

Attachment 1:

**Resolution Submitting Local Coastal Program Amendments to the
California Coastal Commission**

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ATTACHMENT 1

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

IN THE MATTER OF SUBMITTING TO THE)	RESOLUTION NO: 15 - _____
CALIFORNIA COASTAL COMMISSION FOR)	CASE NO: 14GPA-00000-00018
REVIEW AND CERTIFICATION AMENDMENTS)	CASE NO: 13ORD-00000-00011
TO THE SANTA BARBARA COUNTY)	CASE NO: 15RZN-00000-00004
<u>LOCAL COASTAL PROGRAM.</u>)	CASE NO: 15ORD-00000-00014

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 Land Use Plan; and
- B. On July 19, 1982, by Ordinance No. 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 July 20, 1993, by Resolution No. 93-402, the Board of Supervisors adopted the Goleta Community Plan as an amendment to the Santa Barbara County Coastal Land Use Plan; and
- D. On July 20, 1993, by Ordinance 4110, the Board of Supervisors adopted the Goleta Community Plan Zoning South, Goleta Community Plan Zoning Overlay and Goleta Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays South maps as an amendment to the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- E. The Board of Supervisors, having found it to be in the interest of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Land Use Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, adopted the following amendments to the Santa Barbara County Local Coastal Program:

- 1. On October 20, 2015, the Board of Supervisors adopted Resolution No. 15-279 (Case No. 14GPA-00000-00018) that amends the text and maps of the Coastal Land Use Plan by adopting the Eastern Goleta Valley Community Plan.

Resolution No. 15-279 is attached as Exhibit A.

- 2. On October 20, 2015, the Board of Supervisors adopted Ordinance No. 4942 (Case No. 13ORD-00000-00011) that amends Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, by adopting new regulations that implement the Eastern Goleta Valley Community Plan.

Ordinance No. 4942 is attached as Exhibit B.

- 3. On October 20, 2015, the Board of Supervisors adopted Ordinance No. 4943 (Case No. 15RZN-00000-00004) that amends Article II, the Santa Barbara County Coastal Zoning

Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code by (1) amending the existing Goleta Community Plan Zoning South, Goleta Community Plan Zoning Overlay and Goleta Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays South maps, and (2) by adopting the new Eastern Goleta Valley Community Plan Zoning, Eastern Goleta Valley Community Plan Zoning Overlay, and Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays maps that implement the Eastern Goleta Valley Community Plan.

Ordinance No. 4943 is attached as Exhibit C.

4. On November 3, 2015, the Board of Supervisors adopted Ordinance No. 4946 that amends Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, by revising existing procedures and regulations and adding new procedures and regulations that implement certain programs contained in the 2015-2023 Housing Element Update.

Ordinance No. 4946 is attached as Exhibit D.

- F. The Board of Supervisors held duly noticed public hearings, as required by Section 65355 and Section 65856 of the Government Code, on the amendments referenced above, at which hearings the amendments were explained and comments invited from the persons in attendance.
- G. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, and the requirements of state planning and zoning laws as amended to this date.
- H. The Board of Supervisors now wishes to submit these amendments to the California Coastal Commission for certification.

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 Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes have been previously 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 said California Coastal Act.
4. The Board directs the Planning and Development Department to submit these Local Coastal Program amendments to the California Coastal Commission for review and certification.
5. The Chair and the Clerk of this Board 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 8th day of December, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JANET WOLF, 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

EXHIBITS:

- A. Resolution No. 15-279: Eastern Goleta Valley Community Plan Coastal Land Use Plan Amendment
- B. Ordinance No. 4942: Eastern Goleta Valley Community Plan Article II Ordinance Amendment
- C. Ordinance No. 4943: Eastern Goleta Valley Community Plan Zoning Maps Article II Ordinance Amendment
- D. Ordinance No. 4946: 2015 Housing Element Implementation Article II Ordinance Amendment

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Exhibit A:

Resolution No. 15-279

Eastern Goleta Valley Community Plan Coastal Land Use Plan Amendment

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

IN THE MATTER OF ADOPTING SPECIFIC) RESOLUTION NO. 15 - 279
AMENDMENTS TO THE COASTAL LAND USE PLAN)
OF THE SANTA BARBARA COUNTY LOCAL) Case No: 14GPA-00000-00018
COASTAL PROGRAM BY THE ADOPTION OF THE)
EASTERN GOLETA VALLEY COMMUNITY PLAN.)

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors adopted the Santa Barbara County Coastal Land Use Plan.
- B. On July 20, 1993, by Resolution No. 93-402, the Board of Supervisors adopted the Goleta Community Plan as an amendment to the Coastal Land Use Plan.
- C. The proposed amendments are consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, the Santa Barbara County Comprehensive Plan including the Goleta Community Plan, and the requirements of California Planning, Zoning, and Development laws.
- D. In 2015, a Final Environmental Impact Report for the Eastern Goleta Valley Community Plan was prepared and presented to the County Planning Commission, subsequent to circulation of a Draft Environmental Impact Report to the appropriate agencies and public, and a public hearing was held to solicit public comments pursuant to the California Environmental Quality Act (CEQA).
- E. Citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups have been provided the opportunity for involvement in compliance with Government Code Section 65351.
- F. The County contacted and offered to conduct consultations with California Native American tribes in compliance with Government Code Sections 65352.3 and 65352.4.
- G. The County Planning Commission held duly noticed public hearings, as required by Government Code Section 65353, on the proposed amendments, at which hearings the amendments were explained and comments invited from the persons in attendance.
- H. The Planning Commission, after holding duly noticed public hearings on the above described amendments to the Coastal Land Use Plan, endorses and transmits to the Board of Supervisors said recommended amendments by resolution pursuant to Government Code Section 65354.
- I. The Board received and considered the Planning Commission's recommended actions and held a duly noticed public hearing, as required by Government Code Section 65353, on the

proposed amendments at which hearing the 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. The Board of Supervisors now finds, consistent with its authority 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:
 - a. Adopt the Eastern Goleta Valley Community Plan as an amendment to the Coastal Land Use Plan of the Local Coastal Program (Exhibit 1).
 - b. Amend Section 3.7.4, "Policies" of Chapter 3, "The Resources Protection and Development Policies" of the Coastal Land Use Plan as follows:

Goleta Planning Area

Policy 7-12A: New opportunities for beach access and coastal recreation shall be provided in the Goleta planning area.

Implementing Actions:

- a. Provision of a vertical easement to allow for beach access, parking area, and dedication of public open space adjacent to the beach shall be required as a condition of development on the University Exchange Property. (Refer to Goleta Community Plan, Appendix H.) (amended by 92-GP-25)
- b. Provision of a public moderate use recreation area including parking, restrooms, bluff top hiking and biking trails, picnic tables, and appropriate access to the sandy beach shall be required as a condition of any future development on the Santa Barbara Shores property. In the interim, the County shall obtain a vertical easement across the eastern portion of the property to provide for public beach access. (Refer to Goleta Community Plan, Appendix H.) (amended by 92-GP-25)
- c. The County should encourage the University to continue to provide public access to the beach through the University and use of beaches adjacent to the University property, particularly the west campus. The County should also pursue an agreement with U.C.S.B. to use campus parking lots to accommodate the overflow from Goleta Beach Park during peak-use periods.

Eastern Goleta Valley Planning Area

Policy 7-12B: New opportunities for beach access and coastal recreation shall be provided in the Eastern Goleta Valley Community Plan area.

- a. Provision of a public moderate use recreation area including parking, restrooms, bluff top hiking and biking trails, picnic tables, and stairway access to the beach shall be required as a condition of development on the More Mesa property. (Refer to Eastern Goleta Valley Community Plan, Appendix J.)
- b. The County shall encourage the adjacent property owners to provide beach access at the end of Orchid Drive for use by educational and scientific groups.
- c. Amend Chapter 4, “The Planning Areas” of the Coastal Land Use Plan as follows:

4.5 Goleta¹¹⁵

In 1993, the County adopted a community plan for the Goleta Community Plan area, titled the Goleta Community Plan. The eastern portion of the Goleta Community Plan area underwent many changes in subsequent years, such as the incorporation of the City of Goleta in 2002 which removed 5,100 acres of the Plan area from county jurisdiction. These changes prompted the County to prepare and adopt a separate updated community plan solely for the eastern portion of the Goleta Community Plan area in 2015, titled the Eastern Goleta Valley Community Plan. This action divided the Goleta Community Plan area into two plan areas: the western area and the eastern area. The western area continues to be referred to as the Goleta Community Plan area. The eastern area is known as the Eastern Goleta Valley Community Plan area. The Goleta Community Plan remains unchanged and in effect for the western area (Goleta Community Plan area). The eastern area (Eastern Goleta Valley Community Plan area) is now subject to the goals, objectives, policies, and actions contained in the Eastern Goleta Valley Community Plan (see “Eastern Goleta Valley” below for addition information).

The Goleta Community Plan describes the community and the relevant issues it faces and establishes land use designations and zone districts to guide future development (see the “Goleta Community Plan Land Use Designations South” map for the Plan area boundaries). In addition the Goleta Community Plan contains a number of policies and actions that serve to implement its goals and objectives.

In addition to the policies of the Coastal Land Use Plan and applicable Comprehensive Plan policies, the goals, objectives, policies, and actions of the Goleta Community Plan apply to activities within the Goleta Community Plan area. Where there are other goals, objectives, policies, and actions in the Comprehensive Plan and/or Coastal Land Use Plan that address the same issues as the Goleta Community Plan, those of the Goleta Community Plan shall be applied, except as provided in Coastal Land Use Plan Policies 1-2 and 1-3.

In 1998, the County adopted the Goleta Old Town Revitalization Plan which identified a range of public infrastructure improvements, private developments and financing options and established land use and zoning designations for revitalization of Goleta Old Town. The Goleta Old Town Revitalization Plan is included as an attachment to the Goleta Community Plan.^{116, 117}

See Appendix H for the complete Goleta Community Plan.¹¹⁸

[Ed. note: The remainder of the previous Chapter 4.5, pp. 188-208, was deleted with the adoption of the Goleta Community Plan. The next valid section is Chapter 4.6, Gaviota Coast, commencing with the illustration on the unnumbered page prior to p. 209.]^{119, 120}

EASTERN GOLETA VALLEY

In 2015, the County adopted the Eastern Goleta Valley Community Plan (see the “Eastern Goleta Valley Community Plan Land Use Designations” map for the Plan area boundaries). The Eastern Goleta Valley Community Plan was originally part of the Goleta Community Plan area and subject to the Goleta Community Plan (see “Goleta” above for additional background information).

The Eastern Goleta Valley Community Plan updates the Coastal Land Use Plan and Comprehensive Plan and provides policy direction for issues and development trends specific to the Plan area. This update was necessary to manage current conditions, facilitate proper planning, and accurately reflect prevailing vision and objectives of the area residents. The Eastern Goleta Valley Community Plan provides the general public, land owners, and decision makers with a framework for planning future development in the region. It establishes land use designations and zone districts and includes goals, policies, development standards, and actions to guide future development.

In addition to the Coastal Land Use Plan policies and applicable Comprehensive Plan policies, the goals, objectives, policies and actions of the Eastern Goleta Valley Community Plan also apply to activities within the Eastern Goleta Valley Community Plan area. Where other goals, objectives, policies and actions in the Coastal Land Use Plan and/or Comprehensive Plan address the same issues as the Eastern Goleta Valley Community Plan, those in the Eastern Goleta Valley Community Plan shall be applied, except as provided in Coastal Land Use Plan Policy 1-2 and Policy 1-3. See Appendix J for the complete Eastern Goleta Valley Community Plan.

- d. Amend the maps of the Coastal Land Use Plan of the County Local Coastal Program as follows:
 1. Adopt the map titled "Eastern Goleta Valley Community Plan Land Use Designations" (Exhibit 2), which depicts the land use designations within the Eastern Goleta Valley Community Plan area;
 2. Adopt the map titled "Eastern Goleta Valley Community Plan Land Use Overlay" (Exhibit 3), which depicts airport, flood, and other land use overlay designations within the Eastern Goleta Valley Community Plan area;
 3. Adopt the map titled "Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays" (Exhibit 4), which depicts environmentally sensitive habitat and riparian corridors within the Eastern Goleta Valley Community Plan area;
 4. Amend the existing map titled "Goleta Community Plan Land Use Designations South" by removing Land Use Designations within the boundaries of the Eastern Goleta Valley Community Plan area as shown in Exhibit 2 ("Eastern Goleta Valley Community Plan Land Use Designations");
 5. Amend the existing map titled "Goleta Community Plan Land Use Overlay" by removing Land Use Overlay Designations within the boundaries of the Eastern Goleta Valley Community Plan area as shown in Exhibit 2 ("Eastern Goleta Valley Community Plan Land Use Designations"); and
 6. Amend the existing map titled "Goleta Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays South" by removing ESH/RC Overlay Designations within the boundaries of the Eastern Goleta Valley Community Plan area as shown in Exhibit 2 ("Eastern Goleta Valley Community Plan Land Use Designations").
 7. Amend the existing map titled "Santa Barbara County Parks, Recreation and Trails (PRT-3)" by incorporating existing and proposed parks, recreation facilities, and trails within the Eastern Goleta Valley Community Plan area as shown in Figure 16, "Proposed Parks, Recreation & Trails," of the Eastern Goleta Valley Community Plan (Exhibit 1).
3. In compliance with the provisions of Government Code Section 65356, the above described changes are hereby adopted as amendments to the Coastal Land Use Plan of the Santa Barbara County Local Coastal Program.

4. Pursuant to provisions of Government Code Section 65357, the Clerk of the Board is hereby described to make the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, available to the public for inspection.
5. The Chair and the Clerk of this Board 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.
6. Pursuant to the provisions of Government Code Section 65357 the Clerk of the Board is hereby authorized and directed to send endorsed copies of said maps to the planning agency of each city within this County.

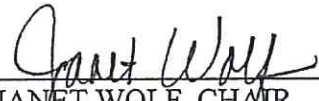
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 20th day of October, 2015, by the following vote:

AYES: Supervisor Carbajal, Supervisor ~~Wolf~~ ~~Sandoz~~ Supervisor Farr

NOES: Supervisor Adam and Supervisor Lavagnino

ABSTAIN: None

ABSENT: None



JANET WOLF, 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

EXHIBITS:

- Exhibit 1: Eastern Goleta Valley Community Plan
- Exhibit 2: Eastern Goleta Valley Community Plan Land Use Designations
- Exhibit 3: Eastern Goleta Valley Community Plan Land Use Overlay
- Exhibit 4: Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat and
Riparian Corridor Land Use and Zoning Overlays

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Exhibit B:

Ordinance No. 4942

Eastern Goleta Valley Community Plan Article II Ordinance Amendment

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ORDINANCE NO. 4942

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE, BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, DIVISION 5, OVERLAY DISTRICTS, DIVISION 7, GENERAL REGULATIONS, DIVISION 11, PERMIT PROCEDURES, AND DIVISION 14, GOLETA COMMUNITY PLAN OVERLAY DISTRICT, TO IMPLEMENT THE GOALS, POLICIES AND DEVELOPMENT STANDARDS OF THE EASTERN GOLETA VALLEY COMMUNITY PLAN.

Case No. 13ORD-00000-00011

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

SECTION 1:

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, to read as follows:

Section 35-54. Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries.

1. Zoning ordinances and maps delineating the boundaries of districts set forth in this Article and designating, by symbols, the zoning districts and overlay districts shall be adopted by references and by such adoption shall become a part of this Section and shall have the same force and effect as if the provisions, boundaries, location, and lines of the districts and territory therein delineated and all provisions, notations, references, and other information set forth in said ordinances and set forth and shown on said maps were specifically and fully set out and described in this Section.

2. The following certified zoning maps and zoning overlay maps, which zone the unincorporated area of the County lying within the Coastal Zone, are hereby specifically included by reference into this Section:
 - a. Carpinteria Valley Coastal Plan Zoning Overlay.
 - b. Channel Islands Coastal Plan Zoning.
 - c. Eastern Goleta Valley Community Plan Zoning.
 - d. Eastern Goleta Valley Community Plan Zoning Overlay.
 - e. Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays.
 - f. Gaviota Coast Coastal Plan Zoning Overlay.
 - g. Gaviota Coast Rural Region Zoning.
 - h. Goleta Community Plan Zoning South.
 - i. Goleta Community Plan Zoning Overlay.

- j. Goleta Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays South.
 - k. Guadalupe Dunes/Point Sal Coastal Plan Zoning Overlay.
 - l. Montecito Community Plan Zoning Southern Section.
 - m. Montecito Community Plan Zoning Overlay.
 - n. Montecito Community Plan Environmentally Sensitive Habitat Land Use and Zoning Overlays.
 - o. North Gaviota Coast Rural Region Zoning.
 - p. Lompoc Valley Rural Region Zoning.
 - q. Point Conception Coastal Plan Zoning Overlay.
 - r. Santa Barbara Area Zoning and Zoning Overlay.
 - s. Santa Maria Valley Rural Region Zoning.
 - t. South Coast Rural Region Zoning.
 - u. Summerland Community Plan Zoning.
 - v. Summerland Community Plan Zoning Overlay.
 - w. Summerland Community Plan Environmentally Sensitive Habitat Land Use and Zoning Overlays.
 - x. Toro Canyon Plan Zoning.
 - y. Toro Canyon Plan Zoning Overlay.
 - z. Toro Canyon Plan Environmentally Sensitive Habitat Land Use and Zoning Overlays.
3. Where uncertainty exists as to the boundaries of any districts shown on the zoning maps, the following rules shall apply:
- a. Where zoning district boundaries approximately follow lot, alley, or street lines, such lot lines and street and alley centerlines shall be construed as the district boundaries.
 - b. If a zoning district boundary divides a lot and the boundary line location is not otherwise designated, the location of the boundary shall be determined by use of the scale appearing on the Zoning Map.
 - c. Where a public street or alley is officially vacated or abandoned, the property formerly in said street or alley shall be included within the district or districts of the adjoining property on either side of said vacated or abandoned street or alley centerline.

SECTION 2:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-58, Definitions, to add the following new definition of "Eastern Goleta Valley Community Plan Area" and "Goleta Community Plan Area":

Eastern Goleta Valley Community Plan Area. That portion of the County located within the boundaries of the Eastern Goleta Valley Community Plan as shown on the map titled Eastern Goleta Valley Community Plan Land Use Designations.

Goleta Community Plan Area. That portion of the County located within the boundaries of the Goleta Community Plan as shown on the map titled Goleta Community Plan Land Use Designations South, including the western area but excluding the Eastern Goleta Valley Community Plan Area.

SECTION 3:

DIVISION 5, Overlay Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code is amended to amend Section 35-98.3, Permit and Processing Requirements, of Section 35-98, D - Design Control Overlay District, to read as follows:

Section 35-98.3 Permit and Processing Requirements.

All new structures and alterations to existing structures shall be subject to design review in compliance with Section 35-184 (Board of Architectural Review) except as shown below:

1. **Eastern Goleta Valley.** The plans for each new or altered structure subject to the Eastern Goleta Valley Residential Design Guidelines shall be submitted for Design Review in compliance with Section 35-184 (Board of Architectural Review) if required by Section 35-98.5 (Eastern Goleta Valley).

SECTION 4:

DIVISION 5, Overlay Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code is amended to amend Section 35-98, D - Design Control Overlay District, to add a new Section 35-98.5 titled "Eastern Goleta Valley" and to read as follows:

Section 35-98.5 Eastern Goleta Valley.

1. **Purpose and intent.** This section establishes procedures and findings for the approval of land use and proposed development located in the Eastern Goleta Valley Community Plan area to ensure that such land uses and proposed developments are consistent with the Eastern Goleta Valley Residential Design Guidelines for residential development.
2. **Applicability.** The following shall be submitted for Design Review in compliance with Section 35-184 (Board of Architectural Review):

- a. New one-family and two-family dwellings.
- b. Demolished and reconstructed one-family and two-family dwellings when 50 percent or more of the existing gross floor area is demolished.
- c. Second and third floor additions to existing one-family and two-family dwellings not including the addition of lofts within an existing structure where there is no change in the outward appearance of the structure.
- d. Conversions of attached and detached garages that are accessory to one-family or two-family dwellings that result in an increase in habitable area.
- e. Any addition of more than 1,000 square feet of the gross floor area or 50 percent or more of the gross floor area of the principal one-family or two-family dwelling that existed on the lot as of [*the effective date of this ordinance*], whichever is less.
- f. Any structural alterations to one-family and two-family dwellings that are substantially visible from the street frontage.

SECTION 5:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-139, Exterior Lighting, to read as follows:

Section 35-139. Exterior Lighting.

All exterior lighting shall be hooded and no unobstructed beam of exterior lighting shall be directed toward any area zoned or developed residential. No lighting shall be so designed as to interfere with vehicular traffic at any portion of a street. Division 13 (Summerland Community Plan Overlay), Division 14 (Goleta Community Plan and Eastern Goleta Valley Community Plan Overlay Districts) and Division 15 (Montecito Community Plan Overlay District) include additional requirements.

SECTION 6:

DIVISION 11, Permit Procedures, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code is amended to amend Section 35-184.6, Findings Required for Approval, of Section 35-184, Board of Architectural Review, to add a new Subsection 35-184.6.13 titled "Additional findings required for Design Review applications within the Eastern Goleta Valley area" and to read as follows:

13. **Additional findings required for Design Review applications within the Eastern Goleta Valley Community Plan area.** Where Design Review is required in compliance with Section 35-98.5 (Eastern Goleta Valley), plans for new or altered structures will be in compliance with the Eastern Goleta Valley Residential Design Guidelines, as applicable. The Eastern Goleta Valley Residential Design Guidelines, which are intended to serve as a guide only, shall constitute "additional design standards" for purposes of Subsection 35-184.6.11.

SECTION 7:

DIVISION 14, Goleta Community Plan Overlay District, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code is amended to be titled "DIVISION 14 GOLETA COMMUNITY PLAN AND EASTERN GOLETA VALLEY COMMUNITY PLAN OVERLAY DISTRICTS" and to read as follows:

DIVISION 14 GOLETA COMMUNITY PLAN AND EASTERN GOLETA VALLEY COMMUNITY PLAN OVERLAY DISTRICTS

Section 35-192. General.

The purpose of this DIVISION is to create overlay districts in order to carry out certain policies and implement portions of the Goleta Community Plan and Eastern Goleta Valley Community Plan, which are part of the County's Land Use Element. The provisions of this DIVISION are in addition to the other provisions of this Article. Where provisions of this DIVISION conflict with other provisions of this Article, the provisions of this DIVISION shall take precedence.

Section 35-192.1 Applicability.

The provisions of this section apply to those portions of the community of Goleta as shown on the maps titled Goleta Community Plan Land Use Designations South and Eastern Goleta Valley Community Plan Land Use Designations that are located within the Coastal Zone. All provisions of the Goleta Community Plan, the Eastern Goleta Valley Community Plan, and the Comprehensive Plan, including all the goals, objectives, policies, actions, development standards and design guidelines, shall also apply to the area zoned with these Overlay Districts.

Section 35-192.2 Findings.

In addition to the findings that are required for approval of a development project (as development is defined in this Article), as identified in each section of Division 11 (Permit Procedures) of Article II, a finding shall also be made that the project meets all the applicable development standards included in the Goleta Community Plan or the Eastern Goleta Valley Community Plan, as applicable, of the Land Use Element of the Comprehensive Plan.

Section 35-192.3 Exterior Lighting Within the Eastern Goleta Valley Community Plan Area.

All exterior lighting installed on property located within the Eastern Goleta Valley Community Plan area on or after *[the effective date of this ordinance]* shall comply with the following:

1. In addition to the permit application submittal requirements required in Division 11 (Permit Procedures), any application for a permit that includes outdoor light fixtures shall include plans showing the location and lumen output of all outdoor light fixtures, both existing and proposed.
2. The regulations contained in this Section 35-192.3 shall be known and referred to as the "Exterior Lighting Regulations for the Eastern Goleta Valley Community Plan Area."
 - a. **Purpose and intent.** The purpose of this Subsection is to create standards for outdoor lighting that minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures. These standards conserve energy and preserve the nighttime sky while maintaining night-time safety, utility, security, and productivity.

- b. **Approved materials and methods of installation.** The provisions of this Subsection are not intended to prevent the use of any design, material, or method of installation not specifically proscribed by this Subsection provided any such alternate has been approved by the County. The Department may approve any such alternate provided that the proposed design, material, or method:
 - 1) Provides approximate equivalence to the specific requirements of this Subsection.
 - 2) Is otherwise satisfactory and complies with the intent of this Subsection.
- c. **Prohibited lights and lighting.**
 - 1) All illuminated advertising signs on and off premises shall be off between 11:00 p.m. and sunrise, except that on-premises signs may be illuminated while the business is open to the public.
 - 2) All outside illumination for aesthetic and/or decorative purposes for any structure and/or surrounding landscape, public or private, and for outdoor recreational facilities that is not fully shielded shall be prohibited between 9:00 p.m. and sunrise. All illumination of exterior areas between 9:00 p.m. and sunrise shall be shielded.
 - 3) Except as provided below, lighting associated with an outdoor recreational facility with lights that are not fully shielded (full cutoff) may only be illuminated between 9:00 p.m. and sunrise the following day to complete a specific organized recreational event in progress and under illumination in conformance with this Subsection at 9:00 p.m. Fully shielded (full cutoff) lights are not subject to a time restriction.
 - 4) Search lights, laser source lights, or similar high intensity lights shall not be permitted except in emergencies by police and/or fire personnel, or for the purposes of gathering meteorological data.
 - 5) Mercury vapor lights are prohibited.
- d. **Exemptions.** The following are exempt from the provisions of Section 35-192.3.
 - 1) All outdoor lighting fixtures lawfully installed prior to *[the effective date of this ordinance]* are exempt from the shielding requirements of this Subsection; however, they shall be subject to the remaining requirements of this Subsection, except that fully shielded (full cutoff) lights are not subject to a turn-off time.
 - 2) Fossil fuel lights.
 - 3) Traffic control signs and devices.
 - 4) Street lights installed prior to *[the effective date of this ordinance]*.
 - 5) Temporary emergency lighting (e.g., fire, police, public works).
 - 6) Moving vehicle lights.
 - 7) Navigation lights (e.g., airports, heliports, radio/television towers).
 - 8) Seasonal decorations with individual lights in place no longer than 60 days.
 - 9) Except as provided below, lighting for special events as provided by Subsection 3.g (Temporary exemption), below.
 - 10) Temporary lighting for agricultural activities of a limited duration, not including unshielded arena lights.

- 11) Except as provided below, security lights of any wattage that are controlled by a motion-sensor switch and which do not remain on longer than 10 to 12 minutes after activation.
 - a) Security lights shall be required to be fully shielded in order to be exempt in compliance with this Section 35-192.3.
 - 12) Light fixtures shown on building permits that were approved prior to [*the effective date of this ordinance*] are excluded from compliance with this Section 35-192.3 until the fixture is replaced.
 - 13) Solar walkway lights.
- e. **General requirements.** All non-exempt light fixtures that require a County permit prior to installation shall be subject to the following general requirements:
- 1) All outdoor light fixtures installed after [*the effective date of this ordinance*] and thereafter maintained upon private property, public property, or within the public right-of way shall be fully shielded (full cutoff).
 - a) Sign illumination shall only illuminate the signage and shall not spill into adjacent areas.
 - 2) All replaced or repaired lighting fixtures requiring a permit shall be subject to the requirements of this Section 35-192.3.
 - 3) Light trespass and glare shall be reduced to the maximum extent feasible through downward directional lighting methods.
 - 4) Externally illuminated signs, advertising displays, and building identification shall use top mounted light fixtures which shine downward and are fully shielded (full cutoff).
 - 5) Outdoor light fixtures used for outdoor recreational facilities shall be fully shielded (full cutoff) except when such shielding would cause impairment to the visibility required in the intended recreational activity. In such cases, partially shielded fixtures and downward lighting methods shall be utilized to limit light pollution, glare, and light trespass to a reasonable level as determined by the Director.
 - 6) Illumination from recreational facility light fixtures shall be shielded to minimize glare extending towards roadways where impairment of motorist vision might cause a hazard.
- f. **Submittal of plans and evidence of compliance.** Any application for a permit that includes outdoor light fixtures (except for exempt fixtures in compliance with this Section 35-192.3) shall include evidence that the proposed outdoor lighting will comply with this Section 35-192.3. The application shall include:
- 1) Plans showing the locations of outdoor lighting fixtures.
 - 2) Description of the outdoor lighting fixtures, including manufacturer's catalog cuts and drawings. Description and drawings should include lamp or bulb type, wattage, lumen output, beam angle, and shielding.

The above plans and descriptions shall be sufficiently complete to enable the plan examiner to readily determine whether compliance with the requirements of this Section 35-192.3 has been met.

g. Temporary exemption.

- 1) The Director may grant a temporary exemption, as defined herein, for such activities, including, but not limited to circuses, fairs, carnivals, sporting events, and promotional activities, if he first makes all of the following findings:
 - a) The purpose for which the lighting is proposed is not intended to extend beyond 30 days.
 - b) The proposed lighting is designed in such a manner as to minimize light pollution as much as feasible.
 - c) The proposed lighting will comply with the general intent of this article.
- 2) The application for a temporary exemption shall at a minimum include all of the following information:
 - a) Name and address of applicant and property owner.
 - b) Location of proposed fixtures.
 - c) Type, wattage, and lumen output of lamp(s).
 - d) Type and shielding of proposed features.
 - e) Intended use of lighting.
 - f) Duration of time for requested exemption.
 - g) The nature of the exemption.
 - h) Such other information as the Department may request.

SECTION 8:

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

SECTION 9:

Except as amended by this Ordinance, Divisions 1, 2, 5, 7, 11 and 14 of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 10:

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

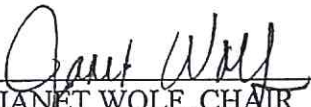
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 20th day of October, 2015, by the following vote:

AYES: Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

NOES: Supervisor Adam and Supervisor Lavagnino

ABSTAIN: None


ABSENT: None



JANET WOLF, 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 C:

Ordinance No. 4943

Eastern Goleta Valley Community Plan Zoning Maps Article II Ordinance Amendment

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ORDINANCE NO. 4943

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING THE EXISTING GOLETA COMMUNITY PLAN ZONING SOUTH MAP, THE GOLETA COMMUNITY PLAN ZONING OVERLAY MAP, AND THE GOLETA COMMUNITY PLAN AREA ENVIRONMENTALLY SENSITIVE HABITAT AND RIPARIAN CORRIDOR LAND USE AND ZONING OVERLAYS SOUTH MAP TO CREATE NEW MAPS THAT SEPARATELY APPLY TO THE EASTERN GOLETA VALLEY COMMUNITY PLAN AREA AND THE GOLETA COMMUNITY PLAN AREA TO IMPLEMENT THE GOALS, POLICIES AND DEVELOPMENT STANDARDS OF THE EASTERN GOLETA VALLEY COMMUNITY PLAN.

Case No. 15RZN-00000-00004

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

SECTION 1:

All zoning maps and zoning designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing Goleta Community Plan Zoning South map, are hereby repealed as they relate to the area located within the boundaries of the Eastern Goleta Valley Community Plan area as shown in Exhibit A ("Eastern Goleta Valley Community Plan Zoning").

SECTION 2:

All zoning maps and zoning overlay designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing Goleta Community Plan Zoning Overlay map, are hereby repealed as they relate to the area located within the boundaries of the Eastern Goleta Valley Community Plan area as shown in Exhibit A ("Eastern Goleta Valley Community Plan Zoning").

SECTION 3:

All zoning maps and zoning overlay designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing Goleta Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays South map, are hereby repealed as they relate to the area located within the boundaries of the Eastern Goleta Valley Community Plan area as shown in Exhibit A ("Eastern Goleta Valley Community Plan Zoning").

SECTION 4:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts a new zoning map titled "Eastern Goleta Valley Community Plan Zoning" which adopts zoning designations for the area as shown on Exhibit A attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein, as exhibited in Exhibit A, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein.

SECTION 5:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts a new zoning map titled "Eastern Goleta Valley Community Plan Zoning Overlay" which adopts zoning designations for the area as shown on Exhibit B attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein, as exhibited in Exhibit B, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein.

SECTION 6:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts a new zoning map titled "Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat and Riparian Corridor Land Use and Zoning Overlays" which adopts zoning designations for the area as shown on Exhibit C attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein, as exhibited in Exhibit C, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein.

SECTION 7:

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibits A through C to show that said exhibit maps have been adopted by this Board.

SECTION 8:

Except as amended by this Ordinance, Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, shall remain unchanged and shall continue in full force and effect.

SECTION 9:

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

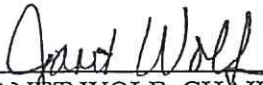
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 20th day of October, 2015, by the following vote:

AYES: Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

NOES: Supervisor Adam and Supervisor Lavagnino

ABSTAIN: None


ABSENT: None



JANET WOLF, 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

EXHIBITS:

Exhibit A: Eastern Goleta Valley Community Plan Zoning

Exhibit B: Eastern Goleta Valley Community Plan Zoning Overlay

Exhibit C: Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat and
Riparian Corridor Land Use and Zoning Overlays

Exhibit D:

Ordinance No. 4946

2015 Housing Element Implementation Article II Ordinance Amendment

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ORDINANCE NO. 4946

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, DIVISION 7, GENERAL REGULATIONS, AND DIVISION 12, ADMINISTRATION, TO IMPLEMENT CERTAIN PROGRAMS OF THE 2015 - 2023 HOUSING ELEMENT UPDATE REGARDING THE DEFINITION OF FAMILY, FARMWORKER EMPLOYEE HOUSING STATE REQUIREMENTS, AND REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS.

Case No. 15ORD-00000-00014

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

SECTION 1:

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Table 1-1, Decision-maker Authority, of Section 35-57C, Authority for Land Use and Zoning Decisions, to read as follows:

Table 1-1 - Decision-maker Authority

Type of Action	Role of Decision-maker (1)			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors
Administrative and Legislative				
Interpretations	Decision		Appeal	Appeal
Local Coastal Program Amendments			Recommend (2)	Decision
Reasonable Accommodation	See Section 35-144Q (Reasonable Accommodation) for applicable Decision-Maker			
Specific Plans and Amendments			Recommend	Decision
Planning Permits				
Coastal Development Permits (Section 35-169.4.1) (3) (4)	Decision		Appeal	Appeal
Coastal Development Permits (Section 35-169.4.2)		Decision	Appeal	Appeal
Coastal Development Permits (Section 35-169.4.3)	See Footnote (5) below			
Conditional Certificate of Compliance		Decision	Appeal	Appeal
Conditional Use Permits, Major			Decision	Appeal
Conditional Use Permits, Minor		Decision	Appeal	Appeal
Design Review	See Footnote (6) below			
Development Plans	See Section 35-174.2 (Applicability) for applicable Development Plan decision-makers.			
Emergency Permits	Decision			
Hardship Determinations		Decision	Appeal	Appeal
Land Use Permits (4)	Decision		Appeal	Appeal
Limited Exception Determinations (Section 35-161.7)			Decision	Appeal
Lot Line Adjustments	See Section 21-6. (Discretionary Decision-Maker Jurisdiction and Designation of Responsibility) for applicable Tentative Map decision-makers.			
Modifications		Decision	Appeal	Appeal
Oil and Gas Exploration and Production Plans			Decision	Appeal
Oil/Gas Land Uses - Abandonment and Removal Procedures	Decision		Appeal	Appeal
Reclamation and Surface Mining			Decision	Appeal

Table 1-1 - Decision-maker Authority

Type of Action	Role of Decision-maker (1)			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors
Permits				
Road Namings and Renamings	See Section 35-144N (Road Naming and Address Numbering)		Appeal	Appeal
Tentative Maps	See Section 21-6. (Discretionary Decision-Maker Jurisdiction and Designation of Responsibility) for applicable Tentative Map decision-makers.			
Use Determinations			Decision	Appeal
Variances		Decision	Appeal	Appeal
Zoning Clearances	Decision			

Notes:

- (1) "Recommend" identifies that the decision-maker makes a recommendation to a higher decision-making body; "Decision" identifies that the decision-maker makes the final decision on the matter; "Appeal" identifies that the decision-maker may consider and decide upon appeals of the decision of an earlier decision-making body, in compliance with Section 35-182 (Appeals).
- (2) The decision of the Commission to recommend denial of a Rezone is not transmitted to the Board absent the filing of an appeal or request for hearing by an interested party.
- (3) This includes Coastal Development Permits where a hearing has been waived by the Director in compliance with Section 35-169.4.2.
- (4) The Zoning Administrator is the decision-maker for Coastal Development Permits approved in compliance with Section 35-121 (Home Occupations) and Section 35-169 (Coastal Development Permits) for Home Occupations that qualify as Cottage Food Operations. The decision of the Zoning Administrator may be appealed to the Commission; the decision of the Commission may be appealed to the Board.
- (5) The decision-maker on a Development Plan processed concurrently and in conjunction with the Coastal Development Permit shall also be the decision-maker on the Coastal Development Permit. A decision of the Director or Zoning Administrator may be appealed to the Commission; the decision of the Commission may be appealed to the Board.
- (6) The Board of Architectural Review with jurisdiction in compliance with Section 35-184 (Board of Architectural Review, shall make decisions on Design Reviews within the County; the decision of the Board of Architectural Review may be appealed to the Commission; the decision of the Commission may be appealed to the Board.

SECTION 2:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35-58, Definitions, to amend the existing definition of "Family" to read as follows:

Family. One or more persons occupying premises and living as a single housekeeping unit not operated for profit, as distinguished from two or more persons occupying a boarding or lodging house, hotel, club, or similar structure used for residential purposes. A family shall not include a fraternal, religious, social, or business organization. A family shall be deemed to include domestic servants employed by the family. A family shall also be deemed to include the clients and operators of a residential facility licensed by the State that serves six or fewer clients.

SECTION 3:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35-58, Definitions, to add the following new definitions of "Agricultural Employee Housing," "Applicant," "Farm Employee Dwelling," "Farmworker Housing," "Individual With a Disability," "Reasonable Accommodation" and "Request for Reasonable Accommodation" to read as follows:

Agricultural Employee Housing. A dwelling occupied by one or more agricultural employees including family members.

Applicant. A person who is filing an application requesting an action who:

1. Is the owner or lessee of property;
2. Has contracted to purchase property contingent upon that party's ability to acquire the necessary approvals required for that action in compliance with this Article, and who presents written authorization from the property owner to file an application with the County;
3. Presents written authorization from the property owner to file an application with the County;
4. Is a person, business or organization making a written request to the County for reasonable accommodation in the strict application of this Article.

Farm Employee Dwelling. See Agricultural Employee Housing. Also includes farmworker employee housing.

Farmworker Housing. The following terms and phrases are defined for the purposes of Section 35-144P (Farmworker Housing).

1. **Farmworker.** An agricultural employee as defined in the California Labor Code Section 1140.4(b).
2. **Farmworker employee housing.** Any housing accommodation that provides housing for farmworkers and complies with the California Health and Safety Code. Farmworker employee housing consists of either of the following:
 - a. **Farmworker dwelling unit.** A single-family dwelling that provides accommodations for six or fewer farmworkers at any one time. A farmworker dwelling unit shall be considered as a single-family dwelling, and permitted and regulated in the same manner by this Article.
 - b. **Farmworker housing complex.** Farm employee housing other than a farmworker dwelling unit that contains a maximum of 36 beds if the housing consists of any group living quarters, such as a barrack or a bunkhouse, or contains a maximum of 12 residential units. A farmworker housing complex shall be occupied exclusively by farmworkers and their households.
3. **Permanent employee housing.** Any labor camp which is not temporary or seasonal(California Health and Safety Code Section 17010(c)).
4. **Seasonal employee housing.** Any camp which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year (California Health and Safety Code Section 17010(b)).
5. **Temporary employee housing.** A labor camp which is not operated on the same site annually and which is established for one operation and is then removed (California Health and Safety Code Section 17010(a)).

Individual With a Disability. A qualifying individual in compliance with the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) who has a physical or mental impairment that limits one or more major life activities, anyone who is regarded as having such impairment, or anyone who has a record of such impairment, but not including an individual's current, illegal use of a controlled substance.

Reasonable Accommodation. Providing an individual with a disability flexibility in the strict application of zoning regulations or procedures when necessary to eliminate regulatory barriers and afford an individual with a disability an equal opportunity to use and enjoy a dwelling.

Request for Reasonable Accommodation. A request to modify zoning regulations or procedures in order to give individuals with disabilities an equal opportunity to use and enjoy a dwelling.

SECTION 4:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code is hereby amended to amend Section 35-144C, Density Bonus for Affordable Housing Projects, to read as follows:

Section 144C. Density Bonus for Affordable Housing Projects.

Section 35-144C.1 Purpose and Intent

The purpose of this Section is to implement the incentive programs provided in the State density bonus regulations (Government Code Sections 65915 through 65918) in order to provide additional opportunities for the provision of affordable housing within the County. The intent of the following regulations is to ensure that, to the maximum extent feasible, the provisions of Government Code 65915 through 65918 are implemented (1) in a manner that is consistent with the policies the Comprehensive Plan and the Coastal Land Use Plan, and (2) in a manner that is consistent with the policies of Chapter 3 of the Coastal Act.

Section 35-144C.2 Applicability and Eligibility for Density Bonus, Incentives or Concessions.

1. **Applicability.** This Section only applies to a "housing development", as defined in Government Code Section 65915(i), that comply with the following:
 - a. The development is for the type of housing specified in Government Code Section 65915(b)(1), (b)(2) or (b)(3).
 - b. The land use designations in the Coastal Land Use Plan allow development of at least five residential units on a lot or lots where the project is located, and the project proposes a housing development of five or more dwelling units.
2. **Eligibility for Density Bonus, Incentives or Concessions.**
 - a. **Residential units.** The County shall grant a density bonus and other incentives or concessions to applicants for residential projects who agree to provide affordable or senior housing pursuant to the provisions of Government Code Sections 65915 through 65918, provided that the project (as modified to include a density bonus, incentives, or concessions) is found consistent with all applicable policies and provisions of the Local Coastal Program.
 - b. **Land donations and child care facilities.** The County shall grant an additional density bonus or other incentives or concessions to applicants for residential projects who agree to donate land for affordable housing development and/or provide a child care facility pursuant to the provisions of Government Code Sections 65915 through 65918, provided that the project (as modified to include a density bonus, incentives, or concessions) is found consistent with all applicable policies and provisions of the Local Coastal Program.

Section 35-144C.3 Allowed Density Bonuses.

In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the Comprehensive Plan, Coastal Land Use Plan, and this Article. "Otherwise maximum allowable residential density" shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the Local Coastal Program.

1. **Bonus determination.** The County may choose to grant a density bonus greater than provided in the provisions of Government Code Sections 65915 through 65918 or successor statute for a development that exceeds the requirements of State law, provided that the project (as modified to include a density bonus) is found consistent with all applicable policies and provisions of the Local Coastal Program and provided that the density bonus is no greater than 35 percent above the base zone density.
2. **Requirements for amendments or discretionary approval.** The granting of a density bonus shall not be interpreted, in and of itself, to require a Local Coastal Program Amendment, zone change or other discretionary approval separate from the discretionary approval otherwise required for the project.

Section 35-144C.4 Allowed Incentives or Concessions.

1. **Applicant request and County approval.** An applicant may submit to the County a proposal for the specific incentives or concessions listed in Subsection 2. (Types of incentives) below, that the applicant requests in compliance with this Section. The County shall grant an incentive or concession request that complies with this Section unless the County makes a specific finding, pursuant to Government Code Sections 65915 through 65918, of any of the following:
 - a. The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915(c).
 - b. The development incentive or concession, requested by an applicant in compliance with this Section will have an adverse effect on coastal resources. If the County determines that the requested incentive or concession will have an adverse effect on coastal resources, the County shall consider all feasible alternative incentives and concessions and their effects on coastal resources. The County may grant one or more of those incentives or concessions that do not have an adverse effect on coastal resources.
 - c. The concession or incentive would be contrary to State or Federal law, including implementation of the Coastal Act. The project (as modified to include a density bonus, incentives, or concessions) shall be consistent with all applicable policies and provisions of the Local Coastal Program.
2. **Types of incentives.** For purposes of this Section, incentives or concessions consist of any of the following:
 - a. **Modification of development standards.** A reduction in site development standards of this Article or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission in compliance with Health and Safety Code Section 18901 *et seq.*, that would otherwise be required, that result in identifiable, financially sufficient, and actual cost reductions.
 - b. **Mixed use projects approval.** Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial or other land uses will reduce the cost of the housing development and if the commercial, office, industrial or other land uses are compatible with the housing project and the existing or planned development in the area where the housing project will be located.
 - c. **Other regulatory incentives.** Other regulatory incentives proposed by the applicant or the County that will result in identifiable, financially sufficient and actual cost reductions.
3. **Additional parking incentives or concessions.** An applicant may request alternative vehicular parking ratios in addition to other incentives or concessions provided in this Section.
4. **Requirements for amendments or discretionary approval.** The granting of an incentive or concession shall not be interpreted, in and of itself, to require a Comprehensive Plan or Local Coastal Program amendment, a text amendment of this Article, a rezone or other discretionary approval separate from the discretionary approval otherwise required for the project.

Section 35-144C.5 Siting Criteria.

Density bonus projects shall be sited based on the following criteria:

1. **Land use and development standards.** All uses of land shall comply with the regulations of the primary zone. In cases where conflict occurs between the primary zone standards and the provisions of the density bonus program, the conflict shall be resolved in accordance with the provisions of the Local Coastal Program.
2. **Location of project.** The site shall be located within an existing Urban area as designated on the Coastal

Land Use Plan maps.

3. **Access to transportation.** All proposed development shall be sited to provide maximum access to transit and alternative transportation services and facilities to the maximum extent feasible.
4. **Water and sewer service.** Density bonus projects shall be located in areas served by municipal water providers and municipal sanitary service providers.
5. **Consistency with the Local Coastal Program.** All proposed development shall be found consistent with applicable policies and provisions of the Local Coastal Program.

Section 35-144C.6 Processing of Density Bonus and Incentive Request

1. **Preliminary proposal.**

- a. Prior to the submittal of a formal application, an applicant is encouraged to apply for a pre-application conference and other preliminary consultations with the Department and other officials in order to obtain information and guidance before entering into binding commitments and incurring substantial expense in the preparation of plans, surveys and other data.
- b. The pre-application conference or other preliminary consultation should relate to a specific development proposal that outlines the concept and characteristics of the project, and the application for the pre-application conference or other preliminary consultation shall contain the following information:
 - 1) **Site information.** The Assessor's Parcel Number(s), gross and net acreage, land use and zone designations of the project site.
 - 2) **Number of units.** The total number of units proposed (not including the requested density bonus units).
 - 3) **Density bonus units.** The number of density bonus units requested.
 - 4) **Affordable units.** The number of very low income, low income, moderate income and/or senior units proposed.
 - 5) **Incentives.** Any additional incentive(s) requested.
 - 6) **Financial information.** Complete financial information and projections for the project. The applicant shall provide any additional information the County deems necessary to determine the financial feasibility of the income restricted units. The County may require the applicant to pay for a review by an independent consultant to assist the County in determining whether certain development incentives are necessary to make the income restricted units economically feasible.
 - 7) **Compliance with Section 65915.** The information required to demonstrate that the project meets all requirements of Government Code Section 65915.
 - 8) **Demonstration of need.** Information demonstrating that any requested incentive or concession is necessary in order to provide for affordable housing costs, as defined in Health and Safety Code section 50052.5, or for rents for the targeted units to be set as specified in Government Code section 65915(c).
 - 9) **Density bonus effects on coastal resources.** A discussion of whether the method proposed by the applicant for accommodating the requested density bonus will have an adverse effect on coastal resources. If the applicant indicates, or if the County determines, that the method proposed for accommodating a requested density bonus will have an adverse effect on coastal resources, the applicant shall submit an evaluation of:

- a) All feasible methods of accommodating the requested density increase.
 - b) The effects of each method on coastal resources.
 - c) The method that avoids adverse impacts to coastal resources.
- 10) **Incentive/concession effects on coastal resources.** A discussion of whether any incentive or concession requested by the applicant will have an adverse effect on coastal resources. If the applicant indicates, or if the County determines, that an incentive or concession that is requested will have an adverse effect on coastal resources, the applicant shall submit an evaluation of:
- a) All feasible alternative incentives or concessions and their effects on coastal resources.
 - b) Which of the feasible incentives or concessions avoids adverse impacts to coastal resources.
- c. Within 45 days of receipt of a complete application for a pre-application or other preliminary consultation, the Department shall notify the applicant in writing of:
- 1) The types of incentives which may be recommended in order to comply with this Section.
 - 2) Whether the Department, based on the information provided, may support the granting of a density bonus on the basis of required development standards and findings.
2. **Application submittal.**
- a. A formal application for a project that includes a request for a density bonus and/or other incentives or concessions, shall include all the information required in compliance with Subsection 1.b, above, in addition to the standard application requirements for the specific type of application in compliance with Section 35-57A (Application Preparation and Filing).
 - b. If this information was provided as part of an application for an application for a pre-application or other preliminary consultation, then this information may be used as part of the formal application provided the Department determines, and the applicant verifies, that the information is still accurate and applicable to the project that is the subject of the formal application.
3. **Protection of coastal resources.**
- a. Any housing development approved in compliance with Government Code Section 65915 shall be consistent with all otherwise applicable policies and development standards of the County's Local Coastal Program.
 - b. If the County approves development with a density bonus, the County shall find that the development, if it had been proposed without the density increase, would have been fully consistent with the policies and development standards of the County's Local Coastal Program.
 - c. If the County determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the County shall require that the density increase be accommodated by those means.
 - d. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a density increase, the County shall:
 - 1) Identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources.
 - 2) Require implementation of the means that avoids adverse impacts to coastal resources.

4. **Affordable Housing (AH) overlay zone.** The Affordable Housing (AH) overlay zone provides density bonus and other incentives for projects that provide a significant amount of affordable housing. Density bonuses and other development incentives granted in compliance with the AH overlay zone shall be inclusive of the incentives offered in this Section, and shall not be in addition to the development incentives ~~required~~ offered in this Section.
5. **Density bonus distribution.** A project that includes multiple lots is not required to distribute the density bonus evenly over each of the lots. The density bonus units may be concentrated on only a portion of the project site with lower residential densities on other portions of the project site.
6. **Affordable housing agreement.** Prior to the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35-178 (Land Use Permits) or a Zoning Clearance in compliance with Section 35-179A (Zoning Clearances) for a density bonus project any housing development where the County approves a density bonus, each project the owners shall record an affordable housing agreement and resale and/or rental restrictive covenant, or other equivalent document, which outlines:
 - a. The sales and/or rental prices for the various types of units to be established.
 - b. Provisions for the sale, resale, renting and restrictions that will be applicable to the project and which ensure the continued availability of units for purchase or occupancy by persons of very low, low and moderate incomes. All affordable units shall be restricted for the maximum period allowed by Government Code Sections 65915 through 65918 or successor statute.

SECTION 5:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Section 35-144P titled "Farmworker Housing" and to read as follows:

Section 35-144P. Farmworker Housing.

- A. **Purpose.** As stated in Government Code Section 65580(a), the State Legislature has declared that the availability of housing, including farmworker housing, is of vital statewide importance. Furthermore, California Health and Safety Code Section 17000, *et seq.*, known as the Employee Housing Act, includes regulations that require local jurisdictions to allow the development of farmworker housing provided such housing complies with the Employee Housing Act. Therefore, the purpose of this Section is to promote the development of, and establish development standards for, farmworker housing consistent with this legislative declaration and in compliance with the California Health and Safety Code.
- B. **Applicability.** The standards of this Section shall apply to the development of Farmworker Employee Housing as that use is defined in Section 35-58 (Definitions) and as may be allowed in compliance with the approval of the applicable permit identified in the following table for the listed zones:

Permit Requirements for Farmworker Dwelling Units and Farmworker Housing Complexes	P	Permitted use, appealable Coastal Permit required (1)	
	PP	Principal Permitted use, Coastal Permit required (1)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Major Conditional Use Permit required	
	—	Use not allowed	
	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	Farmworker dwelling unit	Farmworker housing complex	

Agricultural Zones

AG-I	P (2)	P (3)	
AG-II	P (2)	CUP	

Resource Protection Zones

MT-TORO	P (4)	MCUP	
RES	P (4)	CUP	

Residential Zones

EX-1	PP	MCUP	
R-1/E-1	PP	MCUP	
R-2	PP	MCUP	
DR	PP	P	
MHP	—	—	
PRD	PP	—	
RR	PP	CUP	
SR-H	PP	MCUP	
SR-M	PP	MCUP	

Commercial Zones

C-1	P (5)	—	
C-2	MCUP	—	
CH	MCUP	(6)	
C-V	MCUP	—	
PI	MCUP	—	

Industrial Zones

M-CD	—	P	
M-CR	—	P	
M-RP	—	P	

Special Purpose Zones

PU	—	P	
REC	—	—	
TC	CUP (7)	CUP	

Notes:

- (1) Development Plan approval may also be required; see zone district requirements.
- (2) The primary dwelling on the lot may be considered a component of the principal permitted agricultural use and permitted as a Principal Permitted Use (PP) when in compliance with the following standards:
 - a. There is an existing principal permitted primary agricultural use on the lot on which the primary dwelling is located.
 - b. The occupancy of the dwelling is restricted to the operator of the principal permitted primary agricultural use including the family of the operator, or the owner of the lot including the dependent family of the owner.
 - c. The gross floor area of the primary dwelling does not exceed 5,000 square feet.
 - d. The primary dwelling and all accessory structures and landscaping associated with the primary dwelling shall occupy a development area of no more than 10,000 square feet.
- (3) Within the Carpinteria Agricultural Overlay District, a CUP is required if located on slopes between 5 and 10 percent.
- (4) The primary dwelling on the lot may be considered as a Principal Permitted Use (PP) when in compliance with the following standards:
 - a. The principal dwelling and all accessory structures and landscaping associated with the principal dwelling shall occupy a development area of no more than 10,000 square feet.
 - b. The development area shall not occupy slopes of 30 percent or greater.
- (5) Only allowed on a lot where there is no commercial use, and subject to the regulations of Section 35-77A.6 (Minimum Lot Size) and Section 35-71 (R-1/E-1).
- (6) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.
- (7) Only if single-family dwellings are allowed as a principal permitted use in an abutting zone district.

C. Farmworker housing requirements.

1. **State regulations.** All farmworker housing shall comply, where applicable, with all of the following:
 - a. California Health and Safety Code Section 17000 through 17062.5, also known as the Employee Housing Act.
 - b. California Health and Safety Code Section 18200 *et seq.*, also known as the California Mobilehome Parks Act.
 - c. California Health and Safety Code Section 18860 *et seq.*, also known as the California Special Occupancy Parks Act.
2. Farmworker housing may be developed and/or maintained for the purpose of providing permanent, seasonal or temporary employee housing for farmworkers.
3. Farmworker housing may be allowed, but not required, to be:
 - a. Developed or provided by the employer(s) of the farmworker; and/or
 - b. Located on the same property where the qualifying farm work is being performed.
4. If farmworker housing is developed and/or provided by a person or entity other than the farmworker's employer, the farmworker housing shall consist only of:
 - a. Seasonal or temporary farmworker housing, or
 - b. A manufactured home, mobilehome, travel trailer, or recreational vehicle, if such housing is intended to be permanent.
5. Prior to the approval of a Building Permit for a farmworker housing complex, the applicant shall submit all required information to, and obtain all applicable approvals from, the following County departments:
 - a. Fire Department.
 - b. Planning and Development Department.
 - c. Public Health Department.
 - d. Public Works Department.
6. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate farmworker housing, and annually thereafter, the applicant shall submit a completed verification form to the Director describing all of the following:
 - a. The farmworker housing, including the number of units, spaces or beds.
 - b. The number and employment status of the residents of the farmworker housing, and any other employment information regarding the residents required by the Director.
 - c. Proof that the HCD permit for the farmworker housing is current and valid.

D. Development standards. All farmworker housing shall comply with all of the following development standards unless otherwise indicated.

1. **Allowed farmworker housing complex housing types.** The following housing types may be permitted in farmworker housing complexes in compliance with the required permit(s) specified in the table included in Subsection B (Applicability), above.

- a. **Agricultural zones.** All housing types allowed in compliance with California Health and Safety Code Sections 17000 through 17062.5 may be permitted in the AG-I and AG-II zones.
 - b. **Resource Protection zones.** All housing types allowed in compliance with California Health and Safety Code Sections 17000 through 17062.5 may be permitted in the MT-TORO and RES zones.
 - c. **Residential zones.**
 - 1) **EX-1, R-1/E-1, R-2, RR, SR-H and SR-M zones.** All housing types allowed in compliance with California Health and Safety Code Sections 17000 through 17062.5 may be permitted in the EX-1, RR, R-1/E-1, R-2, RR, SR-H and SR-M zones:
 - 2) **DR zone.** The following housing types may be permitted as a farmworker housing complex in the DR zone:
 - a) Dwelling, multiple.
 - b) A two-family dwelling.
 - c) Multiple detached single-family units on one lot subject to any applicable requirements of the Subdivision Map Act, Government Code Section 66410 *et seq.*
 - d) Farmworker housing complexes other than those housing types listed in Subsections D.1.c(2)(a) through D.1.c(2)(c), above, subject to the approval of a Major Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits).
 - d. **Commercial zones.** The following housing types may be permitted as a farmworker housing complex in the CH zone:
 - 1) **Adjacent lot zoned agriculture.** All housing types allowed in compliance with California Health and Safety Code Sections 17000 through 17062.5 may be permitted in the CH zone if located adjacent to a lot having an agricultural zoning.
 - 2) **Adjacent lot zoned residential.** The following housing types may be permitted in the CH zone if located adjacent to a lot having an residential zoning.
 - a) Multiple detached residential units on one lot subject to any applicable requirements of the Subdivision Map Act, Government Code Section 66410 *et seq.*
 - b) Farmworker housing complexes other than those housing types listed in Subsections D.1.d(2)(a), above, subject to the approval of a Major Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits).
 - e. **Industrial zones.** All housing types allowed in compliance with California Health and Safety Code Sections 17000 through 17062.5 may be permitted in the M-CD, M-CR and M-RP zones.
 - f. **Special Purpose zones.**
 - 1) **PU and TC zones.** All housing types allowed in compliance with California Health and Safety Code Sections 17000 through 17062.5 may be permitted in the PU and TC zones.
2. **Farmworker dwelling unit density requirements.** Development of a farmworker dwelling unit shall be in compliance with the dwelling unit density requirements of the applicable zone. If there is

an existing single-family dwelling located on a lot, then a farmworker dwelling unit shall not be allowed in addition to the existing single-family dwelling unless additional single-family dwelling units are allowed in compliance with the applicable dwelling unit density requirement.

3. **Parking.** The following requirements shall apply to all farmworker housing in addition to all other applicable parking requirements in this Article that would normally apply to the use and location in which the farmworker housing is proposed. In the case of a conflict between the standards of this Subsection D.3 and other applicable parking requirements of this Article, the standards of this Subsection D.3 shall prevail.
 - a. Parking spaces for farmworker dwelling units and farmworker housing complexes may be uncovered and may be located in a tandem arrangement.
 - b. Any living quarters such as a manufactured home, mobilehome, recreational vehicle, tent, travel trailer, or other housing accommodation designed for use by a single family or household shall be considered a one-family dwelling for determining the parking requirement in compliance with Section 35-108 (Required Number of Spaces: Residential).
 - c. A farmworker housing complex consisting of any group living quarters, such as barracks or a bunkhouse, shall provide one parking space for every four beds in the complex.
 - d. Parking requirements for employees as listed in Section 35-108 (Required Number of Spaces: Residential) is not required to be provided.
- E. **Covenant and agreement.** Within 30 days after approval of an application for farmworker housing, the applicant shall record with the County Recorder a covenant that runs with the lot on which the farmworker housing is located and is for the benefit of the County, declaring that:
 1. The farmworker housing will continuously be maintained in compliance with this Section 35-144P (Farmworker Housing) and all other applicable sections of this Article;
 2. The applicant will obtain and maintain, for as long as the farmworker housing is operated, the appropriate permit(s) from California Department of Housing and Community Development pursuant to the Employee Housing Act and the regulations promulgated thereunder;
 3. The improvements required by the County Fire Department, the Planning and Development Department, the Public Health Department, and the Public Works Department, related to the farmworker housing shall be constructed and/or installed, and continuously maintained by the applicant;
 4. The applicant will submit the annual verification form to the Director as required by Subsection C.6, above; and
 5. Any violation of the covenant and agreement required by this section shall be subject to the enforcement procedures of Chapter 35-185 (Enforcement, Legal Procedures, and Penalties).

SECTION 6:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Section 35-144Q titled "Reasonable Accommodation" and to read as follows:

Section 35-144Q. Reasonable Accommodation.

Sections:

- A. Purpose.
- B. Applicability.

- C. Notice of Availability of Accommodation Process.
- D. Contents of Application.
- E. Processing.
- F. Findings Required for Approval.
- G. Effect of an approved Reasonable Accommodation on other project applications.

A. Purpose.

1. The purpose and intent of this Chapter is to ensure equal access to housing and to remove barriers to fair housing opportunities for individuals with disabilities in compliance with the Federal Fair Housing Act and the California's Fair Employment and Housing Act (the Acts) by providing a procedure to request reasonable accommodation in the application of this Development Code and to establish relevant criteria to be used when considering such requests.
2. Reasonable accommodation means providing an individual with a disability flexibility in the strict application of zoning regulations or procedures when necessary to eliminate regulatory barriers and afford an individual with a disability an equal opportunity to use and enjoy a dwelling.
3. This Section shall be interpreted and applied in accordance with the Acts, and nothing in this Section shall be deemed to create greater rights than exist under the Acts.

B. Applicability.

1. In order to make specific housing available to individuals with disabilities, any person, including an individual with a disability, his or her representative, or provider of housing for individuals with disabilities, may request a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities as regulated by this Article that would eliminate regulatory barriers and provide an individual with a disability equal opportunity to housing of their choice. This Section applies only to those individuals who qualify as disabled under the Acts.
2. Typical improvements which may be considered for reasonable accommodation provisions include elevators or other mechanical access devices, handrails, ramps, walls, and other similar accessibility improvements necessary to accommodate an individual's disability. Reasonable accommodations include:
 - a. Adjustments to encroachment allowances, floor area provisions, height and setback requirements.
 - b. Adjustments to requirements for buffers, fences, walls and screening requirements.
 - c. Allowing hardscape additions such as widening driveways, parking areas or walkways that would otherwise not comply with landscape, lot coverage, or open space provisions.
3. The approval of a reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

- C. Notice of Availability of Accommodation Process.** Notice of the availability of reasonable accommodation shall be displayed at the Department's public information counters. Forms for requesting reasonable accommodation shall be made available to the public at the Department.

D. Contents of Application.

1. An application for reasonable accommodation shall be submitted in compliance with Section 35-57A (Application Preparation and Filing).
 - a. An application for reasonable accommodation may be filed at any time that the accommodation may be necessary to ensure equal access to housing.
 - b. If the project for which the application is being made also requires some other discretionary

approval under this Article, the applicant shall file the application for reasonable accommodation concurrent with the application for the discretionary approval.

2. **Additional submittal requirements.** The application shall include the following in addition to the standard submittal requirements.
 - a. Verification by the applicant that the property is or will be the primary residence of the individual for whom the accommodation is requested.
 - b. The regulation or procedure from which accommodation is being requested.
 - c. An explanation of why the reasonable accommodation is necessary to make the specific property accessible to the individual with the disability.
 - d. The basis for the claim that the individual (or group of individuals, if application is made by an entity acting on behalf of a person or persons with disabilities) is considered disabled under the Acts.

E. Processing

1. Decision-maker and processing procedures.

- a. If the project for which the application for reasonable accommodation is requested requires ministerial approval in compliance with this Article, then the Director shall be the decision-maker for the application for reasonable accommodation and the related application, and the application for reasonable accommodation shall be submitted and reviewed concurrently with the related ministerial application.
 - 1) Notice of the application for Reasonable Accommodation and pending decision by the Director shall be given in the same manner as a Land Use Permit in compliance with Chapter 35-181 (Noticing).
 - 2) The Director shall review the application for reasonable accommodation for compliance with the Coastal Land Use Plan, the Comprehensive Plan including any applicable community or area plan, this Article, and other applicable conditions and regulations, and approve, conditionally approve, or deny the request. A public hearing is not required.
 - 3) The action of the Director is final subject to appeal in compliance with Section 35-182 (Appeals).
 - 4) The Director may take action on the application for reasonable accommodation prior to taking an action on any companion application.
- b. If the project for which the application for reasonable accommodation is requested requires discretionary approval in compliance with this Article, then:
 - 1) The decision-maker for the related discretionary application shall be the decision-maker for the application for reasonable accommodation.
 - 2) The application for reasonable accommodation shall be processed concurrently and in compliance with the applicable processing requirements for the related discretionary application, including noticing and public hearing requirements.
 - 3) The decision-maker shall review the application for reasonable accommodation for compliance with the Coastal Land Use Plan, Comprehensive Plan including any applicable community or area plan, this Article, and other applicable conditions and regulations, and approve, conditionally approve, or deny the request. The decision-maker shall take action on the application for reasonable accommodation concurrently

with taking action on any related discretionary application.

- 4) The action of the decision-maker is final subject to appeal in compliance with Chapter 35-102 (Appeals).

2. Standards for approval.

- a. The decision-maker shall approve or conditionally approve the application if, based upon all of the evidence presented to the County, the findings required for approval in compliance with Subsection F (Findings Required for Approval) can first be made.
- b. An application for Reasonable Accommodation granted in compliance with this Section shall not require the approval of any Modification in compliance with Section 35-179 (Modifications) or Variance in compliance with Section 35-173 (Variances) as to the reasonable accommodation.

3. Conditions of approval. The decision-maker may impose conditions on the approval of an application for reasonable accommodation that are consistent with the purpose of the Acts and this Section to further fair housing. Such conditions include:

- a. That the reasonable accommodation shall only be applicable to the specific use for which the application is made.
- b. That a reasonable accommodation involving an exterior physical improvement or structure is designed to be substantially similar to the architectural character, colors, and texture of materials of the existing structure (if applicable) and other structures on the project site and in the neighborhood.
- c. That the reasonable accommodation is subject to any and all Building Code permit and inspection requirements of the County.

4. Written determination. The decision-maker shall issue a written determination, which shall be mailed to the applicant by first class mail, of the action on the application for reasonable accommodation that:

- a. Explains the basis of the decision and includes the findings required in compliance with Subsection F (Findings Required for Approval).
- b. Includes notice of the right to appeal and the appeals process.

5. Other required approvals. If the final action by the County results in the approval or conditional approval of the requested accommodation, other required approvals of the County (e.g., building permits) still apply.

F. Findings Required for Approval. An application for reasonable accommodation shall be approved or conditionally approved only if the decision-maker, in compliance with the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts), first makes all of the following findings:

1. The project that is the subject of the request for reasonable accommodation:
 - a. Conforms to the applicable provisions of the Coastal Land Use Plan and the Comprehensive Plan including any applicable community or area plan.
 - b. Conforms to the applicable provisions of this Article and other applicable zoning conditions and regulations that apply to the subject project, except as modified by the accommodation.
2. The project that is the subject of the request for reasonable accommodation will be occupied as the primary residence by an individual with a disability under the Acts.
3. The accommodation is necessary to make specific housing available to an individual with a

disability protected under the Acts.

4. The accommodation will not impose an undue financial or administrative burden on the County and the community.
5. The accommodation will not require a fundamental alteration of the regulations or procedures of this Article.
6. The accommodation will not waive a requirement for a Coastal Development Permit, Land Use Permit, Building Permit or Encroachment Permit, or result in approved uses otherwise not allowed by this Article.
7. Any adverse impact that results from the accommodation is minimized to the extent feasible.
8. The accommodation is limited to the minimum necessary to accommodate the needs of the individual with a disability and reasonable alternatives are not available that will provide an equivalent level of benefit without requiring a modification or exception to regulations or procedures of this Article.
9. The project that is the subject of the request for reasonable accommodation:
 - a. Will not be detrimental to the general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding areas.
 - b. Will not conflict with any easements required for public access through, or public use of a portion of the property that the project is located on.
 - c. Will not require extensive alteration of the topography with the exception of only those design modifications which are necessary to provide the accommodation.
 - d. If located in a Rural area as designated on the Coastal Land Use Plan maps, will be compatible with and subordinate to the rural and scenic character of the area with the exception of only those design modifications which are necessary to provide the accommodation.

G. Effect of an approved reasonable accommodation on other project applications. If the project for which the application for reasonable accommodation is submitted also requires design review approval in compliance with Section 35-184 (Board of Architectural Review), then any approval or conditional approval of the project by the applicable Board of Architectural Review shall not have the effect of rendering an approved reasonable accommodation infeasible.

SECTION 7:

DIVISION 12, Administration, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Subsection B, Timing and Form of Appeal, of Section 35-182.2, General Appeal Procedures, of Section 35-182, Appeals, to read as follows:

B. Timing and Form of Appeal.

1. **Appeals of decisions of the Board of Architectural Review, Director, Planning Commission, or Zoning Administrator.**
 - a. **Filing of the appeal.** An appeal, which shall be in writing and accompanying fee, of a decision or determination of the Board of Architectural Review, Director, Planning Commission or Zoning Administrator shall be filed with the Department within the 10 calendar days following the date of the decision or determination that is the subject of the appeal, except as follows:

- 1) Within 30 calendar days following the date of decision by the Director that an oil or gas lease has been abandoned in compliance with Section 35-170.11 (Processing of demolition and Reclamation Permit).
 - 2) Except as otherwise provided in this Article.
- b. The appellant shall use the form provided by the Department in addition to any other supporting materials the appellant may wish to furnish in compliance with Section 35-182.2.C, explaining the reasons for the appeal. An appeal shall be filed with the Director, who shall process the appeal in compliance with this section, including scheduling the matter before the appropriate decision-maker.
2. **Computation of time for appeal.** The time within which the appeal shall be filed shall commence on the next calendar day following the day on which the decision was made or the determination was made. In the event the last day for filing an appeal falls on a non-business day of the County, the appeal may be timely filed on the next business day.

SECTION 8:

DIVISION 12, Administration, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Subsection 1, General requirements, of Subsection C, Requirements for Contents of an Appeal, of Section 35-182.2, General Appeal Procedures, of Section 35-182, Appeals, to read as follows:

1. **General requirements.** The appellant shall specifically provide in the appeal all of the following:
- a. The identity of the appellant and his or her interest in the decision;
 - b. The identity of the decision or determination appealed which may include the conditions of that decision or determination;
 - c. A clear, complete, and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the Coastal Land Use Plan, this Article, or other applicable law;
 - d. If it is claimed that there was an error or abuse of discretion on the part of the decision-maker, or other officer or authorized employee, or that there was a lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration leading to the making of the decision or determination that is being appealed, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made, then these grounds shall be specifically stated.

SECTION 9:

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

SECTION 10:

Except as amended by this Ordinance, Division 1, In General, Division 2, Definitions, Division 7, General Regulations, and Division 12, Administration, Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 11:

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.

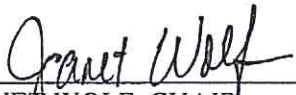
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 3rd day of November, 2015, by the following vote:

AYES: Supervisor Carbajal, Wolf, Farr, Adam & Lavagnino

NOES: None

ABSTAINED: None


ABSENT: None



 JANET WOLF, 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