



COUNTY OF SANTA BARBARA CALIFORNIA

MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU STREET
SANTA BARBARA, CALIFORNIA 93101-2058
PHONE: (805) 568-2000
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TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

MONTECITO PLANNING COMMISSION
HEARING OF OCTOBER 18, 2017

RE: *Montecito Architectural Guidelines and Development Standards Limited Update – Phase II Detached Accessory Buildings; 17ORD-00000-00011, 17ORD-00000-00012*

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

- a) Recommend that the Board of Supervisors adopt a resolution amending the *Montecito Architectural Guidelines and Development Standards*;
- b) 17ORD-00000-00011. Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00011) amending Division 35.2, Montecito Zones and Allowable Land Uses, and Division 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code;
- c) 17ORD-00000-00012. Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00012) amending Division 15, Montecito Community Plan Overlay District, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code;

and recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to Sections 15061(b)(3) and 15265 of the State Guidelines for Implementation of the California Environmental Quality Act.

Dear Honorable Members of the Board of Supervisors:

At the Montecito Planning Commission hearing of October 18, 2017, Commissioner Newman moved, seconded by Commissioner Brown and carried by a vote of 4 to 0 (Senauer absent) to:

1. Make the required findings for approval (Attachment A), including CEQA findings, and recommend that the Board of Supervisors make the required findings for approval of the

proposed amendments to the *Montecito Architectural Guidelines and Development Standards*, Montecito Land Use and Development Code, and the Coastal Zoning Ordinance.

2. Recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265 (Attachment B).
3. Adopt a resolution (Attachment C) recommending that the Board of Supervisors take the following actions:
 - a) Adopt a resolution amending the *Montecito Architectural Guidelines and Development Standards* (Exhibit 1) as revised at the hearing of October 18, 2017;
 - b) Adopt an ordinance amending the Montecito Land Use and Development Code (Case No. 17ORD-00000-00011), Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code (Exhibit 2) as revised at the hearing of October 18, 2017; and
 - c) Adopt an ordinance amending the Coastal Zoning Ordinance (Case No. 17ORD-00000-00012), of Chapter 35, Zoning, of the Santa Barbara County Code (Exhibit 3) as revised at the hearing of October 18, 2017.

As part of its recommendation to the Board of Supervisors, the Montecito Planning Commission (MPC) also directed staff to make the following revisions. For the revisions, language that the MPC added is shown as underlined, and language that the MPC deleted is shown as strike-through. The use of an ellipsis indicates ordinance language that has been omitted for the sake of brevity since the language is unchanged.

1. Clarify the meaning of “detached accessory building” in the *Montecito Architectural Guidelines and Development Standards (Guidelines)* by revising *Guidelines* Sections III.B.3.b and IV.D.2 (Exhibit 1-A, Pages 2, 3, and 8 of the MPC staff report dated October 10, 2017) as follows:

. . . detached accessory buildings mean detached accessory structures located beneath a solid roof or other permanent covering, which shall include but not be limited to, any fully enclosed, partially enclosed, or unenclosed portions of detached accessory structures; ~~any fully enclosed, partially enclosed, or unenclosed structures with a supported by columns or walls and intended to provide shelter, housing or enclosure of persons, animals or chattel;~~ . . .
2. Clarify the meaning of “existing” by making the following revisions to Exhibits 1-A, 2, and 3 of the MPC staff report dated October 10, 2017:
 - a. Replace “existing” with “approved” in *Guidelines* Sections III.B.3.b, IV.C.5.b and IV.D.2 (Exhibit 1-A, Pages 2, 3, and 8), Montecito Land Use and Development Code (MLUDC) Sections 35.428.070.C.5.b, 35.442.020.B.6.b, and 35.442.120.E.(2) (Exhibit 2, Pages 2 and 5-7), and Coastal Zoning Ordinance (CZO) Sections 35-210.3 and 35-211.2.b (Exhibit 3, Pages 1 and 3).

- b. Revise *Guidelines* Sections III.B.3.b.2), IV.C.5.b.4) and IV.D.2.b (Exhibit 1-A, Pages 3, 5, and 8), MLUDC Sections 35.428.070.C.5.b.(3), 35.442.020.B.6.b.(3), and 35.442.120.E.(2)(c) (Exhibit 2, Pages 2, 6, and 7), and CZO Sections 35-210.3.d and 35-211.2.b.3) (Exhibit 3, Pages 2 and 3) as follows:

... ~~“existing”~~ ~~“approved”~~ means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, there is an active, unexpired planning or building permit, including an exemption or zoning clearance, that allows for the construction of the detached accessory building or accessory dwelling unit, or that construction of the detached accessory building or accessory dwelling unit has been completed. . . .

3. Add formulas to *Guidelines* Tables 2 and 4 (Exhibit 1-A, Pages 3 and 8 of the MPC staff report dated October 10, 2017) as shown below and in Slide 18 of the staff presentation at the MPC hearing on October 18, 2017:

Size of Lot (Gross Acres)	Recommended Detached Accessory Building Allowance (Net Square Feet)
0.25 acres or less	$180 + (250 \times L)^1$ Where L is lot area in acres
Over 0.25 acres – 0.5 acres	$245 + (800 \times (L - 0.25))$ 800 for each acre over 0.25
Over 0.5 acres – 1 acre	$445 + (730 \times (L - 0.50))$ 730 for each acre over 0.50
Over 1 acre – 2 acres	$810 + (690 \times (L - 1))$ 690 for each acre over 1
Over 2 acres	$1,500 + (495 \times (L - 2))$ 495 for each acre over 2

¹ L equals lot area in acres (gross).

4. Amend *Guidelines* Section III.A.3.e as follows:

“Height and visibility of buildings from roads, particularly multi-story buildings proposed near property lines.”

5. Amend *Guidelines* Section III.B.3.a as follows:

... Note: In certain neighborhoods, the recommended maximum size in Table 1 may not reflect the appropriate level of development. In those cases, neighborhood compatibility shall be the determining factor.

The MBAR shall consider total potential development on the lot, including the Detached Accessory Building Allowances provided in Table 2, prior to approving a project that proposes to exceed the Recommended Maximum House Net Floor Area provided in Table 1. . . .

6. Amend *Guidelines* Section IV.D as follows:

. . . For intermediate and values beyond those included in Table 23 . . .

The MBAR shall consider total potential development on the lot, including the Recommended Detached Accessory Building Allowances provided in Table 3, prior to approving a project that proposes to exceed the Recommended Maximum House Net Floor Area provided in Table 4. . . .

7. Change all references from “parcel(s)” to “lot(s)” in the *Guidelines*.

8. Clarify that the building footprint of detached accessory buildings includes the portions of roof eaves more than three feet in depth by making the following revisions to Guideline IV.C.5.a.2) (Exhibit 1-A, Page 4 of the MPC staff report dated October 10, 2017), MLUDC Sections 35.428.070.C.5.a.(2), 35.442.020.B.6.a.(2), and 35.442.120.E.(1) (Exhibit 2, Pages 2, 5, and 6 of the MPC staff report dated October 10, 2017), and CZO Sections 35-210.2.b and 35-211.2.a (Exhibit 3, Pages 1 and 2 of the MPC staff report dated October 10, 2017):

~~. . . The building footprint includes the following, but does not include roof eaves that extend no more than three feet from the exterior wall of the building:~~

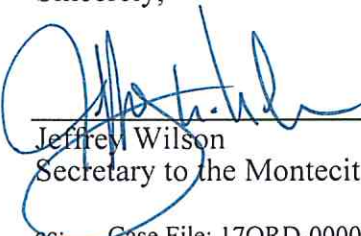
- a) Any cantilevered portions . . .
- b) Any fully enclosed, partially enclosed, or unenclosed portions . . .
- c) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.

9. Clarify that the floor area limitation does not apply to accessory dwelling units by making the revisions as shown in Slide 8 of the staff presentation at the MPC hearing on October 18, 2017 and as shown below to *Guidelines* Section IV.C.5.b. (Exhibit 1-A, Page 5 of the MPC staff report dated October 10, 2017), MLUDC Sections 35.428.070.C.5.b, 35.442.020.B.6.b, and 35.442.120.E.(2) (Exhibit 2, Pages 2, 5, and 6 of the MPC staff report dated October 10, 2017), and CZO Sections 35-210.3 and 35-211.2.b (Exhibit 3, Pages 1-3 of the MPC staff report dated October 10, 2017):

~~. . . **Detached accessory buildings.** The total gross floor area of all existing-approved and proposed buildings located on a lot, including an approved accessory dwelling unit but excluding a proposed accessory dwelling unit, shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.~~

- 1) For purposes of this Subsection . . .
- 2) The gross floor area limitation in this Subsection shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
- 2)3) If an application includes . . .
- 3)4) For purposes of this Subsection . . .

Sincerely,



Jeffrey Wilson
Secretary to the Montecito Planning Commission

cc: Case File: 17ORD-00000-00011, 17ORD-00000-00012
Planning Commission File
Dianne M. Black, Assistant Director
Johannah Hartley, Deputy County Counsel
Jeffrey Wilson, Deputy Director, Development Review Division
Dan Klemann, Deputy Director, Long Range Planning Division
Allen Bell, Supervising Planner
Jessi Steele, Planner

Attachments: **Attachment A – Findings for Approval**
 Attachment C – Resolution of the Montecito Planning Commission

JW/dmv

ATTACHMENT A: FINDINGS FOR APPROVAL

Montecito Architectural Guidelines and Development Standards Limited Update, Phase II and Amendments to the Montecito Land Use and Development Code and Coastal Zoning Ordinance

1.0 CEQA FINDINGS

1.1 CEQA EXEMPTION

- 1.1.1 The Montecito Planning Commission finds that the proposed amendments are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265. Please see Attachment B, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 AMENDMENTS TO THE MONTECITO LAND USE AND DEVELOPMENT CODE, COASTAL ZONING ORDINANCE, AND THE *MONTECITO ARCHITECTURAL GUIDELINES AND DEVELOPMENT STANDARDS*

Findings required for all amendments to the Montecito Land Use and Development Code, the Coastal Zoning Ordinance, and the *Montecito Architectural Guidelines and Development Standards*. In compliance with Section 35.494.060 of the Montecito Land Use and Development Code (MLUDC), and Section 35-180.6 of the Coastal Zoning Ordinance (CZO), prior to the approval or conditional approval of an amendment to the MLUDC, the CZO, Local Coastal Program, or the County Zoning Map, the review authority shall first make all of the following findings:

2.1.1 **The request is in the interest of the general community welfare.**

The Board of Supervisors adopted the *Montecito Architectural Guidelines and Development Standards (Guidelines)* in 1995. The *Guidelines* were developed consistent with the policies and direction of the Montecito Community Plan (MCP, adopted in 1992) in consideration of the community's circumstances, needs, and desires to preserve, protect, and enhance the semi-rural environment and the natural mountainous setting of Montecito (MCP Policy LU-M-1.1). Since 1995, the *Guidelines* have provided guidance and direction to architects, property owners, and the Montecito Board of Architectural Review (MBAR) for the design and review of residential and commercial development and additions to existing buildings within the MCP area. They are intended to provide clear and concise standards and guidelines for the design process, and encourage the best professional design practices of architecture and landscape architecture to enhance the visual quality of the environment.

The *Guidelines*, MLUDC, and CZO do not regulate the total number or cumulative floor area of detached accessory buildings on a lot. The MLUDC and CZO contain standards that limit the size and height of individual detached accessory buildings, but some of these standards are unclear. As a result, some detached accessory buildings are relatively large and tall in comparison to surrounding development. This has led to community concern regarding neighborhood compatibility and the preservation of Montecito's semi-rural character. To address these concerns, the Board of Supervisors directed staff to consider new guidelines and/or zoning standards to limit the size and/or number of detached accessory buildings on residential lots in Montecito.

As discussed below and in the staff report to the Montecito Planning Commission dated October 10, 2017, herein incorporated by reference, the amendments of the *Guidelines* and the accompanying amendments to the MLUDC and CZO are in the interest of the general community welfare. The amended *Guidelines* will limit the cumulative floor area of detached accessory buildings. Amendments to the MLUDC and CZO will clarify existing building footprint and rear setback regulations for detached accessory buildings and add a new 40 percent maximum lot coverage regulation. An additional amendment to the MLUDC will limit the maximum height of two-story detached accessory buildings in the Inland Area. Together, the amendments to the *Guidelines*, MLUDC, and CZO will provide greater visual resource protection, will better preserve and protect the semi-rural environment of Montecito and the natural mountainous setting, and will ensure project compatibility with existing development.

2.1.2 The request is consistent with the Comprehensive Plan, the Local Coastal Program, including the Coastal Land Use Plan and the Montecito Community Plan, the requirements of State planning and zoning laws, the Montecito Land Use and Development Code and the Coastal Zoning Ordinance.

As discussed in Section 8.0 of the staff report to the Montecito Planning Commission, dated October 10, 2017, herein incorporated by reference, the project is consistent with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and the Montecito Community Plan, the MLUDC, and the CZO. The *Guidelines* Limited Update, Phase II is focused in scope, addressing issues related to the size and number of detached accessory buildings on residential lots in Montecito. Amendments to the MLUDC and CZO clarify existing regulations related to the building footprint and rear setback regulations for detached accessory buildings, thus ensuring consistent application of the zoning ordinances. The amendments to the MLUDC and CZO also include a new 40 percent maximum lot coverage regulation that will limit detached accessory building development and thereby protect visual resources. The *Guidelines* amendments do not conflict with zoning ordinance provisions related to detached accessory buildings. In fact, the *Guidelines* amendments add references to zoning ordinance provisions related to the building footprint of detached accessory buildings. Therefore, the *Guidelines* amendments are consistent with the MLUDC and CZO. Amendments to the MLUDC that limit the maximum height of two-story detached accessory buildings in the Inland Area provide greater visual resource protection consistent with policies of the Comprehensive Plan, Local Coastal Program and Montecito Community Plan, cited in Section 8.0 of the staff report and herein incorporated by reference, especially MCP Policy LU-M-1.1, CLUP Policies 4-3 and 4-4, and Land Use Element Visual Resources Policies 2 and 3.

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

The project is consistent with sound zoning and planning practices that regulate land uses for the protection of the visual environment and community values. The project strengthens existing zoning ordinance standards and adds new design guidelines to the *Guidelines* that are applicable to the development of future detached accessory buildings. These guidelines and standards provide guidance to architects, property owners, and decision makers for the design and review of projects within the MCP Area. The amended *Guidelines* will limit the cumulative floor area of detached accessory buildings. Amendments to the MLUDC and CZO will clarify existing building footprint and rear setback regulations for detached accessory buildings, and add a new 40 percent maximum lot coverage regulation. An additional amendment to the MLUDC will limit the maximum height of two-story detached accessory buildings in the Inland Area.

Together, the amendments to the *Guidelines*, MLUDC, and CZO strengthen the existing development procedures and provisions that promote consistency with MCP Policy LU-M-1.1 “to preserve, protect and enhance the semi-rural environment of Montecito and the natural mountainous setting,” and the *Guidelines* goal to “ensure neighborhood compatibility of all projects.” The amended *Guidelines* ensure new development is compatible with its neighborhood and the natural and built environments. Therefore, the amendments are consistent with good zoning and planning practices. In addition, as discussed in Section 8.0 of the staff report to the Montecito Planning Commission, dated October 10, 2017, herein incorporated by reference, the project is consistent with the Montecito Community Plan and, therefore, consistent with good zoning and planning practices.

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

IN THE MATTER OF RECOMMENDING TO THE) RESOLUTION NO. 17 - 14
BOARD OF SUPERVISORS THE ADOPTION OF)
SPECIFIC AMENDMENTS TO THE MONTECITO) Case Nos.:
ARCHITECTURAL GUIDELINES AND) 17ORD-00000-00011 and
DEVELOPMENT STANDARDS, AND THE) 17ORD-00000-00012
ADOPTION OF AMENDMENTS TO THE)
MONTECITO LAND USE AND DEVELOPMENT)
CODE AND THE COASTAL ZONING ORDINANCE,)
OF CHAPTER 35, ZONING, OF THE SANTA)
BARBARA COUNTY CODE.

WITH REFERENCE TO THE FOLLOWING:

- A. On July 19, 1982, by Ordinance No. 3312, the Board of Supervisors adopted Article II, the Coastal Zoning Ordinance, of Chapter 35 of the Santa Barbara County Code.
- B. On May 16, 1995, by Resolution No. 95-245, the Board of Supervisors adopted the *Montecito Architectural Guidelines and Development Standards* to provide guidance on locally appropriate architectural and landscape design to ensure compatibility with the semi-rural character of Montecito.
- C. On November 27, 2007, by Ordinance No. 4660, the Board of Supervisors adopted the Montecito Land Use and Development Code, Section 35-2 of Chapter 35 of the Santa Barbara County Code.
- D. On May 17, 2016, by Resolution No. 16-129, Ordinance No. 4968, and Ordinance No. 4969, the Board of Supervisors adopted amendments to the *Montecito Architectural Guidelines and Development Standards*; the Montecito Land Use and Development Code, and the Coastal Zoning Ordinance, respectively, addressing definitions for basements, floor area, and height, hillside height limits for buildings and retaining walls, and height measurement methodology.
- E. In June 2016, the Board of Supervisors directed staff to prepare a second limited update to the *Montecito Architectural Guidelines and Development Standards* and, as necessary, amend the Montecito Land Use and Development Code and Coastal Zoning Ordinance to limit the size and/or number of detached accessory buildings on residential lots in Montecito.
- F. From February 2017 to August 2017, staff solicited input from the public, including meetings with the Montecito Association Land Use Committee and a public workshop.
- G. From February 2017 to August 2017, the Montecito Board of Architectural Review held four hearings to advise staff on preparation of the limited update to the *Montecito Architectural Guidelines and Development Standards* and review proposed amendments to the Montecito Land Use and Development Code and Coastal Zoning Ordinance.

- H. Citizens, public agencies, and community groups have been provided opportunities to be involved in the preparation of the limited update of the *Montecito Architectural Guidelines and Development Standards* in duly noticed public hearings and meetings.
- I. 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 adopt the following:
1. A resolution (Exhibit 1) amending the *Montecito Architectural Guidelines and Development Standards* to implement new guidelines regarding the size of detached accessory buildings on residential lots in Montecito;
 2. An ordinance (Exhibit 2) amending Section 35-2 of the Montecito Land Use and Development Code (Case No.17ORD-00000-00011), of Chapter 35, Zoning, of the Santa Barbara County Code by amending Division 35.2, Montecito Zones and Allowable Land Uses, and Division 35.4, Montecito Standards for Specific Land Uses, to clarify existing regulations regarding the size, and revise existing regulations regarding the height, of detached accessory buildings on residential lots in Montecito; and
 3. An ordinance (Exhibit 3) amending the Coastal Zoning Ordinance (Case No. 17ORD-00000-00012), of Chapter 35, Zoning, of the Santa Barbara County Code by amending Division 15, Montecito Community Plan Overlay District, to clarify existing regulations regarding the size of detached accessory buildings on residential lots in Montecito.
- J. The proposed amendments are consistent with the Coastal Act of 1976, the Local Coastal Program and the Comprehensive Plan, including the Coastal Land Use Plan and the Montecito Community Plan, and the requirements of the state planning and zoning laws.
- K. The proposed amendments implement regulations that provide the greatest community welfare without compromising community values, environmental quality, or the public health and safety, as included in the findings in Attachment A of the Montecito Planning Commission staff report dated October 10, 2017, which is included by reference.
- L. The Montecito Planning Commission held a duly noticed public hearing, as required by Government Code Section 65854, on the proposed amendments at which hearing the proposed amendments were 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 Government Code Section 65855, the Montecito Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned

recommendation of this Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report, dated October 10, 2017.

3. A certified copy of this Resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65855.
4. The Chair of the Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to reflect the above described action by the Montecito Planning Commission.

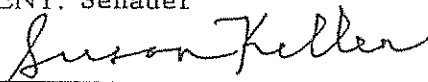
PASSED, APPROVED AND ADOPTED by the Montecito Planning Commission of the County of Santa Barbara, State of California, this 18th day of October 2017, by the following vote:

AYES: Keller, Brown, Eidelson, Newman

NOES:

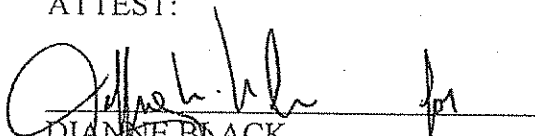
ABSTAIN:

ABSENT: Senauer



SUSAN KELLER, CHAIR
Montecito Planning Commission

ATTEST:



DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 
Deputy County Counsel

Exhibits:

1. BOS Resolution – *Montecito Architectural Guidelines and Development Standards* Amendments
2. Montecito Land Use and Development Code Amendments (Case No. 17ORD-00000-00011)
3. Coastal Zoning Ordinance Amendments (Case No. 17ORD-00000-00012)

**EXHIBIT 1: RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF ADOPTING SPECIFIC) RESOLUTION NO. 17-____
AMENDMENTS TO THE MONTECITO)
ARCHITECTURAL GUIDELINES AND)
DEVELOPMENT STANDARDS TO IMPLEMENT)
NEW GUIDELINES REGARDING THE SIZE OF)
DETACHED ACCESSORY BUILDINGS ON)
RESIDENTIAL LOTS IN MONTECITO.)

WITH REFERENCE TO THE FOLLOWING:

- A. On May 16, 1995, by Resolution No. 95-245, the Board of Supervisors adopted the *Montecito Architectural Guidelines and Development Standards* to provide guidance on locally appropriate architectural and landscape design to ensure compatibility with the semi-rural character of Montecito.
- B. On May 17, 2016, by Resolution No. 16-129, Ordinance No. 4968, and Ordinance No. 4969, the Board of Supervisors adopted amendments to the *Montecito Architectural Guidelines and Development Standards*, the Montecito Land Use and Development Code, and the Coastal Zoning Ordinance, respectively, addressing definitions for basements, floor area, and height, hillside height limits for buildings and retaining walls, and height measurement methodology.
- C. In June 2016, the Board of Supervisors directed staff to prepare a second limited update to the *Montecito Architectural Guidelines and Development Standards* and, as necessary, amend the Montecito Land Use and Development Code and Coastal Zoning Ordinance, to address the size and/or number of detached accessory buildings on residential lots in Montecito.
- D. From February 2017 to August 2017, staff solicited input from the public, including a meeting with the Montecito Association Land Use Committee and a public workshop.
- E. From February 2017 to August 2017, the Montecito Board of Architectural Review held four hearings to advise staff on updates to the *Montecito Architectural Guidelines and Development Standards*, Montecito Land Use and Development Code, and Coastal Zoning Ordinance.
- F. Citizens, public agencies, and community groups have been provided opportunities to be involved in the preparation of the limited update of the *Montecito Architectural Guidelines and Development Standards* in duly noticed public hearings and meetings.
- G. The Montecito Planning Commission held a duly noticed public hearing on the proposed amendments, at which persons in attendance explained and commented on the amendments.
- H. The Montecito Planning Commission, after holding a duly noticed public hearing on the above described amendments, endorsed and transmitted to the Board of Supervisors said recommended amendments by resolution.

- I. The Board of Supervisors held a duly noticed public hearing on the proposed amendments, at which the Board of Supervisors received and considered the Montecito Planning Commission's recommended actions and persons in attendance explained and commented on the amendments.
- J. The proposed amendments are consistent with the Coastal Act of 1976, the Coastal Land Use Plan and the Comprehensive Plan, including the Coastal Land Use Plan and the Montecito Community Plan, and the requirements of the state planning and zoning laws.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The Board of Supervisors now finds, consistent with its authority set forth in Government Code Section 65358, that it is in the public interest to provide orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County to adopt amendments to the *Montecito Architectural Guidelines and Development Standards* as provided in Exhibit 1-A.
3. Inland Area: This resolution and the amendments to the *Montecito Architectural Guidelines and Development Standards* shall take effect and be in force 30 days from the date of its passage. The amendments to the *Montecito Architectural Guidelines and Development Standards* shall apply to projects in the Inland Area that have not received preliminary approval by the MBAR as of the effective date this resolution, except as otherwise required by state law.
4. Coastal Zone: This resolution and the amendments to the *Montecito Architectural Guidelines and Development Standards* and any portion of this resolution that the California Coastal Commission approves, shall take effect and be in force 30 days from the date of its passage or upon the date that the California Coastal Commission certifies it pursuant to Public Resources Code Section 30514, whichever occurs later. The amendments to the *Montecito Architectural Guidelines and Development Standards* shall apply to projects in the Coastal Zone that have not received preliminary approval by the MBAR as of the effective date of this resolution, except as otherwise required by state law.
5. The Chair of this Board is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the Board action described above.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____ 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JOAN HARTMANN, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

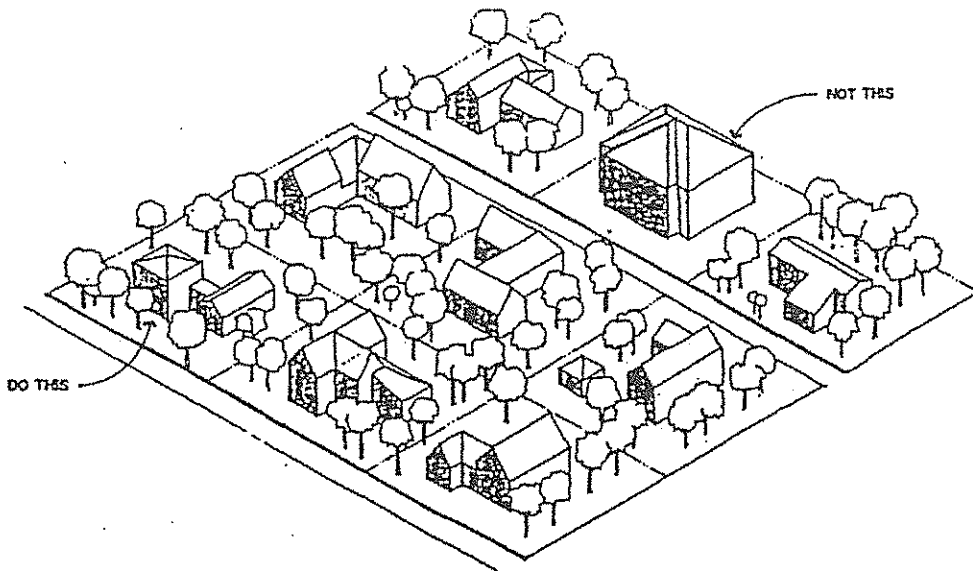
By _____
Deputy County Counsel

**EXHIBIT 1-A: MONTECITO ARCHITECTURAL GUIDELINES AND DEVELOPMENT
STANDARDS AMENDMENTS**

SECTION 1:

Chapter III, General Information and Procedures, of the *Montecito Architectural Guidelines and Development Standards* is hereby amended to amend Subsection 3, Guidelines, of Section A, Neighborhood Compatibility, to read as follows:

3. **Guidelines:** In order to evaluate a project's neighborhood compatibility, the overall relationship of the following elements shall be considered:
 - a. ~~Parcel-Lot Size~~
 - b. Topography of the neighborhood and how structures are sited on the topography
 - c. Size, mass, bulk and scale of existing and proposed structures in relation to ~~parcel-lot~~ size and development on adjacent properties



- d. Setbacks and location of buildings in relation to ~~parcel-lot~~ size and development on adjacent properties
- e. Height and visibility of buildings from roads, particularly multi-story buildings proposed near property lines.
- f. Location of parking and the approach to it from the road
- g. Relation of roofs to buildings
- h. Relation of architectural details (such as color, texture, material) to the building

SECTION 2:

Chapter III, General Information and Procedures, of the *Montecito Architectural Guidelines and Development Standards* is hereby amended to amend Section B, Size, Bulk and Scale, to read as follows:

B. SIZE, BULK AND SCALE

1. **Definition:** The volume of a structure in relation to its setting.
2. **General Statement:** The Montecito community is concerned about the mass of a structure as it appears to the community, particularly in relation to the surrounding open space and structures in the neighborhood. In order to ensure that development will be compatible with the community, the size of homes will be reviewed in relation to other homes on similar sized lots in the surrounding neighborhood.
3. **Guidelines:**
 - a. The floor area of a proposed house (primary residential building) should be in scale with development on similar sized pareels-lots in the immediate area.

Table 1 shall serve as a reference for this purpose. A project with a floor area (size) substantially in excess of the floor area of the immediately surrounding properties will have the burden of demonstrating that the project cannot be viewed by surrounding property owners due to siting, or that its spatial volume (mass, bulk and scale) when taken together with its lot size, setbacks, and landscaping does not make it incompatible with similar surrounding properties.

TABLE 1

Size of Lot (Gross Acres)	Recommended Maximum House Net Floor Area (Square Feet)
less than 1 acre	1,800 + (2,500 x L) where L is <u>pareel lot</u> area in acres
1 acre	4,300
1.5	5,150
2	6,000
2.5	6,850
3	7,700
3.5	8,550
4	9,400
4.5	9,725
5	10,050
5.5	10,375
6	10,700

For intermediate and values beyond those included in Table 1, the following formulas should be used:

> 1 acre to 4 acres:	4,300 + 1,700 for each acre over one
> 4 acres to 16 acres:	9,400 + 650 for each acre over four
> 16 acres:	17,200 + 430 for each acre over sixteen

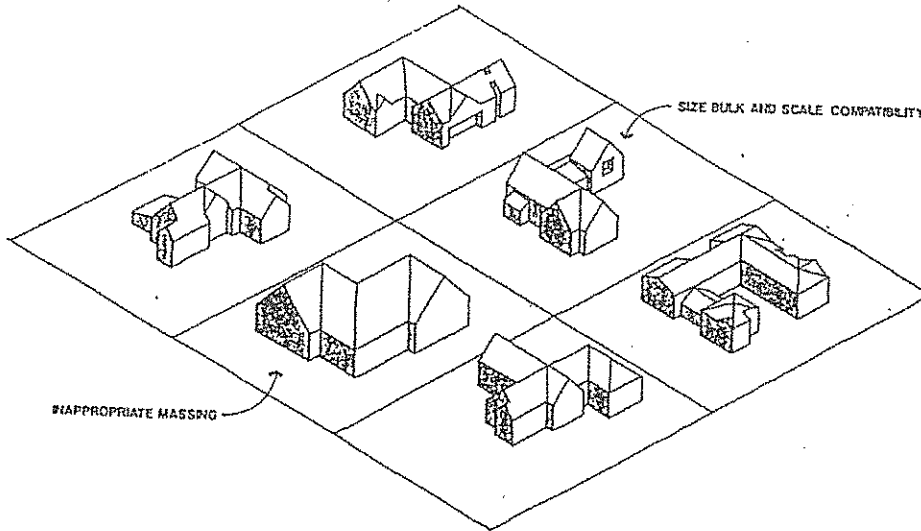
Note: In certain neighborhoods, the recommended maximum size in Table 1 may not reflect the appropriate level of development. In those cases, neighborhood compatibility shall be the determining factor.

The MBAR shall consider potential development on the lot, including the Recommended Detached Accessory Building Allowances provided in Table 2, prior to approving a project that proposes to exceed the Recommend Maximum House Net Floor Area provided in Table 1.

For this guideline, net floor area is defined as the total area of all floors of the house (primary residential building) as measured to the interior surfaces of the exterior walls, excluding attics, basements that are wholly underground (i.e., entirely below finished grade), unenclosed porches, balconies, decks, attached ~~residential~~ second accessory dwelling units, and attached garages of 800 square feet or less. For attached garages of greater than 800 square feet, the square footage in excess shall be included as part of the net floor area of the house. The net floor area shall include basements that are partly underground (i.e., partly below finished grade) and attached accessory structures. ~~The net floor area of the house shall not include detached accessory structures. The cumulative net floor area of detached accessory buildings that exceeds the allowance described in paragraph b.1 below shall be added to the net floor area of the house.~~

A partly underground basement shall mean any basement with a floor-to-ceiling height of 6.5 feet or more and an exposed exterior wall surface with a height of four feet or more (as measured from the adjacent finished grade to the bottom of the floor joist supporting the floor above) on one or more sides of the house. For partly underground basements the net floor area shall include the first 800 square feet of basement floor area plus 50% of any remaining basement floor area.

Development shall not manipulate existing or finished grade in order to reduce the net floor area of a basement and/or conceal the actual size, bulk, and scale of the proposed house.



- b. The following guidelines shall apply to detached accessory buildings. For purposes of these Guidelines, detached accessory buildings mean detached accessory structures located beneath a solid roof or other permanent covering, which shall include but not be limited to, any fully enclosed, partially enclosed, or unenclosed portions of detached accessory structures:
- 1) The cumulative net floor area of all approved and proposed detached accessory buildings on a lot should not exceed the Recommended Detached Accessory Building Allowance in Table 2 below. Any floor area in excess of the allowance shall be added to the net floor area of the house (primary residential building). Please see guideline 3.a above for details regarding compatibility with surrounding development.
 - 2) For this guideline, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

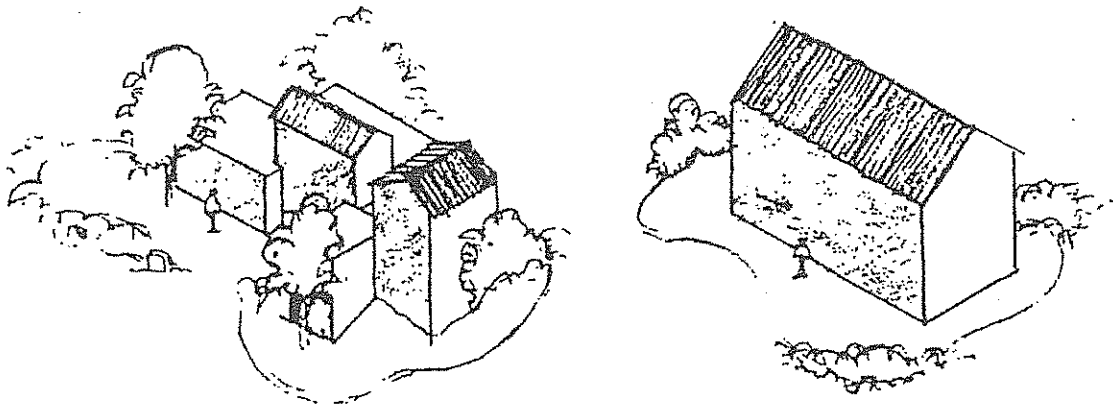
TABLE 2

<u>Size of Lot (Gross Acres)</u>	<u>Recommended Detached Accessory Building Allowance (Net Square Feet)</u>
<u>0.25 acres or less</u>	<u>180 + (250 x L¹)</u>
<u>Over 0.25 acres – 0.5 acres</u>	<u>245 + (800 x (L – 0.25))</u>
<u>Over 0.5 acres – 1 acre</u>	<u>445 + (730 x (L – 0.50))</u>
<u>Over 1 acre – 2 acres</u>	<u>810 + (690 x (L – 1))</u>
<u>Over 2 acres</u>	<u>1,500 + (495 x (L – 2))</u>

¹ L equals lot area in acres (gross).

NOTE: Pursuant to the requirements of the MLUDC and Article II, detached accessory buildings shall not exceed a building footprint of 800 square feet unless specifically allowed (MLUDC Section 35.442.020.B.6 and Article II Section 35-210.2).

- b.c. Mass of a building should be broken up in order to create interplay between the various building elements in a manner consistent with its architectural style.



- e.d. Recesses and projections should be used to create visual interest.
- d.e. Bulk reducing patterns should be created using doors and windows where possible and consistent with the architectural style.
- e.f. The highest portions of a structure should be set back from ~~parcel~~-lot lines to reduce the appearance of bulk.
- f.g. The height of building elements should be varied where appropriate to the design.
- g.h. Roof lines should be varied where appropriate to the design.

SECTION 3:

Chapter IV, Hillside Guidelines and Development Standards, of the *Montecito Architectural Guidelines and Development Standards* is hereby amended to amend Section C, Hillside Development Standards, to read as follows:

C. HILLSIDE DEVELOPMENT STANDARDS

The following Hillside Development Standards apply to all properties within the Montecito Hillside (H-MON) Overlay Zone. The MBAR shall interpret and apply the Hillside Development Standards.

1. The visual bulk of residential structures shall be minimized as viewed from scenic view corridors as shown on Figure 37, Visual Resources Map in the Montecito Community Plan EIR (92-EIR-03).
2. The height of the primary residence should not exceed 16 feet.
3. No elevation, including retaining walls adjacent to the structure, shall exceed an average height of ~~twenty (20)~~ feet as measured at five-foot intervals from finished grade to the average height of the highest gable roof or to the top of the parapet of a flat roof. At no point shall the structure exceed ~~twenty-eight (28)~~ feet in height from any finished grade or existing grade, whichever is lower, to the highest gable, except for architectural features.
4. Accessory structures except barns and stables shall not exceed 16 feet in height.
5. **Gross floor area and footprint limitations.**
 - a. **All accessory structures.** ~~Accessory structures, excluding barns and stables, including accessory structures~~ containing one or more accessory uses, shall not exceed a building footprint area of 800 square feet, as measured to the interior surface of exterior perimeter walls, posts, columns, or other supports.
 - 1) This 800 square foot building footprint limitation shall not apply to accessory dwelling units, barns, and stables; however, an accessory structure shall not be attached to an accessory dwelling unit, barn, or stable if the total footprint area of the combined structure exceeds 800 square feet.
 - 2) For the purposes of this Subsection C.5.a, footprint refers to how the building sits on the ground. The building footprint includes the following:
 - a) Any cantilevered portions of the structure as viewed perpendicularly from above.
 - b) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
 - c) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.
 - b. **Detached accessory buildings.** The total gross floor area of all approved and proposed buildings located on a lot shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.
 - 1) For purposes of this Subsection C.5.b, gross floor area includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building covered by a solid roof or other permanent covering.
 - 2) The gross floor area limitation in this Subsection C.5.b shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
 - 3) If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross

lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.

- 4) For purposes of this Subsection C.5.b, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.
6. The floor area of guest houses, artist studios, or pool house/cabana shall not exceed 800 square feet; however, such structures may be attached to an accessory structure provided the building footprint of the combined structure does not exceed 800 square feet.
7. Project grading shall not exceed 1,500 cubic yards of cut or fill, unless additional grading is necessary to allow reasonable development of the property or to achieve reasonable vehicular access. Exception: Excavation not apparent from the exterior, such as for basements entirely below grade, crawl spaces, swimming pools, underground water storage tanks, etc., shall not be included in the grading calculations under this provision. Grading may exceed 1,500 cubic yards if ~~MBAR~~the Montecito Board of Architectural Review can make all of the following findings:
- a. The proposed grading respects the significant natural land forms of the site and blends with adjacent properties.
 - b. The graded slopes relate to the natural contours of the site.
 - c. The length and height of retaining walls have been minimized to the maximum extent feasible.
 - d. There are no other suitable alternative building sites available on the property that could be utilized with significantly less required grading for the primary residence and/or access road.
8. Fill for residential structures on downslope areas shall not exceed 10 feet in height at the highest point (top of slope).
9. Cut over ~~thirty~~(30) feet in total height shall be avoided to the extent feasible.
10. To the maximum extent feasible, freestanding vertical retaining walls shall not exceed eight (8) feet in height. The height of the wall shall be measured from the natural or finished grade at the base of the lower side of the wall to the top edge of the wall material.
11. Building materials and color schemes of structures, walls and roofs shall blend with predominant colors and values of the surrounding natural landscape.
12. The design of new development shall protect, to the extent feasible, unique or special features of the site, such as landforms, rock outcroppings, mature trees, unique vegetative groupings, drainage courses, hilltops and ridgelines.

13. Landscape plans shall include appropriate planting to reduce fire hazard, stabilize cut/fill slopes, reduce erosion, retain moisture, repair areas of required fire department brush removal, and integrate architectural components.
14. Calculation of runoff from impervious surfaces shall be made by a licensed civil engineer prior to issuance of any permits for new residences or additions which exceed fifty (50) percent of existing floor area of the principal structure. Project review will include consideration of any increased runoff and its impact on offsite drainage courses. These calculations will be retained in County records for use in preparing a Master Drainage Plan.

MBAR–Montecito Board of Architectural Review Adjustments: Adjustments to the development standards may be granted by the MBAR, not to exceed the regulations of the zoning ordinance, if all of the following criteria are met:

- a. Allowing greater flexibility would better serve the interests of good design, without negatively affecting neighborhood compatibility or the surrounding viewshed.
- b. The project is not within 100 feet of an Environmentally Sensitive Habitat area as delineated on the County Zoning Map or the project complies with the requirements of the MLUDC–Section 35.428.040 of the Montecito Land Use and Development Code.
- c. Drainage plans have been prepared which minimize erosional impacts.
- d. The project includes fire-retardant landscaping.

SECTION 4:

Chapter IV, Hillside Guidelines and Development Standards, of the *Montecito Architectural Guidelines and Development Standards* is hereby amended to amend Section D, Size, Bulk and Scale Guidelines for Properties in the Montecito Hillside (H-MON) Overlay Zone, to read as follows:

D. SIZE, BULK AND SCALE GUIDELINES FOR PROPERTIES IN THE MONTECITO HILLSIDE (H-MON) OVERLAY ZONE

1. The floor area of a proposed hillside house (primary residential building) should be in scale with development on similar sized ~~parcels~~-lots in the immediate area. Table 2 shall serve as a reference for this purpose. A project with a floor area (size) substantially in excess of the floor area of the immediately surrounding properties will have the burden of demonstrating that the project cannot be viewed by surrounding property owners due to siting, or that its spatial volume (mass, bulk and scale) when taken together with its lot size, setbacks, and landscaping does not make it incompatible with similar surrounding properties.

TABLE 23

Size of Lot (Gross Acres)	Recommended Maximum House Net Floor Area (Square Feet) ¹
less than 1 acre	1,400 + (2,100 x L) where L is parcel lot area in acres
1 acre	3,500
1.5	3,900
2	4,300
2.5	4,700
3	5,100
3.5	5,500
4	5,900
5	6,083
6	6,266
7	6,449
8	6,632
9	6,815
10	6,998

¹ Maximum House Net Floor Area not to exceed 7,000 square feet.

For intermediate and values beyond those included in Table 23, the following formulas should be used:

- > 1 acre to 4 acres: 3,500 + 800 for each acre over one
- > 4 acres: 5,900 + 183 for each acre over four

The MBAR shall consider potential development on the lot, including the Recommended Detached Accessory Building Allowances provided in Table 3, prior to approving a project that proposes to exceed the Recommend Maximum House Net Floor Area provided in Table 4.

For this guideline, floor area is defined as the total area of all floors of the house (primary residential building) as measured to the interior surfaces of the exterior walls, excluding attics, basements that are wholly underground (i.e., entirely below finished grade), unenclosed porches, balconies, decks, attached residential-second accessory dwelling units, and attached garages of 800 square feet or less. For attached garages of greater than 800 square feet, the square footage in excess shall be included as part of the net floor area of the house. The net floor area shall include basements that are partly underground (i.e., partly below finished grade) and attached accessory structures. ~~The net floor area of the house shall not include detached accessory structures. The cumulative net floor area of detached accessory buildings that exceeds the allowance described in paragraph 2.a below shall be added to the net floor area of the house.~~

A partly underground basement shall mean any basement with a floor-to-ceiling height of 6.5 feet or more and an exposed exterior wall surface with a height of four feet or more (as measured from the adjacent finished grade to the bottom of the floor joist supporting the floor above) on

one or more sides of the house. For partly underground basements the net floor area shall include the first 800 square feet of basement floor area plus 50% of any remaining basement floor area.

Development shall not manipulate existing or finished grade in order to reduce the net floor area of a basement and/or conceal the actual size, bulk, and scale of the proposed house.

2. The following guidelines shall apply to detached accessory buildings. For purposes of these Guidelines, detached accessory buildings mean detached accessory structures located beneath a solid roof or other permanent covering, which shall include but not be limited to, any fully enclosed, partially enclosed, or unenclosed portions of detached accessory structures:
 - a. The cumulative net floor area of all approved and proposed detached accessory buildings on a lot should not exceed the Recommended Detached Accessory Building Allowance in Table 4 below. Any floor area in excess of the allowance shall be added to the net floor area of the house (primary residential building). Please see guideline D.1 above for details regarding compatibility with surrounding development.
 - b. For this guideline, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

TABLE 4

<u>Size of Lot (Gross Acres)</u>	<u>Recommended Detached Accessory Building Allowance (Net Square Feet)</u>
<u>0.25 acres or less</u>	<u>180 + (250 x L¹)</u>
<u>Over 0.25 acres – 0.5 acres</u>	<u>245 + (800 x (L - 0.25))</u>
<u>Over 0.5 acres – 1 acre</u>	<u>445 + (730 x (L - 0.50))</u>
<u>Over 1 acre – 2 acres</u>	<u>810 + (690 x (L - 1))</u>
<u>Over 2 acres</u>	<u>1,500 + (495 x (L - 2))</u>

¹ L equals lot area in acres (gross).

NOTE: Pursuant to the requirements of the MLUDC and Article II, detached accessory buildings shall not exceed a building footprint of 800 square feet unless specifically allowed (MLUDC Section 35.442.020.B.6 and Article II Section 35-210.2).

EXHIBIT 2: MONTECITO LAND USE AND DEVELOPMENT CODE AMENDMENTS

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-2, THE MONTECITO LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 35.2, MONTECITO ZONES AND ALLOWABLE LAND USES, DIVISION 35.4, MONTECITO STANDARDS FOR SPECIFIC LAND USES, AND DIVISION 35.10, GLOSSARY, TO CLARIFY EXISTING REGULATIONS REGARDING THE SIZE, AND REVISE EXISTING REGULATIONS REGARDING THE HEIGHT OF, DETACHED ACCESSORY BUILDINGS ON RESIDENTIAL LOTS IN MONTECITO.

Case No. 17ORD-00000-00011

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

SECTION 1:

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Subsection C, Development Standards, of Section 35.428.070, Montecito Hillside (H-MON) Overlay Zone – Inland Area, of Chapter 35.428, Montecito Overlay Zones, is hereby amended to read as follows:

- C. **Development standards.** All residential development within the H-MON overlay zone shall comply with the development standards in Section IV.C (Hillside Development Standards) of the Montecito Architectural Guidelines and Development Standards, and as provided below:
1. The visual bulk of residential structures shall be minimized as viewed from scenic view corridors as shown on Figure 37, Visual Resources Map in the Montecito Community Plan EIR (92-EIR-03).
 2. The height of the primary residence should not exceed 16 feet.
 3. No elevation, including retaining walls adjacent to the structure, shall exceed an average height of ~~twenty (20)~~ feet as measured at five-foot intervals from finished grade to the average height of the highest gable roof or to the top of the parapet of a flat roof. At no point shall the structure exceed ~~twenty-eight (28)~~ feet in height from any finished grade or existing grade, whichever is lower, to the highest gable, except for architectural features.
 4. Accessory structures except barns and stables shall not exceed ~~sixteen (16)~~ feet in height.
 5. **Gross floor area and footprint limitations.**
 - a. **All accessory structures.** Accessory structures, ~~excluding barns and stables,~~ including accessory structures containing one or more accessory uses, shall not exceed a building footprint area of 800 square feet as measured to the interior surface of exterior perimeter walls, posts, columns, or other supports.

- (1) This 800 square foot building footprint limitation shall not apply to accessory dwelling units, barns, and stables; however, an accessory structure shall not be attached to an accessory dwelling unit, barn, or stable if the total footprint area of the combined structure exceeds 800 square feet.
 - (2) For the purposes of this Subsection C.5.a, footprint refers to how the building sits on the ground. The building footprint includes the following:
 - (a) Any cantilevered portions of the structure as viewed perpendicularly from above.
 - (b) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
 - (c) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.
- b. Detached accessory buildings.** The total gross floor area of all approved and proposed buildings located on a lot shall not exceed 40 percent of the gross lot area of the lot on which the proposed detached accessory building would be located.
- (1) For purposes of this Subsection C.5.b, gross floor area includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building(s) covered by a solid roof or other permanent covering.
 - (2) The gross floor area limitation in this Subsection C.5.b shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
 - (3) If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.
 - (4) For purposes of this Subsection C.5.b, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.
6. The floor area of guest houses, artist studios, or pool house/cabana shall not exceed 800 square feet; however, such structures may be attached to an accessory structure provided the building footprint of the combined structure does not exceed 800 square feet.
 7. Project grading shall not exceed 1,500 cubic yards of cut or fill, unless additional grading is necessary to allow reasonable development of the property or to achieve reasonable vehicular access. Exception: Excavation not apparent from the exterior, such as for basements entirely below grade, crawl spaces, swimming pools, underground water storage tanks, etc., shall not be included in the grading calculations under this provision. Grading may exceed 1,500 cubic yards if MBAR the Montecito Board of Architectural Review can make all of the following findings:

- a. The proposed grading respects the significant natural land forms of the site and blends with adjacent properties.
 - b. The graded slopes relate to the natural contours of the site.
 - c. The length and height of retaining walls have been minimized to the maximum extent feasible.
 - d. There are no other suitable alternative building sites available on the property that could be utilized with significantly less required grading for the primary residence and/or access road.
8. Fill for residential structures on downslope areas shall not be over 10 feet in height at the highest point (top of slope).
 9. Cut over thirty (30) feet in total height shall be avoided to the extent feasible.
 10. To the maximum extent feasible, freestanding vertical retaining walls shall not exceed eight (8) feet in height. The height of the wall shall be measured from the natural or finished grade at the base of the lower side of the wall to the top edge of the wall material.
 11. Building materials and color schemes of structures, walls and roofs shall blend with predominant colors and values of the surrounding natural landscape.
 12. The design of new development shall protect, to the extent feasible, unique or special features of the site, such as landforms, rock outcroppings, mature trees, unique vegetative groupings, drainage courses, hilltops and ridgelines.
 13. Landscape plans shall include appropriate planting to reduce fire hazard, stabilize cut/fill slopes, reduce erosion, retain moisture, repair areas of required fire department brush removal, and integrate architectural components.
 14. Calculation of runoff from impervious surfaces shall be made by a licensed civil engineer prior to issuance of any permits for new residences or additions which exceed fifty (50) percent of existing floor area of the principal structure. Project review will include consideration of any increased runoff and its impact on offsite drainage courses. These calculations will be retained in County records for use in preparing a Master Drainage Plan.

MBAR Montecito Board of Architectural Review Adjustments: Adjustments to the development standards may be granted by the MBAR, not to exceed the regulations of the zoning ordinance, if all of the following criteria are met:

- a. Allowing greater flexibility would better serve the interests of good design, without negatively affecting neighborhood compatibility or the surrounding viewshed.
- b. The project is not within 100 feet of an Environmentally Sensitive Habitat area as delineated on the County Zoning Map or the project complies with the requirements of ~~the MLUDC~~ Section 35.428.040 of this Development Code.
- c. Drainage plans have been prepared which minimize erosional impacts.
- d. The project includes fire-retardant landscaping.

SECTION 2:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Subsection B, Development Standards, of Section 35.442.020, Accessory Structures and Uses, of Chapter 35.442, Standards for Specific Land Uses, is hereby amended to read as follows:

B. Development standards.

1. **Sequence of construction.** Except in agricultural zones, accessory structures shall not be constructed on a lot until construction of the principal structure has begun or the principal use has been established and commenced, and an accessory structure shall not be used unless the principal structure on a lot is also being used or the principal use has been established and commenced.
2. **Standards for attached structures.** An accessory structure attached to the principal structure shall comply with the use, setback, and height requirements applicable to the principal structure.
3. **Height restrictions.** Accessory structures shall conform to the following height limits:
 - a. ~~Accessory structures other than barns and stables.~~ Except as provided below, the The height limit for accessory structures ~~other than barns and stables~~ is 16 feet unless located in the rear setback, in which case the height limit is 12 feet.
 - b. **Barns and stables.** Barns and stables shall comply with the height limit of the applicable zone unless located in the rear setback, in which case the height limit is 12 feet.
 - c. **Fences and walls.** See Section 35.430.070 (Fences and Walls) for height limits for fences and walls.
 - d. **Guesthouses, artist studios and cabañas.** See Section 35.442.120 (Guesthouses, Artist Studios, and Cabañas) for height limits for guesthouses, artist studios and cabañas.
 - e. **Residential second units.** See Section 35.442.160 (Residential Second Units) for height limits for residential second units.
 - f. **Telecommunication facilities.** See Chapter 35.444 (Telecommunications Facilities) height limits and exception for commercial and noncommercial telecommunication facilities.
4. **Setback requirements.** Accessory structures, including swimming pools, spas, and appurtenant equipment, shall comply with the front and side setback requirements of the applicable zone unless otherwise specifically allowed in compliance with this Development Code.
 - a. **Location in rear setback.** An accessory structure, other than guesthouses, artist studios and cabañas (Section 35.442.120), and ~~residential-second~~ accessory dwelling units (Section 35.442.160) may be located in the required rear setback provided that:
 - (1) It is not attached to the principal structure.
 - (2) It is not located closer than 10 feet to the principal structure.

- (3) ~~If~~ The cumulative footprint of all accessory structures that encroach into the setback does not exceed 30 percent of the required rear setback.
 - (4) It does not exceed a height of 12 feet.
 - (5) If located on a corner lot backing on a key lot, the accessory structure shall be set back from the rear property line by a distance equal to the side setback requirement applicable to the key lot.
 - (6) A swimming pool, spa, and appurtenant equipment shall not be located closer than five feet to any property line.
 - (7) An accessory structure may otherwise be located adjacent to the rear property line provided that all other provisions (e.g., building code or fire code requirements for separation between structures) are complied with.
 - b. **Corner lot setbacks.** Accessory structures located on a corner lot having a width of less than 100 feet shall not be located closer to the front line of the lot than the principal structure on that lot.
 - c. **Swimming pools and spas in setback area.** Swimming pools, spas, and appurtenant equipment shall not be located:
 - (1) **Lots other than interior lots.** In the required front or side setback areas and, if located within the rear setback, shall not be located closer than five feet to any property line.
 - (2) **Interior lots.** Closer than 10 feet to any property line.
5. **Kitchen or cooking facilities/amenities prohibited.** Accessory structures shall not contain kitchen or cooking facilities unless the accessory structure is specifically permitted as a dwelling (e.g., residential second units). Artist studios, cabañas and guesthouses are not dwellings.
6. **Gross floor area and footprint limitations.**
 - a. **All accessory structures.** Accessory structures, ~~excluding barns and stables, including accessory structures~~ containing one or more accessory uses, shall not exceed a building footprint area of 800 square feet, as measured to the interior surface of exterior perimeter walls, ~~posts, columns, or other supports.~~
 - (1) This 800 square foot building footprint limitation shall not apply to accessory dwelling units, barns, and stables; however, an accessory structure shall not be attached to an accessory dwelling unit, barn, or stable if the total footprint area of the combined structure exceeds 800 square feet.
 - (2) For the purposes of this Subsection B.6.a, footprint refers to how the building sits on the ground as ~~viewed perpendicularly from above and includes.~~ The building footprint includes the following:
 - (a) ~~a~~ Any cantilevered portions of the structure. as viewed perpendicularly from above; and

- (b) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
- (c) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.

~~This limitation shall not apply to projects that received preliminary or final design review approval from the Board of Architectural Review and had not been constructed as of May 16, 1995.~~

- b. Detached accessory buildings. The total gross floor area of all approved and proposed buildings located on a lot shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.
 - (1) For purposes of this Subsection B.6.b. gross floor area includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building covered by a solid roof or other permanent covering.
 - (2) The gross floor area limitation in this Subsection B.6.b shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
 - (3) If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.
 - (4) For purposes of this Subsection B.6.b, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

SECTION 3:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Subsection E, Floor Area, of Section 35.442.120, Guesthouses, Artist Studios, and Cabanas, of Chapter 35.442, Standards for Specific Land Uses, is hereby amended to read as follows:

- E. **Floor area.** The net floor area of a guesthouse, artist studio, or cabaña shall not exceed 800 square feet. However, the guesthouse, artist studio, or cabaña structure may be attached to other accessory structures provided the building footprint area of the combined structure does not exceed 800 square feet and interior access does not exist between the guesthouse, artist studio, or cabaña and the other accessory structure(s).
 - (1) For the purposes of this Subsection E, building footprint area is measured to the interior surface of the exterior, perimeter walls, posts, columns, or other supports. The building footprint includes the following:

- (a) ~~Building footprint area is measured to the interior surface of the exterior, perimeter walls; and;~~
 - (b) ~~Footprint refers to how the building sits on the ground as viewed perpendicularly from above; and includes any cantilevered portions of the structure.~~
 - (a) Any cantilevered portions of the structure as viewed perpendicularly from above; and
 - (b) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
 - (c) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.
- (2) ~~Within the Inland area, the 800-square-foot restriction on the building footprint area of a combined accessory structure shall not apply to projects that received preliminary or final Design Review approval and were constructed before May 16, 1995. However, these projects are still subject to the 800-square-foot net floor area limitation on guesthouses, artist studios, pool houses/cabañas, and interior access between these uses and another portion of a combined accessory structure shall not be provided.~~

Detached accessory buildings. The total gross floor area of all approved and proposed buildings located on a lot shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.

- (a) For purposes of this Subsection E(2), gross floor area includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building covered by a solid roof or other permanent covering.
- (b) The gross floor area limitation in this Subsection E(2) shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
- (c) If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.
- (d) For purposes of this Subsection E(2), “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

SECTION 4:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically

Subsection F, Height limitations, of Section 35.442.120, Guesthouses, Artist Studios, and Cabanas, of Chapter 35.442, Standards for Specific Land Uses, is hereby amended to read as follows:

- F. **Height limitations.** A guesthouse, artist studio, or cabaña:
1. shall not exceed a height of 16 feet.
 2. Shall not contain more than one story. A loft shall be counted as a story.
 3. A guesthouse, artist studio, or cabaña may be located above or below another accessory structure in areas where the H-MON overlay does not apply, provided the height of the combined accessory structure does not exceed 25 feet.

SECTION 5:

DIVISION 35.10, Glossary, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning of the Santa Barbara County Code, specifically Section 35.500.020, Definitions of Specialized Terms and Phrases, of Chapter 35.500, Definitions, is hereby amended to read as follows:

Accessory Building. See “accessory structure.”

Accessory Dwelling Unit. An attached or a detached residential dwelling unit on a permanent foundation that is located on the same lot as a one-family dwelling that the accessory dwelling unit is accessory to and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, (2) provides interior access between all habitable rooms, and (3) includes an exterior access that is separate from the access to the principal dwelling or accessory structure that the accessory dwelling unit is located in. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 of Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

1. **Attached Accessory Dwelling Unit.** An accessory dwelling unit that shares a common wall with the principal dwelling.
2. **Detached Accessory Dwelling Unit.** An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling. ...

Accessory Structure. A structure located upon the same site as the structure or use to which it is accessory. The use of an accessory structure is customarily incidental, appropriate and subordinate to the use of the principal structure, or to the principal land use of the site. Accessory structure includes a building with a roof supported by columns or walls, which may be referred to as an accessory building.

SECTION 6:

All existing indices, section references, and figure and table numbers contained in Section 35-2, the MLUDC, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 7:

Except as amended by this Ordinance, Division 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 8:

This ordinance shall apply to projects that have not received preliminary approval by the MBAR as of the effective date of this ordinance, except as otherwise required by State law. This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JOAN HARTMANN, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT 3: COASTAL ZONING ORDINANCE AMENDMENTS

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COASTAL ZONING ORDINANCE OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, AND DIVISION 15, MONTECITO COMMUNITY PLAN OVERLAY DISTRICT, TO CLARIFY EXISTING REGULATIONS REGARDING THE SIZE OF DETACHED ACCESSORY BUILDINGS ON RESIDENTIAL LOTS IN MONTECITO.

Case No. 17ORD-00000-00012

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

SECTION 1:

DIVISION 15, Montecito Community Plan Overlay District, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Section 35-210, Accessory Structures, is hereby amended to read as follows:

Section 35-210. Accessory Structures.

1. Accessory structures, except barns and stables, shall not exceed 16 feet in height and shall conform to the front and side yard setback regulations of the district. ~~An~~ Accessory structures may be located in the required rear yard setback provided that:
 - a. ~~it is~~ They are located no closer than 10 feet to the principal structure;
 - b. They do not exceed a height of 12 feet; and
 - c. ~~and that it occupies~~ The cumulative footprint of all accessory structures occupies no more than 30 percent of the required rear yard; ~~and that it does not exceed a height of 12 feet.~~
2. All accessory structures. Accessory structures, including accessory structures containing one or more accessory uses, shall not exceed a building footprint area of 800 square feet as measured to the interior surface of exterior; perimeter walls, posts, columns, or other supports, ~~excluding barns and stables.~~
 - a. This 800 square foot building footprint limitation shall not apply to accessory dwelling units, barns, and stables; however, an accessory structure shall not be attached to an accessory dwelling unit, barn, or stable if the total footprint area of the combined structure exceeds 800 square feet.
 - b. For the purposes of this ~~s~~Subsection 35-210.2, footprint refers to how the building sits on the ground. ~~As viewed perpendicularly from above, and includes~~ The building footprint includes the following:
 - 1) ~~a~~Any cantilevered portions of the structure; as viewed perpendicularly from above; and
 - 2) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
 - 3) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.

~~This limitation shall not apply to projects that have received preliminary or final approval from the County Board of Architectural Review, and have not been constructed, as of May 16, 1995.~~

3. Detached accessory buildings. The total gross floor area of all approved and proposed buildings located on a lot shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.
 - a. For purposes of this Subsection 35-210.3, gross floor area includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building covered by a solid roof or other permanent covering.
 - b. The gross floor area limitation in this Subsection 35-210.3 shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
 - c. If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.
 - d. For purposes of this Subsection 35-210.3, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

SECTION 2:

DIVISION 15, Montecito Community Plan Overlay District, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Section 35-211, Guest House, Artist Studio, and Pool House/Cabana, is hereby amended to read as follows:

Section 35-211. Guest House, Artist Studio, and Pool House/Cabana.

1. No guest house, artist studio or pool house/cabana shall exceed a height of 16 feet.
2. ~~The floor area of such guest house, artist studio, or pool house/cabana shall not exceed a building footprint area of 800 square feet as measured to the interior surface of exterior, perimeter walls; however, such structure may be attached to an accessory structure provided the building footprint of the combined structure does not exceed 800 square feet as measured to the interior surface of exterior, perimeter walls, provided no interior access exists between the guest house, artist studio, or pool house/cabana and the accessory structure. For the purposes of this subsection, footprint refers to how the building sits on the ground as viewed perpendicularly from above, and includes any cantilevered portions of the structure.~~

Floor area. The net floor area of a guesthouse, artist studio, or cabaña shall not exceed 800 square feet. However, a guesthouse, artist studio, or cabaña structure may be attached to other accessory structures provided the building footprint area of the combined structure does not exceed 800 square feet and interior access does not exist between the guesthouse, artist studio, or cabaña and the other accessory structure(s).

- a. For the purposes of this Section 35-211.2, building footprint area is measured to the interior surface of the exterior, perimeter walls, posts, columns, or other supports. The building footprint includes the following:
 - 1) Any cantilevered portions of the structure as viewed perpendicularly from above; and,
 - 2) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
 - 3) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.

- b. Detached accessory buildings. The total gross floor area of all approved and proposed buildings located on a lot shall not exceed 40 percent of the gross lot area of the lot on which the detached accessory building is proposed to be located.
 - 1) For purposes of this Subsection 35-211.2.b, gross floor area includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building covered by a solid roof or other permanent covering
 - 2) The gross floor area limitation of this Subsection 35-211.2.b shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
 - 3) If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.
 - 4) For purposes of this Subsection 35-211.2.b, “approved” means that a land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

~~The 800-square-foot restriction on the building footprint area of a combined accessory structure shall not apply to projects that have received preliminary or final approval from the County Board of Architectural Review, and have not been constructed, as of May 16, 1995; such projects are still subject to the 800 square-foot building footprint area limitation on guest houses, artist studios, or pool houses/cabanas and interior access between such uses and any other portion of a combined accessory structure may not be provided.~~

SECTION 3:

DIVISION 2, Definitions, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Section 35-58, Definitions, is hereby amended to read as follows:

Accessory Building: See “accessory structure.”

Accessory Dwelling Unit. An attached or a detached residential dwelling unit on a permanent foundation that is located on the same lot as a one-family dwelling that the accessory dwelling unit is accessory to and (1)

provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, (2) provides interior access between all habitable rooms, and (3) includes an exterior access that is separate from the access to the principal dwelling or accessory structure that the accessory dwelling unit is located in. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 of Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

1. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares a common wall with the principal dwelling.
2. Detached Accessory Dwelling Unit. An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling.

~~Accessory Building or Structure: A building or structure located upon the same building site as the building or use to which it is accessory, the use of which is customarily incidental, appropriate and subordinate to the use of the principal building, or to the principal use of the land. Such buildings or structures shall not contain kitchen or cooking facilities and shall not be used as guest houses, artists studios, or pool houses/cabanas, unless specifically permitted for such uses, under the pertinent sections of this Article. Except for guesthouses, such buildings or structures shall not be used for overnight accommodations.~~

Accessory Structure. A structure located upon the same site as the structure or use to which it is accessory. The use of an accessory structure is customarily incidental, appropriate and subordinate to the use of the principal structure, or to the principal land use of the site. Accessory structure includes a building with a roof supported by columns or walls, which may be referred to as an accessory building.

SECTION 4:

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

SECTION 5:

Except as amended by this Ordinance, Division 15, Montecito Community Plan Overlay District, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 6:

This ordinance shall apply to projects that have not received preliminary approval by the MBAR as of the effective date of this ordinance, except as otherwise required by State law. 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 Section 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 _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JOAN HARTMANN, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel