) on two Assessor’s Parcels located within the Coastal Zone in the vicinity of Coast Village and Olive Mill Road (see Exhibit 1 of Attachment C). This is because the C-2 zone is not applied to any other property within the Montecito Community Plan area and the existing MLUDC does not include this zone. All other commercially-zoned property within the Montecito Community Plan area is zoned CN except for those properties that are zoned for visitor serving commercial uses (Biltmore/Coral Casino, Miramar, San Ysidro Ranch). Therefore, staff feels that it is more appropriate to rezone these two parcels to CN rather than incorporate the C-2 zone into the MLUDC along with its much more expansive list of allowable uses. These two parcels are presently used as a parking lot associated with an adjacent retail store located within the City of Santa Barbara’s jurisdictional boundaries, so the proposed change in zone will not affect the existing use. The property

owner did inquire with staff regarding the proposed rezone, and did not express any opposition to the change.

4. Planning Commission Review

At the Montecito Planning Commission hearing on October 17, 2007, and the County Planning Commission hearing on October 24, 2007, both Commissions voted unanimously to recommend that your Board adopt the recommendations listed on page one of this Board Agenda Letter. See Attachment G (Montecito Planning Commission Resolution) and Attachment H (County Planning Commission Resolution).

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding for this ordinance amendment work effort is budgeted in the Planning Support program of the Administration Division on page D-280 of the adopted Planning and Development Department's budget for fiscal year 2007-08. There are no facilities impacts.

Staffing Impacts:

Legal Positions:	FTEs:
0	0

Special Instructions:

1. The Planning and Development Department will satisfy all noticing requirements.
2. The Clerk of the Board will send a copy of the signed and numbered ordinances and resolutions, and minute order, to the Planning and Development Department, attention Noel Langle.

Attachments:

- A. Findings
- B. CEQA Exemption
- C. Rezone Ordinance (Case No. 07RZN-00000-00018)
- D. Land Use and Development Code Ordinance Amendment (Case No. 07ORD-00000-00003 & 07ORD-00000-00004)
- E. Resolution transmitting amendments to Coastal Commission
- F. Summary of Revisions to the Montecito Land Use and Development Code
- G. Montecito Planning Commission Resolution
- H. County Planning Commission Resolution

Authored by:
Noel Langle (805.568.2009)

ATTACHMENT A: FINDINGS

CASE NOS. 07ORD-00000-00003, 07ORD-00000-00004 & 07RZN-00000-00018

The following findings shall first be made by the Board of Supervisors in order to approve these amendments to the County's Zoning Map, and the County and Montecito Land Use and Development Codes:

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

The adoption of these amendments is in the interest of the general community welfare since their purpose is to create a single, comprehensive Land Use and Development Code for the Montecito Community Plan area.

2. The request is consistent with the Comprehensive Plan and applicable Community Plans, the requirements of State planning and zoning laws, and the zoning ordinances.

a) The amendments to the County and Montecito Land Use and Development Codes (Case Nos. 07ORD-00000-00003 and -00004) are consistent with the Santa Barbara County Comprehensive Plan, including the Coastal Plan and applicable Community Plans, since they do not alter the existing zoning regulations, which previously have been found consistent with applicable policies of the Comprehensive Plan, in a manner that would make them inconsistent with the Comprehensive Plan.

b) The amendment to the zone designation (Case Nos. 07RZN-00000-00018) is consistent with the Santa Barbara County Comprehensive Plan, including the Coastal Plan and the Montecito Community Plan, as it is not inconsistent with any policies of the Comprehensive Plan. Additionally, the use of the Neighborhood Commercial (CN) zone is consistent with the Montecito Community Plan General Commercial designation as the range of commercial uses allowed in the CN zone, although more restrictive, are all consistent with the General Commercial land use designation.

c) The proposed amendments to the Land Use and Development Codes (Case Nos. 07ORD-00000-00003 and -00004) are internally consistent within the respective documents.

d) The proposed amendments to the Land Use and Development Codes (Case Nos. 07ORD-00000-00003 and -00004) are consistent with the requirements of State Planning and Zoning Laws since the County and Montecito Land Use and Development Codes contain procedures and standards that implement local zoning regulations as required by Government Code Section 65000 et seq., the California Planning, Zoning and Development Laws.

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

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 as the amendments will serve to create a single, comprehensive Land Use and Development Code for the Montecito Community Plan area that is consistent with the Coastal Land Use Plan and Zoning Map.

ATTACHMENT B

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Noel Langle, Planner
Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County guidelines for the implementation of CEQA.

APN(s): Not applicable.

Case No.: 07ORD-00000-00003 & 07ORD-00000-00004

Location: The proposed ordinance amendments would apply to the whole of the unincorporated areas of Santa Barbara County.

Project Title: County and Montecito Land Use and Development Code Amendments

Project Description: The proposed amendments to the County and Montecito Land Use and Development Codes (LUDCs) create (1) a comprehensive code for the Montecito Community Plan area that contains the zoning regulations applicable to both the Coastal Zone and Inland area and (2) a code for the remaining unincorporated area of the County by removing the existing regulations that apply to the Coastal Zone portion of the Montecito Community Plan area. The amendments also include several minor revisions to the existing LUDCs to correct or clarify the existing text.

Exempt Status: (Check one)

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect [§15061(b)(3)]

Cite specific CEQA Guideline Section: Section 15061(b)(3), the general rule exemption, states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that the activity is not subject to CEQA.

Reasons to support exemption findings:

CEQA Guidelines Section 15061(b)(3) exempts activities from CEQA “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” In addition, CEQA defines “project” as an activity that may result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. (Public Resources Code Section 21065)

Amending the County and Montecito Land Use and Development Codes in the manner described above do not alter the existing zoning regulations in any substantive manner such that there is no possibility for the amendments to result in any direct or indirect physical change in the environment or cause any significant environmental effects.

Therefore, no significant environmental impacts are expected to result as a consequence of this ordinance revision.

Lead Agency Contact Person: Noel Langle

Telephone No.: 805.568.2009

Department/Division Representative

Date

Acceptance Date: _____

Date Filed by County Clerk: _____

Note: A copy of this form must be posted at Planning and Development six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Distribution:

Hearing Support Staff

Project file

ATTACHMENT C

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-2, THE SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING THE COUNTY ZONING MAP WITHIN THE MONTECITO COMMUNITY PLAN AREA BY CHANGING THE ZONING OF ASSESSOR'S PARCEL NUMBERS 009-230-025 AND 009-230-026 FROM RETAIL COMMERCIAL (C-2) TO NEIGHBORHOOD COMMERCIAL (CN).

Case No. 07ORD-0000-00018

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

SECTION 1:

The County Zoning Map within the Montecito Community Plan area shall be amended by changing the zoning on Assessor's Parcel Numbers 009-230-025 and 009-230-025-026 from Retail Commercial (C-2) to Neighborhood Commercial (CN) as shown on Exhibit A.

SECTION 2:

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 the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 27th day of November, 2007, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

BROOKS FIRESTONE, Chair
Board of Supervisors
County of Santa Barbara

ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

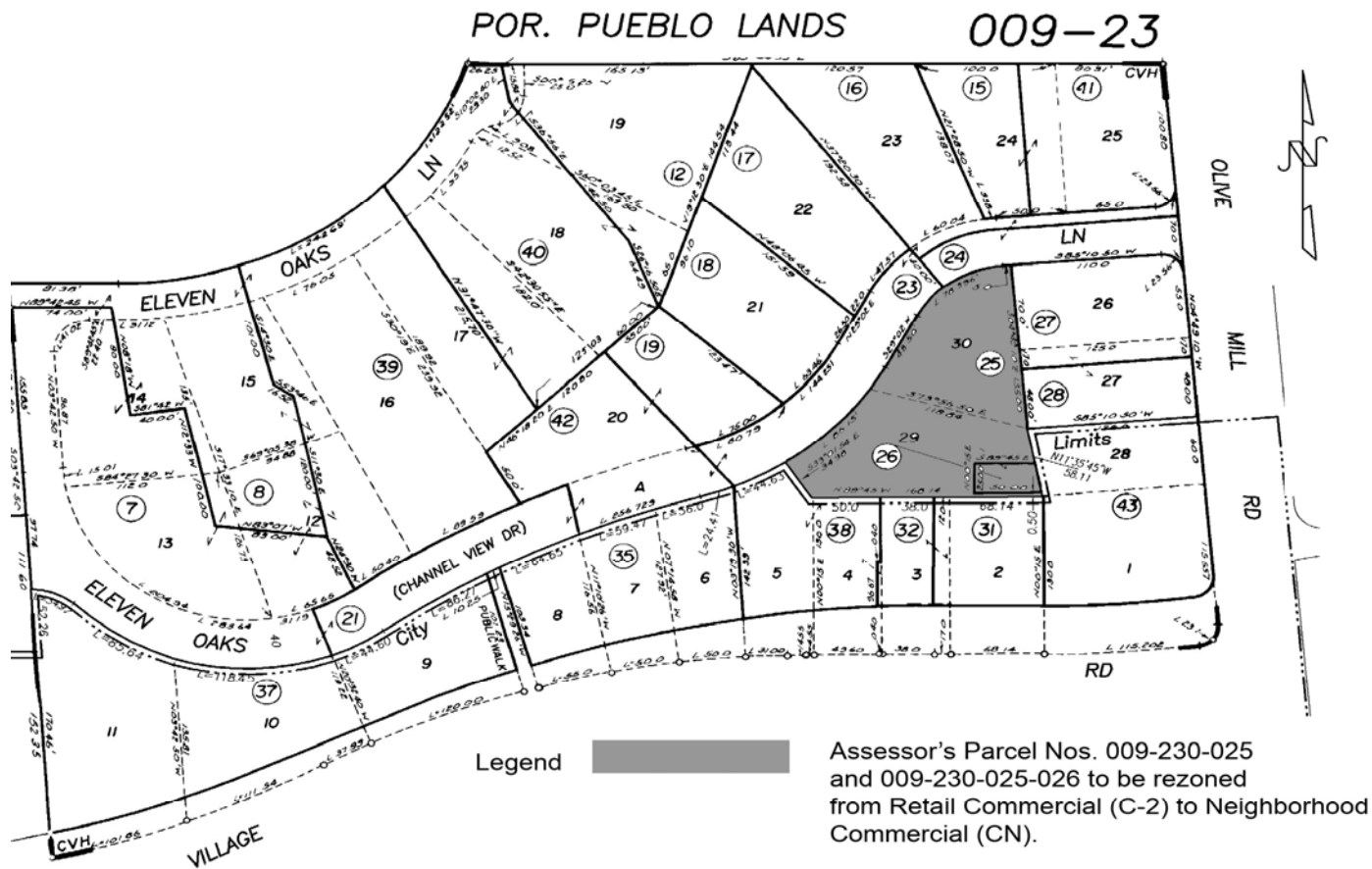
By _____
Deputy County Counsel

Attachment: Exhibit A

EXHIBIT A

**SECTION 35-2 OF CHAPTER 35 OF THE SANTA BARBARA COUNTY CODE
SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE
ZONING MAP AMENDMENT**

(Case No.: 07RZN-00000-00018)



ATTACHMENT D

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1 OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, AND SECTION 35-2 OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, THE SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE.

Case Nos. 07ORD-0000-00003 & 07ORD-0000-00004

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

SECTION 1:

Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, consisting of Article 35.1, Development Code Applicability, Article 35.2, Zones and Allowable Land Uses, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, Article 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, Article 35.6, Resource Management, Article 35.7, Site Development Regulations, Article 35.8, Planning Permit Procedures, Article 35.9, Reserved, Article 35.10, Land Use and Development Code Administration, Article 35.11, Glossary, Appendix B, Administrative Guidelines for Implementing Measure A96 - Voter Approval Initiative, Appendix C, County Guidelines on Repair and Maintenance and Utility Connections to Permitted Development, Appendix D, Development Standards for Residential Second Units on Lots Less than Two Acres in Size Served by Onsite Sewage Disposal Systems, and Appendix G, Guidelines for Telecommunication Sites in Rural and Inner-Rural Areas, are hereby amended as shown on Exhibit 1, attached hereto.

SECTION 2:

Section 35-2 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, consisting of Division 35.1, Montecito Development Code Applicability, Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, Division 35.4, Montecito Standards for Specific Land Uses, Division 35.5, Montecito Resource Management, Division 35.6, Montecito Site Development Regulations, Division 35.7, Montecito Planning Permit Procedures, Division 35.8, Reserved, Division 35.9, Montecito Land Use and Development Code Administration, Division 35.10, Glossary, Appendix B, Administrative Guidelines for Implementing Measure A96 - Voter Approval Initiative, Appendix C, County Guidelines for Repair and Maintenance and Utility Connections to Permitted Development, Appendix D, Development Standards for Residential Second Units on Lots Less than Two Acres in Size Served by Onsite Sewage Disposal Systems, Appendix E, Guidelines for Minor Changes to Coastal Development and Land Use Permits, Appendix F, Guidelines for Telecommunication Sites in Rural and Inner-Rural Areas, and Appendix G, Substantial Conformity Guidelines, are hereby amended as shown on Exhibit 2, attached hereto.

SECTION 3:

For Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, as it applies within the Coastal Zone of Santa Barbara County, 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, a summary of this ordinance shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

SECTION 4:

For Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code as it applies outside of the Coastal Zone 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, a summary of this ordinance shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

SECTION 5:

For Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, as it applies within the Coastal Zone of Santa Barbara County, 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, a summary of this ordinance shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

SECTION 6:

For Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, this ordinance shall take effect and be in force 30 days from the date of its passage, and before the expiration of 15 days, a summary of this ordinance shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 27th day of November, 2007, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

BROOKS FIRESTONE, Chair
Board of Supervisors
County of Santa Barbara

ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By _____
Deputy County Counsel

EXHIBIT 1

SECTION 35-1 OF CHAPTER 35 OF THE SANTA BARBARA COUNTY CODE
SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE

HEARING DRAFT

(Case No.: 07ORD-00000-00003)

EXHIBIT 2

SECTION 35-2 OF CHAPTER 35 OF THE SANTA BARBARA COUNTY CODE
SANTA BARBARA COUNTY MONTECITO LAND USE AND DEVELOPMENT CODE

HEARING DRAFT

(Case No.: 07ORD-00000-00004)

ATTACHMENT E

**RESOLUTION OF THE SANTA BARBARA BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF SUBMITTING TO THE)
CALIFORNIA COASTAL COMMISSION)
AN AMENDMENT TO THE SANTA BARBARA)
COUNTY LOCAL COASTAL PROGRAM THAT) RESOLUTION NO.: 07 - _____
AMENDS THE COUNTY ZONING MAP WITHIN) CASE NO.: 07RZV-00000-00018
THE MONTECITO COMMUNITY PLAN AREA,) 07ORD-00000-00003
AMENDS SECTION 35-1 OF CHAPTER 35 OF) 07ORD-00000-00004
THE SANTA BARBARA COUNTY CODE, THE)
SANTA BARBARA COUNTY LAND USE AND)
DEVELOPMENT CODE, PORTIONS OF WHICH)
PERTAIN TO THE COASTAL ZONE, AND)
AMENDS SECTION 35-2 OF CHAPTER 35 OF)
THE SANTA BARBARA COUNTY CODE, THE)
SANTA BARBARA COUNTY MONTECITO)
LAND USE AND DEVELOPMENT CODE,)
PORTIONS OF WHICH PERTAIN TO THE)
COASTAL ZONE.)

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Plan; and
- B. On July 19, 1982, by Ordinance 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. On December 15, 1992, by Resolution 92-699, the Board of Supervisors of the County of Santa Barbara adopted the Coastal Land Use Plan Map for the Montecito Community Plan area; and
- D. On December 15, 1992, by Ordinance No. 4083, the Board of Supervisors of the County of Santa Barbara adopted the Coastal Zoning Map for the Montecito Community Plan area; and
- E. On October 17, 2006, by Ordinance 4625, the Board of Supervisors adopted Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, portions of which pertain to the Coastal Zone; and
- F. On October 17, 2006, also by Ordinance 4625, the Board of Supervisors adopted Section 35-2 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, which pertains to the non-Coastal Zone area within the Montecito Community Plan area; and

- G. The Board of Supervisors, having deemed it to be in the interest of orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County, has amended the Local Coastal Program by adopting:
1. An Ordinance (Case No. 07RZN-00000-00018), attached as Exhibit 1, amending the County Zoning Map within the Montecito Community Plan Area to change the zoning of Assessor's Parcel Numbers 009-230-025 and 009-230-025-026 from Retail Commercial (C-2) to Neighborhood Commercial (CN); and
 2. An Ordinance (Case No. 07ORD-00000-00003 & 07ORD-00000-00004) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, by removing those regulations that pertain to the Coastal Zone area within the Montecito Community Plan area, and amending Section 35-2 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, to include those regulations that pertain to the Coastal Zone area within the Montecito Community Plan area.
- H. Public officials and agencies, civic organizations, and citizens have been consulted and have advised the County Planning Commission and the Montecito Planning Commission on the said proposed amendments in a duly noticed public hearing pursuant to Section 65353 of the Government Code.
- I. The County Planning Commission and the Montecito Planning Commission, after holding a duly noticed public hearing on the above described items, have endorsed and submitted this recommended amendments to the Board of Supervisors pursuant to Section 65354 of the Government Code.
- J. The Board of Supervisors has held a duly noticed public hearing, as required by Section 65355 and Section 65856 of the Government Code, on the proposed amendments, at which hearing the amendments were explained and comments invited from the persons in attendance.
- K. The proposed amendments to the County's certified Local Coastal Program are consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Plan, and the requirements of the State Planning and Zoning Laws.
- L. The Board of Supervisors now wishes to submit these amendments, except for those portions of Section 35-1, the Santa Barbara County Land Use and Development Code, and Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, that are not applicable within the Coastal Zone as shown in Exhibit 3, to the California Coastal Commission as an amendment to the County Local Coastal Program.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Section 65356 and 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes are adopted as amendments to the Santa Barbara County Local Coastal Program.

3. The Board of Supervisors certifies that these amendments are intended to be carried out in a manner fully in conformity with the California Coastal Act.
4. The Board of Supervisors submits these amendments to the California Coastal Commission for review and certification.
5. The Chair and Clerk of the Board of Supervisors are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 27th day of November, 2007, by the following vote::

AYES:

NOES:

ABSTAIN:

ABSENT:

BROOKS FIRESTONE, Chair
Board of Supervisors, County of Santa Barbara

ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. Rezone Ordinance (Case No. 07RZN-00000-00018)
2. County and Montecito Land Use and Development Code Amendment Ordinance (Case No.: 07ORD-00000-00003 and 07ORD-00000-00004)
3. Portions of Section 35-1 and 35-2 of the Santa Barbara County Code not submitted for certification (Case No.: 07ORD-00000-00003 and 07ORD-00000-00004)

EXHIBIT 1

(See Attachment C - Rezone Ordinance Case No. 07RZN-00000-00018)

EXHIBIT 2

*(See Attachment D - County and Montecito Land Use and Development Code Amendment Ordinance
Case No.: 07ORD-00000-00003 and 07ORD-00000-00004)*

EXHIBIT 3

A. Section 35-1, the Santa Barbara County Land Use and Development Code

The zoning regulations contained within Section 35-1, the Santa Barbara County Land Use and Development Code are applicable to the Coastal Zone with the following exceptions:

1. Any Chapter, Section or Subsection within the County Land Use and Development Code that restricts the application of the regulation to the Inland area.
2. The following zones and overlay zones:
 - General Commercial (C-3) zone
 - General Industry (M-2) zone
 - Growth Management Ordinance (GMO) overlay zone
 - Light Industry (M-1) zone
 - Los Alamos Community Plan overlay zone (Section 35.28.210.D)
 - Mixed Use (MU) zone
 - Mobile Home Subdivision (MHS) zone
 - Mountainous - Goleta (MT-GOL) zone
 - Neighborhood Commercial (CN) zone
 - Old Town - Residential (OT-R) zone
 - Old Town - Residential/Light Commercial (OT-R/LC) zone
 - Old Town - Residential/General Commercial (OT-R/GC) zone
 - Orcutt Community Plan area (Section 35.28.210.E)
 - Pedestrian Area - Old Town Orcutt (PA-OTO) overlay zone
 - Residential Ranchette (RR) zone
 - Riparian Corridor - Goleta (RP-GOL) overlay zone
 - Service Commercial (CS) zone
 - Shopping Center (SC) zone
 - Small Lot Planned Development (SLP) zone
3. Chapter 35.38 Sign Standards
4. Chapter 35.76 Road Naming and Address Numbering

B. Section 35-2, the Santa Barbara County Montecito Land Use and Development Code

The zoning regulations contained within Section 35-2, the Santa Barbara County Montecito Land Use and Development Code are applicable to the Coastal Zone with the following exceptions:

1. Any Chapter, Section or Subsection within the Montecito Land Use and Development Code that restricts the application of the regulation to the Inland area.
2. The following zones and overlay zones:

Resource Protection (RMZ) zone
Montecito Hillside (H-MON) overlay zone

3. Chapter 35.438 Sign Standards
4. Chapter 35.460 Road Naming and Address Numbering

ATTACHMENT F

Summary of Revisions to the Montecito Land Use and Development Code

This attachment summarizes the revisions that were made to the existing Montecito Land Use and Development Code (MLUDC) in order to incorporate text from the County Land Use and Development Code as it relates to development within the Coastal Zone portion of the Montecito Community Plan Area.

The draft MLUDC also incorporates all the recent amendments made to the Land Use and Development Codes regarding use of the Zoning Clearance process following the approval of Conditional Use Permits and Development Plans when a Substantial Conformity Determination is not required, approving a Coastal Development Permit concurrent with the approval of a Conditional Use Permit or a Development Plan in order to provide for only one potential appeal to the Coastal Commission, and shifting the jurisdiction over Coastal Development Permit applications in the Coastal Zone Appeals Jurisdiction from the Montecito Commission to the Director when the requirement for a public hearing has been waived.

In general, the draft MLUDC:

1. Includes references to the requirement for a Coastal Development Permit where applicable throughout the Development Code.
2. Includes references to the Local Coastal Program, the Coastal Land Use Plan and the Coastal Act where appropriate.
3. Includes all the special development regulations regarding noticing, appeal procedures, Local Coastal Program amendments, etc, that are required in order to be consistent with the Coastal Act and the Coastal Commission administrative regulations.
4. Combines the “Conditional Use Permits” and the “Minor Conditional Use Permits” into one category since all conditional use permits within the Montecito Community Plan area are under the jurisdiction of the Montecito Planning Commission.

In order keep this attachment from being too voluminous, it does not include the complete text of the revised sections referenced below. The reader will need to refer to the proposed MLUDC for the complete text of the new language (Attachment C, Exhibit 1).

DIVISION 35.1 - Montecito Development Code Applicability

Chapter 35.400 - Purpose and Applicability of Development Code

35.400.040 - Applicability of the Development Code:

- E. Incorporation of existing ordinances and development plans:** This Subsection is revised to include references to historical development plans and ordinances approved and adopted for property located within the Coastal Zone. This is similar to what presently exists for the Inland area.

- F. Conflicting requirements:** This Subsection is revised to include a new paragraph stating that within the Coastal Zone, if conflicts occur between requirements of the MLUDC, or between the MLUDC and the Santa Barbara County Code, or other regulations of the County, that the conflicts shall be resolved in manner which on balance is the most protective of significant coastal resources as opposed to the “most restrictive” which is the existing language.
- G. Applicability of Development Code to State, County, Local Agency, and School District sites and facilities:** This subsection is divided into applicability of the MLUDC to certain agencies in the Coastal Zone versus the Inland area.

Chapter 35.404 - Zoning Map

35.404.020 - Zoning Map and Zones: The following zones and overlays that currently apply within the Coastal Zone portion of the Montecito Community Plan area are added to Table 1-1 that lists the applicable zones and overlays:

- Transportation Corridor (TC) zone
- Highway 101 Corridor (HC) overlay
- Site Design (SD) overlay
- View Corridor (VC) overlay

DIVISION 35.2 - Montecito Zones and Allowable Land Uses

Chapter 35.420 - Development and Land Use Approval Requirements

35.420.030 - Allowable Development and Planning Permit Requirements

- A. Allowable land uses.** Subsection 3 (Similar and compatible use may be allowed) is revised to add the Transportation Corridor (TC) zone to the list of zones in which the Montecito Commission may determine that a proposed use not listed in this Division is an allowable use.
- B. Permit requirements.** This subsection is revised to add clarifying language that a proposed land use type that is not listed in the use tables is not allowed unless allowed (1) as provided by Subsection A.3 (Similar and compatible use may be allowed) above, (2) in compliance with Chapter 35.428 (Montecito Overlay Zones), or (3) in compliance with Division 35.4 (Montecito Standards for Specific Land Uses).

35.420.040 - Exemptions from Planning Permit Requirements: This section is divided into three sections to provide specific exemptions for development that is (1) exempt in the Coastal Zone and Inland area, or (2) exempt in the Inland area only, or (3) exempt in the Coastal Zone only.

Activities and structures exempt within Coastal Zone. The draft MLUDC does not include the existing permit exemption within the Coastal Zone for structures and related development required for temporary motion picture, television, and theater stage sets and scenery, and still

photographic sessions. Within the Inland area, such structures are required to obtain Land Use Permits.

Chapter 35.421 - Agricultural Zone

35.421.030 - Agricultural Zone Allowable Land Uses

Table 2-1 - Allowed Land Uses and Permit Requirements for the Montecito Agricultural Zone (AG-I): Table 2-1 is revised to add the allowed land uses and permit requirements from the County LUDC Coastal Zone AG-I zone. However, not all existing Coastal Zone uses are included, and in some cases the permit requirement is changed.

The table below summarizes the differences between the *proposed* Montecito Inland AG-1 zone and *proposed* Montecito Coastal Zone AG-1 zone, and the *existing* Montecito Inland AG-1 zone and the *existing* County Coastal Zone AG-1 zone. The primary reason for the differences between the Coastal Zone and Inland area in this table in regards to the allowable uses relating to transportation, communications, infrastructure, water supply and wastewater facilities is that within the Coastal Zone, County projects (e.g., public works including flood control and roads) are regulated by the MLUDC whereas within the Inland area they are not.

Table 2-1 Allowed Land Uses and Permit Requirements for the Agricultural Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
CUP	Conditional Use Permit required				
S	Permit determined by Specific Use Regulations				
—	Use Not Allowed				
LAND USE	PERMIT REQUIRED BY ZONE				
	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing	

AGRICULTURAL, MINING, & ENERGY FACILITIES

LAND USE	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing
Cultivated agriculture, orchard, vineyard	E	E	P	E
Grazing	E	E	—	E
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining- Surface, less than 1,000 cubic yards	—	—	—	P
Mining- Surface, 1,000 cubic yards or more	—	—	—	P
Oil and gas uses	—	—	—	S

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

LAND USE	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing
Fairgrounds	—	—	—	CUP
Golf course	—	—	—	CUP
Golf driving range	—	—	—	CUP
School - Business, professional or trade	—	—	—	CUP

RESIDENTIAL

LAND USE	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing
Agricultural employee housing, 5 or more employees	—	—	—	CUP
Residential second unit - attached	—	—	—	P
Residential second unit - detached	—	—	—	MCUP

SERVICES

LAND USE	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing
Cemetery	—	—	—	CUP
Charitable or philanthropic organization	—	—	—	CUP

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

LAND USE	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing
Airstrip, temporary	—	—	—	CUP

Drainage channel, water course, storm drain, less than 20,000 sf	—	P	—	P
Drainage channel, water course, storm drain, 20,000 sf or more	—	CUP	—	MCUP
Electrical substation - Major	CUP	—	CUP	—
Flood control project, less than 20,000 sf total area	—	P	—	P
Flood control project, 20,000 sf or more total area	—	CUP	—	MCUP
Heliport	—	—	—	CUP
Public works facility, less than 10,000 sf (gross floor area) and 20,000 sf total development	CUP	CUP	MCUP	—
Public works facility, 10,000 sf or more (gross floor area) and more than 20,000 sf total development	CUP	CUP	CUP	—
Public utility facility	CUP	CUP	CUP	—
Road, street less than 20,000 sf total area	—	P	—	P
Road, street, 20,00 sf or more total area	—	CUP	—	MCUP
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP
Utility service line with less than 5 connections	—	P	—	P
Utility service line with 5 or more connections	—	CUP	—	MCUP

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	CUP
Desalination facility, less than 15 connections	—	—	—	MCUP
Desalination facility, 15 to less than 200 connections	—	—	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	MCUP
Reservoir, less than 20,000 sf of total development	CUP	P	MCUP	P
Wastewater treatment system, individual, alternative	CUP	CUP	—	MCUP
Wastewater treatment system, individual	E	P	E	P
Water diversion project	—	CUP	—	MCUP
Water extraction, commercial	—	—	—	CUP
Water or sewer system pump or lift station	CUP	P	CUP	P
Water system with 1 connection	E	P	E	P
Water well, agricultural	E	P	E	P

35.421.060 - AG-I Zone Standards: The Coastal Zone agricultural product sales development standards within the County LUDC that allow a much higher level of retail sales are not proposed for inclusion in this section. The existing Montecito Inland LUDC standards are retained and would apply to both the Coastal Zone and Inland areas.

Chapter 35.423 - Residential Zones

35.423.030 - Residential Zones Allowable Land Uses

Table 2-7 & Table 2-8 - Allowed Land Uses and Permit Requirements for the Montecito Residential Zones (R-1/E-1, R-2, DR, PRD): The Allowed Land Uses and Permit Requirements for the Montecito Residential Zones tables are revised to add the allowed land uses and permit requirements from the County LUDC Coastal Zone residential zones. However, not all existing Coastal Zone uses are included, and in some cases the permit requirement is changed.

The table below summarizes the differences between the *proposed* Montecito Inland R-1/E-1 zone and the *proposed* Montecito Coastal Zone R-1/E-1 zone, and the *existing* Montecito Inland R-1/E-1 zone and the *existing* County Coastal Zone R-1/E-1 zone.

Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
—	Use Not Allowed			
LAND USE	PERMIT REQUIRED BY ZONE			
	R-1/E-1 Montecito Proposed	R-1/E-1 CZ Montecito Proposed	R-1/E-1 Montecito Existing	R-1/E-1 CZ County Existing

AGRICULTURAL, MINING, & ENERGY FACILITIES

Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining - Surface, less than 1,000 cubic yards	—	—	—	P
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Conference center	—	CUP	—	CUP
Country club, swim and tennis club	CUP	CUP	—	CUP
Equestrian facilities	—	—	—	CUP
Fairgrounds	—	—	—	CUP
Golf driving range	—	—	—	CUP
School - Business, professional or trade	—	—	—	CUP

RETAIL TRADE

Agricultural produce sales, onsite production only	—	—	—	MCUP
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SERVICES

Cemetery	—	CUP	—	CUP
Charitable or philanthropic organization	—	—	—	CUP
Drive-through facility, accessory to a permitted use	—	—	—	CUP
Mausoleum	—	CUP	—	CUP
Medical services - Clinic	—	—	—	CUP
Mortuary	—	—	—	CUP
Mortuary, accessory to cemetery	—	CUP	—	CUP

The table below summarizes the differences between the *proposed* Montecito Inland R-2 zone and the *proposed* Montecito Coastal Zone R-2 zone, and the *existing* Montecito Inland R-2 zone and the *existing* County Coastal Zone R-2 zone.

Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
—	Use Not Allowed			
LAND USE	PERMIT REQUIRED BY ZONE			
	R-2 Montecito Proposed	R-2 CZ Montecito Proposed	R-2 Montecito Existing	R-2 CZ County Existing

AGRICULTURAL, MINING, & ENERGY FACILITIES

Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining - Surface, less than 1,000 cubic yards	—	—	—	P
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Conference center	—	—	—	CUP
Country club	—	—	—	CUP

Equestrian facilities	—	—	—	CUP
Fairgrounds	—	—	—	CUP
Golf course	—	—	—	CUP
Golf driving range	—	—	—	CUP

RETAIL TRADE

Agricultural produce sales, onsite production only	—	—	—	MCUP
--	---	---	---	------

SERVICES

Cemetery	—	—	—	CUP
Charitable or philanthropic organization	—	—	—	CUP
Drive-through facility, accessory to a permitted use	—	—	—	CUP
Mausoleum	—	—	—	CUP
Medical services - Clinic	—	—	—	CUP
Mortuary	—	—	—	CUP
Mortuary, accessory to a cemetery	—	—	—	CUP

The table below summarizes the differences between the *proposed* Montecito Inland DR zone and the *proposed* Montecito Coastal Zone DR zone, and the *existing* Montecito Inland DR zone and the *existing* County Coastal Zone DR zone.

Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE	PERMIT REQUIRED BY ZONE				
	DR Montecito Proposed	DR CZ Montecito Proposed	DR Montecito Existing	DR CZ County Existing	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	P
Cultivated agriculture, orchard, vineyard	—	—	—	E
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining - Surface, less than 1,000 cubic yards	—	—	—	P
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Conference center	—	—	—	CUP
Country club	—	—	—	CUP
Equestrian facilities	—	—	—	CUP
Fairgrounds	—	—	—	CUP
Golf course	CUP	CUP	CUP	P
Golf driving range	—	—	—	CUP
School - Business, professional or trade	—	—	—	CUP

RESIDENTIAL

Residential project convenience facilities	P	P	—	P
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SERVICES

Cemetery	—	—	—	CUP
Charitable or philanthropic organization	—	—	—	CUP
Drive-through facility, accessory to a permitted use	—	—	—	CUP
Mausoleum	—	—	—	CUP
Medical services - Clinic	—	—	—	CUP
Mortuary	—	—	—	CUP
Mortuary, accessory to cemetery	—	—	—	CUP

The table below summarizes the differences between the *proposed* Montecito Inland PRD zone and the *proposed* Montecito Coastal Zone PRD zone, and the *existing* Montecito Inland PRD zone and the *existing* County Coastal Zone PRD zone.

Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE	PERMIT REQUIRED BY ZONE			
	PRD Montecito Proposed	PRD CZ Montecito Proposed	PRD Montecito Existing	PRD CZ County Existing

AGRICULTURAL, MINING, & ENERGY FACILITIES

Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining - Surface, less than 1,000 cubic yards	—	—	—	P
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Community center	—	—	—	P
Conference center	—	—	—	CUP
Country club, swim and tennis club	—	—	—	CUP
Equestrian facilities	—	—	—	CUP
Fairgrounds	—	—	—	CUP
Golf driving range	—	—	—	CUP
Park, playground - Private	—	—	—	P
School - Business, professional or trade	—	—	—	CUP

RESIDENTIAL

Residential project convenience facilities	P	P	—	P
--	---	---	---	---

SERVICES

Cemetery	—	—	—	CUP
Charitable or philanthropic organization	—	—	—	CUP
Drive-through facility, accessory to a permitted use	—	—	—	CUP
Mausoleum	—	—	—	CUP
Medical services - Clinic	—	—	—	CUP
Mortuary	—	—	—	CUP
Mortuary, accessory to cemetery	—	—	—	CUP

The table below summarizes the differences between the *proposed* Montecito Inland residential zones and the *proposed* Montecito Coastal Zone residential zones, and the *existing* Montecito Inland residential zones and the *existing* County Coastal Zone residential zones in regards to the allowable uses relating to transportation, communications, infrastructure, water supply and wastewater facilities. The primary reason for the differences between the Coastal Zone and Inland area in this table is that within the Coastal Zone, County projects (e.g., public works including flood control and roads) are regulated by the MLUDC whereas within the Inland area they are not.

Table 2-7 & Table 2-8	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
Allowed Land Uses and Permit Requirements for the Residential Zones (R-1/E-1, R-2, DR, PRD)	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE	PERMIT REQUIRED BY ZONE			
	Inland Montecito Proposed	Coastal Montecito Proposed	Inland Montecito Existing	Coastal County Existing

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airstrip, temporary	—	—	—	CUP
Drainage channel, water course, storm drain, less than 20,000 sf	—	P	—	P
Drainage channel, water course, storm drain, 20,000 sf or more	—	CUP	—	MCUP
Electrical substation - Major	CUP	—	CUP	—
Flood control project, less than 20,000 sf total area	—	P	—	P
Flood control project, 20,000 sf or more total area	—	CUP	—	MCUP
Heliport	—	—	—	CUP
Public utility facility	CUP	CUP	CUP	—
Public works facility, less than 10,000 sf (gross floor area) and 20,000 sf total development	CUP	CUP	MCUP	—
Public works facility, 10,000 sf or more (gross floor area) and more than 20,000 sf total development	CUP	CUP	CUP	—
Road, street less than 20,000 sf total area	—	P	—	P
Road, street, 20,00 sf or more total area	—	CUP	—	MCUP
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP
Utility service line with less than 5 connections	—	P	—	P
Utility service line with 5 or more connections	—	CUP	—	MCUP

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	CUP
Desalination facility, less than 15 connections	—	—	—	MCUP
Desalination facility, 15 to less than 200 connections	—	—	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	MCUP
Reservoir, less than 20,000 sf of total development	CUP	P	MCUP	P
Wastewater treatment system, individual, alternative	CUP	CUP	—	MCUP
Wastewater treatment system, individual	E	P	E	P
Water diversion project	—	—	—	MCUP
Water extraction, commercial	—	—	—	CUP
Water or sewer system pump or lift station	CUP	P	CUP	P
Water system with 1 connection	E	P	E	P
Water trucking facility, commercial	—	—	—	MCUP
Water well, agricultural	E	P	E	P

35.423.040 - Residential Zones Lot Standards: In the R-1/E-1 and R-2 zones, the existing setbacks, building separation and height limit requirements are different between the Coastal Zone and the Inland area. The draft document maintains these differences as shown below:

Development Feature	R-1 /E-1 & R-1/E-1 (CZ) Single Family Residential	R-2 & R-2 (CZ) Two-Family Residential
----------------------------	--	--

Setbacks	<i>Minimum setbacks required. See Section 35.430.150 (Setback Requirements and Exceptions) for exceptions.</i>	
Front - Primary	Inland - 50 ft from road centerline and 20 ft from the edge of the right-of-way. Coastal - 50 ft from road centerline and 20 ft from right-of-way, or 20 ft from private easement serving 5 or more lots.	
Front - Secondary	Lot less than 100 ft wide - 20% of lot width - 10 ft minimum Lot 100 ft wide or more - Same as primary front setback.	
Side	10% of lot width, where minimum lot area requirement is: 2 acres or less - 5 ft minimum, 10 ft maximum required; 3 acres or more - 10 ft minimum, 20 ft maximum required.	10% of lot width, 5 ft minimum, 10 ft maximum required.
Rear	Inland - 25 ft Coastal - 25 ft; 15 ft if rear abuts permanent open space or a street without access.	
Building separation	Inland - 10 ft between a dwelling or guest house and any other detached structure on the same site. Coastal - 5 ft between a dwelling or guest house and another detached structure	
Height limit	<i>Maximum allowable height of structures, except where a lesser height is required by design review or other provisions of this Development Code. See Section 35.430.090 (Height Measurement and Exceptions) for height measurement requirement and height limit exceptions.</i>	
Maximum height	Inland - 35 ft and 2 stories Coastal - 25ft	25 ft
Exception	The height is restricted to 16 ft for any portion of a structure located above an area of the site where the finished grade is 10 ft or more above the existing grade, except where a project received final design review approval prior to 11/5/92.	

In the DR and PRD zones, the existing setbacks, building separation and open space requirements are different between the Coastal Zone and the Inland area. The draft document maintains these differences as shown below:

Development Feature	DR & DR (CZ) Design Residential	PRD & PRD (CZ) Planned Residential Development
Setbacks	<i>Minimum setbacks required. See Section 35.430.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>	
Front - Primary	Inland - 20 ft from right-of-way Coastal - 50 ft from public road centerline; 45 ft from a private road centerline; 20 ft from a right-of-way.	As determined by Final Development Plan.
Front - Secondary	Inland - 20 ft from right-of-way. Coastal - Lot < 100 ft wide - 20% of lot width, 10 ft minimum; Lot ≥ 100 ft wide - same as primary front setback.	
Side	Inland - 10 ft, except where a larger setback is required by the Montecito Commission in the review of a discretionary planning permit for light, air, or privacy. Coastal - One-half the height of the structure subject to the setback.	
Rear	Inland - Same as side. Coastal - One-half the height of the structure subject to the setback.	
Accessory Structures	See Section 35.442.020 (Accessory Structures and Uses).	

Development Feature	DR & DR (CZ) Design Residential	PRD & PRD (CZ) Planned Residential Development
Building separation	Inland - 10 ft between a habitable building and any other building on the same site. Coastal - 5 ft between a habitable structure and another structure.	
Site coverage	<i>Maximum percentage of net site area that may be covered by buildings.</i>	
Maximum coverage	Inland - 30 % Coastal - 30% for structures containing dwelling units.	Inland - 30 % Coastal - 30% for structures containing dwelling units; 50% for all structures.
Open space	<i>Minimum percentage of gross site area to be maintained as common open space.</i>	
Minimum open space	See Section 35.423.060.B (Open Space)	See Section 35.423.070.E (Open Space)

Chapter 35.424 - Commercial Zones

35.424.030 - Commercial Zones Allowable Land Uses

Table 2-12: Allowed Land Uses and Permit Requirements for the Montecito Commercial Zones (CN, CV): This table is revised to add the allowed land uses and permit requirements from the County LUDC Coastal Zone CN and CV zones. However, not all existing Coastal Zone uses are included, and in some cases the permit requirement is changed.

Since the CN zone does not exist in the County Coastal Zone, the *proposed* Montecito Coastal Zone CN zone has the same allowed uses and permitting requirements as the *existing* Montecito Inland CN zone.

The table below summarizes the differences between the *proposed* Montecito Inland CV zone and the *proposed* Montecito Coastal Zone CV zone, and the *existing* Montecito Inland CV zone and the *existing* County Coastal Zone CV zone.

Table 2-12 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
CUP	Conditional Use Permit required				
S	Permit determined by Specific Use Regulations				
—	Use Not Allowed				
LAND USE	PERMIT REQUIRED BY ZONE				
	CV Montecito Proposed	CV CZ Montecito Proposed	CV Montecito Existing	CV CZ County Existing	

AGRICULTURAL, MINING, & ENERGY FACILITIES

LAND USE	CV Montecito Proposed	CV CZ Montecito Proposed	CV Montecito Existing	CV CZ County Existing
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining - Surface, less than 1,000 cubic yards	—	—	—	P
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

LAND USE	CV Montecito Proposed	CV CZ Montecito Proposed	CV Montecito Existing	CV CZ County Existing
Campground	—	CUP	—	CUP
Conference center	—	P	—	P
County club, swim and tennis club	—	P	—	P
Fairgrounds	—	—	—	CUP
Golf driving range	—	—	—	CUP
Recreational vehicle (RV) park	—	—	—	CUP
School - Business, professional or trade	—	—	—	CUP

Trail	P	P	—	P
RESIDENTIAL USE				
Caretaker/Manager dwelling	MCUP	MCUP	MCUP	—
Home occupations	P	P	—	—
Mixed use project residential component - market rate	—	MCUP	—	MCUP
RETAIL TRADE				
Drive-through facility	—	—	—	CUP
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL				
Drive-through facility	—	—	—	CUP
Medical services - Clinic, urgent care	—	—	—	CUP
SERVICES - GENERAL				
Cemetery, mausoleum	—	—	—	CUP
Charitable or philanthropic organization	—	—	—	CUP
Drive-through, facility	—	—	—	CUP
Lodging - Hotel or Motel	—	P	—	P
Mortuary	—	—	—	CUP
Mortuary, accessory to cemetery	—	—	—	CUP

The table below summarizes the differences between the *proposed* Montecito Inland commercial zones and the *proposed* Montecito Coastal Zone commercial zones, and the *existing* Montecito Inland commercial zones and the *existing* County Coastal Zone commercial zones in regards to the allowable uses relating to transportation, communications, infrastructure, water supply and wastewater facilities. The primary reason for the differences between the Coastal Zone and Inland area in this table is that within the Coastal Zone, County projects (e.g., public works including flood control and roads) are regulated by the MLUDC whereas within the Inland area they are not.

Table 2-12 Allowed Land Uses and Permit Requirements for the Commercial Zones (CN, CV)	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
—	Use Not Allowed				
LAND USE	PERMIT REQUIRED BY ZONE				
	Inland Montecito Proposed	Coastal Montecito Proposed	Inland Montecito Existing	Coastal County Existing	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airstrip, temporary	—	—	—	CUP
Drainage channel, water course, storm drain, less than 20,000 sf	—	P	—	P
Drainage channel, water course, storm drain, 20,000 sf or more	—	CUP	—	MCUP
Electrical substation - Major	CUP	—	CUP	—
Flood control project, less than 20,000 sf total area	—	P	—	P
Flood control project, 20,000 sf or more total area	—	CUP	—	MCUP
Heliport	—	—	—	CUP
Pier, dock	—	P	—	P
Public utility facility	CUP	CUP	CUP	—
Public works facility, less than 10,000 sf (gross floor area) and 20,000 sf total development	CUP	CUP	MCUP	—
Public works facility, 10,000 sf or more (gross floor area) and more than 20,000 sf total development	CUP	CUP	CUP	—
Road, street less than 20,000 sf total area	—	P	—	P
Road, street, 20,00 sf or more total area	—	CUP	—	MCUP
Sea wall, revetment, groin, or other shoreline	—	CUP	—	CUP

structure				
Utility service line with less than 5 connections	—	P	—	P
Utility service line with 5 or more connections	—	CUP	—	MCUP

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	CUP
Desalination facility, less than 15 connections	—	—	—	MCUP
Desalination facility, 15 to less than 200 connections	—	—	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	MCUP
Reservoir, less than 20,000 sf of total development	CUP	P	MCUP	P
Wastewater treatment system, individual, alternative	CUP	CUP	—	MCUP
Wastewater treatment system, individual	E	P	E	P
Water diversion project	—	—	—	MCUP
Water extraction, commercial	—	—	—	CUP
Water or sewer system pump or lift station	CUP	P	CUP	P
Water system with 1 connection	E	P	E	P

35.424.040 - Commercial Zones Development Standards: In the Neighborhood Commercial (CN) and Visitor-Serving Commercial (C-V) zones, the building separation, height limit, floor area ratio, site coverage and open space requirements are different between the Coastal Zone and the Inland area. The draft document maintains these differences as shown below:

Development Feature	CN & CN (CZ) Neighborhood Commercial	C-V & C-V (CZ) Resort/Visitor Serving Commercial
	Building separation	Inland - Buildings contained dwellings shall be located a minimum of 10 feet from any other detached building on the same building site. Coastal - Buildings contained dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.
Height limit	<i>Maximum allowable height of structures. See Section 35.430.090 (Height Measurement and Exceptions) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	35 ft	35 ft and 2 stories.
Floor Area Ratio	<i>Maximum floor area ratio allowed.</i>	
Maximum FAR	0.25	Inland - 0.10 Coastal - 0.25
Site coverage	<i>Maximum percentage of net site area that may be covered by structures.</i>	
Maximum coverage	30 %	Inland - 30 % Coastal - 33% (gross) on a lot surrounded by residential zoning; no maximum elsewhere.

Chapter 35.425 - Special Purpose Zones

35.425.020 - Purposes of Special Purpose Zone: A new Subsection C regarding the Transportation Corridor (TC) zone is added to this section.

35.425.030 - Special Purpose Zones Allowable Land Uses: Subsection C is revised to include Development Plan requirements for the Transportation Corridor (TC) zone. A new Subsection F regarding the TC zone allowable uses is also added to this section.

Table 2-14: Allowed Land Uses and Permit Requirements for the Montecito Special Purpose Zones (REC, PU, TC): This table is revised to add the allowed land uses and permit requirements from the County LUDC Coastal Zone REC, PU and TC zones. However, not all existing Coastal Zone uses are included, and in some cases the permit requirement changed.

The table below summarizes the differences between the *proposed* Montecito Inland REC zone and the *proposed* Montecito Coastal Zone REC zone, and the *existing* Montecito Inland REC zone and the *existing* County Coastal Zone REC zone.

Table 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE	PERMIT REQUIRED BY ZONE				
	REC Montecito Proposed	REC CZ Montecito Proposed	REC Montecito Existing	REC CZ County Existing	
AGRICULTURAL, MINING, & ENERGY FACILITIES					
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP	
Mining - Surface, less than 1,000 cubic yards	—	—	—	P	
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES					
Campground	—	P	—	P	
Conference center	—	CUP	—	CUP	
Equestrian facility	CUP	CUP	—	CUP	
Fairgrounds	—	—	—	CUP	
Recreational vehicle (RV) park	—	—	—	P	
School - Business, professional, or trade	—	—	—	CUP	
RESIDENTIAL USE					
Monastery	—	—	—	CUP	
RETAIL TRADE					
Drive-through facility	—	—	—	CUP	
Restaurant, café, coffee shop, accessory to recreation use	—	CUP	—	CUP	
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL					
Drive-through facility	—	—	—	CUP	
Medical services - Clinic	—	—	—	CUP	
Office, accessory	P	P	—	—	
SERVICES - GENERAL					
Cemetery, mausoleum	—	—	—	CUP	
Charitable or philanthropic organization	—	—	—	CUP	
Drive-through facility	—	—	—	CUP	
Mortuary	—	—	—	CUP	
Mortuary, accessory to a cemetery	—	—	—	CUP	

The table below summarizes the differences between the *proposed* Montecito Inland REC zone and the *proposed* Montecito Coastal Zone REC zone, and the *existing* Montecito Inland REC zone and the *existing* County Coastal Zone REC zone in regards to the allowable uses relating to transportation, communications, infrastructure, water supply and wastewater facilities. The primary reason for the

differences between the Coastal Zone and Inland area in this table is that within the Coastal Zone, County projects (e.g., public works including flood control and roads) are regulated by the MLUDC whereas within the Inland area they are not.

Table 2-14 Allowed Land Uses and Permit Requirements for the Recreation Zone (REC)	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE	PERMIT REQUIRED BY ZONE			
	Inland Montecito Proposed	Coastal Montecito Proposed	Inland Montecito Existing	Coastal County Existing

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airstrip, temporary	—	—	—	CUP
Boat launching facility, accessory to recreation use	—	P	—	P
Drainage channel, water course, storm drain, less than 20,000 sf	—	P	—	P
Drainage channel, water course, storm drain, 20,000 sf or more	—	CUP	—	MCUP
Electrical substation - Major	CUP	—	CUP	—
Flood control project, less than 20,000 sf total area	—	P	—	P
Flood control project, 20,000 sf or more total area	—	CUP	—	MCUP
Heliport	—	—	—	CUP
Pier, dock	—	P	—	P
Public utility facility	CUP	CUP	CUP	—
Public works facility, less than 10,000 sf (gross floor area) and 20,000 sf total development	CUP	CUP	MCUP	—
Public works facility, 10,000 sf or more (gross floor area) and more than 20,000 sf total development	CUP	CUP	CUP	—
Road, street less than 20,000 sf total area	—	P	—	P
Road, street, 20,00 sf or more total area	—	CUP	—	MCUP
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP
Utility service line with less than 5 connections	—	P	—	P
Utility service line with 5 or more connections	—	CUP	—	MCUP

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	CUP
Desalination facility, less than 15 connections	—	—	—	CUP
Desalination facility, 15 to less than 200 connections	—	—	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	MCUP
Reservoir, less than 20,000 sf of total development	CUP	P	MCUP	P
Wastewater treatment system, individual, alternative	CUP	CUP	—	MCUP
Wastewater treatment system, individual	E	P	—	P
Wastewater treatment facility, less than 200 connections	—	—	—	CUP
Water diversion project	—	—	—	MCUP
Water extraction, commercial	—	—	—	CUP
Water or sewer system pump or lift station	CUP	P	—	P
Water system with 1 connection	E	P	—	P
Water system with 2 or more connections	CUP	CUP	—	MCUP

The table below summarizes the differences between the *proposed* Montecito Inland PU zone and the *proposed* Montecito Coastal Zone PU zone, and the *existing* Montecito Inland PU zone and the *existing* County Coastal Zone PU zone.

Table 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE	PERMIT REQUIRED BY ZONE			
	PU Montecito Proposed	PU CZ Montecito Proposed	PU Montecito Existing	PU CZ County Existing

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	P
Agricultural processing - On-premise products	—	—	—	P
Cultivated agriculture, orchard, vineyard	—	—	—	E
Grazing	—	—	—	E
Greenhouse, 300 sf or less	—	—	—	P
Greenhouse, more than 300 sf	—	—	—	P
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	—	CUP
Mining - Surface, less than 1,000 cubic yards	—	—	—	P
Mining - Surface, 1,000 cubic yards or more	—	—	—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Conference center	—	—	—	CUP
Country club, swimming and tennis	—	—	—	CUP
Equestrian facility	—	—	—	CUP
Fairgrounds	—	—	—	CUP
Golf course	—	—	—	CUP
School - Business, professional, trade	—	—	—	CUP

RESIDENTIAL USE

Monastery	—	—	—	CUP
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RETAIL TRADE

Agricultural product sales, on-site production only	—	—	—	MCUP
Drive-through facility	—	—	—	CUP

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Drive-through facility	—	—	—	CUP
Medical services - Clinic	—	—	—	CUP
Office - Accessory	P	P	—	P

SERVICES - GENERAL

Cemetery, mausoleum	—	—	—	CUP
Charitable or philanthropic organization	—	—	—	CUP
Drive-through facility	—	—	—	CUP
Mortuary	—	—	—	CUP
Mortuary, accessory to cemetery	—	—	—	CUP

The table below summarizes the differences between the *proposed* Montecito Inland PU zone and the *proposed* Montecito Coastal Zone PU zone, and the *existing* Montecito Inland PU zone and the *existing* County Coastal Zone PU zone in regards to the allowable uses relating to transportation, communications, infrastructure, water supply and wastewater facilities.

Table 2-14	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
Allowed Land Uses and Permit Requirements for the Public Utility Zone (PU)	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE	PERMIT REQUIRED BY ZONE			
	Inland Montecito Proposed	Coastal Montecito Proposed	Inland Montecito Existing	Coastal County Existing

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airstrip, temporary	—	—	—	CUP
Drainage channel, water course, storm drain, less than 20,000 sf	—	P	—	P
Drainage channel, water course, storm drain, 20,000 sf or more	—	CUP	—	MCUP
Flood control project, less than 20,000 sf total area	—	P	—	P
Flood control project, 20,000 sf or more total area	—	CUP	—	MCUP
Heliport	—	—	—	CUP
Public works facility, less than 10,000 sf (gross floor area) and 20,000 sf total development	CUP	CUP	MCUP	—
Public works facility, 10,000 sf or more (gross floor area) and more than 20,000 sf total development	CUP	CUP	CUP	—
Road, street less than 20,000 sf total area	—	P	—	P
Road, street, 20,000 sf or more total area	—	CUP	—	MCUP
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP
Utility service line with less than 5 connections	—	P	—	P
Utility service line with 5 or more connections	—	CUP	—	P

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	CUP
Desalination facility, less than 15 connections	—	—	—	MCUP
Desalination facility, 15 to less than 200 connections	—	—	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	MCUP
Reservoir, less than 20,000 sf of total development	CUP	P	MCUP	P
Wastewater treatment system, individual, alternative	CUP	CUP	—	MCUP
Wastewater treatment system, individual	E	P	—	P
Wastewater treatment facility, less than 200 connections	—	—	—	CUP
Water diversion project	—	—	—	MCUP
Water extraction, commercial	—	—	—	CUP
Water or sewer system pump or lift station	CUP	P	—	P
Water system with 1 connection	E	P	—	P
Water system with 2 or more connections	CUP	CUP	—	MCUP
Water well, agricultural	—	—	—	P

Presently the Transportation Corridor (TC) zone only exists in the County LUDC, and needs to be added to the Montecito LUDC because of the presence of the Union Pacific Railroad and Highway 101 corridors within the Coastal Zone. The table below shows the proposed allowable uses and permit requirements relating to other than transportation, communications, infrastructure, water supply and wastewater facilities in the *proposed* Montecito Coastal Zone TC zone compared to the *existing* County Coastal Zone TC zone.

Table 2-14	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use or Coastal Permit required
Allowed Land Uses and Permit Requirements for Special Purpose Zones	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE	PERMIT REQUIRED BY ZONE	
		TC - CZ Montecito Proposed
		TC - CZ County Existing

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure			—	MCUP
Agricultural processing - On-premise products			—	MCUP
Animal keeping (except equestrian facilities - see RECREATION below)			—	S
Aquaculture			—	CUP
Cultivated agriculture, orchard, vineyard			—	MCUP
Grazing			—	—
Greenhouse, less than 300 sf			—	CUP
Greenhouse, 300 sf or more			—	CUP
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons			—	CUP
Mining - Surface, less than 1,000 cubic yards			—	P
Mining - Surface, 1,000 cubic yards or more			—	CUP
Oil and gas uses			—	—

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Recycling - Community recycling facility			—	CUP
Recycling - Small collection center			—	CUP
Recycling - Small collection center, non-profit			—	CUP
Recycling - Specialized materials collection center			—	CUP

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Conference center			—	CUP
Country club, swimming and tennis club			—	CUP
Equestrian facility			—	CUP
Fairgrounds			—	CUP
Golf course			—	CUP
Library			—	CUP
Meeting facility, public or private			—	CUP
Meeting facility, religious			—	CUP
Museum			—	CUP
School			—	CUP
School - Business, professional, or trade			—	CUP
Trail for bicycles, hiking, or riding			P	P

RESIDENTIAL USES

Monastery			—	CUP
Special care home, 14 or fewer clients			—	MCUP
Special care home, 15 or more clients			—	MCUP

RETAIL TRADE

Agricultural product sales, on-site production only			—	MCUP
Building and landscape materials sales - Outdoor			—	CUP
Drive-through facility			—	CUP

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Drive-through facility			—	CUP
Medical services - Clinic			—	CUP
Medical services - Extended care			—	CUP
Medical services - Hospital			—	CUP

SERVICES - GENERAL

Cemetery, mausoleum			—	CUP
Charitable or philanthropic organization			—	CUP
Child care center, Non-residential			—	MCUP
Drive-through facility			—	CUP
Lodging - Hostel			—	CUP
Mortuary			—	CUP
Mortuary, accessory to cemetery			—	CUP

The table below shows the proposed allowable uses and permit requirements relating to transportation, communications, infrastructure, water supply and wastewater facilities in the *proposed* Montecito Coastal Zone TC zone compared to the *existing* County Coastal Zone TC zone. The primary reason for the differences between the Coastal Zone and Inland area in this table is that within the Coastal Zone, County projects (e.g., public works including flood control and roads) are regulated by the MLUDC whereas within the Inland area they are not.

Table 2-14 Allowed Land Uses and Permit Requirements for the Transportation Corridor Zone (TC)	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use or Coastal Permit required
	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE	PERMIT REQUIRED BY ZONE	
	Coastal Montecito Proposed	Coastal County Existing

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airstrip, temporary	—	CUP
Boat launching facility, accessory to recreation use	—	—
Drainage channel, water course, storm drain, less than 20,000 sf	P	P
Drainage channel, water course, storm drain, 20,000 sf or more	CUP	MCUP
Electrical substation - Minor	CUP	MCUP
Electrical substation - Major	—	—
Electrical transmission line	CUP	CUP
Flood control project, less than 20,000 sf total area	P	P
Flood control project, 20,000 sf or more total area	CUP	MCUP
Freeway and related facilities	P	P
Heliport	—	CUP
Parking facility, public or private	—	P
Pier, dock	—	—
Public utility facility	—	—
Public works facility, less than 10,000 sf (gross floor area) and 20,000 sf total development	CUP	—
Public works facility, 10,000 sf or more (gross floor area) and more than 20,000 sf total development	CUP	—
Railroad	P	P
Road, street less than 20,000 sf total area	P	P
Road, street, 20,00 sf or more total area	CUP	MCUP
Roadside rest area, government operated	—	P
Sea wall, revetment, groin, or other shoreline structure	CUP	CUP
Transit station or terminal	—	P
Underground gas storage	—	—
Utility service line with less than 5 connections	P	P
Utility service line with 5 or more connections	CUP	P
Vehicle inspection station, government operated	—	P

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP
Desalination facility, less than 15 connections	—	MCUP
Desalination facility, 15 to less than 200 connections	—	CUP
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P	P
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	CUP	MCUP
Reservoir, less than 20,000 sf of total development	P	P
Reservoir, 20,000 sf or more of total development	CUP	MCUP
Sewage treatment facility - Central plant	—	—
Wastewater treatment system, individual, alternative	CUP	MCUP
Wastewater treatment system, individual	P	P
Wastewater treatment facility, less than 200 connections	—	CUP
Water diversion project	—	MCUP
Water extraction, commercial	—	CUP
Water or sewer system pump or lift station	P	P
Water supply, treatment, storage - Central plant	—	—
Water system with 1 connection	—	P
Water system with 2 or more connections	—	MCUP
Water trucking facility, commercial	—	—
Water well, agricultural	—	P

35.425.040 - Special Purpose Zones Development Standards

In the Recreation (REC) zone, the setback and site coverage requirements are different between the Coastal Zone and the Inland area; in the Public Utility (PU) zone, the height limit is different. The draft document maintains these differences as shown below. Also, this table is revised to include development standards for the TC zone.

Development Feature	Requirement by Zone		
	REC & REC (CZ) Recreation	PU & PU (CZ) Public Utilities	TC (CZ) Transportation Corridor
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>		
Area, width	1 acre	None	
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	1 caretaker dwelling.	None allowed.	
Setbacks	<i>Minimum setbacks required. See Section 35.430.150 (Setback Requirements and Exceptions) for exceptions.</i>		
Front - Primary	Inland - 50 ft from road centerline and 20 ft from edge of right-of-way. Coastal - 10 ft	50 ft from road centerline and 20 ft from edge of right-of-way.	10 ft where lot abuts another zone; except that no setback is required for fences, walls, utility poles (in compliance with the height limits of this Development Code), ingress and egress.
Front - Secondary	Lot less than 100 ft wide - 20% of lot width - 10 ft minimum. Lot 100 ft wide or more - Same as primary front	Same as primary front.	

Development Feature	Requirement by Zone		
	REC & REC (CZ) Recreation	PU & PU (CZ) Public Utilities	TC (CZ) Transportation Corridor
	setback.		
Side	Inland - 10 ft; 25 ft from a lot zoned residential. Coastal - 10 ft.	10 ft	Same as primary front.
Rear	Inland - 10 ft; 25 ft from a lot zoned residential. Coastal - 10 ft	10 ft; 50 ft from a lot zoned residential.	Same as primary front.
Building separation	None, except as required by Building Code.		
Height limit	<i>Maximum allowable height of structures. See Section 35.430.090 (Height Measurement and Exceptions) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	25 ft	Inland - 35 ft Coastal - 45 ft	25 ft, except for bridges and related equipment, and any structural clearance required by safety or other standards required by State or Federal law.
Site coverage	<i>Maximum percentage of net site area that may be covered by structures.</i>		
Maximum coverage	Inland - 20 % Coastal - 10%	None	
Open space	<i>Minimum percentage of net site area to be maintained as common open space.</i>		
Minimum open space	No minimum.		
Landscaping	See Chapter 35.434 (Landscaping Standards).		
Parking	See Chapter 35.436 (Parking and Loading Standards).		
Signs	See Chapter 35.438 (Sign Standards).		

35.425.060 - REC Zone Additional Standards: A new Subsection A is added to this section to provide additional standards that apply within the Coastal Zone.

35.425.070 - TC Zone Standards: This section is added to provide development standards for uses located within the Transportation Corridor (TC) zone that apply in addition to the standards in the above table.

CHAPTER 35.428 - MONTECITO OVERLAY ZONES

35.428.030 - Affordable Housing (AH) Overlay Zone:

- B. Applicability.** Subsection 2 (Relationship to Primary Zone) is revised to provide that in the Coastal Zone, if a requirement of this section conflicts with a requirement of the primary zone, the requirements of the Coastal Land Use Plan shall control.
- F. Development Standards.** This section is revised to require that if any development standards are modified for an affordable housing project, that the modifications must be

consistent with all applicable provisions of the Coastal Land Use Plan for projects in the Coastal Zone.

35.428.040 - Environmentally Sensitive Habitat (ESH) Overlay Zone: This section is revised to include special permit and processing requirements for projects in the Coastal Zone, as well as adding new development standards for environmentally sensitive habitats that are located in the Coastal Zone (e.g., Subsection F - Marine mammal rookery and hauling grounds).

35.428.080 - Site Design (SD) Overlay Zone - Coastal Zone: This new overlay zone is added to provide specific permit requirements and development standards to control the subdivision of large sites in the Coastal Zone.

35.428.090 - View Corridor (VC) Overlay Zone: This new overlay zone is added to protect significant existing coastal view corridors from US 101 to the Pacific Ocean.

DIVISION 35.3 - Montecito Site Planning and Other Project Standards

CHAPTER 35.430 - STANDARDS FOR ALL DEVELOPMENT AND LAND USES

35.430.040 - Coastal Trails: This new section is added to address the provision of trails shown on the Comprehensive Plan maps within proposed new development.

35.430.050 - Density: A new paragraph B is added that requires that when dwelling unit densities are increased for an affordable housing project in compliance with Housing Element policies that the project, if located in the Coastal Zone, must still be found consistent with all applicable provisions of the Local Coastal Program.

35.430.070 - Fences and Walls.

- C. Height limits and permit requirements.** Presently, in the Inland portion of the Montecito Planning Area, fences and walls located in the side and rear setbacks are restricted to six feet unless a conditional use permit is granted for a taller fence; similarly located gate posts are limited to eight feet unless a conditional use permit is granted for increased height. However, in the Coastal Zone portion of the Montecito Planning Area, the height limit fences/walls and gate posts located in the side and rear setbacks is eight and 10 feet respectively. The draft document revises the Coastal Zone requirements to match the existing Inland area requirements.

This section is also revised to add criteria for the Coastal Zone to use in determining whether a fence may be exempt from having to obtain a Coastal Development Permit based on its location relative to sensitive coastal resources and whether it blocks opportunities for coastal access.

Lastly, this section is revised to provide an exemption for retaining walls (retaining earth only) that are (1) not over four feet in height as measured from the bottom of a footing to the top of the wall, (2) are exempt from Coastal Development, Grading and Land Use

Permit requirements, and (3) are not located within 300 feet of the edge of a coastal bluff or the inland extent of any beach, or within an Environmentally Sensitive Habitat area.

35.430.090 - Height Measurement, Exceptions and Limitations: This section is revised to add the requirement that the height of structures located in the View Corridor Overlay be measured from finished grade; add requirement that all structures located in the Coastal Zone located above 10 or more feet of fill be measured from finished grade (as opposed to only structures located in the AG-I, R-1/E-1, R-2 or PRD zones for the non-Coastal portion of Montecito).

35.430.100 - Infrastructure Services, Utilities and Related Facilities:

- D. Services, utilities and related facilities located within the Coastal Zone.** This subsection is revised to add specific development standards for electrical transmissions lines, public and private water and sanitary services, utility lines and water wells located within the Coastal Zone.
- E. Lot size - Coastal Zone.** Language is added to this subsection that allows that lots within the Coastal Zone may be reduced in size below the area and width requirements of the specific zone regulations with the approval of a Minor Conditional Use Permit where the use of such lots is limited to the siting of small scale public works, utilities and private service facilities.

35.430.130 - Performance Standards: This section now specifies that the performance standards (which are derived from the Land Use Element and are not included in the Coastal Land Use Plan) only apply to the Inland area.

35.430.140 - Recreation and Visitor Serving Uses - Coastal Zone: This section is added to provide development standards that apply to recreation and visitor serving uses located in the Coastal Zone.

35.430.150 - Setback Requirements and Exceptions: The following special exceptions to the setback requirements which are in the existing County LUDC but are not presently included in the Montecito Inland LUDC are not included in the draft document:

- Trellises and patio covers attached to a dwelling may be located within the rear setback when no closer than 15 feet to the rear property line, or no closer than 10 feet to the rear property line when adjacent to a permanently dedicated open space area or road right-of-way.
- Unroofed enclosures for irrigation equipment, solid waste containers and utilities may be located in a front setback provided that the total area surrounded by all these enclosures does not exceed 120 square feet; and each individual enclosure is no greater than six feet in height, surrounds an area no greater than 50 square feet and is located behind (as viewed from the street) a fence or a wall that is at least as tall as the enclosure, such that the enclosure is not visible from a public or private street or adjoining lot.
- That in an areas where structures can be legally constructed on or closely adjacent to the right-of-way line of a public street, eaves and roof overhangs, sills, belt courses, fire escapes, balconies, and unroofed and unenclosed porches may project into a street right-of-way not more than 30 inches; provided that all these encroachments shall be at least eight feet above any area used by

pedestrians, and at least 14 feet above any area used for vehicular traffic; and provided further, that an encroachment permit for the projections is obtained from the County Public Works Department.

35.430.190 - Subdivisions, Lot Size: This section is revised to add the following standards regarding development on substandard lots and findings for subdivision approval in the Coastal Zone

- B. Area of lots.** Added a new Subsection 1. that allows legal lots within the Coastal Zone that were existing prior to the effective date of any applicable County zoning regulations to be used as building sites for dwellings.
- E. Findings for subdivision approval in the Coastal Zone.** Added additional findings regarding demonstration of water availability and protection of long-term agricultural productivity.

CHAPTER 35.432 - DENSITY BONUS FOR AFFORDABLE HOUSING

35.432.050 - Siting Criteria:

- A. Land use and development standards.** Subsection A is revised to add language to require that in cases where conflict occurs between the primary zone standards and the provisions of the Density Bonus Program, the provisions of the Density Bonus Program shall apply except in the Coastal Zone, where the conflict shall be resolved in compliance with the provisions of the Coastal Land Use Plan.

CHAPTER 35.434 - LANDSCAPING STANDARDS

35.434.050 - Agricultural (AG-I) Zone Landscaping Requirements: This section is revised to merge the Coastal Zone requirements for the AG-1 zone into the existing Inland area requirements by:

- Including commercial hothouses and plant protection structures as development requiring a landscape plan; presently the Montecito Inland LUDC only addresses greenhouses and is silent regarding hothouses and plant protection structures.
- Revising the landscaping plan requirements to allow existing plants and trees on the project site to be included in the landscape plan in the Coastal Zone as well as the Inland area.
- Maintaining the timing of the requirement for installation of landscaping as “prior to final building permit inspection” instead of the Coastal Zone requirement of “within six months of final building permit inspection.
- Including a new requirement for the Inland area that the landscape agreement shall guarantee the maintenance of the landscaping for a minimum of two years.

35.434.080 - Special Purpose Zones Landscaping Requirements: A new Paragraph C listing landscaping requirements for development within the Transportation Corridor (TC) zone is added to this section.

35.434.090 - Landscaping Requirements for Parking Areas: Paragraph D is revised to require the provision of landscape islands at the ends of all parking lanes for development in the Coastal Zone as well as the Inland area.

CHAPTER 35.436 - PARKING AND LOADING STANDARDS

35.436.050 - Required Number of Spaces: Residential Uses: The following table describes the proposed revisions to standardize the parking requirements between the Coastal Zone and the Inland area for residential uses to be the same as the existing Inland area regulations:

Residential Use Type	Parking Spaces Required		
	Existing Coastal Zone	Existing Inland Area	Proposed
One-family and two-family dwellings	2 spaces per dwelling unit	2 covered spaces per dwelling unit and; 1 uncovered space per dwelling unit (1)	2 covered spaces per dwelling unit and; 1 uncovered space per dwelling unit (1)
Multiple dwelling units - Single bedroom or studio dwelling unit	1 covered space per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)	1 space per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)	1 space per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 2 bedrooms	1 covered space and .5 spaces (covered or uncovered) per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)	2 spaces per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)	2 spaces per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 3 bedrooms or more	1 covered space and 1 space (covered or uncovered) per dwelling unit and; 1 space per 5 dwelling units (for visitor parking)	2.5 spaces per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)	2.5 spaces per dwelling unit (2) and; 1 space per 5 dwelling units (for visitor parking)
Notes:			
(1) A minimum of two covered or uncovered parking spaces shall be required for all additions, individually or combined with previous additions permitted subsequent to May 16, 1995 of less than 50 percent of the floor area of the principal dwelling as it existed as of May 16, 1995. One-family and two-family dwellings legally existing as of May 16, 1995 shall not be considered nonconforming solely because the parking required by this section is not provided.			
(2) Developments located within a radius of one-mile of the boundaries of a college or university shall provide a minimum of two spaces per dwelling unit in each building of which one shall be covered.			

35.436.060 - Required Number of Spaces: Nonresidential Uses: The following table describes the proposed revisions to standardize the parking requirements between the Coastal Zone and the Inland area for nonresidential uses to be the same as the existing Inland area regulations:

Nonresidential Use Type	Parking Spaces Required		
	Existing Coastal Zone	Existing Inland Area	Proposed
Library, museum, art gallery, or similar use	1 space per 2 employees	1 space per 2 employees and;	1 space per 2 employees and;

		1 space per 300 square feet of gross floor area	1 space per 300 square feet of gross floor area
Spas, health clubs, etc	1 space per 300 square feet of gross floor area	1 space per 200 square feet of spa area and; 1 space per 500 square feet of area related to the spa facilities	1 space per 200 square feet of spa area and; 1 space per 500 square feet of area related to the spa facilities
Swimming pools, public	1 space per 25 square feet of pool area	1 space per 200 square feet of pool area and; 1 space per 500 square feet of area related to the pool facilities	1 space per 200 square feet of pool area and; 1 space per 500 square feet of area related to the pool facilities

35.436.090 - Standards for Residential Zones and Uses:

- C. Storage of oversized vehicles, R-1/E-1 and R-2 zones.** The restriction on the use of open yards for the storage of oversized vehicles in the R-1/E-1 and R-2 zones currently only applies within the Inland area; this section is written so that it also applies to the Coastal Zone.
- D. Tandem parking.** The allowance for the use of tandem parking to satisfy the parking requirement for residentially zoned lots of 7,000 square feet or less is expanded to all residential zones instead of just the R-1/E-1 zone as presently stated for the Inland area.

DIVISION 35.4 - Montecito Standards for Specific Land Uses

CHAPTER 35.442 - STANDARDS FOR SPECIFIC LAND USES

35.442.010 - Purpose and Applicability: Subparagraph B.3 of this section presently specifies that any conflicts between the development standards for the specific uses in this Chapter and those of Division 35.2 or Division 35.3 shall be resolved in compliance with Chapter. This subparagraph is revised to require that within the Coastal Zone, conflicts shall be resolved in a manner which on balance is the most protective of significant coastal resources.

35.442.040 - Animal Keeping:

- F. Specific animal keeping standards.** A new development standard is added to Subsection 35.442.040.F.2.d that prohibits the keeping of peacocks or roosters in the R-1/E-1, R-2, and DR zones within the Coastal Zone except on a lot of one acre (gross) or more where all adjoining lots are of equivalent size or larger.
- G. Multiple animal types.** This new subsection is added to clarify the limitation on the allowed number of large animals per lot when multiple animal species are involved.

35.442.060 - Caretaker or Employee Housing: This new section is added to provide development standards for caretaker or employee housing which is allowed in the CV and REC zones.

35.442.070 - Community Care Facilities:

- D. Special care homes.** This subsection is revised to clarify that a special care home serving 6 or fewer clients is not subject to permit requirements and other development standards that a dwelling located in the same zone is not required to comply with.

35.442.080 - Conference Centers - Coastal Zone: This section is added to provide development standards for conference centers that are allowed with a Conditional Use Permit in the R-1/E-1 residential zone in the Coastal Zone.

35.442.090 - Crematoriums, Funeral Homes and Mortuaries - Coastal Zone: This section is added to provide development standards for crematoriums, funeral homes and mortuaries that are allowed with a Conditional Use Permit in the R-1/E-1 residential zone in the Coastal Zone.

35.442.110 - Greenhouses:

- B. Greenhouses in the AG-I zone.** This section is revised to apply the development standards to “greenhouse related development” (e.g., packing sheds, storage areas) located in the Inland area in addition to greenhouses to be consistent with the existing Coastal Zone language.
- C. Greenhouses in residential zones.** The section is revised to require that greenhouse structures located within the Coastal Zone shall be accessory to the primary residential or agricultural use to be consistent with the Inland area.
- D. Greenhouses in TC zone - Coastal Zone.** This section is added to address greenhouse development in the Transportation Corridor (TC) zone.

35.442.120 - Guest Houses, Artist Studios, and Cabañas: This section is revised to add the requirements for these accessory structures in the Coastal Zone which are different than the Inland area as follows:

Type of accessory structure	Location	Minimum lot area required	Number of accessory structures
Artist Studio	Coastal Zone	n/a	May be allowed instead of a Guest House
	Inland area	n/a	May be allowed in addition to a Guest House
Guest House	Coastal Zone	1 acre	May be allowed instead of an Artist Studio
	Inland area	2 acres	May be allowed in addition to an Artist Studio

- L. Cabaña.** This subsection is revised to allow a cabaña on a lot that is directly adjacent to the sea in addition to the existing provisions that allow that a cabaña may be approved in conjunction with a proposed pool or sport court.

35.442.160 - Residential Second Units:

- F. Development standards.** This section is revised to include several additional development standards applicable in the Coastal Zone that address protection of coastal resources such as environmentally sensitive habitat areas, public access, recreation areas and views, and to

require that residential second units be consistent with the policies and development standards of the certified Local Coastal Program.

35.442.180 - Temporary Uses and Trailers:

D. Permit processing. This section is revised add a new Subsection 2 that provides special standards for exempt temporary uses located within the Coastal Zone.

Table 4-6 - Allowed Land Uses and Permit Requirements for Agricultural and Resource Management Zones. Table 4-6 is revised to include a column for the AG-1 CZ zone. The table below summarizes the differences between the *proposed* Montecito Inland AG-1 zone the *proposed* Montecito Coastal AG-I zone, the *existing* Montecito Inland AG-I zone and the *existing* County Coastal AG-I zone.

Table 4-6 Allowed Land Uses and Permit Requirements for Agricultural and Resource Management Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
	PERMIT REQUIRED BY ZONE				
LAND USE (1)	AG-I Montecito Proposed	AG-I CZ Montecito Proposed	AG-I Montecito Existing	AG-I CZ County Existing	

TEMPORARY EVENTS

Carnivals, circuses and similar activities	—	—	—	P
Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (agricultural office)	—	—	—	P/MCUP
Trailer (subdivision sales office)	—	—	—	P

Table 4-7 - Allowed Land Uses and Permit Requirements for Residential Zones. Table 4-7 is revised to include a column for the R-1/E-1 CZ, R-2 CZ, DR CZ and PRD CZ zones.

The table below summarizes the differences between the *proposed* Montecito Inland R-1/E-1 zone the *proposed* Montecito Coastal R-1/E-1 zone, the *existing* Montecito Inland R-1/E-1 zone and the *existing* County Coastal R-1/E-1 zone.

Table 4-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			

LAND USE (1)	PERMIT REQUIRED BY ZONE			
	R-1/E-1 Montecito Proposed	R-1/E-1 CZ Montecito Proposed	R-1/E-1 Montecito Existing	R-1/E-1 CZ County Existing

TEMPORARY EVENTS

Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (4 or less agricultural employees)	—	—	—	MCUP
Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

The table below summarizes the differences between the *proposed* Montecito Inland R-2 zone the *proposed* Montecito Coastal R-2 zone, the *existing* Montecito Inland R-2 zone and the *existing* County Coastal R-2 zone.

Table 4-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			
	R-2 Montecito Proposed	R-2 CZ Montecito Proposed	R-2 Montecito Existing	R-2 County Existing

TEMPORARY EVENTS

Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

The table below summarizes the differences between the *proposed* Montecito Inland DR zone the *proposed* Montecito Coastal DR zone, the *existing* Montecito Inland DR zone and the *existing* County Coastal DR zone.

Table 4-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			
	DR Montecito Proposed	DR CZ Montecito Proposed	DR Montecito Existing	DR CZ County Existing

TEMPORARY EVENTS

Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (4 or less agricultural employees)	—	—	—	MCUP
Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

The table below summarizes the differences between the *proposed* Montecito Inland PRD zone the *proposed* Montecito Coastal PRD zone, the *existing* Montecito Inland PRD zone and the *existing* County Coastal PRD zone.

Table 4-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			
	PRD Montecito Proposed	PRD CZ Montecito Proposed	PRD Montecito Existing	PRD CZ County Existing

TEMPORARY EVENTS

Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (4 or less agricultural employees)	—	—	MCUP	MCUP
Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

Table 4-8 - Allowed Land Uses and Permit Requirements for Commercial Zones. Table 4-8 is revised to include a column for the CN CZ and CV CZ zones. The temporary uses allowed and their respective permit requirements in the coastal CN zone mirror the temporary uses allowed and their respective permit requirements in the inland CN zone, and therefore are not discussed further in this attachment.

The table below summarizes the differences between the *proposed* Montecito Inland C-V zone the *proposed* Montecito Coastal C-V zone, the *existing* Montecito Inland C-V zone and the *existing* County Coastal C-V zone.

Table 4-8 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCU	Minor Conditional Use Permit required			
	P	Conditional Use Permit required			
	CUP	Permit determined by Specific Use Regulations			
	S	Use Not Allowed			
	PERMIT REQUIRED BY ZONE				
LAND USE (1)	CV Montecito Proposed	CV CZ Montecito Proposed	CV Montecito Existing	CV CZ County Existing	

TEMPORARY EVENTS

Carnivals, circuses and similar activities	—	—	—	P
Certified farmers market	—	—	—	MCUP
Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities			—	MCUP
Subdivision sales office			—	P

TEMPORARY DWELLINGS

Trailer (railroad work camp)			—	MCUP
Trailer (watchman)			—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

Table 4-9 - Allowed Land Uses and Permit Requirements for Special Purpose Zones. Table 4-8 is revised to include a column for the PU CZ, REC CZ and TC CZ zones.

The table below summarizes the differences between the *proposed* Montecito Inland PU zone the *proposed* Montecito Coastal PU zone, the *existing* Montecito Inland PU zone and the *existing* County Coastal PU zone.

Table 4-9 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCU	Minor Conditional Use Permit required			
	P	Conditional Use Permit required			
	CUP	Permit determined by Specific Use Regulations			
	S	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				
	PU Montecito Proposed	PU CZ Montecito Proposed	PU Montecito Existing	PU CZ County Existing	

TEMPORARY EVENTS

Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (4 or less agricultural employees)	—	—	—	MCUP
Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

The table below summarizes the differences between the *proposed* Montecito Inland REC zone the *proposed* Montecito Coastal REC zone, the *existing* Montecito Inland REC zone and the *existing* County Coastal REC zone.

Table 4-6 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required			
	MCU	Minor Conditional Use Permit required			
	P	Conditional Use Permit required			
	CUP	Permit determined by Specific Use Regulations			
	S	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				
	REC Montecito Proposed	REC CZ Montecito Proposed	REC Montecito Existing	REC CZ County Existing	

TEMPORARY EVENTS

Rodeos and other equestrian events	—	—	—	P/MCUP
Spectator entertainment facilities	—	—	—	MCUP
Subdivision sales office	—	—	—	P

TEMPORARY DWELLINGS

Trailer (railroad work camp)	—	—	—	MCUP
Trailer (watchman)	—	—	—	MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	—	—	—	MCUP
Trailer (subdivision sales office)	—	—	—	P

The table below summarizes the differences between the *proposed* Montecito Inland TC zone the *proposed* Montecito Coastal TC zone, the *existing* Montecito Inland TC zone and the *existing* County Coastal TC zone.

Table 4-6 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required		
	MCUP	Minor Conditional Use Permit required		
	P	Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
	PERMIT REQUIRED BY ZONE			
LAND USE (1)		TC CZ Montecito Proposed		TC CZ County Existing

TEMPORARY EVENTS

Certified farmers market (incidental)		—		CUP
Charitable functions		—		E
Public assembly events in facilities; event consistent		—		E
Public property		—		E
Reception and similar gathering facilities (commercial)		—		MCUP
Rodeos and other equestrian events		—		P/MCUP
Seasonal sales lots		—		P
Spectator entertainment facilities		—		MCUP
Subdivision sales office		—		P

TEMPORARY DWELLINGS

Trailer (watchman during construction)		P		P
Trailer (4 or less agricultural employees)		—		MCUP
Trailer (railroad work camp)		—		MCUP
Trailer (watchman)		—		MCUP

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)		—		MCUP
Trailer (subdivision sales office)		—		P

Chapter 35.444 - Telecommunications Facilities

35.444.010 - Commercial Telecommunications Facilities

D. Additional development standards for telecommunication facilities.

Subsection 1.j (3) is revised to require that within the Coastal Zone, required landscape plans shall be prepared by a botanist, licensed landscape contractor, or licensed landscape architect; within the Inland area the requirement is that a botanist, licensed landscape contractor or licensed landscape architect should prepare the landscape plan.

Subsection 1.j(6) is revised to include a new requirement that in the Coastal Zone, vegetation proposed and/or required to be planted in association with a commercial telecommunications facility shall consist of non-invasive plant species only.

Subsection 2 is revised to include the following new requirements that apply to the Coastal Zone:

- e. Disturbed areas associated with the development of a facility shall be prohibited on prime agricultural soils unless, based on a showing of sufficient evidence, there is no other feasible location in the area or other alternative facility configuration that would avoid or minimize impacts to prime soils.
- f. Facilities shall be prohibited in areas that are located between the sea and the seaward side of the right-of-way of the first through public road parallel to the sea, unless a location on the seaward side would result in less visible impact, or, based on a showing of sufficient evidence, there is no other feasible location in the area or other alternative facility configuration that would avoid or minimize visual impacts.

Subsection 3 is revised to include the following new requirement that applies to the Coastal Zone:

- e. Disturbed areas associated with the development of a facility shall not occur within the boundaries or buffer of an environmentally sensitive habitat area unless, based on a showing of sufficient evidence, there is no other feasible location in the area or other alternative facility configuration that would avoid impacts to environmentally sensitive habitat areas. If an exemption is approved with regard to this standard, the County shall require the applicant to fully mitigate impacts to environmentally sensitive habitat consistent with the provisions of the certified Local Coastal Program. Associated landscaping in or adjacent to environmentally sensitive habitat areas shall be limited to locally native plant species appropriate to the habitat type and endemic to the watershed. Invasive, nonindigenous plant species that tend to supplant native species shall be prohibited.

35.444.020 - Noncommercial Telecommunications Facilities

- D. Development standards.** This subsection is revised to add under Subsection D.2 several new development standards that apply to noncommercial telecommunication facilities located in the Coastal Zone. These standards include a restriction on the height of a noncommercial telecommunication facility to 50 feet except when technical dictate otherwise or when the Director finds that an increased height is necessary in order to allow for the operational needs of the operator.

DIVISION 35.5 - Montecito Resource Management

CHAPTER 35.450 - MONTECITO RESOURCE PROTECTION STANDARDS

35.450.040 - Beach Development: This section is added to provide development standards that address development on the dry, sandy beach and requirements for vertical and lateral access to the beach.

35.450.050 - Bluff Development: This section is added to provide development standards that address development on or adjacent to coastal bluffs.

35.450.060 - Shoreline Protection Structures: This section is added to provide development standards that address shoreline protection structures (e.g., seawalls).

35.450.070 - Tree Removal within the Coastal Zone: This section is added to provide development standards that address tree removal within the Coastal Zone.

CHAPTER 35.452 - MONTECITO RIDGELINE AND HILLSIDE DEVELOPMENT

35.452.030 - Coastal Zone Limitation on Sloping Lot Development: This section is added to include the Coastal Zone prohibition against construction an above-ground structure, except for necessary utility lines and fences for agricultural purposes, on undisturbed slopes exceeding 40 percent.

DIVISION 35.7 - Montecito Planning Permit Procedures

CHAPTER 35.470 - PERMIT APPLICATION FILING AND PROCESSING

35.470.020 - Authority for Land Use and Zoning Decisions:

- A. Review Authority.** This section was revised to include Coastal Development Permits (without hearing) and Coastal Development (with hearing) in Table 7-1 which lists the different types of planning permits, the review authority for those permits, and the review authority for any appeal of a decision on those permits.
- C. Applications subject to review by the Coastal Commission.** This section was added to referenced those final decisions by the County that may be appealed to the Coastal Commission because they are either (1) amendments to the certified Local Coastal Program, or (2) permit decisions that may be appealed to the Coastal Commission.

CHAPTER 35.472 - PERMIT REVIEW AND DECISIONS

35.472.020 - Effective Date of Permits: This section is revised to provide standards for when Coastal Development Permits become effective which depends on whether the permit may be appealed to the Coastal Commission.

35.472.050 - Coastal Development Permits: This section is added to specify the processing requirements for Coastal Development Permits.

35.472.060 - Conditional Use Permits and Minor Conditional Use Permits

- E. Findings required for approval of Conditional Use Permits:** New findings are added that apply when a Coastal Development Permit is approved in conjunction a Conditional Use Permit.

35.472.070 - Design Review:

- F. Findings required for approval.** A new finding is added that requires structures located in the Coastal Zone in designated urban areas to be compatible with the character and scale of the existing community, and that clustered development, varied circulation patterns, and diverse housing types are to be encouraged.

35.472.080 - Development Plans: This section is revised to include processing requirements for applications for Final Development Plans under the jurisdiction of the Director that are submitted for projects that were legally permitted and developed without a Final Development Plan and are now nonconforming solely due to the absence of an approved Final Development Plan provided that any exterior alterations do not require review by the Montecito Board of Architectural Review. This process presently exists in the existing Development Code for Coastal Zone portion of the Montecito Community Plan area and is also proposed to apply to the Inland portion.

35.472.090 - Emergency Permits:

- I. Reporting requirements of the Director.** In the Coastal Zone, the Director must also submit a written report regarding the nature of the emergency and the work involved to the Coastal Commission in addition to the Board of Supervisors.

35.472.110 - Land Use Permits: This section is revised to include procedures and findings for Land Use Permit issued for projects located in the Coastal Zone where the Coastal Commission approves the Coastal Development Permit because the project is located within the retained permit jurisdiction.

35.472.170 - Use Determinations.

- E. Findings required for approval of Use Determinations.** This section is revised include new findings for approval of applications for use determination on property located in the Coastal Zone and zoned either Recreation (REC) or Transportation Corridor (TC).

CHAPTER 35.474 - POST APPROVAL PROCEDURES

35.474.030 - Time Extensions:

- D. Processing.** This subsection is revised to include procedures for granting time extensions for Coastal Development Permits.

CHAPTER 35.478 - SPECIFIC PLANS

35.478.020 - Initiation. This section is revised to include procedures regarding the initiation of a Specific Plan for property located in the Coastal Zone.

35.478.040 - Processing of Specific Plans: A new Subsection I is added which specifies that a Specific Plan for property located in the Coastal Zone shall not be considered adopted until a site development plan, together with the required accompanying data have been approved by the Board of Supervisors as an amendment to the Local Coastal Program.

DIVISION 35.9 - Montecito Land Use and Development Code Administration

CHAPTER 35.491 - NONCONFORMING USES, STRUCTURES, AND LOTS

In the existing Montecito Inland Land Use and Development Code, nonconforming structures and uses of property may be rebuilt or re-established only when they are damaged by earthquake, fire, flood, or other natural disaster. This Chapter is drafted to allow such structures and uses to be rebuilt or re-established when they are damaged by earthquake, fire, flood, vandalism, or other calamity beyond the control of the owner of property, which is the language used in the existing Development Code for Coastal Zone portion of the Montecito Community Plan area.

Also, the existing Montecito Inland Land Use and Development Code requires that any allowed restoration of a nonconforming structure or use shall commence within 24 months of the time of damage and be diligently carried out to completion. This Chapter is drafted to allow the Director to extend this 24 month time limit for a maximum of 12 months for good cause, provided a written request, including a statement of reasons for the time extension request, is filed with the Department before the expiration of the 24-month period. This ability of the Director to grant such a time extension is already contained in the existing Development Code for the Coastal Zone portion of the Montecito Community Plan area.

CHAPTER 35.492 - APPEALS

35.492.020 - General Appeal Procedures:

- A. Who may appeal.** Subsection 1 of this section is revised to include references to those decisions by the County on projects located in the Coastal Zone that may be appealed by members of the Coastal Commission.
- C. Requirements for contents of an appeal.** Subsection C.1.(b) is revised to include new text that broadens the grounds on which an appeal of the approval of a residential second unit located in the Coastal Zone may be filed to include consistency with the whole of the Coastal Land Use Plan, Montecito Community Plan, and the Development Code. Within the Inland area, similar appeals are restricted to a demonstration of inconsistency with the development standards for residential second units.
- E. Appeal fees.** This section is revised to include a new Subsection E.1 that provides that there is no fee required to appeal a development project that is ultimately appealable to the Coastal Commission.

35.492.030 - Appeals to the Chair of the Montecito Commission - Inland area. This section is modified to specify that only appeals of Land Use Permit for temporary uses are appealed to the Chair of the Montecito Commission. Thus, appeals of Coastal Development Permits for temporary uses are still heard by the whole Montecito Commission.

35.492.060 - Appeals to the Coastal Commission. This section now includes descriptions of those development projects that may be appealed to the Coastal Commission.

CHAPTER 35.494 - AMENDMENTS

35.494.030 - Initiation of Amendment: Subsection D of this section is revised to include specifications for who may initiate amendments to the Local Coastal Program and the Development Code for property located in the Coastal Zone.

35.494.050 - Action on Amendment: Subsection D is added to this section to include the requirement that any legislative approval by the Board (e.g., Comprehensive Plan, Development Code, Local Coastal Program, or Zoning Map Amendment) which would authorize or allow the construction, development, installation, or expansion of any onshore support facility for offshore oil and gas activity on the South Coast of the County from Point Arguello to the Ventura County border)and outside the South Coast Consolidation Areas is subject to a vote by the voters of the County in a regular election in compliance with Measure A96 that was approved by the County voters on March 26, 1996. This requirement is scheduled to terminate in 2021.

35.494.090 - Rezoning Requirements for Specific Zones: Subsections C and D of this section regarding the Planned Residential Development (PRD) and Recreation (REC) zones respectively are revised to include specific requirements for properties located in the Coastal Zone.

DIVISION 35.10 - Glossary

CHAPTER 35.500 - DEFINITIONS

35.500.020 - Definitions of Specialized Terms and Phrases. The following definitions that relate to revisions to the Montecito Land Use and Development Code to implement the Coastal Zone provisions are added to this section:

Appealable Development	Inland Extent of Beach
Boat club	Limited-equity Housing Cooperative
Boat launching facility	Local Coastal Program
Campground	Major Public Works/Major Energy Facility
Cemetery	Mausoleum
Charitable or Philanthropic Organization	Mean High Tide Line
Coastal Bluff	Noise Sensitive Use
Coastal Bluff Edge	Parking, Tandem
Coastal Commission	Prime Agricultural Lands
Coastal Dependent Development or Use	Railroad
Coastal Dependent Recreation	Recycling Facility
Coastal Plan/Coastal Land Use Plan	Reservoir
Coastal Related Development	Sea
Coastal Related Recreation	Sea wall
Conference Center	Sewage Treatment Facilities - Central Plant
Conservation or Open Space Easement	Sports and Outdoor Recreation Facility, Accessory
Convenience Store	Stream
Creek Channel, Natural	Temporary Use - Coastal Zone
Development - Coastal Zone	Trail
Drainage Channel	Transit Station or Terminal
Environmental Review - Coastal Zone	Under Construction
First Public Road Paralleling the Sea	Utility Connection to Approved Development
Flood control	Utility Infrastructure

Freeway	Water Diversion Project
Greenhouse - Coastal Zone	Water System
Greenhouse Related Development - Coastal Zone	Wetland
Highway 101 Corridor	Water Supply, Treatment, Storage Facilities - Central Plant
Hoop Structure	

APPENDICES

Appendix B - Administrative Guidelines for Implementing Measure A96 - Voter Approval Initiative: This Appendix is added to the Montecito Land Use and Development Code to implement A96.

Appendix C - County Guidelines on Repair and Maintenance and Utility Connection to Permitted Development Within the Coastal Zone Only: This Appendix is added to implement the repair and maintenance guidelines allowed by the Coastal Act.

ATTACHMENT G

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

IN THE MATTER OF RECOMMENDING TO THE)
BOARD OF SUPERVISORS THE ADOPTION OF)
AMENDMENTS TO THE SANTA BARBARA)
COUNTY LOCAL COASTAL PROGRAM BY)
AMENDING THE COASTAL LAND USE PLAN)
MAP AND ZONING MAP FOR THE MONTECITO)
COMMUNITY PLAN AREA, AND THE)
ADOPTION OF AN AMENDMENT TO SECTION)
35-2 OF CHAPTER 35 OF THE COUNTY CODE,)
THE SANTA BARBARA COUNTY MONTECITO)
LAND USE AND DEVELOPMENT CODE.)

RESOLUTION NO.: 07 -10

CASE NOS.: 07GPA-00000-00009
07RZN-00000-00018
07ORD-00000-00003
07ORD-00000-00004

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Land Use Plan; and
- B. On December 15, 1992, by Resolution 92-699, the Board of Supervisors of the County of Santa Barbara adopted the Coastal Land Use Plan Map for the Montecito Community Plan area; and
- C. On December 15, 1992, by Ordinance No. 4083, the Board of Supervisors of the County of Santa Barbara adopted the Coastal Zoning Map for the Montecito Community Plan area; and
- D. On October 17, 2006, by Ordinance 4625, the Board of Supervisors adopted Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, portions of which pertain to the Coastal Zone area within the Montecito Community Plan area; and
- E. On October 17, 2006, also by Ordinance 4625, the Board of Supervisors adopted Section 35-2 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, which pertains to the non-Coastal Zone area within the Montecito Community Plan area; and
- F. 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 of Supervisors:
 - 1. Adopt a Resolution (Case No. 07GPA-00000-00009) amending the Coastal Land Use Plan within the Montecito Community Plan Area to change the land use designation of Assessor's Parcel Numbers 009-230-025 and 009-230-025-026 from General Commercial (C) to Neighborhood Commercial (N); and

2. Adopt an Ordinance (Case No. 07RZN-00000-00018) amending the County Zoning Map within the Montecito Community Plan Area to change the zoning of Assessor's Parcel Numbers 009-230-025 and 009-230-025-026 from Retail Commercial (C-2) to Neighborhood Commercial (CN); and
3. Adopt an ordinance (Case No. 07ORD-00000-00003 & 07ORD-00000-00004) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, by removing those regulations that pertain to the Coastal Zone area within the Montecito Community Plan area, and amending Section 35-2 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Montecito Land Use and Development Code, to include those regulations that pertain to the Coastal Zone area within the Montecito Community Plan area.

Said Santa Barbara County Montecito Land Use and Development Code is attached hereto as Exhibit 1 and is incorporated herein by reference.

- G. The proposed Santa Barbara County Montecito Land Use and Development Code is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Plan, the Santa Barbara County Comprehensive Plan including the Montecito Community Plans, and the requirements of the State Planning, Zoning and Development Laws.
- H. The proposed Santa Barbara County Montecito Land Use and Development Code is in the interest of the general community welfare, since it will implement Government Code Section 65892.13 by providing a comprehensive zoning ordinance for the whole of the Montecito Community Plan area which provides for sound zoning and planning practices that regulate land uses without compromising community values, environmental quality, or the public health and safety.
- I. This Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Santa Barbara County Montecito Land Use and Development Code, at which hearing the proposed Santa Barbara County Montecito Land Use and Development Code was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this 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 Commission.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this October 17th, 2007 by the following vote:

AYES: Overall, Phillips, Bierig, Gottsdanker

NOES:

ABSTAIN:

ABSENT: Burrows

BOB BIERIG, Chair
Santa Barbara County Montecito Planning Commission

ATTEST:

DIANNE MEESTER BLACK
Secretary to the Commission

APPROVED AS TO FORM:

STEPHEN SHANE STARK
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. September 2007 Hearing Draft Santa Barbara County Montecito Land Use and Development Code (Case No.: 07ORD-00000-00004)

ATTACHMENT H

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

IN THE MATTER OF RECOMMENDING TO THE)
BOARD OF SUPERVISORS THE ADOPTION OF)
AN AMENDMENT TO SECTION 35-1 OF) RESOLUTION NO.: 07-11
CHAPTER 35 OF THE COUNTY CODE, THE)
SANTA BARBARA COUNTY LAND USE AND) CASE NO.: 07ORD-00000-00003
DEVELOPMENT CODE.)

WITH REFERENCE TO THE FOLLOWING:

- A. On October 17, 2006, by Ordinance 4625, the Board of Supervisors adopted Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, portions of which pertain to the Coastal Zone area within the Montecito Community Plan area; and
- B. The County 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 of Supervisors adopt an ordinance (Case No. 07ORD-00000-00003) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, by removing those regulations that pertain to the Coastal Zone area within the Montecito Community Plan area, and make several minor revisions to correct or clarify the existing text.

Said Santa Barbara County Land Use and Development Code is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Santa Barbara County Land Use and Development Code is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Plan, the Santa Barbara County Comprehensive Plan including applicable community and area plans, and the requirements of the State Planning, Zoning and Development Laws.
- D. The proposed Santa Barbara County Land Use and Development Code is in the interest of the general community welfare, since it will implement Government Code Section 65892.13 by providing a comprehensive zoning ordinance for the whole of the unincorporated area of the County located outside of the Montecito Community Plan area and provides for sound zoning and planning practices that regulate land uses without compromising community values, environmental quality, or the public health and safety.
- E. This Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Santa Barbara County Land Use and Development Code, at which hearing the proposed Santa Barbara County Land Use and Development Code was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this 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 Commission.
4. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
5. The Chair of this Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this October 24th, 2007 by the following vote:

AYES: Cooney, Brown, Valencia, Blough
NOES:
ABSTAIN:
ABSENT: Jackson

C. MICHAEL COONEY, Chair
Santa Barbara County Planning Commission

ATTEST:

DIANNE MEESTER BLACK
Secretary to the Commission

APPROVED AS TO FORM:

STEPHEN SHANE STARK
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. October 2007 Hearing Draft Santa Barbara County Land Use and Development Code (Case No.: 07ORD-00000-00003)