

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE SANTA BARBARA MUNICIPAL CODE BY AMENDING CHAPTERS 30.15, 30.20, 30.25, 30.30, 30.35, 30.140, 30.165, 30.175, 30.185, 30.200, 30.205, 30.220, 30.235, 30.250, 30.290, 30.295, 30.300, AND SECTION 30.150.090 PERTAINING TO REGULATIONS FOR SINGLE FAMILY STREAMLINING

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Chapter 30.15 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## Division I: Introductory Provisions

### Chapter 30.15 Rules of Measurement

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**Sections:**

30.15.010	Purpose	30.15.070	Measuring Floor Area
30.15.020	General Provisions	30.15.080	Measuring Front Yards
30.15.025	Calculating Density	30.15.090	Measuring Height and Stories
30.15.030	Determining Average Slope	30.15.100	Measuring Setbacks and Stepbacks
30.15.040	Determining Creek Top of Bank	30.15.110	Measuring Street Frontage
30.15.050	Fractions		
30.15.060	Measuring Distances		

### 30.15.010 Purpose.

The purpose of this chapter is to explain how various measurements referred to in this Title are to be calculated.

### 30.15.020 General Provisions.

For all calculations, the applicant is responsible for supplying drawings illustrating the measurements that apply to a project. These drawings must be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Community Development Director.

### 30.15.025 Calculating Density.

A. **Maximum Allowable Residential Density.** The maximum allowable residential density or “base density” means the greatest number of units allowed under the density range specified by the Zoning Ordinance, Specific Plan, or land use element of the General Plan or Coastal Land Use Plan, applicable to the project. Density shall be determined using dwelling units per acre (du/ac). If there is a conflict, the highest allowable density prevails.

1. **Calculation.** To calculate the maximum number of dwelling units allowed on a lot, the net lot area is converted from square feet to acres by dividing it by 43,560. The resulting acreage is multiplied by the density range. For density calculations with a remainder greater than 0.01 units, a whole unit is allowed.

***Residential Density Calculation Example:***

*Net Lot Area:* 21,000 sq. ft./43,560 = 0.48 acres

*General Plan Density Range:* 27 to 36 units/acre

*Calculate Allowed Units:* 27 to 36 units per acre x 0.48 acres = 12.96 to 17.28 units

*Rounding Up:* 13 to 18 units allowed

B. **Density Calculations in Mixed-Use Projects.** For mixed-use projects, the maximum allowable residential density shall be calculated by using the total net lot area and does not exclude the nonresidential portion of the mixed-use site.

C. **Density Calculations for Other Uses.** Other facilities that are not residential uses but are subject to residential density limitations as specified in this code, (including, but not limited to, Group Residential, Community Care Facilities, Residential Care Facilities, and Hotels with kitchens)

must be equivalent in size to a residential project at base density ranges as allowed by the General Plan.

D. **Accessory Dwelling Units.** Accessory dwelling units and junior accessory dwelling units are not counted in maximum density calculations, unless otherwise specified in this Title.

E. **Density Calculations for Lot Merger.** To determine allowable residential density for projects involving the merger of lots, the allowed density for the resulting lot is calculated as the greater of the following:

1. The aggregate density allowed under the zoning regulations applicable to each individual lot prior to the merger; or
2. The density allowed under the zoning regulations applicable to the lot as configured following the merger.

### **30.15.027 Calculating Unit Size.**

When calculating the floor area of a residential unit, the following standards apply unless otherwise provided in this Title. See also Section 30.140.150, Residential Unit.

A. **Minimum Unit Size.** Minimum unit size must include all contiguous net livable floor area located within the perimeter walls of the residential unit. The following areas are excluded from the calculation of minimum unit size:

1. Detached accessory buildings.
2. Non-livable floor area, such as crawlspaces, storage, or utility areas.
3. Covered parking areas, such as garages and carports.

B. **Modifications Based on Unit Yield.** If a modification, waiver, or exception is requested based on the inability to achieve the allowable number of residential units on a property, the applicant must demonstrate infeasibility using the minimum unit size for a one-bedroom unit.

C. **Maximum Unit Size.** Where a maximum unit size is specified in this Title, the calculation must include any attached non-livable floor area under the control of the unit occupant (e.g., storage). The following areas are excluded from the calculation of maximum unit size:

1. Detached accessory buildings.
2. Covered parking areas, such as garages and carports.
3. Common areas not controlled by the individual unit occupant.
4. Areas excluded from floor area, per Section 30.15.070, Measuring Floor Area.

D. **Maximum Average Unit Size.** Where a maximum average unit size is specified in this Title, the average is calculated by dividing the total Maximum Unit Size, as described in Subsection C, of all residential units on the property by the total number of residential units on the property.

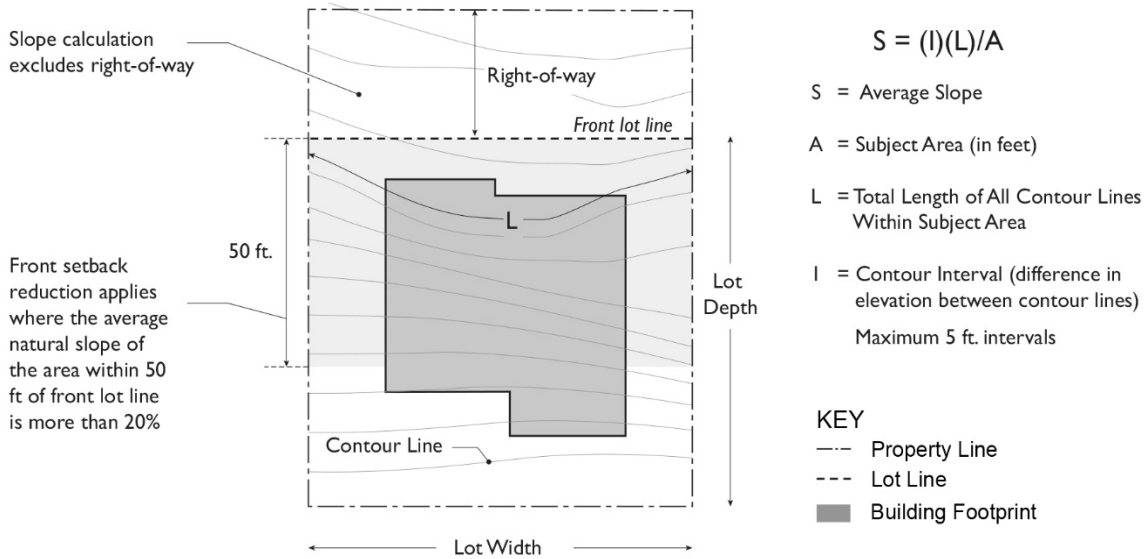
### **30.15.030 Determining Average Slope.**

The average slope of a parcel of land, or any portion thereof, is calculated using a topographic map conforming to National Mapping Standards and having a scale of not less than one inch equals 200 feet and a contour interval of not more than five feet), and the following formula:

$S = (I)(L)/A$ , where:

- A.  $S$  = Average slope (in percent)
- B.  $I$  = Contour interval (in feet)
- C.  $L$  = Total length of all contour lines on the parcel (in feet), excluding the length of contours in drainage channels and in natural water courses below the 25-year flood level
- D.  $A$  = Area of subject area for which the slope is to be determined (in square feet)

**FIGURE 30.15.030: DETERMINING AVERAGE SLOPE**



**30.15.040 Determining Creek Top of Bank.**

The “Top of Bank” is determined by the creek channel geometry. Any parcel that adjoins or is within 50 feet of a creek where development is proposed shall have the top of bank determined as part of any plan submittal. The top of bank shall be determined using one of the conditions described below in Cases 1-4 and depicted in the associated diagrams below. If more than one condition applies, the approach that is most protective of creek resources shall apply. If there is disagreement about where the top of bank is located, the Creeks Division Manager in consultation with the City Attorney, shall make a final determination of top of bank.

A. **Case 1 - Bank Slopes with a Single Defined Hinge Point.** When the creek has a sloped bank rising from the toe of the bank to a hinge point at the generally level ground above, the hinge point is the top of bank. If the existing slope of the bank is steeper than 1.5 (horizontal):1 (vertical), the intersection of a projected plane with a 1.5:1 slope from the toe of the bank to the generally level upper ground is the “top of bank.” For concrete flood control channels, that meet the definition outlined above, the top of bank is the upper hinge point regardless of the steepness of the bank.

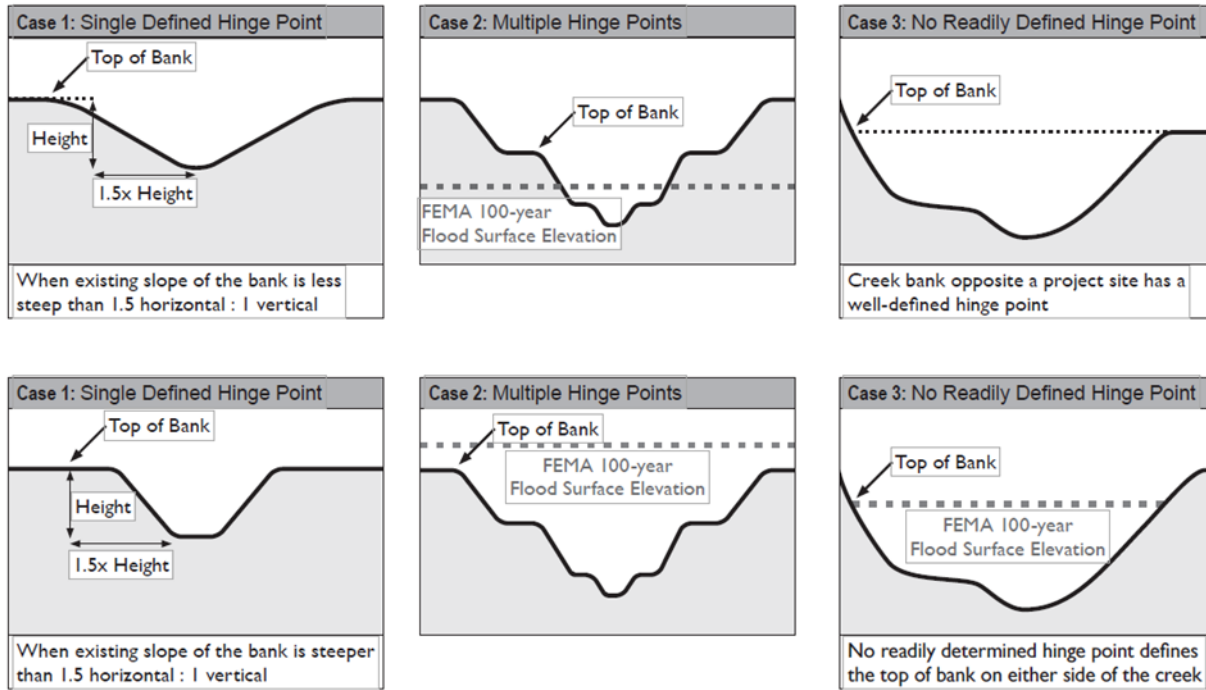
B. **Case 2 – Bank Slopes with Multiple Hinge Points.** When the creek bank slope rises from the toe of the bank, levels off one or more times, then rises to a higher hinge point at the generally level upper ground, the hinge point at or directly above the FEMA 100-year flood surface elevation is the top of bank. If the FEMA 100-year flood surface

elevation is above the highest hinge point, the location of the top of bank does not change and is the highest hinge point.

C. **Case 3 – Bank Slopes with No Readily Defined Hinge Point.** When no discernible break in slope occurs above the active channel, and the creek bank opposite a project site has a well-defined hinge point, the elevation of that hinge point will be used to determine the top of bank for the project site. Where no readily determined hinge point defines the top of bank on either side of the creek, the FEMA 100-year flood elevation is the top of bank.

D. **Case 4 – Flood Control Projects.** Where an existing flood control project exists, or has been approved, the top of bank will be located at the top of the proposed or completed flood control channel wall, or the hinge point just above the top of wall, whichever is higher, even for banks steeper than 1.5:1 as outlined in Case 1 above.

**FIGURE 30.15.040: DETERMINING TOP OF BANK**



**30.15.050 Fractions.**

Whenever this Title requires consideration of numerical quantities, all calculations shall use fractions no smaller than hundredths, and if the end result of a calculation contains a fraction of a whole number, the results shall be rounded as follows:

A. **General Rounding.** Fractions are to be rounded up to the nearest whole number, except as otherwise provided.

B. **Exception for Parking Spaces.** In determining the number of parking spaces fractions are to be rounded down to the nearest whole number. Where multiple structures or standards are involved, any rounding of spaces must be made on the aggregate total required for the site, and not on individual uses prior to calculating the total. See Section 30.175.040, Required Automobile and Bicycle Parking Spaces, for additional parking rounding requirements.

C. **Exception for Inclusionary Housing.** In determining the number of Inclusionary Units required by Chapter 30.160, Inclusionary Housing, any decimal fraction less than 0.5 shall be rounded down to the nearest whole number, and any decimal fraction of 0.5 or more shall be rounded up to the nearest whole number. Refer to Section 30.150.110 Inclusionary Requirements for Rental Housing Projects, to determine the number of Inclusionary Units for Rental Housing Projects.

### **30.15.055 Grading**

A. **Calculation of Grading Quantities.** Whenever this Title requires consideration of grading quantities, the total volume includes all excavation, cut, and fill, or any combination thereof. Grading quantities must be calculated cumulatively across all phases of a project and all areas of the site, unless expressly exempted by this Title.

B. **Grading Excluded.**

1. ***Recompacted Soil.*** Soil excavated within five feet horizontally of an exterior building wall and subsequently recompacted is excluded from the calculation of grading volume outside the building footprint.

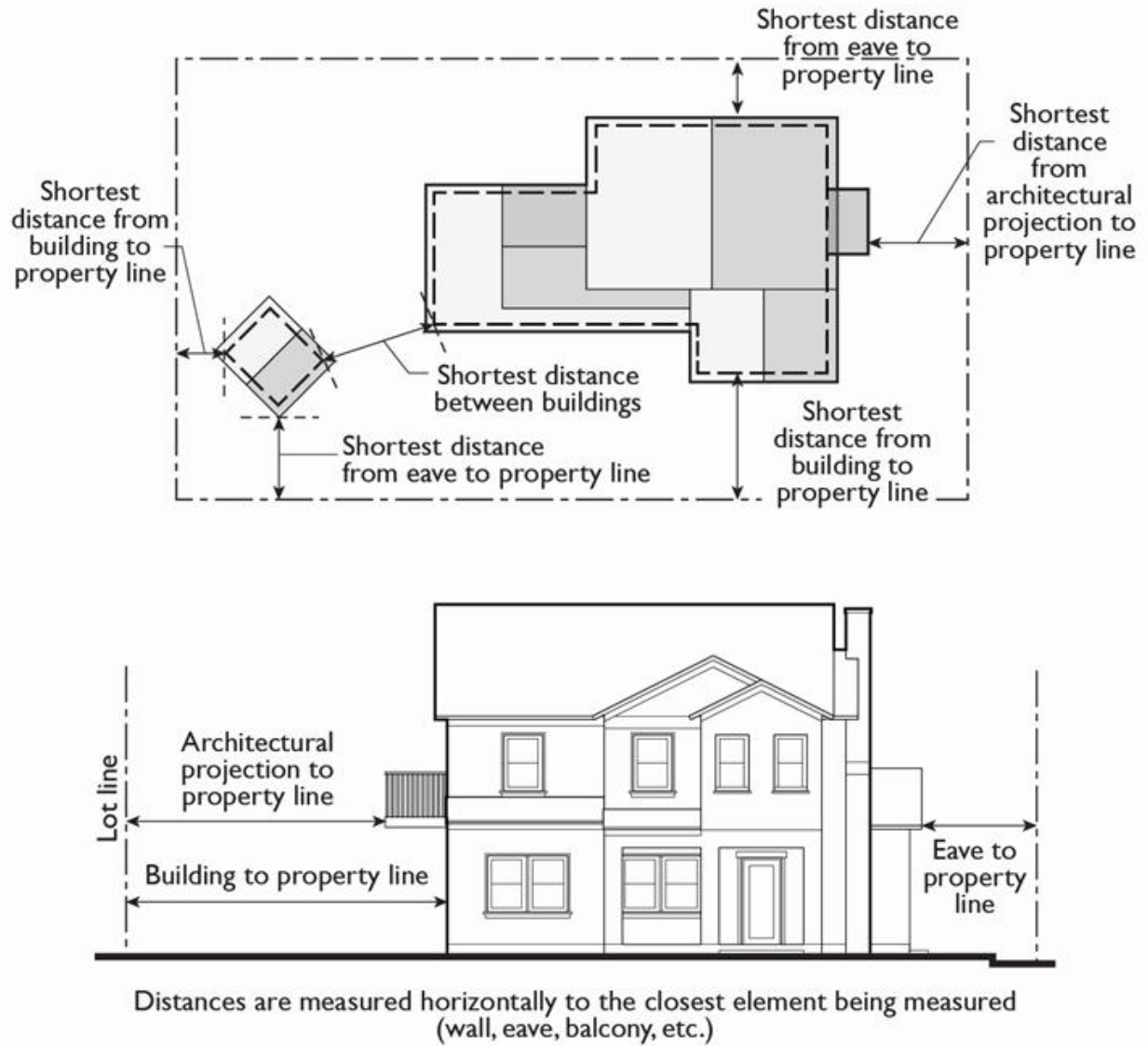
2. ***Below-Grade Swimming Pools.*** Soil excavated for a below-grade swimming pool is excluded from the calculation of grading volume outside the building footprint for purposes of Design Review.

C. **Determination of Existing Grade.** For purposes of establishing “Existing Grade,” as defined in this Title, the topographic elevations of the natural ground surface as it existed five years prior to the date of application for grading, filling, or other site alterations is used.

### **30.15.060 Measuring Distances.**

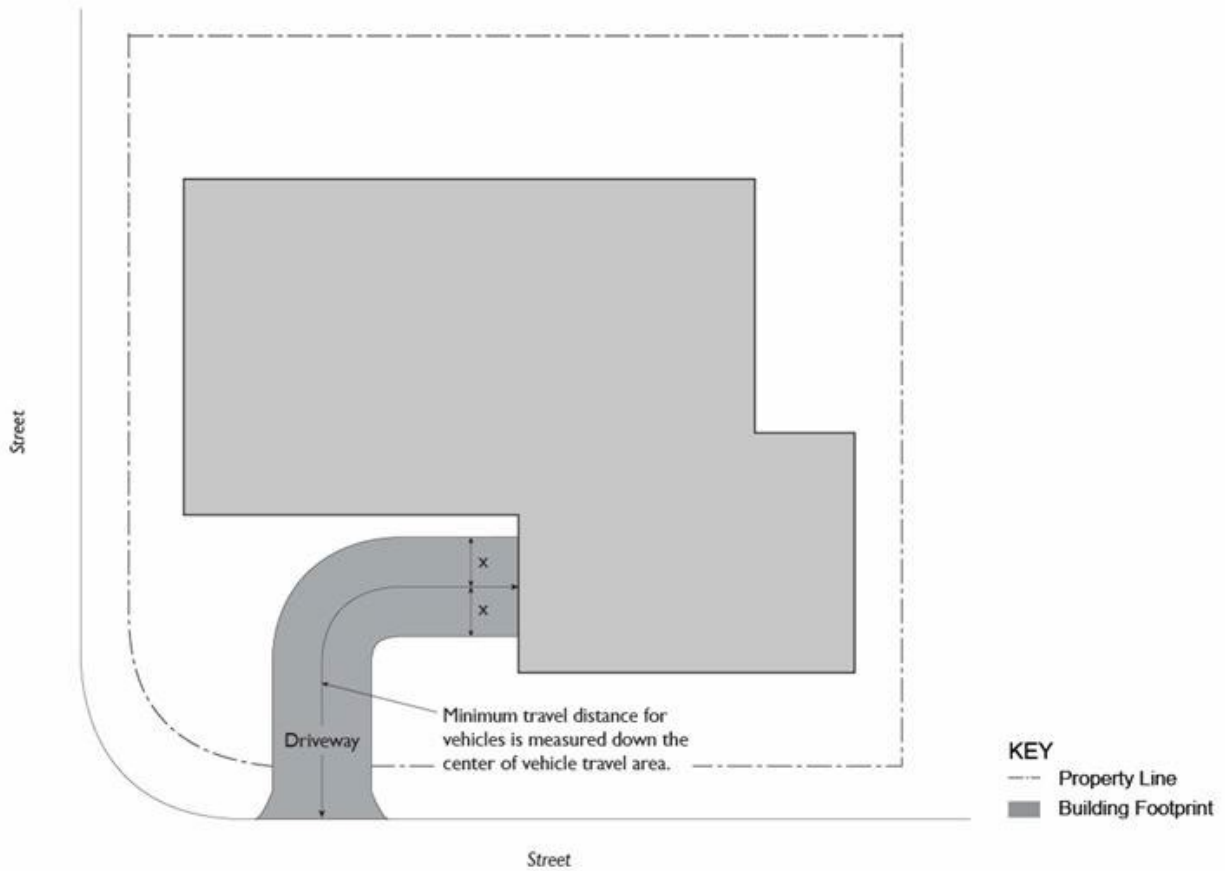
- A. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
  
- B. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
  
- C. **Measurements Involving a Structure.** When measuring a required distance involving a structure, the measurements are made to the closest exterior wall or exterior element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

FIGURE 30.15.060.A, B, AND C: MEASURING DISTANCES



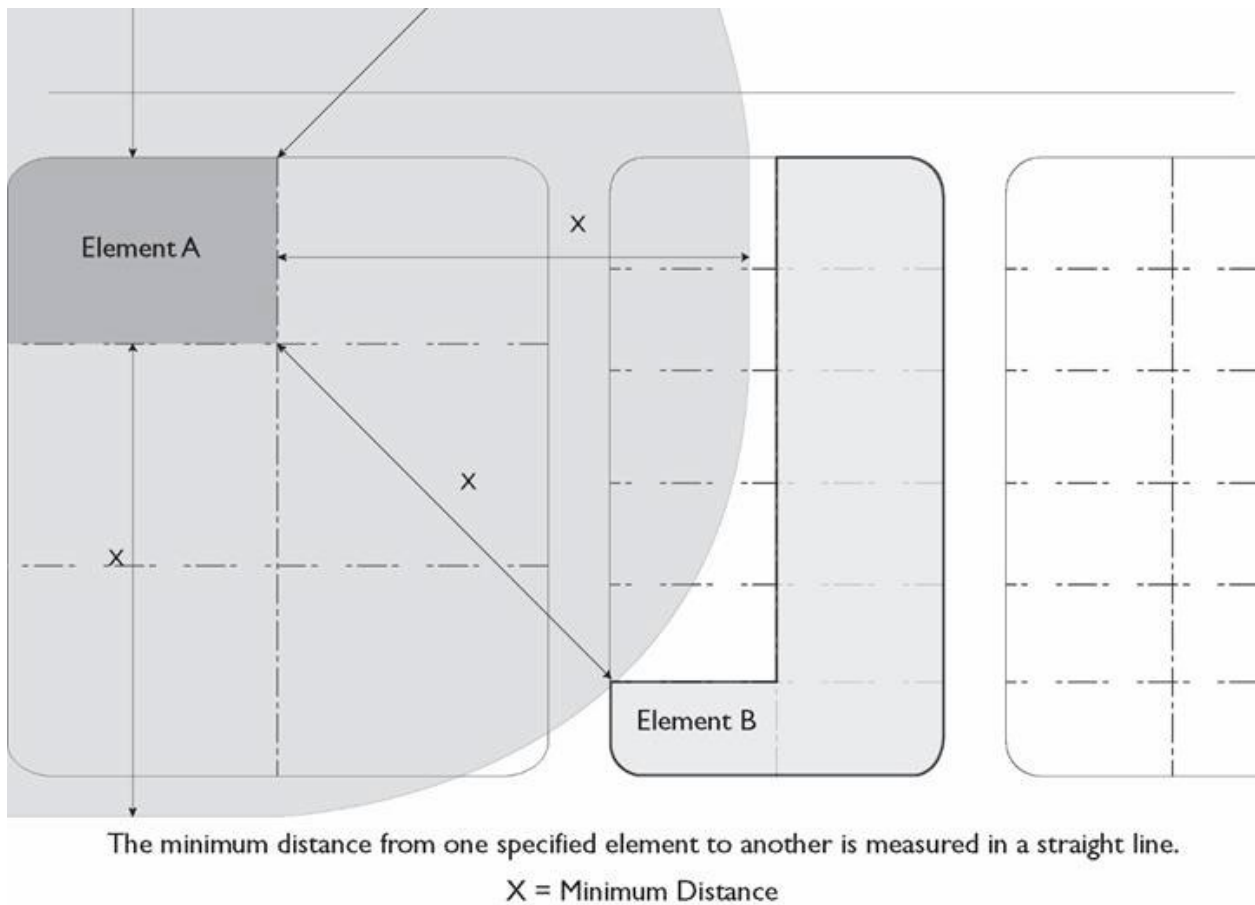
D. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as vehicle backup distance, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

FIGURE 30.15.060.D: MEASURING TRAVEL AREAS



E. **Measuring Radius.** When a specified element is required to be located a minimum distance from another element, the minimum distance is measured in a straight line from all points along the lot line of the subject land use, in all directions.

**FIGURE 30.15.060.E: MEASURING RADIUS**



**30.15.070 Measuring Floor Area.**

A. **General Measurement.** All references to floor area in this Title are to net floor area, unless otherwise indicated. Net floor area is as defined in Section 30.300.060 “F” and as measured in this Section 30.15.070. Unless specifically exempted, the following areas are included in net floor area:

1. All enclosed space between the finished floor and roofline, and within the interior perimeter of exterior walls of any main or accessory building.
2. Floor area of all stories, both above and below grade.
3. Vertical circulation and rooftop enclosures, including covered or enclosed stairways, stairwells, elevator shafts, and similar features.

4. Covered parking areas, including enclosed garages and covered or partially covered carports.
5. Roofed, unenclosed, detached accessory buildings regulated by this Title.

**B. Measurement Methods.**

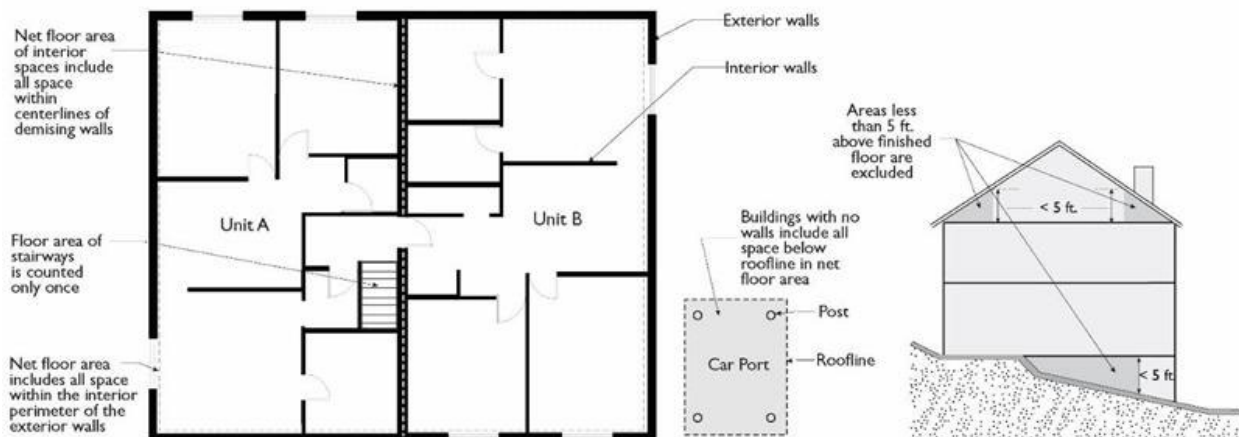
1. ***Interior Spaces.*** Net floor area of rooms or tenant spaces is measured to the centerline of demising walls separating such spaces, where applicable.
2. ***Vertical Circulation.*** Stairways, stairwells, and elevator shafts are counted only once, at the level of greatest horizontal extent.
3. ***Unenclosed Roofed Areas.*** Where development standards regulate the floor area of a roofed structure with no walls, the floor area is measured as the horizontal area beneath the roofline.

**C. Areas Excluded from Floor Area.** The following areas are not counted as floor area:

1. ***Low-Ceiling Areas.*** Vent shafts and any area with a ceiling height less than five feet above finished floor.
2. ***Unfinished Utility Spaces.*** Unfinished attics, crawlspaces, and similar utility spaces that are unusable and not designed for occupancy are not considered floor area, except where converted to usable floor space. Such spaces may accommodate mechanical, electrical, plumbing, or other utility equipment without being counted as floor area.
3. ***Architectural Projections.*** Bay windows or similar architectural projections that begin no lower than 18 inches above the adjacent interior finished floor, measured to the lowest point of the projection, so that the projection does not create usable or occupiable floor area.
4. ***Attached Shade or Entry Areas.*** Attached, exterior roofed shade or entry features such as arcades, porticoes, porches, trellises, gazebos, patio covers, and similar, that are unenclosed and are not designed or used for occupiable space.
5. ***Outdoor Seating, Storage, and Display Areas.*** Nonresidential unroofed, unenclosed areas used for outdoor seating, sales, or display, such as plant nurseries, building materials yards, or auto sales lots.

6. ***Incidental Equipment Rooms.*** Attached mechanical, electrical, and communication equipment rooms that do not exceed 2% of the building's gross floor area.
7. ***Minor Accessory Structures.*** Yard buildings less than 120 square feet allowed under Section 30.140.240, Yard Buildings, and other accessory structures expressly exempt from building permit requirements.
8. ***Temporary Structures.*** Temporary structures allowed under a valid Temporary Use Permit.
9. ***Nonresidential Parking Structures.*** Areas used for occupant or patron off-street parking, loading, driveways, ramps between floors of a multi-level parking garage, and maneuvering aisles are excluded from nonresidential floor area calculations under Chapter 30.170, Nonresidential Growth Management Program. However, structures or portions of structures used for vehicle storage, vehicle sales, car washing, repair, or servicing must be included in nonresidential floor area calculations.
10. ***Residential Floor Area Ratio (FAR) Calculations.*** See Section 30.15.075, Measuring Floor Area Ratio (FAR).

**FIGURE 30.15.070.A: MEASURING FLOOR AREA**



**30.15.075 Measuring Floor Area Ratio (FAR).**

Floor Area Ratio (FAR) is a ratio of the net floor area of all buildings on a site to the net lot area. To calculate FAR, divide the total net floor area of all main and accessory buildings on a lot by the net lot area. FAR is typically expressed as a decimal. For example, if the floor area of all buildings on a site

totals 5,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 0.5. Special measurement examples are also provided below.

A. **Nonresidential FAR.** This Title establishes maximum FARs for certain types of nonresidential development. To calculate the maximum nonresidential FAR, multiply the allowable FAR by the net lot area.

**Nonresidential FAR Example:**

Maximum Nonresidential Floor Area = Allowable FAR x Net Lot Area

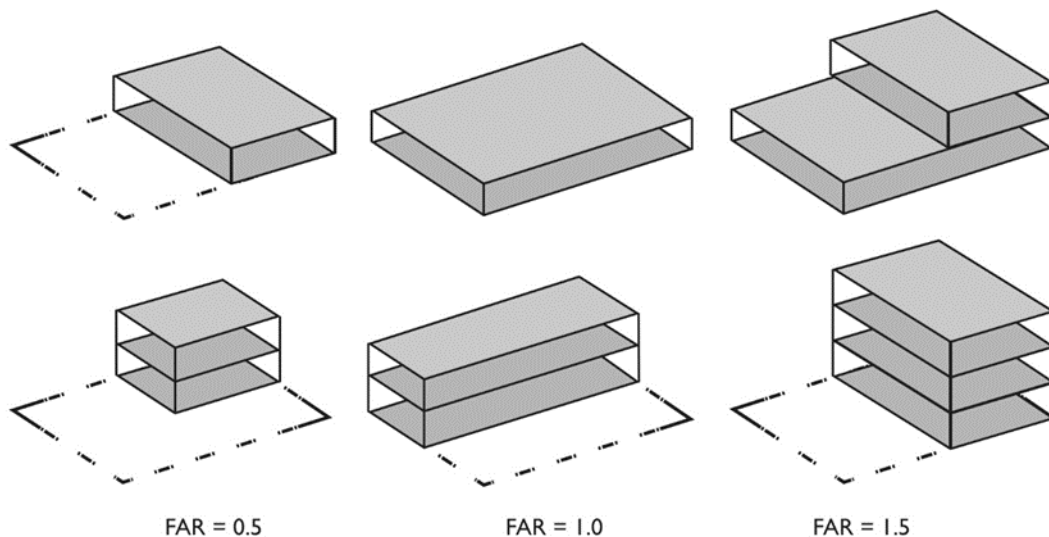
Allowable FAR\*: 0.25

Net Lot Area: 10,000 sq. ft.

Maximum Nonresidential Floor Area = 0.25 x 10,000 = 2,500 sq. ft.

\* Amount determined by this Title

**FIGURE 30.15.027: CALCULATING NONRESIDENTIAL FLOOR AREA RATIO**



B. **Residential FAR.** Maximum FARs for residential developments are established in Table 30.20.030.A (Development Standards—Residential Single Unit Zones). To calculate the maximum residential FAR, multiply the allowable FAR by the net lot area, and add the supplementary floor area allowance per lot size.

**Residential FAR Example:**

Maximum Residential Floor Area = (Allowable FAR x Lot Area) + Supplementary Floor Area Allowance

Allowable FAR\*: 0.25

Net Lot Area: 9,000 sq. ft.

Supplementary Floor Area Allowance\*: 1,200 sq. ft.

Maximum Residential Floor Area = (0.25 x 9,000 = 2,250) + 1,200 = 3,450 sq. ft.

\* *Amount determined per Table 30.20.030.A*

C. **Residential Maximum Floor Area Ratio (FAR) Calculations.** For residential developments, the following additional calculations apply when calculating Maximum Floor Area Ratio (FAR):

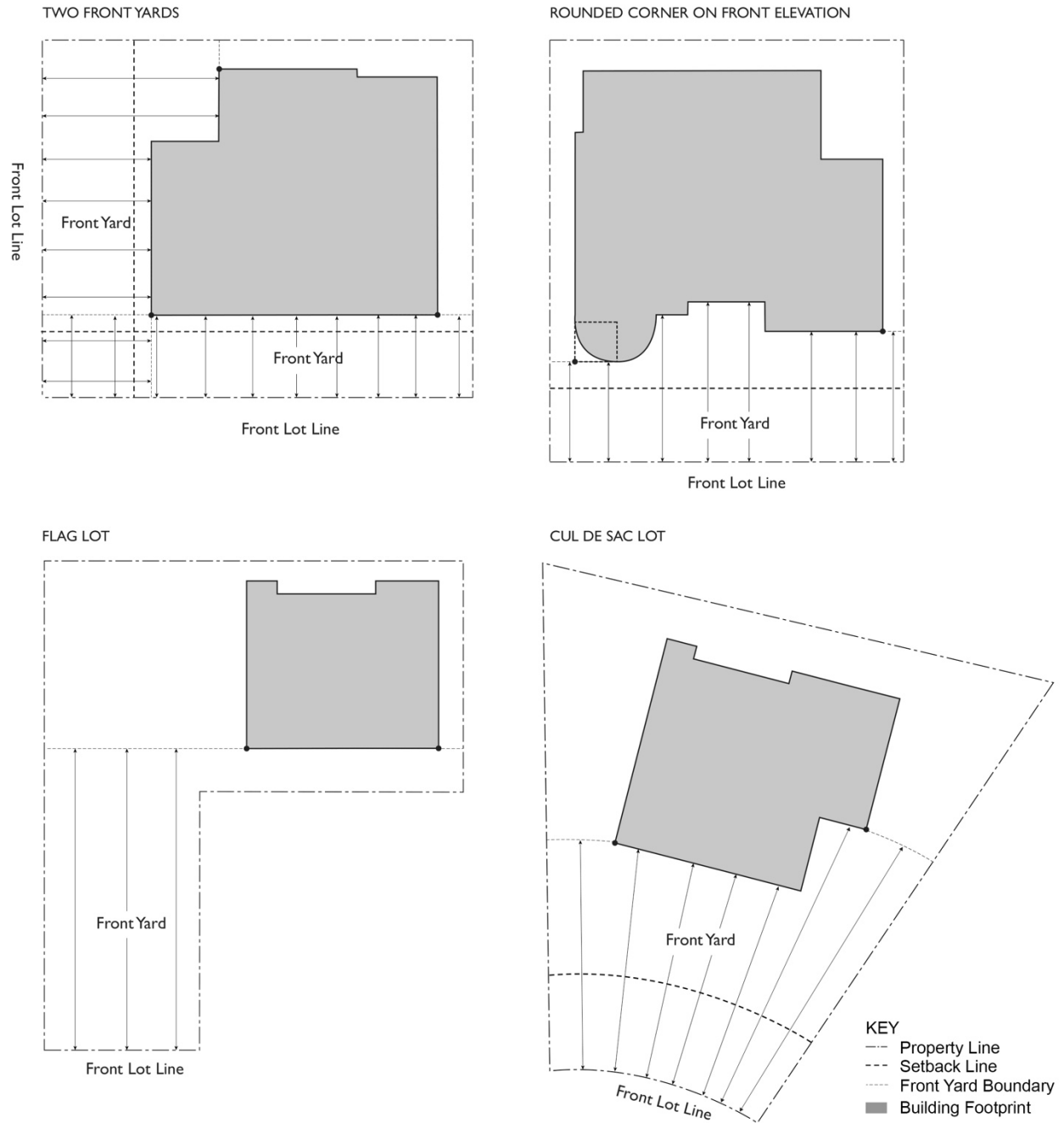
1. ***Below Grade Exclusion.*** A floor may be excluded entirely from FAR if no more than 12 linear feet along any building elevation has a grade-to-ceiling height greater than four feet.
2. ***Partial Reduction.*** If more than 12 linear feet but less than one-half of the total perimeter length has a grade-to-ceiling height greater than four feet, the floor area may be reduced by 50% in the FAR calculation.
3. ***Full Inclusion.*** If more than one-half of the total perimeter length has a grade-to-ceiling height greater than four feet, the entire floor area is included in the FAR.
4. ***Accessory Buildings.*** Floor area within any accessory building, including an accessory dwelling unit or junior accessory dwelling unit, is included in the FAR, except for portions specifically excluded under Subsections C.1 (Below Grade Exclusion) and C.2 (Partial Reduction) of this Section, or under Section 30.15.070.C, Areas Excluded from Floor Area.

### **30.15.080 Measuring Front Yards.**

Front yards shall be measured by extending perpendicular lines from each point of a front lot line to the nearest wall-of the first main building on the lot. Where there is no wall of a main building on the lot which intercepts said perpendicular lines, said yard will terminate at a point determined by extending a line parallel to the front lot line from the corner of the front elevation of the main building to the nearest lot line. The front elevation of a building is any elevation that faces a street.

A. **Rounded Corners.** If the corner of the front elevation is rounded (i.e., a tower), the corner of the elevation shall be established by drawing the smallest square or rectangle that will enclose the round element and extend the line from the corner of the superimposed square or rectangle that is closest to the front lot line.

**FIGURE 30.15.080: MEASURING FRONT YARDS**



### 30.15.090 Measuring Height and Stories.

A. **General Measurement.** Height is the vertical distance measured from existing or finished grade, whichever is lower, to the top of the structure directly above. Special measurement provisions are also provided below.

B. **Measuring Building Height on Sloped Lots.** Building height on sloped lots is measured from a warped plane connecting the perimeter of the building where it contacts the lower of existing or finished grade to every part of the building roof or parapet.

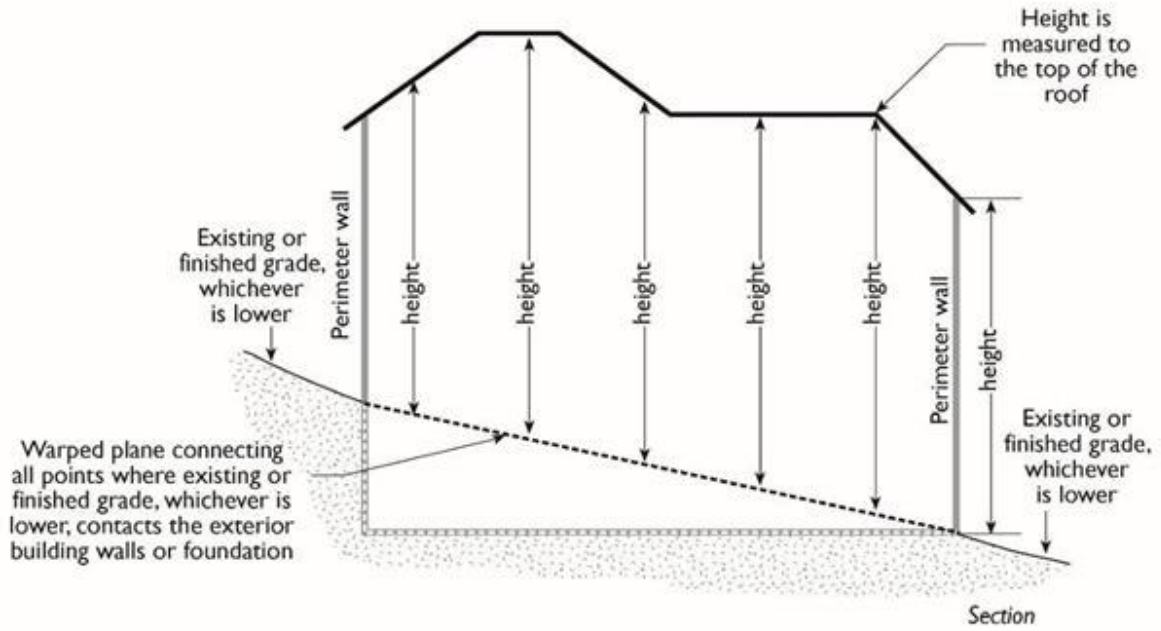
C. **Height Exclusions.**

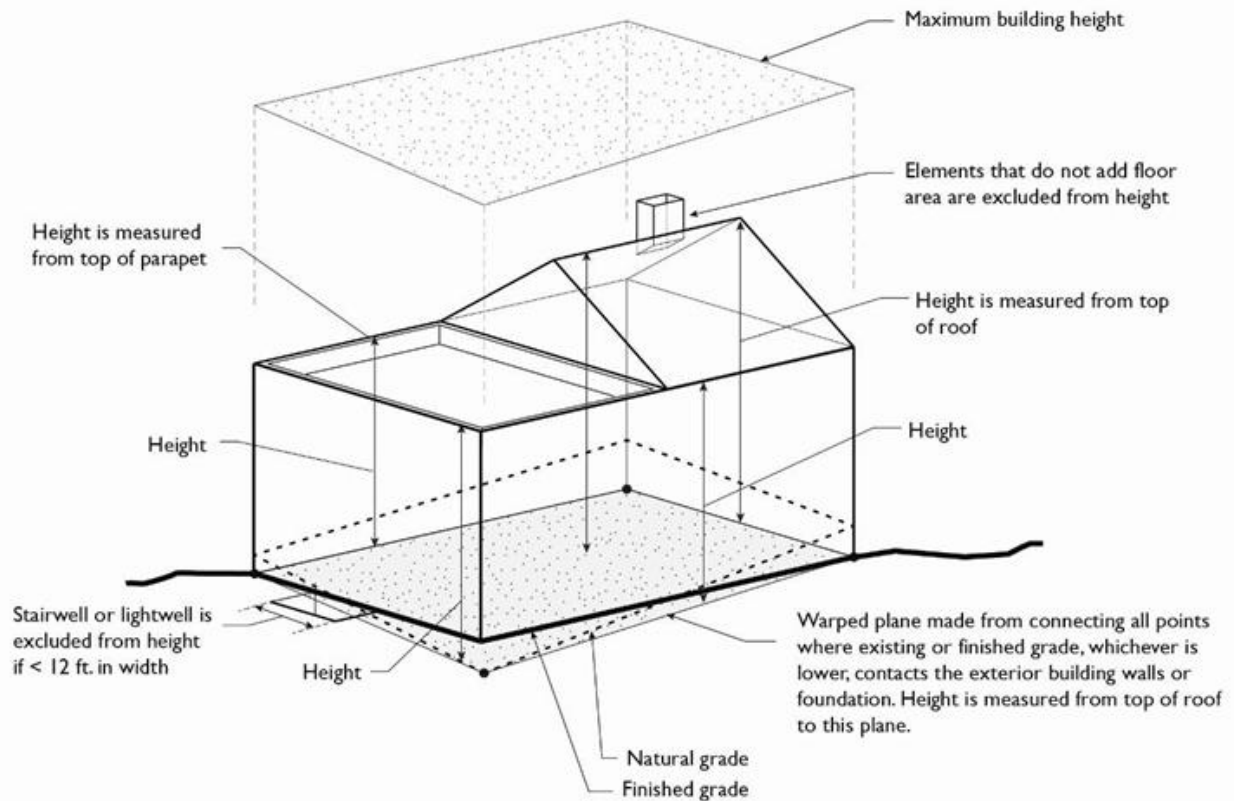
1. ***Light Wells.*** The vertical portion of exterior doors, stairway landings, or light wells on a basement elevation are excluded from the height calculation if the cumulative total width does not exceed 12 feet per elevation.

2. ***Architectural Elements.*** Architectural elements that do not add floor area to a structure, ~~such as~~ are limited to the following types of features: chimneys, vents, antennae, open trellises that do not exceed 12 feet in height, rooftop equipment and associated screening, roof-mounted solar energy systems a maximum of three feet above the maximum height limit, rooftop decks that do not exceed 10 inches in height above the roof, guard rails for rooftop decks, and towers including stairway or elevator towers with minimum landings for egress are not considered a part of the height of a structure, but all portions of the roof and roof parapet are included.

3. ***Additional Height Allowances.*** See Section 30.140.100, Exceptions to Height Limitations.

FIGURE 30.15.090.B: MEASURING BUILDING HEIGHT ON SLOPED LOTS





D. **Measuring the Height of Fences and Hedges.** The height of a fence or hedge is measured vertically from the lowest point of contact with the ground on either side to the highest point of the fence or hedge along that same vertical line.

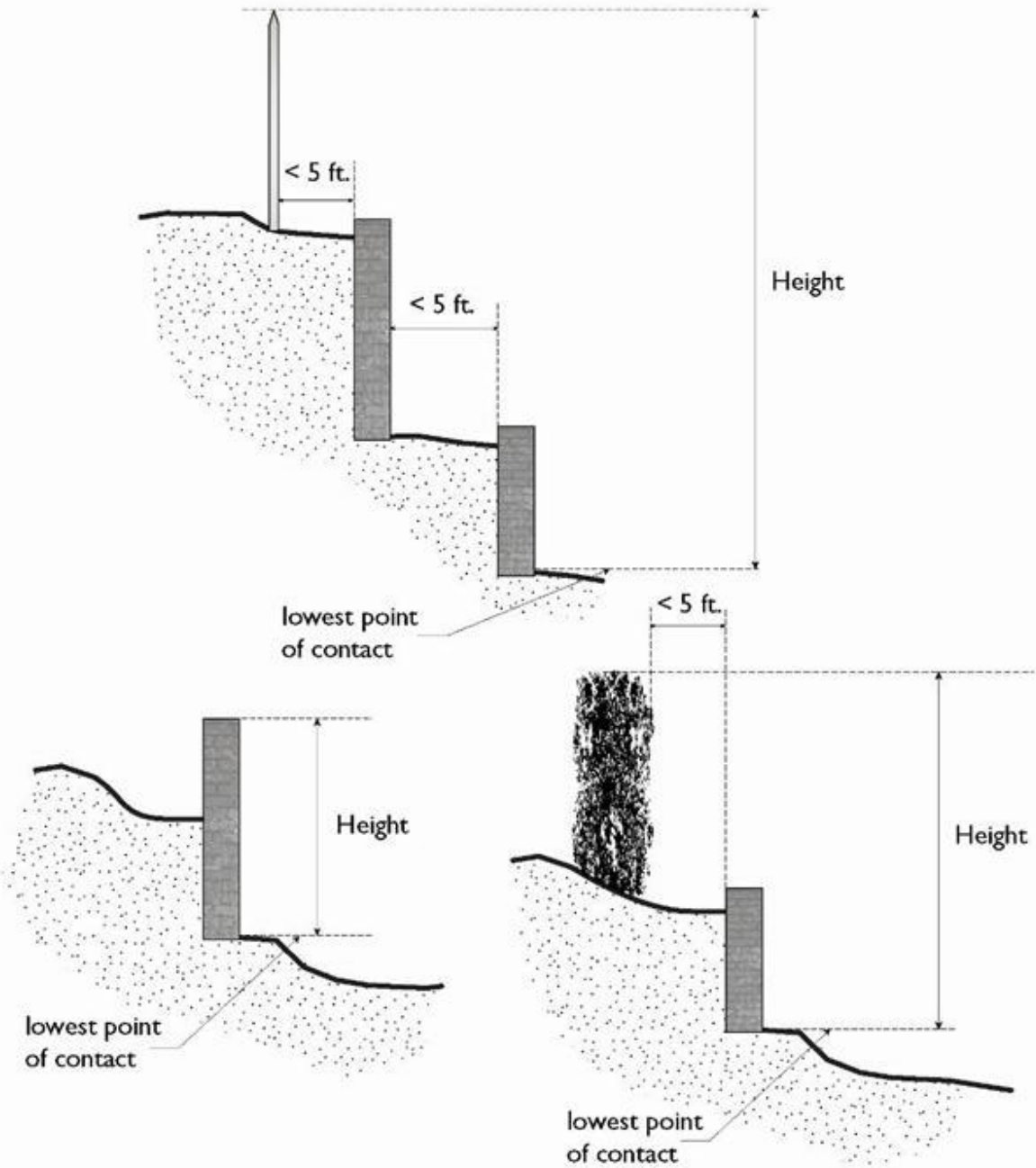
1. **Multiple Fences and Hedges.** When two or more fences or hedges are placed within five feet of each other they are treated as a single fence or hedge for the purpose of measuring height. This includes fences or hedges located on the same property or on adjacent properties.

- a. The five-foot distance is measured between the sides of the fences or hedges that face each other.
- b. In such cases, the height is measured from the lowest ground level at the base of any of the fences or hedges to the highest point of any of them.
- c. If the distance between fences or hedges is five feet or more, each one is measured separately.

2. ***Fence and Retaining Wall Combinations.*** Where a fence is placed within five feet of a retaining wall, the total combined height of both elements must not exceed the maximum fence height allowed in that location. Each element must still comply with its individual height limit as specified in this Title.

3. ***Fence and Hedge Combinations.*** When a fence or retaining wall is located within five feet of a hedge, the total combined height of all elements may equal the maximum hedge height allowed in that location. Each element must still comply with its individual height limit a specified in this Title.

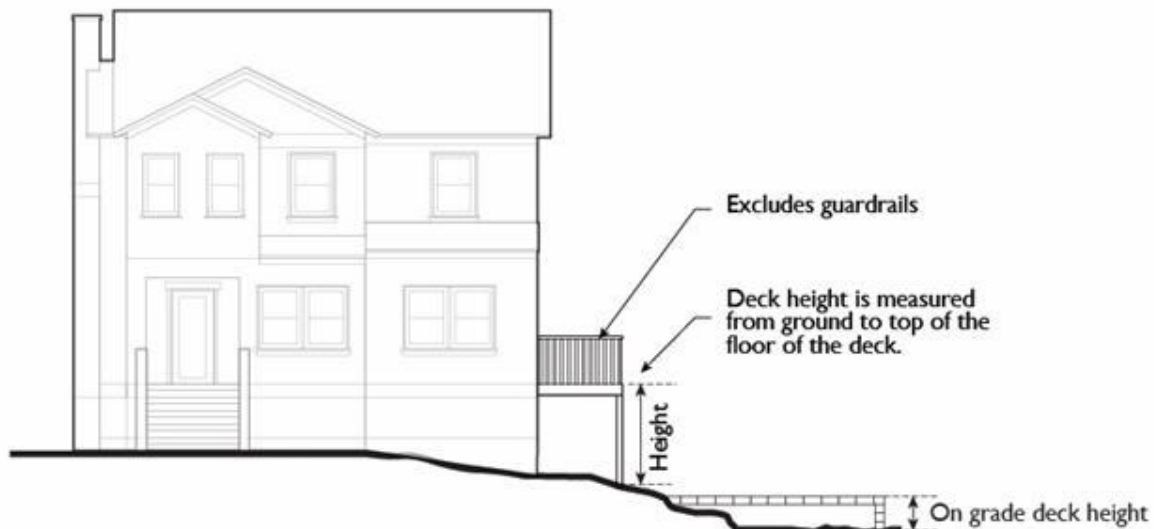
FIGURE 30.15.090.D: MEASURING THE HEIGHT OF FENCES AND HEDGES



E. **Determining Prescribed Landscape Height.** The prescribed heights of landscape are the heights to be attained within five years after planting, unless otherwise specified in this code.

F. **Measuring the Height of Decks and Patios.** Deck and patio height is determined by measuring from the ground below to the top of the surface of the deck or patio directly above. Guardrails, the minimum height required by the Building Code, are exempt from the height measurement.

**FIGURE 30.15.090.F: MEASURING HEIGHT OF DECKS AND PATIOS**

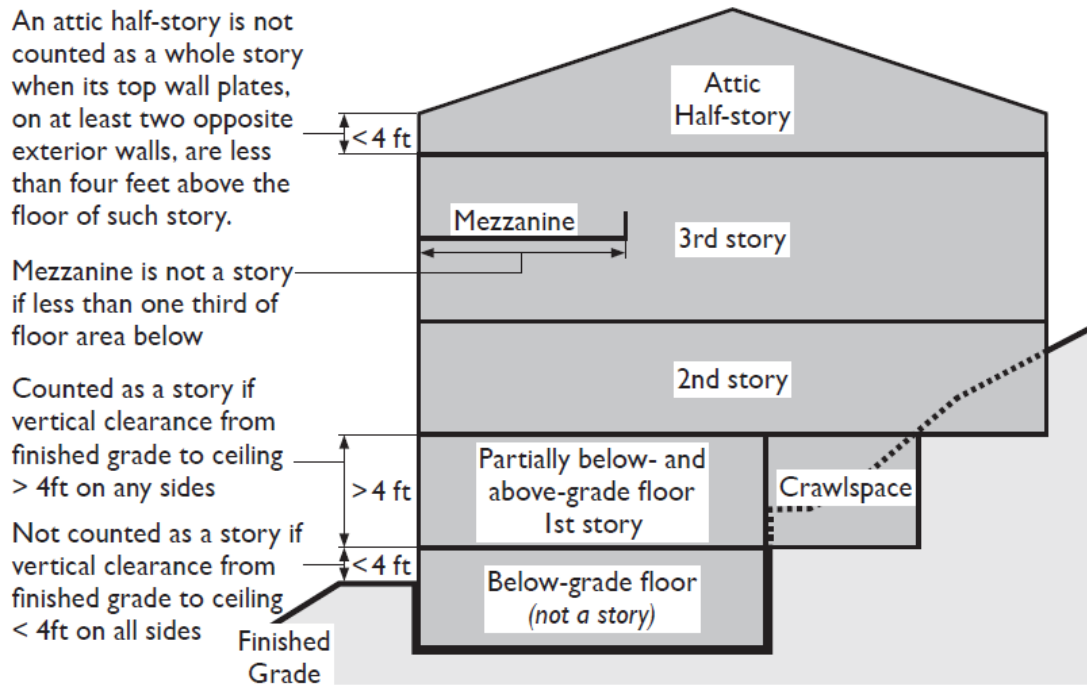


G. **Determining the Number of Stories in a Building.** In determining the number of stories in a building or structure, the following rules apply:

1. The number of stories in a building or structure shall be construed to be the maximum number of stories through which any one of an unlimited number of possible vertical lines can pass, without passing through a wall.
2. An interior balcony or mezzanine is counted as a story if its floor area exceeds one-third of the total area of the nearest full floor directly below it.
3. Any floor which is partly below and partly above grade, such as a basement, cellar, or understory, shall be counted as a story if more than a cumulative total width of 12 feet per elevation has a distance from finished grade to ceiling greater than four feet.

4. An attic half-story, when applicable, is identified by “.5” in the description of maximum height. An attic half-story is not counted as a whole story when its top wall plates, on at least two opposite exterior walls, are less than four feet above the floor of such story.

**FIGURE 30.15.090.G: DETERMINING THE NUMBER OF STORIES**

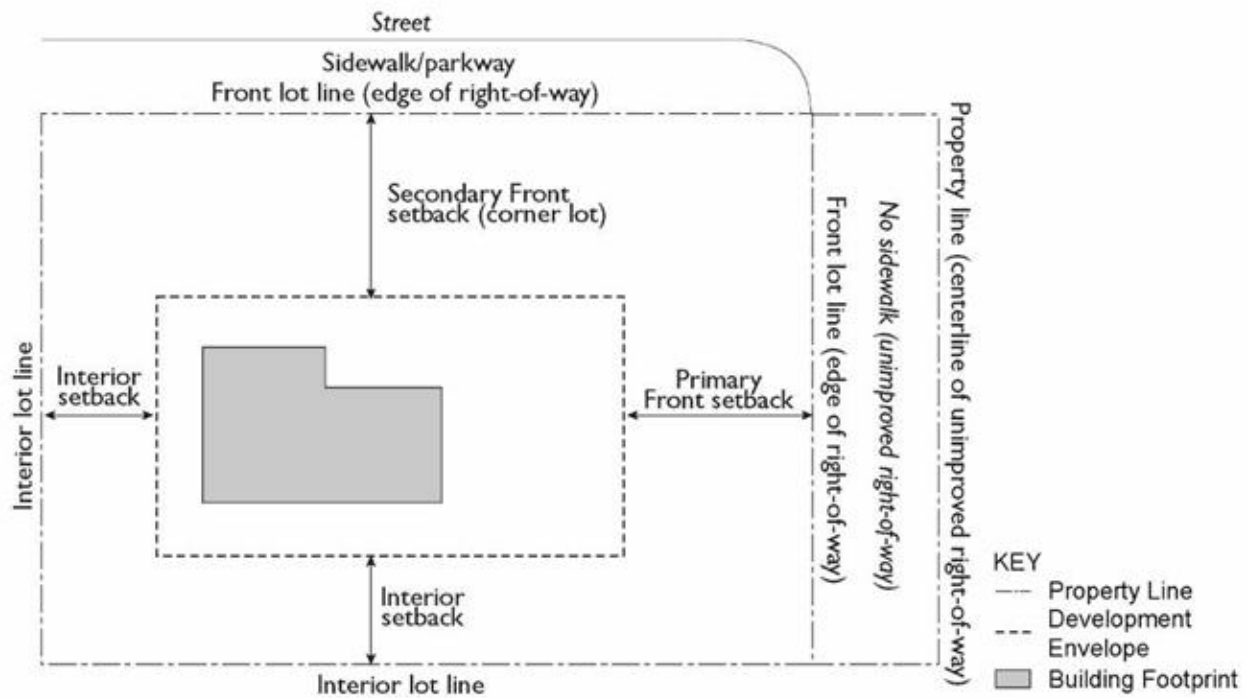


**30.15.100 Measuring Setbacks and Stepbacks.**

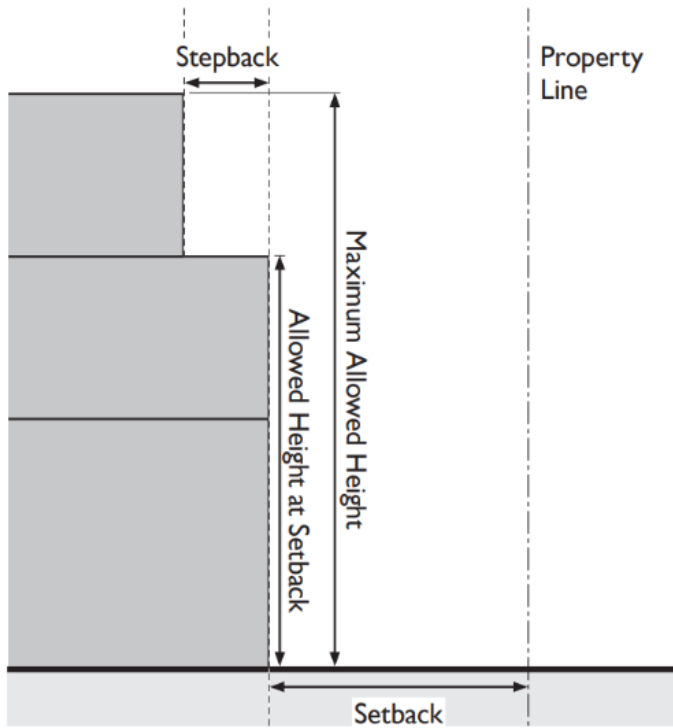
Setbacks are measured as the distance between any lot line and a line parallel to the lot line the depth of such area being the distance required by this Title.

- A. **Front Setbacks.** If a portion of the property is located within a street dedication, the setback is measured from the boundary of the street dedication.
- B. **Upper Story Setbacks.** Upper story setbacks shall apply to all portions of any upper story except as provided in Section 30.140.090, Encroachments ~~into Setbacks and Open Yards~~.
- C. **Upper Story Stepbacks.** Upper story stepbacks shall be measured at the required setback line. For example, if the setback is 15 feet, with a 5-foot stepback, the portion of the building subject to the stepback shall be stepped back a minimum of 5 feet from the 15-foot setback line (i.e., 20 feet from the property line). Upper story stepbacks apply to all portions of any upper story except as provided in Section 30.140.090, Encroachments ~~into Setbacks and Open Yards~~. Recessed areas on interior upper story stepbacks may ~~not~~ be used as an unenclosed, unroofed balcony, deck, terrace, or other usable space, but in no case shall it be enclosed or extend past the plane of the floor below.
- D. **Multiple Required Setbacks.** If there are multiple required setbacks, the more restrictive applies.
- E. **First Story Building Setbacks.** First story setbacks for any building are measured from the outer edge of the building foundation at the first floor level.

**FIGURE 30.15.100: MEASURING SETBACKS**



**FIGURE 30.15.100.C: MEASURING UPPER STORY STEPBACKS**



**30.15.110 Measuring Street Frontage.**

Street frontage is measured along the front lot line.

**SECTION 2.** Chapter 30.20 of Title 30 of the Santa Barbara Municipal

Code is amended to read as follows:

## Division II: Zone Regulations; Part 1: Base Zones

### Chapter 30.20 Residential Zones

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**Sections:**

30.20.010 Purpose

30.20.030 Development Standards

30.20.020 Land Use Regulations

**30.20.010 Purpose.**

The specific purposes of the Residential Zones are to:

- A. Preserve, protect, and enhance the character of the City's different residential neighborhoods.
- B. Provide for a full range of housing options to suit the spectrum of individual lifestyles and space needs and ensure continued availability of the range of housing opportunities necessary to meet the needs of all segments of the community consistent with the General Plan.
- C. Ensure adequate light, air, and open space for each residence, enhance livability, and develop and sustain a suitable residential environment.
- D. Ensure that the scale and design of new development and alterations to existing structures are compatible with the scale, mass, and character of their neighborhoods.
- E. Provide sites for public, semi-public, and neighborhood serving land uses that are appropriate in a residential environment, such as day care, schools, neighborhood markets in two-unit residential and residential multi-unit zones, and community facilities that provide goods and services to support daily life within walking distance of neighborhoods and complement surrounding residential development.
- F. Implement and provide appropriate regulations for General Plan residential density classifications.

Additional purposes of each Residential Zone follow:

1. ***RS Residential Single Unit.*** This zone is intended to provide areas for single-unit housing on individual lots at appropriate low densities of one unit per legal lot with allowances for an Accessory Dwelling Unit or Two-Unit Residential Development when certain standards are met. Designators (e.g. -25, -15) refer to minimum lot size in thousands of square feet or, in the case of RS-1A, acres. The regulations for the RS Zone are intended to limit activities which would be inharmonious with or injurious to the preservation and character of a residential environment. Nonresidential uses are limited to those that support daily life of neighborhoods and complement surrounding residential development. Nonresidential uses are strictly limited in order to mitigate impacts associated with nonresidential uses such as: traffic, increased parking demand, light, glare, and noise.
2. ***R-2 Two-Unit Residential.*** This zone is intended to provide areas for medium density residential where the principal use of land is for two-unit residences. Single-unit residence and garden apartment developments are also allowed. The regulations for this zone are intended to limit activities which would be inharmonious with or injurious to the preservation and character of a residential environment. Nonresidential uses are limited to those that support daily life of neighborhoods, complement surrounding residential development, and mitigate impacts to traffic, parking demand, light, glare, and noise.
3. ***R-M Residential Multi-Unit.*** This zone is intended to provide areas for a variety of multi-unit housing types. The regulations for this zone are intended to limit activities which would be inharmonious with or injurious to the preservation and character of a residential environment. Nonresidential uses are limited to those that support daily life of neighborhoods, complement surrounding residential development, and mitigate impacts to traffic, parking demand, light, glare, and noise.
4. ***R-MH Residential Multi-Unit and Hotel.*** This zone is intended to provide areas for a variety of multi-unit housing types. It is also the intent of this zone to allow hotels and similar establishments, including related restaurant, recreational, conference center, and other auxiliary uses primarily for use by hotel guests, while protecting the existing housing stock, and preserving the residential character of those neighborhoods that are still primarily residential. Regulations for this zone are designed to control activities of a retail nonresidential nature and those which would tend to be inharmonious with housing.

### 30.20.020 Land Use Regulations.

Table 30.20.020, Land Use Regulations-Residential Zones, prescribes the land use regulations for Residential Zones.

Use classifications are defined in Chapter 30.295, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table, or not found to be substantially similar to the uses below, are prohibited.

The table also notes additional land use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right-hand column refer to other sections of this Title.

<b>TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES</b>					
<i>"A" Allowed Use</i>			<i>"—" Use Not Allowed</i>		
<i>"PSP" Performance Standard Permit Required</i>			<i>"(#)" Specific Limitations at the end of the table</i>		
<i>"CUP" Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>					
<b>Residential Housing Types</b>					
<i>Single-Unit Residential</i>	A	A	A	A	
<i>Two-Unit Residential</i>	A(8)	A	A	A	§30.185.440, Two-Unit Residential Development
<i>Multi-Unit Residential</i>	—	A(1)	A	A	
<b>Special Residential Unit Types</b>					
<i>Accessory Dwelling Unit</i>	A	A	A	A	§30.185.040, Accessory Dwelling Units
<i>Additional Residential Unit</i>	PSP	—	—	—	§30.185.050, Additional Residential Unit
<i>Caretaker Unit</i>	—	—	A	A	§30.185.120, Caretaker Unit
<i>Garden Apartment</i>	—	CUP	—	—	§30.185.180, Garden Apartment Developments

**TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES**

<i>"A" Allowed Use</i> <span style="float: right;"><i>"—" Use Not Allowed</i></span> <i>"PSP" Performance Standard Permit Required</i> <span style="float: right;"><i>"(#)" Specific Limitations at the end of the table</i></span> <i>"CUP" Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
<i>Planned Residential Development</i>	CUP	–	–	–	§30.185.330, Planned Residential Development
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
<i>6 or fewer individuals</i>	A	A	A	A	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
<i>7 to 15 individuals</i>	PSP	PSP	A	A	
<i>16 or more individuals</i>	PSP	PSP	PSP	PSP	
Family Day Care Home	A	A	A	A	§30.185.230, Large and Small Family Day Care Homes
Group Residential	CUP(2)	CUP	CUP	CUP	§30.185.190, Group Residential
Home Occupation	A	A	A	A	§30.185.200, Home Occupation
Live-Work Unit	Allowed subject to the highest permit level required for any individual use or component of the project.				§30.185.240, Live-Work Units
Mobilehome Park	CUP(3)	CUP(3)	CUP(3)	CUP(3)	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§30.185.430, Transitional and Supportive Housing				
Transitional Housing	§30.185.430, Transitional and Supportive Housing				
<b>Public and Semi-Public Uses (4)</b>					
Cemetery	CUP	CUP	CUP	CUP	
Community Assembly	CUP	CUP	CUP	CUP	
Community Garden	A	A	A	A	§30.185.130, Community and Market Gardens
Cultural Institution	CUP	CUP	CUP	CUP	
Day Care Center	CUP	CUP	A/CUP	A/CUP	§30.185.150, Day Care Centers
Emergency Shelter	CUP	CUP	CUP	CUP	§30.185.170, Emergency Shelter

**TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES**

<i>"A" Allowed Use</i>		<i>"—" Use Not Allowed</i>				
<i>"PSP" Performance Standard Permit Required</i>		<i>"(#)" Specific Limitations at the end of the table</i>				
<i>"CUP" Conditional Use Permit Required</i>						
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>	
Hospitals and Clinics	–	–	–	CUP		
Park and Recreation Facility	CUP	CUP	CUP	CUP	§30.185.350, Recreation Facilities	
Public Facility	CUP	CUP	CUP	CUP		
Recreational Vehicle Park						
Recreational Vehicle and Camping Parks, Overnight	–	–	–	CUP	§30.185.320, Overnight Recreational Vehicle or Camping Parks	
Recreational Vehicle Parks, Permanent	CUP(3)	CUP(3)	CUP(3)	CUP(3)	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks	
Schools	CUP	CUP	CUP	CUP		
Skilled Nursing Facility	–	–	–	CUP		
Social Service Facilities	CUP(5)	CUP(5)	CUP(5)	CUP(5)		
<b>Commercial Uses</b>						
Agriculture	A(2)	A(2)	A(2)	A(2)	§30.185.070, Agriculture	
Commercial Entertainment and Recreation						
<i>Large-scale</i>	CUP(6)	CUP(6)	CUP(6)	CUP(6)	§30.185.350, Recreation Facilities	
Eating and Drinking Establishments	–	–	–	CUP(7)		
Hotels and Similar Uses	–	–	CUP(10)	A	§30.185.220, Hotels and Similar Uses	
Market Garden	CUP	PSP	PSP	PSP	§30.185.130, Community and Market Gardens	
Parking, Public or Private (Nonresidential)	CUP	CUP	CUP	CUP		
Retail Sales, Neighborhood Market	–	PSP	PSP	PSP	§30.185.370, Retail Sales, Neighborhood Market	
<b>Transportation, Communication, and Utilities Uses</b>						
Telecommunications Facilities	§30.185.410, Telecommunications Facilities					

<b>TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES</b>					
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
Public Works and Utilities	§30.185.340, Public Works and Utilities				
<b>Other Applicable Types</b>					
Accessory Uses and Buildings	A	A	A	A	§30.185.030, Accessory Uses and §30.140.020, Accessory Buildings,
Alcoholic Beverage Retail Establishments	CUP(9)	CUP(9)	CUP(9)	CUP(9)	§30.185.075, Alcoholic Beverage Retail Establishments
Animal Keeping	A	A	A	A	§30.185.210, Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Cannabis Cultivation, Personal	§30.185.110, Cannabis Cultivation for Personal Use				
Mixed-Use Development	Mixed-Use Development is allowed subject to the regulations of the specific uses and applicable zone and permit requirements for any individual use or component of the project.				
Mobilehome	§30.185.270, Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use; and §30.185.420 Temporary Uses				
Nonconforming Use	Chapter 30.165, Nonconforming Uses, Site Development, and Uses				
Solar Energy Systems	§30.140.090, Encroachments, and §30.185.400, Solar Energy Systems				
Temporary Use	§30.185.420, Temporary Uses				
<p><b>Specific Limitations</b></p> <ol style="list-style-type: none"> <li>1. No more than two residential units may be located in any one building.</li> <li>2. Agriculture uses are limited to accessory uses only.</li> <li>3. Not allowed in a Historic or Landmark District. Allowed within a High Fire Hazard Area if designed to meet high fire construction standards adopted or enforced by the City, as determined by the Chief Building Official or the Fire Code Official.</li> <li>4. Other public or semi-public facilities not specifically permitted allowed may be allowed in any zone pursuant to Conditional Use Permit approval.</li> <li>5. Must be located a minimum 300 feet from any other social service facility or emergency shelter.</li> <li>6. Limited to outdoor tennis clubs, lawn bowling clubs, golf courses and driving ranges. Miniature golf is not allowed.</li> <li>7. There shall be a minimum of 100 established hotel-motel guestrooms closer than 500 feet of the boundary of the restaurant site or as allowed pursuant to §30.185.220, Hotels and Similar Uses. The 100 guestrooms may be used to support any number of restaurants.</li> <li>8. Limited to specific standards in §30.185.440, Two-Unit Residential Development.</li> <li>9. Limited to uses allowed in the zone.</li> </ol>					

<b>TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES</b>					
<i>"A" Allowed Use</i>			<i>"—" Use Not Allowed</i>		
<i>"PSP" Performance Standard Permit Required</i>			<i>"(#)" Specific Limitations at the end of the table</i>		
<i>"CUP" Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
10. Limited to Hotels located in Structures of Merit or Landmarks pursuant to Chapter 30.157, Historic Resources or in another structure on the same lot as a Structure of Merit or Landmark used as a Hotel.					

### 30.20.030 Development Standards.

Tables 30.20.030.A and 30.20.030.B prescribe the development standards for Residential Zones. Section numbers refer to other sections of this Title, while individual letters refer to subsections that directly follow the tables. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

<b>TABLE 30.20.030.A: DEVELOPMENT STANDARDS—RESIDENTIAL SINGLE UNIT ZONES</b>						
<i>Zone</i>	<i>RS-1A</i>	<i>RS-25</i>	<i>RS-15</i>	<i>RS-10</i>	<i>RS-7.5</i>	<i>RS-6</i>
<b>Lot Size and Street Frontage</b>						
Minimum Net Lot Area for Newly Created Lots (sq. ft. unless noted)	See also Chapter 27.60, Parcel Maps for Urban Lot Splits					
<i>Average Slope less than 10%, and all lots with frontage on the Pacific Ocean regardless of slope</i>	1 acre	25,000	15,000	10,000	7,500	6,000
<i>Average Slope 10% to 20%</i>	1.5 acre	37,500	22,500	15,000	11,250	9,000
<i>Average Slope over 20% to 30%</i>	2 acres	50,000	30,000	20,000	15,000	12,000
<i>Average Slope over 30%</i>	3 acres	75,000	45,000	30,000	22,500	18,000
Minimum Public Street Frontage (ft.)	100	100	90	75	60	60
	See also §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines					
<b>Maximum Base Residential Density</b>						
Maximum Density (per lot)	1 unit	1 unit	1 unit	1 unit	1 unit	1 unit
<b>Additional Residential Density Allowances</b>						
All lots, in compliance with the applicable section	See §30.185.050, Additional Residential Unit See §30.185.040, Accessory Dwelling Units See §30.185.440, Two-Unit Residential Development See Chapter 30.145, Affordable Housing and Density Bonus Incentives					
<b>Maximum Floor Area Ratio (FAR)</b>						
Maximum Floor Area Ratio (sq. ft.)	Applicable only to lots developed, or proposed to be developed, with a building with two or more stories or 17 feet or more in height.					
<i>Less than 4,000 sq. ft. Net Lot Area</i>	2,200. See also A, Maximum Floor Area Ratio					

<b>TABLE 30.20.030.A: DEVELOPMENT STANDARDS—RESIDENTIAL SINGLE UNIT ZONES</b>						
<i>Zone</i>	<i>RS-1A</i>	<i>RS-25</i>	<i>RS-15</i>	<i>RS-10</i>	<i>RS-7.5</i>	<i>RS-6</i>
<i>4,000 to 9,999 sq. ft. Net Lot Area</i>	1,200 + (0.25 multiplied by the net lot area) = Maximum Floor Area. See also (A), Maximum Floor Area Ratio					
<i>10,000 to 14,999 sq. ft. Net Lot Area</i>	2,500 + (0.125 multiplied by the net lot area) = Maximum Floor Area. See also A, Maximum Floor Area Ratio					
<i>15,000 and more sq. ft. Net Lot Area</i>	Not Applicable					
<b>Structure Form and Location</b>						
Minimum Residential Unit Size	See §30.140.150, Residential Unit					
Maximum Height (ft.)	30, except as further limited in accordance with §30.140.170, Solar Access Height Limitations					
Minimum Setbacks and Stepbacks (ft.), Residential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments					
<i>Front</i>	35	30	30	25	20	15; Portions of structures over 15 feet in height: +5
	See also 30.20.030.B, Setback Reduction for Sloping Lots					
<i>Interior</i>	15	10	10	8	6	5
Minimum Setbacks and Stepbacks (ft.), Nonresidential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments					
<i>Front</i>	35	30	30	25	20	15; Portions of structures over 15 feet in height: +5
	30	20	20	16	12	10
<i>Interior</i>	30	20	20	16	12	10
Minimum Setbacks and Stepbacks, Mixed Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks					
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking					
<i>Front, Street-Facing</i>	35	30	30	25	20	20
<i>Front, Non-Street-Facing</i>	35	30	30	25	20	15
<i>Interior, Covered – Residential Use</i>	15	10	10	8	6	5
<i>Interior, Covered – Nonresidential Use</i>	30	20	20	16	12	10
<i>Interior, Uncovered</i>	3-foot wide landscape buffer along the interior property line					
Building Materials	Roofing and siding materials shall be nonreflective. Shiny, mirror like, or glossy metallic finishes are prohibited.					
<b>Open Yard and Landscape</b>						
Open Yards	Any lot developed with residential uses must provide open yard pursuant to See §30.140.140, Open Yards					
Landscape	Any lot developed with residential uses must provide landscape areas pursuant to §30.140.118, Landscape					

**TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES**

<i>Zone</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>
<b>Lot Size and Street Frontage</b>			
Minimum Net Lot Area for Newly Created Lots (sq. ft.)			
<i>Average Slope less than 10%</i>	7,000	14,000	14,000
<i>Average Slope 10% to 20%</i>	10,500		
<i>Average Slope over 20% to 30%</i>	14,000		
<i>Average Slope over 30%</i>	21,000		
Minimum Public Street Frontage (ft.)	60	60	60
	See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines		
<b>Maximum Base Residential Density</b>			
Less than 5,000 sq. ft. Net Lot Area	1 unit	1 unit	
5,000 to 5,999 sq. ft. Net Lot Area	1 unit	2 units	
6,000 to 6,999 sq. ft. Net Lot Area	2 units if average slope less than 10%, 1 unit otherwise	2 units	
7,000 and more sq. ft. Net Lot Area			
<i>Average Slope less than 10%</i>	1 unit/3,500 sq. ft. of net lot area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater	
<i>Average Slope 10% to 20%</i>	1 unit/5,250 sq. ft. of net lot area		
<i>Average Slope over 20% to 30%</i>	1 unit/7,000 sq. ft. of net lot area		
<i>Average Slope over 30%</i>	1 unit/10,500 sq. ft. of net lot area		
<b>Additional Residential Density Allowances</b>			
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus Incentives		
<b>Structure Form and Location</b>			
Minimum Residential Unit Size	See §30.140.150, Residential Unit		
Maximum Height (ft.)	30	45	45
	Except as further limited in accordance with §30.140.170, Solar Access Height Limitations		

**TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES**

<i>Zone</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>
Minimum Setbacks and Stepbacks (ft.), Residential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See §30.140.090, Encroachments See Chapter 30.150, Average Unit-Size Density Incentive Program		
<i>Front</i>	15; Portions of structures over 15 feet in height: +5	10; Portions of structures over 25 feet in height: +10	
	See also 30.20.030.B, Setback Reduction for Sloping Lots		
<i>Interior</i>	6	6; Portions of structures over 25 feet in height: +4	
Minimum Setbacks and Stepbacks (ft.), Nonresidential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments		
<i>Front</i>	15; Portions of structures over 15 feet in height: +5	10; Portions of structures over 25 feet in height: +10	
	<i>Interior</i>		
	12; Portions of structures over 25 feet in height: +8		
Minimum Setbacks and Stepbacks, Mixed-Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks		
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking		
<i>Front, Street-Facing</i>	20		
<i>Front, Non-Street-Facing</i>	15; Portions of structures over 15 feet in height: +5	10; Portions of structures over 25 feet in height: +10	
<i>Interior, Covered, 4 or Fewer Spaces – Residential Use</i>	3		
<i>Interior, Covered, 5 or More Spaces – Residential Use</i>	6; 3 feet on the lot line opposite the primary front lot line. If the lot has two or more front lot lines, only one opposite lot line may qualify for the reduced setback		
<i>Interior, Covered, Lots ≤ 55 ft – Residential Use</i>	May be reduced to 3 feet if: <ul style="list-style-type: none"> <li>• The lot is less than 55 feet wide at the location of the covered parking structure,</li> <li>• The parking opening does not face a street or alley, and</li> <li>• The interior depth of the covered parking structure does not exceed 20 feet</li> </ul>		
<i>Interior, Covered – Nonresidential Use</i>	12		
<i>Interior, Uncovered Parking</i>	3-foot wide landscape buffer along the interior property line		

TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES			
Zone	R-2	R-M	R-MH
Materials	Roofing and siding materials must be nonreflective. Shiny, mirror-like, or glossy metallic finishes are prohibited		
Open Yard and Landscape			
Open Yards	Any lot developed with residential uses must provide open yard pursuant to See §30.140.140, Open Yards See Chapter 30.150, Average Unit-Size Density Incentive Program		
Landscape	Any lot developed with residential uses must provide landscape areas pursuant to §30.140.118, Landscape		

## Additional Residential Zone Development Regulations

### A. Maximum Floor Area Ratio (FAR) Standards.

1. **Measuring Floor Area.** For the purposes of determining floor area, refer to Section 30.15.075, Measuring Floor Area Ratio (FAR).
2. **Applicability in RS Zones.** The Maximum FAR standards apply to any project that increases floor area on a lot, if all of the following apply:
  - a. The lot is located in an RS zone; and
  - b. The lot is less than 15,000 square feet in area; and
  - c. The lot is developed, or proposed to be developed, with a building of two or more stories or a height of 17 feet or greater.
3. **Maximum FAR Exception.** A project that meets the criteria in Subsection A.2 and any of the conditions listed below in Subsection A.3 is prohibited unless a Maximum FAR Exception is approved by the applicable Design Review body:
  - a. The proposed floor area exceeds 100% of the Maximum FAR for the lot; or
  - b. The proposed floor area exceeds 85% of the Maximum FAR for the lot, and one or more of the following apply:
    - i. The average slope of the lot or building site is 30% or greater; or

- ii. The height of any structure on the lot exceeds 25 feet; or
- iii. The lot is located within the Hillside Design District and 500 or more cubic yards of grading is proposed outside the footprint of the main or accessory buildings.

4. ***Required Findings for Maximum FAR Exception.*** The Design Review body must make all of the following findings in order to approve a Maximum FAR Exception pursuant to Subsection A.3:

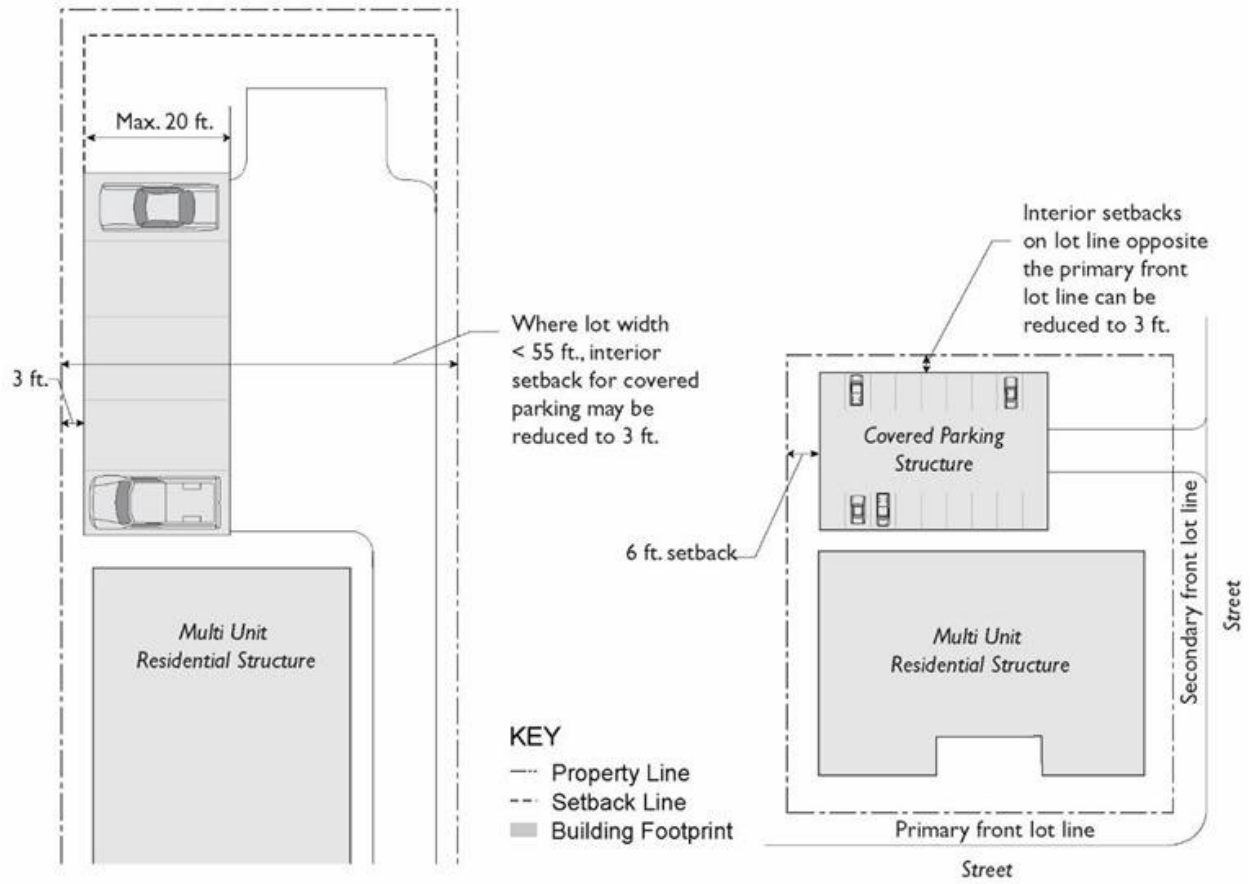
- a. The subject lot has a physical condition—such as location, surroundings, topography, or the size or dimensions of the lot relative to other lots in the neighborhood—that does not generally exist on other lots in the neighborhood; and
- b. The physical condition of the lot allows the proposed project to be compatible with existing development within the neighborhood that complies with the applicable Maximum FAR standard.

**B. Setback Reduction for Sloping Lots.**

1. ***Residential Single Unit Zones.*** In Residential Single Unit zones, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback and stepback for all stories is reduced by five feet.

2. ***R-2 Zone.*** In the R-2 Zone, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback and stepback for all stories is reduced to 10 feet.

**FIGURE 30.20.030.C AND D: INTERIOR SETBACK REDUCTION FOR COVERED PARKING**



**SECTION 3.** Chapter 30.25 of Title 30 of the Santa Barbara Municipal Code is

amended to read as follows:

## **Chapter 30.25 Commercial and Office Zones**

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**Sections:**

30.25.010	Purpose	30.25.030	Development Standards
30.25.020	Land Use Regulations		

**30.25.010 Purpose.**

The specific purposes of the Commercial and Office Zones are to:

- A. Provide for the orderly, well-planned, and balanced development of commercial, office, and residential areas.
- B. Encourage a mix of uses that promotes convenience, economic vitality, fiscal stability, and a pleasant quality of life.
- C. Provide for a full range of commercial, retail, and professional services to serve the city, its residents, employees, and visitors.
- D. Promote pedestrian- and transit-oriented mixed-use areas at appropriate locations.
- E. Provide appropriate transition between commercial and office uses and adjacent residential zones to preserve commercial feasibility and provide a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air, and existing visual amenities.
- F. Implement and provide appropriate regulations for a variety of multi-unit housing types and mixed-use projects.

Additional purposes of each Commercial and Office Zone follow.

**O-R Office Restricted.** The O-R Zone is intended to provide sites for administrative, financial, business, professional, and public offices as well as a mix of complementary uses. This zone is a transitional zone between major commercial zones and residential zones.

**O-M Office Medical.** The O-M Zone is intended to provide sites for medical, dental, and related professional offices, and complementary uses, near a major medical facility.

**C-R Commercial Restricted.** The C-R Zone is intended for pedestrian-oriented commercial development that primarily serves neighborhood needs such as convenience shopping and offices.

**C-G Commercial General.** The C-G Zone is intended to provide a wide range of commercial uses, serving as the City’s major retail, professional, and service zone.

**30.25.020 Land Use Regulations.**

Table 30.25.020 prescribes the land use regulations for Commercial and Office Zones.

Use classifications are defined in Chapter 30.295, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table, or not found to be substantially similar to the uses below, are prohibited.

The table also notes additional land use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right hand column refer to other sections of this Title.

<b>TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES</b>					
<i>“A” Allowed Use</i>			<i>“-” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>					
<b>Residential Housing Types</b>					
<i>Single-Unit Residential</i>	A	A	A	A	
<i>Two-Unit Residential</i>	A	A	A	A	
<i>Multi-Unit Residential</i>	A	A	A	A	
<b>Special Residential Unit Types</b>					
<i>Accessory Dwelling Unit</i>	A	A	A	A	§30.185.040, Accessory Dwelling Units
<i>Caretaker Unit</i>	A	A	A	A	§30.185.120, Caretaker Unit

<b>TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES</b>					
<i>"A" Allowed Use</i>			<i>"—" Use Not Allowed</i>		
<i>"PSP" Performance Standard Permit Required</i>			<i>"(#)" Specific Limitations at the end of the table</i>		
<i>"CUP" Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
<i>6 or fewer individuals</i>	A	A	A	A	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
<i>7 to 15 individuals</i>	A	A	A	A	
<i>16 or more individuals</i>	PSP	PSP	PSP	PSP	
Family Day Care Home	A	A	A	A	§30.185.230, Large and Small Family Day Care Homes
Group Residential	PSP	PSP	PSP	PSP	§30.185.190, Group Residential
Home Occupation	A	A	A	A	§30.185.200, Home Occupation
Live-Work Unit	Allowed subject to the highest permit level required for any individual use or component of the project.				§30.185.240, Live-Work Units
Mobilehome Park	CUP(1)	CUP(1)	CUP(1)	CUP(1)	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§30.185.430, Transitional and Supportive Housing				
Transitional Housing	§30.185.430, Transitional and Supportive Housing				
<b>Public and Semi-Public Uses (2)</b>					
Cemetery	CUP	CUP	CUP	A	
College and Trade School	CUP	CUP	CUP	A	
Community Assembly	CUP	CUP	CUP	A	
Community Garden	A	A	A	A	§30.185.130, Community and Market Gardens
Cultural Institution	CUP	CUP	CUP	A	
Day Care Center	A/CUP	A/CUP	A	A	§30.185.150, Day Care Centers
Emergency Shelter	CUP	CUP	CUP	CUP	§30.185.170, Emergency Shelter
Hospitals and Clinics					
<i>Hospital</i>	–	CUP	CUP	CUP	
<i>Clinic</i>	CUP	A	CUP	A	
<i>Birth Center</i>	–	A	A	A	
Instructional Services	–	–	A	A	

**TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES**

<i>"A" Allowed Use</i> <i>"PSP" Performance Standard Permit Required</i> <i>"CUP" Conditional Use Permit Required</i>						<i>"—" Use Not Allowed</i> <i>"(#)" Specific Limitations at the end of the table</i>					
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>						
Park and Recreation Facility	CUP	CUP	CUP	CUP	§30.185.350, Recreation Facilities						
Public Facilities	CUP	CUP	CUP	A							
Recreational Vehicle and Camping Parks, Overnight	–	–	CUP	CUP	§30.185.320, Overnight Recreational Vehicle and Camping Parks						
Recreational Vehicle Parks, Permanent	CUP(1)	CUP(1)	CUP(1)	CUP(1)	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks						
Schools	CUP	CUP	CUP	A							
Skilled Nursing Facility	–	CUP	CUP	CUP							
Social Service Facilities	CUP(3)	CUP(3)	CUP(3)	CUP(3)							
<b>Commercial Uses</b>											
Adult Entertainment Facilities	–	–	–	A	§30.185.060, Adult Entertainment Facilities						
Agriculture	A(21)	A(21)	A(21)	A(21)	§30.185.070, Agriculture						
Animal Care, Sales and Services											
<i>Animal Daycare</i>	–	–	A(4)	A(4)							
<i>Animal Shelter and Boarding</i>	–	–	A(5)	A(5)							
<i>Grooming and Pet Stores</i>	–	–	A(4)	A(4)							
<i>Veterinary Services</i>	–	–	A(4)	A(4)							
Artist Studio	–	–	A	A							
Automated Teller Machine	A	A	A	A	§30.185.080, Automated Teller Machines						
Automobile/Vehicle Sales and Services											
<i>Automobile/Vehicle Rentals</i>	–	–	A	A							
<i>Automobile/Vehicle Sales and Leasing</i>	–	–	–	A(6)							
<i>Car Washing Facilities</i>	–	–	PSP	PSP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities						

<b>TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES</b>					
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>
<i>Fueling Station</i>	–	–	PSP(7)	PSP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
<i>Service and Repair, Minor</i>	–	–	CUP	A	
Banks and Financial Institutions	A	A/PSP(8)	A	A	§30.185.100, Banks and Financial Institutions in the O-M Zone
Business Services	–	–	A	A	
Cannabis Storefront-Retailer	–	–	A(19)	A(19)	Chapter 9.44 Commercial Cannabis Businesses
Commercial Entertainment and Recreation					
<i>Cinema/Theater</i>	–	–	–	A	
<i>Large-scale</i>	–	–	–	CUP	§30.185.350, Recreation Facilities
<i>Small-scale</i>	–	–	A	A	
Eating and Drinking Establishments	–	–	A	A	
Food Preparation	–	–	A(9)	A(10)	§30.185.380, Seafood Odor Control
Funeral Parlors and Interment Services	–	–	A	A	
Hotels and Similar Uses	CUP(11)	–	A	A	§30.185.220, Hotels and Similar Uses
Maintenance & Repair Services	–	–	A	A	
Market Garden	A	A	A	A	§30.185.130, Community and Market Gardens
Medical Cannabis Dispensaries	–	–	–	–	Nonconforming Use. Formerly codified as §30.185.250, Medical Cannabis Dispensaries
Nurseries and Garden Centers	–	–	A	A	
Offices					
Business and Professional	A	A(12)	A	A	
Medical and Dental	A	A	A	A	

<b>TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES</b>					
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>
Outdoor Sales and Display	–	–	A(13)	A	§30.185.300, Outdoor Sales and Display
Outdoor Seating	–	–	A(14)	A(14)	
Parking, Public or Private	A	A	A	A	
Personal Services	–	–	A	A	
Retail Sales					
<i>Food and Beverage Retail Sales</i>	–	–	A	A	
<i>General Retail</i>	–	A/PSP(15)	A	A	§30.185.260, Medical Equipment Supply Stores
<i>Neighborhood Market</i>	PSP	PSP	–	–	§30.185.370, Retail Sales, Neighborhood Market
<b>Industrial Uses</b>					
Building Materials and Services	–	–	–	A(16)	
Custom Manufacturing	–	–	–	A(16)	
Food and Beverage Manufacturing, Limited/Small Scale	–	–	A(16)	A(16)	§30.185.380, Seafood Odor Control
Household Hazardous Waste Collection Facility	–	–	A	A	
Industry, Limited	–	–	–	A(16)	
Research and Development	A(17)	–	A(17)	A	
Warehousing and Storage					
<i>Personal Storage</i>	–	–	–	A(18)	
<b>Transportation, Communication, and Utilities Uses</b>					
Telecommunications Facilities	§30.185.410, Telecommunications Facilities				
Transportation Passenger Terminals	–	–	–	PSP	
Public Works and Utilities	§30.185.340, Public Works and Utilities				
<b>Other Applicable Types</b>					
Accessory Uses and Buildings	A/PSP	A/PSP	A/PSP	A/PSP	§30.185.030, Accessory Uses and §30.140.020, Accessory Buildings

<b>TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES</b>					
<i>“A” Allowed Use</i> <i>“PSP” Performance Standard Permit Required</i> <i>“CUP” Conditional Use Permit Required</i>			<i>“-“ Use Not Allowed</i> <i>“(#)” Specific Limitations at the end of the table</i>		
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>
Alcoholic Beverage Retail Establishments	CUP(20)	CUP(20)	CUP(20)	CUP(20)	§30.185.075, Alcoholic Beverage Retail Establishments
Animal Keeping	A	A	A	A	§30.185.210, Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Cannabis Cultivation, Personal	§30.185.110, Cannabis Cultivation for Personal Use				
Mixed-Use Development	Mixed-Use Development is allowed subject to the regulations of the specific uses and applicable zone and permit requirements for any individual use or component of the project.				
Mobilehome	§30.185.270, Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use; and §30.185.420 Temporary Uses				
Nonconforming Use	Chapter 30.165, Nonconforming Uses, Site Development, and Uses				
Solar Energy Systems	§30.140.090 Encroachments, and §30.185.400, Solar Energy Systems				
Temporary Use	§30.185.420, Temporary Uses				
<p>Specific Limitations</p> <ol style="list-style-type: none"> <li>1. Not allowed in a Historic or Landmark District. Allowed within a High Fire Hazard Area if designed to meet high fire construction standards adopted or enforced by the City, as determined by the Chief Building Official or the Fire Code Official.</li> <li>2. Other public or semi-public facilities not specifically allowed may be allowed in any zone pursuant to Conditional Use Permit approval.</li> <li>3. Must be located a minimum 300 feet from any other social service facility or emergency shelter.</li> <li>4. All activities shall be conducted within an enclosed building.</li> <li>5. Limited to boarding of cats and other household pets, excluding dogs. All activities shall be conducted within an enclosed building. Breeding is not allowed.</li> <li>6. Limited to sales of used automobiles; new or used motorcycles and mopeds are allowed.</li> <li>7. Limited to no more than six fuel dispensers, which may each serve two vehicles.</li> <li>8. Banks with 1,000 square feet of floor area or less per lot are allowed. Banks with more than 1,000 square feet of floor area per lot require Performance Standard Permit approval.</li> <li>9. Limited to no more than 10 employees at any given time.</li> <li>10. Limited to no more than 20 employees at any given time.</li> <li>11. Limited to Hotels located in Structures of Merit or Landmarks pursuant to Chapter 30.157, Historic Resources or in another structure on the same lot as a Structure of Merit or Landmark used as a Hotel.</li> <li>12. Limited to offices related to medical and dental field only.</li> <li>13. Limited to outdoor uses associated with Fueling Stations and Nurseries and Garden Centers.</li> <li>14. In conjunction with any establishment that serves or sells food or beverages.</li> </ol>					

<b>TABLE 30.25.020: LAND USE REGULATIONS—COMMERCIAL AND OFFICE ZONES</b>					
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>	<i>Additional Regulations</i>
15. Limited to pharmacies and medical equipment supply stores. Medical equipment supply stores with 3,000 square feet of floor area or less per lot are allowed. Medical equipment supply stores with more than 3,000 square feet of floor area per lot require a Performance Standard Permit.					
16. Limited to no more than 10 employees engaged in manufacturing. Manufacturing activities are limited to accessory uses as defined in §30.185.030, Accessory Uses, and may occupy no more than 25% of the floor area in a structure in the C-R Zone and 50% in the C-G Zone.					
17. Limited to the Land Use Regulations, Operational and Performance Standards in Chapter 30.65, Research and Development (RD) Overlay Zone.					
18. Individual storage compartments not to exceed 400 square feet in area.					
19. Cannabis Storefront-Retailer uses require a commercial cannabis business permit pursuant to Chapter 9.44.					
20. Limited to uses allowed in the zone.					
21. Agriculture limited to accessory uses only.					

### 30.25.030 Development Standards.

Table 30.25.030 prescribes the development standards for Commercial and Office Zones. Section numbers refer to other sections of this Title, while individual letters refer to subsections that directly follow the table. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

<b>TABLE 30.25.030: DEVELOPMENT STANDARDS—COMMERCIAL AND OFFICE ZONES</b>				
<i>Zone</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>
<b>Lot Size and Street Frontage</b>				
Minimum Net Lot Area for Newly Created Lots (sq. ft.)	None; except 3,500 sq. ft. of net lot area is required for lots that include residential uses			
Minimum Public Street Frontage (ft.)	None, See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines			
<b>Maximum Base Residential Density</b>				
Less than 5,000 sq. ft. Net Lot Area	1 unit			
5,000 to 6,999 sq. ft. Net Lot Area	2 units			

**TABLE 30.25.030: DEVELOPMENT STANDARDS—COMMERCIAL AND OFFICE ZONES**

<i>Zone</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>
7,000 and more sq. ft. Net Lot Area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater			
<b>Additional Residential Density Allowances</b>				
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See §30.140.220, Variable Density in Certain Zones See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus Incentives			
<b>Structure Form and Location</b>				
Minimum Residential Unit Size	See §30.140.150, Residential Unit			
Maximum Height (ft.)	45	45	45	45; 60 for Community Benefit Project or Community Benefit Housing Project (§30.140.100.B) See also A, Theater Additions
Additional Height Limitations Adjacent to all Residential Zones	Height is further limited in accordance with §30.140.170, Solar Access Height Limitations			
Minimum Setbacks and Stepbacks (ft.), Residential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments See Chapter 30.150, Average Unit-Size Density Incentive Program			
<i>Front</i>	10; Portions of structures over 25 ft in height: +10			
<i>Interior</i>	6; Portions of structures over 25 ft in height: +4			
Minimum Setbacks and Stepbacks (ft.), Nonresidential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments			
<i>Front</i>	10; Portions of structures over 25 ft in height: +10	0		
<i>Interior, Adjacent to Nonresidential Zone</i>	6; Portions of structures over 25 ft in height: +4	0		
<i>Interior, Adjacent to Residential Zone</i>	10; Portions of structures over 25 ft in height: +10			
Minimum Setbacks and Stepbacks, Mixed-Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks.			
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking			
<i>Front, Street-Facing</i>	20			

<b>TABLE 30.25.030: DEVELOPMENT STANDARDS—COMMERCIAL AND OFFICE ZONES</b>				
<i>Zone</i>	<i>O-R</i>	<i>O-M</i>	<i>C-R</i>	<i>C-G</i>
<i>Front, Non-Street-Facing – Nonresidential Use</i>	10		0	
<i>Front, Non-Street-Facing – Residential Use</i>	10			
<i>Interior, Covered – Nonresidential Use</i>	6		0	
<i>Interior, Covered, 4 or Fewer Spaces – Residential Use</i>	3			
<i>Interior, Covered, 5 or More Spaces – Residential Use</i>	6; 3 feet on the lot line opposite the primary front lot line. If the lot has two or more front lot lines, only one opposite lot line may qualify for the reduced setback			
<i>Interior, Covered, Lots ≤ 55 ft – Residential Use</i>	May be reduced to 3 feet if: <ul style="list-style-type: none"> <li>• The lot is less than 55 feet wide at the location of the covered parking structure,</li> <li>• The parking opening does not face a street or alley, and</li> <li>• The interior depth of the covered parking structure does not exceed 20 feet</li> </ul>			
<i>Interior, Uncovered</i>	3-foot wide landscape buffer along the interior property line			
<b>Open Yard and Landscape</b>				
Open Yards	Any lot developed with residential uses shall provide open yard pursuant to §30.140.140, Open Yards. See Chapter 30.150, Average Unit-Size Density Incentive Program			
Landscape	Any lot developed with residential uses must provide landscape areas pursuant to §30.140.118, Landscape			

### **Additional Commercial and Office Zone Development Regulations**

A. **Theater Additions.** A stage addition to a live performance theater shall not be considered as part of the height of the structure under the following circumstances:

1. The stage addition is devoted solely to rigging fly systems,
2. The addition is made to a theater that existed as of December 31, 2003, and
3. The stage addition does not exceed the height of the theater as such theater existed on December 31, 2003.

**SECTION 4.** Chapter 30.30 of Title 30 of the Santa Barbara Municipal Code

is amended to read as follows:

## **Chapter 30.30 Manufacturing Zones**

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**Sections:**

30.30.010	Purpose	30.30.030	Development Standards
30.30.020	Land Use Regulations		

**30.30.010 Purpose.**

The specific purposes of the Manufacturing Zones are to:

- A. Designate adequate land for manufacturing, research and development, and flexible commercial uses to strengthen the city's economic base and provide a range of employment opportunities for the city and region.
- B. Provide areas for a wide range of manufacturing, industrial processing, and service commercial uses and protect areas where such uses now exist.
- C. Implement and provide appropriate regulations for General Plan classifications of Commercial Industrial/Medium High Residential and Industrial.

Additional purposes of each Manufacturing Zone follow.

**M-C Manufacturing Commercial.** The M-C Zone is intended to accommodate a wide range of limited industrial, residential, retail service, office, and research and development uses.

**M-I Manufacturing Industrial.** The M-I Zone is intended to provide area for a diverse range of industrial uses, including manufacturing and processing, research and development, fabrication, equipment and service yards, and wholesaling. Retail, office, and other nonresidential uses may be allowed as accessory uses to industrial uses.

**30.30.020 Land Use Regulations.**

Table 30.30.020 prescribes the land use regulations for Manufacturing Zones.

Use classifications are defined in Chapter 30.295, Use Classifications. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table, or not found to be substantially similar to the uses below, are prohibited.

The table also notes additional land use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right hand column refer to other sections of this Title.

<b>TABLE 30.30.020: LAND USE REGULATIONS—MANUFACTURING ZONES</b>			
<i>"A" Allowed Use</i>		<i>"—" Use Not Allowed</i>	
<i>"PSP" Performance Standard Permit Required</i>		<i>"(#)" Specific Limitations at the end of the table</i>	
<i>"CUP" Conditional Use Permit Required</i>			
<i>Use Classification</i>	<i>M-C</i>	<i>M-I</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>			
<b>Residential Housing Types</b>			
<i>Single-Unit Residential</i>	A	—	
<i>Two-Unit Residential</i>	A	—	
<i>Multi-Unit Residential</i>	A	—	
<b>Special Residential Unit Types</b>			
<i>Accessory Dwelling Unit</i>	A	—	§30.185.040, Accessory Dwelling Units
<i>Caretaker Unit</i>	A	A(1)	§30.185.120, Caretaker Unit
<b>Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices</b>			
<i>6 or fewer individuals</i>	A	—	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
<i>7 to 15 individuals</i>	A	—	
<i>16 or more individuals</i>	PSP	—	
<i>Family Day Care Home</i>	A	—	§30.185.230, Large and Small Family Day Care Homes
<i>Group Residential</i>	PSP	—	§30.185.190, Group Residential
<i>Home Occupation</i>	A	—	§30.185.200, Home Occupation
<i>Live-Work Unit</i>	Allowed subject to the highest permit level required for	—	§30.185.240, Live-Work Units

**TABLE 30.30.020: LAND USE REGULATIONS—MANUFACTURING ZONES***“A” Allowed Use**“–” Use Not Allowed**“PSP” Performance Standard Permit Required**“(#)” Specific Limitations at the end of the table**“CUP” Conditional Use Permit Required*

<i>Use Classification</i>	<i>M-C</i>	<i>M-I</i>	<i>Additional Regulations</i>
	any individual use or component of the project.		
Mobilehome Park	CUP(2)	–	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§30.185.430, Transitional and Supportive Housing		
Transitional Housing	§30.185.430, Transitional and Supportive Housing		
<b>Public and Semi-Public Uses (3)</b>			
Cemetery	A	–	
College and Trade School	A	A(4)	
Community Assembly	A	–	
Community Garden	A	A	§30.185.130, Community and Market Gardens
Cultural Institution	A	–	
Day Care Center	A	–	§30.185.150, Day Care Centers
Emergency Shelter	A	CUP	§30.185.170, Emergency Shelter
<b>Hospitals and Clinics</b>			
<i>Hospital</i>	CUP	–	
<i>Clinic</i>	A	–	
<i>Birth Center</i>	A	–	
Instructional Services	A	–	
Park and Recreation Facility	CUP	–	§30.185.350, Recreation Facilities
Public Facility	A	A	
Recreational Vehicle and Camping Parks, Overnight	CUP(2)	–	§30.185.320, Overnight Recreational Vehicle and Camping Parks
Recreational Vehicle Parks, Permanent	CUP(2)	–	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks
Schools	A	–	
Skilled Nursing Facility	A	–	
Social Service Facilities	CUP(5)	CUP(5)	
<b>Commercial Uses</b>			

**TABLE 30.30.020: LAND USE REGULATIONS—MANUFACTURING ZONES**

“A” Allowed Use  
 “PSP” Performance Standard Permit Required  
 “CUP” Conditional Use Permit Required  
 “–” Use Not Allowed  
 “(#)” Specific Limitations at the end of the table

<i>Use Classification</i>	<i>M-C</i>	<i>M-I</i>	<i>Additional Regulations</i>
Adult Entertainment Facilities	A	A	§30.185.060, Adult Entertainment Facilities
Agriculture	A(15)	A(15)	§30.185.070, Agriculture
Animal Care, Sales and Services			
<i>Animal Daycare</i>	A(6)	A	
<i>Animal Shelter and Boarding</i>	A(7)	A	
<i>Grooming and Pet Stores</i>	A(6)	A	
<i>Veterinary Services</i>	A(6)	A	
Artist Studio	A	A	
Automated Teller Machine	A	A	§30.185.080, Automated Teller Machines
Automobile/Vehicle Sales and Services			
<i>Automobile/Vehicle Rentals</i>	A	A	
<i>Automobile/Vehicle Sales and Leasing</i>	A(8)	A(8)	
<i>Car Washing Facilities</i>	PSP	PSP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
<i>Fueling Station</i>	PSP	A	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
<i>Service and Repair, Minor</i>	A	A	
Banks and Financial Institutions	A	–	
Business Services	A	–	
Cannabis Storefront-Retailer	–	A(13)	Chapter 9.44 Commercial Cannabis Businesses
Commercial Entertainment and Recreation			
<i>Cinema/Theater</i>	A	–	
<i>Large-scale</i>	CUP	–	§30.185.350, Recreation Facilities
<i>Small-scale</i>	A	–	
Eating and Drinking Establishments	A	A(9)	
Food Preparation	A	A(10)	§30.185.380, Seafood Odor Control
Funeral Parlors and Interment Services	A	A	
Hotels and Similar Uses	A	–	§30.185.220, Hotels and Similar Uses

**TABLE 30.30.020: LAND USE REGULATIONS—MANUFACTURING ZONES**

“A” Allowed Use  
 “PSP” Performance Standard Permit Required  
 “CUP” Conditional Use Permit Required  
 “–” Use Not Allowed  
 “(#)” Specific Limitations at the end of the table

Use Classification	M-C	M-I	Additional Regulations
Maintenance and Repair Services	A	A	
Market Garden	A	A	§30.185.130, Community and Market Gardens
Medical Cannabis Dispensaries	–	–	Nonconforming Use. Formerly codified as §30.185.250, Medical Cannabis Dispensaries
Nurseries and Garden Centers	A	A	
Offices			
<i>Business and Professional</i>	A	A(9)	
<i>Medical and Dental</i>	A	–	
Outdoor Sales and Display	A	A	§30.185.300, Outdoor Sales and Display
Outdoor Seating	A	A	
Parking, Public or Private	A	A	
Personal Services	A	–	
Retail Sales			
<i>Food and Beverage Retail Sales</i>	A	A(9)	
<i>General Retail</i>	A	A(9)	
<i>Neighborhood Market</i>	PSP –	–	§30.185.370, Retail Sales, Neighborhood Market
Industrial Uses			
Automobile and Vehicle Repair, Major	A	A	
Building Materials and Services	A	A	
Commercial Cannabis Business	–	A(13)	
Commercial Vehicle and Equipment Sales and Rental	A	A	
Construction and Materials Yard	A	A	
Custom Manufacturing	A	A(10)	
Food and Beverage Manufacturing			
<i>Limited/Small Scale</i>	A(11)	A/PSP (12)	§30.185.380, Seafood Odor Control
<i>General/Large Scale</i>	–	A/PSP (12)	§30.185.380, Seafood Odor Control
Hazardous Waste Management Facility	CUP	CUP	Chapter 30.55, Hazardous Waste Management Facility (HWMF) Overlay Zone

**TABLE 30.30.020: LAND USE REGULATIONS—MANUFACTURING ZONES**

“A” Allowed Use  
 “PSP” Performance Standard Permit Required  
 “CUP” Conditional Use Permit Required  
 “–” Use Not Allowed  
 “(#)” Specific Limitations at the end of the table

Use Classification	M-C	M-I	Additional Regulations
Household Hazardous Waste Collection Facility	A	A	
Industry, General	–	A	
Industry, Limited	A	A	
Recycling Collection Facility	A	A	
Research and Development	A	A	
Salvage and Wrecking	CUP	CUP	
Towing and Impound	A	A	
<b>Warehousing and Storage</b>			
Indoor Warehousing and Storage	A	A	
Outdoor Storage	–	A	§30.185.310, Outdoor Storage
Personal Storage	A	A	
Wholesaling and Distribution	–	A	
<b>Transportation, Communication, and Utilities Uses</b>			
Freight/Truck Terminals and Warehouses	–	A	
Light Fleet Based Services	A	A	
Telecommunications Facilities	§30.185.410, Telecommunications Facilities		
Transportation Passenger Terminals	A	A	
Public Works and Utilities	§30.185.340, Public Works and Utilities		

<b>Other Applicable Types</b>			
Accessory Uses and Buildings	A/PSP	A/PSP	§30.185.030, Accessory Uses, and §30.140.020, Accessory Buildings
Alcoholic Beverage Retail Establishments	CUP(14)	CUP(14)	§30.185.075, Alcoholic Beverage Retail Establishments
Animal Keeping	A	A	§30.185.210, Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Cannabis Cultivation, Personal	§30.185.110, Cannabis Cultivation for Personal Use		
Mixed-Use Development	Mixed-Use Development is allowed subject to the regulations of the specific uses and applicable zone and permit requirements for any individual use or component of the project.		



**TABLE 30.30.030: DEVELOPMENT STANDARDS—MANUFACTURING ZONES**

<i>Zone</i>	<i>M-C</i>	<i>M-I</i>
<b>Lot Size and Street Frontage</b>		
Minimum Net Lot Area for Newly Created Lots (sq. ft.)	None; except 3,500 sq. ft. of net lot area is required for lots that include residential uses	
Minimum Public Street Frontage (ft.)	None, See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines	
<b>Maximum Base Residential Density</b>		
Less than 5,000 sq. ft. Net Lot Area	1 unit	One Caretaker Unit See §30.185.120, Caretaker Unit
5,000 to 6,999 sq. ft. Net Lot Area	2 units	
7,000 and more sq. ft. Net Lot Area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater	
<b>Additional Residential Density Allowances</b>		
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus Incentives	None applicable
<b>Structure Form and Location</b>		
Minimum Residential Unit Size	See §30.140.150, Residential Unit	
Maximum Height (ft.)	45; 60 for Community Benefit Project or Community Benefit Housing Project (§30.140.100.B)	
Additional Height Limitations Adjacent to all Residential Zones	Height is further limited in accordance with §30.140.170, Solar Access Height Limitations	
Minimum Setbacks and Stepbacks (ft.), Residential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments <del>into Setbacks and Open Yards</del> See Chapter 30.150, Average Unit-Size Density Incentive Program	
<i>Front Setback</i>	10; Portions of structures over 25 ft in height: +10	
<i>Interior Setback</i>	6; Portions of structures over 25 ft in height: +4	
Minimum Setbacks (ft.), Nonresidential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments	
<i>Front</i>	0	
<i>Interior, Adjacent to Nonresidential Zone</i>	0	
<i>Interior, Adjacent to Residential Zone</i>	15; Portions of structures over 25 ft in height: +5	

**TABLE 30.30.030: DEVELOPMENT STANDARDS—MANUFACTURING ZONES**

<i>Zone</i>	<i>M-C</i>	<i>M-I</i>
Minimum Setbacks and Stepbacks, Mixed-Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks.	
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking	
<i>Front, Street-Facing</i>	20	
<i>Front, Non-Street-Facing – Nonresidential Use</i>	0	
<i>Front, Non-Street-Facing – Residential Use</i>	10	
<i>Interior, Covered – Nonresidential Use</i>	0	
<i>Interior, Covered, 4 or Fewer Spaces – Residential Use</i>	3	
<i>Interior, Covered, 5 or More Spaces – Residential Use</i>	6; 3 feet on the lot line opposite the primary front lot line. If the lot has two or more front lot lines, only one opposite lot line may qualify for the reduced setback	
<i>Interior, Covered, Lots ≤ 55 ft – Residential Use</i>	May be reduced to 3 feet if: <ul style="list-style-type: none"> <li>• The lot is less than 55 feet wide at the location of the covered parking structure,</li> <li>• The parking opening does not face a street or alley, and</li> <li>• The interior depth of the covered parking structure does not exceed 20 feet</li> </ul>	
<i>Interior, Uncovered</i>	3-foot wide landscape buffer along the interior property line	
<b>Open Yard and Landscape</b>		
Open Yards	Any lot developed with residential use shall provide open yard pursuant to §30.140.140, Open Yards. See Chapter 30.150, Average Unit-Size Density Incentive Program	
Landscape	Any lot developed with residential uses must provide landscape areas pursuant to §30.140.118, Landscape	

**SECTION 5.** Chapter 30.35 of Title 30 of the Santa Barbara

Municipal Code is amended to read as follows:

## **Chapter 30.35 Coastal-Oriented Zones**

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**Sections:**

30.35.010	Purpose	30.35.030	Development Standards
30.35.020	Land Use Regulations		

**30.35.010 Purpose.**

The purposes of Coastal-Oriented Zones are as follows:

- A. **Coastal-Oriented Hotel and Restaurant (CO-HR) Zone.** The Coastal-Oriented Hotel and Restaurant (CO-HR) Zone, strives to promote, maintain and protect visitor-serving uses. Hotels and restaurants are the primary uses.
  
- B. **Coastal-Oriented Hotel and Visitor-Serving (CO-HV) Zone.** The Coastal-Oriented Hotel and Visitor-Serving (CO-HV) Zone, because of its proximity to the shoreline and location along two major arteries, strives to promote, maintain and protect visitor-serving and commercial recreational uses. Tourist and traveler related uses shall be encouraged in this zone in a manner which does not detract from the desirability of the shoreline as a place to visit. Residential uses are appropriate in certain areas. Land classified in the CO-HV Zone may also be overlaid with a second classification of being in the Coastal-Oriented Commercial, Arts and Recreation (CO-CAR) Zone.
  
- C. **Coastal-Oriented Harbor (CO-H) Zone.** The Coastal-Oriented Harbor (CO-H) Zone strives to maintain the harbor as primarily a working harbor with visitor-serving and coastal-related uses secondary to coastal-dependent uses, and that Stearns Wharf will consist of a mixture of visitor-serving, and coastal-dependent and coastal-related uses. In addition, this zone is intended to preserve and protect the coastal environment in terms of light, air, and visual amenities.
  
- D. **Coastal-Oriented Commercial, Arts, and Recreation (CO-CAR) Zone.** The Coastal-Oriented Commercial, Arts, and Recreation (CO-CAR) Zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the

Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed-use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities. Residential uses are appropriate in certain areas. Land classified in the CO-CAR Zone may also be classified in the Coastal-Oriented Hotel and Visitor-Serving (CO-HV) Zone.

E. **Coastal-Oriented Manufacturing Industrial (CO-MI) Zone.** The Coastal-Oriented Manufacturing Industrial (CO-MI) Zone strives to provide for appropriate coastal-dependent and coastal-related industrial uses in close proximity to the Harbor/Wharf Complex. The zone encourages the establishment of coastal-oriented industrial uses in keeping with the policies of the California Coastal Act and the City’s Local Coastal Plan.

**30.35.020 Land Use Regulations.**

Table 30.35.020 and the subsections that follow prescribe the land use regulations for Coastal-Oriented Zones.

Use classifications are defined in Chapter 30.295, Use Classifications. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are prohibited.

The table also notes additional use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right-hand column refer to other sections of this Title.

<b>TABLE 30.35.020: LAND USE REGULATIONS—COASTAL-ORIENTED ZONES</b>						
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>			
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>			
<i>“CUP” Conditional Use Permit Required</i>						
<i>Use Classification</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR</i>	<i>CO-MI</i>	<i>Additional Regulations</i>
<b>Residential Uses</b>						
Residential Uses	–	A	–	A	–	§30.185.360, Residential Uses in the CO-HV and CO-CAR Zones §30.185.040, Accessory Dwelling Units
<b>Public and Semi-Public Uses</b>						

**TABLE 30.35.020: LAND USE REGULATIONS—COASTAL-ORIENTED ZONES**

“A” Allowed Use  
 “PSP” Performance Standard Permit Required  
 “CUP” Conditional Use Permit Required

“–” Use Not Allowed  
 “(#)” Specific Limitations at the end of the table

<i>Use Classification</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR</i>	<i>CO-MI</i>	<i>Additional Regulations</i>
College and Trade School	–	–	–	A(1)	–	
Community Assembly	CUP	CUP	CUP(2)	CUP	–	
Cultural Institution	–	A	A(2)	A	–	
Harbor, Port, and Marina Facilities	–	–	A	–	–	
Instructional Services	–	–	–	A	–	
Park and Recreation Facilities	–	–	–	A	–	§30.185.350, Recreation Facilities
Public Facility	–	–	A(3)	A(3)	CUP	
<b>Commercial Uses</b>						
Aquaculture Facilities	–	–	–	A	–	
Artist Studio	–	–	–	A	–	
Automobile/Vehicle Sales and Services						
<i>Automobile/Vehicle Rentals</i>	–	A/CUP (4)	A(4)	A/CUP (4)	A(4)	
<i>Automobile/Vehicle Sales and Leasing</i>	–	A(5)	A(2,5)	A(5)	A(5)	
<i>Fueling Station</i>	–	CUP(6)	PSP(3)	CUP	CUP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
<i>Service and Repair, Minor</i>	–	–	A(5)	A(5)	A(5)	
Business Services	–	–	–	A(7)	–	
<b>Commercial Entertainment and Recreation</b>						
<i>Small-scale</i>	–	–	–	A	–	
Eating and Drinking Establishments	A(6)	A	A(2)	A	–	
Hotels and Similar Uses	A	A	–	CUP	–	§30.185.220, Hotels and Similar Uses
Maintenance and Repair Services	–	–	A(5)	A(5)	A(5)	
<b>Offices</b>						
<i>Business and Professional</i>	–	CUP(8)	A(2,9)	A(9)	–	
Parking, Public or Private	–	A	A	A	A	
Retail Sales						

**TABLE 30.35.020: LAND USE REGULATIONS—COASTAL-ORIENTED ZONES**

<i>“A” Allowed Use</i>		<i>“–” Use Not Allowed</i>				
<i>“PSP” Performance Standard Permit Required</i>		<i>“(#)” Specific Limitations at the end of the table</i>				
<i>“CUP” Conditional Use Permit Required</i>						
<i>Use Classification</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR</i>	<i>CO-MI</i>	<i>Additional Regulations</i>
<i>Food and Beverage Sales</i>	–	A(6,10)	A(2,10)	A(10)	–	
<i>General Retail</i>	–	A(11)	A(2,11)	A(11)	–	
<b>Industrial Uses</b>						
Automobile and Vehicle Repair, Major	–	–	A(5)	A(5)	A(5)/CUP	
Custom Manufacturing	–	–	–	A	A(5)/CUP	
Food and Beverage Manufacturing	–	–	PSP(12)	PSP(12)	PSP(12)	§30.185.380, Seafood Odor Control
Hazardous Waste Management Facility	–	–	–	–	CUP	Chapter 30.55, Hazardous Waste Management Facility (HWMF) Overlay Zone
Household Hazardous Waste Collection Facility	–	–	A(13)	–	A	
Industry, Limited	–	–	A(5)	A(5)	A(5)/CUP	
Research and Development	–	–	–	A(3)	A(3)/CUP	
Warehousing and Storage	–	–	A(5)	A(5)	A(5)/CUP	§30.185.310, Outdoor Storage
<b>Transportation, Communication, and Utilities Uses</b>						
Public Works and Utilities	–	–	–	–	CUP	
<b>Other Applicable Types</b>						
Accessory Uses and Buildings	A	A	A	A	A	§30.185.030, Accessory Uses and §30.140.020, Accessory Buildings
Alcoholic Beverage Retail Establishments	CUP(14)	CUP(14)	CUP(14)	CUP(14)	CUP(14)	§30.185.075, Alcoholic Beverage Retail Establishments
Animal Keeping	–	A	–	A	–	§30.185.210, Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Cannabis Cultivation, Personal	§30.185.110, Cannabis Cultivation for Personal Use					
Mixed-Use Development	Mixed-Use Development is allowed subject to the regulations of the specific uses and applicable zone and permit requirements for any individual use or component of the project.					

<b>TABLE 30.35.020: LAND USE REGULATIONS—COASTAL-ORIENTED ZONES</b>						
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>			
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>			
<i>“CUP” Conditional Use Permit Required</i>						
<i>Use Classification</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR</i>	<i>CO-MI</i>	<i>Additional Regulations</i>
Mobilehome	§30.185.270, Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use; and §30.185.420 Temporary Uses					
Nonconforming Use	Chapter 30.165, Nonconforming Uses, Site Development, and Uses					
Solar Energy Systems	§30.140.090, Encroachments, and §30.185.400, Solar Energy Systems					
Temporary Use	§30.185.420, Temporary Uses					
<p>Specific Limitations:</p> <ol style="list-style-type: none"> <li>1. Limited to schools for the arts or coastal-oriented education facilities.</li> <li>2. Limited to Stearns Wharf or as secondary harbor uses.</li> <li>3. Limited to marine-related facilities.</li> <li>4. Allowed if boat, boat trailer, or personal watercraft rental, CUP for automobile rental in the CO-HV and CO-CAR Zones only.</li> <li>5. Limited to boats, personal watercraft, and marine-related equipment, CUP in the CO-MI Zone for other uses allowed in the M-I Zone.</li> <li>6. Food and Beverage Sales, Eating and Drinking Establishments-Convenience, and Fueling Stations are not allowed in the area bounded by Cabrillo Boulevard on the southeast, Los Patos Way on the southwest and the existing railroad right-of-way on the north, due to concerns about protection of the sensitive habitat character and aesthetics of the Andree Clark Bird Refuge, except that Food and Beverage Sales are allowed as an accessory use.</li> <li>7. Limited to printing and copying, blueprint services, advertising and mailing, photo finishing, model building, and publishing.</li> <li>8. Limited to the second and third floors of commercial structures and where the Review Authority makes the required findings pursuant to subsection B, below.</li> <li>9. Limited to offices of businesses or persons engaged in coastal-related activities.</li> <li>10. Limited to 2,500 square feet of floor area per lot.</li> <li>11. Limited to uses that are primarily coastal-related, coastal-dependent, visitor-serving, or of a commercial recreational nature specific to the Coastal Zone such as bait and tackle shops, marine supply and related equipment sales, specialty and gift shops, and bicycle, roller skating, moped, dive gear, surfing, and other recreational equipment rental stores.</li> <li>12. Limited to seafood facilities.</li> <li>13. Allowed as a secondary harbor use only when limited to facilities exclusively serving the area within the CO-H Zone.</li> <li>14. Limited to uses allowed in the zone.</li> </ol>						

A. **Dual Zoning: CO-HV and CO-CAR.** The land uses allowances within the CO-HV Zone and the CO-CAR Zone apply within the dual CO-CAR/CO-HV Zone.

B. **Additional Land Use Regulations: CO-HV Zone.**

1. ***Required Findings for Business and Professional Offices.*** Business and Professional Offices may only be allowed where the Review Authority finds that:

- a. The use is compatible with visitor-serving uses;
- b. Visitor-serving uses remain the primary use of the structure; and
- c. Non-visitor-serving uses do not exceed 50% of the total square footage of the structure.

2. ***Other Allowed Uses in the CO-HV Zone.*** Other visitor-serving or commercial recreational uses deemed appropriate by the Planning Commission are allowed in the CO-HV Zone.

C. **Additional Land Use Regulations: CO-H Zone.**

1. ***Other Allowed Uses and Development in the CO-H Zone.*** The following uses and development are allowed in the CO-H Zone.

- a. ***Primary Harbor Uses:*** Other coastal-dependent uses as deemed appropriate by the Planning Commission.
- b. ***Secondary Harbor Uses:*** Other coastal-related uses as deemed appropriate by the Planning Commission.
- c. ***Stearns Wharf Uses:*** Other coastal-dependent, coastal-related, and visitor-serving uses as deemed appropriate by the Planning Commission.

2. ***Five Year Review of Uses.*** At least once every five years from March 30, 1993, the Board of Harbor Commissioners shall review the extent and nature of the uses existing in the Harbor and Shoreline Area of the CO-H Zone and make a recommendation to the Planning Commission regarding the adequacy of coastal-dependent uses (Harbor primary uses) in relation to coastal-related and visitor-serving uses (Harbor secondary uses) in order to assure that the harbor remains a working harbor. A review of the mix of uses may occur at any other time at the direction of the Board of Harbor Commissioners or Planning Commission. Subsequent reviews shall be at five year intervals thereafter. The Coastal Commission shall receive a copy of the recommendation and accompanying background materials associated with each review.

D. **Additional Land Use Regulations: CO-CAR Zone.** Other coastal-dependent, coastal-oriented, commercial recreational, or arts-related uses that are found to be consistent with the intent of the CO-CAR Zone by the Planning Commission are allowed in the CO-CAR Zone.

E. **Additional Land Use Regulations: CO-MI Zone.** The following uses and development are allowed in the CO-MI Zone.

1. Other coastal-related uses deemed appropriate by the Planning Commission.
2. Any other use ~~permitted~~ allowed in the M-I Zone subject to the restrictions and limitations contained therein and issuance of a Conditional Use Permit. A Conditional Use Permit may be granted in accordance with the provisions of Chapter 30.215, Conditional Use Permits, subject to the following additional findings:
  - a. The use is compatible with coastal-dependent or coastal-related uses; and
  - b. The property would have no feasible economic value if limited to coastal-dependent or coastal-related uses. This finding shall be substantiated by competent evidence determined by the Planning Commission to be objective which includes no present or future demand for coastal-dependent or coastal-related uses. Structures in existence or developments which have a valid and unexpired approval from the Coastal Commission on the effective date of this subsection may be used for all uses ~~permitted~~ allowed in the M-I Zone.

**30.35.030 Development Standards.**

Table 30.35.030 prescribes the development standards for Coastal-Oriented Zones. Section numbers refer to other sections of this Title. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

<b>TABLE 30.35.030: DEVELOPMENT STANDARDS—COASTAL-ORIENTED ZONES</b>					
<i>Zone</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR [CO-HV/CO-CAR(A)]</i>	<i>CO-MI</i>
<b>Lot Size and Street Frontage</b>					
Minimum Net Lot Area for Newly Created Lots (sq. ft.)	None; except 3,500 sq. ft. of net lot area is required for lots that include residential uses				
Minimum Public Street Frontage (ft.)	None, See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines				
<b>Residential Density</b>					

**TABLE 30.35.030: DEVELOPMENT STANDARDS—COASTAL-ORIENTED ZONES**

<i>Zone</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR</i> <i>[CO-HV/CO-CAR(A)]</i>	<i>CO-MI</i>
Maximum Base Residential Density	N/A	Structures and portions of structures used for residential purposes: Same as R-M Zone	N/A	Structures and portions of structures used for residential purposes: Same as R-M Zone	N/A
Additional Density Allowances	N/A	Otherwise: N/A	N/A	Otherwise: N/A	N/A
<b>Structure Form and Location</b>					
Maximum Height (ft.)	45; 30 when located in the area bounded by Cabrillo Boulevard on the southeast, Los Patos Way on the southwest and the existing railroad right-of-way on the north		30	45	Same as MI Zone
Adjacent to RS or R-2 Zone	N/A	N/A	N/A	N/A	Same as MI Zone
Additional Height Limitations Adjacent to all Residential Zones	Height is further limited in accordance with §30.140.170, Solar Access Height Limitations				
Minimum Setbacks and Stepbacks (ft.) Residential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments into Setbacks and Open Yards See Chapter 30.150, Average Unit-Size Density Incentive Program				
<i>Front</i>	10; Portions of structures over 15 feet in height: +10; Portions of structures over 15 feet in height and when located in the area bounded by Cabrillo Boulevard on the southeast, Los Patos Way on the southwest and the existing railroad right-of-way on the north: +90			10; Portions of structures over 25 feet in height: +10	
<i>Interior</i>	6; Portions of structures over 25 feet in height: +4				
Minimum Setbacks and Stepbacks (ft.), Nonresidential Structures	See Ch. 30.185, Standards for Specific Uses and Activities See Ch. 30.165, Nonconforming Structures, Site Development, and Uses See also §30.140.090, Encroachments				
<i>Front</i>	0				
<i>Interior, Adjacent to Nonresidential Zone</i>	0				
<i>Interior, Adjacent to Residential Zone</i>	15; Portions of structures over 25 feet in height: +5				
Minimum Setbacks and Stepbacks, Mixed-Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks				

<b>TABLE 30.35.030: DEVELOPMENT STANDARDS—COASTAL-ORIENTED ZONES</b>					
<i>Zone</i>	<i>CO-HR</i>	<i>CO-HV</i>	<i>CO-H</i>	<i>CO-CAR</i> <i>[CO-HV/CO-CAR(A)]</i>	<i>CO-MI</i>
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking				
<i>Front, Street-Facing</i>	20				
<i>Front, Non-Street-Facing – Nonresidential Use</i>	0				
<i>Front, Non-Street-Facing – Residential Use</i>	10				
<i>Interior, Covered – Nonresidential Use</i>	0				
<i>Interior, Covered, 4 or Fewer Spaces – Residential Use</i>	3				
<i>Interior, Covered, 5 or More Spaces – Residential Use</i>	6; 3 feet on the lot line opposite the primary front lot line. If the lot has two or more front lot lines, only one opposite lot line may qualify for the reduced setback				
<i>Interior, Covered, Lots ≤ 55 ft – Residential Use</i>	May be reduced to 3 feet if: <ul style="list-style-type: none"> <li>• The lot is less than 55 feet wide at the location of the covered parking structure,</li> <li>• The parking opening does not face a street or alley, and</li> <li>• The interior depth of the covered parking structure does not exceed 20 feet</li> </ul>				
<i>Interior, Uncovered</i>	3-foot wide landscape buffer along the interior property line				
<b>Open Yard and Landscape</b>					
Open Yards	Any lot developed with residential uses shall provide open yard pursuant to §30.140.140, Open Yards. See Chapter 30.150, Average Unit-Size Density Incentive Program				
Landscape	Any lot developed with residential uses must provide landscape areas pursuant to §30.140.118, Landscape				

A. **Dual Zoning: CO-HV and CO-CAR.** The CO-CAR Zone development standards shall apply to all development projects on land with a dual CO-HV/CO-CAR zoning designation.

**SECTION 6.** Chapter 30.140 of Title 30 of the Santa Barbara Municipal Code is

amended to read as follows:

## Division III: Citywide Regulations

### Chapter 30.140 General Site Regulations

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**Sections:**

30.140.010 Purpose and Applicability	30.140.130 Mechanical and Other Equipment
30.140.020 Accessory Buildings	30.140.140 Open Yards
30.140.025 Balconies and Upper Story Decks	30.140.141 Patio Covers
30.140.030 Building Attachment	30.140.145 Privacy Standards for Upper Stories
30.140.040 Development Adjacent to Unincorporated Lots	30.140.150 Residential Unit
30.140.050 Development Along Mission Creek	30.140.155 Screening
30.140.060 Development on Lots Divided by Zone Boundaries	30.140.160 Setbacks and Stepbacks
30.140.070 Development on Substandard and Publicly Reduced Lots	30.140.170 Solar Access Height Limitations
30.140.080 Discontinuation of Use	30.140.180 Street Frontage and Access
30.140.090 Encroachments	30.140.190 Street Widening Setback Lines
30.140.100 Exceptions to Height Limitations	30.140.200 Substantial Redevelopment
30.140.110 Fences and Hedges	30.140.210 Swimming Pools
30.140.112 Garage Conversions	30.140.220 Trash, Recycling, and Personal Outdoor Storage
30.140.115 Guest Houses	30.140.230 Visibility at Driveways and Intersections
30.140.118 Landscape	30.140.240 Yard Buildings
30.140.120 Location of Lot Lines	

**30.140.010 Purpose and Applicability.**

The purpose of this chapter is to prescribe development and site regulations that apply, except where specifically stated, to development in all zones. These standards shall be used in conjunction with the standards for each zone established in Division II, Zone Regulations. In any case of conflict, the more restrictive standards shall apply.

### 30.140.020 Accessory Buildings.

A. **Purpose.** The purpose of this section is to establish objective standards for accessory buildings to ensure that such structures are subordinate to the primary use and reflect the size and appearance of surrounding development. These standards regulate the location, size, height, design, and use of accessory buildings to minimize impacts on privacy, scale, and visual character.

B. **Applicability.** The standards in this section apply to all lots developed with residential uses, and accessory buildings used for agricultural purposes, community gardens, and market gardens. These standards apply to:

1. All attached and detached covered parking structures, and
2. All other detached accessory buildings and structures, whether enclosed or unenclosed, that have a solid roof supported by columns or walls.

C. **Types of Regulated Accessory Buildings.** Accessory buildings are defined in Chapter 30.300, Definitions, and include the following:

1. ***Covered Parking Structures.*** Garage or carport, whether attached or detached.
2. ***Livable Accessory Buildings.*** Detached, roofed, enclosed structures designed for human habitation or occupancy. Examples include Accessory Dwelling Units (ADUs), guest houses, home offices, or similar habitable spaces.
3. ***Non-Livable Accessory Buildings.*** Detached, roofed structures not designed or intended for human habitation. Examples include workshops, greenhouses, agricultural buildings, barns, pens, stables, sheds, and storage rooms.

D. **Exempt Accessory Structures.** The following types of structures are not subject to the provisions of this section:

1. ***Attached Enclosed Spaces.*** Livable or non-livable spaces that are attached to and part of the main building pursuant to Section 30.140.030, Building Attachment, and not used for covered parking. These include enclosed additions such as storage rooms, studios, or other interior spaces regardless of whether they have interior access to the main building. These structures are subject to all standards and regulations applicable to the main building.

2. ***Attached Unenclosed Areas.*** Exterior roofed shade or entry features such as arcades, porticoes, porches, trellises, gazebos, patio covers, and similar, that are attached to the main building, unenclosed, and are not designed or used for covered parking.
3. ***Unroofed Structures.*** Structures without a solid roof, such as fountains, hot tubs, benches, fences, open trellises, and unroofed decks.
4. ***Yard Buildings.*** Minor accessory buildings meeting the standards in Section 30.140.240, Yard Buildings.

E. **Residential Units in Accessory Buildings.** The unauthorized use of accessory buildings for residential purposes is prohibited. Unauthorized or unpermitted Residential Building Elements listed in subsection 30.140.150.E, Determination of Residential Unit, shall not be installed in an accessory building without first obtaining all required City approvals and permits.

F. **Residential Building Elements.**

1. An accessory building is limited to the following residential building elements:
  - a. One partial bathroom (a room with only a toilet and lavatory sink); or
  - b. One utility or bar sink.
2. A full bathroom with bathing facilities, more than one sink, or a kitchen are prohibited in accessory buildings. The installation of any cooking appliance, including but not limited to a stove, range, microwave, toaster oven, hot plate, or similar device, is considered a kitchen.
3. Exceptions to these limitations may be approved as follows:
  - a. The building is approved as a residential unit or an Accessory Dwelling Unit (ADU); or
  - b. The building is approved as a guest house consistent with the standards in Section 30.140.115, Guest Houses; or
  - c. Additional residential building elements are approved pursuant to this subsection and granted a Performance Standard Permit in accordance with Chapter 30.255.
4. The Community Development Director may determine whether proposed residential building elements would result in separate residential occupancy. A Performance Standard

Permit issued under Subsection F.3.c must include a condition of approval providing for the automatic expiration of limited-term approvals or rescission of the permit if the City determines there is evidence of separate residential occupancy.

G. **Relation to Existing Structures.** Accessory buildings and structures may only be constructed on a lot on which there is a permitted main building or land use to which the accessory building is related, with the exception of accessory buildings and structures used for-Community Garden, or Market Garden uses, pursuant to Section 30.185.130, Community and Market Gardens.

H. **Setbacks.**

1. Accessory buildings and structures shall comply with the minimum setback requirements of main buildings in the zone, except as provided in Subsections H.2 through H.4.

2. One-story accessory buildings less than 17 feet in height and not exceeding 1,000 square feet may use the same setback as covered parking structures serving four or fewer spaces, or as allowed by Section 30.140.090, Encroachments.

3. Accessory buildings used for the care and keeping of animals shall be subject to the distance limitations in Title 6 of the Santa Barbara Municipal Code.

4. Accessory buildings used for agricultural operations are subject to the distance limitations in Section 30.185.070, Agriculture.

I. **Maximum Height.** Accessory buildings or structures shall not exceed two stories and 30 feet in height, or as otherwise limited by this Title.

J. **Front Yard Limitation.** Detached accessory buildings, except covered parking or a building used exclusively as an Accessory Dwelling Unit approved under Section 30.185.040, are prohibited in a front yard.

K. **Design Style.** New accessory buildings, additions to accessory buildings, and exterior alterations must incorporate architectural elements that either match the exterior materials, colors, and finishes of the main building, or existing accessory building. Roof form and pitch, window proportions, and door styles must be consistent with those of the main building. Variations may be approved by the applicable Design Review body if the proposed design does not adversely affect the visual character of the site or surrounding area.

L. **Maximum Floor Area – Single-Unit Residential Uses.** The provisions of this subsection shall apply to all development located in single unit zones; or in all zones, on lots developed with a Single-Unit Residential use, as defined in Section 30.295.020.A.1, and no other principal uses. The maximum floor area for attached or detached covered parking and other detached accessory buildings and structures is as follows:

1. ***Maximum Total Square Footage Per Lot.***
  - a. *Lots less than 5,000 square feet:* 1,000 square feet
  - b. *Lots 5,000 square feet up to 9,999 square feet:* 1,300 square feet
  - c. *Lots 10,000 square feet up to 14,999 square feet:* 1,500 square feet
  - d. *Lots 15,000 square feet up to 19,999 square feet:* 1,750 square feet
  - e. *Lots 20,000 square feet or larger:* 1,950 square feet

M. **Rooftop Decks Prohibited.** No rooftop deck or rooftop viewing area shall be placed on the roof of an accessory building or structure unless approved by the applicable Design Review body.

### **30.140.025 Balconies and Upper Story Decks**

A. **Purpose.** The purpose of this section is to establish objective standards that allow balconies and upper story decks as architectural features while minimizing visual and privacy impacts on surrounding properties.

B. **Privacy Standards – Single-Unit and Two-Unit Residential Development.** All new or altered upper story unenclosed landings, decks, and balconies on lots developed with single-unit or two-unit residential development must comply with all of the following standards:

1. ***Size and Placement.***
  - a. The structure must not exceed 16 feet in width and 10 feet in depth, exclusive of handrails, guardrails, wing walls, and uncovered steps.
  - b. Only one balcony or deck is permitted per building façade. Balconies or decks on the same façade or on façades that meet at a building corner must not be combined into a single structure that exceeds 16 feet in width or 10 feet in depth.

2. ***Setback from Lot Lines.*** Any upper-story unenclosed landing, deck, or balcony greater than 20 square feet must be located a minimum of 15 feet from all interior lot lines and meet the front setback or comply with allowed encroachments pursuant to Section 30.140.090, Encroachments.

3. ***Rooftop Decks.*** Rooftop decks are prohibited unless approved by the applicable Design Review body pursuant to Chapter 30.220.

4. ***Exceptions.*** Variations to the privacy standards in this subsection may be approved by the applicable Design Review body, provided the structure complies with all applicable base zone setback and development standards.

C. **Encroachments.**

1. ***Setbacks.*** The cantilevered portion of a balcony or upper story deck may encroach into front setbacks, but not interior setbacks, consistent with Section 30.140.090, Encroachments, provided no new ground supports are placed within the setback area.

2. ***Stepbacks.*** An unenclosed balcony, deck, terrace, or similar usable open space may be located within an upper story stepback, provided there is no further encroachment beyond the plane of the floor below.

D. **Open Yards.**

1. ***Qualifying Open Yard Area.*** Balconies and upper story decks may be used to satisfy the required open yard area for multi-unit and mixed-use projects consistent with the standards in Section 30.140.140, Open Yards.

2. ***Overhangs into Open Yards.*** A balcony or upper story deck may overhang into required open yards, consistent with Section 30.140.090, Encroachments.

E. **Uncovered Structures.** The portion of a balcony or upper story deck that encroaches into a required setback, stepback, or open yard must:

1. Remain uncovered, except for an awning; or

2. Be located above or below another balcony or upper story deck, provided there are no direct vertical connections between them, such as stairs, ladders, or structural supports, other than the wall from which they are cantilevered. A minimum vertical clearance of seven

feet shall be maintained, measured from grade or the top of the lower balcony slab to the underside of the balcony slab directly above.

F. **Guardrail and Windscreen Materials.**

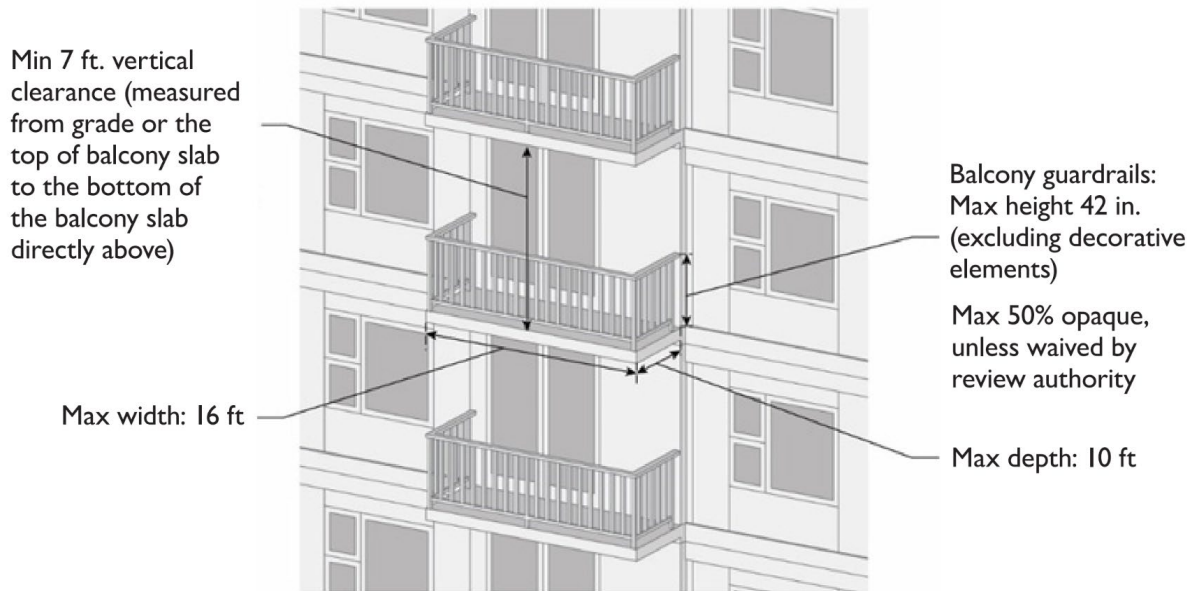
1. ***Transparency and Height.***

- a. Guardrails shall not exceed 42 inches in height, or the minimum height required by the Building Code, whichever is greater.
- b. Guardrails shall not exceed 50% opacity, consisting of open elements such as bars, balusters, or railings. Solid materials, including glass panels, are not considered open elements and do not meet this transparency requirement unless otherwise approved by the applicable Design Review body.
- c. Variations to these guardrail standards may be approved by the applicable Design Review body to ensure consistency with the building's architectural style, as defined in applicable design guidelines.

2. ***Reflective Materials.*** Glass or other reflective materials used on windscreens or guardrails must be oriented or treated to minimize glare onto streets, pedestrians, or surrounding structures.

G. **Lighting.** All outdoor lighting associated with decks, balconies, exterior stairways, and landings shall be fully shielded and downward directed to prevent light trespass onto adjacent properties.

**FIGURE 30.140.025: BALCONIES AND UPPER STORY DECKS**



**30.140.030 Building Attachment.**

A. **Purpose.** The purpose of this section is to establish objective standards for determining when buildings and structures are considered attached or detached. These standards ensure consistent application of development standards and promote a cohesive architectural relationship between main and accessory buildings on a property.

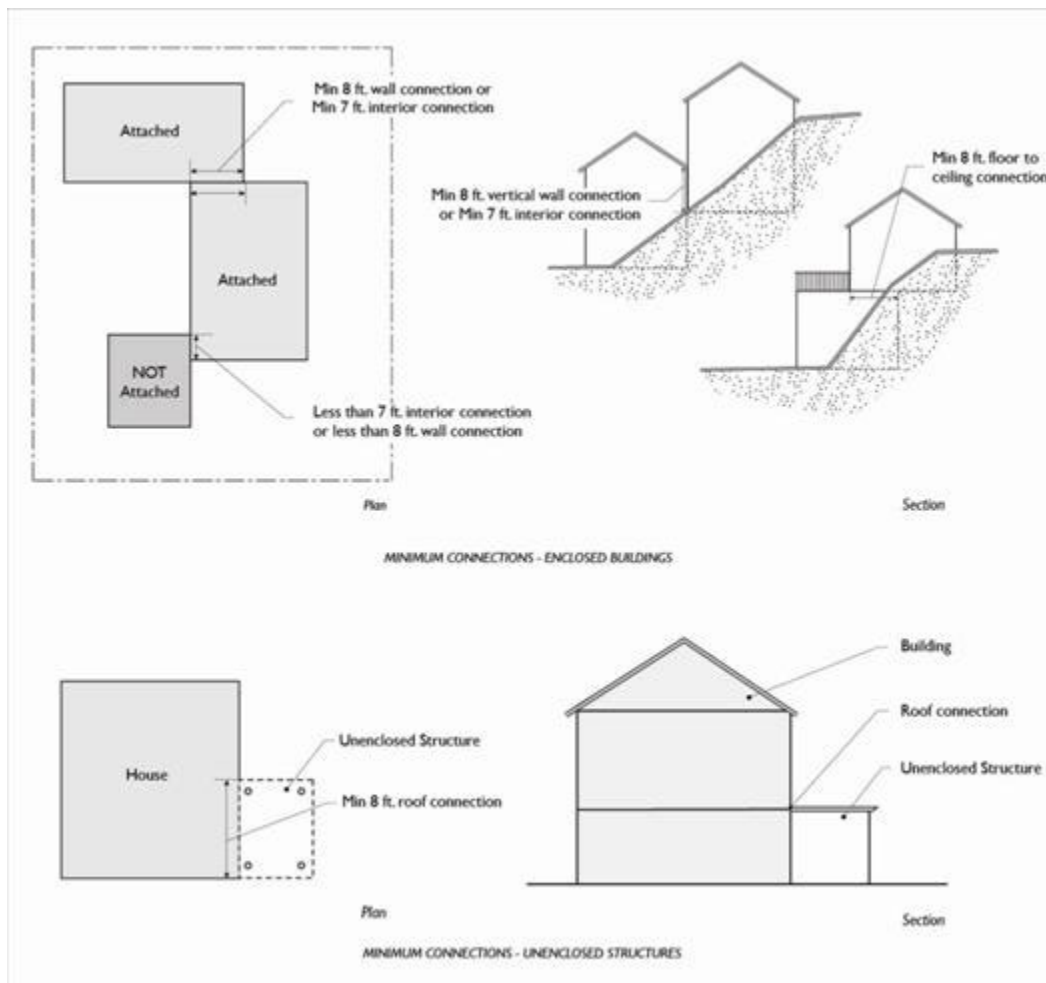
B. **Applicability.** The provisions of this section apply to all main and accessory buildings, or portions thereof, and structures having a solid roof supported by columns or walls. All buildings and structures must either be classified as attached or detached in accordance with the standards in this section.

C. **Required Separation.** Any building, roofed structure, or portion thereof that does not meet the minimum connection standards in Subsection D shall be considered detached. Detached buildings or structures must be physically separated and unconnected from other buildings or structures and are subject to all applicable standards and limitations for detached main or accessory buildings under this Title.

D **Required Minimum Connection.** Buildings or roofed structures shall be considered attached when the structures meet the following minimum connection standards:

1. **Enclosed Buildings.** Enclosed buildings shall be considered attached when the buildings share either:
  - a. A common building wall or floor-to-ceiling connection with minimum dimensions of eight feet by eight feet; or
  - b. An interior connection, such as a hallway or room, with minimum dimensions of seven feet by seven feet.
  
2. **Unenclosed Structures.** Unenclosed roofed structures such as carports, patio covers, or similar, are considered attached when they share a solid roof connection with a minimum dimension of eight feet. Breezeways or other similar unenclosed connections do not qualify as attachment between enclosed buildings.

**FIGURE 30.140.030: BUILDING ATTACHMENT**



### **30.140.040 Development Adjacent to Unincorporated Lots.**

Where development is subject to limitations based upon the adjacent lot, and the adjacent lot is located outside the City of Santa Barbara City Limit, the adjacent lot shall be regarded as within the City of Santa Barbara in a zone most similar in terms of allowed uses or maximum residential density to the lot's zoning in the subject jurisdiction, as determined by the Community Development Director.

### **30.140.050 Development Along Mission Creek.**

A. **Purpose.** The purpose of this section is to provide controls on development adjacent to the bed of Mission Creek within the City of Santa Barbara. These controls are necessary:

1. To prevent undue damage or destruction of developments by flood waters;
2. To prevent development on one parcel from causing undue detrimental impact on adjacent or downstream properties in the event of flood waters; and
3. To protect the public health, safety and welfare.

B. **Applicability.** No person may construct, build, or place a development within the area described in Subsection 30.140.050.C, Development Limitation Area, unless said development has been previously approved as provided in Subsection 30.140.050.E, Approval Required. The development must also comply with the City of Santa Barbara's adopted Floodplain Management regulations.

C. **Development Limitation Area.** The limitations of this section shall apply to all land within the area of the Mission Creek watercourse pursuant to Section 30.15.040, Determining Creek Top of Bank, and all land located within 25 feet of the top of either bank of Mission Creek within the City of Santa Barbara.

D. **Development Defined.** Development, for the purposes of this section, shall include any structure requiring a building permit; the construction or placement of a fence, wall, retaining wall, steps, deck (wood, rock, or concrete), or walkway; any grading; or, the relocation or removal of stones or other surface which forms a natural creek channel.

E. **Approval Required.** Prior to construction of a development in the area described in Subsection 30.140.050.C, Development Limitation Area, the property owner shall obtain approvals as follows:

1. Any development subject to the requirement for a building permit shall be reviewed and approved by the Community Development Director or the Planning Commission on appeal, prior to the issuance of a building permit.
2. Any development not requiring a building permit shall be reviewed and approved by the Community Development Director, or the Planning Commission on appeal. A description of the development shall be submitted showing the use of intended development, its location, size and manner of construction.

F. **Development Standards.** No development in the area subject to this section shall be approved unless it is found that it will be consistent with the purposes set forth in Subsection 30.140.050.A, Purpose.

1. The Community Development Director, or the Planning Commission on appeal, shall consider the following in determining whether the development is consistent with Subsection 30.140.050.A, Purpose:
  - a. That the proposed new development, additions, alterations, and improvements, will not significantly reduce existing floodways, realign stream beds or otherwise adversely affect other properties by increasing stream velocities or depths, or by diverting the flow, and that the proposed new development will be reasonably safe from flow-related erosion and will not cause flow-related erosion hazards or otherwise aggravate existing flow-related erosion hazards.
  - b. That proposed reconstruction of structures damaged by fire, flood or other calamities will comply with Subparagraph 1.a above, or be less nonconforming than the original structure and will not adversely affect other properties.
  - c. The report, if any, of a qualified soils engineer or geologist and the recommendations of the Santa Barbara County Flood Control and Water Conservation District.
  - d. Whether denial of approval would cause severe hardship or prohibit the reasonable development and use of the property.

2. The Community Development Director, or the Planning Commission on appeal, may consider the following factors as mitigating possible hazards which might otherwise result from such development:

- a. Where the development is located on a bank of the creek which is sufficiently higher than the opposite bank to place the development outside a flood hazard area.
- b. Where the creek bed adjacent to the development is sufficiently wide or the creek bank slope sufficiently gradual that the probability of flood hazard is reduced.
- c. Where approved erosion or flood control facilities or devices have been installed in the creek bed adjacent to the development.
- d. Where the ground level floor of the development is not used for human occupancy and has no solid walls.
- e. Where the development is set on pilings so that the first occupied floor lies above the 100-year flood level, and such pilings are designed to minimize turbulence.

3. The Staff Hearing Officer, or the Planning Commission on appeal, may grant a Modification to required Open Yards or setbacks required by the applicable zone, pursuant to Chapter 30.250, Modifications, in order to enable a structure to comply with the Development Limitation Area in Subsection 30.140.050.C, or to be relocated to a safer or more appropriate location on the lot.

G. **Procedures.** The following procedures shall apply to developments in the area defined in Subsection 30.140.050.C, Development Limitation Area:

1. All applicants shall receive an environmental assessment.
2. All applications shall be referred to the Santa Barbara County Flood Control and Water Conservation District and the City Parks and Recreation Department Creeks Division for review and comment.
3. Upon completion of the above review and comment, the proposed development shall be reviewed by the Community Development Director as provided in Subsection 30.140.050.E, Approval Required. The Community Development Director shall give the applicant and any other person requesting to be heard, an opportunity to submit oral or written comments prior to a decision. The Community Development Director shall send by mail notice of the decision to the applicant. The decision of the Community Development

Director shall be final unless appealed by the applicant or any interested person to the Planning Commission within 10 days by the filing of a written appeal with the Community Development Department. The Community Development Department shall schedule the matter for a noticed public hearing by the Planning Commission pursuant to 30.205, Common Procedures. The decision of the Planning Commission shall be final.

#### **30.140.060 Development on Lots Divided by Zone Boundaries.**

A. **Generally.** Where a lot is divided by a zone boundary, the regulations applicable to each zone shall be applied to the area within the zone, and no use, other than parking serving a principal use on the site, shall be located in a zone in which it is not an allowed use.

B. **Accessory Facilities.** Accessory landscape, fences, screening or retaining walls, and usable open space may be located on the lot without regard for zone boundaries but must comply with the standards of the applicable zone.

C. **Density.** The maximum density allowed, if any, shall be calculated according to the lot area within each zone and the corresponding allowable density for that zone, and distributed as follows:

1. ***Residential Single Unit Zones.*** Up to the allowable density for the Residential Single Unit portion of the site may be located on the area of the lot in the Residential Single Unit Zone. If the lot is divided by multiple RS Zone designations, then the allowed density is one unit per lot.
2. ***Other Zones.*** The resulting maximum allowed number of units may be distributed on the lot without regard for zone boundaries, as long as all portions of the project comply with the development standards of the zone in which they are located and all other provisions of this section.

#### **30.140.070 Development on Substandard and Publicly Reduced Lots.**

A. **Use of Legally Created Substandard Lots.** Any lot or parcel of land that was legally created may be used as a building site even when consisting of less area or lot dimensions than that required by the regulations for the zone in which it is located. Lot area per residential unit requirements and all other provisions of this Title shall apply. No substandard lot shall be subdivided or further reduced in area or dimensions unless required for a public purpose by a public agency or unless granted a Modification pursuant to Chapter 30.250, Modifications.

B. **Conformity of Lots Reduced for Public Purposes.** Where any existing parcel of land is reduced in size or lot dimensions below those required by this Title by reason of the acquisition or

dedication of a portion thereof, along any perimeter of such parcel for any public purpose by any public agency, such parcel as so reduced shall be considered as conforming to the provisions of this Title as a legal lot. This section shall not apply to property acquired by a public agency as part of a subdivision of more than one lot.

1. Minimum lot area and street frontage required by this Title shall not apply.
2. In applying residential density and Maximum Floor Area Ratio (FAR) requirements, the area of such lot shall be considered as that which existed prior to such acquisition or dedication.
3. All setbacks and other development standards for new development shall be measured and calculated from the resulting lot line created by said acquisition or dedication.
4. For provisions related to existing structures that become nonconforming due to public acquisition or dedication, refer to Section 30.165.035, Structures Made Nonconforming by Public Acquisition.

#### **30.140.080 Discontinuation of Use.**

A. **Nonresidential Use.** A use shall be considered discontinued when the use ceases for a period of 12 consecutive months and evidence that the use has been discontinued occurs. The 12-month limitation may be extended to a maximum of 24 additional months at the Community Development Director's sole discretion if due diligence in obtaining permits has been demonstrated. Elements to be considered in determining whether a use has been discontinued include, but are not limited to, any combination of the following:

1. Site is vacated;
2. Business license or other required license lapse;
3. Building is closed for business;
4. There are no persons, materials, equipment, or products occupying the buildings, structures, or site;
5. Utilities are terminated; or
6. Lease is terminated.

B. **Residential Use.** A legal residential use shall not be considered discontinued, regardless of the length of time of nonuse.

### **30.140.090 Encroachments.**

A. **Applicability.** Required setbacks, stepbacks, landscape areas, and open yard areas shall remain open, unenclosed, and unobstructed from the ground or allowed finished surface upward, except as provided in this section. The provisions of this section do not apply to:

1. Section 30.140.050, Development along Mission Creek;
2. Section 30.140.190, Street Widening Setback Lines; or
3. This section applies only to encroachments on private property and does not authorize encroachments into the public right-of-way or utility easements.

B. **General Limitations.** All encroachments allowed under this section shall comply with the following limitations:

1. ***Vertical Clearance.***
  - a. Wall-mounted encroachments into setbacks or stepbacks shall be elevated at least 18 inches above the adjacent finished floor or adjacent grade, whichever is higher, to ensure they do not create occupiable floor area or rest directly on a horizontal surface, in accordance with the definition of a wall-mounted structure.
  - b. Encroachments located above a required open yard must maintain a minimum vertical clearance of 7 feet, measured from the finished grade or finished surface directly beneath the encroachment to the lowest point of the encroaching structure.
2. ***Floor Area Not Allowed.*** Encroachments shall not be designed or constructed to provide usable interior floor area within a building or structure.
3. ***Below or At Grade Structures.*** Structures located below finished grade, or with a finished surface level no more than 10 inches above existing grade, are not considered encroachments. This includes non-vehicular paved areas such as patios, decks, pathways, dooryards, or steps, provided the surface is not part of the building's roof structure.

4. **Screening Enclosures.** Enclosures intended to screen an encroachment must comply with the same setback and minimum distance requirements applicable to the encroaching feature.
5. **Nonconforming Features.** Encroachments are allowed within both conforming and nonconforming setbacks, stepbacks, landscape areas, and open yards, provided they maintain the minimum required distance from the property line and comply with all applicable standards in this section. The extent of horizontal encroachment shall not be limited solely due to the nonconforming status of the open yard or setback area.
6. **Building Code Compliance.** All encroachments shall comply with applicable provisions of the Building Code.
7. **Encroachments into Required Landscape Areas.** If a required landscape area overlaps a setback, stepback, or open yard, the features listed in Table 30.140.090.C may also encroach into the required landscape area, provided they comply with the same standards and limitations that apply to those features elsewhere.
8. **Classification of Structures.** All features subject to this section shall be classified based on their physical characteristics, placement, and functional design, as determined by the Community Development Director. Reclassification to avoid applicable standards is prohibited.

C. **Allowed Encroachments.** The features listed in Table 30.140.090.C: Allowed Encroachments may encroach into setbacks, stepbacks, landscape, and open yard areas, subject to the standards specified in the table and the specific limitations in Subsection D. Where “Front” is indicated it refers to the Front Yard, Front Setback, and Front Stepback. Where “Interior” is indicated it refers to the Interior Setback and Interior Stepback. Where “No limit” is indicated in any column, the feature may extend without a maximum dimension in that category; however, it must still meet any applicable minimum distance from the lot line set forth in this section or elsewhere in this Title.

<b>TABLE 30.140.090.C: ALLOWED ENCROACHMENTS</b>					
“-” Encroachment Not Allowed; “MZE” Minor Zoning Exception Required					
<i>Feature</i>	<i>Maximum Encroachment</i>			<i>Minimum Distance from Lot Line</i>	<i>Limitations/Additional Regulations</i>
	<i>Front</i>	<i>Interior</i>	<i>Open Yard</i>		
<b>Architectural Elements</b>					

**TABLE 30.140.090.C: ALLOWED ENCROACHMENTS**

“–” Encroachment Not Allowed; “MZE” Minor Zoning Exception Required

Feature	Maximum Encroachment			Minimum Distance from Lot Line	Limitations/Additional Regulations
	Front	Interior	Open Yard		
Architectural Features (Wall-Mounted)	3 ft	3 ft	3 ft	2 ft	See Definitions, §30.300.010 “A”
Bay Windows	3 ft	–	3 ft	2 ft	
Chimneys (Attached)	3 ft	3 ft	3 ft	3 ft	Must serve the interior of a building
Eaves	3 ft	3 ft	3 ft	2 ft	
Porch (Front)	10 ft	3 ft; or same as residence if nonconforming	–	5 ft (front), 3 ft (interior)	One per unit; See Subsection D.3
Rain Gutters and Downspouts	6 in	6 in	6 in	N/A	Allowed projection beyond the roof eave
Stoops, Landings, and Outside Steps	10 ft	3 ft	3 ft	5 ft (front), 3 ft (interior)	First-floor level only; See Subsection D.3
Wing Wall	One wing wall per lot line allowed			Per Building Code	≤1 ft thick, ≤9 ft tall
<b>Functional Elements</b>					
Mechanical Equipment (Roof-Mounted)	May match roof or roof parapet, if screened consistent with §30.140.155, Screening		N/A	2 ft	See §30.140.130, Mechanical and Other Equipment
Mechanical Equipment (Wall-Mounted)	18 in	18 in	18 in	2 ft	See §30.140.130, Mechanical and Other Equipment
Mechanical Equipment (Ground-Mounted)	Max. 50 sq. ft	No limit	Max. 50 sq. ft	10 ft (front), 3 ft (interior)	See §30.140.130, Mechanical and Other Equipment
Solar Energy Systems (Roof-Mounted)	May match roof eaves if parallel and ≤10 in. above roof		N/A	2 ft	See §30.140.170, Solar Energy Systems
Solar Energy Systems (Ground-Mounted)	3 ft	No limit	–	10 ft (front), 3 ft (interior)	Max. height: 30 in (front), 6 ft (interior) See §30.140.170, Solar Energy Systems
Storm Water Management Equipment (Rain Barrels/Cisterns)	Max. 50 sq. ft	Max 2 per setback	Max 2 per open yard area	10 ft (front) 2 ft (interior)	Cumulative max. capacity: 1,000 gallons; Max. height: 6 ft
Trash/Recycling Enclosures (Unroofed)	Max. 50 sq. ft	No limit	–	10 ft (front) 2 ft (interior)	See §30.140.220, Trash Recycling, and Personal Outdoor Storage

**TABLE 30.140.090.C: ALLOWED ENCROACHMENTS**

“–” Encroachment Not Allowed; “MZE” Minor Zoning Exception Required

Feature	Maximum Encroachment			Minimum Distance from Lot Line	Limitations/Additional Regulations
	Front	Interior	Open Yard		
Yard Building (<6 ft tall)	–	No limit	No limit	No limit	See §30.140.240, Yard Buildings
Yard Building (6–8 ft tall)	–	No limit	3 ft	3 ft	See §30.140.240, Yard Buildings
<b>Outdoor Living and Circulation</b>					
Accessible Parking/Access Improvements	No limit	No limit	–	No limit	ADA-compliant features only
Balconies and Upper Story Decks	3 ft	–	Max. 20% per Subsection D.2	2 ft	See §30.140.025, Balconies and Upper Story Decks
Driveways (On Grade)	No limit	No limit	–	No limit	Not exceeding the width necessary for vehicular access
Driveway Gate	No limit	No limit	–	20 ft (front), unless waived by the Public Works Director	See Subsection D.5
Entryway Trellis, Arbor, Gate	1 per lot line	1 per lot line	N/A	No limit	See Subsection D.1
Fences and Walls	No limit	No limit	No limit	No limit	See §30.140.110, Fences and Hedges
Landscape Accessories (Residential)	Max. 50 sq. ft	Allowed only where front and interior setbacks intersect	No limit	No limit	See Definitions §30.300.120 “L”
Open Yard Amenities (Residential)	–	–	Max. 20% per Subsection D.2	N/A	
Outdoor Furniture (Nonresidential)	No limit	–	–	No limit	Must be movable
Patio Covers, Solid Roof (Attached)	3 ft for overhang only	3 ft for overhang only	Max. 20% per Subsection D.2	2 ft	See §30.140.142, Patio Covers
Patio Cover, Solid Roof (Detached)	–	3 ft for overhang only	Max. 20% per Subsection D.2	2 ft	See §30.140.142, Patio Covers
Planter Beds & Terraces (≤42 in height)	No limit	No limit	No limit	No limit	See §30.140.110, Fences and Hedges
Swimming Pools & Spas (Below-Grade)	No limit	No limit	No limit	15 ft (front), 5 ft (interior)	See §30.140.210, Swimming Pools

<b>TABLE 30.140.090.C: ALLOWED ENCROACHMENTS</b>					
"–" Encroachment Not Allowed; "MZE" Minor Zoning Exception Required					
<i>Feature</i>	<i>Maximum Encroachment</i>			<i>Minimum Distance from Lot Line</i>	<i>Limitations/Additional Regulations</i>
	<i>Front</i>	<i>Interior</i>	<i>Open Yard</i>		
Uncovered Decks/Patios (≤10 in. high)	No limit	No limit	No limit	No limit	Not considered encroachments; see §30.140.090.B.3
Uncovered Decks (≤18 in. high)	–	With MZE approved by the Community Development Director	No limit	N/A	See Ch. 30.245, Minor Zoning Exceptions
Uncovered Decks (≤36 in. high)	–	–	No limit	N/A	Allowed in open yard only

D. **Specific Limitations.** The following limitations apply to features listed in Table 30.140.090.C:

1. **Entryway Trellis, Arbor, or Gate.** An entryway trellis, arbor, or gate may encroach into required setbacks, subject to the following limitations. These structures are intended solely as entry features and are distinct from larger patio covers or trellises allowed in open yard areas under Subsection D.2 and Section 30.140.142, Patio Covers. Ground supports for these structures may be located within required setbacks, notwithstanding the limitations in Subsection D.2.b

a. **Quantity.** One entryway trellis, arbor, or gate is allowed per lot line within required setbacks.

b. **Height and Area Limits.**

i. Within required setbacks, an overhead structure shall not exceed 9 feet in height and 18 square feet in area.

ii. Within required open yard areas, an overhead structure shall not exceed 12 feet in height.

c. **Design.** A roofed trellis must be constructed of lattice or other roof material which allows light and air to pass through a minimum of 50% of the roof surface as defined in Section 30.300.200 "T".

- d. *Placement.* The structure must be located over a walkway or entry path and shall not obstruct required access or visibility.
- e. *Additional Standards.* All structures shall comply with applicable design and screening requirements in Section 30.140.142, Patio Covers.

2. ***Open Yard.***

- a. Encroachments into required open yard areas shall not exceed 20% of any individual open yard area, or a cumulative total of 20% of the total required open yard area per lot.
- b. Where an encroachment into required open yard areas includes a covered structure (e.g., patio cover, pergola, trellis), the area beneath the cover must be unenclosed, as defined in Section 30.300.210 “U,” and must be designed and used for outdoor purposes, such as a patio, seating area, or similar amenity. Ground supports may be located in the open yard area, but shall not be located within required setbacks, unless otherwise allowed by this section.

3. ***Front Porches, Stoops, Landings, and Outside Steps.*** To qualify for the encroachments allowed under this section, front porches, stoops, landings, and outside steps must meet all of the following standards:

- a. *Maximum Dimensions:*
  - i. A front porch may extend across up to 100% of the width of the front façade of the building it serves. A front porch that is more than 16 feet wide must not exceed 6 feet in depth, and the front porch must not exceed 10 feet in depth, exclusive of handrails, guardrails, wing walls, and uncovered steps.
  - ii. Stoops and landings must not exceed 16 feet in width and 10 feet in depth, exclusive of handrails, guardrails, wing walls, and uncovered steps;
- b. The structure must be unenclosed, as defined in Section 30.300.210 “U”;
- c. The structure must be located at the first-floor level only;
- d. Only one front porch is allowed per unit. Multiple stoops and landings are allowed per unit if each complies with the dimensional, location, and design standards of this subsection.

e. *Nonconforming Buildings.* For nonconforming buildings, a front entry porch may encroach into the interior setback to the same extent as the existing building, provided that:

i. The porch faces the street; and

ii. No portion of the porch, except for uncovered steps, is located closer than two feet to the interior property line.

f. The finished surface must be no more than 6 feet above finished grade. If covered, the roof height must not exceed 12 feet above the finished floor.

g. The structure must use the same exterior materials, roof pitch, and architectural detailing as the structure it serves. Different architectural details or materials may be approved by the applicable Design Review body.

4. *Rain Barrels and Cisterns.* Shall be maintained in good condition to prevent accumulation of material that attracts mosquitoes or other vectors.

5. *Driveway Gates and Opening Devices.* Driveway gates and their associated opening devices may encroach into required setbacks, subject to the following standards:

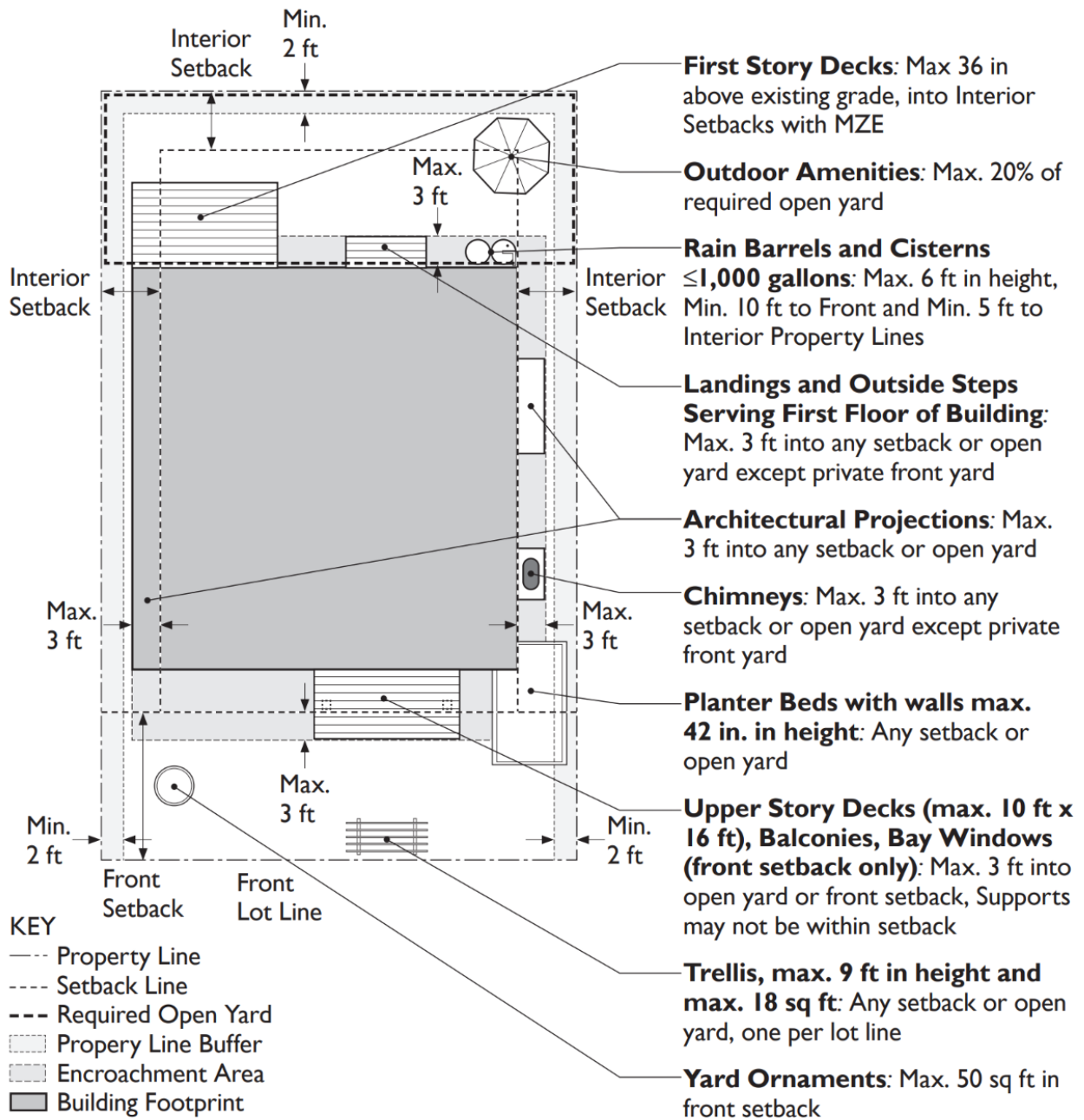
a. *Gate Height.* Consistent with fence heights in Section 30.140.110, Fences and Hedges.

b. *Gate Width.* The gate width shall not exceed the width of the driveway it serves.

c. *Opening Devices.* Gate motors, arms, or control boxes may encroach up to 18 inches into a required setback, provided they are located entirely on private property and do not obstruct access or visibility.

d. *Design.* Gates and associated equipment shall be screened or finished in a manner consistent with the design of the gate and surrounding improvements.

**FIGURE 30.140.090.C: ALLOWED ENCROACHMENTS**



**FIGURE 30.140.090.B.1: VERTICAL CLEARANCE FOR WALL-MOUNTED ENCROACHMENTS**

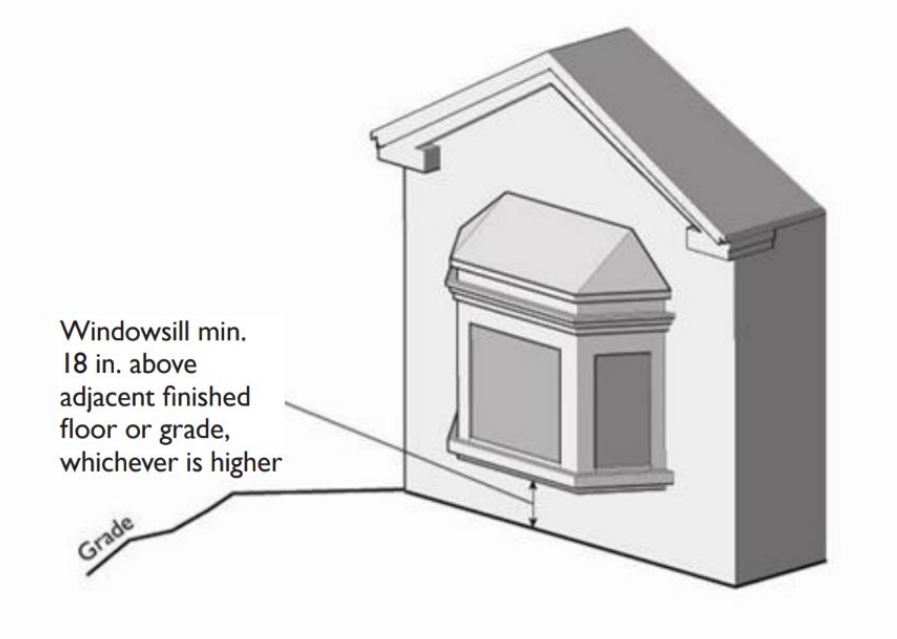


FIGURE 30.140.090.D.3.a.i: FRONT PORCHES

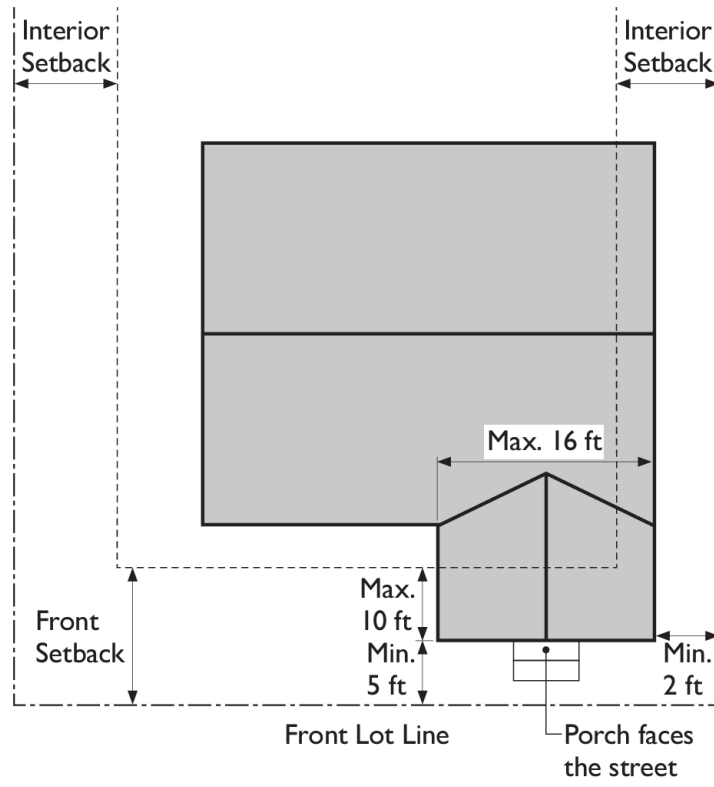
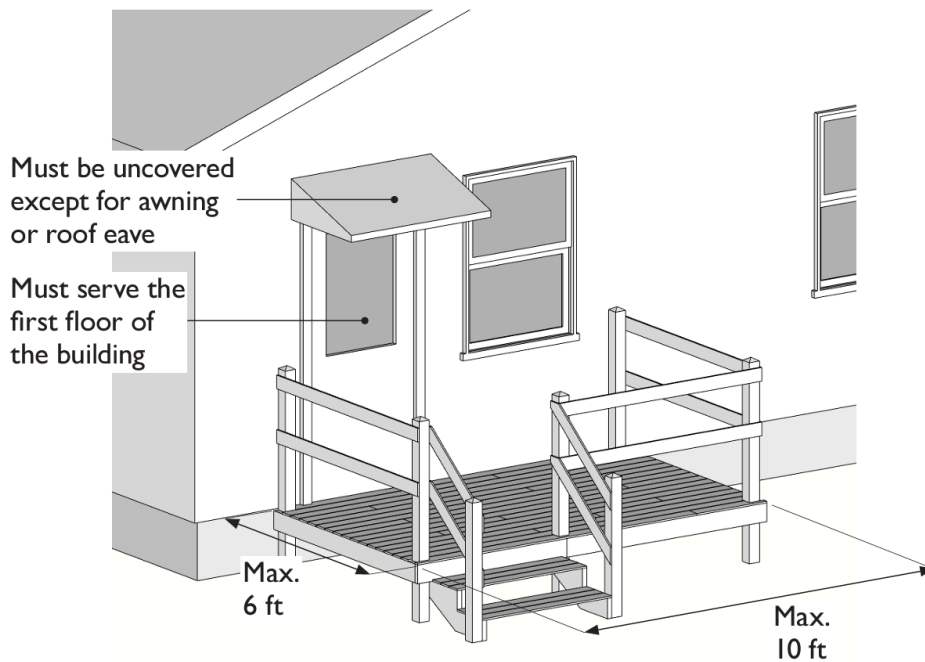


FIGURE 30.140.090.D.3a.ii: STOOPS, LANDINGS, AND OUTSIDE STEPS



### 30.140.100 Exceptions to Height Limitations.

- A. Additional Height Exceptions are in Section 30.15.090, Measuring Height and Stories.
- B. **Community Benefit and Community Benefit Housing Projects.** In the C-G, M-C, M-I, and CO-MI zones, up to 60 feet in height may be allowed for projects that qualify as a Community Benefit Project or a Community Benefit Housing Project in accordance with the following.
  1. **Required Findings.** A Community Benefit Project or a Community Benefit Housing Project may only be approved if the following findings are made in addition to any other findings required by this Title.
    - a. ***Demonstrated Need.*** The applicant has adequately demonstrated a need for the project to exceed 45 feet in height that is related to the project's benefit to the community, or due to site constraints, or in order to achieve desired architectural qualities;
    - b. ***Architecture and Design.*** The project will be exemplary in its design;

- c. ***Livability.*** If the project includes residential units, the project will provide amenities to its residents which ensure the livability of the project with particular attention to good interior design features such as the amount of light and air, or ceiling plate heights; and
- d. ***Sensitivity to Context.*** The project design will complement the setting and the character of the neighboring properties with sensitivity to any adjacent federal, state, and City Landmarks or any nearby designated Historic Resources, including City-designated Structures of Merit.

2. **Procedure.**

- a. ***Conceptual Design Review.*** Prior to the Planning Commission considering an application for a height exception pursuant to this section, a project shall receive conceptual design review by the appropriate Design Review body as required by Chapter 30.220, Design Review.
- b. ***Planning Commission Consideration of Findings***
  - i. ***Design Review Projects.*** If a project only requires design review by the Historic Landmarks Commission or the Architectural Board of Review ~~under Title 22 of the Santa Barbara Municipal Code~~, the Planning Commission shall review and consider the building height findings of this section after conceptual design review and before consideration of the project by the Historic Landmarks Commission or the Architectural Board of Review for Project Design approval.
  - ii. ***Staff Hearing Officer Projects.*** If a project requires the review and approval of a permit by the Staff Hearing Officer, the Planning Commission shall review and consider the building height findings after conceptual design review, but before the preparation of a full application for the consideration of the permit by the Staff Hearing Officer.
  - iii. ***Planning Commission Projects.*** If a project requires the review and approval of a permit by the Planning Commission, the Planning Commission shall review and consider the building height findings after conceptual design review, but before the full application submittal and before the consideration of the land use approval by the Planning Commission.

**30.140.110 Fences and Hedges.**

A. **Purpose.** The purpose of this section is to establish objective standards for fences and hedges that balance the functional needs of property owners to provide security, privacy, and noise reduction with the broader goals of preserving neighborhood character, protecting visual aesthetics, and maintaining visual openness and connectivity between properties.

B. **Definitions.** See Chapter 30.300, Definitions, for the definitions of Fence, Wall, Hedge, Screen, and Retaining Walls. For the purposes of this section, “Fence” and “Wall” are used interchangeably to refer to any barrier structure, including gates and screens.

C. **Height Limitations.** Maximum allowable heights for fences and hedges on all lots are provided in Table 30.140.110.C. Additional provisions are provided in Subsections F and G.

<b>TABLE 30.140.110.C: HEIGHT LIMITATIONS FOR FENCES AND HEDGES</b>						
<i>Feature</i>	<i>Maximum Height</i>			<i>Maximum Height with Minor Zoning Exception</i>		
	<i>Within 10 ft of Front Lot Line</i>	<i>Front Yard</i>	<i>All Other Areas</i>	<i>Within 10 ft. of Front Lot Line</i>	<i>Front Yard</i>	<i>All Other Areas</i>
<i>Fence</i>	3.5 ft	5 ft	8 ft	7.5 ft	12 ft	12 ft
<i>Retaining Wall</i>	3 ft	3 ft	6 ft	7.5 ft	12 ft	12 ft
<i>Hedge</i>	8 ft	8 ft	12 ft	12 ft	14 ft	14 ft
<b>Allowed Projections Above Maximum Height</b>						
<i>Decorative Elements</i>	Up to 12 inches for pilaster caps, finials, posts, or lighting fixtures, spaced no closer than 6 ft on center.					
<i>Arbor/Trellis /Gate</i>	One entryway arbor/trellis/gate per lot line allowed in setbacks, Maximum ≤9 ft tall, 18 sq ft, subject to the limitations in Section 30.140.090.D.1 and §30.140.090, Encroachments.					
<i>Guardrails</i>	Up to 42 inches above a retaining wall, or as required by the Building Code, whichever is greater. Guardrails must be at least 50% transparent (e.g., open bars, balusters, or similar elements) or subject to design review approval.					
<i>School Fencing</i>	Fencing used to enclose a Day Care Center or School may exceed the standard height limits, up to a maximum of 10 feet, provided the fence is constructed of chain link or open-mesh material. Greater heights may be approved by the Community Development Director based on demonstrated security or operational needs.					
Note: All maximum heights are subject to additional limitations in Subsection F, including visibility, solar access, and retaining wall standards. See Subsection G.3 for additional design and material standards for retaining walls.						

D. **Exceptions, Modifications, and Waivers.**

1. ***Minor Zoning Exception (MZE) for Additional Height.*** Additional fence and hedge height, up to the maximum allowed in Table 30.140.110.C, may be approved by the applicable Design Review body pursuant to Chapter 30.245, Minor Zoning Exceptions, upon making all required findings, including that the exception will not obstruct necessary sightlines for the safe operation of motor vehicles.

2. ***Modification for Additional Height.*** Additional fence and hedge height that exceeds the maximum allowed through a Minor Zoning Exception (MZE), but within the maximum height allowed for structures in the base zone, may be approved pursuant to Section 30.250, Modifications.

3. ***Design Standards Waiver.*** The applicable Design Review body may approve alternative materials, colors, or design standards for fences and walls in consideration of specific site or neighborhood conditions, provided the proposed design complies with applicable height standards, is compatible with surrounding development, and is consistent with applicable design guidelines.

E. **Measuring Height.** Height shall be measured per Section 30.15.090.B, Measuring the Height of Fences and Hedges, including provisions for combined fence, wall, and hedge configurations.

F. **Height Limitations Based on Site Conditions.** Fences and hedges shall comply with the following additional limitations based on site conditions:

1. ***Visibility.*** Must comply with Section 30.140.230, Visibility at Driveways and Intersections.

2. ***Solar Access.*** Must comply with Section 30.140.170, Solar Access Height Limitations.

3. ***Retaining Walls.*** See Subsection F.3 for additional retaining wall standards.

G. **Design Standards.**

1. ***Allowed Fence Materials.*** Fences must be constructed of plastered masonry, natural stone, stucco, wrought iron, painted metal (black or dark green), or stained/painted wood in neutral earth tone colors. Materials and finishes must match existing site fencing or the main building. Sandstone walls and curbs shall not be painted.

2. ***Good Neighbor Fence.*** Fences shall be double-sided or finished on the side facing the public right-of-way or adjoining property. Support posts and stringers must face inward.
3. ***Retaining Walls.*** Retaining walls shall comply with the following, unless reduced or waived by the Design Review body:
  - a. ***Walls Four Feet or Taller.*** Walls four feet or taller must be constructed of natural-cut sandstone with matching mortar, or must include a landscape planter at least three feet deep, measured perpendicular to the wall, located either at the base of the wall or behind it with trailing vines, provided the plantings are visible from the exposed portion of the retaining wall.
  - b. ***Terraced Retaining Walls.*** Multiple terraced retaining walls shall:
    - i. Be separated by at least 5 feet;
    - ii. Not exceed 12 feet in cumulative height as measured from the lowest finished grade to the top of the upper wall;
    - iii. Not exceed 6 feet in height for any single wall as measured from the lower finished grade to the top of wall; and
    - iv. The entire horizontal area between terraced walls shall be landscaped.

For purposes of this subsection, the standards apply to both fill-slope and cut-slope retaining wall conditions.

4. ***Prohibited Fence Materials.*** The following materials shall not be used for fencing unless otherwise specified:
  - a. ***Chain-link fencing.*** Prohibited in front yards in all residential zones and on historic resources, unless approved by Design Review, or at a Day Care Center, School, or as “Temporary Fencing” in Subsection H. May be allowed in interior yards if coated in black or dark green vinyl and screened with landscaping.
  - b. ***Chicken wire, poultry netting, or similar mesh.*** Prohibited except in agricultural structures.
  - c. ***Corrugated metal panel.*** Prohibited in all residential zones.

d. *Barbed wire, razor wire, concertina wire.* Prohibited in all residential zones. May be allowed in nonresidential zones with security justification and approval by the Community Development Director, provided that:

i. Sharp wire or points will not be used or maintained closer than 3 feet to any lot line; and

ii. Sharp wire or points will not project at the top of any fence less than 6 feet in height.

e. *Electrified fencing.* Prohibited unless required for agricultural or security purposes and approved by the Community Development Director.

f. *Unfinished concrete block or cinder block.* Prohibited in front yards unless finished with stucco, paint, or decorative veneer.

g. *Vinyl fencing.* Prohibited in front yards in all residential zones and on historic resources, unless approved by Design Review. May be allowed elsewhere if color and design are consistent with the building's architectural style.

h. *Hazardous Elements.* Fences incorporating broken glass, nails, spikes, or other hazardous materials or sharp objects are strictly prohibited.

H. **Temporary Fencing.** Temporary fencing may be used to provide security for approved special events, construction sites, or vacant structures and land that cannot otherwise be secured. All temporary fencing must comply with this section and the following standards:

1. *Materials.* Allowed materials include green mesh, wood, black or green vinyl-coated chain link with vine planting.

2. *Height.* Maximum 6 feet.

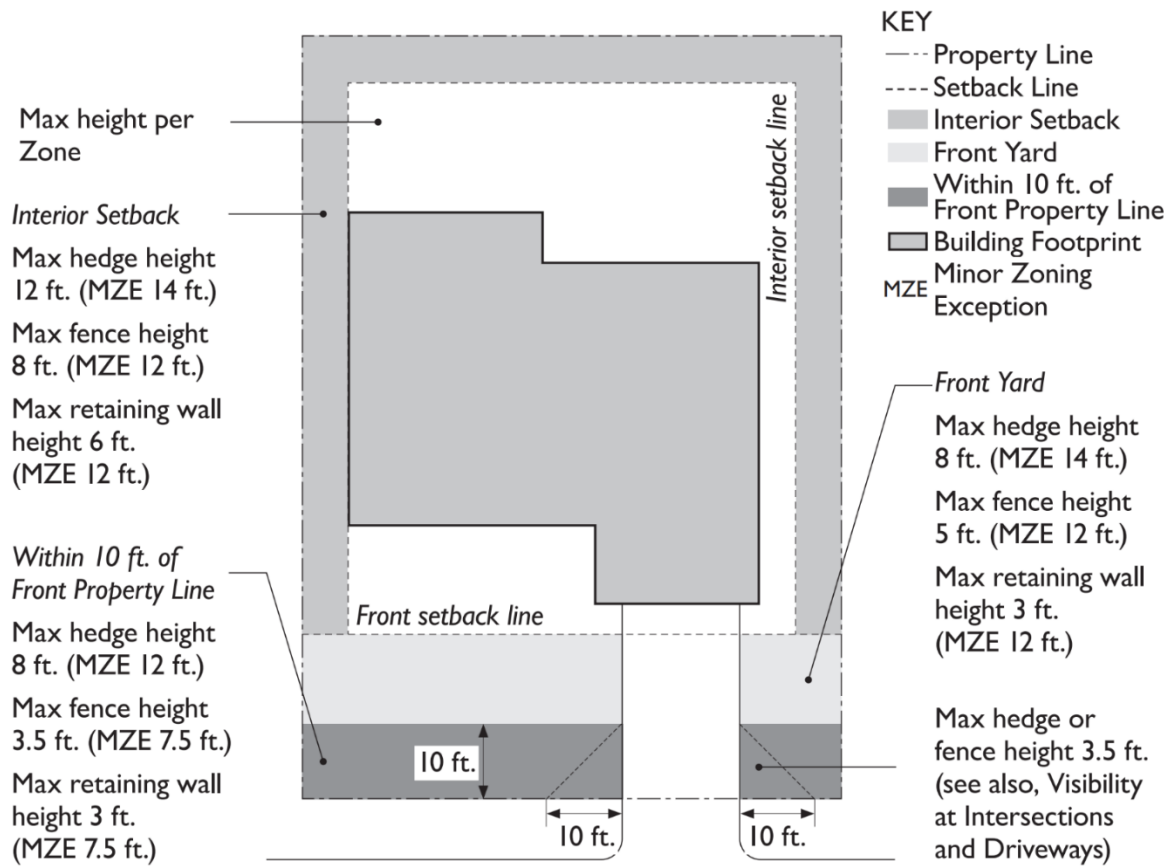
3. *Signs and Appearance.* Temporary fencing must not display signage, banners, or graffiti, except for signs exempt from permit requirements under the Sign Ordinance.

4. *Duration.* Remove within one month after completion of the construction work or temporary use.

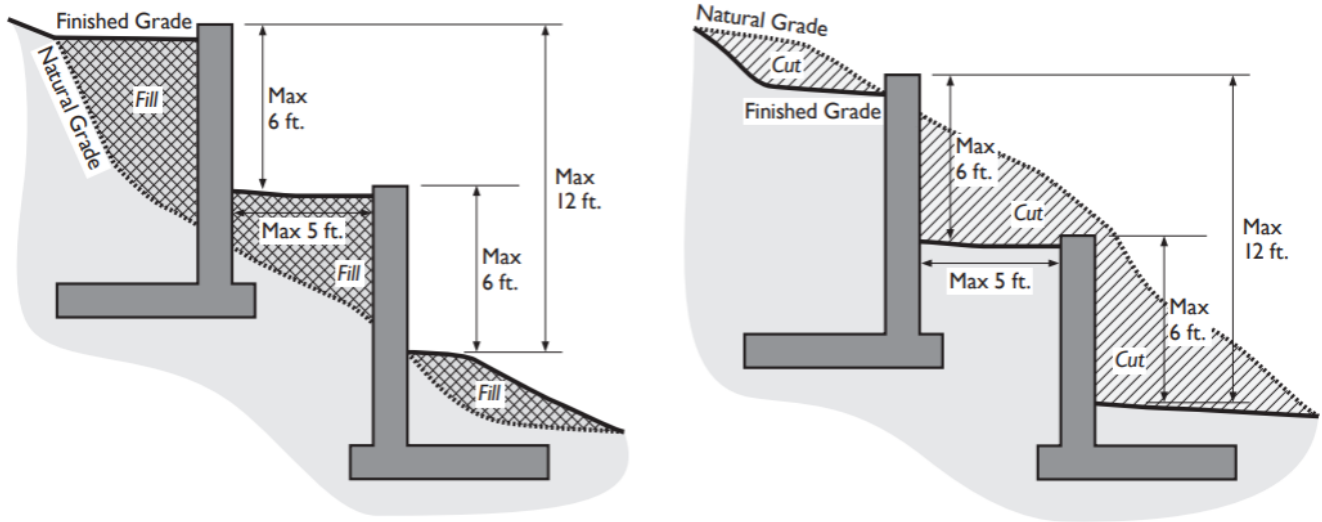
5. *Maintenance.* Maintain in good condition for the duration of the construction or temporary use.

I. **Relationship to the View Dispute Resolution Process.** Compliance with this section, including approval of a Minor Zoning Exception or Modification, does not limit a property owner's right to pursue a claim of unreasonable view obstruction under the City's View Dispute Resolution Process.

**FIGURE 30.140.110.C: FENCE AND HEDGE HEIGHT LIMITATIONS**



**FIGURE 30.140.110.H: STANDARDS FOR RETAINING WALLS**



**30.140.112 Garage Conversions**

A. **Purpose.** The purpose of this section is to regulate the conversion of existing residential garages from vehicle parking into residential or other allowed accessory uses. These provisions are intended to offer flexibility in expanding usable space, while preserving the residential character of neighborhoods and ensuring compliance with applicable zoning and design standards.

B. **Applicability.** For the purposes of this section, the term “Garage Conversion” includes the conversion of any type of attached or detached residential covered parking structure, including a carport, into a residential accessory use. Garage conversions may only occur in a private garage on a property developed with single-unit residential development or condominiums.

C. **Allowed Use.**

1. Garage conversions are allowed for the following uses:

a. *Non-Livable Accessory Buildings.* Structures not designed or intended for human habitation. Examples include workshops, laundry rooms, bicycle storage, and storage rooms.

b. *Livable Accessory Buildings.* Structures designed for human habitation or occupancy. Examples include guest houses, home offices, or similar habitable spaces.

2. A garage conversion may involve all or a portion of the existing garage, subject to compliance with applicable zoning requirements and building codes.

3. Garage conversions must not be used as independent residential units, consistent with Section 30.140.150, Residential Unit. If a garage conversion results in the creation of an independent residential unit, the provisions of Section 30.185.040, Accessory Dwelling Units, or other applicable code sections regulating new residential units apply.

D. **Development Standards.** Garage conversions into livable or non-livable space are subject to the following standards, regardless of whether the garage is attached to or detached from the main building:

1. ***Building Code Compliance.*** Garage conversions must comply with all applicable building codes and a building permit must be obtained prior to any conversion.

2. ***Zoning Compliance.*** All garage conversions must comply with the development standards applicable to the underlying zoning district. However, setback and front yard requirements that would otherwise restrict the conversion of an existing building do not apply.

3. ***Replacement Parking.*** Parking displaced by the garage conversion must be replaced off-street. Those spaces may be provided as covered, uncovered, in a mechanical lift, or in a tandem configuration pursuant to Section 30.175.090, Parking Areas Design and Development Standards.

a. New or replacement uncovered parking spaces may be located in front or interior setbacks, provided all spaces are contained within the area of an existing paved driveway and no increase in paved area occurs within the setbacks.

b. New uncovered parking spaces not within an existing paved driveway may be placed in a new paved area at least three feet from any interior lot line, provided a minimum three-foot-wide planting area is maintained along the length of the paved parking area adjacent to the interior lot line, if the parking area is parallel to the lot line.

4. ***Design Style.*** Exterior materials, roof pitch, window and door types, and architectural detailing on garage conversions must use the same materials, dimensions, and

configurations as those on the primary building's front façade, unless approved by the applicable Design Review body.

5. ***Garage Door Treatment.***

a. If the garage is converted to livable space, the garage door and related elements must be removed. Any required foundation must be constructed in compliance with applicable Building Codes. The former garage door opening must be enclosed using the same exterior materials, dimensions, and architectural detailing as the adjacent wall surfaces of the building.

b. If the garage is converted to non-livable space, such as storage or a workshop, the garage door may remain in place.

c. When converting a two-car garage to a one-car garage, the two-car garage door must be replaced with a one-car garage door.

6. ***Landscape Buffer Requirement.*** A physical separation between vehicle areas and residential structures must be provided in the form of a landscaped planter with a minimum interior width of three feet, located between any vehicle parking or maneuvering area and the former garage door. The depth of the planter may be reduced only as necessary to maintain the minimum required parking space dimensions within the driveway.

7. ***Zoning Clearance.*** A Zoning Clearance per Chapter 30.280, must be required for every garage conversion.

**30.140.115 Guest Houses.**

A. ***Purpose.*** The purpose of this section is to regulate the establishment of sleeping facilities that are separate from, and accessory to, the main residential building and are intended for limited sleeping and living purposes. Guest houses must not be used for independent living or permanent residential occupancy.

B. ***Applicability.*** Guest houses are allowed only within a single residential unit, condominium unit, or residential accessory building on a property. If a property contains multiple residential units that are not individually owned—such as a duplex, group of cottages, or apartment complex—a guest house is not allowed under this section. A guest house may be permitted in conjunction with each residential unit within a multi-unit condominium building, provided the guest house is accessory to a single residential unit, is not shared among units, and all applicable zoning and development standards are met.

C. **Development Standards.** All guest houses must comply with the following standards:

1. Only one guest house is allowed per qualifying residential unit under this section. A guest house must not be located within the floor area of an accessory dwelling unit or junior accessory dwelling unit.
2. The floor area of a guest house created through new construction must not exceed 650 square feet. There is no maximum floor area for a guest house created by converting existing space within a residential unit or residential accessory building on a property.
3. A guest house may be attached to the main residential building or located in a detached accessory structure. It may include rooms without interior access, as described in Section 30.140.150, Residential Unit.
4. A guest house may contain no more than two of the following three residential building elements:
  - a. Utility sink or bar sink.
  - b. Full bathroom with bathing facilities.
  - c. Exterior entrance.
5. A guest house must not include a kitchen or any cooking facilities. The installation of any cooking appliance—including, but not limited to, a stove, range, microwave, toaster oven, hot plate, or similar device—is considered a kitchen.
6. A guest house must not consist of a recreational vehicle, travel trailer, or any structure not permanently affixed to a foundation, such as a yurt, tent, or treehouse. A guest house also must not be located in a space not originally designed for human habitation, such as a workshop, barn, garage, shed, or storage room, unless all required City approvals and permits have been obtained to convert the structure to residential use.
7. Occupancy of a guest house is limited to residents of the main residential building, their guests, or domestic employees. Independent occupancy is prohibited unless the structure is approved as a separate residential unit, accessory dwelling unit, junior accessory dwelling unit, or another allowed residential use.
8. The establishment of a guest house in compliance with this section does not preclude the property from also establishing an accessory dwelling unit or junior accessory dwelling unit in accordance with Section 30.185.040, Accessory Dwelling Units.

### 30.140.118 Landscape.

A. **Purpose.** The purpose of this section is to establish objective landscape standards that enhance the natural environment, promote water efficiency and water quality, support fire safety where applicable, and contribute to the visual quality and character of neighborhoods as viewed from the street.

B. **Residential Landscape Areas.** The following standards apply to required landscape areas on lots developed with residential uses:

1. **Front Setback Landscaping.** All residential front setback areas must be landscaped in accordance with this section.
2. **Landscape Materials.** Required landscape areas may include:
  - a. Living plant materials such as groundcovers, shrubs, vines, and trees.
  - b. Hardscape materials, including pedestrian walkways, driveways, uncovered on-grade patios, and any other encroachments permitted under Section 30.140.090, Encroachments.
  - c. Hardscape must not exceed 50 percent of the front setback area.

C. **Landscape Buffers in Nonresidential and Mixed-Use Zones.** The following standards apply to new multi-unit or mixed-use developments located in nonresidential zones with no required front setback:

1. **Average-Depth Front Landscape Buffer.** A landscape buffer with an average depth of five feet must be provided to ensure a consistent landscape presence along the street frontage. The required buffer area is calculated by multiplying five feet by the lot frontage, excluding the width of vehicular use areas.

***Example:***

*Lot frontage: 60 feet*

*Driveway width: 12 feet*

$$5 \text{ ft} \times (60 \text{ ft} - 12 \text{ ft}) = 5 \times 48 = 240 \text{ sq ft}$$

*A 240-square-foot landscape buffer is required.*

2. **Location.** All portions of the landscape buffer must abut the front lot line and be located within 20 feet of the front lot line to count toward the required area.

3. **Landscape Materials.** The buffer may include:

- a. Living plant materials such as groundcovers, shrubs, vines, and trees.
- b. Hardscape materials necessary to support pedestrian access and circulation or to encourage usable outdoor spaces, including pedestrian walkways, uncovered on-grade patios and paved common areas (e.g., paseos, courtyards, plazas), and encroachments permitted under Section 30.140.090, Encroachments.
- c. Hardscape must not exceed 50 percent of the buffer area.

4. **Vehicular Use Areas.** Driveways, turnarounds, and surface parking areas must not be counted toward the landscape buffer. However, parking lot planters provided pursuant to Section 30.175.080, Parking Area Landscape and Fence Standards, may be counted toward the buffer.

5. **Exception.** Projects on lots fronting State Street between Montecito Street and Sola Street, and lots fronting the first block east or west of State Street on streets that intersect State Street between and including Montecito Street and Sola Street, are not required to provide a front landscape buffer.

D. **Other Required Landscape Areas.** Where landscaping is required by another section of this Title but not described in this section, the required landscape area must comply with the standards of this section.

E. **Species Selection.** Plant species must comply with Chapter 14.23, Landscape Design Standards and Recycled Water Use, and any other adopted ordinance, policy, or standard related to trees, landscape, planting, or vegetation.

F. **Unobstructed Areas.** Required landscape areas must be at ground level as defined in Section 30.300.070 “G” and remain open, unenclosed, and unobstructed from the ground upward, except where encroachments are allowed pursuant to Section 30.140.090, Encroachments.

G. **Landscape Design Standards Waiver.** The Design Review body may waive or reduce specific landscape requirements of this section if the proposed project complies with all applicable base zone development standards and the applicant demonstrates that one or more of the following findings can be made:

1. **Site Constraints.** Site constraints, such as existing development, topography, lot configuration, or access requirements, physically prevent full compliance with the landscape standards.
2. **Design Compatibility.** The proposed alternative is consistent with applicable design guidelines and maintains or enhances the overall appearance, functionality, and compatibility of the development with surrounding properties.
3. **Environmental and Visual Performance.** The alternative landscape design provides equivalent or superior environmental or visual performance, such as improved water efficiency, enhanced stormwater management, or a positive contribution to the visual quality and character of the neighborhood, consistent with the intent of this section.

H. **Nonconforming Landscape.** Properties that do not conform to the standards of this section due to its adoption are not required to comply unless site or building improvements are proposed that meet the compliance thresholds established in either:

1. Chapter 14.23, Landscape Design Standards and Recycled Water Use, including but not limited to new construction, additions, or alterations that increase landscape area or trigger water efficiency requirements; or
2. Chapter 30.165, Nonconforming Structures, Site Development, and Uses, including substantial redevelopment, intensification of use, or other site changes that require conformance with current zoning standards.

I. **Defensible Space Exemption.** Landscape requirements under this section do not apply to areas where vegetation must be removed or modified to comply with defensible space requirements under Public Resources Code § 4291, 14 CCR § 1299.03, or applicable local fire safety regulations. Applicants may be required to demonstrate compliance with fire safety standards through consultation with the Fire Department.

### **30.140.120 Location of Lot Lines.**

The following standards shall apply to all newly created lots and lot line adjustments, subject to the discretion of the Review Authority:

A. Interior lot lines shall generally be perpendicular to the street on straight streets, or radial to the street on curved streets, unless another angle would provide better building orientation for solar exposure or more lot area to the south of the likely building site, or to accommodate unique site constraints or existing development.

B. Lot lines for newly created lots shall be located within appropriate physical locations such as the top of creek banks, at appropriate topographical changes (top or bottom of slopes etc.) or at locations which clearly separate existing and proposed land uses. Lot lines shall not be configured to maximize development capacity at the cost of illogical lot patterns.

C. Lot lines shall be contiguous with existing zoning boundaries.

D. Lot lines must not divide existing buildings, structures, or parking spaces, or eliminate access to a street.

E. All newly created and adjusted lots must comply with minimum development standards established for the zoning district in which the property is located. Existing nonconforming structures, site development, and land uses may be continued, provided the new lot lines do not result in an increase or expansion of the nonconformity on the lot. Any increase of the nonconformity is not allowed without a modification pursuant to Chapter 30.250, Modifications.

#### **30.140.130 Mechanical and Utility Equipment.**

Incidental accessory mechanical, utility, and other similar incidental equipment, and associated screening or enclosures—whether attached to the outside wall or roof of a structure, or freestanding—such as water heaters, air conditioners, condensers, backflow preventers, pool equipment, air or water filters, electric meters, electric transformers, electric vehicle supply equipment (EVSE), cable television or phone utility boxes, wires, conduits, wall mounted light fixtures, or similar, are subject to the following standards:

A. **Screening.** Mechanical and utility equipment must be screened pursuant to Section 30.140.155, Screening.

B. **Noise.** All mechanical and utility equipment must comply with the noise limitations established in Title 9 of the Santa Barbara Municipal Code.

C. **Prohibited Locations.** Mechanical and utility equipment must not be in any of the following areas:

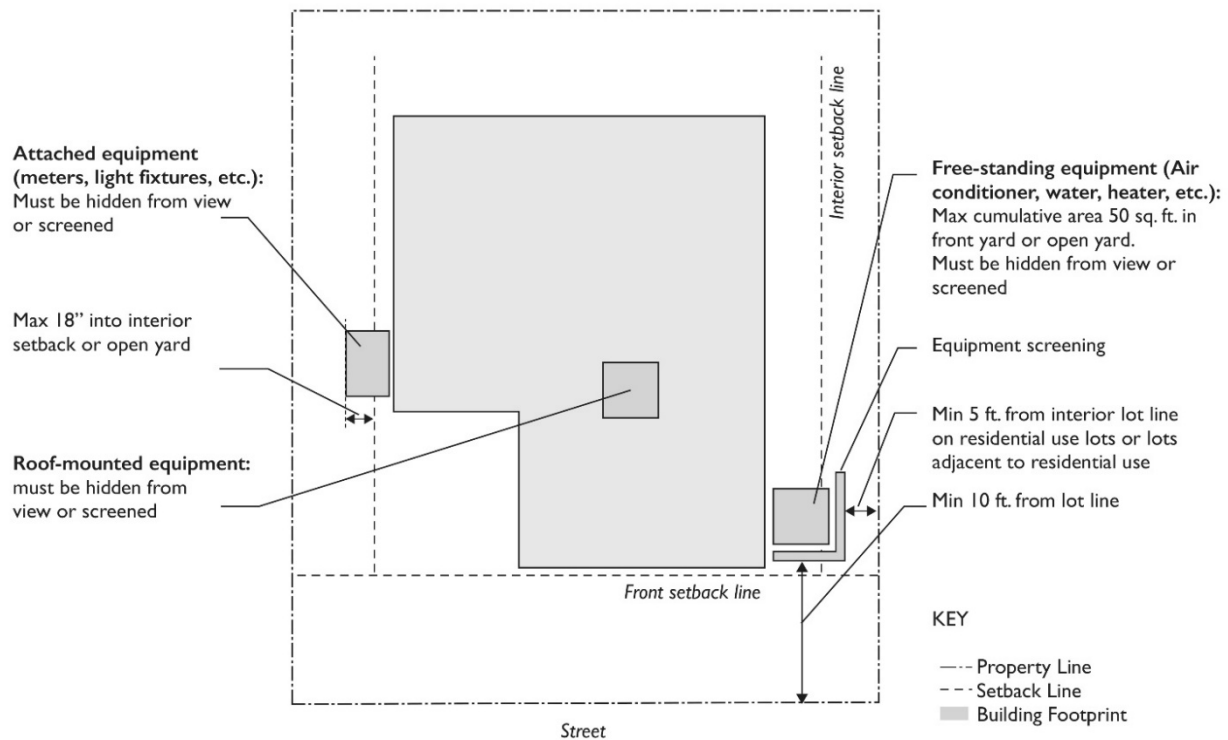
1. Setbacks.
2. Open yard.

3. Parking spaces or vehicular use areas.
4. Any front porch, stoop, landing, or other building entrance or frontage.

**D. Mechanical and Utility Equipment Exceptions.**

1. Location exceptions for mechanical and utility equipment are allowed as provided in Section 30.140.090, Encroachments.
2. The Design Review body may approve additional exceptions to the screening or location standards for mechanical, utility, and similar equipment beyond what is allowed by Section 30.140.090, Encroachments, if the applicant demonstrates that one or more of the following findings can be made:
  - a. Site constraints, such as existing development, topography, lot configuration, or access requirements, physically prevent full compliance with the standard.
  - b. The alternative design achieves an equivalent or superior visual, environmental, or operational outcome, such as improved integration with the building, reduced visibility, or enhanced performance.

**FIGURE 30.140.130: MECHANICAL AND OTHER EQUIPMENT**



**30.140.140 Open Yards.**

A. **Purpose.** The purpose of this section is to promote desirable living conditions and a sense of openness in residential development by requiring minimum functional outdoor space for residential use.

B. **Applicability – Residential Development.** Open yard areas are required in all zones for all residential uses, except as otherwise provided in Chapter 30.185, Standards for Specific Uses and Activities.

C. **General Requirements.** Open yard areas must be provided on each lot in accordance with the residential housing type, lot size, and dimensional requirements established by this section.

D. **Minimum Open Yard Area Required Per Lot.** Each lot must provide the minimum amount of open yard stated in Table 30.140.140.D. Each open yard must be designated and designed as either a Private Open Yard or a Common Open Yard, as defined in 30.300.250 “Y”. The designation of each open yard must be clearly shown on the site plan submitted for City review and approval.

<b>TABLE 30.140.140.D: MINIMUM AREA—OPEN YARDS</b>		
<b><i>Residential Housing Type</i></b>	<b><i>Lot Size</i></b>	<b><i>Minimum Open Yard Area</i></b>
Single-Unit and Two-Unit	Less than 6,000 sq. ft.	800 sq. ft.
	6,000 sq. ft. or greater	1,250 sq. ft.
Multi-Unit and Mixed-Use	Any Size Lot	15% of lot area

E. **Access and Configuration.**

1. ***Single-Unit and Two-Unit Development.*** The required open yard for the lot must be provided as either:
  - a. One or more ground-level Common Open Yard areas accessible to all residential units on the lot; or
  - b. One or more ground-level Private Open Yard areas, contiguous to and directly accessible from a living area, for each residential unit.
2. ***Multi-Unit and Mixed-Use Development.*** Each residential unit must have access to at least one Private Open Yard or Common Open Yard that complies with the dimensional standards in Subsection F and the development standards in Subsection G.

F. **Minimum Dimensions.** Each open yard area that contributes to the total required in Subsection D must meet the minimum area, width, and depth requirements specified in Table 30.140.140.F.

<b>TABLE 30.140.140.F: MINIMUM DIMENSIONS—OPEN YARDS</b>			
<b><i>Open Yard Type</i></b>	<b><i>Min. Area (sq ft)</i></b>	<b><i>Min. Depth (ft)</i></b>	<b><i>Min. Width (ft)</i></b>
<b>Single-Unit and Two-Unit</b>			
<i>Ground-Level Open Yard (Common or Private)</i>	300	20	15
<b>Multi-Unit and Mixed-Use</b>			
<i>Ground-Level Open Yard (Common)</i>	300	20	15
<i>Rooftop Deck (Common)</i>	225	15	15
<i>Elevated Deck (Common)</i>	200	10	10
<i>Ground-Level Patio (Private)</i>	100	8	10
<i>Balcony/Elevated Deck/Rooftop Deck (Private)</i>	50	6	6

G. **Development Standards.**

1. ***Unobstructed Area.*** Open yards must be open, unenclosed, and unobstructed by structures from the allowed surface or level upward, except as provided in Section 30.140.090, Encroachments, and as follows:
  - a. ***Private Open Yard Exception.*** A Private Open Yard may be fully covered by a roof overhang, patio cover, upper-story floor, or similar architectural projection, whether cantilevered or supported, provided that:
    - i. The minimum clear area and required dimensions are not reduced by vertical supports;
    - ii. The vertical clearance measured from the finished grade or finished surface directly beneath the encroachment to the lowest point of the encroaching structure is at least seven feet; and
    - iii. At least one side remains a minimum of 50% open along its length.
2. **Allowed Surface or Level.** Open yards must be located as follows:
  - a. ***Single-Unit and Two-Unit:*** At ground level; may include first-story decks.
  - b. ***Multi-Unit and Mixed-Use:*** May be located on any level.
3. ***Front Setback Restriction.*** Open yards must not encroach into the primary front setback or within ten feet of any front lot line, whichever is greater.
4. ***Prohibited Locations.*** Open yards must not be located in, or consist of:
  - a. Stairs and entry landings, except those connected to first-story decks allowed within an open yard.
  - b. Stoops, front porches, private frontages.
  - c. Above-grade accessible route components (e.g., ramps, guardrails) located higher than the Finished Surface Level, as defined in this Title.
  - d. Parking spaces and vehicular use areas.
  - e. Parking lot planters.
  - f. Outdoor storage areas.

- g. Trash and recycling container storage areas.
- h. Nonresidential areas or areas inaccessible to residents.

5. **Buffer Requirements.** Buffers for open yards must be provided as identified in Table 30.140.140.G.5: Buffer Requirements–Open Yards, unless waived by the Design Review body.

<b>TABLE 30.140.140.G.5: BUFFER REQUIREMENTS–OPEN YARDS</b>	
<b><i>Type and Location</i></b>	<b><i>Buffer Requirement</i></b>
Private Patios in Front Yard or Adjacent to Other Open Yards	Fence or hedge between 5–6 ft high; Min. 10 ft from front lot line
Open Yards Abutting Parking or Driveways	3 ft landscape buffer or 5 ft high fence/hedge along entire abutting edge

### **30.140.142 Patio Covers**

A. **Purpose.** The purpose of this section is to establish objective standards for patio covers, sunshades, and similar structures to ensure compatibility with residential development and compliance with setback, height, and design requirements.

B. **Applicability – Single-Unit and Two-Unit Residential Development.** This section applies to all lots developed with single-unit or two-unit residential development. All patio covers, sunshades, and similar structures must comply with the standards set forth in this section.

C. **Solid Roof Patio Covers.** The following standards apply to patio covers with a solid, fabric, or impervious roof covering, including retractable awnings:

1. ***Detached Structures.***

- a. Ground supports must comply with the front and interior setback requirements as described in Section 30.140.020 Accessory Buildings.
- b. The overhanging portion of a patio cover and associated architectural features such as eaves and rain gutters, may encroach into interior setbacks in accordance with Section 30.140.090, Encroachments.
- c. Detached solid-roof patio covers are prohibited in the front yard but may encroach into open yard areas in accordance with Section 30.140.090, Encroachments.

2. ***Attached Structures.*** The overhanging portion of an attached patio cover, including eaves and rain gutters—but not ground supports—may encroach into front and interior setbacks or open yard areas in accordance with Section 30.140.090, Encroachments.

D. **Open Lattice Patio Covers.** Attached or detached patio covers with a roof composed of open lattice or trellis materials, as defined in Section 30.300.200 “I”, may encroach into required setbacks, open yard areas, and the front yard, consistent with Section 30.140.090, Encroachments.

E. **Height.** The maximum height of a detached patio cover measured from adjacent grade must not exceed 12 feet, or the height of the main building, whichever is less. A patio cover exceeding 12 feet in height, up to the maximum building height allowed in the zone, may be approved by the applicable Design Review body pursuant to Subsection H.

F. **Rooftop Decks.** Patio covers must not be located on rooftop decks, except as allowed by Section 30.140.172 Solar Energy Systems, or approved by the applicable Design Review body pursuant to Subsection H.

G. **Architectural Style and Materials.**

1. ***Prohibited Materials.*** The following materials are prohibited on patio covers where publicly visible: chain link, chicken wire, shiny or reflective metal, plastic, vinyl, wire mesh, corrugated roofing, unfaced cement block, and temporary or portable carports.

2. ***Front Yard.*** Trellis or arbor structures located in the front yard and exceeding 40 square feet in area must be constructed of heavy timber and stained wood. “Heavy timber” means wood structural members that meet the minimum size requirements for heavy timber construction as defined in the Building Code.

2. ***Architectural Consistency.*** Exterior materials, roof pitch, and architectural detailing on patio covers must use the same materials, dimensions, and configurations as those of the primary building.

H. **Patio Cover Design Standards Waiver.** The Design Review body may approve alternative materials, colors, or design standards for patio covers in consideration of specific site or neighborhood conditions, provided that the proposed structure complies with all applicable base zone development standards. The alternative must demonstrate compatibility with the main building and surrounding development and be consistent with applicable design guidelines, open yard requirements, and maximum building height allowed in the zone.

### 30.140.145 Privacy Standards for Upper-Story Openings.

A. **Purpose.** The purpose of this section is to protect privacy between adjacent properties by regulating the placement and design of upper-story windows, doors, and glazed openings near interior lot lines.

B. **Applicability – Single-Unit and Two-Unit Residential Development.** The standards in this section apply to single-unit and two-unit residential development where new or altered upper-story windows, doors, or glazed openings are proposed.

C. **Windows, Doors, or Glazed Openings.** All upper-story windows, doors, or glazed openings within 15 feet of an interior lot line must comply with one of the following:

1. The minimum sill height of a window or height of a glazed opening must be 42 inches above the finished floor; or
2. The window, door, or glazed opening is oriented toward the front lot line and does not face an interior lot line.

D. **Lighting.** All outdoor lighting associated with upper-story windows, doors, and glazed openings must be fully shielded and downward directed to prevent light trespass onto adjacent properties.

E. **Privacy Design Standards Waiver.** The Design Review body may waive or reduce the standards of this section if the proposed structure complies with all other applicable base zone development standards and the applicant demonstrates that one or more of the following findings can be made:

1. **Site Constraints.** Site constraints, such as existing development, topography, lot configuration, or access requirements, physically prevent full compliance with the privacy standards.
2. **Equivalent or Superior Privacy.** The alternative design provides privacy protection and architectural integration that is equivalent to or exceeds the intent of this section to minimize privacy impacts on adjacent properties.

### 30.140.150 Residential Unit.

A. **Applicability.** The standards of this section apply to all Residential Use Classifications except the following:

1. Group Residential (See Section 30.185.190).
2. Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices (See Section 30.185.140).

B. **Minimum Unit Size.** Minimum unit size is calculated in accordance with Section 30.15.027, Calculating Unit Size. The minimum livable floor area for each residential unit is:

1. ***Efficiency Unit:*** 150 square feet.
2. ***Studio Unit:*** 220 square feet.
3. **All Other Units:** 400 square feet.

C. **Required Features.** Except as otherwise allowed in this Title, Each residential unit shall contain, at a minimum:

1. A full kitchen, consisting of a kitchen sink, range or built-in stove-top and oven, and refrigeration facilities. An efficiency unit or a junior accessory dwelling unit may contain an efficiency kitchen in lieu of a full kitchen, as defined in this Title.
2. A full bathroom consisting of a toilet, lavatory sink, and bathtub or shower. A junior accessory dwelling unit may share sanitation facilities with the primary residential unit.
3. A separate living room.
4. A separate sleeping room, except in studio residential units, where a living room is considered a sleeping room.
5. Exterior access to the unit, with no interior access between abutting residential units. An interior connection consisting of one lockable door between the primary residential unit and an accessory dwelling unit or junior accessory dwelling unit may be provided.

D. **Limitations.**

1. ***Kitchen Facility.*** No more than one kitchen per residential unit is allowed.
2. ***Laundry Facility.*** No more than one laundry room or laundry area per residential unit is allowed.

3. ***Living Room and Dining Room.*** No more than one living room and one dining room are allowed per residential unit.
  
4. ***Determination of a Bedroom.*** Where development standards regulate the number of bedrooms in a unit—such as for density, parking, or similar requirements—the Community Development Director is responsible for determining whether a space qualifies as a bedroom. Any livable room that is 70 square feet or larger is considered a bedroom unless it is clearly a bathroom, kitchen, dining room, or living room. In studio units, the number of bedrooms is zero. A room is not considered a bedroom if it is not designed for sleeping under the California Building Code and meets one of the following criteria:
  - a. It is open to another room by a cased opening at least four feet wide and has no doors; or
  
  - b. It is separated from another room by a half-wall no taller than four feet; or
  
  - c. It is a loft, mezzanine, or similar space that is open to the floor below and is either less than five feet in height or smaller than 70 square feet.
  
5. ***Adequate Interior Access.***
  - a. A building or portion of a building has adequate interior access when there is direct, unobstructed passage through interior livable floor area between all primary living areas, including the kitchen, bathroom, and sleeping areas. The Community Development Director may determine whether this standard is met. The following configurations constitute inadequate interior access:
    - i. Access to a bedroom only through another bedroom.
  
    - ii. Access via a spiral staircase.
  
    - iii. Access via a narrow, isolated hallway that connects parts of the building without adjoining habitable rooms.
  
  - b. ***Areas with Adequate Interior Access.*** Areas with adequate interior access to the main living space may contain a maximum of two of the following three residential building elements:
    - i. Utility sink or bar sink.

ii. Full bathroom.

iii. Exterior entrance.

c. *Areas without Adequate Interior Access.* Areas that do not have adequate interior access are limited to the following residential building elements:

i. One partial bathroom; or

ii. One utility or bar sink.

d. *Exception.* One attached or detached guest house per lot may be approved consistent with Section 30.140.115, Guest Houses.

6. ***Additional Residential Building Elements.*** Additional residential building elements, beyond those ~~permitted~~ allowed above, may be permitted pursuant to a Performance Standard Permit, Chapter 30.255. The additional residential building elements that may be considered for a Performance Standard Permit are limited to those which in the determination of the Community Development Director would not result in separate residential occupancy. The Performance Standard Permit shall include a Condition of Approval providing for the automatic expiration of limited term approvals, or rescission of the permit or approval, if the City determines there is evidence of separate residential occupancy.

E. **Determination of Residential Unit.**

1. ***Residential Building Elements.*** Notwithstanding the above, the Community Development Director has the authority to determine whether a building or portion of a building is configured for use as a separate residential unit, regardless of size, when a building or portion thereof is configured or occupied for residential purposes, whether permanent or temporary, and contains elements evidencing separate residential occupancy. Residential building elements to be considered may include, but are not limited to, the proximal arrangement and various combinations of:

a. Kitchen sink, utility sink, lavatory, or bar sink;

b. Cooking appliances, whether built-in or not;

c. Refrigeration facilities;

- d. Toilet;
- e. Bathing facilities;
- f. Lack of interior access to the main living space, including locking interior doors;
- g. Exterior entrance;
- h. Exterior staircase;
- i. Spiral staircase;
- j. Separate yard, patio, deck or balcony;
- k. Separate utilities, separate meters;
- l. Multiple water heaters;
- m. Multiple laundry areas;
- n. Separate garage, carport, or parking area (covered or uncovered);
- o. Countertops or cupboards;
- p. Sleeping loft; or
- q. Separate address/mailbox designation.

2. ***Establishment***. Issuance of a building permit or other approval does not, of itself, establish that a building or portion thereof is a residential unit.

F. **Standards for Efficiency Units.** Efficiency Units, as defined in Section 30.300.050 “E,” are limited to the following uses:

- 1. A residential unit provided for occupancy by people who qualify as either low-income or very low-income households, as defined in the City’s Affordable Housing Policies and Procedures, at the time of their initial occupancy, or
- 2. An accessory dwelling unit, approved under Section 30.185.040, Accessory Dwelling Units.

### 30.140.155 Screening.

A. **Purpose.** The purpose of this section is to establish objective standards for the screening and buffering of uncovered parking areas, mechanical equipment, trash and recycling containers, and other objects or land uses, as required by this Title, to minimize visual, noise, and privacy impacts on adjacent properties and public rights-of-way.

B. **Applicability.** Screening is required for any repair, rehabilitation, expansion, new installation, or relocation of an object or land use subject to this section, or where screening is required by another section of this Title.

C. **General Screening Requirements.** An object or activity is considered “screened” if it meets one of the following criteria:

1. It is not “Publicly Visible,” as defined in Section 30.300.160, “P”; or
2. It is screened from public view in accordance with the applicable methods and height requirements specified in Subsections D through F of this section; or
3. Where screening is required by another section of this Title but not specifically addressed in Subsections D through F, the object or activity must be screened if publicly visible using one or more methods described in Subsection F. The screening must be at least as tall as the object being screened and must comply with all applicable zoning regulations, including height and location standards.

D. **Uncovered Parking Areas.** All uncovered automobile and bicycle parking must comply with Section 30.175.060, Location of Required Automobile and Bicycle Parking, and be screened as follows:

1. ***Sites with Four or Fewer Spaces.*** On sites with four or fewer automobile or bicycle parking spaces, uncovered parking must be screened if publicly visible, except at driveways necessary for ingress and egress, by one of the following methods:
  - a. ***Fence or Hedge.*** A solid fence, wall, driveway gate, or compact evergreen hedge, with a minimum height of five feet and a maximum height of six feet, located at least ten feet from the front lot line. The area between the fence or hedge and the front lot line must be landscaped consistent with Section 30.140.118, Landscape.

b. *Distance.* If the parking area is located more than thirty-five feet from the front lot line and includes no more than four spaces, it will not be considered publicly visible and is therefore not subject to additional screening requirements.

2. *Sites with Five or More Spaces.* On sites with five or more automobile or bicycle parking spaces, screening must be provided in accordance with Section 30.175.080, Parking Area Landscape and Fence Standards.

E. **Trash and Recycling Containers.** Trash and recycling containers must be screened if publicly visible by a fence, wall, or enclosure consistent with Section 30.140.240, Trash, Recycling, and Personal Outdoor Storage, with the following minimum heights:

1. *Carts and Cans:* Five Feet.

2. *Dumpsters:* Seven Feet.

F. **Screening Methods.** Screening must be provided using one or more of the following objective methods:

1. *Fences and Walls.* Fences and walls used for screening must comply with height and design standards specified in Section 30.140.110, Fences and Hedges, and must form an opaque screen. Open fences may be used only when combined with evergreen landscaping that forms an opaque screen within 18 months of planting. Chain-link and vinyl fencing are prohibited in publicly visible locations.

2. *Landscape.* Landscape screening must consist of compact evergreen plants that form an opaque screen, reach a minimum height of two feet within 18 months of planting, and do not exceed the height limits established in Section 30.140.110, Fences and Hedges. Bamboo is prohibited as a screening material. Landscape screening may also include berms planted with ground cover, shrubs, or other low-growing plant materials, provided the berm and plantings together form an opaque screen that fully obscures the object from public view. The effectiveness of the berm as a screening method will be demonstrated through elevation drawings, cross-sections, or other visual documentation submitted with the application.

3. *Architectural Integration.* Screening may be provided by architectural elements that are integrated into the design of the building, including parapets, enclosures, or other structural features.

a. *Roof-Mounted Equipment.* Roof-mounted equipment must be screened by a parapet or other architectural element that matches the building's exterior materials, color, and trim and that is equal to or greater in height than the tallest point of the equipment, unless a line-of-sight diagram demonstrates that the equipment will not be visible from any public right-of-way or adjacent property.

b. *Wall-Mounted Equipment.* Wall-mounted equipment must be screened by enclosing it within an architectural element that uses the same exterior materials, colors, and finishes as the building. If enclosure is not feasible due to space constraints, code requirements, or interference with equipment function, the equipment may instead be painted to match the adjacent building wall. In all cases, the screening method must minimize visual contrast and be integrated with the building's design.

G. **Screening Height.** All screening devices must be at least as tall as the highest point of the object being screened, unless a different height is specified in this section. Screening height must be measured vertically from the finished grade at the base of the screen to the top edge of the screen material. Screening must not exceed applicable maximum height limitations established by this Title.

H. **Screening Exceptions and Waivers.**

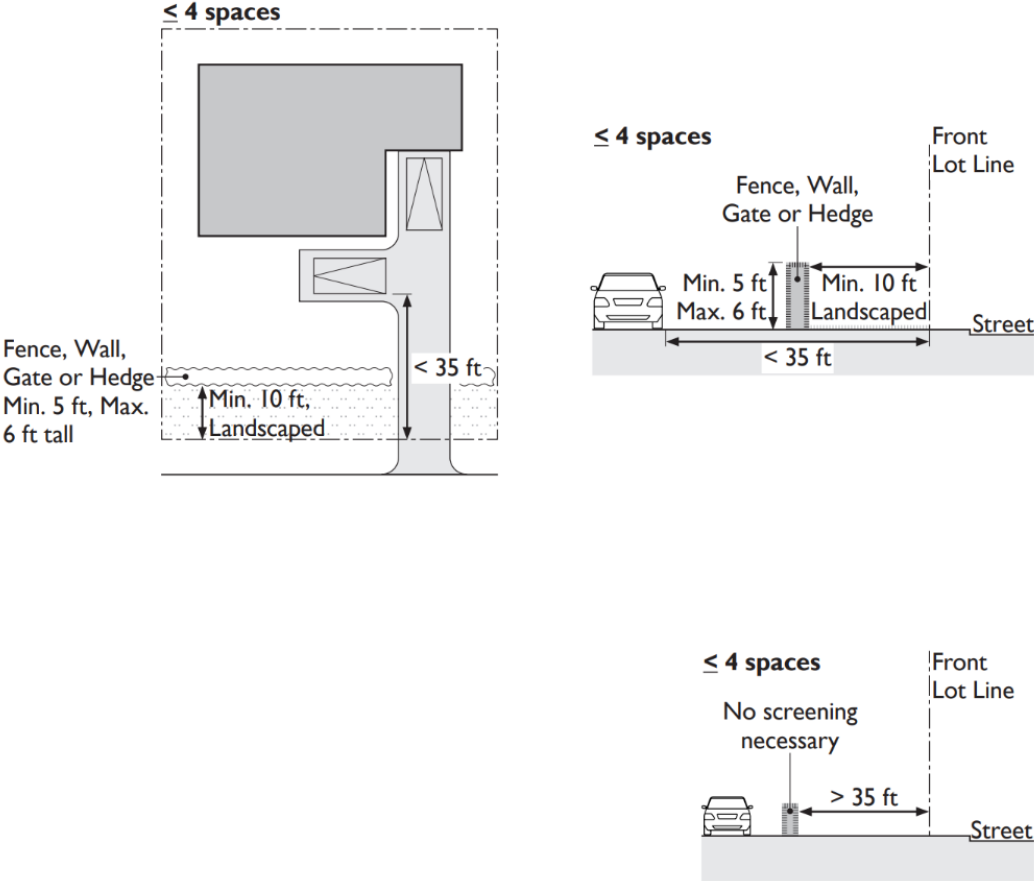
1. *Screening Exception for Solar Energy Systems.* Solar energy systems, including photovoltaic panels, are not subject to screening requirements. Accessory power equipment associated with solar energy systems must be screened unless the applicant demonstrates, through documentation prepared by a qualified solar professional, that strict compliance would impair system performance, access, or compliance with applicable building, fire, or electrical codes, or would increase the cost of the system by more than \$1,000 or decrease its efficiency by more than 10%.

2. *Screening Design Standards Waiver.* The Design Review body may waive or reduce the screening requirements of this section if the proposed structure complies with all applicable base zone development standards and the applicant demonstrates that one or more of the following findings can be made:

a. *Site Constraints.* Site constraints, such as existing development, topography, lot configuration, or access requirements, physically prevent full compliance with the screening standard.

b. *Equivalent or Superior Screening.* The alternative design provides visual screening and design quality that is equivalent to or exceeds the intent of this section to minimize visual impacts on adjacent properties.

**FIGURE 30.140.155.D: SCREENING FOUR OR FEWER PARKING SPACES**



**30.140.160 Setbacks and Stepbacks.**

A. **Purpose.** Setbacks and stepbacks are intended to provide a sense of openness, visibility, light, and air between buildings; establish a consistent development pattern; create variation in building facades; provide adequate buffering between adjacent land uses; and allow opportunities for landscape.

B. **Applicability.** All main and accessory buildings, structures, and land uses shall conform with the setback and stepback requirements established by the Zone Regulations in Division II of this Title.

C. **Setbacks and Stepbacks to be Unobstructed.** Setbacks and stepbacks shall be open, unenclosed, and unobstructed by structures from the ground upward, except as provided in Section 30.140.090, Encroachments. Recessed areas on interior upper story stepbacks may be used as a balcony, deck, terrace, or other usable space, but in no case is it allowed to extend past the plane of the floor below.

D. **Measuring Setbacks.** See Section 30.15.100, Measuring Setbacks and Stepbacks.

E. **Clarification of Terms.** Where the term “setback” is used in this Title, it is interpreted to include “stepback”, unless the context clearly indicates that only a setback is intended.

### **30.140.170 Solar Access Height Limitations.**

A. **Purpose.** These regulations are intended to ensure new buildings and additions do not cast significant shadows on neighboring buildings to ensure adequate access to direct sunlight is provided. Access to the sun is essential to energy conservation, allowing for passive solar heating opportunities and for solar energy systems to be installed—but also for enhancing livability and overall quality of life. Sunlight contributes to the comfort, health, and well-being of residents and fosters a more pleasant and sustainable urban environment.

B. **Height Limitations.** In addition to any other height limitation imposed in the City Charter or in this Title, the following height limits apply.

1. ***RS and R-2 Zones.*** The maximum height of each point on a structure, measured from the Base Elevation Point, shall not exceed the sum of 12 feet and 58% of the shortest distance from each point on the structure to the nearest northerly lot line as measured horizontally on the plan view of the structure. The solar access height limitation may be expressed as a daylight plane to show the maximum height at multiple points. The daylight plane is an inclined plane, beginning at 12 feet above grade at the northerly lot line, and extending into the site at 30 degrees from the vertical up to the maximum height limit.

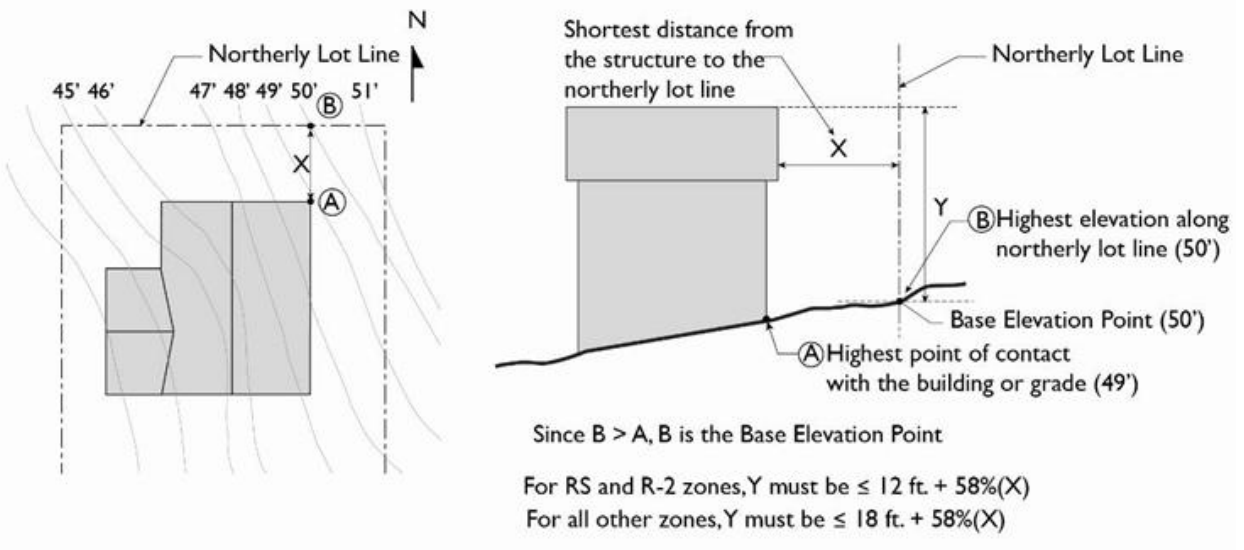
2. ***All Other Zones.*** The maximum height of each point on a structure, measured from the Base Elevation Point, shall not exceed the sum of 18 feet and 58% of the shortest distance from each point on the structure to the nearest northerly lot line as measured horizontally on the plan view of the structure. The solar access height limitation may be expressed as a daylight plane to show the maximum height at multiple points. The daylight plane is an inclined plane, beginning at 18 feet above grade at the northerly lot line, and extending into the site at 30 degrees from the vertical up to the maximum height limit.

C. **Exceptions.** The maximum height limits of this section do not apply to the following.

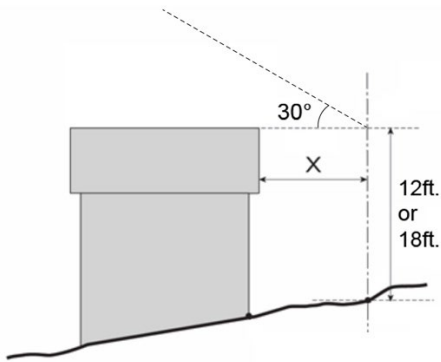
1. Lots with a north property line abutting a street, alley, or a non-residentially zoned lot.
2. Any flagpole, antenna, ornamental spire, chimney, or other structure or building element which is less than four feet along each horizontal dimension.
3. A utility pole and line.
4. Any portion of a structure for which a shadow plan is prepared and submitted by the applicant demonstrating that shadows cast by that portion of the structure at 9:00 a.m., noon, and 3:00 p.m., Pacific Standard Time on December 21 will:
  - a. Not exceed the boundaries of a simultaneous shadow cast by a legally existing structure, or by a hill or other topographical feature other than trees or other vegetation;
  - b. Not shade that portion of any adjacent residentially-zoned lot which is occupied by a residential unit, or which could legally and without modification of required setbacks be occupied in the future by a residential unit; or
  - c. Fall entirely within the boundaries of an existing covered or uncovered paved off street parking area, or paved driveway leading thereto.

D. **Other Applicable Rules and Regulations.** Rules and Regulations Pertaining to the Protection and Enhancement of Solar Access in the City of Santa Barbara, as adopted and amended by City Council by Resolution, also apply.

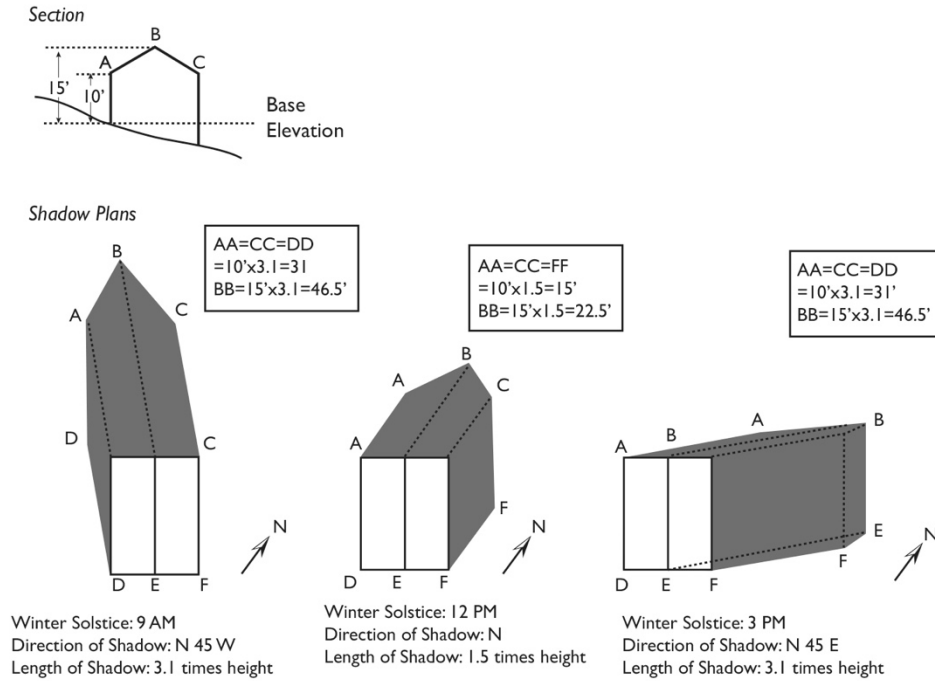
**FIGURE 30.140.170: SOLAR ACCESS HEIGHT LIMITATIONS**



**EXAMPLE OF DAYLIGHT PLANE**



**FIGURE 30.140.170: SOLAR ACCESS HEIGHT LIMITATIONS – SHADOW PLAN**



**SOLAR ACCESS HEIGHT LIMITATIONS – SHADOW PLAN**

### 30.140.172 Solar Energy Systems

Solar energy systems, as defined in subsection (a) of Civil Code § 801.5, are allowed as accessory uses in all zoning districts and must be installed and maintained in accordance with this section.

#### A. Standards For Ground-Mounted Solar Energy Systems.

1. **Height.** The maximum height of a ground-mounted system measured from existing grade to the highest point of the structure, including the solar panels, when in full tilt, must not exceed 12 feet, or the height of the main building, whichever is less consistent with the maximum height for a patio cover in Section 30.140.142, Patio Covers.
2. **Front Yard.** Ground-mounted systems are prohibited in the front yard unless the solar energy systems and their mounting framework are located, installed, and maintained so as not to be publicly visible, or screened consistent with the standards in Section 30.140.155, Screening.

3. ***Setback Encroachments.*** Solar energy systems may encroach in setbacks in accordance with Section 30.140.090, Encroachments.
4. ***Open Yard.*** Ground-mounted systems are not allowed in the required open yard area, unless used as or mounted on a patio cover, consistent with Section 30.140.142, Patio Covers, and Section 30.140.090, Encroachments.
5. ***Parking and Solar Carports.*** Ground-mounted systems must not displace required parking unless the parking spaces are replaced elsewhere on site. A solar carport may cover new or existing parking spaces.
  - a. ***Maximum Height.*** Solar carports must not exceed 12 feet in height, measured from existing grade to the highest point of the structure, including the solar panels, when in full tilt.
  - b. ***Exceptions.*** A solar carport may exceed 12 feet in height, up to a maximum of 15 feet, if the applicant demonstrates that the additional height is necessary to accommodate larger vehicles, such as vans, trucks, or fleet vehicles; or meets the criteria for an exception under subsection D.

**B. Standards For Roof-Mounted Solar Energy Systems.**

1. ***Height.***
  - a. ***Above Height Limit.*** Roof-mounted systems may project a maximum of three feet above the maximum height allowed in the zone district or above the height of a legally existing nonconforming building.
  - b. ***Above Roof Surface.*** Roof-mounted systems that do not exceed the maximum height allowed in the zone district, may project a maximum height of five feet above the highest point of the roof.
  - c. ***Rooftop Shade Structure.*** Roof-mounted systems may also be designed and used as a rooftop shade structure consistent with 30.140.142, Patio Covers, provided it:
    - i. Does not to exceed 12 feet in height above the rooftop finished surface level; and
    - ii. Is located on an existing rooftop deck; and

iii. Is set back at least 15 feet from the front building elevation and five feet from all interior building edges.

d. *Beyond Roof Edge.* No part of a solar energy system may extend beyond the edge of the roof.

C. **Review Process.**

1. Design review pursuant to Chapter 30.220, Design Review, is not required for any solar energy system if the project meets objective zoning and building code standards.

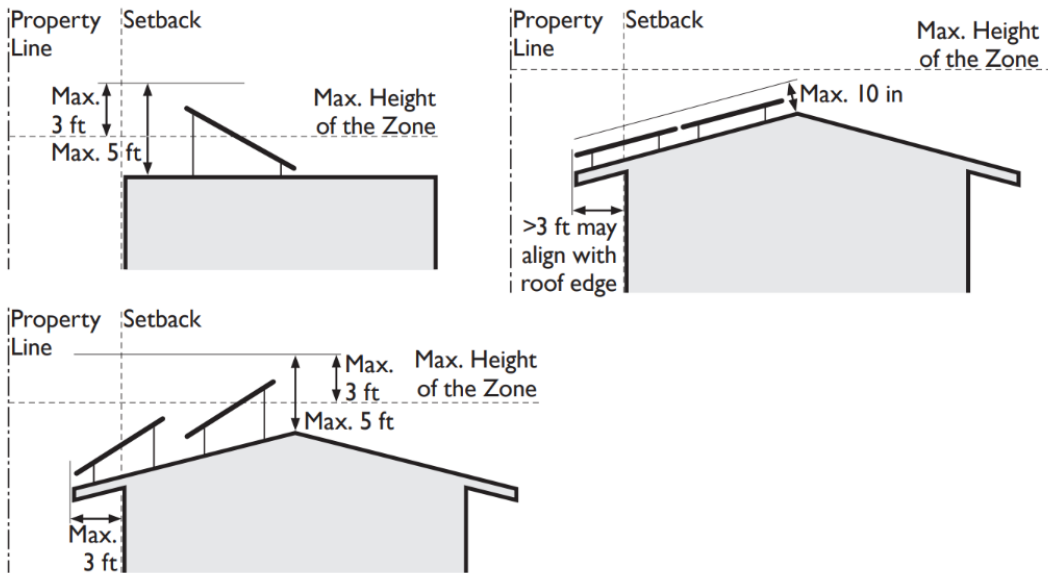
2. Expedited review and administrative approval for small residential rooftop solar energy systems is provided in Chapter 22.91, Solar Energy System Review Process.

D. **Exceptions.** The Community Development Director may approve exceptions to the standards in this section if the applicant demonstrates, through documentation prepared by a qualified solar professional, that strict compliance would:

1. Reduce the system's expected performance by more than 10% ; or

2. Increase the installation cost by more than one thousand dollars (\$1,000), as defined by the California Solar Rights Act (Civil Code §§ 714 and 801.5). Any approved exception must be the minimum necessary to avoid the unreasonable restriction.

**FIGURE 30.140.172.B: ROOF-MOUNTED SOLAR ENERGY EQUIPMENT HEIGHT AND SETBACK ENCROACHMENTS**



**30.140.180 Street Frontage and Access.**

Except where otherwise provided in this Title, every main building shall face or have frontage upon a public street or permanent means of access to a street.

**30.140.190 Street Widening Setback Lines.**

A. **Purpose.** The purpose of this section is to establish areas for future street widening purposes, and to restrict building and structure placement within the setback as it relates to the rights-of-way that existed at the time the statute was codified. Street widening setbacks allow greater potential for street widening without costly removal of structures to enhance the rights-of-ways in these areas should the need arise.

B. **Establishing Procedure for Street Widening Setback Lines.**

1. ***Determining Authority.*** Whenever the public peace, health, safety, comfort, convenience, interest or welfare may require, the City Council is hereby authorized and empowered to determine the minimum distance back from the street line for the erection of buildings or structures along any portion of any street, public way or place in the City and to order the establishment of a line to be known and designated as a street widening setback line between which line and the street line no structure shall be erected or constructed. The street widening setbacks and the procedures relating to street widening setbacks specified in this section are to be distinguished from the general setbacks established elsewhere in this Title.

2. ***Issuing Building Permits During Interim Period.*** After the adoption of the Resolution of Intention, and prior to the time the ordinance establishing setback line or lines in such proceedings becomes effective, no building permit shall be issued for the erection of any structure between any proposed setback line and the street line and any permit so issued shall be void.

3. ***Resolution – Notice of Hearing.*** Before ordering the establishment of any setback line authorized by paragraph 1, above, the Council shall pass a resolution of intention to do so, designating the distance inward from the street and the street widening setback line or lines proposed. The resolution shall be published once in a daily newspaper published and circulated in the City, and designated by the City Council for the purpose; and one copy of the resolution shall be posted conspicuously upon the street in front of each block or part of block of any street, public way or place where such setback line is proposed to be established. The resolution shall also contain a notice of the day, hour and place when and where any and all persons having any objection to the establishment of the proposed setback line or lines may appear before the Council and present any objection or protest which they may have to the proposed setback line or lines as set forth in the Resolution of Intention. The time of hearing shall not be less than 15 nor more than 40 days from the date of the adoption of the Resolution of Intention; and the publication and posting of the Resolution shall be made at least 10 days before the time of the hearing, and shall be deemed to be and shall constitute the only notice to be given of such hearing.

4. ***Hearing.***

a. At any time not later than the hour set for hearing objections and protests to the establishment of the proposed setback line or lines, any person having any interest in any land upon which the setback line is proposed to be established, may file with the City Clerk a written protest or objection against the establishment of the setback line or lines designated in the Resolution of Intention. Such protest must be

in writing, must contain a statement of the facts or reasons constituting the owner's objections and be delivered to the Clerk not later than the hour set for the hearing, and no other protests or objections shall be considered. All protestants may appear before the Council at the hearing, either in person or by attorney, and be heard in support of their protests or objections. At the time set for hearing, or at any time to which the hearing may be continued, the Council shall proceed to hear and pass upon all protests or objections so made, and its decision shall be final and conclusive, both as to the protestants and all other persons.

b. The Council shall have power and jurisdiction to sustain any protest or objection and abandon the proceeding, or to deny any and all protests or objections, and order by ordinance the establishment of the setback line or lines described in the Resolution of Intention, or to order the same established with such changes or modifications as the Council may deem proper.

5. ***Construction Between Street and Setback Lines – Prohibited.*** From and after the taking effect of such ordinance establishing any setback line or lines, it shall be unlawful for any person, firm or corporation to construct any building, wall, required automobile parking space, or other permanent structure within the space between the street line and the setback line, so established, and no permit for any structure to be erected within such space shall be issued. Temporary structures and uses, such as outdoor dining, landscape and hardscape, and minor fencing or barriers are allowed within the setback area.

6. ***If Easements are Granted to the City.*** Once easements for street widening as detailed in this section have been granted to the City for specific properties, no additional setback is required or allowed for that property.

7. ***Penalty for Violation.*** Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provision of this section shall be deemed guilty of a misdemeanor but may be cited or charged, at the election of the enforcing officer or City Attorney, as an infraction. Upon conviction, such person shall be punished as set forth in Chapter 1.28, Penalty, of the Santa Barbara Municipal Code. Each day that violation of this Title continues shall be considered a separate offense.

C. **Street Widening Setback Lines Established.**

1. Canon Perdido Street – Northwesterly Between Quarantina and Milpas Street. A straight line drawn from the northeasterly line of Quarantina Street produced northwesterly, to southwesterly line of Milpas Street, 10 feet northwesterly from the northwesterly line of

Canon Perdido Street is established as a setback line, between which line and such northwesterly line of Canon Perdido Street no structure shall hereafter be erected or placed.

2. Canon Perdido Street – Southeasterly Between Quarantina Street and Milpas Street. A straight line drawn from the northeasterly line of Quarantina Street to the southwesterly line of Milpas Street, 10 feet southeasterly from the southeasterly line of Canon Perdido Street is established as a setback line, between which line and such southeasterly line of Canon Perdido Street no structure shall hereafter be erected or placed.

3. Carrillo Street Extension. A line parallel with and 40 feet easterly of the centerline of Carrillo Street extension between engineer's station 49+00 and station 52+00, said centerline as shown on approved plan number C-1-2672, sheet 2 of 31 sheets, on file in the Office of the City Engineer, is established as a setback line, between which line and such easterly side of Carrillo Street extension no structure shall hereafter be erected or placed.

4. Chapala Street – Northeasterly Between Montecito Street and Cabrillo Boulevard. A straight line drawn from the southeasterly line of Montecito Street to the northwesterly line of Cabrillo Boulevard, 10 feet northeasterly from the northeasterly line of Chapala Street is established as a setback line, between which line and such northeasterly line of Chapala Street no structure shall hereafter be erected or placed.

5. Chapala Street – Southwesterly Between Montecito Street and Cabrillo Boulevard. A straight line drawn from the southeasterly line of Montecito Street to the northwesterly line of Cabrillo Boulevard, 10 feet southwesterly from the southwesterly line of Chapala Street is established as a setback line, between which line and such southwesterly line of Chapala Street no structure shall hereafter be erected or placed.

6. Cliff Drive. Two setback lines, drawn parallel to each other and to the centerline of Cliff Drive, separated from each other by the centerline of Cliff Drive, the one being drawn on one side of the centerline of Cliff Drive and the other being drawn on the other side of such centerline of Cliff Drive, each such setback line being 55 feet distant from the centerline of Cliff Drive, and 110 feet distant from the other such setback line, at all points, and running for a distance extending from the existing West Montecito Street widening setback line on the east, to and including all portions of Cliff Drive, to the easterly side of the entrance to Arroyo Burro Beach, between which two setback lines no structure shall hereafter be erected, constructed or placed.

7. De la Vina Street (formerly a portion of Hollister Avenue located within the City of Santa Barbara) - Northeasterly Between Calle Laureles and Mission Street. A line drawn

from the easterly line of Calle Laureles to the northwesterly line of Mission Street, parallel to and 10 feet northeasterly from the northeasterly line of De la Vina Street (formerly Hollister Avenue) is established as a setback line, between which line and such northeasterly line of De la Vina Street (formerly Hollister Avenue) no structure shall hereafter be erected or placed.

8. De la Vina Street and State Street (formerly portions of Hollister Avenue located within the City of Santa Barbara) Between Las Positas Road and Mission Street. A line drawn from the City Limits Line existing as of April 12, 1928, at Las Positas Road and State Street and along State Street and De la Vina Street to the northwesterly line of Mission Street, parallel to and 10 feet southerly from the southerly line of State Street (formerly Hollister Avenue) and parallel to and 10 feet southwesterly from the southwesterly line of De la Vina Street (formerly Hollister Avenue) is established as a setback line, between which line and such southwesterly line of De la Vina Street (formerly Hollister Avenue) no structure shall hereafter be erected or placed.

9. East Cabrillo Boulevard. A line drawn parallel to and distant 10 feet northwesterly from the line of East Cabrillo Boulevard between the northeasterly line of State Street and the southwesterly line of Santa Barbara Street is established as a setback line, between which line and such northeasterly line of East Cabrillo Boulevard no structure shall hereafter be erected or placed.

10. Gutierrez Street – Northwesterly Between De la Vina Street and Milpas Street. A straight line drawn from the northeasterly line of De la Vina Street to the southwesterly line of Milpas Street, 10 feet northwesterly from the northwesterly line of Gutierrez Street is established as a setback line, between which line and such northwesterly line of Gutierrez Street no structure shall hereafter be erected or placed.

11. Gutierrez Street – Southeasterly Between De la Vina Street and Milpas Street. A straight line drawn from the northeasterly line of De la Vina Street to the southwesterly line of Milpas Street, 10 feet southeasterly from the southeasterly line of Gutierrez Street is established as a setback line, between which line and such southeasterly line of Gutierrez Street no structure shall hereafter be erected or placed.

12. Milpas Street – Northeasterly Between Anapamu Street and Cabrillo Boulevard. A straight line drawn from the southeasterly line of Anapamu Street to the northwesterly line of Cabrillo Boulevard, 10 feet northeasterly from the northeasterly line of Milpas Street is established as a setback line, between which line and such northeasterly line of Milpas Street no structure shall hereafter be erected or placed.

13. Milpas Street – Southeasterly Between Anapamu Street and Cabrillo Boulevard. A straight line drawn from the southeasterly line of Anapamu Street to the northwesterly line of Cabrillo Boulevard, 10 feet southwesterly from the southwesterly line of Milpas Street, is established as a setback line, between which line and such southwesterly line of Milpas Street no structure shall hereafter be erected or placed.

14. Montecito Street – Northeasterly Between Bath Street and Rancheria Street. A straight line drawn from the southwesterly line of Bath Street to the northeasterly line of Rancheria Street, 10 feet northwesterly from the northwesterly line of Montecito Street, is established as a setback line, between which line and such northwesterly line of Montecito Street no structure shall hereafter be erected or placed.

15. Montecito Street – Southeasterly Between Bath Street and Rancheria Street. A straight line drawn from the southwesterly line of Bath Street to the northeasterly line of Rancheria Street, 10 feet southeasterly from the southeasterly line of Montecito Street is established as a setback line, between which line and the southeasterly line of Montecito Street no structure shall hereafter be erected or placed.

**D. Variances for Street Widening Setback Lines.**

1. ***Variance by Resolution Authorized.*** Where there is need to allow variance to avoid unreasonable practical difficulties or unreasonable and unnecessary hardships resulting or arising from any setback line established by ordinance in the City, the City Council upon its own motion or upon verified petition, filed with the Clerk of the City Council, of any property owner whose property is directly affected by such setback line, shall have power to allow by its resolution upon such reasonable terms and conditions as the City Council may deem proper and under the circumstances and subject to the conditions and provisions hereinafter specified, variance from the restrictions and prohibitions of any such setback line.

2. ***Basis for Allowing Variances.*** Variances shall be allowed and permitted under this section when consistent with the general purpose and objective of whatever setback line may be involved; and, only in such instances and only to such extent that the public welfare, safety and convenience shall be duly secured, with substantial justice done with respect to all concerned.

3. ***Prerequisites to Granting Variance.*** Moreover, variance shall be authorized under this section upon the following additional provisions and conditions:

a. That whatever improvements may be constructed, erected or made pursuant to any variance authorized under this section shall be and must be wholly removed in the event of any future public acquisition by condemnation of the real property whereon such improvements may be constructed, erected or made at the sole expense of the property owner to whom leave for such variance was granted the owner of the property at the time of the condemnation by the City.

b. That variance shall be allowed by the City Council only upon the filing with the Clerk of the City of a written agreement and undertaking signed and acknowledged by the property owner involved and by its term binding the property owner or whoever shall be the owner of the property involved at the time of any future condemnation such as that abovementioned, to wholly remove whatever improvements may be constructed, erected or made under or pursuant to the leave granted under this chapter, which removal shall be at the sole cost and expense of the property owner.

c. That variance shall be allowed under this section only upon the further express condition and provision that if the property owner signing the aforementioned written agreement and undertaking any other owner of such property at the time of condemnation thereof shall fail to wholly remove all improvements constructed, erected or made under this section, the same may be removed by the City if it acquires by condemnation the land involved as contemplated by this section, at the sole expense of such property owner or owners.

d. That variance shall be authorized under this section only upon the express provision and condition of the property owner or owners involved evidenced as above stated and expressly waiving and renouncing any and all right or claim to damages or compensation in favor of any such property owner or owners involved or otherwise arising by reason of the severance of any improvement constructed, erected or made under this section from any other or remaining improvement or by reason of the removal of any such improvement constructed, erected or made pursuant to leave authorized by this section, if the City acquires the land involved by condemnation.

e. That variance shall be authorized by the City Council under this section by resolution of the City Council setting forth the written findings of fact required by the following:

i. In order to justify any variance under the provisions of this section, the three following qualifications must be shown relative to the property involved in the application for such variance; and, the City Council's resolution of approval in connection with any such applications must contain written findings of fact showing wherein the property involved meets the three following qualifications:

(1) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to all property affected by the setback line involved, and which produce unreasonable practical difficulties or unreasonable and unnecessary hardships in the way of adhering to the setback line or lines as established without the granting of leave for any variance therefrom.

(2) That such variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner in consonance and harmony with the enjoyment of their property by other neighboring owners, subject to the setback line involved.

(3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements subject to the setback line involved.

4. ***Council's Decision to be Final.*** The decision of the City Council in granting or refusing any petition for any variance under this chapter or any granting on its own motion any variance under this section pursuant to the provisions of this section, shall be final and conclusive without any right of appeal.

5. ***Petition to State Grounds for Variance.*** Every petition filed under this section shall state fully the grounds upon which leave for variance is sought and the facts warranting the proposed allowance of variance.

6. ***Resolution to be Entered in Minutes.*** Every resolution hereafter allowing variance from any setback line shall be entered in full in the minutes of the City Council.

7. ***Compliance.*** Save and except under and as allowed pursuant to the provisions and procedure prescribed by this section, no improvements shall be constructed, erected or made in violation of any setback line ordinance of this City within the prescribed limits established by such setback line ordinance.

### **30.140.200 Substantial Redevelopment.**

A. **Substantial Redevelopment.** A substantial redevelopment occurs when a structure is either completely demolished or at least two of the three conditions below are completed within any five-year period:

1. More than 50% of the structural elements of the roof or roof framing is removed.
2. More than 50% of the structural exterior walls (or vertical supports such as posts or columns when a structure has no walls) of a structure are removed or are no longer a necessary and integral structural component of the overall building.
3. More than 50% of the foundation system is removed or is no longer a necessary and integral structural component of the overall structure, including, but not limited to: perimeter concrete foundation, retaining walls, post and pier foundations, or similar element(s) that connect a structure to the ground and transfers gravity loads from the structure to the ground.

For the purposes of this section, prior work shall not be considered complete unless a final inspection has occurred or a certificate of occupancy has been issued for the permit. If work occurred without a valid building permit, the five-year period begins upon City issuance of a Notice of Violation for the unpermitted work. The determination of substantial redevelopment pursuant to this section shall not alter the meaning of the term “demolition” with regard to a historic resource, or with regard to the application of State Title 24, Building Standards Codes.

B. **Calculation.** The calculation for determining whether a wall has been demolished or redeveloped will be based on a horizontal measurement of the perimeter exterior wall removed between the structure’s footings and the structure’s ceiling. The calculation for determining whether the roof or foundation system has been demolished or redeveloped will be based on the lineal feet of the foundation system, count of post and piers, or overall square footage of that individual element.

C. **Structures without Walls or Roofs.** Fences, patios, decks or similar, shall be considered demolished or redeveloped when more than 50% of either the lineal feet or area of the structure is removed.

D. **Review of Substantial Redevelopment of Historic Resources.** The structure, site and landscape plans of historic resources as defined in Section 30.30.080 “H” shall be subject to the review process described in Chapter 30.157, Historic Resources.

### **30.140.210 Swimming Pools or Water Features.**

A. **Applicability.** For purposes of this Section, the term “swimming pools or water features” means any constructed body of water that is accessory to a primary use and contains, or is capable of containing, water to a depth of at least 18 inches. This includes pools, spas, whirlpools, fountains, fishponds, waterfalls, and similar features. Such bodies of water may be used for human immersion or for decorative purposes.

B. **Standards.** Swimming pools and water features are allowed as accessory uses and are subject to the following requirements:

1. ***Swimming Pool Location.*** The outside wall of the water-containing portion of any in-ground swimming pool or in-ground water feature must be located outside the required setbacks of the applicable zone or a minimum of 15 feet from the front lot line and five feet from all interior lot lines, whichever is less.
2. ***Water Feature Height.*** Fountains, waterfalls, slides and similar above-ground water features must not exceed 8 feet in height and must comply with the required setbacks of the applicable zone. The applicable Design Review body may allow variation to this height standard.
3. ***Filter and Heating Equipment.*** The location of the associated mechanical equipment is subject to the standards in Section 30.140.130 Mechanical and Utility Equipment.
4. ***Fencing Requirements.*** All pools must be fenced in accordance with the provisions of the Building Code and State law.

### **30.140.220 Trash, Recycling, and Personal Outdoor Storage**

A. **Purpose.** The purpose of this section is to ensure that trash, recycling, and personal outdoor storage areas are designed, located, and maintained in a manner that supports public health and safety, protects neighborhood character, and promotes environmental sustainability. These standards are intended to minimize visual impacts, prevent nuisances, and ensure compatibility with surrounding development.

B. **Applicability.** All new and existing trash, recycling, and personal outdoor storage areas must comply with the requirements of this section.

C. **Trash and Recycling Storage Areas.** Storage areas for trash and recycling containers, with adequate capacity for all required waste streams—including trash, recycling, green waste, and food scraps—must be provided for each development or land use in accordance with Chapter 7.16, Solid Waste Management, and the following standards:

1. **Screening.** Trash and recycling containers must be screened in accordance with Section 30.140.155, Screening.
2. **Enclosures.** All trash and recycling enclosures must comply with the City’s Trash and Recycling Enclosure Design Guide, as reviewed and approved by the City’s Clean Community Division.
3. **On-Site or Off-Site Facilities.** Trash and recycling storage areas must be located either:
  - a. On the same lot as the uses served; or
  - b. In an off-site facility, subject to approval by the City’s Clean Community Division and secured with a Recorded Agreement pursuant to Chapter 30.260, Recorded Agreements.
4. **Maintenance.** Trash and recycling storage areas must be:
  - a. Maintained in good condition and free of visible debris.
  - b. Used exclusively for the storage of trash and recycling receptacles.
  - c. Operated in a manner that does not create a nuisance, hazard, or other objectionable condition, pursuant to Chapter 30.180, Performance Standards.
5. **Prohibited Locations.** Trash and recycling containers must not be located in any of the following areas:
  - a. Setbacks.
  - b. Front yard.
  - c. Open yard.
  - d. Parking space or vehicular use areas.
  - e. Front porch, stoop, landing, or other building entrance or frontage.

6. ***Encroachments.*** Location exceptions for trash and recycling containers and enclosures are allowed consistent with Section 30.140.090, Encroachments.

7. ***Trash and Recycling Design Standards Waiver.*** The Design Review body may waive or reduce the location or screening standards for trash and recycling containers and enclosures, beyond what is allowed under Section 30.140.090, Encroachments, if the proposed project complies with all other applicable base zone development standards and the applicant demonstrates that one or more of the following findings can be made:

- a. ***Site Constraints.*** Site constraints, such as existing development, topography, lot configuration, or access requirements, physically prevent full compliance with the open yard standards.
- b. ***Environmental or Operational Performance.*** The alternative design provides equivalent or superior environmental or operational performance consistent with the intent of this section.

D. **Personal Outdoor Storage.** For the purposes of this section, “personal outdoor storage” means the placement, keeping, or parking of any non-commercial storage of personal property in an open area that is not fully enclosed within a building or structure. This includes areas that are partially covered or screened but not fully enclosed on all sides and roofed. Commercial outdoor storage is regulated separately under this Title.

1. ***Prohibited Items.*** The following items must not be stored or parked outdoors in the locations listed in Subsection D.2 for a period of 72 or more consecutive hours:

- a. Vehicles, trailers, airplanes, boats, recreational vehicles (RVs), or parts thereof, except for passenger automobiles and bicycles parked in compliance with Chapter 30.175, Parking Regulations.
- b. Appliances, loose rubbish or garbage, junk, tents, building materials, compost piles, tires, or any similar item.
- c. Machinery, equipment, or tools not in active use, including construction or landscaping equipment.
- d. Indoor or outdoor furniture not intended for active outdoor use.
- e. Storage containers, bins, or materials covered by tarps.

2. **Prohibited Locations.** The items listed in Subsection D.1 must not be stored or parked in any of the following areas, except as otherwise permitted by this Title:

- a. Setbacks.
- b. Front yard.
- c. Open yard.
- e. Front porch, stoop, landing, or other building entrance or frontage.
- f. Vacant or undeveloped lots, unless otherwise permitted.

3. **Screening.** The items listed in Subsection D.1 must be screened in accordance with Section 30.140.155, Screening.

4. **Exceptions.** The following exceptions apply to the standards in this section:

- a. Storage established as an allowed use with a valid permit or approval, as provided in this Title.
- b. Construction materials intended for use on the same premises may be stored during the time that a valid permit is in effect for construction on the premises.
- c. Uncovered automobile and bicycle parking allowed pursuant to Chapter 30.175, Parking Regulations.
- d. Items allowed to encroach into setbacks, setbacks, landscape areas, and open yard areas pursuant to Section 30.140.090, Encroachments.

### **30.140.230 Visibility at Driveways and Intersections.**

A. **Applicability.** Visibility at driveways and intersections shall be maintained in accordance with this section, unless the Public Works Director grants a Minor Zoning Exception, pursuant to Chapter 30.245, Minor Zoning Exceptions, upon finding that the granting of such exception will not create or exacerbate an obstruction of the necessary sightlines for safe operation of motor vehicles.

B. **Driveways.** Visibility at a driveway that crosses a front property line shall not be blocked above a height of 42 inches measured from edge of right-of-way elevation, within the triangle areas described below:

1. **Street with Sidewalk and Parkway.** When a driveway directly abuts a portion of a street with a sidewalk and parkway, the triangle is measured on two sides by a distance of 10 feet from the side of a driveway and 10 feet back from the front lot line.

2. **Street without Sidewalk and Parkway.** When a driveway directly abuts a portion of a street without a sidewalk and parkway, the minimum required site distance is established based on legal vehicle speed and the position of the driver's eye in relation to the ~~intersection~~ edge of right of way as determined by the Public Works Director. The Public Works Director may require additional ~~site~~ sight distance due to site-specific conditions.

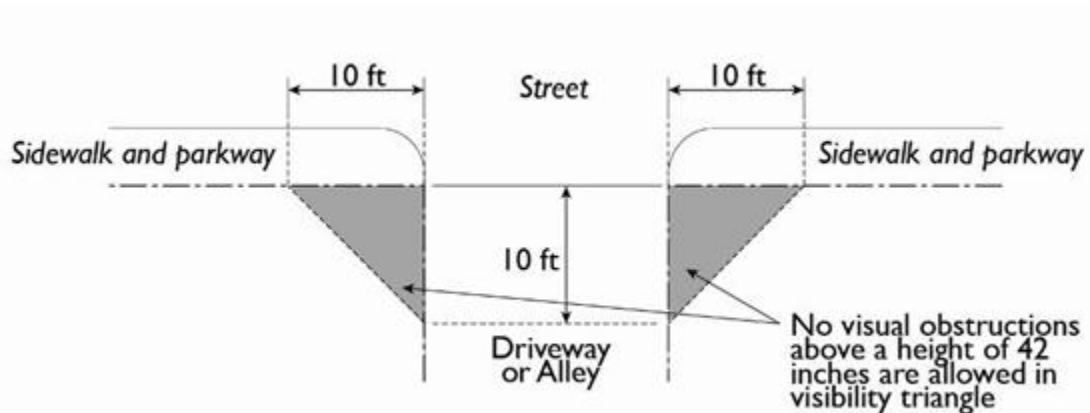
C. **Street Intersections.** The required ~~site~~ sight distance is established based on legal vehicle speed and the position of the driver's eye in relation to the edge of travelled way as determined by the Public Works Director.

1. Structures and landscape determined to be within the required sight distance must not block visibility above a height of 42 inches, measured from the right-of-way elevation.

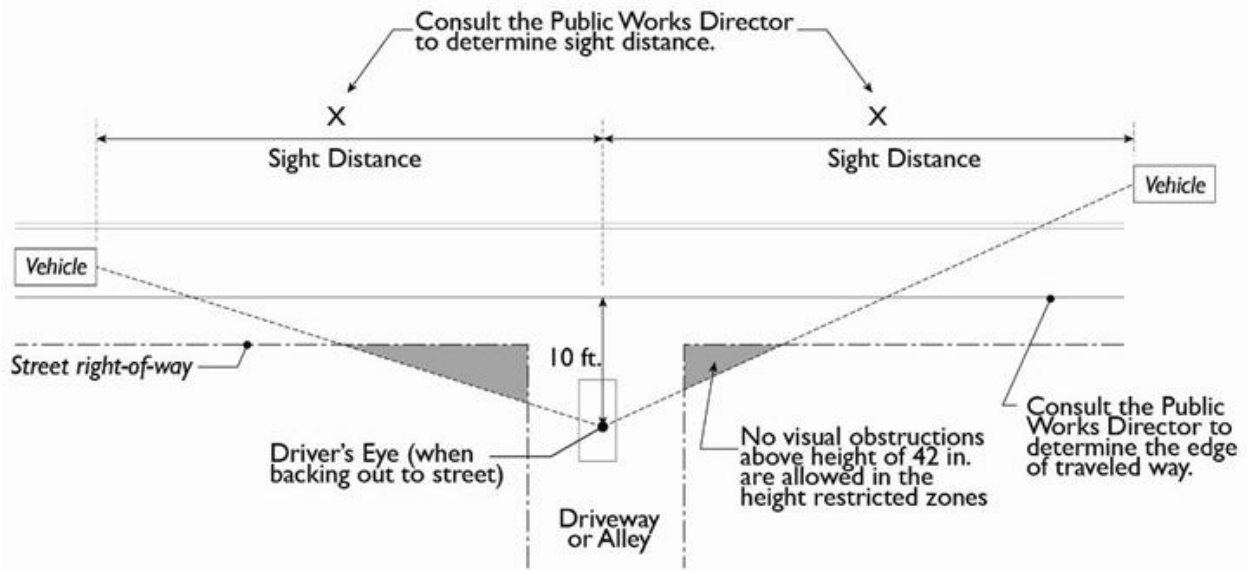
2. Structures and landscape located adjacent to intersections controlled by an all-way stop are not subject to additional height restrictions pursuant to this subsection unless the Public Works Director imposes additional height restrictions due to site-specific conditions.

D. **Required Reduction for Safety.** If the height of any landscape or structure obstructs the sightlines required for the safe operation of motor vehicles, the Public Works Director may declare the obstruction to be a public nuisance and require the removal, relocation or reduction of the obstruction in order to provide for the safe operation of motor vehicles.

**FIGURE 30.140.230: VISIBILITY AT DRIVEWAYS AND INTERSECTIONS**



**WITH SIDEWALK AND PARKWAY**



### WITHOUT SIDEWALK AND PARKWAY

#### 30.140.240 Yard Buildings.

A. **Applicability.** Yard buildings are allowed as minor accessory buildings on lots containing a main residential building, subject to the requirements of this section. For purposes of this section, a “yard building” means any on-grade, one-story, detached, covered, non-habitable structure, such as garden sheds, covered bicycle lockers, and enclosed playhouses. The term does not include attached patios, sunrooms, service porches, or other enclosed rooms attached to the main building. Such attached structures must conform to the same setback and height regulations as the main building.

B. **Standards.** Yard buildings must conform to the following requirements:

1. **Maximum Number:** No more than two yard buildings are allowed per lot.
2. **Maximum Size:** Each yard building must not exceed 120 square feet in floor area, with a combined total not to exceed 200 square feet per lot.
3. **Front Yards.** Yard buildings are not allowed within the front setback or front yard.
4. **Interior Setbacks and Open Yards.** Yard buildings up to eight feet in height may be located within interior setbacks and open yards, except when the open yard is located in the front yard, as provided in Section 30.140.090, Encroachments. Yard buildings over eight

feet in height must comply with the standards for detached accessory buildings in Section 30.140.020, Accessory Buildings.

5. ***Rooftop Decks Prohibited.*** No rooftop deck, terrace, or viewing platform is allowed on the roof of a yard building approved pursuant to this section.
6. ***Screening.*** Yard buildings in interior setbacks must be screened from neighboring properties with a fence, hedge, or similar screening element, pursuant to Section 30.140.155, Screening.
7. ***Exemptions.*** Yard buildings allowed pursuant to this section are:
  - a. Exempt from design review and not counted toward the applicability criteria for design review under Chapter 30.220, Design Review.
  - b. Exempt from Maximum Floor Area Ratio (FAR) if applicable per Table 30.20.030.A: Development Standards–Residential Single Unit Zones.
  - c. Not counted toward the maximum accessory building floor area established in Section 30.140.020, Accessory Buildings.
  - d. Exempt from building permits if the structure qualifies for exemption under the Building Code, including one-story detached accessory structures used as tool or storage sheds that do not include utility connections.

**SECTION 7.** Section 30.150.090 of Chapter 30.150 of Title 30 of the Santa

Barbara Municipal Code is amended to read as follows:

**30.150.090 Additional Development Incentives.**

A. **Development Standards Generally.** In order to further encourage the development of projects in accordance with the provisions of this Average Unit-Size Density Incentive Program, the development standards listed in this section are allowed for those projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program. Except as otherwise specified in this section, projects developed in accordance with the provisions of the Average Unit-Size Density Incentive Program shall otherwise comply with the development standards applicable to the zone in which the lot is located. This section does not apply to a parcel that was developed with a mobilehome park (as defined by California Health and Safety Code Section 18214) that existed on November 1, 2018.

B. **Market Rate Ownership Projects Within the Upper State Street Area (USS) Overlay Zone.** Projects developed with market rate ownership units, on lots with a City General Plan land use designation of Medium-High Density, and within the Upper State Street Area (USS) Overlay Zone, shall comply with Upper State Street Area (USS) Overlay Zone development standards as required by Chapter 30.85.

C. **Maximum Height.**

1. ***C-G and M-C Zones.*** Projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program in the C-G or M-C Zones, located in and developed at the Priority Housing Overlay Tier, as shown on the City of Santa Barbara Average Unit-Size Density Incentive Program Map (Exhibit A to this chapter), and located within the Central Business District, delineated on Figure 30.175.050.B, Central Business District, shall be allowed a maximum height of 48 feet, unless an exception is approved pursuant to Section 30.140.100, Exceptions to Height Limitations.

2. ***R-M, R-MH, O-R, C-R, CO-HV, CO-CAR Zones, or the USS Overlay Zone.*** Projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program in the R-M, R-MH, O-R, C-R, C-G, M-C, CO-HV, CO-CAR Zones, or the USS Overlay Zone shall conform to the maximum height standards specified within the zone in which the lot is located.

D. **Maximum Floor Area.** Average Unit-Size Density Incentive Program projects in the USS Overlay Zone are not subject to the USS Overlay Zone maximum floor area limitations of Chapter

30.85, except, that projects developed with market rate ownership units on lots with a City General Plan land use designation of Medium-High Density and located within the USS Overlay Zone shall comply with USS Overlay Zone maximum floor area limitations of Chapter 30.85.

E. **Setbacks.** Projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program shall observe the following setback standards:

1. ***O-R, C-R, C-G, and M-C Zones and the USS Overlay Zone.*** Projects developed in accordance with the Average Unit-Size Density Incentive Program in the O-R, C-R, C-G, and M-C Zones and the USS Overlay Zone shall observe the following setback standards:

a. *Front Setback.*

i. State Street and First Blocks of Cross Streets. Projects on lots fronting State Street between Montecito Street and Sola Street, and lots fronting the first block east or west of State Street on streets that cross State Street between and including Montecito Street and Sola Street, shall not be required to provide a front setback.

ii. Non-Residentially-Zoned Lots Subject to the USS Overlay Zone. Projects developed on non-residentially-zoned lots within the USS Overlay Zone shall observe a front setback of 10 feet; provided, however, that projects on non-residentially-zoned lots in the Medium-High Density designation and developed with market rate ownership units shall observe the front setback standards of the USS Overlay Zone required by Chapter 30.85.

iii. All Other Lots. Projects on lots that do not front on the streets specified in subsection E.1.a.i, State Street and First Blocks of Cross Streets, are not required to provide a front setback. However, such projects shall provide the Average-Depth Front Landscape Buffer in accordance with Section 30.140.118, Landscape.

b. **Interior Setback Adjacent to Nonresidential Zone.** No interior setback is required for those projects adjacent to a nonresidential zone; provided, however, that projects on non-residentially-zoned lots in the Medium-High Density designation within the USS Overlay Zone and developed with market rate ownership units shall observe the interior setback standards required by the applicable zone.

c. **Interior Setback Adjacent to Residential Zone.** A uniform interior setback of six feet shall be provided except for those projects where that portion of the structure which intrudes into the required six-foot interior setback is appropriately balanced with an interior setback area that exceeds the minimum six-foot interior setback; provided, however, that projects developed on non-residentially-zoned lots in the Medium-High Density designation within the USS Overlay Zone and developed with market rate ownership units shall observe the interior setback standards required by the applicable zone.

2. ***R-M and R-MH Zones.*** Projects on lots developed in accordance with the Average Unit-Size Density Incentive Program in the R-M and R-MH Zones, except for market rate ownership projects within the USS Overlay Zone, shall observe the same setbacks as the R-M and R-MH Zones.

3. ***CO-HV and CO-CAR Zones.*** Lots developed in accordance with the Average Unit-Size Density Incentive Program in the CO-HV and CO-CAR Zones shall observe the setback standards required by the applicable zone.

F. **Parking.** Projects developed under the Average Unit-Size Density Incentive Program shall observe the following parking requirements.

1. ***Within the Central Business District.*** Projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program, on lots within the Central Business District, as delineated in Figure 30.175.050.B., shall provide a maximum of one off-street parking space per residential unit. The parking space may be covered or uncovered and may be leased separately from the residential unit. All off-street parking spaces associated with nonresidential components of mixed-use projects developed under the Average Unit-Size Density Incentive Program shall comply with the parking standards set forth in Chapter 30.175, Parking Regulations.

2. ***Outside the Central Business District.*** Projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program on lots outside the Central Business District, as delineated in Figure 30.175.050.B., shall observe the following parking requirements:

a. ***Studio, One-Bedroom, and Two-Bedroom Residential Units.*** A minimum of one parking space shall be provided for each residential unit. The parking spaces may be covered, uncovered, or a combination of both.

b. *Three or More Bedroom Residential Units.* A minimum of two automobile parking spaces shall be provided for each residential unit with three or more bedrooms. The parking spaces may be covered, uncovered, or a combination of both.

c. *Market Rate Ownership Projects in USS Overlay Zone.* Projects on lots in the Medium-High Density designation subject to the USS Overlay Zone and developed with market rate ownership units shall observe the parking requirements required by the applicable zone.

3. ***Parking Reductions.*** Except for the parking reductions provided pursuant to Section 30.175.050.A, for development in which 100% of the units are developed as rental units affordable to very low or low income households, or Senior Housing, residential units developed under this chapter shall not qualify for any additional parking exceptions or reductions pursuant to Chapter 30.175, Parking Regulations.

4. ***Bicycle Parking.*** A minimum of one covered and secured bicycle parking space shall be provided for each residential unit.

5. ***Guest Parking.*** Guest parking is not required.

6. ***Other Parking Regulations.*** Other than the number of required off-street parking spaces pursuant to Table 30.175.040, Required Off-Street Parking Spaces, and as may otherwise be provided in Section 30.150.090.F.1., projects developed under this chapter shall observe all of the parking standards specified in Chapter 30.175, Parking Regulations.

G. **Open Yard.** Projects developed in accordance with the Average Unit-Size Density Incentive Program shall provide open yard as specified by Section 30.140.140, Open Yards.

**SECTION 8.** Chapter 30.165 of Title 30 of the Santa Barbara Municipal Code is

amended to read as follows:

## **Chapter 30.165 Nonconforming Structures, Site Development, and Uses**

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**Sections:**

30.165.010 Purpose	30.165.060 Nonconforming Garages and Carports
30.165.020 Applicability	30.165.070 Nonconforming Uses
30.165.030 Right to Continue, Repair and Maintain	30.165.080 Demolition and Replacement of Nonconforming Structures
30.165.035 Structures Made Nonconforming by Public Acquisition	30.165.090 Nonconforming Fences and Hedges
30.165.040 Alterations to Nonconforming Development	30.165.100 Nonconforming Open Yard
30.165.050 Additions to Nonconforming Development	

**30.165.010 Purpose.**

The purpose of this chapter is to provide for the regulation of nonconforming structures, site development, and uses, and to specify those circumstances under which they shall be ~~permitted~~ allowed to continue and be improved. The provisions of this chapter are intended to encourage the preservation and reuse of existing development, allow flexibility for improvements in form and design, control such uses and structures so as to reduce adverse effects on adjoining properties, and to preserve the integrity of the area in which it is located.

**30.165.020 Applicability.**

The provisions of this chapter apply to structures, site development, and uses that have become nonconforming by adoption of this Title, or become nonconforming due to subsequent amendments to its text or to the Zoning Map, except as follows:

A. Nothing in this chapter shall be construed to prohibit any additions or alterations to a nonconforming structure as may be reasonably necessary to comply with any lawful order of any public authority, such as seismic safety requirements, the Americans with Disabilities Act, or a Notice and Order of the Building Official, made in the interest of the public health, welfare, or

safety, provided that approvals pursuant to Chapter 30.250, Modifications, may be required for such additions or alterations.

B. Nothing in this chapter shall be construed or applied to prevent additions, alterations, or replacement of Public Works and Utilities buildings, structures, equipment or facilities where there is no change in use or increase in the project site area.

C. Regulation of sites that are nonconforming to parking regulations are contained in Chapter 30.175, Parking Regulations.

D. The provisions in this chapter do not apply to any feature of a structure or site development granted a Modification pursuant to Chapter 30.250, Modifications, or a Minor Zoning Exception pursuant to Chapter 30.245.

### **30.165.030 Right to Continue, Repair, and Maintain.**

A. Nonconforming structures, site development, or uses may be continued, repaired and maintained provided there is no increase in the intensity of any nonconforming use, except as allowed pursuant to Section 30.165.070.A, Change of Use. The right to continue a nonconforming use or structure shall attach to the land and shall not be affected by a change in ownership, tenancy, or management. The right to continue a nonconformity shall terminate once it has been abandoned.

1. ***Abandonment.*** A nonconformity is considered to be abandoned after any of the following have occurred:

a. ***Change to a Conforming Use or Configuration.*** The nonconformity has been changed to a conforming use or configuration.

b. ***Discontinuation of Use.*** The use has been discontinued pursuant to Section 30.140.080, Discontinuation of Use.

c. ***Substantial Redevelopment.*** The structure containing the nonconformity is demolished or substantially redeveloped and not reconstructed pursuant to Section 30.165.080, Substantial Redevelopment and Replacement of Nonconforming Structures.

B. The right to continue does not apply to nonconforming structures, site development, or uses deemed to be a public nuisance because of health or safety conditions, as determined by the Chief Building Official.

### **30.165.035 Structures Made Nonconforming by Public Acquisition.**

A. **Legal Nonconforming Status.** Where a legally created parcel of land is reduced in size or lot dimensions due to acquisition or dedication by a public agency for a public purpose, and such reduction results in a nonconformity with required setbacks or other applicable development standards, any existing building or structure on the lot is deemed a legal nonconforming structure pursuant to this chapter. A Modification pursuant to Chapter 30.250, Modifications, is not required to maintain the existing structure in its current form.

### **B. Redevelopment and Additions.**

1. Substantial redevelopment of the structure, or any addition or expansion of the structure, must comply with the applicable development standards based on the new lot area and setbacks measured from the new lot lines.
2. Alterations to existing nonconforming buildings are allowed pursuant to this chapter.

### **30.165.040 Alterations to Nonconforming Development.**

Alterations to existing nonconforming structures, site development, or structures containing a nonconforming use or nonconforming residential density, are allowed provided that the alteration does not increase the floor area, except as allowed pursuant to Section 30.165.050, Additions to Nonconforming Development, or Section 30.165.060, Nonconforming Garages and Carports, and meets all of the following standards:

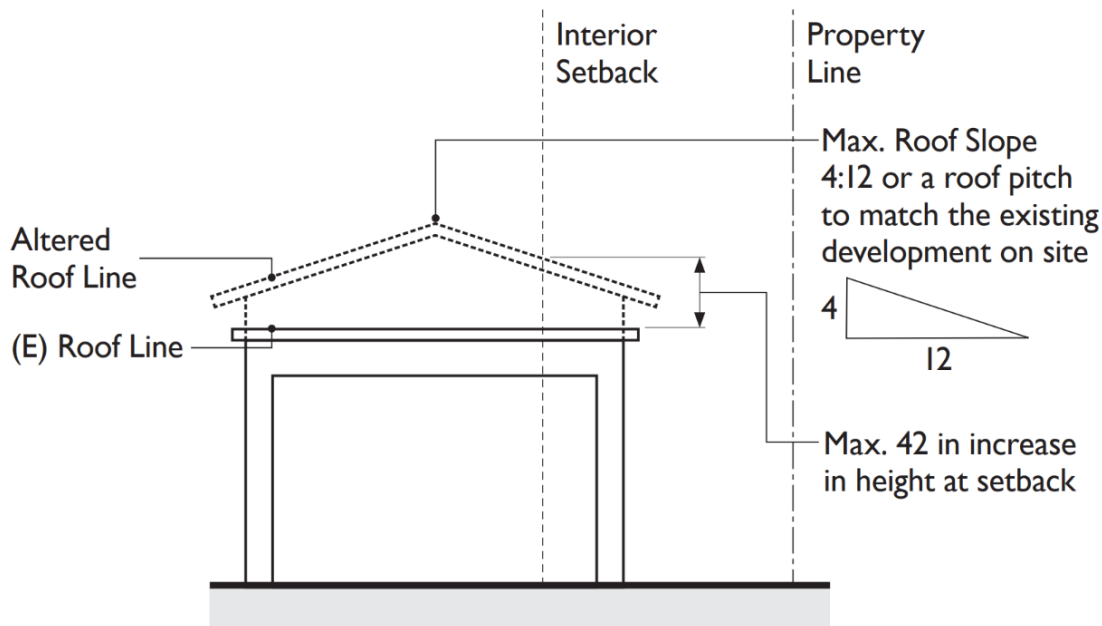
A. **Nonconforming Height.** No structural alterations may be made to the portion of the structure or building that exceeds the maximum height. Non-structural alterations may be made that do not increase, alter, or relocate the height or volume of the portion of the structure that exceeds the maximum height in the zone.

### **B. Nonconforming Setbacks.**

1. ***Height and Volume in Setbacks.*** Alterations that increase or relocate the height or volume of the portion of a building within the front or interior setbacks, may be made provided that the addition meets the following standards:
  - a. The portion of the structure located in the setback does not increase height by more than 42 inches; and

- b. Alterations do not result in an overall roof pitch greater than a four-inch rise over a 12-inch run unless the new roof pitch matches the existing development on the site.

**FIGURE 30.165.040.B: HEIGHT LIMITATIONS ON ALTERATIONS IN SETBACKS**



2. ***Openings in Setbacks – First Floor.*** Alterations to create new, relocate, or enlarge windows, doors, or other openings on that portion of the first floor of a structure that is located within any setback are allowed.
3. ***Openings in Setbacks – Upper Floors.*** Alterations to create new, relocate, or enlarge windows, doors or other openings on that portion of the upper floor of a structure that is located within a setback are allowed provided that the alterations conform to the privacy standards in Section 30.140.145, Privacy Standards for Upper-Story Openings.
4. ***Change of Use in Setbacks.*** Alterations that change the land use of a development are allowed provided that the alteration does not change the land use of any structure located in the setback from residential to nonresidential.

a. *Exceptions.* The following change in use from residential to nonresidential in a setback is allowed:

- i. Community Garden
- ii. Live-Work Unit
- iii. Market Garden
- iv. Neighborhood Market

C. **Nonconforming Open Yard.** See Section 30.165.100, Nonconforming Open Yard.

D. **Nonconforming Floor Area.** If the development is nonconforming to any floor area limitations, alterations are allowed that do not decrease the floor area of a structure or use below the minimum area required; or increase the floor area of a structure or use above the maximum area allowed.

E. **Nonconforming Residential Unit Standards.** If the development is nonconforming to any residential unit standards, alterations are allowed that do not increase the number or types of residential building elements; or enlarge or relocate nonconforming residential building elements, except as allowed pursuant to Section 30.140.150, Residential Unit.

F. **Nonconforming Density.** If an existing residential development is nonconforming to residential density standards, alterations are allowed that do not add units, increase the unit size, or increase the residential floor area, except as otherwise allowed by this Title

G. **Nonconforming Use.** See Section 30.165.070, Nonconforming Uses.

H. **Nonconforming Landscape.** See Section 30.140.118, Landscape.

I. **Other Development Standards.** For all other elements or uses of a structure or property, alterations are allowed that do not increase or expand the nonconformity.

### **30.165.050 Additions to Nonconforming Development.**

Additions to existing nonconforming structures, site development, or structures containing a nonconforming use or nonconforming residential density, are only allowed as follows:

A. **Substantial Redevelopment Combined with Additions Prohibited.** Additions allowed by this chapter shall not be permitted concurrently with a substantial redevelopment pursuant to Subsection 30.165.080.B, Replacement of Demolished Nonconforming Structures, paragraph 9, Additions Prohibited.

B. **Conforming Additions.** Additions to nonconforming structures are allowed if the addition conforms with all development standards of this Title, the existing use and residential density of the property are conforming, and no addition is made that increases the nonconformity of the structure or site development.

C. **Nonconforming Additions in Setbacks.**

1. ***New Floor Area within Existing Structure.*** Additions of floor area, such as the creation of a mezzanine, or the conversion of attic or understory area to new floor area may be made to any portion of an existing structure that is located within setbacks, provided that the addition is constructed within the existing, fully-enclosed exterior walls and roof of a structure.

2. ***First Floor Addition in Interior Setback.*** A first-floor addition of new floor area that is located within an interior setback may be made to an existing residential ~~main~~ building that is located within the interior setback, provided that the addition meets the following standards (see also Figure 30.165.050.C.2, First Floor Addition in Interior Setback):

a. The cumulative total of new floor area located within an interior setback is equal to or less than the first-floor area of the existing, nonconforming portion of the structure located within the same interior setback;

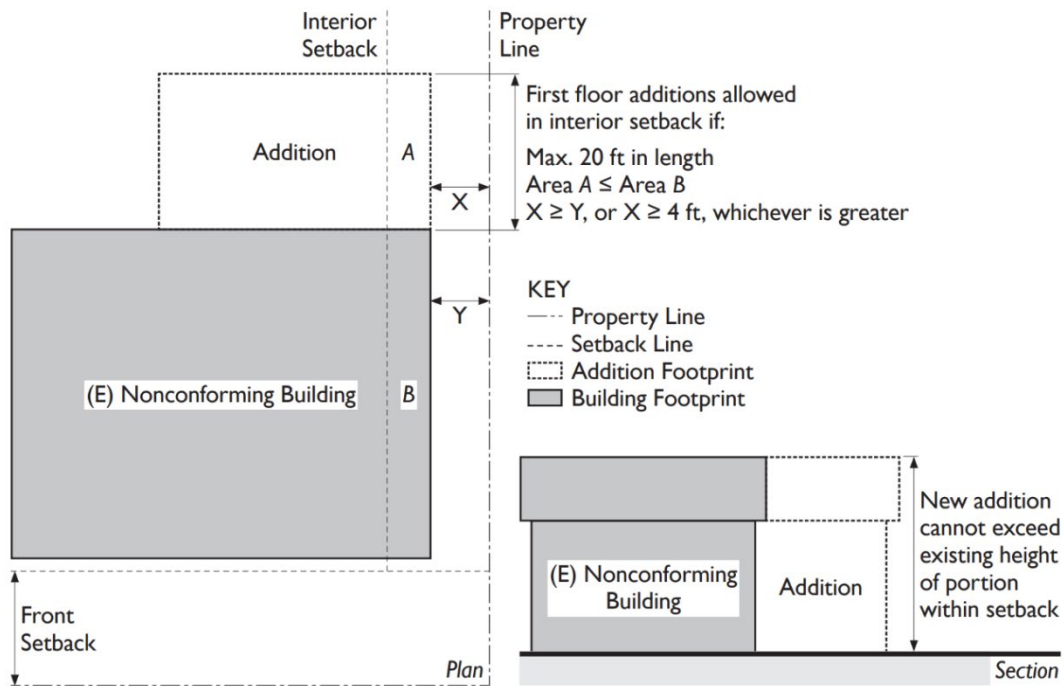
b. Additions may continue an existing nonconforming setback, provided that the addition does not encroach closer than four feet from the interior lot line, or the distance from the closest point of the existing structure to the interior lot line, whichever is greater;

c. The maximum cumulative length of the addition located within the interior setback shall not exceed 20 linear feet measured parallel to the lot line;

d. The height of the addition within the interior setback complies with the Height and Volume in Setbacks provisions of Section 30.165.040, Alterations to Nonconforming Development.

- e. The existing use and residential density of the property is conforming; and
- f. All other development standards are met.

**FIGURE 30.165.050.C.2: FIRST FLOOR ADDITION IN INTERIOR SETBACK**



**D. Nonconforming Additions that Exceed the Maximum Floor Area Ratio.** An addition of new floor area on a lot that is nonconforming as to the maximum floor area or where the proposed expansion is otherwise not allowed as specified in Subsection 30.20.030.A, Maximum Floor Area Ratio is allowed as follows:

1. The addition is allowed pursuant to Section 30.165.060, Nonconforming Garages and Carports; or
2. The addition does not exceed 150 square feet of floor area, excluding covered parking, over the floor area legally existing on the lot as of June 7, 2007; and
3. Only one addition, excluding covered parking, is allowed; and

4. All other development standards are met.

E. **Nonconforming Additions on Lots with Nonconforming Residential Density.** An addition of new floor area on a lot containing nonconforming residential density may be allowed, as follows:

1. The residential floor area, excluding covered parking, on a lot existing as of October 1, 2017, may be increased by a maximum of 250 square feet through one or multiple additions to the existing residential main or accessory buildings. The addition may be provided as:
  - a. One common room or rooms that serve all units on-site (such as a laundry room, storage room, or recreation room); or
  - b. Multiple rooms assigned to individual units, with a maximum of 50 square feet per unit, provided the total does not exceed 250 square feet; and
2. All other development standards are met.

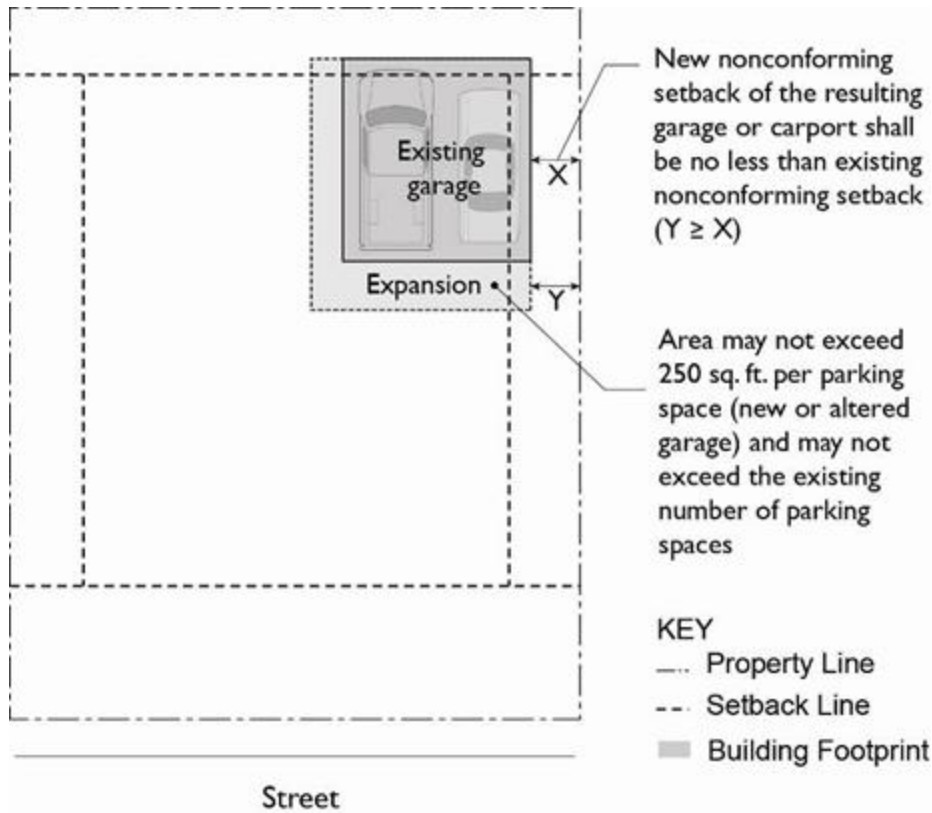
### **30.165.060 Nonconforming Garages and Carports.**

A. **Existing Garages and Carports.** In any zone, nonconforming garages and carports may be altered, expanded, demolished and reconstructed, or otherwise improved only for the purpose of providing covered parking that conforms to the City's Access and Parking Design Standards. Improvements for other uses, such as storage, workshops, or laundry rooms, are not permitted under this section. All such improvements are subject to the following provisions:

1. The number of proposed parking spaces must not exceed the minimum number of spaces required by Chapter 30.175, Parking Regulations.
2. The new setback of the resulting garage or carport shall be no less than the existing setback. Reductions to open yard area may be allowed in accordance with Section 30.165.100, Nonconforming Open Yard.
3. The interior dimensions of the resulting garage or carport shall be equal to or greater than those described in the City Access and Parking Design Standards, and the floor area shall not exceed 250 square feet per covered parking space.

4. Garages may be converted to carports, carports may be converted to garages, and garage doors may be altered or relocated.
5. There shall be no increase in the height of a structure or relocation of windows and doors within any setback, except as otherwise allowed under Section 30.165.040, Alterations to Nonconforming Development.
6. The resulting garage or carport shall not exceed the maximum height in the zone.
7. All other applicable development standards are met.

**FIGURE 30.165.060.A: EXPANSION OF NONCONFORMING GARAGES**



B. **New Garages and Carports.** New covered parking spaces, up to the minimum number required by this Title, may be constructed on lots containing nonconforming residential density, or on a lot that is nonconforming to the Maximum Floor Area Ratio provided:

1. The interior dimensions of the resulting garage or carport shall be no larger than those described in the City Access and Parking Design Standards, and the floor area shall be no larger than 250 square feet per covered parking space;
2. The new garage or carport is not on a lot developed with nonconforming uses; and
3. All other development standards are met.

### **30.165.070 Nonconforming Uses.**

A. **Change of Use.** Nonconforming uses may be changed subject to the following:

1. ***Allowed Uses.*** Any nonconforming use may be changed to a use that is allowed in the zone in which it is located.
2. ***Compatible Nonconforming Uses.*** Nonconforming uses may be changed to a compatible nonconforming use.
3. ***Incompatible Nonconforming Uses.*** Nonconforming uses shall not be changed to an incompatible nonconforming use.

B. **Alterations to Structures Containing Nonconforming Uses.** Nonstructural alterations to structures containing nonconforming uses that do not enlarge or relocate the area devoted to the nonconforming use are allowed provided there is no increase in the intensity of use, as defined in Section 30.300.090 "I". Structural alterations are limited as follows:

1. ***Compatible Nonconforming Uses.*** Structures containing compatible nonconforming uses may be structurally altered, provided that the alterations do not result in a substantial redevelopment and replacement pursuant to Section 30.165.080, Substantial Redevelopment and Replacement of Nonconforming Structures.
2. ***Incompatible Nonconforming Uses.*** Structures containing incompatible nonconforming uses may not be structurally altered.

C. **Determination of Compatible or Incompatible Use.** The Community Development Director shall determine whether an existing or proposed replacement nonconforming use is compatible or incompatible with the purpose of the zone and surrounding uses. Elements to be considered when making these determinations include, but are not limited to, the following:

1. Building Code occupancy classification;
2. Land Use Classification;
3. Noise;
4. Odors;
5. Vibration;
6. Air pollution including dust and other particulate matter;
7. Light or glare;
8. Visual or aesthetic impacts;
9. Hazardous materials; or
10. Other detrimental effects.

D. **Lots with Both Nonconforming Uses and Conforming Uses.** When a single lot contains both a nonconforming use and a conforming use, additions or alterations may be allowed only to the conforming structures, provided such changes do not expand, enlarge, or relocate the nonconforming use, intensify it, or increase any other site nonconformity.

### **30.165.080 Substantial Redevelopment and Replacement of Nonconforming Structures.**

A. **Verification of Substantial Redevelopment.** When, in the determination of the Community Development Director, there exists the potential for a project to result in a substantial redevelopment, the applicant shall submit written verification from a registered structural engineer certifying that the roof, exterior walls and foundation shown to remain are structurally sound and will not be required to be removed or replaced for the project. Prior to issuance of a building permit, the property owner and contractor shall sign an affidavit to the City that they are aware of the City's definition of a substantial redevelopment and the penalties associated with an unlawful substantial redevelopment.

B. **Replacement of Demolished Nonconforming Structures.** A nonconforming structure may be demolished or substantially redeveloped and replaced, provided that all of the following conditions are met:

1. **Use.** The Use Classification remains the same and demolition or substantial redevelopment and replacement of the nonconforming structure does not continue or perpetuate a nonconforming use. Accessory buildings may be converted from one type of accessory use to another (e.g., garage to workshop), provided the resulting use is consistent with applicable zoning regulations and development standards.
2. **Height.** The new structure shall not exceed the height of the existing structure, and the new structure shall comply with all current applicable height limitations.
3. **Footprint.** The replacement structure shall be located within the same footprint and in the same location on the lot as the existing structure. Exceptions to this limitation may be approved by the Community Development Director pursuant to Chapter 30.245, Minor Zoning Exceptions, upon finding the proposed location of the structure is safer or more appropriate than the previous existing location, in addition to the findings required pursuant to Chapter 30.245, Minor Zoning Exceptions.
4. **Floor Area.** The square footage of the replacement structure shall not exceed the square footage of the existing structure, unless otherwise allowed pursuant to Section 30.165.060, Nonconforming Garages and Carports.
5. **Residential Units.** The number of residential units in the resulting structure shall not be greater than the existing number of residential units.
6. **Density.** The new structure does not increase the unit size, the residential floor area, or the number of bedrooms, such that it would cause the residential density for the development to exceed the approved residential density.
7. **Open Yard.** The open yard shall not be less than existing.
8. **Parking Spaces.** The number of parking spaces shall be no less than the number of existing parking spaces.
9. **Additions Prohibited.** Except for conforming first floor additions not exceeding a cumulative total of 150 square feet per lot, additions allowed by this chapter shall not be permitted concurrently with a demolition or substantial redevelopment, or within five years

following the completion of the demolition or substantial redevelopment of a structure, pursuant to Section 30.140.200, Substantial Redevelopment; unless otherwise allowed pursuant to Section 30.165.060, Garages and Carports. The addition shall not be considered completed until it passes a final inspection, or a Certificate of Occupancy has been issued.

10. ***Alterations Allowed.*** Any alterations and remodels shall comply with Section 30.165.040, Alterations to Nonconforming Development.

11. ***Encroachments Allowed.*** Encroachments into setbacks and open yards are allowed pursuant to Section 30.140.090, Encroachments

12. ***Building Permit Required.*** The demolition or substantial redevelopment occurred pursuant to a valid building permit. All permits for new construction that are required under the Building Code shall be obtained either concurrently with the permit for the demolition or substantial redevelopment or while any discretionary approval is still valid.

C. **Repair and Replacement of Damaged or Destroyed Nonconforming Structures.** A nonconforming structure that is damaged, destroyed, or partially destroyed due to damage caused by fire, explosion, earthquake, or natural disaster which is not caused by an act or deliberate omission of the property owner, their agent, or person acting on their behalf or in concert with, may be restored or rebuilt and the occupancy and use may be continued or resumed subject to the restrictions in Section 30.165.080, Substantial Redevelopment and Replacement of Nonconforming Structures, with the following allowances:

1. ***Use.*** The demolition or substantial redevelopment and replacement of the nonconforming structure may continue or perpetuate a nonconforming use.

2. ***Height.*** The new structure shall not exceed the height of the existing structure, but is not required to comply with all current applicable height limitations.

3. ***Building Permit Required.*** The building permit for the reconstruction, restoration or rebuilding of the structure must be issued within three years of the occurrence of the damage or destruction. Any such reconstruction, restoration or rebuilding shall conform to all applicable adopted Building Codes in effect at the time of reconstruction.

4. ***Archive Plans.*** Plans existing in the City's archives and other available information shall be used to determine the size, location, use, and configuration of nonconforming structures. No additional discretionary review is required to rebuild the structure in accordance with the most current approved archive plans.

5. **Unavailable Records.** If the City is not able to verify the size, location, use and configuration of the nonconforming structures with the available information, the City shall send a notice to all owners of property within 100 feet of the subject property, advising them of the details of the applicant's request to rebuild, and requesting confirmation of the size, location, use, and configuration of the nonconforming structure that is proposed to be rebuilt. The public comment period shall be not less than 10 calendar days as calculated from the date that the notice was mailed.

### **30.165.090 Nonconforming Fences and Hedges.**

A. **Determination of Nonconformity.** A fence or hedge shall be determined to be nonconforming by the Community Development Director upon receipt of sufficient evidence indicating that the fence or hedge existed in its present location on January 10, 1957 (the effective date of the first ordinance adopting the provisions of this section).

B. **Continuation, Repair and Maintenance.** Any nonconforming fence or hedge may be continued, repaired and maintained, provided there is no physical change other than necessary maintenance and repair in such fence or hedge. A maximum of 25% of the length of a nonconforming fence or hedge may be replaced within any 12-month period except as provided in Substantial Redevelopment and Replacement, below.

C. **Substantial Redevelopment and Replacement.** A fence or hedge may not be removed, demolished, or substantially redeveloped and replaced if it exceeds the height limitations allowed by this Title, except for fences as provided below.

1. The fence is a significant structure or feature associated with a designated City Landmark or Structure of Merit and the extent of repair, maintenance, or replacement occurs pursuant to Chapter 30.157, Historic Resources; or

2. The retaining wall is necessary to retain or support soil.

### **30.165.100 Nonconforming Open Yard.**

A. **Reduction of Nonconforming Open Yard Prohibited.** On a site that is nonconforming to any required open yard area pursuant to Section 30.140.140, Open Yards, no reduction in size or functional alteration of any existing open space is allowed unless:

1. The Community Development Director has first designated the area of the Nonconforming Open Yard per Subsection B; and

2. The Director has determined that the proposed alterations meet all requirements of Subsection C.

**B. Designated Nonconforming Open Yard.** On all lots with nonconforming open yard, the Community Development Director shall designate the Nonconforming Open Yard on an approved site plan, using the following procedure:

1. The Director must designate the largest, most usable area, or areas, that most closely meet the minimum dimensions, location, and standards pursuant to Section 30.140.140, Open Yards. These areas shall be used until the minimum area has been reached, if feasible. If multiple areas qualify, the Director shall determine which areas to include, based on the purpose of the Open Yard, as described in Section 30.140.140, Open Yards.

2. The Nonconforming Open Yard shall not include the following:

a. The front setback in the primary front yard;

b. The first 10 feet of the secondary front setback measured from the front lot line;

c. *For Single-Unit or Two-Unit Residential Lots:* Any area less than 10 feet in length and 10 feet in width.

d. *For Multi-Unit Residential or Mixed-Use Lots:* Any areas less than six feet in length and six feet in width.

**C. Alterations to Nonconforming Open Yard.** On a site that is nonconforming to any required open yard area pursuant to Section 30.140.140, Open Yards, new or reconstructed structures, or any additions and alterations to existing structures, may be allowed only if all of the following conditions are met:

1. The Designated Nonconforming Open Yard has been calculated pursuant to Subsection B, and provides at least 50% of the minimum area required pursuant to Section 30.140.140, Open Yards;

2. The proposed project does not reduce any required private open yards or the Designated Nonconforming Open Yard; and

3. All other applicable development standards are met.

**SECTION 9.** Chapter 30.175 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.175 Parking Regulations**

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### **Sections:**

30.175.010 Purpose	30.175.060 Location of Required Automobile and Bicycle Parking
30.175.020 Applicability	30.175.070 Bicycle Parking
30.175.030 General Provisions	30.175.080 Parking Area Landscape and Fence Standards
30.175.040 Required Automobile and Bicycle Parking Spaces	30.175.090 Parking Area Design and Development Standards
30.175.050 Parking Exceptions and Reductions	

### **30.175.010 Purpose.**

The purposes of these parking regulations are to:

- A. Provide for parking facilities and site design that allow for choice in transportation modes;
- B. Provide sufficient off-street automobile and bicycle parking spaces to accommodate the majority of users of a site over time;
- C. Provide standards for safe and well-designed parking, loading and vehicle circulation areas, promote attractive pedestrian routes, and provide landscaping requirements to screen, shade, and beautify parking and circulation areas;
- D. Promote community character, protect historic resources, and limit the environmental and urban design impacts that can result from off-street parking and circulation;
- E. Create buffers between parking facilities and surrounding sensitive land uses;
- F. Allow for reductions of the number of required spaces where warranted; and
- G. Allow for flexibility in parking design where warranted.

### 30.175.020 Applicability.

The requirements of this chapter apply to the establishment, alteration, addition to, or change in any use of a building, structure, or site development, as provided in this section.

A. **New Structures and New Land Uses.** Automobile and bicycle parking in conformity with this chapter shall be provided at the time any structure is erected, or any new land use or new residential unit is established.

B. **Existing Structures and Existing Land Uses.**

1. ***Additions.*** Existing structures and land uses, whether conforming or nonconforming to the minimum number of automobile parking spaces, may be enlarged as follows:

a. *Projects that Result in a Higher Parking Requirement.* Additional automobile parking spaces shall be provided pursuant to this chapter for any addition of new floor area that increases the minimum number of required parking spaces. The number of additional spaces required shall be equal to the number required for the new floor area only.

b. *Projects that Result in the Same or Lower Parking Requirement.* If an addition of new floor area results in the same or fewer required automobile parking spaces, no additional parking shall be required.

2. ***Alterations and Change of Use.***

a. *Alterations and Change to Use with Same or Lower Parking Requirement.* When an existing building, structure or land use is altered or changed to another land use that requires the same or fewer automobile parking spaces, no additional parking shall be required.

b. *Alterations and Change to Use with Higher Parking Requirement.*

i. **Industrial Uses.** In the M-C, M-I, CO-MI, and CO-CAR zones, when an industrial land use is changed to a commercial land use or any other non-industrial land use that requires more parking, automobile parking in conformity with this chapter shall be provided for all new and existing land uses on-site.

ii. Hotel Conversions. When an existing residential use is proposed to be converted to a hotel or similar use that requires more parking, automobile parking in conformity with this chapter must be provided for all new and existing land uses on-site.

iii. All Other Uses. Except as provided in subsections i. and ii. above, when an existing land use is changed to another land use that requires more parking, no additional automobile parking is required, provided there is no increase in building floor area; and there is no reduction in the existing on-site parking supply, except as otherwise allowed by this chapter.

3. ***Nonconforming Parking.***

a. *Right to Continue.* Existing structures and land uses on lots that are nonconforming to the minimum number of automobile parking spaces, may be continued, altered, or enlarged, subject to the requirements of this chapter. The right to continue shall attach to the land and shall not be affected by a change in ownership, tenancy, or management. The right to continue shall terminate once the nonconforming parking becomes conforming, is made more conforming, or if the existing structures are demolished or substantially redeveloped but shall not terminate due to a discontinuation of use or if the demolished or substantially redeveloped structure is reconstructed, pursuant to subsection b, below. When nonconforming parking becomes more conforming, the right to continue shall only be applicable to the most conforming parking configuration.

b. *Substantial Redevelopment and Replacement of Existing Structures.* Existing structures on lots that are nonconforming to the minimum number of automobile parking spaces may be demolished or substantially redeveloped and rebuilt without conforming to the minimum number of automobile parking spaces, provided that all of the following conditions are met:

i. The use of the new or reconstructed structure is the same Use Classification as the existing structure.

ii. All conditions specified in Section 30.165.080, Substantial Redevelopment and Replacement of Demolished Nonconforming Structures, are met.

iii. Any new, altered, or reconstructed parking area and landscape area conforms to all standards in Section 30.175.090, Parking Area Design and Development Standards, and Section 30.175.080, Parking Area Landscape and Fence Standards.

c. *Nonconforming Bicycle Parking.*

i. Sites that are nonconforming to the minimum number of bicycle parking spaces required by this chapter shall provide conforming long term and short term bicycle parking for all new structures constructed, reconstructed, or when any addition, alteration, or change of use results in a requirement for additional automobile parking spaces.

ii. Bicycle parking shall also be required on any project that includes a change of use, substantial exterior remodel, or alteration to the existing parking areas. Nonresidential bicycle parking provided pursuant to this paragraph may be provided in a short term configuration.

d. *Nonconforming Parking Lot Landscaping.* Sites that are nonconforming to the parking lot landscaping required by this chapter shall provide conforming landscaping for any new, altered, or reconstructed parking areas for the area that is altered. If conforming landscaping would result in a reduction of required automobile parking spaces, an alternative landscape design may be approved by the applicable Design Review body, pursuant to Subsection 30.175.080.E, Alternative Landscape Designs.

4. ***Determination of Number of Spaces.*** If the City discovers unpermitted or unauthorized site development affecting parking or parking configuration during application review, or when the permit record is unclear, the Community Development Director shall have the authority to determine the number of existing conforming or nonconforming automobile and bicycle parking spaces for a site based on the requirements of this chapter. The Director may also make such a determination when a parking configuration was previously approved by the City but does not comply with current standards. Elements to be considered when making this determination include, but are not limited to, the following:

a. The current, actual, physical configuration of existing parking spaces located on the site, including any site constraints not previously or accurately identified on any issued Building Permit, such as topography, lot dimensions, and building locations;

- b. Whether existing parking spaces are consistent with the City Access and Parking Design Standards; and
- c. The dimensions of an existing garage or carport, including the existence of any obstructions, and the width of the garage or carport opening.

### **30.175.030 General Provisions.**

- A. **Permit Required.** A permit is required to establish any new driveway, parking area, or vehicle maneuvering area or for any change to an existing driveway, parking area, or vehicle maneuvering area.
- B. **Off-Street Parking Required.** Whenever automobile or bicycle parking spaces are required pursuant to this chapter, they shall be located off-street.
- C. **Conversion or Demolition of Parking.** Any permit to allow the conversion, demolition, or substantial redevelopment of any required automobile or bicycle parking space shall not be approved unless replacement parking is included under the same permit.
- D. **New and Existing Parking Areas.** All new, reconstructed or altered driveways, parking areas, or vehicle maneuvering areas shall be designed and developed consistent with the standards of this chapter and the City Access and Parking Design Standards. These standards shall apply to both required and voluntary parking spaces. All paved areas and structures accessible to vehicles shall be reviewed as potential parking areas. No vehicle shall be stored or parked on a lot in a manner inconsistent with the requirements of this chapter.
- E. **Minimum Size of Nonconforming Two Car Garage or Carport.** If an existing garage or carport legally constructed with a Building Permit has an exterior dimension less than 16 feet wide, it is considered physically unsuitable for two cars and shall be considered a single car garage or carport.
- F. **Timing of Construction.** All parking facilities required by this chapter shall be constructed or installed prior to passing final inspection or the issuance of a Certificate of Occupancy for the uses that they serve.
- G. **Parking and Loading to be Maintained.** All required parking and loading spaces shall be maintained in amount, design, and location, unless equivalent substitute facilities are approved and provided.
- H. **Availability.** All parking required by this chapter must be available for its intended purpose during business hours for all nonresidential uses and at all times for residential uses, and shall remain

accessible and available to all occupants and patrons of uses and structures. In no event shall parking facilities that are required for a structure or use be considered as providing any of the required parking spaces for any other structure or use.

I. **Accessible Parking.** Each lot where automobile parking is provided for the public as clients, guests, or employees shall include automobile parking accessible to disabled persons, in compliance with the Building Code.

1. ***New Structures and New Land Uses.*** Accessible parking spaces must be provided in addition to the minimum number of automobile parking spaces required if both of the following apply:

- a. One or fewer automobile parking spaces are required and provided for the new structure or new use; and
- b. Signed, accessible, automobile parking spaces are required by the Building Code.

If voluntary automobile parking spaces are provided where there are no parking minimums, accessible parking shall be provided as required by the Building Code; however, the total number of parking spaces shall not exceed any maximum parking requirement.

2. ***Existing Structures and Existing Land Uses.*** The conversion of one or more existing automobile parking spaces to accessible uncovered automobile parking spaces, associated access aisles, and components of an accessible route (sloped walkways and ramps/landings/guard rails), is allowed, even if the conversion results in fewer automobile parking spaces on the lot than required, pursuant to the following:

- a. ***Configuration.*** The accessibility improvement is designed and provided for persons with disabilities as required by the Building Code, on existing multi-unit residential, mixed-use, or nonresidential development.
- b. ***Existing Development.*** This allowance is applicable to existing automobile parking spaces on existing development only, and shall not be used to provide fewer automobile parking spaces than are required for a project consisting of new or reconstructed structures.
- c. ***Minimum Size.*** The accessibility improvement is the minimum size required by the Building Code.

d. *Modifications.* If the accessibility improvement does not meet these criteria, a Modification for reasonable accommodations will be made, if found to be consistent with the Americans with Disabilities Act; see Chapter 30.250, Modifications.

J. **Assigned Parking.** Lots developed with multiple uses and a shared parking area shall not assign automobile and bicycle parking spaces to individual tenant spaces or uses, with the following exceptions:

1. Required residential automobile and bicycle parking spaces in any mixed-use development shall be assigned to residential occupants;
2. Designated off-site automobile parking spaces, approved pursuant to paragraph 30.175.060.A.1, Allowance for Off-Site Parking, shall be assigned; and
3. When parking spaces are provided in tandem configuration or in mechanical lifts they may be required to be assigned to residential occupants, or individual tenant spaces or users, as determined by the Public Works Director.

K. **Recorded Agreement.** A Recorded Agreement, pursuant to Chapter 30.260, Recorded Agreements, shall be required by the Community Development Director whenever there is a special circumstance which requires a written agreement between one or more landowners and the City is required to guarantee permanent access to, or use of, any parking facility, loading area, driveway, or maneuvering area. Examples include, but are not limited to, offsite parking and maneuvering areas, or parking and maneuvering areas that overlap multiple property lines.

L. **Commercial Vehicles.** Parking of commercial vehicles on any lot developed solely with residential uses is limited to the time necessary to transact business or provide a service at a residence.

M. **Inoperable and Unregistered Vehicles.** All vehicles incapable of movement under their own power or vehicles not currently registered for use on the street shall be stored in an entirely enclosed space. This provision does not apply to Automobile and Vehicle Repair, Major, Salvage and Wrecking, and Towing and Impound establishments.

N. **Covered Parking.** Automobile parking spaces required for all uses may be provided as either covered parking (e.g., garage, carport, podium parking, underground parking), or uncovered parking (e.g., surface parking or parking lots) or a combination of both, subject to the standards in this chapter and the following provisions:

1. Automobile parking spaces for any nonresidential use are not allowed in individual garages or carports to ensure that such spaces remain available for use by the public. An exception may be approved by the Public Works Director upon determining whether the use or location has adequate parking areas available for public use.

2. Existing covered parking may be converted to residential use or other allowed accessory uses pursuant to Sections 30.185.040, Accessory Dwelling Units, and 30.140.112, Garage Conversions.

O. **Guest Parking.** Except for residential development located in the Central Business District, guest automobile parking is required for all multi-unit residential development and for residential units in a mixed-use development, as follows:

1. **1-5 Units:** None required.
2. **6-7 Units:** One parking space.
3. **8 or More Units:** One space per four units.

P. **Maintenance.** Parking lots, including all landscaped areas, parking spaces, driveways, and loading areas, shall be maintained free of refuse, debris, weeds, or other accumulated matter and shall be kept in good repair at all times.

Q. **Standards for Voluntary Parking.** If a project provides parking voluntarily, where there are no parking minimums per this Title or any other provision of local, state, or federal law, or where more spaces than the minimum required are provided, the total number of parking spaces shall not exceed any maximum parking allowance in this Title, and the following standards shall apply:

1. ***Accessible Parking and Electric Vehicle Charging Equipment Required.*** All new residential and nonresidential structures shall provide electric vehicle charging spaces and parking spaces that are accessible to persons with disabilities based on the number of voluntary parking spaces provided.

2. ***Bicycle Parking Required.*** Bicycle parking is required pursuant to Table 30.175.040, Required Off-Street Parking Spaces, even if automobile parking is not required.

3. ***Parking Costs Unbundled from the Cost of Other Goods and Services.*** Voluntary off-street parking spaces may be leased or sold separately from the rental, lease or purchase fees for residential units or nonresidential tenant spaces for the life of the building. Renters or buyers of on-site affordable units shall have an equal opportunity to rent or buy a

parking space on the same terms and conditions as offered to renters or buyers of other residential units.

4. ***Design Standards.*** All voluntary parking areas shall be designed and developed consistent with the standards of this chapter and the City Access and Parking Design Standards.

### **30.175.040 Required Automobile and Bicycle Parking Spaces.**

A. **Required Off-Street Parking Spaces.** Each lot shall provide the minimum number of automobile and bicycle parking spaces stated in Table 30.175.040, Required Off-Street Parking Spaces, except as provided below.

1. ***Minimum Number of Spaces.*** Fractions shall be rounded pursuant to Section 30.15.050, Fractions.

a. ***Automobile Parking.*** If the result of rounding is less than one automobile parking space, a minimum of one automobile parking space shall be required for every new use established and new main building constructed.

b. ***Bicycle Parking.*** When bicycle parking is required pursuant to this chapter, and the result of rounding is less than one space, a minimum of one bicycle parking space shall be provided. Rounding for bicycle parking shall take place prior to the determination of the numbers of short term and long term bicycle parking, as described below.

c. ***Short Term and Long Term Bicycle Parking.*** When the numbers of short and long term bicycle parking spaces required per Table 30.175.040, Required Off-Street Parking Spaces, result in fractions of a space, the one remaining required bicycle parking space represented by the sum of the fractions may be provided as either short term or long term.

2. ***Central Business District.*** Lots within the Central Business District shown on Figure 30.175.050.B, Central Business District and Parking Zones of Benefit, are subject to the parking requirements of Subsection 30.175.050.B, Central Business District (CBD).

3. ***Exceptions and Reductions.*** The required number of automobile and bicycle parking spaces may be reduced if an exception applies, or a reduction is approved pursuant to Section 30.175.050, Parking Exceptions and Reductions.

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
<b>Residential Uses</b>		
<b>Residential Housing Types</b>		
Single-Unit Residential	2 per unit; see §30.175.050, Parking Exceptions and Reductions	None
Two-Unit Residential	2 per unit; see §30.175.050, Parking Exceptions and Reductions	None
Multi-Unit Residential and Mixed-Use	Studio: 1.25 per unit One-bedroom: 1.5 per unit Two or more bedrooms: 2 per unit See §30.175.050, Parking Exceptions and Reductions and §30.175.030.O, Guest Parking and §30.175.030.H Accessible Parking	1 space per unit (100%/0%)
<b>Special Residential Unit Types</b>		
Accessory Dwelling Unit	§30.185.040, Accessory Dwelling Unit	None
Additional Residential Unit	Consistent with Single-Unit Residential	None
Caretaker Unit	1 per unit; see §30.185.120, Caretakers Unit	None
Garden Apartment	Consistent with Multi-Unit Residential	1 per unit (100%/0%)
Affordable Housing	See §30.175.050.A, Affordable and Senior Housing	1 per unit (100%/0%)
<b>Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices</b>		
Community Care Facility	1 per 2 bedrooms See §30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices	1 per 15 bedrooms; minimum 2 spaces (50%/50%)
Hospice	1 per 2 bedrooms See §30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices	1 per 15 bedrooms; minimum 2 spaces (50%/50%)
Residential Care Facility for the Elderly	1 per 2 bedrooms See §30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices	1 per 15 bedrooms; minimum 2 spaces (50%/50%)
Family Day Care Home	None beyond what is required for the Residential Housing Type	Consistent with Residential Housing Type
Group Residential	See §30.175.040.B, Standards for Specific Uses and Activities	1 per bedroom (100%/0%)
Home Occupation	None beyond what is required for the Residential Units	None beyond what is required for the Residential Units
Live-Work Unit	2 per unit	1 space per unit (0%/100%)

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Mobilehome Park	Consistent with Multi-Unit Residential	1 space per unit (100%/0%)
Senior Housing – Non-restricted	See §30.175.050.A, Affordable and Senior Housing	None
Senior Housing – Low Income	See §30.175.050.A, Affordable and Senior Housing	None
Supportive Housing	None beyond what is required for the Residential Units	None beyond what is required for the Residential Units
Transitional Housing	None beyond what is required for the Residential Units	None beyond what is required for the Residential Units
<b>Public and Semi-Public Uses</b>		
Cemetery	None beyond what is required for any Community Assembly or Office, if applicable	1 per 1,750 square feet (0%/100%)
College and Trade School	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Community Assembly	1 per 100 square feet of net floor area Outdoor areas: as determined by the Community Development Director in consultation with the Public Works Director	1 per 1,000 square feet (0%/100%)
Community Garden	None	None
Cultural Institution	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Day Care Center	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Emergency Shelter	Sufficient to accommodate staff as determined by the Community Development Director in consultation with the Public Works Director	None
Harbor, Port, and Marina Facilities	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
<b>Hospitals and Clinics</b>		
Hospital	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Clinic	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Birth Center	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Instructional Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Park and Recreation Facility	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Public Facility	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Recreational Vehicle and Camping Parks, Overnight	Guest Parking only: 1 per 4 recreational vehicle spaces	None
Recreational Vehicle Parks, Permanent	Consistent with Multi-Unit Residential	None
Schools	High School: 5 per classroom Elementary and Junior High School: 2 per classroom	5 per classroom (50%/50%)
Skilled Nursing Facility	1 per 2 beds	1 per 15 beds (25%/75%)
Social Service Facilities	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
<b>Commercial Uses</b>		
Adult Entertainment Facilities	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Agriculture	Outdoor Uses: none Indoor Uses: 1 per 250 square feet of net floor area; see 30.185.030 Accessory Uses	None
<b>Animal Care, Sales and Services</b>		
Animal Daycare	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
Animal Shelter and Boarding	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
Grooming and Pet Stores	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
Veterinary Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
Aquaculture Facilities	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Artist Studio	1 per 250 square feet of net floor area	1 per 1,750 square feet (0%/100%)
Automated Teller Machine (ATM)	1 per 250 square feet of net floor area	1 per 1,750 square feet (0%/100%)
<b>Automobile/Vehicle Sales and Services</b>		

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Automobile/Vehicle Rentals	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Automobile/Vehicle Sales and Leasing	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Car Washing Facilities	1 space per 250 net square feet, excluding the car wash bays. Minimum 2 spaces for automatic and self-service car washes and 5 spaces for full-service car washes	1 per 1,750 square feet (25%/75%)
Fueling Station	1 per 250 square feet of net floor area, including vehicle repair bays. Minimum 2 spaces. No additional spaces are needed for an automatic (drive-through) car wash. Other types of car washes require parking as specified in this table	1 per 1,750 square feet (25%/75%)
Service and Repair, Minor	1 per 250 square feet, including vehicle repair bay area	1 per 1,750 square feet (25%/75%)
Banks and Financial Institutions	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Business Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Cannabis Storefront-Retailer	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
<b>Commercial Entertainment and Recreation</b>		
Cinema/Theaters	1 per 100 square feet of net floor area	1 per 1,000 square feet (0%/100%)
Large Scale	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Small Scale	1 per 250 square feet of net floor area, plus 2 spaces per any outdoor sport court, plus 1 per 250 square feet of the surface area of any outdoor swimming pool	1 per 1,750 square feet (25%/75%)
Drive-Through Facility	None beyond what is required for the primary Use Classification	None beyond what is required for the primary Use Classification
<b>Eating and Drinking Establishments</b>		
Bars/Night Clubs/Lounges	1 per 250 square feet of net floor area	1 per 500 square feet (25%/75%)
Food and Beverage Tasting	1 per 250 square feet of net floor area	1 per 500 square feet (25%/75%)
Full Service	1 per 250 square feet of net floor area	1 per 500 square feet (25%/75%)

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Convenience	1 per 250 square feet of net floor area	1 per 500 square feet (25%/75%)
Food Preparation	1 per 250 square feet of net floor area	1 per 500 square feet (25%/75%)
Funeral Parlors and Interment Services	Consistent with Community Assembly or Office, per this table, as applicable	1 per 3,500 square feet (25%/75%)
Hotels and Similar Uses	See §30.175.040.B, Standards for Specific Uses and Activities	1 per 20 rooms, minimum 2 spaces (50%/50%)
Maintenance and Repair Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Market Garden	1 per 250 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site.	1 per 1,750 square feet (0%/100%)
Medical Cannabis Dispensary	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Mobile Food Vendors	See §30.185.420, Temporary Uses	See §30.185.420, Temporary Uses
Nurseries and Garden Centers	1 per 250 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site	1 per 1,750 square feet (75%/25%)
<b>Offices</b>		
Business and Professional	1 per 250 square feet of net floor area	1 per 1,750 square feet (75%/25%)
Medical and Dental	1 per 250 square feet of net floor area	1 per 1,750 square feet (75%/25%)
Outdoor Sales and Display	None, if Outdoor Sales and Display is an Accessory Use; otherwise, 1 per 500 square feet of area devoted to onsite outdoor sales and display	1 per 3,500 square feet (50%/50%)
Outdoor Seating	1 per 250 square feet of outdoor seating area where the outdoor seating area is 50% or more of the indoor floor area of any Eating and Drinking Establishment. Where the outdoor seating area is less than 50% of the indoor floor area of any Eating and Drinking Establishment, no additional parking is required.	1 per 1,500 square feet (25%/75%)
Parking, Public or Private	None	None
Personal Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
<b>Retail Sales</b>		
Food and Beverage Sales	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
General Retail	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Neighborhood Market	None	4 short term spaces
<b>Industrial Uses</b>		
Automobile and Vehicle Repair, Major	1 per 500 square feet, including the vehicle repair bay area	1 per 1,750 square feet (75%/25%)
Building Materials and Services	1 per 500 square feet of net floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site	1 per 1,750 square feet (75%/25%)
Commercial Cannabis Business	Except for Cannabis Storefront- Retailer, 1 per 500 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Commercial Vehicle and Equipment Sales and Rental	1 per 500 square feet; plus, Fueling and Car Washing per this table, if applicable	1 per 3,500 square feet (75%/25%)
Construction and Material Yards	1 per 500 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site	1 per 1,750 square feet of General Retail (75%/25%)
Custom Manufacturing	1 per 500 square feet of net floor area	1 per 3,500 square feet (100%/0%)
<b>Food and Beverage Manufacturing</b>		
Limited/Small Scale	1 per 500 square feet of net floor area	1 per 3,500 square feet (100%/0%)
General/Large Scale	1 per 500 square feet of net floor area	1 per 3,500 square feet (100%/0%)
Hazardous Waste Management Facility	As determined by the Community Development Director in consultation with the Public Works Director	1 per 3,500 square feet (100%/0%)
Household Hazardous Waste Collection Facility	1 per 500 square feet	As determined by the Public Works Director
Industry, General	1 per 500 square feet of net floor area	1 per 3,500 square feet (100%/0%)
Industry, Limited	1 per 500 square feet of net floor area	1 per 3,500 square feet (100%/0%)
Recycling Collection Facility	1 per 500 square feet of net floor area	1 per 3,500 square feet (100%/0%)
Research and Development	1 per 500 square feet of net floor area	1 per 3,500 square feet (75%/25%)

<b>TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES</b>		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Salvage and Wrecking	1 per 500 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site	None
Towing and Impound	1 per 500 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site	None
<b>Warehousing and Storage</b>		
Indoor Warehousing and Storage	1 per 1,000 square feet of net floor area, plus 1 per 250 square feet for any office space	1 per 1,750 square feet of office space (75%/25%)
Outdoor Storage	1 per 1,000 square feet of lot area, minimum 2 spaces shall be provided per site	None
Personal Storage	1 per 1,000 square feet of net floor area, plus 1 per 250 square feet for any office space; minimum 3 spaces	1 per 1,750 square feet of office space (25%/75%)
Wholesaling and Distribution	1 per 500 square feet of net floor area	1 per 3,500 square feet (75%/25%)
<b>Transportation, Communication, and Utilities Uses</b>		
Freight/Truck Terminals and Warehouses	1 per 500 square feet of net floor area	1 per 3,500 square feet (75%/25%)
Light Fleet-Based Services	1 per 500 square feet of net floor area	1 per 3,500 square feet (75%/25%)
Telecommunication Facilities	Unstaffed facility: 0 Staffed facility: As determined by the Community Development Director in consultation with the Public Works Director	None
Transportation Passenger Terminals	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Public Works and Utilities	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director

B. **Standards for Specific Uses and Activities.** The number of required automobile and bicycle parking spaces for the following specific uses and activities shall be calculated as follows:

1. ***Parking for Multiple Uses.*** For uses other than shopping centers and accessory uses, if more than one use is proposed on a lot, the number of required automobile and bicycle parking spaces shall be equal to the sum of the parking requirement calculated separately for each use as described below.
  - a. ***Separation.*** Multiple uses with different automobile and bicycle parking requirements located in the same building must be physically separated with a fixed barrier, of a sufficient height and material to adequately separate uses, or the automobile and bicycle parking requirement shall be calculated at the highest rate for all uses.
  - b. ***Common Areas.*** Common areas, such as hallways or shared bathrooms, for multiple uses shall be calculated using the highest automobile and bicycle parking rate for all proposed uses.
2. ***Parking for Shopping Centers.*** Shopping centers may provide required automobile parking spaces at a rate of one space per 250 square feet of net floor area, and bicycle parking at a rate of one space per 1,750 square feet of net floor area, of all buildings occupied with a commercial use, even if a higher minimum parking requirement is indicated in Table 30.175.040, Required Off-Street Parking Spaces, for individual uses. This provision does not apply if the shopping center includes any of the following uses: Hotels and Similar Uses, Residential, Public and Semi-Public, Industrial, or Transportation, Communication and Utilities.
3. ***Parking for Accessory Uses.*** If the floor area of any accessory use does not exceed the maximum size, as described in Section 30.185.030, Accessory Uses, additional automobile and bicycle parking spaces shall not be required for any accessory use, even if a higher minimum parking requirement is indicated in Table 30.175.040, Required Off-Street Parking Spaces. However, manufacturing, warehouse, or storage use that is incidental, or accessory to, a primary use shall not be parked at a lower rate than that required for the primary use.
4. ***Parking for Outdoor Uses.*** The area of any outdoor use that requires automobile or bicycle parking spaces per Table 30.175.040, Required Off-Street Parking Spaces, shall be identified on an approved plan and shall be demarcated on the site with a fixed barrier which may include, but is not limited to, bollards, railings, posts, walls, fences, patios, planters, or any similar visual or physical border.

5. ***Parking for Fleet Vehicles.*** Any use that operates more than three fleet vehicles shall provide off-street parking spaces for all fleet vehicles in addition to the automobile and bicycle parking spaces required by Table 30.175.040, Required Off-Street Parking Spaces, for employee and customer parking.

6. ***Vehicles as Inventory.*** Any use that retains an inventory of vehicles for sale, repair, or rental shall provide off-street storage space for those vehicles and shall not utilize the automobile or bicycle parking spaces required by Table 30.175.040, Required Off-Street Parking Spaces, for vehicle storage or vehicle inventory.

7. ***Parking for Group Residential, Hotels and Similar Uses.*** Required automobile parking for Group Residential, Hotels and Similar Uses, is as follows:

a. *Guestrooms without kitchens provided in the unit:* shall provide one automobile parking space per guestroom, plus one automobile parking space per caretaker's unit in a Hotel and Similar Uses, if applicable.

b. *Guestrooms with kitchens provided in the unit:* shall provide either one automobile parking space per guestroom, or per the automobile parking requirements for the Residential Housing Type in Table 30.175.040, Required Off-Street Parking Spaces, whichever is greater.

c. If individual beds are provided for rent, rather than rooms (e.g., youth hostel or dormitory), the automobile parking requirement is one automobile parking space per two beds. A "bed" for the purposes of this section shall mean 70 square feet in any guestroom.

d. Auxiliary uses, including restaurants, spas, fitness centers, retail or similar uses, which are restricted to hotel occupants and their guests, shall require no additional automobile or bicycle parking spaces.

e. Auxiliary uses, including restaurants, spas, fitness centers, retail or similar uses, which are available to members of the public and hotel occupants and their guests, shall require additional automobile and bicycle parking spaces pursuant to Table 30.175.040, Required Off-Street Parking Spaces. However, no conference centers in a hotel shall require additional automobile or bicycle parking spaces.

f. For automobile and bicycle parking required for Hotels and Similar Uses in the Central Business District, see 30.175.050.B.1.a.ii.

8. **Vehicle Repair Bays.** Vehicle repair bays for any use shall not be counted as parking spaces.

9. **Parking for Warehousing and Storage.** Warehousing and storage uses that meet the following standards may use the automobile and bicycle parking requirement for Warehousing and Storage uses in Table 30.175.040, Required Off-Street Parking Spaces. Other warehousing and storage uses shall use the required automobile and bicycle parking rate for the most similar industrial or commercial use.

a. Warehousing and Storage is an allowed use in the Zone.

b. With the exception of Personal Storage, a minimum of 1,000 net square feet of contiguous, undivided warehouse or storage area is provided.

c. The warehouse or storage use is not accessory to a primary use.

10. **Uses Not Specified.** If automobile and bicycle parking requirements for a use are not specified in Table 30.175.040, Required Off-Street Parking Spaces, automobile and bicycle parking spaces shall be required in an amount adequate to meet the purpose of this chapter, as determined by the Community Development Director, in consultation with the Public Works Director taking into consideration factors such as parking demand and similar uses listed in Table 30.175.040, Required Off-Street Parking Spaces.

### **30.175.050 Parking Exceptions and Reductions.**

A. **Affordable and Senior Housing.** Unless further reduced by any applicable State law, development in which 100% of the units are developed as affordable to very low or low income households, or Senior Housing, may reduce the number of automobile parking spaces to one uncovered automobile parking space per unit, and units restricted to Low Income Senior Housing may reduce the number of automobile parking spaces to one automobile parking space for every two units, provided the following conditions are met:

1. **Storage Space.** Each unit shall have a minimum of 200 cubic feet of enclosed, weatherproofed, and lockable private storage space for the sole use of the unit tenant. Such space shall be accessible from the exterior of the unit it serves and shall have a minimum dimension of three feet.

2. **Recorded Covenant.** A covenant is recorded in the County Land Records against the Title stating the following. The City shall be a party to the covenant.

a. All of the residential units on the Real Property shall be rented or sold to very low, or low income households or seniors; the maximum rent or sales price and the maximum household income of occupants or owners shall be determined as set forth in State law or the Affordable Housing Policies and Procedures Manual. Affordability shall continue for a minimum of 90 years from the initial occupancy of the residential unit, unless otherwise stipulated.

b. The development has received a reduction in the amount of automobile parking required because it is a 100% affordable or senior project. In the event that the Real Property, or any portion thereof, is not or cannot be used solely for very low or low income or senior housing, either (i) the structure(s) shall be redesigned and possibly reconstructed and the number of residential units shall be reduced so that the maximum number of residential units on the Real Property does not exceed the number of residential units that would be allowed if there is compliance with the City's parking requirements then in effect, or (ii) the owner shall provide the number of automobile parking spaces required by this chapter for the new use.

3. ***Bicycle Parking.*** Bicycle parking is provided pursuant to Table 30.175.040, Required Off-Street Parking Spaces.

**B. Central Business District (CBD).**

1. ***Automobile Parking.*** The number of automobile parking spaces required within the Central Business District (CBD) delineated in Figure 30.175.050.B, Central Business District and Parking Zones of Benefit, shall be as follows.

a. ***Nonresidential Parking.*** One automobile parking space per 500 square feet of net floor area.

i. ***Zone of Benefit Reduction.*** The number of required automobile parking spaces shall be reduced by the applicable Zone of Benefit Reduction percentage. If more than one Zone of Benefit reduction applies, the applicable percentage is the sum of all applicable Zones of Benefit percentages.

ii. ***Hotels and Similar Uses.*** The number of required automobile parking spaces shall be the lesser of one space per 500 square feet or per paragraph 30.175.040.B.7, Parking for Group Residential, Hotels and Similar Uses.

b. *Residential Only Parking.* Residential-only developments shall provide automobile parking in accordance with Table 30.175.040, Required Off-Street Parking Spaces; however, guest parking is not required.

c. *Mixed-Use Developments.* The residential parking requirement for mixed-use developments in the CBD is one uncovered automobile parking space per residential unit., and guest parking is not required.

2. ***Bicycle Parking.*** The number of bicycle parking spaces required within the Central Business District delineated in Figure 30.175.050.B, Central Business District and Parking Zones of Benefit, shall be as stated in Table 30.175.040, Required Off-Street Parking Spaces. However, short term bicycle parking is not required for any nonresidential uses on State Street and in the first block east or west of State Street.

C. **Mixed-Use Developments.** Where residential uses occupy less than 50% of the total net floor area of a mixed-use development, the number of required residential automobile parking spaces shall be one space per unit unless fewer are allowed by Table 30.175.040, Required Off-Street Parking Spaces. Guest parking is required. Required bicycle parking shall be as stated in Table 30.175.040, Required Off-Street Parking Spaces.

D. **Reduction for Bicycle Parking.** In an existing parking lot, uncovered automobile parking spaces required for any residential, nonresidential, or mixed-use development may be substituted with bicycle parking, pursuant to the following:

1. One of every seven required automobile parking spaces, up to a maximum of two spaces, may be substituted with bicycle parking;
2. Six bicycle parking spaces shall be provided for each substituted automobile parking space;
3. An adequate maneuvering aisle shall be provided;
4. Bicycle parking spaces provided shall be consistent with the City Access and Parking Design Guidelines;
5. The bicycle parking spaces shall be located as near as practical to the primary entrance of the main building or buildings; and

6. This allowance is applicable to existing automobile parking spaces on existing development only, and shall not be used to provide fewer automobile parking spaces than are required for a project consisting of new or reconstructed buildings.

E. **Reduction for Motorcycle Parking.** In an existing parking lot, uncovered automobile parking spaces required for any nonresidential development may be substituted with motorcycle parking, pursuant to the following:

1. One of every 20 required automobile parking spaces up to a maximum of five spaces, may be substituted with motorcycle parking;
2. Two motorcycle parking spaces shall be provided for each substituted automobile parking space;
3. An adequate maneuvering aisle shall be provided;
4. Motorcycle parking spaces provided shall be consistent with the City Access and Parking Design Guidelines;
5. The motorcycle parking spaces shall be located as near as practical to the primary entrance of the main building or buildings; and
6. This allowance is applicable to existing automobile parking spaces on existing development only, and shall not be used to provide fewer automobile parking spaces than are required for a project consisting of new or reconstructed buildings.

F. **Reduction for Parking Area Improvements.** In an existing parking lot, the Community Development Director may approve a reduction of up to 10% of the required parking spaces, or two required automobile parking spaces, whichever is greater, for multi-unit residential, nonresidential, or mixed-use development, in order to:

1. Provide appropriately screened and located trash and recycling areas, or
2. Make an improvement to the existing circulation, safety or other required parking lot design and development standards.

This reduction is allowed only if the Community Development Director finds that no alternative methods for achieving the same result can be made without a reduction in automobile parking spaces. This allowance is applicable to existing automobile parking spaces on existing development

only, and shall not be used to provide fewer automobile parking spaces than are required for a project consisting of new or reconstructed buildings.

**G. Reduction for Carsharing Program.** Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces on multi-unit residential, nonresidential and mixed-use development, pursuant to the following:

1. Up to a maximum of 10% of the required automobile parking spaces required for any multi-unit residential or mixed-use development, may be designated as Carshare Vehicle parking spaces. Up to a maximum of 25% of required automobile parking spaces may be designated as Carshare Vehicle parking spaces on a site developed with exclusively nonresidential uses.
2. Carshare Vehicles shall be maintained for active use by Carshare Service and not for other purposes. No sales, servicing, storage, repair, administrative or similar functions shall occur, and no personnel shall be employed on the site except for occasional short-term maintenance of vehicles unless otherwise allowed by the land use regulations in the zoning district.
3. Carshare Vehicles shall be made available to members of the Carsharing Service through an unattended, self-service operation 24 hours a day, seven days a week.
4. All owners of a lot, including any applicable Homeowner's Associations, shall be required to grant permission for the operation or parking of a Carshare Vehicle on their property.
5. A permit is required to establish Carsharing Service on any lot.

**H. Small Residential Unit Reduction.** Required automobile parking for any residential unit with 600 square feet or less of livable floor area, excluding covered parking, and no more than one bedroom, is one uncovered automobile parking space per unit. Required bicycle parking shall be as stated in Table 30.175.040, Required Off-Street Parking Spaces.

**I. Reduction for Electric Vehicle Charging Stations (EVCS).** Electric vehicle charging stations (EVCS) shall be designed and provided in compliance with the Building Code. Required automobile parking spaces may be substituted with designated electric vehicle charging stations, pursuant to California Vehicle Code § 22511.2 and the following:

1. The electric vehicle charging space shall comply with all standards for parking areas pursuant to this chapter;

2. The location of electric vehicle charging stations, and associated equipment, shall meet the standards in Section 30.140.130, Mechanical and Other Equipment.

J. **Reduction for Development Near Major Public Transit.** Pursuant to Government Code § 65863.2, new residential or nonresidential development, located within one-half mile of a major transit stop as defined in subdivision (b) of Section 21155 of the Public Resources Code, shall have no minimum vehicular parking requirement; provided that:

1. The development would not have a substantially negative impact as described in Government Code § 65863.2.(b);

2. The development does not include Hotels and Similar Uses.

a. *Exception.* Portions of the development reserved for residential use or any commercial areas that are separate and distinct from the hotel use, cannot be accessed from the interior of the hotel, and are leased to a concessionaire for public use, (e.g., restaurant, bar, market, etc.) do qualify for parking exemptions under Government Code § 65863.2.;

3. The development does not include Large-Scale Commercial Entertainment and Recreation; and

4. If voluntary parking is provided, all of the standards in Subsection 30.175.030.Q, Standards for Voluntary Parking, are met.

### **30.175.060 Location of Required Automobile and Bicycle Parking.**

A. **Applicability.** These location standards apply to passenger vehicles, including automobiles and motorcycles, and to bicycles and light-duty trucks used primarily for personal transportation. Buses, commercial vehicles, and other non-passenger vehicles are subject to the regulations in Section 30.175.030.L, Commercial Vehicles. The outdoor storage of trailers, airplanes, boats, recreational vehicles (RVs), and other non-passenger vehicles is subject to Section 30.140.220, Trash, Recycling, and Personal Outdoor Storage.

B. **On-Site Parking Required.** Required automobile and bicycle parking shall be located on the same lot as the use served except as allowed below.

1. *Allowance for Off-Site Parking.* Required automobile parking may be located in an offsite facility, subject to approval by the Community Development Director, provided the following conditions are met:

- a. *Location.* Any offsite automobile parking facility must be located closer than 500 feet, along a designated pedestrian route, of the principal entrance containing the use for which the parking is required. The Public Works Director may approve a distance of up to 1,250 feet for nonresidential uses only.
- b. *Assigned.* Offsite automobile parking areas shall be assigned to the site with parking directional signs, both onsite and offsite.
- c. *Recorded Agreement.* A Recorded Agreement is required pursuant to Chapter 30.260, Recorded Agreements.

C. **Uncovered Parking.** Uncovered automobile and bicycle parking must comply with the required setbacks of the applicable zone, unless otherwise provided in this section. Where no specific setback is identified for uncovered parking, the required setback is the same as that required for covered parking, or the smallest required setback in the zone, whichever is greater.

D. **Setbacks.** Automobile, bicycle, and other vehicle parking shall not be located within any front or interior setback, except as follows:

1. ***Front Setback Reduction for Uncovered Bicycle Parking.*** Uncovered bicycle parking may be located within the front setback for nonresidential, multi-unit residential, and mixed-use developments, provided it does not exceed 50% of the total front setback area, exclusive of driveways, turnarounds, or parking areas.
2. ***Interior Setback Reduction for Covered Bicycle Parking.*** Covered bicycle parking lockers may be located within interior setbacks in accordance with Section 30.140.240, Yard Buildings.

D. **Front Yard Parking – Single-Unit and Two-Unit Residential Development.** Uncovered automobile, bicycle, and vehicle parking in the front yard, as defined in Section 30.300.250 “Y”, Yard, Front, is prohibited on any single-unit or two-unit residential development unless it is screened pursuant to Section 30.140.155, Screening.

E. **Vehicle Overhang.** The vehicle overhang is considered part of the parking space and shall not encroach into any sidewalk, roadway, setback, adjoining property lines, or reduce the clear area of walkways or access aisles.

### **30.175.070 Bicycle Parking.**

Bicycle parking shall be provided in accordance with the Building Code except where greater requirements are identified below.

A. **Bicycle Parking Spaces Required.** Each land use shall be provided at least the number of long term and short term bicycle parking spaces stated in Table 30.175.040, Required Off-Street Parking Spaces, unless a reduction is approved pursuant to Subsection 30.175.070.B, Bicycle Parking Reductions.

1. Long term bicycle parking is covered and secured, and intended for use by residents, employees or students for long time periods.
2. Short term bicycle parking is conveniently located and intended for use by business patrons, visitors, and guests for a shorter time.
3. Bicycle parking is required even if automobile parking is not required.

B. **Bicycle Parking Facility Design.** All bicycle parking facilities shall be designed and constructed consistent with the City Access and Parking Design Standards, as determined by the Public Works Director.

C. **Bicycle Parking Reductions.** The number, percentages, or other standards for required long term and short term bicycle parking spaces may be reduced or waived if the Public Works Director finds that:

1. Adequate site space is not available on an existing development to provide bicycle parking; or
2. Reduced bicycle parking is justified by reasonably anticipated demand; or
3. Other criteria based on unusual or specific circumstances of the particular case as deemed appropriate by the Public Works Director.

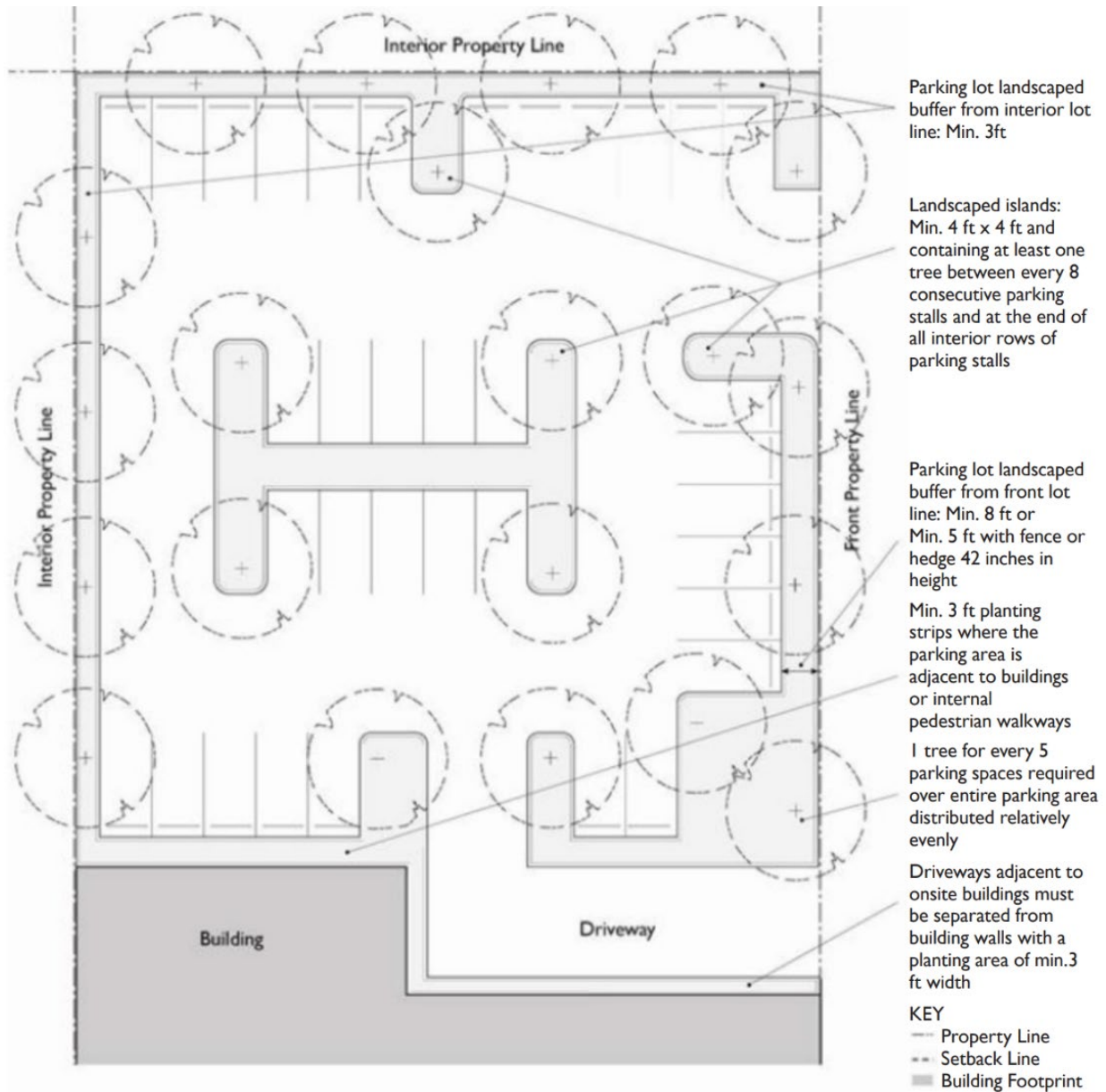
### **30.175.080 Parking Area Landscape and Fence Standards.**

These standards are intended to create a landscaped setback area that will appropriately limit and screen vehicle parking areas to protect adjacent land uses and pedestrians; enhance privacy; attenuate noise; control dust; and reduce glare and light trespass.

A. **Landscape.** Public and private parking lots with four or more uncovered parking spaces, driveways, and areas between driveways and buildings, shall include minimum landscape areas in compliance with Table 30.175.080.A: Parking Area Landscape.

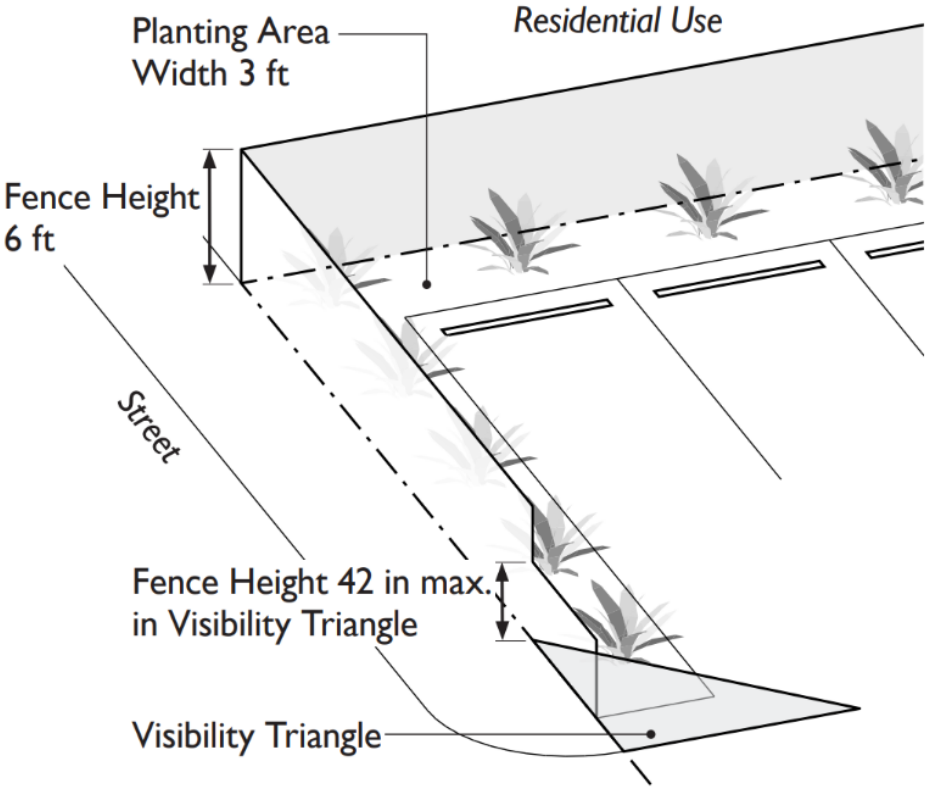
<b>TABLE 30.175.080.A: PARKING AREA LANDSCAPE</b>	
<b>Perimeter Planters</b>	
Front Lot Lines	5-foot wide along front property line plus a fence or hedge 42 inches in height or 8-foot wide along front property line without a fence or hedge
Interior Lot Lines	3-foot wide along the interior property line
<b>Interior Planters</b>	
Driveways	3-foot wide between driveways and onsite buildings
Parking Areas	3-foot wide between parking areas and onsite buildings and walkways
Island Planters	4 feet in all interior dimensions at each end of each interior row of parking stalls and between every 8 consecutive parking stalls
<b>General Landscaping</b>	
Required Border	6-inch high curb or equivalent
Border and Stormwater	Curb or equivalent shall include breaks every 4 feet to provide drainage to retention and filtration areas
Car Overhangs	2-foot clearance comprised of low-growing plants required where vehicle overhang is allowed; or car overhang shall be prevented by continuous curb or stops
Irrigation Plan	Sprinkler or drip irrigation system required to provide complete coverage of all planted areas
<b>Trees</b>	
Required Quantity	1 tree per island planter and 1 per every 5 parking spaces, beginning at 6 total parking spaces
Tree Well Size	4-foot min. in any direction
Tree Can Size	2/3 of required trees shall be 15-gallon min. remainder shall be 5-gallon min.
Tree Characteristics	Canopy Trees
Location	Evenly spaced throughout parking lot to provide uniform shade

**FIGURE 30.175.080.A: PARKING AREA LANDSCAPE**



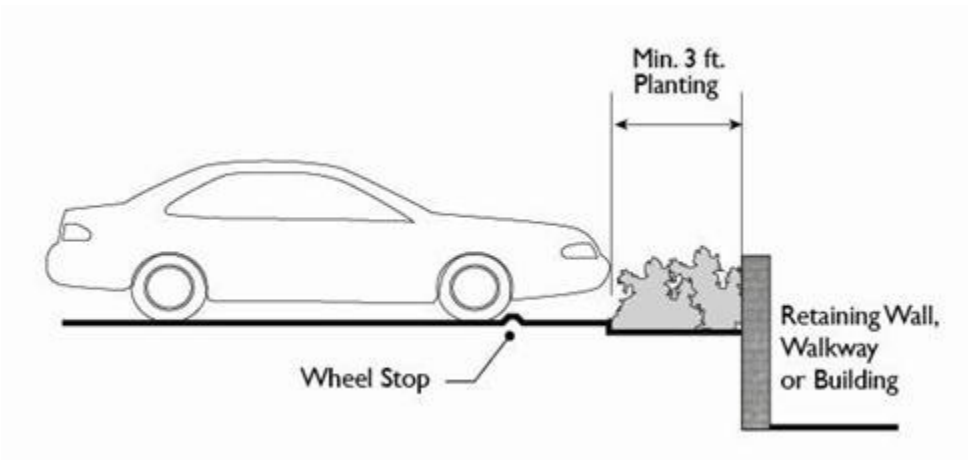
B. **Fences and Hedges.** On a site with five or more uncovered surface automobile parking spaces, parking and loading areas shall be screened from adjacent residential uses or zones by a six-foot-tall wall, fence, or hedge, except within the visibility triangle described in Section 30.140.230, Visibility at Driveways and Intersections, where the maximum height is 42 inches.

FIGURE 30.175.080.B: PARKING AREA LANDSCAPE—FENCES AND HEDGES



C. **Retaining Walls.** Retaining walls shall be set back a minimum of three feet from parking areas and driveways. Footing design shall allow for planting in the space between the parking area and retaining wall.

**FIGURE 30.175.080.C: PARKING AREA LANDSCAPE—RETAINING WALLS**



D. **Visibility.** Notwithstanding other provisions of this section, fences, hedges, and landscape must comply with Section 30.140.230, Visibility at Driveways and Intersections.

E. **Licensed Architect Required.** Landscape and irrigation plans shall be prepared by an architect or landscape architect registered in the State of California, unless reduced or waived by the Review Authority.

F. **Maintenance.** All vegetation shown on an approved parking area landscape plan shall be maintained and shall not be altered or removed except as allowed pursuant to Chapters 22.11, Maintenance of Approved Landscape Plans, and 15.24, Preservation of Trees, of the Santa Barbara Municipal Code.

G. **Alternative Landscape Designs.** Where an applicant can demonstrate to the satisfaction of the applicable Design Review Body that variations in the requirements of this section are warranted in order to provide relief for existing site constraints, or to achieve a superior aesthetic or environmental design, an alternative parking area landscape design with modified planter widths or quantity of trees may be approved.

**30.175.090 Parking Area Design and Development Standards.**

All new or altered covered and uncovered parking areas shall be designed and developed consistent with the City Access and Parking Design Standards and the following standards.

A. **Circulation and Safety.**

1. Visibility shall be assured for pedestrians, bicyclists, and motorists entering, circulating within and leaving a parking facility consistent with Section 30.140.230, Visibility at Driveways and Intersections.
2. Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing out or making other dangerous or hazardous turning movements.
3. Backing out onto a public street or sidewalk from a parking space shall be ~~permitted~~ allowed only for Single-Unit and Two-Unit Residential, and where not more than four parking spaces are provided.
4. All turnaround movements shall be accomplished in one maneuver. One maneuver is considered to be one back up and one forward movement.
5. All automobile parking spaces shall be clearly marked with paint or other similar distinguishable material, unless reduced or waived by the Public Works Director.

B. **Pedestrian Access.** Safe, accessible, direct and convenient off-street pedestrian circulation consistent with the City Access and Parking Design Standards shall be provided for all developments unless reduced or waived by the Public Works Director.

C. **Driveways.** Driveway access to automobile parking areas shall be consistent with the City Access and Parking Design Standards and the California Fire Code as amended and adopted by ordinance of this City.

1. Driveways, fire lanes, or other required vehicular maneuvering areas in any parking lot shall not be used for parking of vehicles or other storage that prohibits access.
2. Circular driveways, multiple driveways, or motor courts in any setback are prohibited, unless determined by the Public Works Director to be necessary for safety or necessary to serve permitted parking spaces.
3. All driveways and turnarounds shall serve approved parking areas or loading areas only, and shall not exceed the minimum dimensions necessary for vehicular maneuvering. If a driveway or driveway approach is no longer necessary to serve an approved parking area or loading area, all paving shall be removed, and the curb, gutter, and sidewalk shall be replaced to meet City Construction Standard Details.

D. **Gates.** In order to prevent vehicle obstructions of the street, sidewalk, or right-of-way, all driveway gates shall be setback a minimum of 20 feet from the front lot line for any use. Driveway gates for nonresidential uses may be located closer than 20 feet if the gates remain open during business hours. A waiver to this standard may be approved by the Public Works Director when it is determined the gate would not create potential street obstructions.

E. **Loading.** For residential developments, loading activities (e.g., move in and move out, deliveries, and servicing) can be accommodated on-street if there is on-street parking adjacent to the property and would not conflict with street traffic operations. For all new mixed-use and nonresidential development, off-street loading is required unless a waiver is granted from the Public Works Director.

F. **Tandem Parking.** Tandem parking is prohibited unless approved with a waiver by the Public Works Director and in accordance with the following.

1. ***Residential Uses.***

a. *Accessory Dwelling Unit, Multi-Unit, Two-Unit, and Mixed-Use Development.* Tandem automobile parking for projects where the parking for the primary unit was displaced by the addition of an accessory dwelling unit, or multi-unit residential, or for residential uses in a mixed-use development, shall meet the following:

- i. No more than two automobiles shall be placed one behind the other;
- ii. Both automobile parking spaces parked in tandem shall be assigned to the same residential unit;
- iii. Automobile movements necessary to move cars parked in a tandem arrangement shall not take place on any street or alley, unless approved by the Public Works Director; and
- iv. Vertical or stackable tandem parking, provided by means of mechanical lifts, is subject to approval by the Public Works Director. Mechanical lifts shall be fully enclosed within a structure and shall require a recorded maintenance agreement, pursuant to Chapter 30.260, Recorded Agreements.

b. *Single-Unit Development.* For single-unit residences, not including accessory dwelling units, tandem automobile parking shall only be approved with a waiver if

the Public Works Director finds that the tandem parking is needed for flexibility on a constrained lot, and where tandem parking does not create a safety hazard or traffic impacts. If approved, no more than two automobile spaces shall be placed one behind the other, and both automobile spaces parked in tandem shall be assigned to the same residential unit.

2. ***Nonresidential Uses.*** Tandem automobile parking for nonresidential uses shall meet the following:

a. *Allowed Uses.* Limited to Hospitals and Clinics, Medical and Dental Offices, and Hotels and Similar Uses or other uses as determined by the Public Works Director.

b. *Minimum Number of Spaces.* Parking lots used for tandem automobile parking shall contain a minimum of 20 automobile parking spaces;

c. *Design and Operation.* Shall be designed and operated as valet parking in compliance with all standards in Subsection 30.175.090.G, Valet Parking; and

d. *Recorded Agreement Required.* A recorded agreement shall be executed establishing the valet parking will be maintained and reserved for the uses served for as long as such uses are in operation.

G. **Valet Parking.** Valet parking is prohibited unless a Valet Parking Plan is submitted to the City and approved by the Public Works Director demonstrating compliance with the requirements of this section. Valet parking shall comply with all of the following:

1. Sites utilizing valet parking shall not use any street, alley, or City-owned parking facilities for automobile storage, pickup, drop-off, or interfere with any right-of-way without approval of the Public Works Director;

2. Vehicle movements in a tandem arrangement shall not take place on any street or alley without approval of the Public Works Director;

3. The valet drop-off lanes, and any associated kiosks or other similar items, shall be located to allow for the safe and efficient function of the valet operation, in that it will neither adversely impact the parking and internal circulation of the parking lot or any adjacent right-of-way, nor encroach into any required fire lane access area;

4. Valet parking shall not interfere with, reduce, remove, or utilize any automobile or bicycle parking spaces required for any other use; and

5. Sites utilizing valet parking shall ensure a parking attendant will be on duty at all times that the facility is in use, and sufficient staff and facilities to ensure that automobiles are moved for parking promptly. No automobile queuing or parking is allowed in travel lanes at any time. If the site is unable to satisfy the valet parking demand and queuing or double-parking occurs, the operation shall be temporarily closed, until the demand can be properly handled, and shall display a sign with the word “FULL” that is clearly visible to approaching traffic.

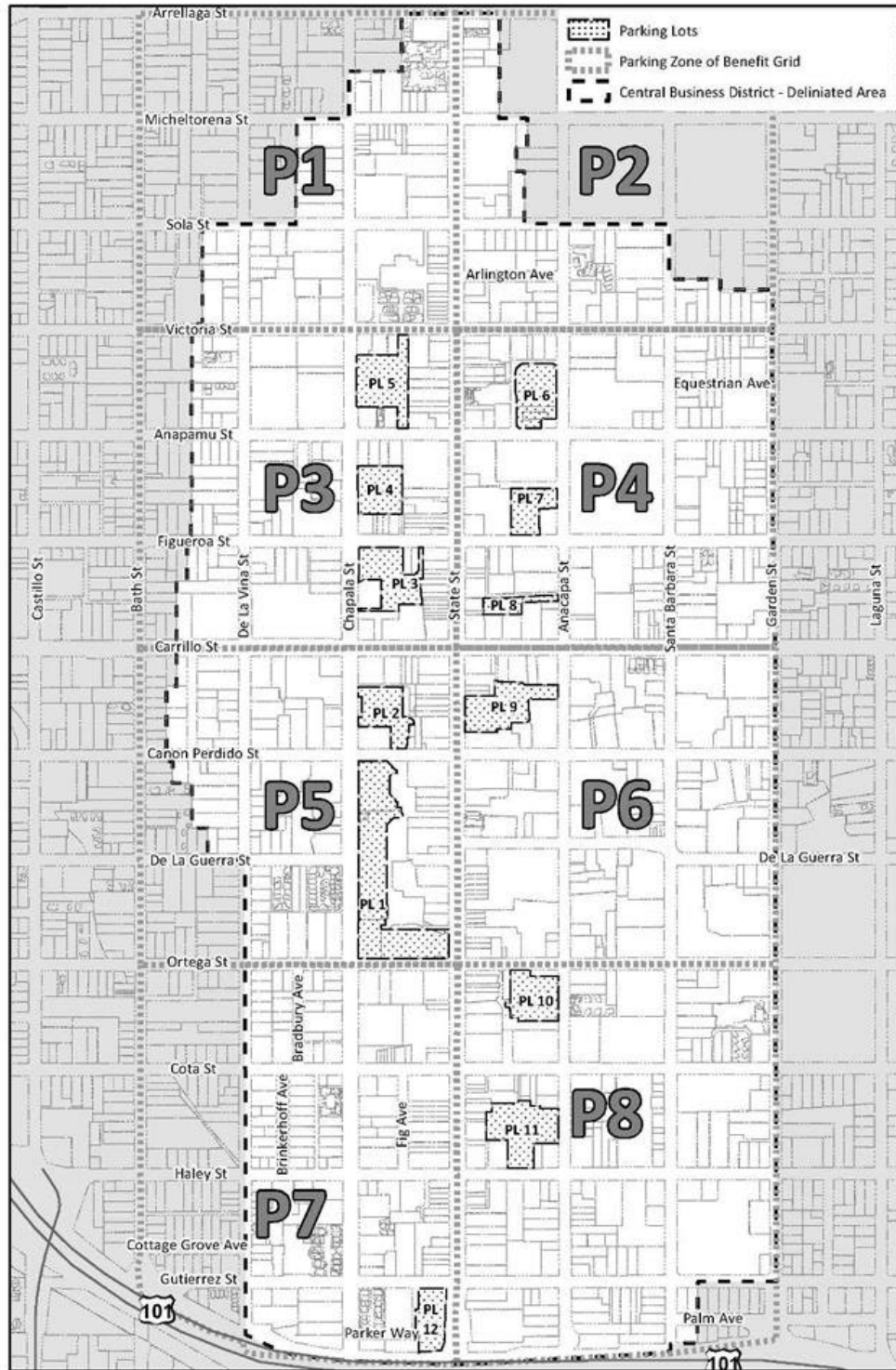
6. Valet parking may be required by the Public Works Director for projects with parking lifts or parking machines serving nonresidential uses in which the parking facility serves infrequent users (e.g., customers), or where the duration of visit is anticipated to be for a short period of time.

H. **Parking Lifts and Machines.** Parking lifts and parking machines may be allowed per the criteria outlined in the City Access and Parking Design Standards.

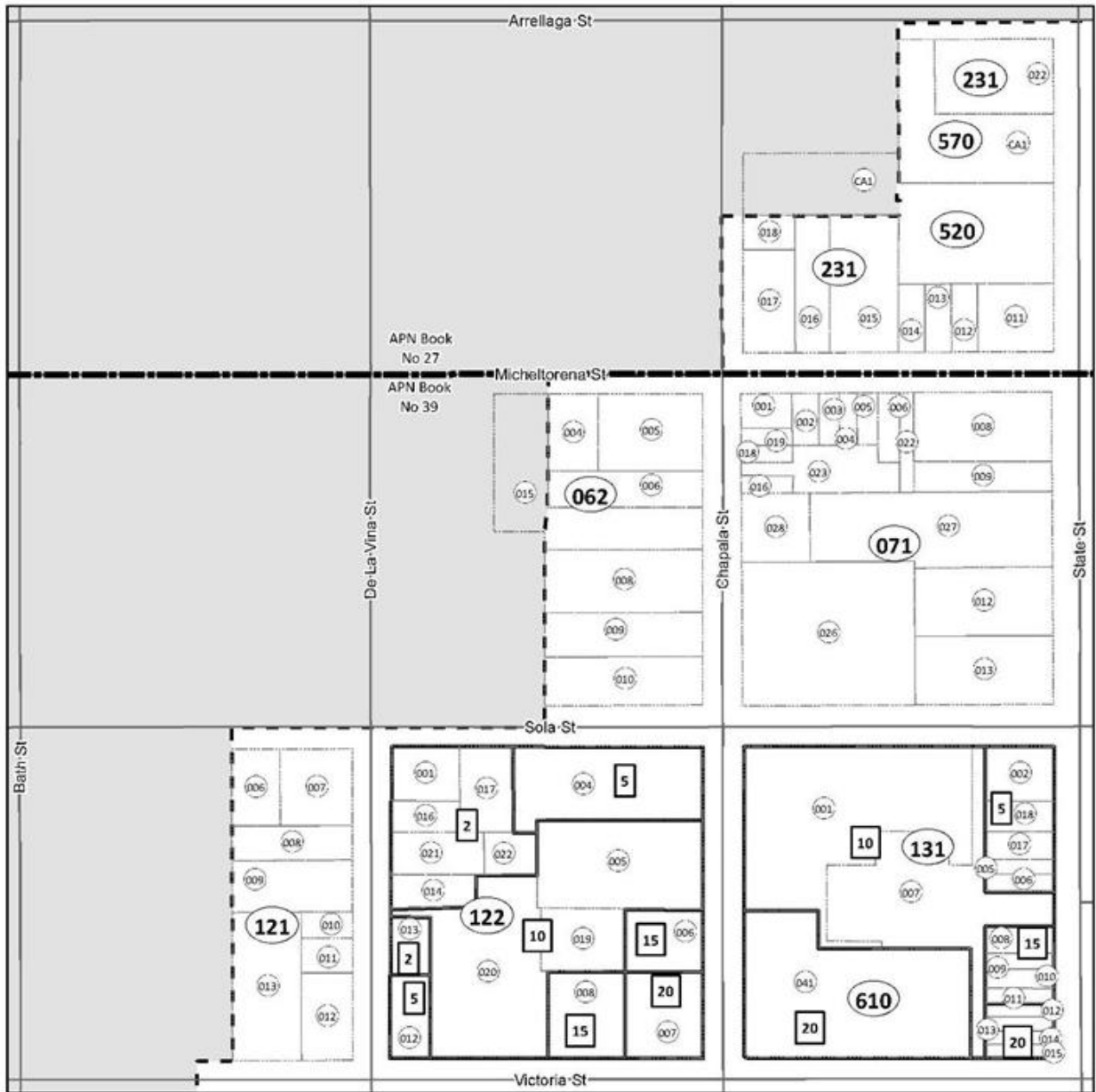
I. **Materials.** All required automobile parking areas and driveways shall be fully hard surfaced with asphaltic concrete of minimum thickness of two inches, with four inches compacted base, or other techniques or materials providing equivalent service. Gravel, dirt, and other similar loose materials are prohibited in driveways, turnarounds, or parking areas. The Public Works Director may grant a waiver to allow gravel or other loose material in any driveway, turnaround, or surface parking space if the gravel or loose materials are a minimum of 100 feet from any right of way, or if other site conditions do not present a safety hazard such as the roadway volumes or slope of driveway, and provided that the borders of any such parking spaces are clearly delineated with a hard-surfaced edging material such as pavers or raised blocks.







J. **Waiver.** The Public Works Director may approve waivers to parking area standards whenever specified in this Title or as specified within the City Access and Parking Design Standards.

**FIGURE 30.175: CENTRAL BUSINESS DISTRICT AND PARKING ZONES OF BENEFIT**



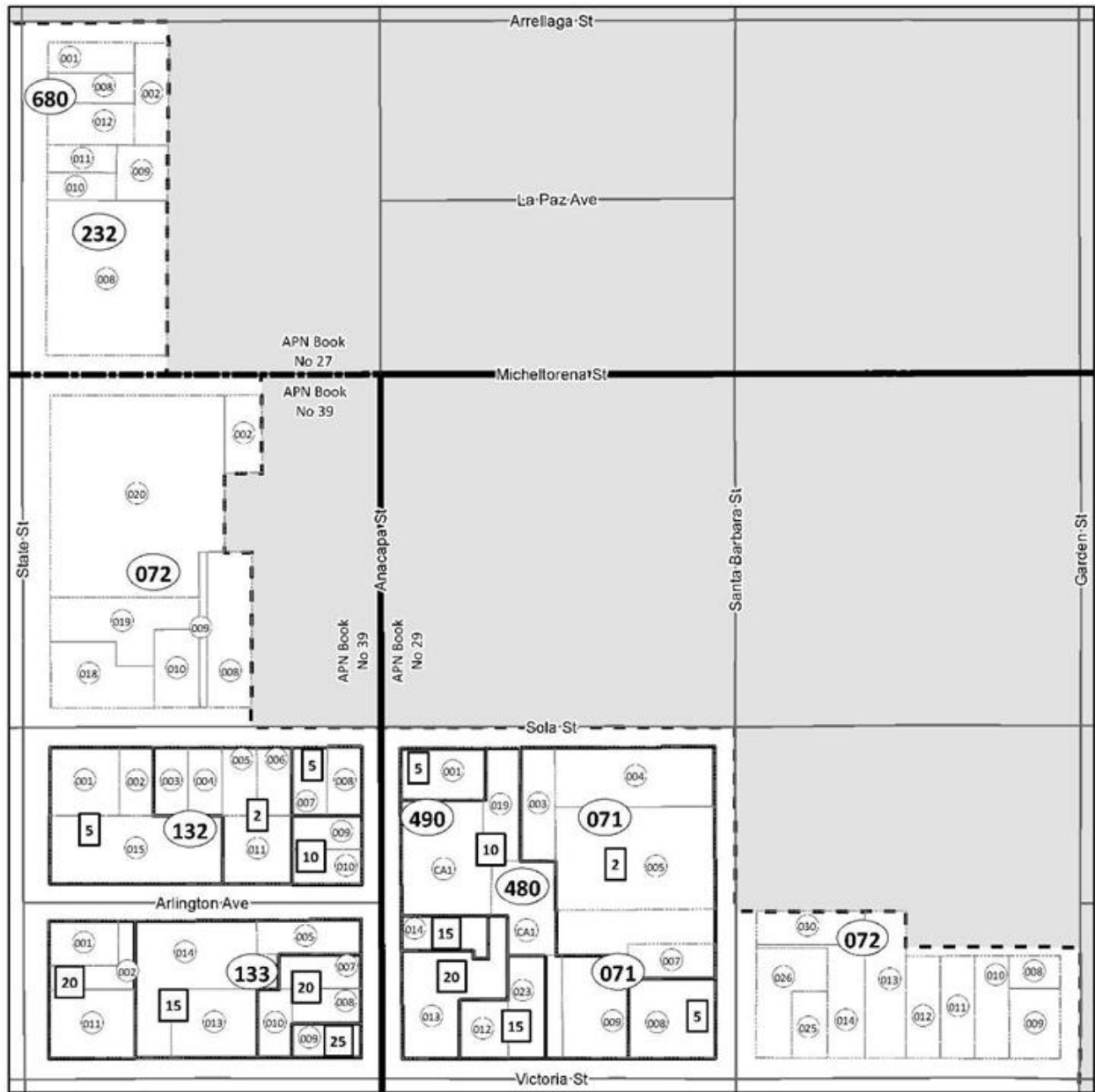
# PARKING ZONES OF BENEFIT MAP PAGE P1



-  Assessor's Parcel Number
-  Assessor's Block Number
-  Assessor's Book Boundary
-  Parking Lots
-  Parking Zone of Benefit % Credit
-  Central Business District - Delimitated Area



# PARKING ZONES OF BENEFIT MAP PAGE P2



- 001 Assessor's Parcel Number
- 123 Assessor's Block Number
- Assessor's Book Boundary
- PL 1 Parking Lots
- 20 Parking Zone of Benefit % Credit
- Central Business District - Delinated Area



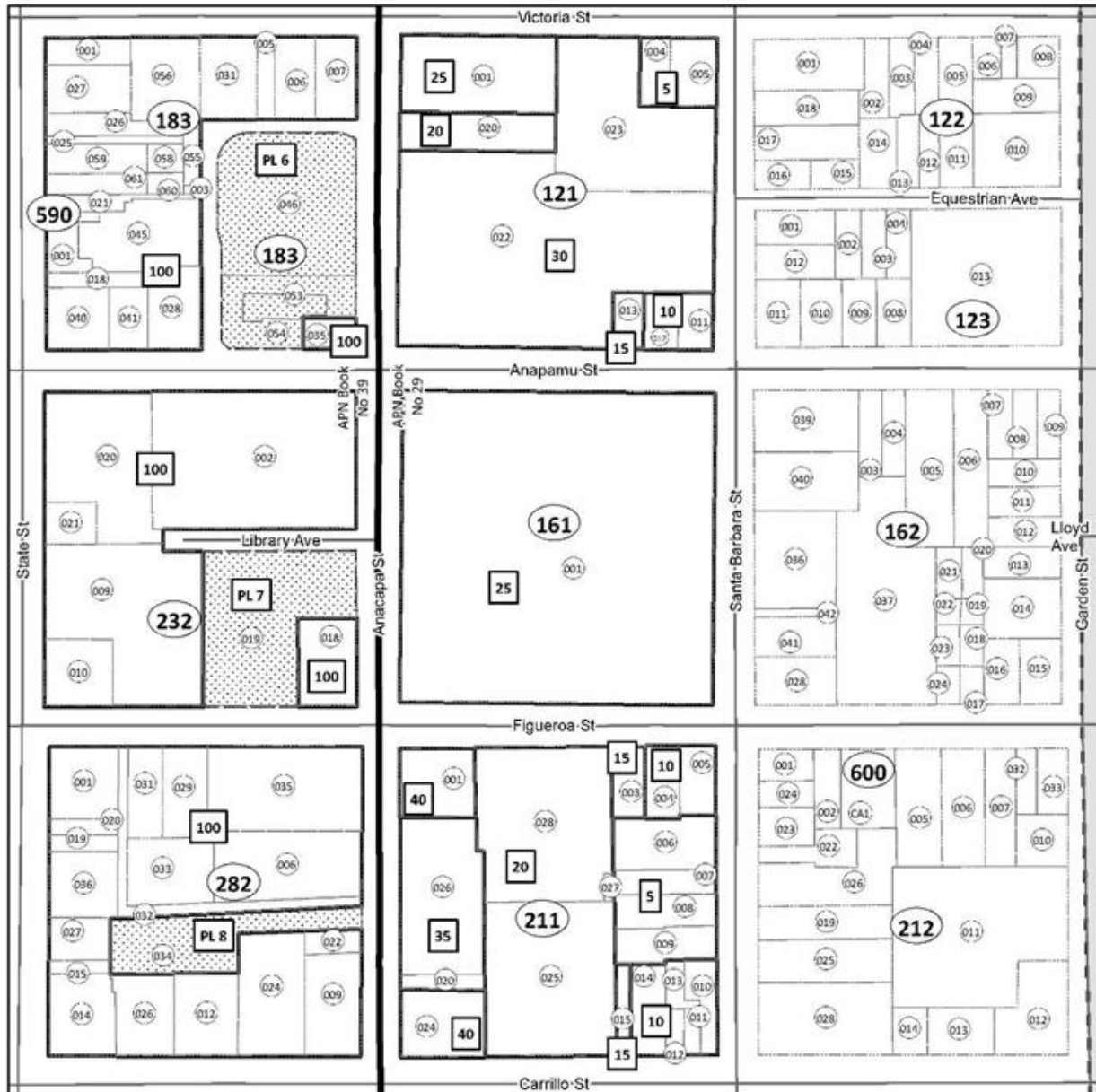
# PARKING ZONES OF BENEFIT MAP PAGE P3



- 001 Assessor's Parcel Number
- 123 Assessor's Block Number
- Assessor's Book Boundary
- PL 1 Parking Lots
- 20 Parking Zone of Benefit % Credit
- Central Business District - Delimited Area



# PARKING ZONES OF BENEFIT MAP PAGE P4



- 001 Assessor's Parcel Number
- 123 Assessor's Block Number
- Assessor's Book Boundary
- PL 1 Parking Lots
- 20 Parking Zone of Benefit % Credit
- Central Business District - Delimited Area



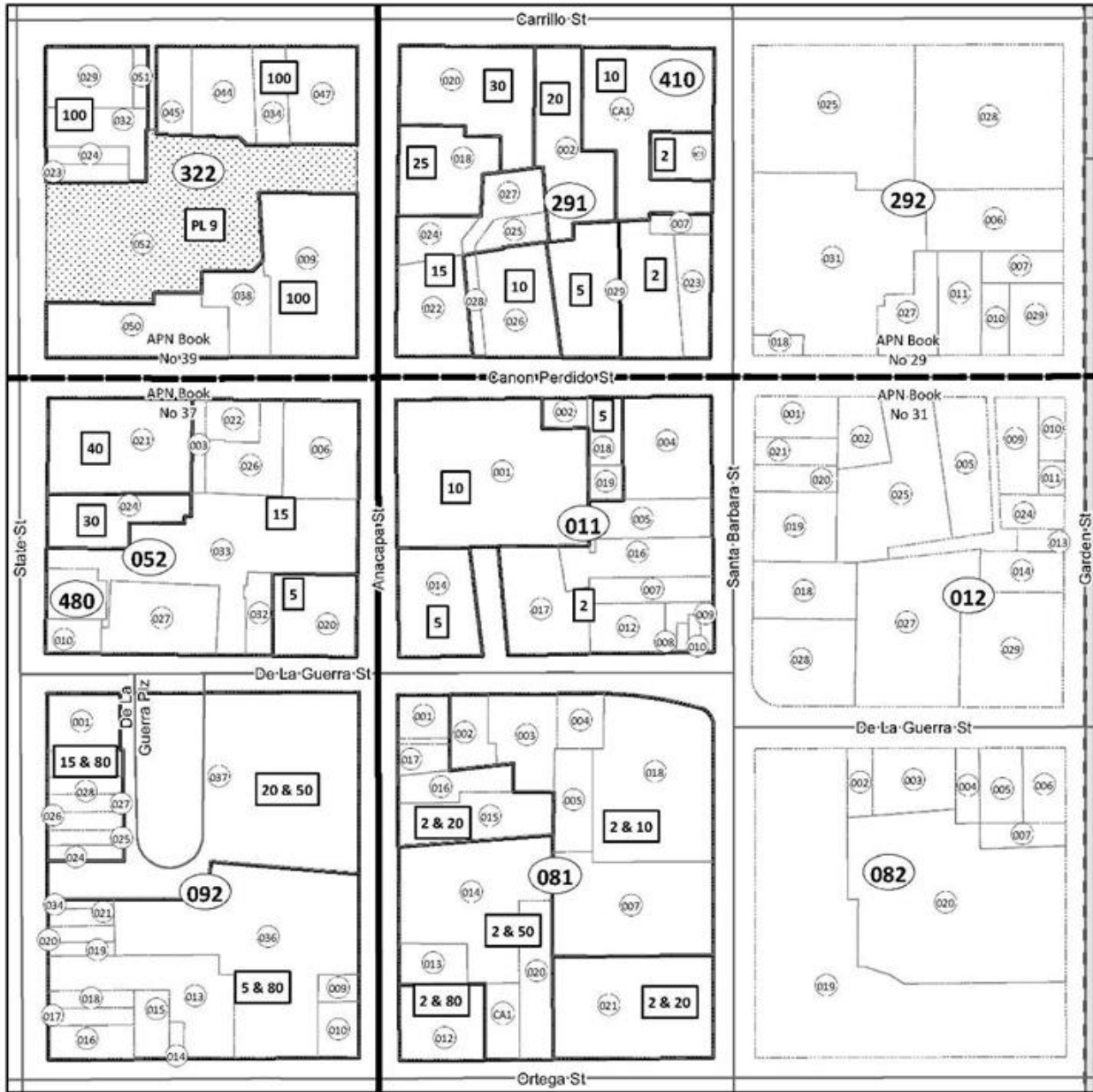
# PARKING ZONES OF BENEFIT MAP PAGE P5



- 001 Assessor's Parcel Number
- 123 Assessor's Block Number
- Assessor's Book Boundary
- PL 1 Parking Lots
- 20 Parking Zone of Benefit % Credit
- Central Business District - Delineated Area



# PARKING ZONES OF BENEFIT MAP PAGE P6



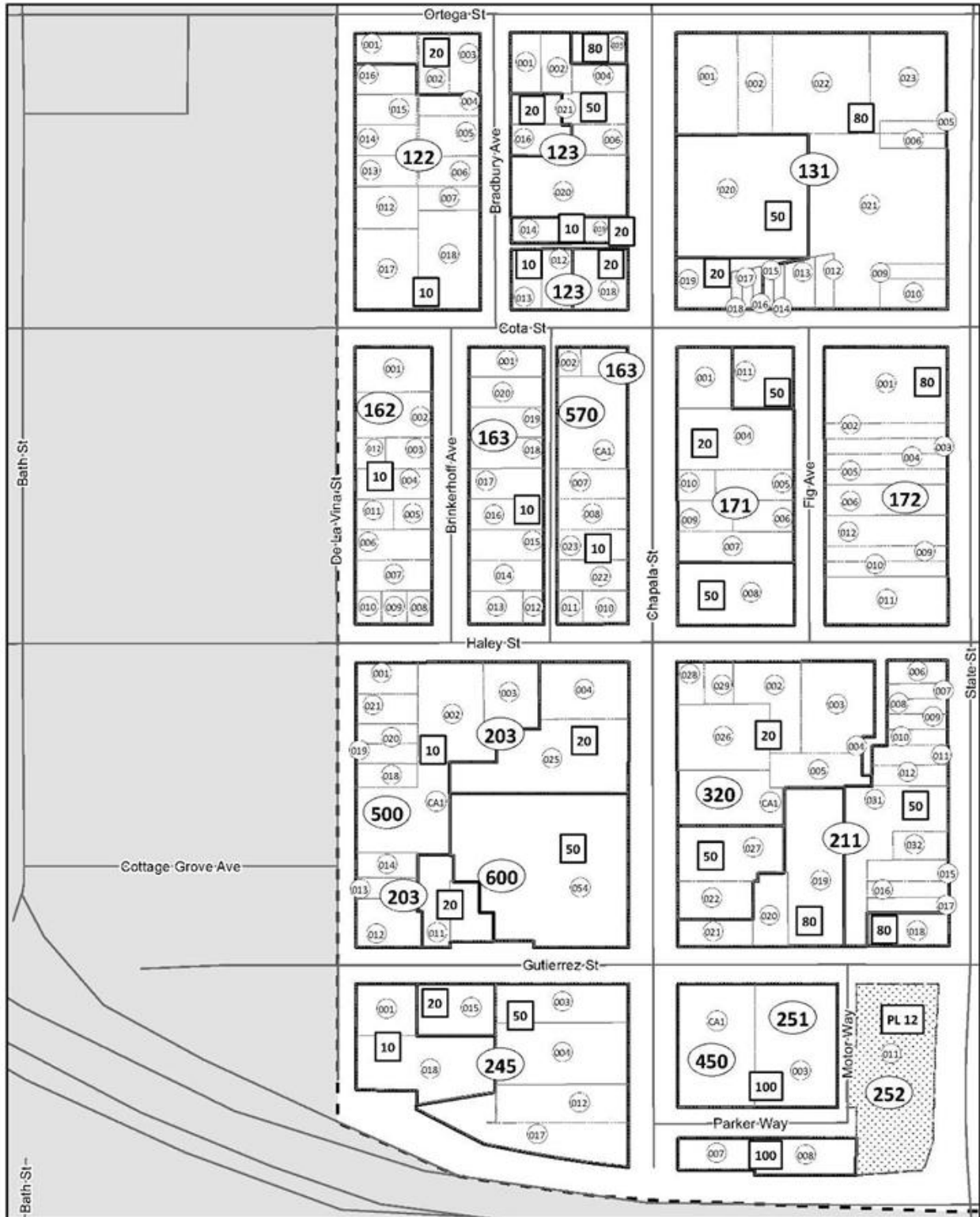
- 001 Assessor's Parcel Number
- 123 Assessor's Block Number
- Assessor's Book Boundary
- PL 1 Parking Lots
- 20 Parking Zone of Benefit % Credit
- Central Business District - Delimitated Area



# PARKING ZONES OF BENEFIT

MAP PAGE P7

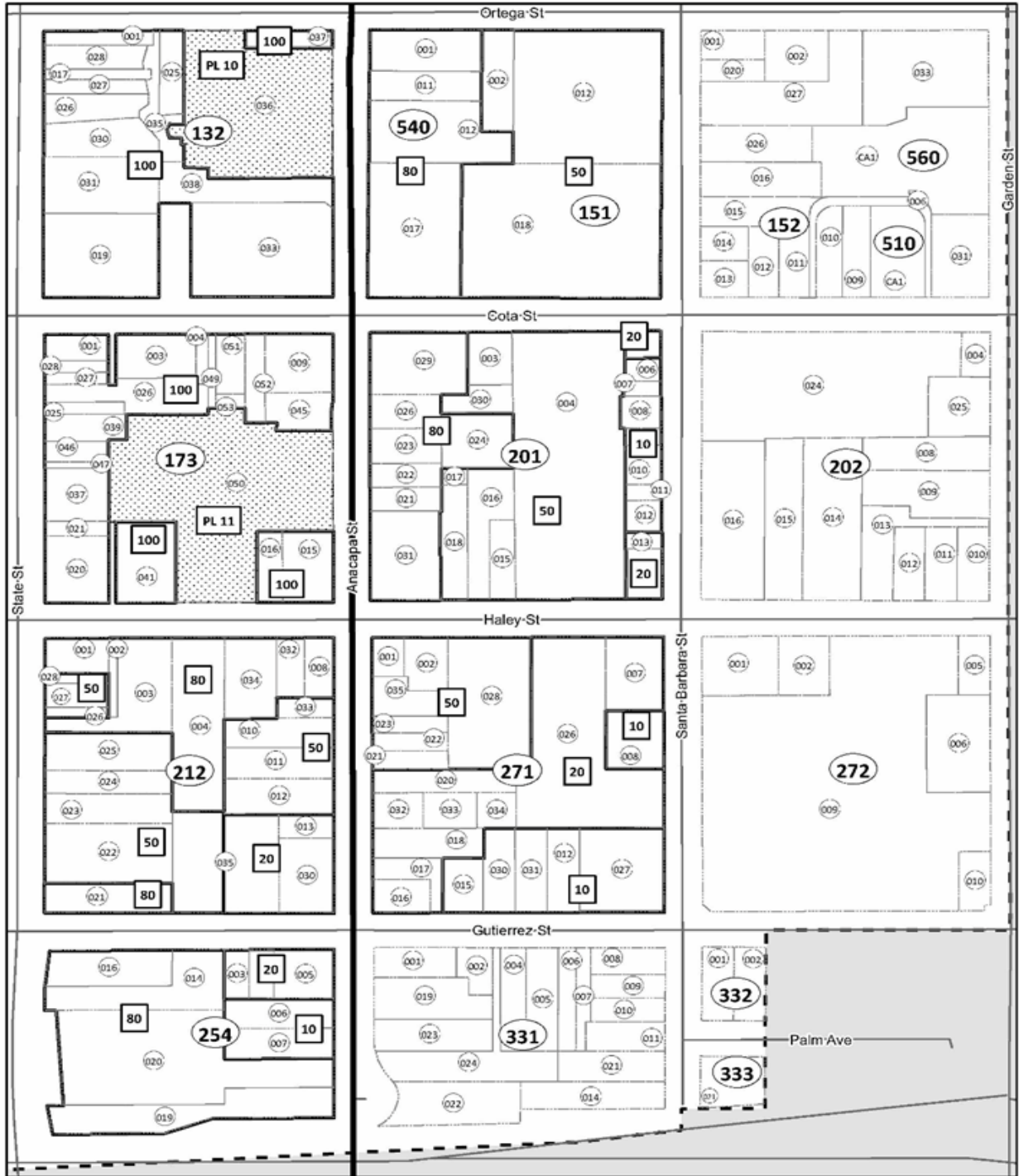
- 001 Assessor's Parcel Number
- PL 1 Parking Lots
- 123 Assessor's Block Number
- 20 Parking Zone of Benefit % Credit
- Assessor's Book Boundary
- Central Business District - Deliniated Area



# PARKING ZONES OF BENEFIT

## MAP PAGE P8

- 001 Assessor's Parcel Number
- PL 1 Parking Lots
- 123 Assessor's Block Number
- 20 Parking Zone of Benefit % Credit
- Assessor's Book Boundary
- Central Business District - Delimited Area



**SECTION 10.** Chapter 30.185 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.185 Standards for Specific Uses and Activities**

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### **Sections:**

30.185.010 Purpose	30.185.230 Large and Small Family Day Care Homes
30.185.020 Applicability	
30.185.030 Accessory Uses	30.185.240 Live-Work Units
30.185.040 Accessory Dwelling Unit	30.185.245 Low Barrier Navigation Center
30.185.045 Adaptive Reuse Projects	30.185.250 Medical Cannabis Dispensaries
30.185.050 Additional Residential Unit	30.185.260 Medical Equipment Supply Stores
30.185.060 Adult Entertainment Facilities	30.185.270 Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use
30.185.070 Agriculture	
30.185.080 Automated Teller Machines	
30.185.090 Automobile/Vehicle Fueling Stations or Car Washing Facilities	30.185.280 Mobilehome and Permanent Recreational Vehicle Parks
30.185.100 Banks and Financial Institutions in the O-M Zone	30.185.290 Mobilehome and Permanent Recreational Vehicle Park Conversion Regulations
30.185.110 Cannabis Cultivation	
30.185.120 Caretaker Unit	30.185.300 Outdoor Sales and Display
30.185.130 Community and Market Gardens	30.185.310 Outdoor Storage
30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices	30.185.320 Overnight Recreational Vehicle or Camping Parks
30.185.150 Day Care Centers	30.185.330 Planned Residential Development
30.185.160 Drive-Through Facility	30.185.340 Public Works and Utilities
30.185.170 Emergency Shelter	30.185.350 Recreation Facilities
30.185.175 Emergency Permits	30.185.360 Residential Uses in the CO-HV and CO-CAR Zones
30.185.180 Garden Apartment Developments	30.185.370 Retail Sales, Neighborhood Market
30.185.190 Group Residential	30.185.380 Seafood Odor Control
30.185.200 Home Occupation	30.185.390 Shooting Range
30.185.210 Horse Keeping	30.185.400 Solar Energy Systems
30.185.220 Hotels and Similar Uses	30.185.410 Telecommunications Facilities and Antennas

30.185.415 Temporary Housing Unit  
30.185.420 Temporary Uses

30.185.430 Transitional and Supportive  
Housing

### **30.185.050 Additional Residential Unit.**

Where a lot in an RS Zone has an area of more than the required lot area for that zone and adequate provisions for ingress and egress, a Performance Standard Permit may be granted by the Staff Hearing Officer for the construction of additional single-unit residence(s) and allowable accessory buildings subject to the following standards:

- A. **Minimum Site Area.** The minimum site area per residential unit shall be the minimum lot area required for the applicable zone.
- B. **Configuration.** Residential units shall be detached; a duplex configuration is not ~~permitted~~ allowed.
- C. **Setbacks.** The additional residence(s) shall comply with the residential setback provisions of the applicable zone. However, the front yard is determined to end at the first main building on the lot.
- D. **Maximum Floor Area (Floor Area Ratio).** The maximum floor area for each residential unit shall be determined by dividing the total net lot area by the total number of residential units, and the result shall be the hypothetical net lot area per unit. The hypothetical net lot area for each residential unit shall be used to determine conformance with the maximum floor area requirements in Table 30.20.030.A: Development Standards–Residential Single Unit Zones.
- E. **Open Yard.** Open yards in conformance with the open yard requirements for a single-unit residence pursuant to Section 30.140.140, Open Yards, shall be provided for each residential unit.
- F. **Parking.** Required parking shall be provided for each residential unit pursuant to Chapter 30.175, Parking Regulations.
- G. **Accessory Buildings.** Each residential unit may have up to the maximum amount of accessory building floor area as allowed by Section 30.140.020, Accessory Buildings; however, the maximum accessory building floor area may not be combined to create one building larger than is allowed by that section.

### **30.185.070 Agriculture.**

Agricultural operations shall be secondary to a primary use on a lot pursuant to Section 30.185.030, Accessory Uses, and located, developed, and operated in compliance with the following standards:

#### **A. Accessory Buildings.**

1. Accessory buildings used for agricultural purposes shall comply with all standards in Section 30.140.020, Accessory Buildings, unless a Modification is granted pursuant to Chapter 30.250, Modifications.
2. Accessory buildings used for agricultural purposes shall be located a minimum of 100 feet from any property line.
3. The exterior colors and materials shall be earth tones to minimize visibility.
4. Accessory buildings used for agriculture shall be sited so that the building does not intrude into the skyline as seen from a public view unless otherwise approved by the appropriate Design Review body.
5. Accessory buildings used for agriculture shall not be located within any watercourse, or within any watercourse development limitation area.

**B. Storage Requirements.** All flammables, pesticides and fertilizers shall be stored in accordance with all federal, state, and local regulations, including the regulations of the California Fire Code and Santa Barbara County Department of Health Services or successor agency. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.

**C. Large Vehicles.** No vehicles in excess of five tons shall be kept, stored or parked on the property, except as necessary for completion of grading performed in accordance with a grading permit issued by the City of Santa Barbara.

**D. Sanitation.** Sanitary facilities shall be provided for agricultural workers as required by the Santa Barbara County Division of Environmental Health and the California Occupational Safety and Health Administration.

**E. Water Meters.** All agricultural operations involving an area of one-half (1/2) acre or greater shall be placed on "Irrigation" water meters, as defined by Title 14 of this Code.

F. **Irrigation Systems.** All new or retrofitted irrigation systems for agricultural uses, other than those carried out in greenhouses, shall be designed in accordance with the standards of the Soil Conservation Service for water conserving irrigation.

G. **Vegetation Removal.** A Vegetation Removal Permit may be required to prevent erosion damage, reservoir siltation, denuding, flood hazards, soil loss, and other dangers created by or increased by improper clearing activities, pursuant to Santa Barbara Municipal Code Chapter 22.10, Vegetation Removal.

H. **Lighting.** Exterior lighting shall be for safety purposes only and shall comply with the City of Santa Barbara Outdoor Lighting and Streetlight Design Guidelines.

I. **Hours of Operation.** Hours of operation shall be consistent with Santa Barbara Municipal Code Section 9.16.070.A.

### **30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices.**

Community care facilities, residential care facilities for the elderly, and hospices shall be developed, located, and operated in compliance with the following:

A. **Facilities for Six or Fewer Persons.** A single residential unit that accommodates six or fewer residents is considered a single-unit residence structure and a residential use of property under this section. A Performance Standard Permit is not required unless accessory uses not allowed by right are proposed pursuant to Subsection F.

B. **Facilities for Seven to Fifteen Persons.** Facilities serving seven to 15 residents are considered residential uses and are permitted by right in all zones that allow residential uses, except in the RS (Residential Single Unit) and R-2 (Two-Unit Residential) zones, where a Performance Standard Permit is required.

C. **Facilities for Sixteen or More Residents.** Facilities serving 16 or more residents are considered residential uses and require a Performance Standard Permit in all zones where residential uses are allowed.

D. **Units with Kitchens.** Community care facilities, residential care facilities for the elderly, and hospices may contain congregate dining facilities or kitchens in individual units.

1. ***Individual Residential Units.*** Facilities configured with full kitchens and bathrooms in individual units that meet the definition of a residential unit in Section

30.140.150, Residential Unit, , are subject only to the same zoning standards (residential density, open yard, and parking requirements) that apply to other residential dwellings of the same building type in the same zone. Requests for variations or exceptions to density, open yard, setbacks, or parking may be considered pursuant to Chapter 30.250, Modifications.

2. ***Facilities with Congregate Dining.*** Facilities with congregate dining facilities are not subject to the base residential density, open yard, and parking standards for multi-unit development in the same applicable zone limits. The number of residential units is equal to the number of kitchens located on-site, consistent with Section 30.185.190, Group Residential. In facilities with congregate dining facilities, kitchens in individual units are limited to modular cooking units as follows:

a. ***Modular Cooking Unit.*** The modular cooking unit shall contain no more than a two-burner stove, oven or microwave oven, single compartment sink, refrigerator, utensil drawer(s), and cabinet(s) in one detachable module. The modular cooking unit shall not be larger than 18 square feet. Dishwashers and garbage disposals shall not be allowed. The modular cooking unit shall not be located in a room separated from other living areas, but may be located in a small, recessed opening off other living areas.

E. **Setbacks.** Community care facilities, residential care facilities for the elderly, and hospices, including accessory uses, shall comply with the residential setbacks of the applicable zone, or the mixed-use setbacks if it is a part of a mixed-use development.

F. **Accessory Uses.** Accessory uses that are incidental and accessory to the primary use, such as recreational facilities, skilled nursing, and other facilities may be allowed as follows:

1. ***Accessory Uses Not Allowed by Right.*** Accessory uses not otherwise allowed by right in the zone may be permitted with approval of a Performance Standard Permit. The use of such facilities by persons other than residents and staff may be limited by the Review Authority.

2. ***Accessory Uses Allowed by Right.*** Accessory uses allowed by right in the zone, are permitted within the facility subject to the regulations of the specific uses and applicable zone and permit requirements for any individual use or component of the project.

3. ***Accessory Uses Open to the Public.*** Accessory uses that are open to the public are considered nonresidential uses for purposes of the Nonresidential Growth Management

Program (Chapter 30.170) and shall provide parking pursuant to Table 30.175.040, Required Off-Street Parking Spaces.

G. **Required Findings.** When a Performance Standard Permit is required by this Title, the Review Authority must make the following findings in addition to the findings required pursuant to Chapter 30.255, Performance Standard Permits-and any other findings required by this Title:

1. The facility conforms to the extent feasible to the type, character and appearance of other residential units in the neighborhood in which it is located. This provision shall not restrict the installation of any special feature(s) necessary to serve residents with special needs (e.g., ramps, lifts, handrails).
2. The intensity of use in terms of number of people, hours of major activities and other operational aspects of the proposed facility is compatible with any neighboring residential use.

### **30.185.150 Day Care Centers.**

A. **Use by Right.** A Day Care Center, as defined in defined in California Health and Safety Code Section 1596.76, that is located within, or on the same lot as, a multi-unit or mixed-use development containing five or more residential units, or within a legally established community amenity, is a use by right. Community amenities include, but are not limited to, civic centers, community centers, public recreational centers, public parks, places of worship, schools, colleges, and libraries. The Day Care Center is subject only to the same zoning regulations, such as height, setbacks, and lot coverage, that apply to a multi-unit residential, mixed-use, or community amenity development of the same type in the same zone, consistent with California Health and Safety Code Section 1597.22.

B. **Other Day Care Centers.** All other Day Care Centers are permitted, conditionally permitted, or prohibited in each zone as specified in the land use tables of this Title. Where a Conditional Use Permit is required, the following findings must be made:

1. ***Location of Outdoor Activity Areas.*** Outdoor activity areas shall be located in a manner that is compatible with the character of the surrounding area and that minimizes significant detrimental noise impacts to adjacent properties used or zoned residential.
2. ***Passenger Loading.*** Facilities shall be provided for loading and unloading passengers, subject to the review and approval of the Review Authority taking into consideration the recommendation of the Public Works Director.

### 30.185.170 Emergency Shelter.

In addition to all other development standards applicable within the zone in which the Emergency Shelter is located, an Emergency Shelter shall comply with the following development and management standards:

A. **Capacity.** An Emergency Shelter located within the M-C Zone may provide a maximum of 100 beds and shall serve no more than 100 unhoused individuals per night. The capacity of an Emergency Shelter in any other zone shall be determined by the Review Authority.

B. **Length of Stay.** A resident of an Emergency Shelter shall not reside in the Emergency Shelter for more than 180 consecutive nights.

C. **Intake/Waiting Area.** An Emergency Shelter shall provide at least 10 square feet of interior intake and waiting space per bed. Intake and waiting areas shall be located within the building and shall be designed to accommodate queuing on site.

D. **Outdoor Area/Activity.** Open yard areas are not required for Emergency Shelters; but if provided on the ground level, outdoor gathering areas shall be a minimum of 10 feet from any front lot line, and shall be surrounded by a solid fence or hedge with a minimum height of five feet and a maximum height of six feet. This requirement may be reduced or waived by the appropriate Design Review body.

E. **Parking.** An Emergency Shelter shall provide the following parking:

1. One parking space per employee on the maximum shift.

3. **Exceptions.** An Emergency Shelter may propose fewer parking spaces if the Emergency Shelter can demonstrate by a parking study that the proposed parking will satisfy the anticipated parking demand for the project to the satisfaction of the Public Works Transportation Planning Division. In any case, the required parking for an Emergency Shelter shall not be more than that which is required for similar residential or commercial uses within the zone.

F. **Lighting.** Subject to compliance with the Lighting Ordinance (Santa Barbara Municipal Code Chapter 22.75), adequate external lighting shall be provided on-site in order to maintain a safe and secure environment.

G. **Concentration of Uses.** No Emergency Shelter or homeless shelter shall be permitted allowed within 300 feet of another Emergency Shelter or homeless shelter. The distance between shelters shall be measured in a straight line without regard to intervening structures or objects from

the nearest point on the property line of one shelter to the nearest point on the property line of the other.

H. **On-Site Management.** On-site management shall be present at all times that the shelter is in operation. A Management Plan for the operation of the Emergency Shelter must be submitted with the master application and shall be subject to approval by the Community Development Department Director. As appropriate, the Management Plan shall address:

1. Hours of operation
2. On-site management and security procedures
3. Neighborhood relations and communication
4. Cooking and dining facilities (for residents only)
5. Shower and laundry facilities (for residents only)
6. Smoking areas and policies
7. Outdoor gathering areas and policies

I. **Ability to Pay.** No individual or household may be denied Emergency Shelter due to an inability to pay.

### **30.185.175 Emergency Permit.**

A. **Purpose.** The purpose of this section is to authorize the Community Development Director to review and the Chief Building Official to issue emergency permits to protect public health, safety, and welfare in response to conditions resulting from natural disasters, accidents, or other unforeseen events that require immediate action.

B. **Authority.** Pursuant to the City's police powers and the California Building Standards Code (Title 24),:

1. The Chief Building Official is authorized to immediately issue emergency permits for construction, repair, demolition, grading, or temporary occupancy when necessary to:
  - a. Stabilize or secure structures or property;
  - b. Restore essential services or utilities;

- c. Prevent imminent threats to life, property, or the environment; or
    - d. Facilitate temporary occupancy or use of structures displaced or damaged by an emergency.
  2. The Community Development Director is authorized to review and condition emergency permits for consistency with:
    - a. The General Plan;
    - b. Zoning regulations;
    - c. Environmental protection standards;
    - d. Any applicable discretionary review requirements.

C. **Applicability.** Emergency permits may be issued for temporary construction, repair, demolition, grading, or occupancy activities that would otherwise require a permit under this Title or other applicable codes.

D. **Findings.** Prior to issuing an emergency permit, the Chief Building Official and/or Community Development Director, as applicable, must find that:

1. An emergency condition exists that poses a threat to public health, safety, or welfare;
2. The proposed work is necessary to address the emergency; and
3. The scope and duration of the work is limited to that which is necessary to respond to the emergency.

E. **Conditions and Limitations.**

1. Emergency permits may include conditions to ensure consistency with the General Plan, applicable zoning regulations, and environmental protection standards to the extent feasible.
2. Emergency permits are valid for a period not to exceed 90 days, unless extended by the Chief Building Official and/or Community Development Director, as applicable, for good cause.

3. Permanent work authorized under an emergency permit must be brought into compliance with all applicable codes and permit requirements within a reasonable timeframe, as determined by the appropriate authority.

4. Issuance of an emergency permit does not create or confer any vested rights, entitlement to continued or future use, or any expectation that the temporary work or occupancy authorized under the emergency permit may remain in place beyond the permit's 90 days duration, unless extended as provided under Subsection E.2. Except for demolition, all work or occupancy authorized under an emergency permit is strictly temporary and must not be construed as approval of any permanent improvement, use, or structure. Any permanent redevelopment or reconstruction must comply with all applicable codes, permit requirements, and discretionary review processes.

### **30.185.230 Large and Small Family Day Care Homes.**

Large and Small Family Day Care Homes are considered residential uses of property and must be allowed in any zone where residential uses are allowed. They are subject only to the same provisions and development standards that apply to other residential uses of the same type in the same zone.

### **30.185.245 Low Barrier Navigation Center.**

The provisions of this section remain in effect until January 1, 2027. As of January 1, 2027, this section will be repealed unless State law is amended to require this subsection to be in effect beyond that date.

A. **Purpose.** These provisions are intended to allow low barrier navigation centers as a use by right if it meets specified requirements consistent with California Government Code Section 65660. A low barrier navigation center is generally described as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

B. **Allowed Zones.** Low barrier navigation centers are allowed in any commercial, office or manufacturing zone that allows mixed-use development.

C. **Review Process.**

1. Low barrier navigation centers are exempt from all City discretionary review if the proposed housing development satisfies all of the requirements of California Government Code Section 65660 and 65662; and the project conforms with all objective written development standards and policies, including compliance with Title 25, Objective Design and Development Standards (ODDS), that apply to other multi-unit housing within the same zone.

2. If exterior alterations to a building or site are proposed, low barrier navigation centers are allowed with ministerial design review as described in Section 30.145.035, Affordable Housing Streamlined Approval.

D. **Development and Management Standards.** Low barrier navigation centers must comply with the following development and management standards:

1. The low barrier navigation center offers services to connect people to permanent housing through a services plan that identifies services staffing;

2. The low barrier navigation center is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect individuals to permanent housing;

3. "Coordinated entry system" is generally described as a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
4. The low barrier navigation center complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code;
5. The low barrier navigation center has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information Systems, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations; and
6. The low barrier navigation center complies with the development standards established for emergency shelters in Section 30.185.170, Emergency Shelter.

### **30.185.415 Temporary Housing Units.**

- A. **Purpose.** The purpose of this section is to allow temporary housing on properties zoned for residential use where residents have been displaced due to demolition, damage, or destruction of a residential unit on the same property
- B. **Applicability.** A temporary housing unit may be allowed on a lot that is zoned for residential use and is currently or was previously developed with a residential structure, provided that the temporary housing is for the occupants displaced from a residential unit on the same lot. Temporary housing is not permitted for displacement that occurs off-site
- C. **Permit Requirements.** A temporary housing unit may be established with approval of a Performance Standard Permit, granted by the Staff Hearing Officer, pursuant to Chapter 30.255, Performance Standard Permit.
- D. **Development Standards.**
  1. **Eligible Structures.** A temporary housing unit may consist of the following:
    - a. One trailer, manufactured home, recreational vehicle, or other similar structure sited in conformance with applicable setback requirements for accessory structures; or

b. An existing residential accessory structure with conditioned space, such as a pool house, guest house, recreation room, or accessory dwelling unit, provided that:

i. The structure was legally constructed with a valid building permit;  
and

ii. The structure is inspected and approved for temporary residential occupancy by the Chief Building Official or Fire Code Official.

2. **Minimum Facility and Utility Requirements.**

a. *Essential Facilities.* A temporary housing unit must include provisions for sleeping, cooking, bathing, and sanitation, either within the unit or through access to such facilities in an adjacent legally permitted structure on the same lot.

b. *Utility Connections.* Each temporary housing unit must be connected to:

i. A permanent source of potable water;

ii. A wastewater disposal system approved by the City;

iii. A permanent electrical power source compliant with the California Electrical Code.

3. ***Parking.*** Adequate on-site parking must be provided for at least two vehicles, located outside of the required front setback.

4. ***Duration.***

a. A Performance Standard Permit for a temporary housing unit must automatically expire 36 consecutive months after the permit or approval is exercised, or earlier if specified in the terms of the permit. The Community Development Director may grant one or more extensions, provided that the total duration of the temporary housing use does not exceed six years from the date the original permit was exercised.

b. Upon expiration of the permit, the use of the property or structures for temporary housing must cease, and the condition of the property or structures must be restored to the condition that existed prior to the temporary housing use, unless otherwise authorized by a separate permit or approval.

### **30.185.430 Transitional and Supportive Housing.**

A. **Purpose.** These provisions are intended to allow transitional housing and supportive housing, as defined in Government Code Section 65582, consistent with State law to ensure equality of treatment for all residential uses regardless of the occupant.

B. **Description.** Transitional housing means buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Supportive housing means housing with no limit on length of stay, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

C. **Allowed Zones.**

1. ***Transitional Housing.*** Transitional housing is considered a residential use and is allowed in any zone where residential use is allowed. They must be subject only to the same provisions and development standards that apply to other residential uses of the same type in the same zone.

2. ***Supportive Housing.*** Supportive housing is considered a residential use and is allowed in any zone where multi-unit residential and mixed-use development is allowed if the proposed housing development satisfies all of the requirements of California Government Code Section 65651(a).

D. **Review Process for Supportive Housing.**

1. Supportive housing is exempt from all City discretionary review if the proposed housing development satisfies all of the requirements of California Government Code Section 65651(a); and the project conforms with all objective written development standards and policies, including compliance with Title 25, Objective Design and Development Standards (ODDS), that apply to other multi-unit housing within the same zone.

2. If exterior alterations to a building or site are proposed, supportive housing must be permitted with ministerial design review as described in Section 30.145.035, Affordable Housing Streamlined Approval.

3. The applicant must submit a plan for providing supportive services, to include all the following items:

- a. Documentation that supportive services will be provided on-site.
  - b. The name of the proposed entities that will provide supportive services.
  - c. The proposed funding sources for the services provided.
  - d. Proposed staffing levels
4. If the supportive housing development is located within one-half mile of a public transit stop, no parking spaces are required for the units occupied by supportive housing residents per Government Code Section 65654.

**SECTION 11.** Chapter 30.200 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## Division IV: Administration and Permits

### Chapter 30.200 Planning Authorities

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**Sections:**

30.200.010 Purpose	30.200.060 Public Works Director
30.200.020 City Council	30.200.070 Architectural Board of Review
30.200.030 Planning Commission	30.200.080 Historic Landmarks Commission
30.200.040 Staff Hearing Officer	30.200.090 Single Family Design Board
30.200.050 Community Development Director	

**30.200.010 Purpose.**

The purpose of this chapter is to identify the bodies, officials, and administrators with designated responsibilities under various chapters of this Title. Subsequent chapters of Division IV provide detailed information on procedures, applications, permits and approvals, and enforcement. When carrying out their assigned duties and responsibilities, all bodies, administrators, and officials shall apply the provisions of this Title as minimum requirements adopted to implement the policies and achieve the objectives of the General Plan.

**30.200.020 City Council.**

The City Council is established and organized pursuant to Article V of the City Charter. The powers and duties of the City Council under this Title include, but are not limited to, the following:

- A. Initiate and act on amendments to the text and maps of the General Plan, Local Coastal Program, and Zoning Ordinance pursuant to the provisions of Chapter 30.235, General Plan and Zoning Amendments, and Chapter 30.240, Local Coastal Program Amendments.
  
- B. Act on Specific Plans and amendments to Specific Plans pursuant to Chapter 30.265, Specific Plans.

- C. Initiate and consent to Annexations.
- D. Act on Development Agreements pursuant to Chapter 30.225, Development Agreements.
- E. Act on proposals to revoke permits, as assigned, pursuant to Section 30.205.140, Revocation of Permits and Approvals.
- F. Act on Variance requests from Street Widening Setback Lines pursuant to Subsection 30.140.190.D, Setback Encroachments.
- G. Act on appeals from decisions of the Planning Commission, Architectural Board of Review, and Historic Landmarks Commission, pursuant to Section 30.205.150, Appeals.
- H. Act on requests to designate a nonresidential construction project as a Community Benefit Project pursuant to the provisions of Chapter 30.170, Nonresidential Growth Management Program.

### **30.200.030 Planning Commission.**

The Planning Commission is established and organized pursuant to Section 806 of Article VIII of the City Charter and the requirements of the Government Code. The powers and duties of the Planning Commission under this Title include, but are not limited to, the following:

- A. All actions provided by this Title to be performed by the Planning Commission in connection with applications for, or amendments to, the following: Coastal Development Permits, as assigned; Conditional Use Permits; Development Plans, as assigned; Modifications, as assigned; Transfer of Existing Development Rights Permits, as assigned; Variances; Condominium and Hotel Conversion Permits, as assigned; Mobile Home Park Conversions; applications in the P-R Zone, as assigned; Tentative Subdivision Maps and Condominiums, as assigned pursuant to Title 27 of the Santa Barbara Municipal Code; and Planned Residence Developments.
- B. Initiate and make recommendations to the City Council for amendments to the text and maps of the General Plan, Local Coastal Program, and Zoning Ordinance pursuant to Chapter 30.235, General Plan and Zoning Amendments, and Chapter 30.240, Local Coastal Program Amendments.
- C. Initiate and make recommendations to the City Council on proposed, or amendments to, Specific Plans pursuant to Chapter 30.265, Specific Plans.

- D. Make recommendations to the City Council on proposed, or amendments to, Development Agreements pursuant to Chapter 30.225, Development Agreements.
- E. Initiate and make recommendations to the City Council on Annexations.
- F. Act on proposals to revoke permits, as assigned, pursuant to Section 30.205.140, Revocation of Permits and Approvals.
- G. Review Community Benefit Projects or Community Benefit Housing Projects exceeding the maximum building height pursuant to Subsection 30.140.100.B, Community Benefit Project or Community Benefit Housing Project.
- H. Suspend any decision of the Staff Hearing Officer and hold a public hearing to review the Staff Hearing Officer decision pursuant to subsection 30.205.150.A.2.c, Planning Commission Suspensions, or act upon a referral from the Staff Hearing Officer pursuant to subsection 30.205.050.E.1.a, Referral to a Higher Review Authority.
- I. Act on appeals from decisions of the Community Development Director, Staff Hearing Officer, or Single Family Design Board, pursuant to Section 30.205.150, Appeals.
- J. Such other functions as may be delegated to it by the City Council.

**30.200.040 Staff Hearing Officer.**

The Staff Hearing Officer is a City staff member appointed by the Community Development Director with the following powers and duties. However, if a project includes any application that requires review by the Planning Commission, all applications related to the project shall be reviewed by the Planning Commission.

- A. All actions provided by this Title to be performed by the Staff Hearing Officer in connection with applications for, or amendments to, the following: Modifications, as assigned; Performance Standard Permits; Storefront Collective Dispensary Permits; Development Plans, as assigned; Tentative Subdivision Maps and Condominiums, as assigned pursuant to Title 27 of the Santa Barbara Municipal Code; and Coastal Development Permits, as assigned.
- B. Act on time extensions of approved Tentative Maps pursuant to Santa Barbara Municipal Code Chapter 27.07, Tentative Maps.
- C. Act on proposals to revoke permits, as assigned, pursuant to Section 30.205.140, Revocation of Permits and Approvals.

D. Such other functions as may be delegated by the Director.

### **30.200.050 Community Development Director.**

The following powers and duties of the Community Development Director (the “Director”) under this Title include, but are not limited to, the following:

A. Maintain and administer this Title.

B. Request interpretations of this Title from the City Attorney and disseminate to members of the public and to other City Departments.

C. Prepare and effect rules and procedures necessary or convenient for the conduct of the Director’s business. As determined by the City Attorney, these rules and procedures shall be approved by a resolution of the City Council following review and recommendation of the Planning Commission.

D. Issue administrative regulations for the submission and review of applications subject to the requirements of this Title and the Government Code.

E. Review permit applications for conformance with this Title, and issue a Zoning Clearance when the proposed use, activity or structure conforms to all applicable development and use standards.

F. Review applications for discretionary permits and approvals under this Title for conformance with the California Environmental Quality Act and the City’s environmental review requirements, and all other applicable submission requirements and time limits.

G. All actions provided by this Title to be performed by the Director in connection with applications for, or amendments to Transfer of Existing Development Rights Permits, as assigned.

H. Determine level of coastal review pursuant to Chapter 30.50, Coastal (CZ) Overlay Zone, and document Coastal Exclusions and Coastal Exemptions, as appropriate.

I. Consider and determine the location of “Top of Bank” pursuant to Section 30.140.050, Development Along Mission Creek.

J. Process and make recommendations to the City Council, Planning Commission, Design Review bodies and Staff Hearing Officer, as appropriate, on all applications, amendments, appeals and other matters upon which they have the authority and the duty to act under this Title.

- K. Act on applications for time extensions of approved permits, as assigned, pursuant to Section 30.205.120, Expiration of Permits.
- L. Initiate revocation procedures on violations of permit terms and conditions pursuant to Section 30.205.140, Revocation of Permits and Approvals.
- M. Make Substantial Conformance Determinations pursuant to Section 30.205.130, Changes to Approved Plans.
- N. Delegate administrative functions, as deemed appropriate, to members of the Planning Division.
- O. Appoint a Staff Hearing Officer pursuant to Section 30.200.040, Staff Hearing Officer.
- P. Act on applications for Minor Zoning Exceptions, as assigned, pursuant to Chapter 30.245, Minor Zoning Exceptions.
- Q. Act on Administrative Applications, including but not limited to administrative Design Review, pursuant to Section 30.205.155, Administrative Applications.
- R. Act on Emergency Permits, pursuant to Section 30.185.175, Emergency Permits.
- S. Other duties and powers as may be assigned by the City Council, City Administrator, or established by legislation.

**30.200.060 Public Works Director.**

The following powers and duties of the Public Works Director under this Title include, but are not limited to, the following:

- A. Act on applications for Minor Zoning Exceptions to visibility requirements pursuant to Section 30.140.230, Visibility at Driveways and Intersections.
- B. Provide consultation and make determinations on parking requirements pursuant to Chapter 30.175, Parking Regulations.
- C. Other duties and powers related to travel, parking, and circulation as identified in other sections of this Title.

**30.200.070 Architectural Board of Review.**

A. **Establishment.** The Architectural Board of Review is established and organized pursuant to Section 814 of Article VIII of the City Charter.

B. **Membership.** The Architectural Board of Review should consist of seven members appointed by the City Council, as follows:

1. **Licensed Architects.** At least two members must be licensed architects.
2. **Qualified Professionals.** At least three members must have professional experience in related fields, including, but not limited to, landscape architecture, building design, structural engineering, or industrial design.
3. **Residency Requirements.** Up to three members may reside outside the City of Santa Barbara, provided they are qualified electors of Santa Barbara County at the time of appointment and remain so during their term.

All members serve at the pleasure of the City Council.

C. **Conduct of Meetings.** The Architectural Board of Review must follow procedural rules adopted by resolution of the City Council. The Board must elect a Chair and Vice Chair from among its members.

D. **Quorum.** Four members constitute a quorum, one of whom must be a licensed architect.

E. **Powers and Duties.** The powers and duties of the Architectural Board of Review under this code include, but are not limited to, the following:

1. ***Project Review Authority.*** Review and approve, disapprove, or approve with conditions all development projects subject to Architectural Board of Review jurisdiction, as specified by ordinance, except those under the jurisdiction of the Historic Landmarks Commission or the Single Family Design Board.
2. ***Other Duties.*** Perform other functions or duties as prescribed by ordinance.

F. **Appeals.** Decisions of the Architectural Board of Review may be appealed to the City Council pursuant to Section 30.205.150, Appeals.

**30.200.080 Historic Landmarks Commission.**

A. **Establishment.** The Historic Landmarks Commission is established and organized pursuant to Section 817 of Article VIII of the City Charter.

B. **Membership.** The Historic Landmarks Commission should consist of nine members appointed by the City Council, as follows:

1. ***Licensed Architects.*** At least two members must be licensed architects.
2. ***Architectural Historian.*** At least one member must be a professional architectural historian.
3. ***Licensed Landscape Architect.*** At least one member must be a licensed landscape architect.
4. ***Public at Large.*** At least one member must represent the public at large and may not meet the qualifications listed in Subsections B.1 through B.3.
5. ***Residency Requirements.*** Up to four members may reside outside the City of Santa Barbara. These members are not required to be qualified electors of the City.

All members must have demonstrated knowledge of the history and architecture of the City of Santa Barbara. All members serve at the pleasure of the City Council.

C. **Conduct of Meetings.** The Commission must follow procedural rules adopted by resolution of the City Council. The Commission must elect a Chair and Vice Chair from among its members.

D. **Quorum.** Five members constitute a quorum.

E. **Powers and Duties.** The powers and duties of the Historic Landmarks Commission under this code include, but are not limited to, the following:

1. ***Landmark Recommendations.*** Recommend to the City Council that certain structures, natural features, sites, or areas having historic, architectural, archaeological, cultural, or aesthetic significance be designated as a Landmark.
2. ***Structures of Merit.*** Designate certain structures or objects having historic, architectural, archaeological, cultural, or aesthetic significance as Structures of Merit.
3. ***Project Review.*** Review and approve, disapprove, or approve with conditions all development projects subject to Historic Landmarks Commission jurisdiction, as specified by ordinance, including but not limited to:

- a. The El Pueblo Viejo Landmark District (LD) Overlay Zone, including all contributing and non-contributing properties, as defined in Section 30.57.030;
- b. A historic resource, as defined in Section 30.300.080 “H” Historic Resources Related Definitions;
- c. A Historic District (HD) Overlay Zone, including all contributing and non-contributing properties.

4. **Other Duties.** Perform other functions or duties as prescribed by ordinance.

F. **Appeals.** Decisions of the Historic Landmarks Commission may be appealed to the City Council pursuant to Section 30.205.150, Appeals.

G. **Exemptions.** This section does not apply to any structure, natural feature, site, or area owned or leased by a public entity, except for those owned or leased by the City of Santa Barbara, unless the City Council determines that review is unnecessary.

### **30.200.090 Single Family Design Board.**

A. **Establishment.** The Single Family Design Board is established and organized pursuant to the Santa Barbara Municipal Code to review the design of single-unit residential development projects, as specified by ordinance.

B. **Membership.** The Single Family Design Board should consist of five members appointed by the City Council, as follows:

1. ***Licensed Architect.*** At least one member must be a licensed architect.
2. ***Qualified Professionals.*** At least one member must have professional qualifications in architecture or landscape architecture, including, but not limited to, building design, structural engineering, industrial design, urban planning, or landscape contracting.
3. ***Public at Large.*** Up to three members may be members of the public at large who reside in the City of Santa Barbara and do not possess professional qualifications in fields related to architecture or design.

All professionally qualified members must reside within Santa Barbara County. All members serve at the pleasure of the City Council.

C. **Conduct of Meetings.** The Board must follow procedural rules adopted by resolution of the City Council. The Board must elect a Chair and Vice Chair from among its members. The Community Development Director must act as Secretary and record Board actions and render written reports as required by this Title.

D. **Quorum.** Three members constitutes a quorum.

E. **Powers and Duties.** The powers and duties of the Single Family Design Board under this code include, but are not limited to, the following:

1. ***Project Review Authority.*** Review and approve, disapprove, or approve with conditions all development projects subject to Single Family Design Board review, as specified by ordinance, except those under the jurisdiction of the Historic Landmarks Commission.

2. ***Additional Duties.*** Perform other functions or duties as prescribed by ordinance.

F. **Appeals.** Decisions of the Single Family Design Board may be appealed to the Planning Commission pursuant to Section 30.205.150, Appeals.

**SECTION 12.** Chapter 30.205 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.205 Common Procedures**

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### **Sections:**

30.205.010 Purpose	30.205.100 Scope of Approvals
30.205.020 Application Forms and Fees	30.205.110 Effective Dates
30.205.030 Pre-Application Review	30.205.120 Expiration of Permits
30.205.035 Preliminary Housing Applications	30.205.130 Changes to Approved Plans
30.205.040 Concept Review	30.205.140 Revocation of Permits and Approvals
30.205.050 Review of Discretionary Applications	30.205.150 Appeals
30.205.060 Environmental Review	30.205.155 Review of Administrative Applications
30.205.070 Public Notice	30.205.160 Enforcement and Penalty
30.205.080 Conduct of Public Hearings	
30.205.090 Decision	

### **30.205.010 Purpose.**

This chapter establishes procedures that are common to the application and processing of all permits and approvals provided for in this Title, unless superseded by specific requirement of this Title or State law.

### **30.205.020 Application Forms and Fees.**

A. **Who May Apply.** The owner of property or the owner's authorized agent. If the application is made by someone other than the owner or the owner's agent, proof, satisfactory to the Community Development Director, of the right to use and possess the property as applied for, shall accompany the application.

### **B. Application Forms and Materials.**

1. **Application Forms.** The Community Development Director shall prepare and issue application forms and lists that specify the information that is required from applicants for projects subject to the provisions of this Title.

2. **Supporting Materials.** The Community Development Director may require the submission of supporting materials as part of the application, including, but not limited to, statements, photographs, plans, drawings, renderings, models, material samples, reports and other items necessary to describe existing conditions and the proposed project accurately and completely, and to determine the level of environmental review pursuant to the California Environmental Quality Act (CEQA).

3. **Availability of Materials.** All material submitted becomes the property of the City, may be distributed to the public, and shall be made available for public inspection. At any time upon reasonable request, and during normal business hours, any person may examine an application and materials submitted in support of or in opposition to an application in the Planning Division offices. Unless prohibited by law, copies of such materials shall be made available at a reasonable cost.

C. **Method of Submittal.** Applications must be submitted electronically in the manner prescribed by the Community Development Department.

D. **Application Received Date.** The application “received date” commences the 30 day completeness review period required by the Permit Streamlining Act (Government Code § 65920 et seq.) and shall be determined as follows:

1. **New Submittal or Resubmittal.** The received date shall be the day a submittal or resubmittal is made online. If a fee is required at the time of submittal or resubmittal, the received date is the date the fee is paid.

2. **Non-Business Days.** If a submittal or resubmittal is made on any day the Community Development Department is not open for regular business, including Saturdays, Sundays, City-recognized holiday closures, and City-designated Flex Fridays, the received date is the next regular business day, or the date the required fee is paid, whichever is later.

E. **Application Fees.** No application shall be accepted as complete and processed without payment of the applicable fee established by resolution of the City Council.

### **30.205.030 Pre-Application Review.**

Pre-application review is intended to provide preliminary information on relevant policies, regulations, and procedures, and to identify significant issues relevant to a proposed project.

A. **Applicability.**

1. ***Mandatory Pre-Application Review Team.*** Pre-Application Review Team review is required for the following projects:

- a. Annexations.
- b. Projects proposed in accordance with the Average Unit-Size Density Incentive Program, pursuant to Section 30.150.060, Pre-Application and Concept Review Required; except objective Housing Development Projects using Title 25 of this Code are exempt from mandatory Pre-Application and Concept Review.
- c. General Plan and Zoning Amendments.
- d. Local Coastal Program Amendments.
- e. Specific Plans and Amendments to Specific Plans.

2. ***Optional Pre-Application Review Team.*** Pre-Application Review Team review is optional for all other projects.

3. ***Optional Pre-Application Design Consultation.*** Applicants for design review projects may request a one-time Pre-Application Consultation with the applicable Design Review body. This consultation is intended to provide early, nonbinding feedback on broad design concepts such as site planning, building placement, massing, and architectural character. The consultation occurs prior to formal application completeness review, requires mailed noticing, and does not result in any action or appealable decision.

**B. Pre-Application Review Team Procedure.** The Pre-Application Review Team shall review the project and associated materials and advise the applicant of relevant policies, regulations and procedures, identify significant issues relevant to a proposed project, and document any conclusions and recommendations in a letter to the applicant. Applicants and their representatives shall be entitled to meet with the Pre-Application Review Team in order to discuss the recommendations and any identified issues. The Pre-Application Review Team is authorized to prepare and effect rules and procedures as necessary or convenient to carry on the Team's business.

**C. Pre-Application Review Team Members.** Members of the Pre-Application Review Team shall consist of staff from various City Departments and Divisions responsible for reviewing development applications including but not limited to Building and Safety, Planning, Fire Prevention, Parks and Recreation, ~~Creeks~~ Sustainability and Resilience, Public Works Engineering, Water Resources, and Transportation.

D. **Recommendations are Advisory.** All comments and recommendations provided through either the Pre-Application Review Team process or the Pre-Application Design Consultation are advisory only. Neither the pre-application review nor the provision of information and pertinent policies shall be construed as a recommendation for approval or denial of the application by City representatives. Any recommendations that result from pre-application review are considered advisory only and shall not be binding on either the applicant or the City or any other decision-making body.

E. **Expiration.** Comments and recommendations from any pre-application review are valid for a period of 12 months from the date of the Pre-Application Review Team letter or date of the consultation. If a project is substantially revised, or if applicable policies, regulations, or procedures change that could affect the recommendations or conclusions of the pre-application review, a subsequent pre-application review may be required prior to formal application submittal. If, however, there are no substantial changes to either the project or any relevant policies, regulations, and procedures, the Team may allow the submittal of an application for a development project up to a maximum of 24 months after the date of the Pre-Application Review Team letter or consultation.

F. **Public Notice and Hearing.** Applications for Pre-Application Design Consultation require public notice and hearing pursuant to Section 30.205.070, Public Notice, and Section 30.205.080, Conduct of Public Hearings, when the project is subject to public notice and hearing under the terms of this code; however, nothing in this section requires notice of any Concept Review hearing to be published in a newspaper.

**30.205.035 Preliminary Housing Application.** Consistent with the State Housing Crisis Act, an applicant may file a preliminary application as described in Government Code § 65941.1.

A. **Applicability.**

1. This section applies to qualifying Housing Development Projects meeting the definition of subdivision (b) of section 65905.5 of the Government Code.

2. This section shall remain in effect for the same period as provisions contained in the Government Code § 65941.1. Any provisions that are not extended by the State Legislature shall be repealed as of the date those provisions in the Housing Accountability Act are deemed null and void.

B. **Review Procedure.**

1. If a preliminary application is filed, the preliminary application shall be deemed complete when all of the information listed in the preliminary application form is submitted.
2. Within 180 calendar days after submitting a complete preliminary application, an applicant shall submit a full application for the project. If a full application is not submitted within 180 calendar days, the preliminary application shall expire and have no further force or effect.
3. Qualifying projects for which a preliminary application was submitted shall only be subject to the ordinances, policies, fees and standards adopted and in effect when the preliminary application was submitted, except in the circumstances described in Government Code § 65589.5(o).

### **30.205.040 Concept Review.**

Concept review provides an opportunity for early input from the applicable Design Review body, Planning Commission, or Staff Hearing Officer to staff and applicants. It is an informal review where general information, questions, comments, and suggestions for further study may be made. Comments made at the Concept Review level are not binding for future review. Concept Design Review is generally the first step in the Design Review process. The types of projects that may benefit most from other types of Concept Review tend to involve new or difficult issues, or large development projects.

#### **A. Applicability.**

1. ***Mandatory Concept Review.*** Concept review is required for the following projects:
  - a. Planned Unit Development (PUD) Overlay Zone.
  - b. Projects proposed in accordance with the Average Unit-Size Density Incentive Program, pursuant to Section 30.150.060, Pre-Application and Concept Review Required; except Objective Housing Development Projects using Title 25 of this code are exempt from mandatory Pre-Application and Concept Review.
2. ***Optional Concept Review.*** Concept Review is optional for all other projects.

#### **B. Review Procedure.**

1. **Concept Design Review.** An applicant may request one or more Concept Design Review hearings to consult with the applicable Design Review body for guidance on the design of a proposed project.

a. *Concept Design Review Comments Forwarded to Review Authority.* If a project requires a discretionary land use approval in addition to Design Review, comments made during Concept Design Review will be part of the minutes forwarded to the Staff Hearing Officer, the Planning Commission, or the City Council (as applicable) to promote effective and appropriate communication between City decision-makers.

2. **All Other Concept Reviews.** The Planning Commission or Staff Hearing Officer shall review the project and associated materials and advise the applicant of project-related issues and concerns.

C. **Application Requirements.** Applications for Concept Review shall be filed with the Community Development Director in accordance with the provisions set forth in Section 30.205.020, Application Forms and Fees. A conceptual plan shall be submitted showing generalized development proposals including, as applicable, lot sizes and open spaces proposed, proposed reductions or waivers, existing easements, existing neighborhood development, and any other information which may be reasonably required by the Community Development Director to aid and assist the Review Authority in an initial consideration.

D. **Public Notice and Hearing.** Applications for Concept Review shall require public notice and hearing pursuant to Section 30.205.070, Public Notice, and Section 30.205.080, Conduct of Hearings, when the project is subject to public notice and hearing under the terms of this code; however, nothing in this section shall require notice of any Concept Review hearing to be published in a newspaper.

E. **Recommendations are Advisory.** No formal action shall be taken by the Review Authority regarding the conceptual proposal and, therefore, comments may not be appealed. Any recommendations that result from Concept Review shall be considered advisory only and shall not be binding on either the applicant or the City.

F. **Expiration.** Comments and recommendations from any Concept Review are valid for a period of 12 months from the date of the hearing. If a project is substantially revised, or if applicable policies, regulations, or procedures change, comments from the Concept Review are no longer valid or applicable. If no such changes occur, the Community Development Director may determine that the comments remain valid for up to 24 months from the date of the Concept Review.

### 30.205.050 Review of Discretionary Applications.

A. **Review Process.** The Community Development Director shall determine whether a discretionary application is complete within 30 calendar days of the application received date as defined in Section 30.205.020.D, pursuant to Government Code § 65943.

B. **Concurrent Processing.** With the exception of General Plan and Zoning Amendments, Local Coastal Program Amendments, Annexations, Development Agreements, and Specific Plans, if an application requires more than one discretionary land use approval under this Title, all applications shall be submitted, reviewed, heard, and acted upon concurrently by the highest applicable Review Authority.

C. **Incomplete Application.** If a discretionary application is incomplete, the Community Development Director shall provide written notification to the applicant listing the applications for permits, forms, material, information or additional fees that are necessary to complete the application.

1. ***Discovery of Potential Unlawful Conditions.*** If the City discovers unpermitted or unauthorized site development, uses, or structures during application review, the City will notify the applicant of the alleged violation.

a. ***Voluntary Compliance.*** If the applicant and the City agree on the nature and extent of the violation and the proposed correction, the violation will be corrected using one of the following methods as determined by the applicant:

- i. Inclusion as part of the proposed project application;
- ii. Inclusion on a separate, concurrent application;
- iii. Inclusion as a condition of project approval, which may specify a phasing program.

b. ***Referral to Enforcement.*** If the applicant and the City do not agree on the nature and extent of the violation or the proposed correction, or if the violation is not corrected as provided in subsection (C)(1)(a), the violation will be subject to formal enforcement action.

c. A discretionary application may be determined complete without a requirement for abatement of the violation; provided, however, that any approvals

shall not constitute authorization for continuation of the violation, or waiver of, or estoppel against any future enforcement action.

2. ***Appeal of Determination.*** Determinations of discretionary application incompleteness are subject to the provisions of Section 30.205.150, Appeals.

3. ***Submittal of Additional Information.*** The applicant shall provide the additional information within 30 days or within such other period as specified by the Community Development Director. The Community Development Director may, for good cause, grant extensions of any time limit for review of applications imposed by this Title.

a. ***Submittal Deadline for Preliminary Housing Applications.*** If an applicant receives written notification that the application is incomplete, and a preliminary application per Section 30.205.035, Preliminary Housing Application, was submitted for a qualifying housing project, the applicant shall submit the information needed to complete the application within 90 calendar days of receiving the written notification of incompleteness. If the applicant does not submit this information within this timeframe, the preliminary application shall expire and have no further force or effect.

4. ***Expiration of Application.*** If an applicant fails to correct the specified application deficiencies within the specified time limit, the application shall expire and be deemed withdrawn. After the expiration of an application, project review shall require the submittal of a new, complete application, along with all required fees.

D. **Complete Application.** When a discretionary application is determined to be complete, the Community Development Director shall make a record of that date. The Director may require submittal of additional information for review of the project in compliance with the California Environmental Quality Act (CEQA).

E. **Review and Consideration.**

1. ***Review Authority.*** Once a discretionary application is determined to be complete, and environmental review is completed, the application shall be considered and acted upon by the designated Review Authority as provided in this Title.

a. ***Optional Referral to a Higher Review Authority.*** Before acting on a permit or entitlement for which the Community Development Director or Staff Hearing Officer is the designated Review Authority, the Review Authority may refer

the project to the next highest Review Authority. For example, decisions by the Community Development Director may be referred to the applicable Design Review body, and decisions by the Staff Hearing Officer may be referred to the Planning Commission. Such referrals may occur due to policy implications, unique or unusual circumstances, the magnitude of the project, community concern, the desire for a more definitive or final decision, or other reasons as determined by the Review Authority.

2. ***Findings.*** Findings, when required by State law or this Title, shall be based upon consideration of the application, plans, testimony, reports, and other materials that constitute the administrative record and shall be stated in writing in the Record of Decision. The inability to make one or more of the required findings supported by substantial evidence in the record is grounds for denial of an application.

3. ***Approval of Development at a Lower Density.***

a. ***Required Findings.*** Pursuant to California Government Code § 65863 (No Net Loss Law), prior to approving any project at a lower residential density than what was assumed in the sites inventory of the General Plan Housing Element, the Review Authority, at the time of approval, must make the following written findings, supported by substantial evidence in the record:

i. Remaining sites identified in the Housing Element are adequate to meet the City's remaining regional housing need allocation (RHNA) for the planning period by income category; and

ii. The findings should include a quantification of the remaining unmet need for the City's RHNA at each income level and the remaining capacity of sites identified in the Housing Element, to accommodate that need by income level.

b. ***Maintaining Housing Capacity.*** If the approval of a project at a lower residential density will result in the remaining sites capacity becoming inadequate to accommodate the RHNA by income category, the City shall identify additional adequate sites to accommodate the remaining RHNA.

4. ***Denial of an Objective Housing Development Project.*** If a qualifying Objective Housing Development Project, as described in Government Code § 65589.5(h)(2), complies with all applicable objective General Plan, zoning, and subdivision standards and criteria,

including the Objective Design Standards and Development Standards (ODDS) in Title 25 of this code, the Review Authority may only deny the project or conditionally approve the project at a lower density if the Review Authority makes written findings supported by a preponderance of the evidence in the record that:

- a. The housing development would have a specific, adverse impact upon the public health or safety unless the housing development is denied or conditionally approved at a lower density. A "specific, adverse impact" means a "significant, quantifiable, direct, and unavoidable impact, based on identified written public health or safety standards, policies, or conditions as they existed on the date that the project was deemed complete"; and
- b. There is no feasible method to satisfactorily mitigate or avoid the adverse impact other than the denial of the housing development or conditional approval of the housing development at a lower density.

5. ***Denial of an Affordable Housing Project.*** See Section 30.145.050, Denial of Affordable Housing or Emergency Shelters.

### **30.205.060 Environmental Review.**

All projects must be reviewed for compliance with the California Environmental Quality Act (CEQA). Environmental review will be conducted pursuant to Title 14 of the California Code of Regulations (CEQA Guidelines), and Chapter 22.100 Environmental Review of this code. If Title 14 of the California Code is amended, such amendments will govern City procedures.

### **30.205.070 Public Notice.**

Unless otherwise specified, whenever the provisions of this Title require public notice, the City shall provide notice in compliance with State law and the following.

A. **Mailed Notice.** At least 10 calendar days before the date of the hearing, or 20 days if applicable pursuant to Government Code §65854, or the date of action when no hearing is required, the Community Development Director, or the City Clerk for hearings before the City Council, shall provide notice by First Class mail delivery to:

1. The applicant and the owner of the subject property;
2. All property owners of record within a minimum 300-foot radius of the subject property as shown on the latest available records of the County Assessor; and

3. Any person or group who has filed a written request for notice regarding the specific application.

4. ***Alternative Method for Large Mailings.*** If the number of owners to whom notice would be mailed or delivered is greater than 1,000, instead of mailed notice, the Community Development Director or City Clerk may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation in the City at least 10 calendar days prior to the hearing.

B. **Newspaper Notice.** At least 10 calendar days before the date of the public hearing or the date of action when no public hearing is required, the Community Development Director, or the City Clerk for hearings before the City Council, shall publish a notice in at least one newspaper of general circulation in the City; except as indicated for Design Review hearings in Subsection C, below.

C. **Noticing for Design Review Hearings.**

1. ***General Requirement.*** If a notice is required for a Design Review hearing under the terms of this code:

- a. A mailed notice must be provided at the first Design Review hearing; and
- b. If a subsequent hearing is scheduled for Project Design Review, a second mailed notice must also be provided

No more than two mailed notices are required for any Design Review project. Notice of a Design Review hearing is not required to be published in a newspaper.

2. ***Projects Requiring Additional Land Use Decisions.*** If a Design Review project also requires a land use decision or approval by the City Council, Planning Commission, or Staff Hearing Officer, the mailed notice for the first Design Review hearing must comply with the greater of the notice requirements for Design Review or the notice requirements applicable to the other land use decision or approval, even if the Design Review hearing would not otherwise require notice. However, notice of the Design Review hearing is not required to be published in a newspaper.

D. **Additional Noticing Methods.** The City may also require public notice in any other manner it deems necessary or desirable, including, but not limited to, posted notice on the project site.

E. **Contents of Notice.** The required Mailed Notice and Newspaper Notice shall include the following information:

1. ***Process Information.***

- a. The date, time and place of the hearing and the name of the Review Authority, or the date of action when no public hearing is required; and
- b. A brief description of the City's general procedure concerning the submission of public comments and conduct of hearings and decisions (e.g., the public's right to appear and be heard).

2. ***Project Information.***

- a. The name of the applicant and owner of the subject property;
- b. The City's file number(s) assigned to the application;
- c. A general explanation of the matter to be considered;
- d. A general description, in text or by diagram, of the location of the property that is the subject of the hearing; and
- e. A statement, if applicable, that the project is located within the City's Coastal Zone, the date of filing of the application, and whether the project is appealable to the Coastal Commission under Public Resources Code 30603(a).

F. **Failure to Receive Notification.** The validity of the proceedings shall not be affected by the failure of any property owner, resident, or neighborhood or community organization to receive a mailed notice or receive notice by any additional noticing methods.

**30.205.080 Conduct of Hearings.**

Whenever the provisions of this Title require a ~~public~~ hearing, the hearing shall be conducted in compliance with the requirements of State law as follows.

A. **Generally.** Hearings shall be conducted pursuant to procedures adopted by the hearing body. They do not have to be conducted according to technical rules relating to evidence and witnesses.

- B. **Scheduling.** Hearings before the City Council shall be scheduled by the City Clerk. All other hearings required under this Title shall be scheduled by the Community Development Director.
- C. **Staff Presentation.** The Director may prepare a presentation and staff report regarding the proposed project.
- D. **Applicant Presentation.** An applicant or an applicant's representative may make a presentation of a proposed project.
- E. **Hearing Testimony.** Any person may appear at a hearing and submit oral or written comments, either individually or as a representative of a person or an organization.
- F. **Time Limits.** The Review Authority may establish time limits for individual testimony and request that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
- G. **Continuance of Hearing.** The Review Authority conducting the hearing may, by motion, continue the hearing to a fixed date, time and place without additional notice; or the body conducting the hearing may continue the item to an undetermined date and provide notice of the continued hearing in the same manner and within the same time limits as required for the original hearing.
- H. **Additional Information.** The Review Authority conducting the hearing may require additional information or cause such investigations to be made as it deems necessary and in the public interest in any matter to be heard by it.
- I. **Decision.** The hearing must be closed before a vote is taken.
- J. **Limit to Hearings for Housing Development Projects.** This section shall remain in effect for the same period as provisions contained in the Government Code §65905.5. If a proposed Housing Development Project complies with the applicable, objective standards in effect at the time an application is deemed complete, the City shall not conduct more than five hearings (including continuances and appeals), workshops, or similar meetings in connection with the approval of the housing development after the full application is deemed complete, consistent with Government Code §65905.5. Meetings required by the California Environmental Quality Act (CEQA) are exempt from the limit.

**30.205.090 Decision.**

When making a decision to approve, approve with conditions, revise, revoke or deny any discretionary permit or approval under this Title, the Review Authority shall issue a written Record of Decision and make findings of fact as required by this Title. The Record may take the form of a resolution, letter, notice, memo, meeting minutes or similar document, and shall describe the action taken, including any applicable conditions, and shall list the findings that were the basis for the decision. The Community Development Director or the City Clerk shall retain the original Record and provide a copy of the Record to the applicant.

A. **Timing of Final Decisions.** Final City decisions on project applications shall be in accordance with applicable State laws, including §65920 et seq. (Permit Streamlining Act), §65950 et seq. (Approval of Development Permits), and §66410 et seq. (Subdivision Map Act), of the California Government Code, and this chapter.

B. **Notice of Final Action, Coastal Development Permits.** Within seven calendar days of a final City decision on an application for a coastal development permit, the Community Development Director shall provide notice of the action in writing by first class mail to the California Coastal Commission and to any persons who specifically requested such notice and provided a self-addressed, stamped envelope. Such notice shall include conditions of approval, written findings and the procedures for appeal of the City decision to the California Coastal Commission.

### **30.205.100 Scope of Approvals.**

A. **Multiple Approvals.** If there are multiple conflicting approvals granted under this Title for the same site or location, only one shall be exercised.

B. **Conditions of Approval.** Any permit or approval provided for in this Title shall be subject to the conditions of approval imposed by the Review Authority. The site plan, floor plans, building elevations and any additional information or representations indicating the proposed structures, site development or manner of operation submitted with an application or submitted during the approval process shall be deemed conditions of approval.

C. **Actions Subject to Enforcement.** If the construction of a structure, or the use established, is contrary to either the conditions of approval or approved project description and plans, so as to either violate any provision of this Title, or require additional permits or approvals, then the permit or approval shall be suspended and subject to possible revocation pursuant to Section 30.205.140, Revocation of Permits and Approvals, and enforcement pursuant to Section 30.205.160, Enforcement and Penalty.

D. **Periodic Review.** All approvals may be subject to periodic review to determine compliance with the permit and applicable conditions. If a condition specifies that activities or uses allowed under the permit or approval are subject to periodic reporting, monitoring or assessments, it shall be the responsibility of the approval holder, the property owner, or successor property owners to comply with such conditions.

### **30.205.110 Effective and Approval Dates.**

A. **Approval Date.** The approval date is the date of final decision by the Review Authority, or if a project is appealed, the approval date is the date of decision by the final Appeal Body, regardless of when any associated Resolution is adopted.

B. **Effective Date.** A final decision on an application for any discretionary or administrative permit or approval subject to appeal shall become effective after the expiration of any applicable appeal period following the approval date, unless an appeal is filed. No building permit or business license shall be issued until the permit or approval becomes effective.

C. **Ministerial Decisions.** Ministerial decisions with no appeal process shall be effective immediately upon being stamped and signed by the Community Development Director.

### **30.205.120 Expiration of Permits.**

Permits and approvals granted under this Title shall automatically expire and become null and void if the approval is not exercised pursuant to subsection A, Exercising a Permit or Approval, or the approved use, structure, or site development is not continued pursuant to subsection B, Continuation of Use, Structure, or Site Development.

A. **Exercising a Permit or Approval.**

1. ***Exercised Defined.*** A permit or approval is exercised when:

- a. A valid City building permit has been issued for work related to the approval and construction work has begun and been carried on diligently without substantial suspension or abandonment of work; or
- b. If an approval does not require a permit for construction, alterations, or to establish a use, the approval shall be considered exercised when operations of the use authorized by the approval have commenced.

2. ***Time Period to Exercise a Permit or Approval.*** A permit or approval granted under this Title shall be exercised within its initial approval period unless a time extension is granted pursuant to paragraph 3, Extensions, of this subsection, or as provided below.

a. *Initial Approval Period.*

i. Development Plans, Transfer of Existing Development Rights Permits, and Conditional Use Permits for Overlay Zones. Four years from the approval date.

ii. Other Discretionary Permits or Approvals. Three years from the approval date unless a different time is specified in the Record of Decision.

iii. Zoning Clearance, Ministerial Decisions, Administrative Permits or Approvals. 12 months, or the effective date of applicable ordinance changes, whichever is sooner.

b. *Multiple Land Use Approvals.* If a project requires multiple discretionary permits or approvals pursuant to any Title of the Santa Barbara Municipal Code, the expiration date shall be measured from date of the final action of the City on the longest discretionary permit or approval related to the application, unless otherwise specified by State or federal law, with the following exceptions:

i. Design review approval shall be measured from the date of the Project Design Approval;

ii. Design review approval shall not operate to extend any other discretionary permit or approval;

iii. Discretionary land use permits or approvals and any time extensions granted shall automatically extend design review approvals to the same date; and

iv. The recordation of a Parcel Map or Final Map does not extend any other discretionary permit or approval or design review approval.

Approval periods run concurrently with, not consecutively to, each discretionary approval term.

c. *Exclusions of Time.*

i. **Moratorium or Litigation.** The periods of time specified in this section shall not include any period of time during which either a development moratorium imposed by the City after the project received a permit or approval, is or was in effect; or a lawsuit involving the permit or approval for the project is or was pending in a court of competent jurisdiction. For this exclusion to operate, the moratorium must apply to an element of the project that received the permit or approval. The maximum length of any exclusion of time under this subsection shall be five years.

(1) *Moratorium.* Once a moratorium is terminated, the permit or approval shall be valid for the same period of time as was left to run on the permit or approval at the time that the moratorium was imposed or 120 days from the termination of the moratorium, whichever is later.

(2) *Litigation.*

(a) After service of the initial petition or complaint in the lawsuit upon the City, the applicant may advise the City of the need for a litigation tolling stay pursuant to the City's adopted procedures.

(b) Once the litigation ends, the permit or approval shall be valid for the same period of time as was left to run on the permit or approval at the time that the lawsuit was filed.

ii. **Tentative Maps.** If the project requires the approval of a tentative subdivision pursuant to Title 27 of the Santa Barbara Municipal Code, the periods of time specified in this section shall not include a period of time during which a lawsuit involving the approval of the tentative map is or was pending in a court of competent jurisdiction for which a stay was approved by the Reviewing Authority that approved the tentative subdivision map.

d. *Approvals Contingent Upon Action of Other Governmental Bodies.* When a discretionary approval by the City made pursuant to this Title is contingent upon an action by another governmental body, including, but not limited to, the approval of an annexation by the Local Agency Formation Commission or any action by the California Coastal Commission, the timeline for all discretionary approvals related to

the project shall not commence until all such outside agency contingencies are satisfied.

i. The suspension of project timelines allowed in this subsection shall not exceed three years from the date of the final City action on the discretionary approval that is contingent upon the action of another governmental body.

ii. This suspension shall not run consecutively to a moratorium or litigation exclusion unless the moratorium or litigation legally prevented the applicant from processing the application before the other governmental body.

3. ***Extensions.*** Extensions of time may be granted by the Community Development Director upon finding that the applicant is demonstrating due diligence to implement and complete the proposed development as substantiated by competent evidence in the record, and that the project continues to be consistent with this Title, the certified Local Coastal Program, the Coastal Act, or applicable City ordinances, resolutions and other laws.

a. *Projects Not Involving a Tentative Subdivision Map or Lot Line Adjustment.* The Community Development Director may approve up to two one-year, or one two-year, extensions of any permit or approval granted under this Title, except for Development Plans, which may receive only one one-year extension, upon receipt of a written application with the required fee prior to the date of expiration of the approval. Under no circumstances shall the time for exercise of the permit or approval of development be more than five years after the approval date of the approval, unless otherwise allowed by State Law or if approvals are contingent upon other governmental bodies, pursuant to subparagraph 30.205.120.A.42.d, Approvals Contingent Upon Action of Other Governmental Bodies.

b. *Projects Involving a Tentative Subdivision Map or Lot Line Adjustment.* When the permit or approval granted under this Title also includes approval of a Tentative Subdivision Map or Lot Line Adjustment, the Staff Hearing Officer is the Review Authority and may approve the requested extension in accordance with the applicable provisions of Title 27.

B. **Continuation of Use, Structure, or Site Development.** A use, structure, or site development authorized by the permit or approval is considered continued unless the structure or site development are demolished or substantially redeveloped pursuant to Section 30.140.200, Substantial Redevelopment,

or the uses authorized by the approval are discontinued pursuant to Section 30.140.080, Discontinuation of Use.

### **30.205.130 Changes to Approved Plans.**

No change to any structure, site development, or use for which a permit or approval has been issued or granted under this Title is allowed unless the permit or approval is revised as provided for in this Title.

A. **Substantial Conformance.** The Community Development Director may approve minor changes to approved projects that are found to be in substantial conformance with the original project description, findings and conditions; provided that, the minor changes would not increase the intensity of any aspect of the project that could have a potentially detrimental effect. Substantial Conformance Determinations shall be documented by the Director with a Record of Decision and the Director may request input from applicable City Departments or the original Review Authority for help in determining whether the request is consistent with the original approval pursuant to administrative procedures adopted by a resolution of the City Council.

B. **Amendments.** A request for a change to a condition of approval; or a change in an approved structure, site development, or use that would affect the original project description, findings, or a condition of approval beyond what the Director finds to be in Substantial Conformance; shall require approval by the original Review Authority and shall be processed in the same manner as the original approval.

### **30.205.140 Revocation of Permits and Approvals.**

Any permit or approval granted under this Title may be revoked or revised for cause if any of the conditions or terms of the permit or approval are violated or if any applicable law or ordinance is violated.

A. **Initiation of Proceeding.** Revocation proceedings may be initiated by the Community Development Director, Chief of Police, or City Administrator.

B. **Public Notice, Hearings, and Action.** A decision to revoke or revise a permit or approval shall require public notice and hearing before the Planning Commission pursuant to Chapter 30.205, Common Procedures.

C. **Required Findings.** The Planning Commission may revoke or revise a permit or approval if it makes any of the following findings:

1. The approval was obtained by means of fraud or misrepresentation of a material fact by the applicant;
2. The use, building, or structure has been substantially altered or expanded beyond what is set forth in the permit or approval or substantially changed in character in a manner that violates the terms of the permit or approval;
3. There is or has been a documented violation of, or failure to observe the terms or conditions of, the permit or approval, or the use has been conducted in violation of the provisions of this Title, or any applicable law or regulation; or
4. The use to which the permit or approval applies has been conducted in a manner detrimental to the public safety, health or welfare, or so as to be a nuisance.

### **30.205.150 Appeals.**

#### **A. Applicability.**

1. ***Appeals of Community Development Director, City Administrator, and Chief of Police Decisions.*** Any decision or determination of the Community Development Director, City Administrator, and Chief of Police that is subject to appeal under the terms of this Title may be appealed to the Planning Commission.
2. ***Appeals of Staff Hearing Officer Decisions.***
  - a. ***Accessory Dwelling Units.*** The decision of the Staff Hearing Officer concerning an application for a Coastal Development Permit for an Accessory Dwelling Unit constitutes the final action of the City. Development located in the Appealable Jurisdiction of the Coastal Zone may be appealed to the Coastal Commission in accordance with Subsection C, Appeals to the Coastal Commission.
  - b. ***Other Staff Hearing Officer Decisions.*** All other decisions of the Staff Hearing Officer may be appealed to the Planning Commission.
  - c. ***Planning Commission Suspensions.*** The Chairperson, Vice Chairperson or designated liaison of the Planning Commission may suspend a decision of the Staff Hearing Officer (except Time Extensions) within the 10-day appeal period. The suspension shall be processed in the same manner as an appeal. Such action shall not require any statement of reasons and shall not represent opposition to or support of an application.

3. ***Appeals of Planning Commission Decisions.*** Decisions of the Planning Commission may be appealed to the City Council in accordance with Chapter 1.30 and this chapter.

4. ***Appeals of Design Review Decisions.***

a. ***Architectural Board of Review.*** Decisions of the Architectural Board of Review on an application for Project Design Review may be appealed by the applicant or any interested person to the City Council in accordance with Chapter 1.30.

b. ***Historic Landmarks Commission.*** Decisions of the Historic Landmarks Commission on an application for Project Design Review may be appealed by the applicant or any interested person to the City Council in accordance with Chapter 1.30.

c. ***Single Family Design Board.*** Decisions of the Single Family Design Board on an application for Project Design Review may be appealed by the applicant or any interested person to the Planning Commission in accordance with Chapter 30.220, Design Review. The decision of the Planning Commission is final, subject only to judicial review as provided in Section 1.30.020 of this code.

d. ***Appeals of Post-Approval Actions.*** Post-approval actions are decisions or reviews that occur after Project Design Approval has been granted, as described in the applicable design guidelines. Decisions of the Design Review body on an application for a post-approval action may only be appealed by the applicant to the applicable Appeal Body listed above.

5. ***Coastal Development Permits.*** Actions on some Coastal Development Permits may also be appealed to the California Coastal Commission pursuant to subsection C, Appeals to the Coastal Commission, below.

6. ***Ministerial Actions.*** Ministerial actions of the Community Development Director granting or denying a zoning clearance, home occupation permit, administrative design review, or any other ministerial action pursuant to this code are final and not subject to appeal, unless otherwise stated.

**B. Appeal Process.**

1. ***Rights of Appeal.*** The applicant may appeal a decision without limitation. Unless otherwise limited by this Title, only those persons who participated either orally or in writing

on a project have standing to appeal the decision. Grounds for appeal are limited to those issues raised either orally or in written correspondence delivered to the review body at, or prior to, the hearing.

2. ***Time Limits.*** Unless otherwise specified in State or federal law, all appeals shall be filed in writing within 10 calendar days of the date on which a written decision is issued by the decision maker. In computing the length of an appeal period, the day on which the decision was issued is excluded and the 10th calendar day of the appeal period is included. If the 10th calendar day of the appeal period falls on a day the City is closed, the appeal period shall end at the close of business on the next business day of the City.

3. ***Procedures.***

a. ***Proceedings Stayed by Appeal.*** The timely filing of an appeal stays all proceedings in the matter appealed including the issuance of demolition permits and City building permits, with the following exception:

i. ***Appeals of Planning Commission Decisions.*** When a project is subject to both Planning Commission and Design Review approval and the Planning Commission's decision on the project is appealed to the City Council, the Director may, at the request of the applicant, allow the project to continue through the design review process to an appealable decision, so that the City Council may consider the appeal of the Planning Commission decision and the appeal of the Design Review body decision simultaneously. An applicant's request under this subsection tolls any applicable state-mandated time limits for final action on the project, to the extent permitted by law.

b. ***Filing of Appeals.*** A written appeal must be filed at the appropriate location no later than end of business day on the appeal due date. The appeal must be accompanied by payment of the required fee established by City Council resolution in order to be duly filed and must state specifically how the decision is not in accord with the provisions of this Title or how there was an error or abuse of discretion.

c. ***Public Notice.*** Notice of the appeal hearing must be provided in accordance with Section 30.205.070.A, Mailed Notice, for all appeals even if noticing was not required for the original action. Nothing in this subsection requires publication of notice in a newspaper for any Design Review appeal.

d. *Action.* The Appeal Body shall conduct a public hearing, if a public hearing was required for the action that was the subject of the appeal, after which it may affirm, reverse, or modify the previous decision.

C. **Appeals to the Coastal Commission.** A final action taken by the City on a Coastal Development Permit application for development in the appealable area may be appealed to the California Coastal Commission pursuant to Public Resources Code Section 30603 and Title 14 Sections 13110 through 13120 of the California Code of Regulations.

1. *Exhaustion of City Appeals Required.* Except in circumstances identified in Title 14 Section 13573 of the California Code of Regulations, an applicant or other aggrieved person may appeal a City decision on a Coastal Development Permit application to the Coastal Commission only after exhausting all local appeals to the Planning Commission and Council in compliance with this section.

### **30.205.155 Review of Administrative Applications.**

This section establishes procedures for processing and reviewing permits and approvals through a staff-level administrative decision process.

A. **Review Authority.** The Community Development Director is the Review Authority for permits and approvals processed through the administrative decision process whenever specified in this Title or in the applicable design guidelines adopted by City Council resolution.

1. *Automatic Referrals for Concurrent Reviews.* Consistent with Section 30.205.050.B, Concurrent Processing, when the Director is the designated Review Authority for a land use decision, and one or more related applications requiring action by the Staff Hearing Officer, Planning Commission, or City Council are being processed concurrently, the highest applicable Review Authority assumes approval authority for the entire project. In such cases, the Director's review will be in the form of a recommendation to the higher authority.

2. *Optional Referrals to the Design Review Body.* The Director may refer any design alteration to the applicable Design Review body for a decision if, in the Director's opinion, the alteration may adversely affect the architectural or landscape integrity of the building, structure, or surrounding property, or has the potential to conflict with applicable Good Neighbor Policies.

B. **Findings and Decision.** An application may be approved only if all applicable findings required by the relevant chapter or section of this Title are made by the Director. Administrative

decisions of the Director are ministerial, are not subject to environmental review under the California Environmental Quality Act (CEQA), do not require a noticed hearing, and are final and not appealable, unless otherwise specified in this Title.

C. **Notification of Decision.** The Director will provide written notification of the decision to the applicant. If the application is approved, the notification must include all conditions imposed.

D. **Post-Decision Procedures.** Following the Director's decision, the applicable post-decision procedures identified in this chapter apply.

### **30.205.160 Enforcement and Penalty.**

A. **Purpose.** This section establishes the responsibilities of various departments, officials and public employees of the City to enforce the requirements of this Title and establishes uniform procedures the City will use to identify, abate, remove, and enjoin uses, buildings, or structures that are deemed to be in violation of this Title.

B. **Duties.** All departments, officials, and public employees of the City who are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Title, and shall issue no permit or license, except licenses issued for revenue purposes only, for uses, buildings, structures, or purposes in conflict with the provisions of this Title, and any such permit or license issued in conflict with the provisions of this Title shall be null and void.

#### **1. *Community Development Director.***

a. It shall be the duty of the Community Development Director, with respect to new development and uses, to enforce this Title by withholding, suspending, or revoking permits, approvals, Final Inspections, or Certificates of Occupancy where plan checks or field inspections reveal that completion of the project will result in a violation of this Title.

b. When a record of a prior permit or approval does not exist, the Community Development Director may make a determination of when a site development, use, or structure was originally established or constructed and then apply the codes and other specified rules and regulations in effect when the structure was determined to be constructed for purposes of issuing a permit or approval. The determination will be made on a case-by-case basis when so doing would be consistent with the purposes of this Title, and in consultation with the Building Official to approve an alternative material or method, if the design is satisfactory and equivalent to the Building Code.

c. A Certificate of Occupancy shall not be issued, or a Final Inspection shall not be approved, on any City permit until all work required by the permit and all other conditions imposed by any board, commission or other authority have been completed or satisfactorily met by bonding or other appropriate method.

d. With respect to existing development and uses, and all other sources of violations, it shall be the duty of the Community Development Director to enforce this Title. It is the policy of the Community Development Department to work in cooperation with a property owner to obtain voluntary compliance unless immediate enforcement action is required because of an imminent threat to health or safety caused by the violation. An enforcement priority for the Community Development Department is to educate and to work in partnership with property owners and businesses, and to allow the level of enforcement that best fits the type and circumstances of the code violation.

2. *City Attorney.* The provisions of this Title shall be interpreted by the City Attorney.

**C. Enforcement.**

1. Any structure erected or maintained or any use of property contrary to the provisions of this Title shall be, and the same is hereby declared to be, unlawful and a public nuisance and the City Attorney shall have the authority to commence actions and proceedings for the abatement, removal or enjoinder thereof in the manner provided by law and by Santa Barbara Municipal Code Chapter 1.25, Administrative Code Enforcement Procedures; and shall have the authority to take such other steps and shall apply to any court as may have jurisdiction to grant such reliefs as will abate or remove such building, structure or use and restrain and enjoin any person, firm or corporation from erecting or maintaining such structure or using any property contrary to the provisions of this Title.

2. This Title may also be enforced by injunction issued out of the Superior Court upon the suit of the City or the owner or occupant of any real property affected by such violation or prospective violation. This method of enforcement shall be cumulative and in no way affect the penal provisions hereof.

**D. Penalty.** Any person, firm or corporation, whether as owner, principal, agent, employee or otherwise, violating any provision of this Title shall be deemed guilty of a misdemeanor but may be cited or charged, at the election of the enforcing officer or City Attorney, as an infraction. Upon conviction, such person shall be punished as set forth in Chapter 1.28, Penalty, of the Santa Barbara

Municipal Code. Each day that violation of this Title continues shall be considered a separate offense.

E. **Indemnification.** As a condition of approval of a permit or entitlement issued under this Title code, the applicant shall agree to indemnify, defend, and hold harmless the City or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The City may require that the applicant post a bond or other security in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

**SECTION 13.** Chapter 30.220 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.220 Design Review**

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### **Sections:**

30.220.005 Discretionary Design Review	30.220.040 Single Family Design Board
30.220.010 Architectural Board of Review	30.220.050 Objective Design Review
30.220.020 Historic Landmarks Commission	30.220.060 Special Design Districts
30.220.030 Sign Committee	

### **30.220.005 Discretionary Design Review**

A. **Purpose.** The purpose of this section is to establish procedures for the City’s discretionary Design Review process. The City conducts Design Review for all proposed projects, except those that are exempt pursuant to this chapter or that qualify for and elect to use the Objective Design Review process under Section 30.220.050. These procedures apply to all Design Review applications, unless superseded by specific provisions of this Title or State law. When used in this Title, the term “Design Review” refers to discretionary Design Review, unless otherwise specified.

B. **Design Review Bodies.** The duties and responsibilities for the City’s Design Review bodies are established in Chapter 30.200, Planning Authorities, and in the applicable sections of this chapter.

C. **Application Requirements.** Applications for Design Review must be submitted and processed in accordance with Chapter 30.205, Common Procedures, and the specific requirements of this chapter. In addition to other required materials, the application must include information or evidence supporting the applicable findings. This may include visual aids, environmental documentation, and written statements.

D. **Mailed Notice and Hearing.** Design Review projects require mailed notice and a hearing pursuant to Chapter 30.205, Common Procedures, as follows:

1. **Hearing.** A hearing is required for all applications where the Design Review body is a Review Authority, either as indicated in this chapter or by referral.

2. **Mailed Notice.** A mailed notice pursuant to Section 30.205.070, Public Notice, is required for the following projects:

- a. New main buildings, including residential, nonresidential, or mixed-use buildings, but excluding accessory buildings.
- b. A new upper story added to an existing one-story residential building.
- c. Residential additions exceeding 800 square feet to the first story or 250 square feet to an existing upper story.
- d. Grading exceeding 250 cubic yards.
- e. Projects requiring a Development Plan as required under Chapter 30.170, Nonresidential Growth Management Program.
- f. Proposals to designate a City Landmark or Structures of Merit.
- g. Projects involving the demolition of a Historic Resource.
- h. New, expanded, or replacement exterior lighting for the following uses: parking lots; vehicle sales, repair, or service stations; outdoor entertainment facilities; exterior sales areas; sports and recreation lighting; and automated teller machines (ATMs).
- i. Projects requiring an exception for additional fence or hedge height to be approved by the Design Review body.
- j. Projects requiring mailed notice under other provisions of this code.

E. **Stages of Design Review.** Design Review may occur in one or more stages, as specified in the applicable design guidelines adopted by City Council resolution. These stages may include, but are not limited to:

1. ***Concept Design Review.*** An optional, informal review to receive early feedback on general site planning, massing, and design direction as described in Section 30.205.040, Concept Review. No formal action is taken at this stage.
2. ***Project Design Review.*** A formal stage at which the overall design—including site layout, massing, scale, and architectural style—is evaluated. Approval at this stage constitutes “Project Design Approval” as described in Section 30.220.005.F.1.
3. ***Final Design Review.*** A post-approval action that occurs after Project Design Approval. This stage focuses on detailed elements such as materials, colors, architectural features, landscaping and lighting.

The number and type of required stages may vary depending on the scope and complexity of the project. At the discretion of the Review Authority, stages may be combined or modified for efficiency, particularly for smaller-scale or less complex projects.

F. **Decisions.**

1. **Project Design Approval.** For purposes of the Permit Streamlining Act (Government Code § 65950 et seq.), a decision by the Design Review body during a Project Design Review hearing constitutes the City’s discretionary Design Review decision. Approval at this stage is referred to as “Project Design Approval.” These decisions are appealable as provided in Section 30.205.150, Appeals.

2. **Administrative Design Review.** Limited-scope projects, as specified in the applicable design guidelines approved by resolution of the City Council, may be approved as a ministerial action by the Community Development Director without a hearing or review by a Design Review body consistent with Section 30.205.155, Review of Administrative Applications. Decisions of the Director are final and not appealable.

G. **Timing of Building Permits.**

1. Applicants may submit for building permits following Project Design Approval, however, they do so at their own risk. If changes are required during Final Design Review, the applicant may be required to revise the permit application to reflect those changes.

2. Final approval of all project details—including architectural details, materials, colors, and landscaping and irrigation—is required prior to the issuance of building permits.

3. A building permit must not be issued until after the expiration of any applicable appeal period following the date of Project Design Approval, or the date of decision by the final Appeal Body if an appeal is filed, consistent with Section 30.205.110, Effective and Approval Dates.

H. **Appeals of Project Design Review.** Decisions of the Design Review body may be appealed in accordance with Section 30.205.150, Appeals. This includes procedures for appeals of post-approval actions and Director determinations.

I. **Environmental Review.** Environmental review must be completed prior to the decision on Project Design Review. Decisions by the Design Review body on an application for Project Design Review are discretionary actions and are therefore subject to environmental review under the California Environmental Quality Act (CEQA) and Chapter 22.10, Environmental Review.

J. **Conditions of Approval.** In approving a project, the Design Review body may impose reasonable conditions or restrictions deemed necessary to support the required findings for approval. Conditions may also be imposed to mitigate impacts identified through environmental review conducted in compliance with the California Environmental Quality Act (CEQA).

K. **Authority of Municipal Code over Design Guidelines.** If there is any inconsistency or conflict between the Municipal Code and any adopted design guidelines, the Municipal Code controls.

### **30.220.010 Architectural Board of Review.**

A. **Purpose.** Pursuant to Section 814 of the Santa Barbara City Charter, the Architectural Board of Review (ABR) is established to protect and preserve the City's natural and historical character and to enhance its visual and aesthetic quality. The ABR ensures that nonresidential, multi-unit residential, two-unit residential, mixed-use, and certain public projects are compatible with their surroundings and contribute positively to the visual character of the City.

B. **Applicability.** Except as provided in Subsection C, ABR review is required on the following types of development projects and properties:

1. ***Nonresidential, Multi-Unit Residential, Two-Unit Residential, or Mixed-Use Development.*** On lots developed with, or proposed to be developed with, nonresidential, multi-unit residential, two-unit residential, or mixed-use development, as follows:

a. ***Building Construction and Alterations.*** Any proposal to construct a new building, add to an existing building, or alter the exterior of an existing building, including changes to architectural features or materials.

b. ***Color Changes.*** Any change to the exterior color of a building, whether proposed alone or in combination with other alterations subject to ABR review.

c. ***Site Improvements and Alterations.*** Installation or alteration of site features, including parking lots, driveways, fences, walls, retaining walls, trash enclosures, mechanical equipment, lighting, or other improvements requiring a building permit.

d. ***Landscape Plans.*** Changes to previously approved landscape plans under Chapter 22.11, Maintenance of Approved Landscape Plans.

e. ***Grading.*** Any permit required for grading, including subdivision grading plans and grading on vacant lots.

f. *Minor Zoning Exceptions or Waivers.* Any request for a design or development standards waiver, Minor Zoning Exception, or similar allowance, whenever ABR is the Review Authority.

g. *Other Work.* Any other work subject to ABR review under this Title.

2. ***Public Property.***

a. Any building, structure, or site improvement located on land owned or leased by the City, or extending over or upon any street or other public property.

b. Improvements to U.S. Highway 101 or appurtenant highway structures requiring a Coastal Development Permit within the Highway 101 Santa Barbara Coastal Parkway Special Design District, as described in Section 30.220.060.A.

C. **Exemptions.** The following projects are exempt from ABR review under this section, unless otherwise required by this Title:

1. ***Single-Unit Zones.*** Projects located in single-unit residential zones are not subject to ABR review and may be subject to review by the Single Family Design Board or the Historic Landmarks Commission, as applicable.

2. ***Work Exempt from a Permit.*** Projects that do not require a building permit, grading permit, or any other City-issued permit or approval, such as Public Works permits, are exempt from ABR review, except for the specific project types listed in Subsection B.

3. ***Interior Work.*** Interior alterations are exempt if they do not result in any change to the exterior of the building.

4. ***Temporary Installations.*** Temporary structures or uses that do not require a permit and do not result in permanent exterior changes.

D. **Review Authority.** The Architectural Board of Review must approve, conditionally approve, or deny all applications for Design Review as required by this section, except as specified below:

1. **Historic Landmarks Commission.** Projects otherwise subject to review by the ABR must be referred to the Historic Landmarks Commission if the project is subject to review under Section 30.220.020, Historic Landmarks Commission.

2. **Community Development Director.** The Community Development Director may act on limited-scope projects as specified in the applicable design guidelines adopted by City Council resolution.

E. **Required Findings.** The following findings must be made before granting Project Design Approval. These findings are in addition to any other findings required by this code and are limited to the scope permitted under Government Code § 65589.5 (Housing Accountability Act):

1. ***Project Compatibility Findings.***

- a. *Consistency with Design Guidelines.* The design of the project is consistent with design guidelines applicable to the location of the project within the City.
- b. *Compatible with Architectural Character of City and Neighborhood.* The design of the project is compatible with the desirable architectural qualities and characteristics which are distinctive of Santa Barbara and the surrounding neighborhood.
- c. *Appropriate Size, Mass, Bulk, Height, and Scale.* The size, mass, bulk, height, and scale of the project are appropriate for its location and its neighborhood.
- d. *Sensitivity to Adjacent Landmarks and Historic Resources.* The design of the project is appropriately sensitive to adjacent Federal, State, or City Landmarks or other nearby historic resources, including City Structures of Merit, sites, or natural features.
- e. *Public Views of the Ocean and Mountains.* The design of the project responds appropriately to established scenic public vistas.
- f. *Use of Open Space and Landscape.* The project includes an appropriate amount of open space and landscape.

**30.220.020 Historic Landmarks Commission.**

A. **Purpose.** The Historic Landmarks Commission (HLC) is established to implement the City Charter and the Historic Resources Element of the General Plan by protecting and preserving historic resources through design review and historic preservation oversight. The recognition and preservation of structures, sites, and natural features having historic, architectural, archaeological, or cultural significance is in the interest of the health, economic prosperity, and general welfare of the community. This chapter implements the City Charter and Historic Resources Element of the General Plan by protecting and preserving historic resources and implements the powers and duties of the Historic Landmarks Commission. The specific purposes of this ~~chapter~~ section are the following:

1. To safeguard the City's heritage by protecting historic resources representing significant elements of its history;
2. To protect and enhance the City's visual character by encouraging and regulating architectural styles within Landmark and Historic Districts, that reflect the City's unique and established architectural, cultural and landscape traditions;
3. To foster public appreciation of, and civic pride in, the beauty of the City and the accomplishments of its cultural past;
4. To strengthen the economy and vitality of the City by protecting and enhancing the City's attractions to residents and visitors;
5. To promote the private and public use of Landmarks, Structures of Merit, and Historic Districts for the education, prosperity, and general welfare of the people;
6. To stabilize and improve property values within the City;
7. To undertake the identification, inventory, and consideration of structures, sites, and features that may merit designation as a historic resource;
8. To promote high standards in architectural and landscape design and the construction of aesthetically pleasing structures;
9. To promote neighborhood compatibility; and
10. To ensure that the review process is fair and consistent both in policy and implementation, and to allow all who are involved to participate in the process.

B. **Applicability.** Except as provided in Subsection C, Exemptions, HLC review is required for any exterior alteration, relocation, or demolition—including demolition by neglect—of a structure, site, or feature developed with, containing, or located within any of the following:

1. ***El Pueblo Viejo Landmark District (LD) Overlay Zone.*** All properties, contributing and non-contributing, within El Pueblo Viejo LD Overlay Zone as described in Chapter 30.57.
2. ***Historic Resource.*** A historic resource as defined in Section 30.300.080 "H" Historic Resources Related Definitions.

3. ***Historic District (HD) Overlay Zones.*** All properties, contributing and non-contributing, within a HD Overlay Zone as described in Chapter 30.57.
4. ***Public Property.*** City-owned or leased properties, if the site or structure is a designated historic resource or located within a Landmark or Historic District. All other City-owned properties are subject to review by the ABR, as provided in Section 30.220.010.
5. ***Highway 101 Santa Barbara Coastal Parkway Special Design District.*** Any natural feature, site or area owned or leased by a public entity within the Highway 101 Santa Barbara Coastal Parkway Special Design District as defined by Section 30.220.060.A, which requires a Coastal Development Permit and which is designated as a Landmark, Structure of Merit, or which is located within any Landmark or Historic District.
6. ***Minor Zoning Exceptions and Waivers.*** Any request for a design or development standards waiver, Minor Zoning Exception, or similar allowance, whenever HLC is the Review Authority.
7. ***Other Work.*** Any other work subject to HLC review under this Title.

C. **Exemptions.** The following projects are exempt from HLC review under this section, unless otherwise required by this Title:

1. ***Airport Property.*** Due to the size and operational demands of the Santa Barbara Airport, the Commission's review authority is limited to designated historic resources located on the Airport Property. Review is not required for other structures or features on the property.
2. ***Other Public Entities.*** Any structure, natural feature, site, or area owned or leased by a public entity other than the City of Santa Barbara is exempt, except for properties within the Highway 101 Santa Barbara Coastal Parkway Special Design District.
3. ***City Council Public Interest Determination.*** Any project for which the City Council determines that exemption from Commission review is in the public interest.
4. ***Interior Work.*** Interior alterations are exempt if they do not result in any change to the exterior of the building.

D. **Review Authority.** The HLC must approve, conditionally approve, or deny all applications for Design Review as required by this section, except as specified below.

1. ***City Architectural Historian.*** The City’s Architectural Historian, as defined in Section 30.300.080 “H” under Qualified Professional Staff in Historic Preservation, must review ordinary maintenance to historic resources in a historic district overlay zone and properties listed on the Local Register of Historical Resources (as defined in Section 30.300.080 “H”). Ordinary maintenance done to a Historic Resource may be approved through the issuance of a Certificate of Appropriateness as a ministerial action by the City’s Architectural Historian without review by the Historic Landmarks Commission.

a. ***Referrals to Historic Landmarks Commission.*** The City’s Architectural Historian may refer any proposed ordinary maintenance to the Historic Landmarks Commission if the work has the potential to adversely affect the integrity of the historic resource because it does not meet the Secretary of the Interior’s Standards.

b. ***Administrative Review.*** The issuance of the Certificate of Appropriateness by the City’s Architectural Historian is a ministerial action and does not require a noticed public hearing and is otherwise final and not appealable.

2. ***Community Development Director.*** The Community Development Director may act on limited-scope projects as specified in the applicable design guidelines approved by resolution of the City Council.

F. **Required Findings.** The following findings shall be made prior to granting Project Design Approval. These findings are in addition to any other findings required by this code and are limited to the scope permitted under Government Code § 65589.5 (Housing Accountability Act):

1. ***Project Compatibility Findings.***

a. ***Consistency with Design Guidelines.*** The design of the project is consistent with design guidelines applicable to the location of the project within the City;

b. ***Compatible with Architectural Character of City and Neighborhood.*** The design of the project is compatible with the desirable architectural qualities and characteristics which are distinctive of Santa Barbara and of the particular neighborhood surrounding the project;

c. ***Appropriate Size, Mass, Bulk, Height, and Scale.*** The size, mass, bulk, height, and scale of the project is appropriate for its location and its neighborhood;

d. *Sensitivity to Adjacent Landmarks and Historic Resources.* The design of the project is appropriately sensitive to adjacent Federal, State, or City Landmarks or other nearby historic resources, including City structures of merit, sites, or natural features;

e. *Public Views of the Ocean and Mountains.* The design of the project responds appropriately to established scenic public vistas; or

f. *Use of Open Space and Landscape.* The project includes an appropriate amount of open space and landscape.

2. ***Maximum Floor Area Ratio (FAR) Exception Findings.*** Any project that exceeds 100% of the Maximum Floor Area Ratio (FAR) must be consistent with the findings identified in Section 30.20.030.A of this Title.

3. ***Historic Resources.*** The alteration of any historic resource must be consistent with the findings identified in Section 30.157.110, Required Findings for Alterations, Maintenance, Relocation, and Demolition of Historic Resources and with the Secretary of the Interior's Standards, as applicable.

### **30.220.030 Sign Committee.**

Design review is as required by Chapter 22.70, Sign Regulations.

### 30.220.040 Single Family Design Board.

A. **Purpose.** The Single Family Design Board (SFDB) is established to protect and preserve the City's natural and historical character and to enhance its visual and aesthetic quality. The Board ensures that single-unit residential development is compatible in scale and design with the surrounding neighborhood and that public visual resources are protected through the design review process.

B. **Applicability.** Except as provided in Subsection C, SFDB review is required for the following types of development projects and properties:

1. ***Single-Unit Residential Development.*** On lots located in single-unit zones, or on any lot developed with or proposed to be developed with a single-unit residence in any zone, as follows:

- a. ***Building Construction and Alterations.*** Any proposal to construct a new building, add to an existing building, or alter the exterior of an existing building, including changes to architectural features or materials.
- b. ***Landscape Plans.*** Changes to previously approved landscape plans under Chapter 22.11, Maintenance of Approved Landscape Plans.
- c. ***Grading.*** Any permit required for grading, including subdivision grading plans and grading on vacant lots.
- d. ***Minor Zoning Exceptions or Waivers.*** Any request for a design or development standards waiver, Minor Zoning Exception, or similar allowance, whenever SFDB is the Review Authority.
- e. ***Other Work.*** Any other work subject to SFDB review under this Title.

2. ***Projects During Active Applications.*** When a building permit or planning application requiring SFDB review is active or approved, and the associated permit has not received final inspection or a certificate of occupancy, any new construction, addition, or exterior alteration proposed on the same lot is also subject to SFDB review.

3. ***Public Property.*** Projects located on public property within single-unit residential zones are subject to SFDB review if they are associated with a development project that would otherwise require SFDB review under this section. All other projects on public property may be subject to review by the Architectural Board of Review or the Historic Landmarks Commission, as applicable.

C. **Exemptions.** The following projects are exempt from SFDB review under this section, unless otherwise required by this Title or when proposed as part of a larger development project that requires SFDB review:

1. ***Minor Additions.*** Additions to existing buildings are exempt if all of the following apply:

- a. No portion of the project is two or more stories in height or exceeds 17 feet in building height;
- b. The total net floor area of all existing and proposed buildings on the lot is 4,000 square feet or less;
- c. The lot is outside the Hillside Design District, or if within the District, has an average slope of less than 20%;
- d. The project does not include a request for a Minor Zoning Exception, waiver, or other discretionary approval requiring design review.

2. ***Accessory Buildings.*** One-story accessory buildings that do not exceed 17 feet in height are exempt if they meet the following criteria:

- a. If located within the Hillside Design District, the building has a floor area of 650 square feet or less;
- b. If located outside the Hillside Design District, the building has a floor area of 1,950 square feet or less; and
- c. The building is consistent with Section 30.140.202, Accessory Buildings.

3. ***Architecturally Consistent Alterations.*** Exterior alterations to existing buildings that do not increase floor area are exempt only if all of the following conditions are met, and the project does not include any work described in other exemptions under this subsection:

- a. All exterior materials, architectural features, roof pitch (within  $\pm 5$  degrees), roof design, window and door dimensions (within  $\pm 2$  inches), and finish colors match the existing structure; or
- b. All new exterior elements conform to the original building design as documented in City permit records; or

- c. If the architectural style is changed, all new exterior elements conform to the specifications for that style as defined in the applicable design guidelines.
4. ***Site Features and Equipment.*** Installation or alteration of site features, such as fences, walls, driveways, lighting, mechanical equipment, or trash enclosures, is exempt if the work does not require a Minor Zoning Exception or other discretionary approval and complies with all applicable development standards.
5. ***Grading and Landscaping.*** Grading or landscaping projects are exempt if:
  - a. Grading outside the building footprint does not exceed 50 cubic yards on lots within the Hillside Design District, or 250 cubic yards on lots outside the Hillside Design District, as calculated under Section 30.15.055, Grading; and
  - b. The average slope of the lot or area being graded is less than 20; and
  - c. The project does not require a Vegetation Removal Permit under Chapter 22.10 or propose alterations to an approved landscape plan subject to Chapter 22.11.
6. ***Balconies and Upper-Story Decks.*** Construction of balconies or upper-story decks is exempt, provided that:
  - a. The structure does not exceed 16 feet in width and 10 feet in depth; and
  - b. The project complies with all applicable standards in Section 30.140.025, Balconies and Upper Story Decks.
7. ***Windows and Doors.*** Installation, alteration, removal, relocation, or resizing of windows or doors are exempt, provided that:
  - a. The work does not alter a Special Design Window, or any character-defining feature, as described in the applicable design guidelines; and
  - b. The work complies with the privacy standards for upper-story openings in Section 30.140.145, Privacy Standards for Upper-Story Openings.
8. ***Reroofing.*** Reroofing of any structure is exempt, unless the project involves:
  - a. Removal of a two-piece terra cotta clay tile roof (Mission “C-tile”); or
  - b. Installation of new “S-tile” roofing, unless required to match the existing roof.

9. **Replacement in Kind.** Replacement in kind, as defined in Chapter 30.300.180 “R”, involving the replacement of a structure, or portion of a structure, that is identical to the original.

10. **Color Changes.** Changes to the exterior color of residential buildings are exempt, unless combined with other alterations subject to SFDB review.

11. **Work Exempt from a Permit.** Projects that do not require a building permit, grading permit, or any other City-issued permit or approval, such as Public Works permits, are exempt from SFDB review, except for the specific project types listed in Subsection B.

12. **Interior Work.** Interior alterations are exempt if they do not result in any change to the exterior of the building.

13. **Temporary Installations.** Temporary structures or uses that do not require a permit and do not result in permanent exterior changes are exempt from SFDB review.

D. **Review Authority.** The Single Family Design Board must approve, conditionally approve, or deny all applications for Design Review as required by this section, except as specified below.

1. **Historic Landmarks Commission.** Projects otherwise subject to review by the SFDB must be referred to the Historic Landmarks Commission if the project is subject to review under Section 30.220.020.

2. **Community Development Director.** The Community Development Director may act on limited-scope projects as specified in the applicable design guidelines adopted by City Council resolution.

E. **Required Findings.** The following findings must be made before granting Project Design Approval. These findings are in addition to any other findings required by this Title and are limited to the scope permitted under Government Code § 65589.5 (Housing Accountability Act):

1. **Neighborhood Compatibility Findings.**

a. **Compatibility and Character.** The project is compatible with the site and neighborhood in its size, bulk, and scale; and contributes to the scenic character of the City.

b. **Quality Architecture and Materials.** The buildings and structures are designed with quality architectural details and enhance the appearance of the neighborhood.

c. *Good Neighbor Guidelines.* The project complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting.

d. *Trees.* The proposed project does not remove or significantly impact mature trees and complies with the Tree Protection and Preservation Standards in the applicable design guidelines.

e. *Public Views.* The development, including proposed structures and grading, preserves significant public scenic views of and from the hillside.

2. ***Hillside Finding.*** The following findings must be made on any project on a lot within the Hillside Design District (Section 30.220.060.B), with an average slope of 20% or more:

a. *Hillside and Ridgeline Design Compatibility.* The development, including structure scale, form, materials, and colors, blends with the natural appearance of the ridgeline or hillside and does not significantly alter the natural topography of the site.

3. ***Grading and Vegetation Removal Findings.*** The following findings must be made on any project that requires design review for grading, or a Vegetation Removal Permit under Chapter 22.10:

a. *Natural Topography Protection.* The grading is appropriate to the site, is designed to avoid visible scarring, and does not significantly alter the natural topography or appearance of any ridgeline or hillside.

b. *Vegetation Removal.* The proposed vegetation removal will not cause a substantial loss of southern oak woodland habitat and will comply with all applicable provisions of Chapter 22.10, Vegetation Removal.

4. ***Maximum Floor Area Ratio (FAR) Exception Findings.*** Any project that exceeds 100% of the Maximum Floor Area Ratio (FAR) must be consistent with the findings in Section 30.20.030.A of this Title.

### **30.220.050 Objective Design Review.**

A. **Purpose.** Objective Design Review is intended to provide a more efficient, predictable, and equitable design review process in order to streamline approval of applicable housing projects consistent with State housing laws.

B. **Applicability.** Projects submitted in compliance with Title 25, Objective Design and Development Standards (ODDS), must use the Objective Design Review process.

1. Applicants opting out of using the Objective Design Review process must use the City's discretionary Design Review process as described in Section 30.220.005 of this chapter.

C. **Review Authority.** The Review Authority for Objective Design Review projects is the Architectural Board of Review, unless such authority is granted to the Historic Landmarks Commission per Section 30.220.020.

D. **Procedures.** Applications for Objective Design Review shall be applied for and acted upon in compliance with Chapter 30.205, Common Procedures, and the procedures located within adopted board and commission guidelines, except as follows:

1. ***Streamlined Meeting Procedures.*** Project Design Approval Review and Final Design Review actions are combined into a one-step procedure. Final construction details, finishes, materials, final landscape plans, and storm water management plans are required for a complete application.

2. ***Limits to Design Review.*** The Review Authority can review the design of an Objective Design Review project and call for an ~~project~~ applicant to make objective design-related modifications to achieve consistency with Title 25, but cannot exercise subjective judgment to reject, deny, or modify the project without making the specific written findings described in Subsection 30.205.050.E.2.a, Denial of an Objective Housing Development Project; or Section 30.145.050, Denial of Affordable Housing or Emergency Shelters, as applicable.

3. ***Findings.*** An Objective Housing Development Project shall be approved when all the following findings are made:

a. The project, as conditioned, complies with all objective design and development standards.

b. The project will not result in a specific adverse impact to public health or safety that cannot be mitigated without rendering the project infeasible.

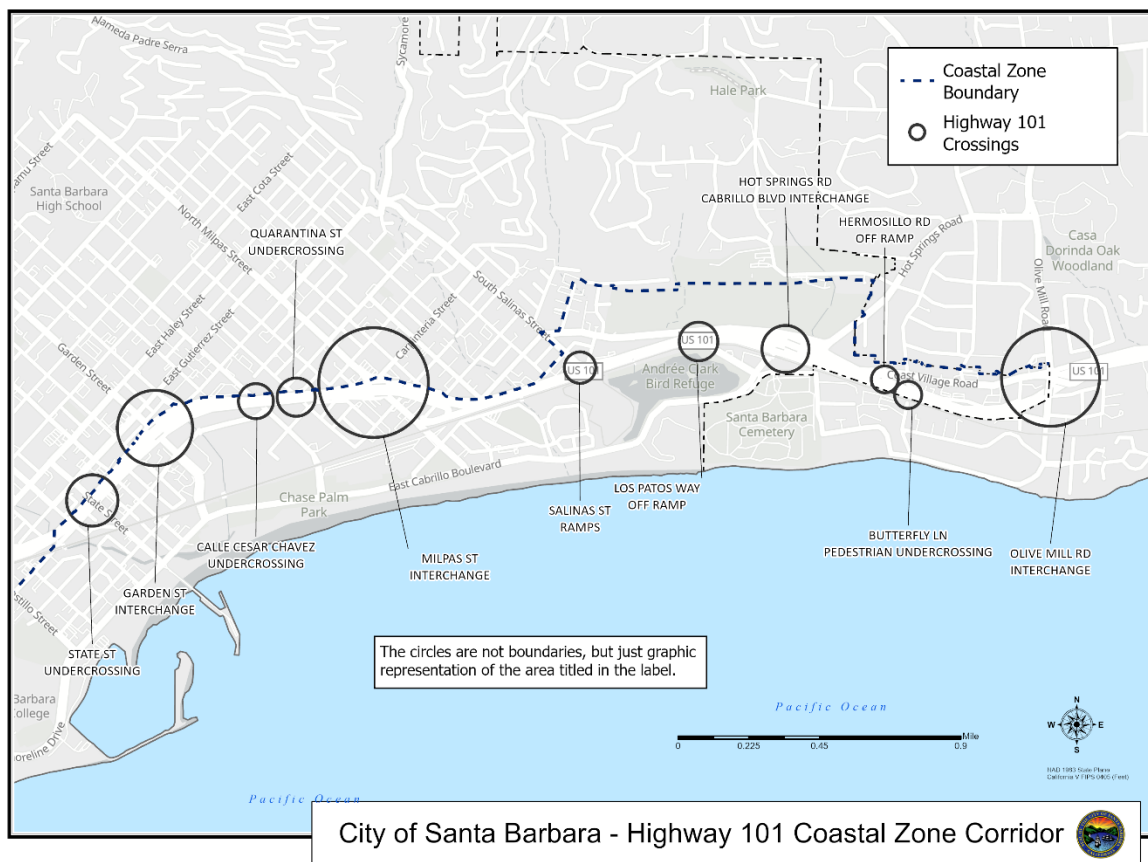
4. *Appeals.* A final action by the Review Authority on an Objective Design Review project may only be appealed by the applicant to the City Council in accordance with Chapter 1.30 of the Santa Barbara Municipal Code. In addition to the procedures specified in Chapter 1.30 of the Santa Barbara Municipal Code, public notice shall be provided in the same manner required for the action that was the subject of the appeal. In deciding such an appeal, the City Council shall determine whether the project complies with the criteria required for streamlined housing projects, as well as any adopted objective design standards.

### 30.220.060 Special Design Districts

The following areas are identified as City Special Design Districts subject to Design Review:

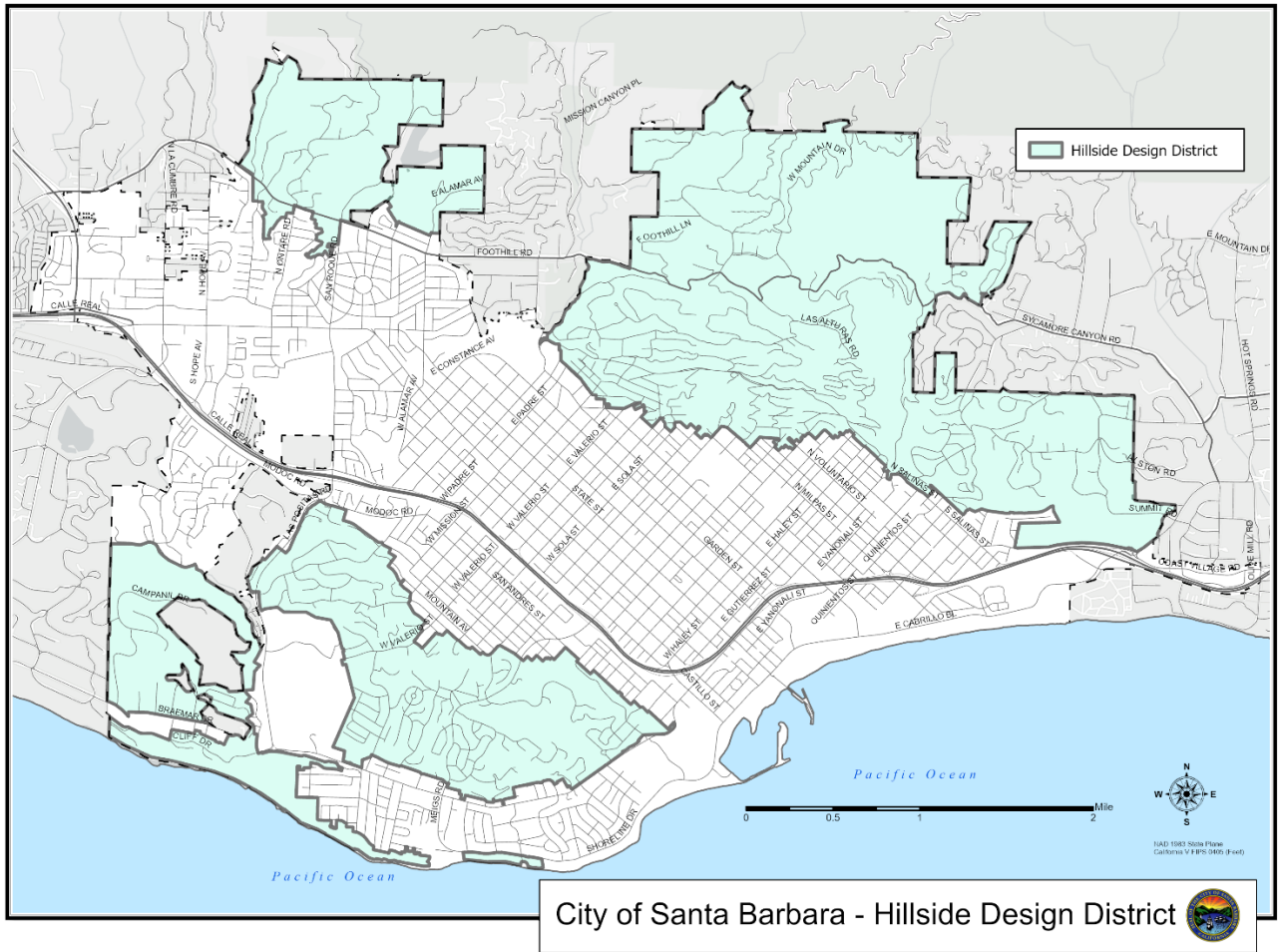
A. **Highway 101 Santa Barbara Coastal Parkway Special Design District.** All real property within the State owned or leased right-of-way of Highway 101 and all City owned or leased right-of-way which intersects Highway 101 within the Coastal (CZ) Overlay Zone as shown on the “Highway 101 Santa Barbara Coastal Parkway Special Design District” map, incorporated into this code, is subject to applicable provisions.

**Figure 30.220.060.A: Highway 101 Santa Barbara Coastal Parkway Special Design District**



B. **Hillside Design District.** All properties within the Hillside Design District, as shown on the “Hillside Design District” map incorporated into this code, are subject to applicable provisions.

Figure 30.220.060.B: Hillside Design District



**SECTION 14.** Chapter 30.235 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.235      General Plan and Zoning Amendments**

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**Sections:**

30.235.010 Purpose	30.235.070 Public Notice
30.235.020 Applicability	30.235.080 Planning Commission Action
30.235.030 Pre-Application Review	30.235.090 City Council Action
30.235.040 Initiation	30.235.100 General Plan and Local Coastal Plan Consistency Required for Zoning Amendments
30.235.050 Application Requirements	
30.235.060 Maximum Number of General Plan Amendments	30.235.110 Post Approval Procedures

**30.235.010 Purpose.**

This chapter establishes a process for consideration and review of General Plan and Zoning Amendments. More specifically, the purpose of this chapter is to:

- A. Establish procedures for making changes to the General Plan to address changes in applicable law, to respond to external trends, or avert future unintended consequences.
- B. Establish procedures for making changes to the text of this Title or to the Zoning Map whenever the public necessity, convenience, general welfare, or good zoning practice justify such amendment, consistent with the General Plan.

**30.235.020 Applicability.**

The procedures in this chapter shall apply to:

- A. All proposals to change the text of the General Plan or the maps that illustrate the application of its provisions, and
- B. All proposals to change the text of this Title or to revise a zoning district classification or zoning district boundary line shown on the Zoning Map.

**30.235.030 Pre-Application Review.**

Pre-application review pursuant to Section 30.205.030, Pre-Application Review, is required prior to submittal of an application of any property owner or authorized agent for initiation.

#### **30.235.040 Initiation.**

An application for an amendment to the General Plan, Zoning Ordinance, or Zoning Map may be made by either the Planning Commission or City Council upon its own motion, or the Planning Commission upon the verified application of any property owner or authorized agent and following a public hearing.

#### **30.235.050 Application Requirements.**

Applications for a General Plan or Zoning Ordinance or Map Amendment shall be accepted and processed pursuant to Chapter 30.205, Common Procedures, and the specific requirements of this chapter. In addition to any other application requirements, the application for a General Plan or Zoning Ordinance or Map Amendment shall include such additional information and supporting data as considered necessary to process the application.

A. **Boundary Lines.** At the time of any General Plan or Zoning Map Amendment, the new or revised land use or zone boundary shall correspond to lot lines as shown on the County of Santa Barbara Assessor Parcel Maps, unless otherwise recommended by the Planning Commission.

#### **30.235.060 Maximum Number of General Plan Amendments.**

Except as otherwise provided by applicable law, no mandatory element of the General Plan can be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time, as determined by the City Council. Each amendment may include more than one change to the General Plan.

#### **30.235.070 Public Notice.**

Public notice of hearings by the Planning Commission and the City Council for a General Plan or Zoning Amendment shall be given as specified in Chapter 30.205, Common Procedures; except that if a proposed ordinance or amendment to a zoning ordinance or zoning map affects the allowed uses of real property, notice must be published, posted, mailed, and delivered, or advertised, as applicable, at least 20 days before the hearing (Government Code §65854). Notice of the hearing shall also be mailed or delivered at least 10 days, or 20 days if applicable pursuant to Government Code §65854, before the hearing to any other local agency expected to provide essential facilities or services to the property that is the subject of the proposed amendment.

### **30.235.080 Planning Commission Action.**

- A. **Hearing.** Following initiation, the Planning Commission shall conduct a public hearing for the purpose of making recommendations to the City Council in conformance with the provisions of Chapter 30.205, Common Procedures.
- B. **Recommendation to Council.** Following the public hearing, the Planning Commission shall make a written recommendation on the proposed amendment. A recommendation for approval shall be made by the affirmative vote of not less than a majority of the total membership of the Planning Commission. The Community Development Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.
- C. **Denial.** If the Planning Commission has recommended against the adoption of such amendment, the City Council is not required to take any further action unless an appeal is filed in accordance with Section 30.205.150, Appeals.

### **30.235.085 Ordinance Committee Action.**

- A. The Ordinance Committee must review and may make recommendations to the City Council on Zoning Amendments, as provided in Chapter 2.05 of the Santa Barbara Municipal Code.

### **30.235.090 City Council Action.**

- A. **Hearing.** After receiving the report from the Planning Commission, and the Ordinance Committee as applicable, the City Council shall hold ~~a~~ one or more public hearings in conformance with the provisions of Chapter 30.205, Common Procedures~~and the City Charter~~. Except for emergency ordinances, Zoning Amendments require both an introduction hearing and an adoption hearing pursuant to Section 511 of the City Charter.
- B. **Decision.** After the conclusion of the adoption hearing, the City Council may approve by affirmative votes of at least five members of the City Council, revise, or deny the proposed amendment. If the Council proposes any substantial revisions not previously considered by the Planning Commission during its hearing(s), the proposed revision shall first be referred back to the Planning Commission for a report and recommendation. The Planning Commission is not required to hold a public hearing for said revision. Failure of the Planning Commission to provide a report to the City Council within 45 days after the referral, shall be deemed a recommendation for approval.
- C. **Effective Date of Ordinance.** Every Ordinance becomes effective pursuant to Section 514 of the City Charter. Unless otherwise specified by the City Council, any pending permit or approval

submitted prior to the effective date of the ordinance must be exercised in accordance with Section 30.205.120.A, Exercising a Permit or Approval, or the new ordinance will apply.

### **30.235.100 General Plan and Local Coastal Plan Consistency Required for Zoning Amendments.**

The Planning Commission shall not recommend, and the City Council shall not approve a Zoning Ordinance or Map Amendment unless the proposed amendment is found to be consistent with the General Plan and Local Coastal Plan, as applicable.

### **30.235.110 Post Approval Procedures.**

Following the City Council action, the City Clerk shall make the documents amending the General Plan or Zoning Ordinance or Map, including the maps and text, available for public inspection.

A. Upon the effective date of amendment, boundaries of all areas subject to a land use designation or zoning district revision, including areas to be annexed to the City, shall be described and documented in one or more of the following ways:

1. Metes and bounds (bearings and distances in feet) covering all courses and distances around the boundaries of each area to be zoned or rezoned; or
2. Where the proposed boundary lines are coincident with existing parcel lines, the legal description of the property to be zoned or rezoned may be done by referencing the current assessor's block and parcel numbers; or
3. A combination of the above as determined by the Community Development Director; or
4. When the preferred methods indicated above are determined to be impractical by the Community Development Director, a map which is drawn to scale may be used.

B. The description of the subject boundary shall also include, but not be limited to, references to contiguous lines of public alleys, public streets, highways, freeways, and railroad property existing at the time of said zoning or rezoning, as determined by the Community Development Director.

**SECTION 15.** Chapter 30.250 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.250 Modifications**

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### **Sections:**

30.250.010 Purpose	30.250.050 Public Notice and Hearing
30.250.020 Applicability	30.250.060 Required Findings
30.250.030 Review Authority	30.250.070 Conditions of Approval
30.250.040 Application Requirements	

### **30.250.010 Purpose.**

This chapter establishes a process for consideration and review of Modifications. Modifications provide a means for individual consideration and review to grant relief from the requirements of this Title, when so doing would be consistent with the purposes of the Title. Furthermore, it is the policy of the City to comply with the Federal Fair Housing Act, the Americans with Disabilities Act, and the California Fair Employment and Housing Act to provide reasonable accommodation to persons with disabilities seeking fair access to housing through relief from the application of certain zoning regulations.

### **30.250.020 Applicability.**

Modifications may be granted to any of the following standards:

- A. Parking.
- B. Setbacks, Lot Area, Floor Area, Density, Street Frontage, Open Yard, Front Yard, Required Distances, Building Attachment, Accessory Buildings.
- C. Fences and Hedges.
- D. Solar Access Height Limitations.
- E. Standards necessary for the Accommodation of Disabilities.
- F. Standards necessary for Reconstruction of Nonconforming Structures.

G. Standards necessary for the Preservation of Historic Resources.

### **30.250.030 Review Authority.**

The following bodies shall approve, conditionally approve, or deny applications for Modifications based on consideration of the requirements of this chapter.

A. **Planning Commission.** The Planning Commission shall review modifications for reduced parking pursuant to Subsection 30.250.060.B, and all Modifications when other discretionary applications related to the project require Planning Commission action

B. **Staff Hearing Officer.** The Staff Hearing Officer shall review all other Modifications.

### **30.250.040 Application Requirements.**

Applications for a Modification shall be accepted and processed pursuant to Chapter 30.205, Common Procedures, and the specific requirements of this chapter. In addition to any other application requirements, the application for a Modification shall include data or other evidence in support of the applicable findings required by Section 30.250.060, Required Findings, below.

### **30.250.050 Public Notice and Hearing.**

All applications for Modifications shall require public notice and hearing pursuant to Chapter 30.205, Common Procedures.

### **30.250.060 Required Findings.**

A. **Parking Modifications for Projects Heard by the Staff Hearing Officer.** A Modification for reduced parking may only be approved if the Staff Hearing Officer finds that:

1. Reduced parking will meet anticipated parking demand generated by the project site;  
or
2. A physical hardship exists that would otherwise prevent reasonable use of the property for an existing single-unit residence, including, but not limited to, extreme slope, narrow lot width; or location of existing development.

B. **Parking Modifications for Projects Heard by the Planning Commission.** A Modification for reduced parking may only be approved if the Planning Commission finds that:

1. All of the same findings as Staff Hearing Officer above, for any project requiring Planning Commission approval; or

2. There are other criteria consistent with the purposes of the parking regulations and based on unusual or unique circumstances of a particular case, as determined by the Planning Commission.

C. **Accommodation of Disabilities.** A Modification of any provision of this Title to allow improvements to an existing structure or site in order to provide reasonable accommodations to individuals with disabilities may only be approved if the Review Authority makes all of the following findings:

1. The project does not include new structures, demolitions or substantial redevelopment and rebuilds, or additions where the proposed project precludes a reasonable accommodation that would not require a Modification;

2. That the property which is the subject of the request for reasonable accommodation will be used by an individual or organization entitled to protection;

3. If the request for accommodation is to provide fair access to housing, that the request for accommodation is necessary to make specific housing available to an individual protected under State or federal law;

4. That the conditions imposed, if any, are necessary to further a compelling public interest and represent the least restrictive means of furthering that interest; and

5. That denial of the requested Modification would conflict with any State or federal statute requiring reasonable accommodation to provide access to housing.

D. **Preservation of Historic Resources.** A Modification of any provision of this Title to allow improvements to an existing structure or site in order to preserve a designated historic resource may only be approved if the Review Authority makes all of the following findings:

1. The Modification is consistent with the general purposes of this Title or the specific purposes of the zoning district in which the project is located;

2. The project design proposes improvements that encourage rehabilitation or adaptive re-use of a designated historic resource, as an alternative to demolition or relocation;

3. Reduction or waiver of zoning requirements would facilitate the preservation of the historic resource; and
4. The Modification approval and project after completion will be consistent with the City's Historic Resource Design Guidelines.

E. **All Other Modifications.** A decision to grant a Modification for any other standard as provided for in this chapter shall be based on the following findings:

1. The Modification is consistent with the general purposes of this Title or the specific purposes of the zoning district in which the project is located; and
2. The Modification is necessary to accomplish any one of the following:
  - a. Secure an appropriate improvement on a lot; or
  - b. Prevent unreasonable hardship due to the physical characteristics of the site or development, or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, proximity to creeks, or other unusual circumstance; or
  - c. Result in development that is generally consistent with existing patterns of development for the neighborhood, or will promote uniformity of improvement to existing structures on the site; or
  - d. Construct a housing development containing affordable residential units rented or owned and occupied in the manner provided for in the City's Affordable Housing Policies and Procedures.
  - e. Construct a housing development to meet the special housing needs of the elderly, persons with disabilities, large families, homeless persons, single and small households, farmworkers, students, homeless persons and families, veterans, and any other group with special needs.

### **30.250.070 Conditions of Approval.**

A. In approving a Modification, the Review Authority may impose any conditions deemed necessary to:

1. Achieve the general purposes of this Title or the specific purposes of the zoning district in which the project is located;
2. Achieve the findings for the Modification granted; or
3. Mitigate impacts identified as a result of review conducted in compliance with the California Environmental Quality Act.

B. Modifications approved based on State or federal requirements for reasonable accommodation may be conditioned to provide for rescission or automatic expiration based on a change of occupancy or other relevant change in circumstance.

C. The Review Authority may require reasonable guarantees and evidence that the applicant is complying, or will comply, with the conditions of approval.

**SECTION 16.** Chapter 30.290 of Title 30 of the Santa Barbara Municipal Code is amended to read as follows:

## **Chapter 30.290 Zoning Upon Annexation**

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### **Sections:**

30.290.010 Purpose	30.290.040 Effective Date of Zoning and Time Limit
30.290.020 Applicability	
30.290.030 Procedure	

### **30.290.010 Purpose.**

The purpose of this chapter is to establish a procedure for zoning property upon annexation.

### **30.290.020 Applicability.**

Unincorporated territory adjoining the City may be pre-zoned for the purpose of determining the zoning that will apply to such property upon annexation.

### **30.290.030 Procedure.**

Zoning of property to be annexed shall be either:

- A. Established through initiation and processing according to the procedures established under Chapter 30.235, General Plan and Zoning Amendments; or
- B. RS-1A pursuant to Chapter 30.20, Residential Zones. The entirety of any annexation must become a part of the Hillside Design District upon annexation, unless otherwise determined as part of the annexation.

### **30.290.040 Effective Date of Zoning and Time Limit.**

The zoning of the property to be annexed shall become effective at the time that annexation to the City becomes effective pursuant to Government Code Section 56000 et. seq. If the subject area has not been annexed to the City within five years of the date of City Council approval, the zoning approval is subject to reconsideration by the Planning Commission and the Council.

**SECTION 17.** Section 30.295.020 of Chapter 30.295 Use Classifications, of Title

30 of the Santa Barbara Municipal Code is amended to read as follows:

## Division V: General Terms

### Chapter 30.295 Use Classifications

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#### 30.295.020 Residential Use Classifications.

##### A. Residential Housing Types.

1. ***Single-Unit Residential.*** One primary residential unit, and may include one or more accessory dwelling units located on a single lot. This classification includes individual mobilehomes and manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code and meeting the standards of Section 30.185.270, Mobilehomes, Recreational Vehicles and Modular Units, Individual Use.

For the purposes of this Title, single-unit residential also includes:

a. An Employee Housing unit, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices with six or fewer residents, as permitted under State law; and

b. Other shared living arrangements in which six or fewer residents occupy the dwelling under separate rental agreements, provided the unit is otherwise consistent with the definition of a single-unit residence.

2. ***Two-Unit Residential.*** No more than two residential units and may include one or more accessory dwelling units located on a single lot. The residential units may be located in a single building that contains two residential units (also known as a duplex) or in two detached buildings.

3. ***Multi-Unit Residential.*** Three or more attached or detached residential units and may include one or more accessory dwelling units on a single lot. Types of multi-unit

residential include condominiums, townhouses, multiple detached residential units (e.g. bungalow court), and multi-story apartment buildings.

**SECTION 18.** Chapter 30.300 of Title 30 of the Santa Barbara Municipal Code is

amended to read as follows:

## **Chapter 30.300 Definitions**

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**Sections:**

30.300.005 Purpose and Applicability	30.300.140 “N”
30.300.010 “A”	30.300.150 “O”
30.300.020 “B”	30.300.160 “P”
30.300.030 “C”	30.300.170 “Q”
30.300.040 “D”	30.300.180 “R”
30.300.050 “E”	30.300.190 “S”
30.300.060 “F”	30.300.200 “T”
30.300.070 “G”	30.300.210 “U”
30.300.080 “H”	30.300.220 “V”
30.300.090 “I”	30.300.230 “W”
30.300.100 “J”	30.300.240 “X”
30.300.110 “K”	30.300.250 “Y”
30.300.120 “L”	30.300.260 “Z”
30.300.130 “M”	

### **30.300.005 Purpose and Applicability**

A. **Purpose.** The purpose of this Chapter is to provide clear, consistent, and enforceable definitions for terms used throughout Title 30 (Zoning Ordinance). These definitions support the interpretation, application, and administration of zoning regulations by ensuring that all terms are understood in a uniform and objective manner.

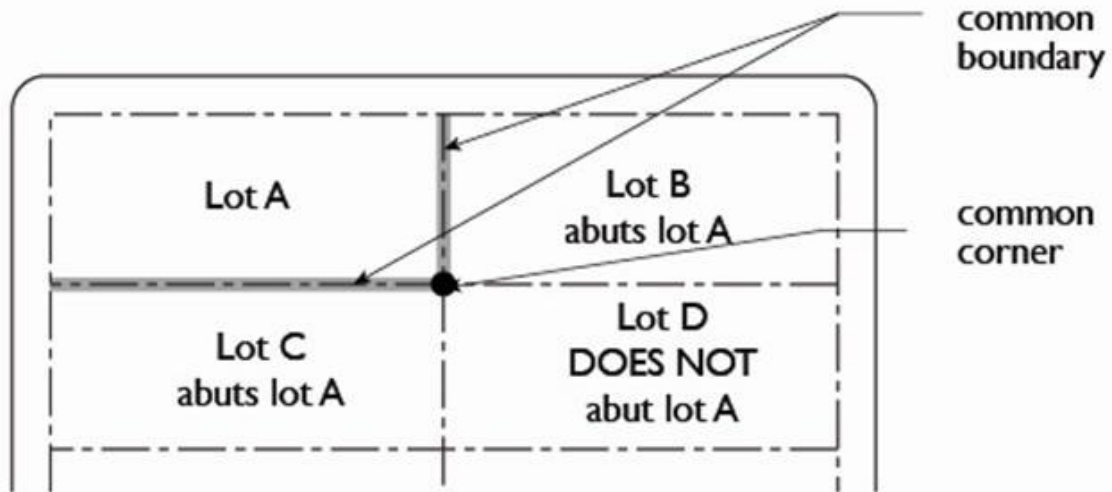
B. **Applicability.** The definitions in this Chapter apply to all provisions of Title 30 unless otherwise specified. Where a term is not defined in this Chapter, its meaning will be determined based on common usage, context, and the purpose of the applicable regulation.

C. **Interpretation Authority.** In cases where the meaning of a term or the classification of a feature is unclear, the City Attorney in consultation with the Community Development Director has the authority to determine the appropriate interpretation based on the physical characteristics, placement, and functional design of the feature, consistent with the specific purpose of the chapter or section in which the term is used.

**30.300.010 “A”.**

**Abutting.** Having a common boundary, except that parcels having no common boundary other than a common corner shall not be considered abutting.

**FIGURE 30.300.010: ABUTTING**



**Access.** See *Driveway and Pathway*.

**Accessory Building.** See *Building, Accessory*.

**Accessory Structure.** See *Structure, Accessory*.

**Accessory Use.** See *Use, Accessory*.

**Addition.** New construction that increases the net floor area of a structure.

**Adjacent.** See *Abutting*.

**Adjoining.** See *Abutting*.

**Administrative Design Review.** A design review process conducted by the Community Development Director for limited-scope design alterations or other qualifying projects as specified

in the applicable Design Guidelines. Administrative Design Review is a ministerial action. It does not require a hearing and is final and not appealable, except as expressly provided.

**Adversely Affect/Impact.** To impact in a substantial, negative manner the livability of a property.

**Agent.** Any person, firm, partnership, association, joint venture, corporation, or any other entity or combination of entities who represent or act for or on behalf of an applicant.

**Agreement of Sale.** Any agreement or written instrument which provides that Title to any property shall thereafter be transferred for consideration from one owner to another owner.

**Alley.** A public or private way that is primarily used for vehicular access to the back or side of properties. Alleys typically do not meet standard requirements for City streets, which include curbs, gutters, sidewalks, or similar improvements. Typically, alleys are separated from adjacent parcels by a lot line. An alley may have an official name and may be shown on the official street map of the City of Santa Barbara.

**Allowed Use.** See *Permitted Use*.

**Alteration.** An alteration may include both interior and exterior changes and rearrangement of the physical parts of a building, structure or site development that does not result in an increase of floor area. Also called a remodel or renovation.

**Ancillary Structure.** See *Structure, Accessory*.

**Antenna.** The same as defined by the FCC in 47 C.F.R. Section 1.6002(b), as may be amended or superseded, which defines that term as an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC authorization, for the provision of personal wireless service and any commingled information services.

***Antenna, Amateur or Citizens' Band.*** The same as defined by the FCC in 47 C.F.R. Section 97.3, as may be amended or superseded, which defines the term as a station in an amateur radio service consisting of apparatus necessary for carrying on radio communication service. This term includes amateur radio antennas and related facilities used for amateur radio services.

***Antenna, Base Station.*** The same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(1), as may be amended, which defines that term as a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless

communications between user equipment and a communications network. The term does not encompass a tower as defined in 47 C.F.R. Section 1.40001(b)(9) or any equipment associated with a tower.

***Antenna, Collocation Facility.*** The same as defined by the FCC in 47 C.F.R.

Section 1.6002(g), as may be amended or superseded, which defines that term as mounting or installing an antenna facility on a pre-existing structure or modifying a structure for the purpose of mounting or installing an antenna facility on that structure. It does not include the initial installation of a telecommunications facility where previously there was none, nor the construction of an additional tower on a site with an existing tower.

***Antenna, Eligible Facilities Request.*** The same as defined in 47 U.S.C. Section 1455(a)(2), as may be amended or superseded, and as interpreted by the FCC in 47 C.F.R. Section 1.6100(b)(3), as may be amended or superseded, which defines that term as a request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station.

***Antennas, Emergency Service.*** Any antenna, and associated equipment and structures, used principally for communications related to government provided emergency services, including, but not limited to, police, fire, and paramedic services.

***Antenna, Height.*** The vertical distance from any point at the top of an antenna or ancillary wireless telecommunications structure to the finished or natural grade, whichever is more restrictive or lower, measured directly adjacent to the existing building or new structure.

***Antenna, OTARD.*** Any “over-the-air reception device” subject to 47 C.F.R. Section 1.4000 et seq., as may be amended or superseded, which generally includes satellite television dishes and certain fixed wireless antennas not greater than one meter in diameter.

***Antenna, Small Cell.*** Includes a micro wireless facility. Means the same as defined by California Government Code Section 65964.2, as may be amended, which defines that term as a wireless facility that uses licensed or unlicensed spectrum and that includes, but is not limited to, the following qualifications:

1. The small cell antennas on the structure, excluding the associated equipment, total no more than six cubic feet in volume, whether an array or separate.
2. Any individual piece of associated equipment on pole structures does not exceed nine cubic feet.

3. The cumulative total of associated equipment on pole structures does not exceed 21 cubic feet.

4. The cumulative total of any ground-mounted equipment along with the associated equipment on any pole or non-pole structure does not exceed 35 cubic feet.

***Antenna, Stealth.*** A telecommunication facility that is designed to blend into the surrounding environment. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements, and antenna structures designed to look like another object, such as a light pole, clock towers, bell steeples, or a tree.

***Antenna Support.*** Any device for supporting an antenna which is other than a tower, such as a mast, pole, or tripod.

***Antenna Tower.*** The same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(9), and includes any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services, including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

**Applicant.** Any person, firm, partnership, association, joint venture, corporation, or any other entity or combination of entities, or state or local government agency applying for a permit or approval.

**Application.** A formal request to a local authority for permission, whether allowed as a matter of right or required by any permit or approval, to erect, construct, reconstruct, alter, repair or move any buildings, ~~or~~ structure or landscape, use vacant land, or add a new use or change in use. A complete application means that the applicant has submitted all the required information in accordance with the Permit Streamlining Act, California Government Code § 65943.

**Arbor.** An unenclosed structure typically constructed of latticework or metal that often provides partial shade or support for climbing plants. An arbor is not considered an accessory building. Also called a trellis or pergola.

**Architectural Feature.** An exterior element of a building that contributes to the visual interest or ornamentation of the building massing. Architectural features may be decorative or functional and include, but are not limited to, awnings, eaves, cornices, window and door surrounds, chimneys,

towers, vents, antenna, parapets, light fixtures, and canopies. Exterior wall coverings, such as siding, plaster, and other finish materials, are also considered architectural features.

**Arts.** Arts are a diverse range of human activities in creating visual, auditory, or performance works, expressing the author's imaginative or technical skill, intended to be appreciated for their beauty or emotional power.

**As-Built Permit.** A permit requested during or after the course of construction, identifying all on-site improvements as they have been constructed.

**Association, Homeowner's.** The organization of persons who own a lot, parcel, area, condominium or right of exclusive occupancy in a project.

**Attached.** A structure which is structurally a part of or has a common wall or continuous roof with another structure, except where such connection is a breezeway or walkway incidental to and not a necessary part of the construction of the main building. See Section 30.140.030, Building Attachment.

**Attic.** The area located between the ceiling of the top story of a building and the building's roof. See also, Subsection 30.15.090.G, Determining the Number of Stories in a Building and *Story, Half*.

**Average Slope.** The result of dividing the length of a slope by the difference in elevation at the top and bottom of the slope. See Section 30.15.030, Determining Slope.

**Awning.** An architectural projection that provides weather protection, identity, or decoration. An awning is typically constructed of canvas, metal, wood, or roofing materials on a supporting framework that projects from and is wholly supported by the exterior wall of the structure to which it is attached. See also, *Canopy*.

### **30.300.020 "B".**

**Balcony.** An unenclosed, unroofed cantilevered platform that projects from the wall of a building, is accessible from the building's interior, is not accessible from the ground, and is not enclosed by walls on more than two sides. If any portion of a balcony is supported from the ground below with walls, posts, columns, or the floor below, it is considered a deck.

**Base Density.** See Section 30.15.025, Calculating Density.

**Base Zone.** One of several zones mapped on the Title 30 Zone Map. See also, *Zoning District*.

**Basement.** A floor level of a building that is located partly or entirely below finished grade. A basement is considered a story if more than a cumulative total width of 12 feet per elevation has a vertical distance from finished grade to ceiling greater than four feet, pursuant to Subsection 30.15.090.G, Determining the Number of Stories in a Building. See *Cellar*.

**Bathroom.**

*Full Bathroom.* A room that contains all the following features: toilet, sink, and bathtub, shower, or bathtub/shower combination.

*Partial Bathroom.* A room with only a toilet and sink. Also called a half-bathroom.

**Bay Window.** A protruding window projection, cantilevered from the wall of a building, accessible from the building's interior and completely enclosed.

**Bedroom.** Any livable room other than a bathroom, a kitchen, dining room, or a living room (except in studios, where a living room is considered a livable room). Within a residential unit, a loft or other intermediate floor open to the floor below, is considered a bedroom if it is allowed by the Building Code as a sleeping room.

**Bicycle Parking Space.** The volume of space that is used to accommodate the storage of one locked bicycle.

*Bicycle Parking, Long-Term.* Long-term bicycle parking is intended for use by residents, employees or students over several hours or overnight. Long-term bicycle parking should be provided either with bicycle racks within covered and secured areas with controlled access, or with secure, covered enclosures for individual bicycles, such as bicycle lockers. Long-term bicycle parking better protects bicycles from vandalism and theft attempts.

*Bicycle Parking, Short-Term.* Short-term bicycle parking is intended for use by business patrons, visitors, and guests for a few minutes up to a couple of hours. Short-term bicycle parking should be conveniently located, highly visible, easily accessed, and may be covered or uncovered.

**Block.** Property bounded on all sides by rights-of-way.

**Block Face.** The aggregate of all the building facades on one side of a block. The block face provides the context for establishing architectural harmony.

**Building.** A structure consisting of one or more foundations, floors, walls, and roofs that surround an interior space, and may include exterior appurtenant structures including, but not limited to, porches and decks. A pre-manufactured or constructed shed, storage container, or similar structure is considered a building.

***Building, Accessory.*** A subordinate building, physically detached from, and the use of which is incidental to that of the main building on the same lot. See also, Section 30.140.020, Accessory Buildings.

***Building, Main.*** The building in which the principal use of the lot is conducted.

**Building Code.** Any ordinance of the City governing the type and method of construction of buildings, signs, and sign structures and any amendments thereto and any substitute therefore including, but not limited to, the California Building Code, other State-adopted uniform codes.

**Building Entrance.** See *Entry*.

**Building Face.** See *Façade*.

**Building Footprint.** See *Footprint*.

**Building Frontage.** See *Front Elevation*.

**Building Height.** See *Height*.

**Building Site.** A lot or lots occupied or to be occupied, by main buildings and accessory buildings together with such parking and open spaces as are required by the terms of this Title. See also, *Site*.

**By-Right.** As defined in Government Code §65583.2.

**30.300.030 “C”.**

**Canopy.** A roofed shelter-projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a structure or may be wholly or partially supported by columns, poles, or braces extending from the ground. See also, *Awning*.

**Carport.** See *Parking, Covered*.

**Carshare Vehicle.** A vehicle that is owned, maintained, and administered by a carsharing organization and made available to members of a carsharing service 24 hours a day, seven days a week at unattended self service locations.

**Carsharing Organization.** Organization that administers a carsharing service.

**Carsharing Parking Space.** A parking space required to be dedicated for current or future use by a carshare service.

**Carsharing Program.** A carsharing service operated by a carsharing organization.

**Carsharing Service.** A membership based short-term car rental service available to all qualified drivers who choose to become members where members are offered access to a dispersed network of shared vehicles 24 hours a day, seven days a week at unattended self-service locations.

**Ceiling Height.** The vertical height measured from finished floor to finished ceiling.

**Cellar.** A floor level of a building that is entirely below finished grade on all sides. A cellar is not considered a story unless it meets the criteria in Subsection 30.15.090.G, Determining the Number of Stories in a Building. See *Basement*.

**Change in Use.** A change from one Use Classification to another, as described in this Title. A change from one Residential Housing Type to another Residential Housing Type is not considered a Change in Use.

**City.** City of Santa Barbara.

**Coastal Zone Related Definitions.** The following terms are related to the rules and regulations applicable only within the Coastal Zone.

***Access.***

*Lateral.* An area of land providing public access along the water's edge.

*Vertical.* An area of land providing a connection between the first public road or use area nearest the sea and the publicly-owned tidelands or established lateral access way.

***Aggrieved Person.*** Any person who, in person or through a representative, appeared at a public hearing of the City in connection with the decision or action appealed, or who, by

other appropriate means prior to the hearing, informed the City of the nature of their concerns or who for good cause was unable to do either.

***Coastal Commission.*** California Coastal Commission.

***Coastal Development Permit.*** A permit for any development within the Coastal Zone that is required pursuant to subdivision (a) of Section 30600 of the California Public Resources Code and issued by the City in accordance with this Title.

***Coastal-Dependent Development or Use.*** Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

***Coastal-Related Development or Use.*** Any development or use which is dependent on a coastal-dependent development or use.

***Coastal Zone.*** That land and water area of the City of Santa Barbara extending seaward to the State's outer limit of jurisdiction and extending inland to the boundary shown on the official Zoning Maps for the CZ Coastal Overlay Zone, as amended from time to time and adopted by the Coastal Commission.

***Development.*** On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with § 4511).

***Energy Facility.*** Any public or private processing, producing, generating, storing, transmitting or recovering facility for electricity, natural gas, petroleum, coal or other source of energy.

***Environmentally Sensitive Habitat Area.*** Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

***Fill.*** Earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area.

***Land Use Plan.*** Maps and a text which indicate the kinds, location and intensity of land uses allowed in the Coastal Zone and includes resources protection and development policies related to those uses.

***Local Coastal Program.*** The City's land use plan, zoning ordinances, zoning maps and other implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.

***Major Public Works Project or Major Energy Facility.*** "Major public works" and "Major energy facilities" mean facilities that cost more than \$100,000.00 with an automatic annual increase every year following the baseline of \$100,000.00 set in 1983 in accordance with the Engineering News Record Construction Cost Index, except for those facilities governed by the provisions of Public Resources Code § 30610, 30610.5, 30611 or 30624. Major public works also means publicly-financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

***Natural Disaster.*** Any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of the owner.

***Other Permits and Approvals.*** Permits and approvals, other than a coastal development permit, required to be issued by the approving authority before a development may proceed.

***Public Works Project.*** Any of the following development shall constitute a public works project:

- All production, storage, transmission and recovery facilities for water, sewage, telephone and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

- All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.
- All publicly-financed recreational facilities, all projects of the State Coastal Conservancy and any development by a special district.
- All community college facilities.

**Sea.** The Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks and flood control and drainage channels.

**Structure.** Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. “Structure” includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

**Visitor-Serving Development or Use.** Stores, shops, businesses, temporary lodging and recreational facilities (both public and private) which provide accommodations, food and services for the traveling public, including, but not limited to, hotels, motels, campgrounds, parks, nature preserves, restaurants, specialty shops, art galleries and commercial recreational development such as shopping, eating and amusement areas.

**Wetland.** Lands within the Coastal Zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens. As detailed in § 13577(b)(1) of the California Code of Regulations, wetlands shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to vegetated wetlands or deep-water habitats.

**Working Day.** Any day on which all City offices are open for business.

***End Coastal Zone Related Definitions.***

**Commercial.** Managed on a business basis for profit derived from the promise or delivery of compensation, money, rent, or other bargained-for consideration in exchange for goods; services; rights or interests in property; or any other valuable consideration.

**Common Area.** The entire common interest development except the separate interests therein.

**Community Apartment.** As defined in § 4105 of the Civil Code.

**Community Development Director.** Community Development Director of the City of Santa Barbara, or designee.

**Community Noise Equivalent Level (CNEL).** The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7 p.m. to 10 p.m. and after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m.

**Compaction.** The act of increasing the density of fill by mechanical means.

**Compatible.** That structure or use which is harmonious with and will not adversely affect surrounding structures or uses, as determined by the Community Development Director.

**Concept Design Review.** The voluntary phase of the Design Review process, conducted prior to an application being deemed complete, in which an applicant may request a meeting at the applicable Design Review body to receive advisory comments on the design of a proposed project. Concept Design Review addresses broad issues such as site planning, general architectural style, and the project's relationship to its site and surrounding neighborhood. See Section 30.205.040, Concept Review.

**Conditioned Space.** An indoor area, room, or space normally occupied and being heated or cooled by any equipment for human habitation.

**Condominium.** As defined in § 783 and 1350 of the Civil Code.

*Condominium, Community Apartment.* The development of land and attached structures as a condominium or community apartment project, regardless of the present or prior use of such land and structures, and regardless of whether substantial improvements have been made to such structures.

*Condominium or Community Apartment Project.* A plan by a developer to sell residential condominium or community apartment units in a building through conversion to condominium or community apartment status.

***Condominium Conversion.*** The conversion of an existing structure into separately owned commercial, industrial, or mixed-use units. See Chapter 30.155, Conversion of Residential Units to Condominiums, Hotels, or Similar Uses.

***Condominium Unit.*** The elements of a condominium project which are not owned in common with the owners of other condominiums in the project.

**Congregate Dining Facility.** See *Kitchen, Congregate Dining Facility.*

**Construction.** Erection, enlargement, alteration, conversion, demolition, substantial redevelopment, or movement of any building, structure, or land.

**Continuation.** The state of continuing in the same condition, capacity, or place without change, expansion, or interruption.

**Corral.** Enclosure designed for the care and keeping of livestock.

**County.** The County of Santa Barbara.

**Courtyard.** An area open to the sky that is enclosed on at least two sides by walls or buildings. Also called a court or atrium.

**Coverage.** The portion of a site, expressed as a percentage, that is covered in buildings or other structures.

**Crawlspace.** A shallow, unfinished, unoccupiable space beneath the floor of a building that provides access to utility, structural, and other building components not readily accessible from the occupiable portions of the building.

**Creeks Related Definitions.** The following terms are related to the rules and regulations applicable to Creeks.

***Creek.*** A stream, creek, arroyo, gulch, wash, or swale that is tributary to any waters of the state or that conveys surface water during or after storms to the City storm drain system and the beds thereof, whether dry or containing water. Erosional features (rills), and swales and ditches that are not tributaries or wetlands and do not convey surface water off the owner's property are generally excluded from the definition of a creek. A creek includes all land within the top of either bank, including the bed and banks.

***Creek Bank.*** The land adjoining and confining a stream channel, comprised of the sloping land from the toe of bank to the top of bank.

***Generally Level Ground.*** Any area of land that has less than 5% average slope.

***Hinge Point.*** A break in slope, along the bank of a creek or at the top of bank.

***Toe of Bank.*** The break in slope (toe of slope) at the intersection of base of the creek bank and the bed of the creek channel.

***Top of Bank.*** A point or line formed at the intersection of a creek bank and the hinge point at the upper generally level ground.

#### ***End of Creeks Related Definitions.***

#### **30.300.040 “D”.**

**Days.** Calendar days unless a specific chapter or section specifies otherwise.

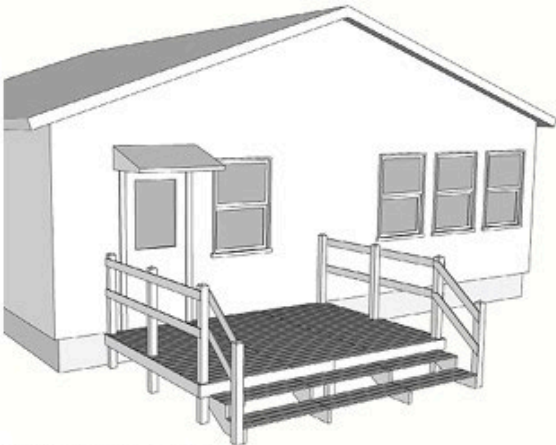
**Deck.** An outdoor platform, the surface of which is greater than 10 inches above existing grade and is wholly or partially supported from the ground below. A deck may be surrounded by a railing, balustrade, or parapet, and can be freestanding or attached to another structure. A deck is differentiated from a patio when the patio is constructed with a finished surface no more than 10 inches above existing grade.

***Deck, Elevated.*** A deck that is structurally elevated over 36 inches above grade, either on posts, or placed on top of the projecting or recessed portion of a building that is not the highest roof surface. An elevated deck is differentiated from a balcony when the balcony is cantilevered and only supported by beams. Also called an Upper Story Deck when attached to the upper story of a building.

***Deck, First Story.*** A deck the surface of which is greater than 10 inches above existing grade, but no more than 36 inches above existing grade.

***Deck, Rooftop.*** A deck constructed above the top plate of a structure that is designed to function as useable outdoor area. A rooftop deck is not a balcony. Rooftop decks are decks at the highest roof surface.

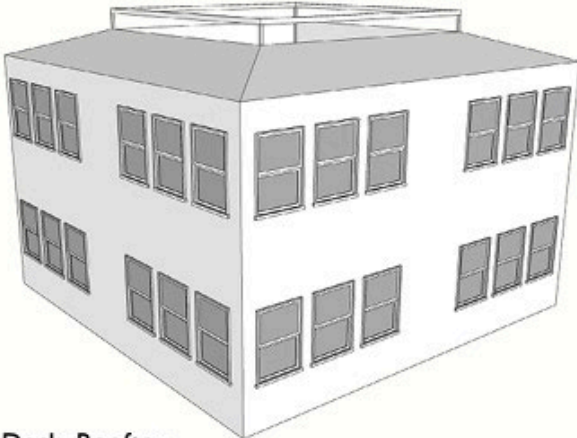
**FIGURE 30.300.040: DECK**



**Deck, First Story**



**Deck, Elevated**



**Deck, Rooftop**

**Demolition.** Removal or destruction. Whenever the term demolition is used in this Title it shall also be considered a substantial redevelopment. See also, Section 30.140.200, Substantial Redevelopment.

**Density.** Residential density as described in Section 30.15.025, Calculating Density.

**Design Review.** A discretionary process conducted by the designated Review Authority (including the Architectural Board of Review, Single Family Design Board, Historic Landmarks Commission, or the Community Development Director, as applicable) to evaluate the exterior building design and site design of proposed development—including new construction, additions, and exterior alterations, as well as related site work such as grading, landscaping, lighting, fencing, and walls—for consistency with this Title, adopted design guidelines, and applicable findings. See Chapter 30.220, Design Review.

**Detached.** A structure whose walls and roof are independent of any other building or structure, with space open to the sky on all sides. See also, Section 30.140.030, Building Attachment.

**Development.** Any building, structure, construction, renovation, mining, extraction, dredging, filling, excavation, grading, or drilling activity or operation; any material change in the use or appearance of any structure or in the land itself, including fences, agriculture, vegetation or tree removal, and landscape; the division of land into parcels; any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial or industrial use from a less intensive use.

**Dining Room.** A room in a residential unit in which meals are eaten, located in proximity to the kitchen, which is open on at least one side; does not contain a wardrobe, closet, or similar facility; and which is not designed for sleeping.

**Discretionary Review.** A review process in which the City exercises judgment in deciding whether and under what conditions to approve, conditionally approve, or deny a proposed project or land use application, based on applicable policies, standards, and guidelines. Discretionary review involves the evaluation of subjective criteria, such as design compatibility, environmental impacts, or conformance with adopted plans, and typically requires a public hearing or meeting before the designated Review Authority.

**District.** See *Zoning District*.

**Door.** An opening that allows access to a building, room, or other space and can be fully closed to provide a barrier to weather as well as to entry.

**Driveway.** An accessway that provides vehicular access between a street or alley and the parking or loading facilities of an adjacent property.

*One-way.* A vehicular access with one travel lane that accommodates both ingress and egress.

*Two-way.* A vehicular access with two travel lanes, one for ingress and one for egress.

*Width.* The horizontal measurement of an access driveway to a parking area, measured perpendicular to the direction of travel.

**Driveway Gate.** A barrier that is installed across the entrance to a driveway.

**Dwelling Unit.** See *Residential Unit*.

### **30.300.050 “E”.**

**Earth Material.** Any rock, natural soil or fill or any combination thereof.

**Easement.** A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege or interest that one party has in the land of another.

**Eave.** The part of a roof that overhangs the walls of a building. When a structure has a roof but no walls (such as a patio cover, carport, or trellis), the eave shall be considered the portion of the roof that overhangs beyond the vertical support posts, or if cantilevered, the outermost three feet of the roof.

**Effective Date.** The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

**Efficiency Unit.** A studio residential unit, as defined in Section 17958.1 of the Health and Safety Code, with a minimum of 150 square feet of livable floor area, an efficiency kitchen, and a full bathroom. See also, 30.140.150, Residential Unit.

**Electric Vehicle Charging Station.** Any electric vehicle charging station, electric recharging point, charging point, or electric vehicle supply equipment station (EVSE) that is designed and built in compliance with Article 625 of the California Electrical Code, and delivers electricity from a source outside an electric vehicle into a plugin electric vehicle.

**Emergency.** A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

**Enclosed.** A structure or portion of a structure surrounded on all sides by walls or other vertical enclosures and covered by a roof or overhead structure. A structure ~~that is substantially enclosed,~~ that is not fully enclosed may also be considered enclosed for the purpose of this Title if more than 50% of its perimeter is obstructed by solid elements exceeding 42 inches in height, as determined by the Community Development Director, in accordance with §30.15.070, Measuring Floor Area.

**Enclosure, Trash and Recycling.** A designated, screened, and contained area used for the storage of solid waste, recycling, and organic waste receptacles. A trash enclosure must be constructed of durable materials, fully screened on all sides to the height of the containers, with one or more gates for access, and may include a roof or cover to prevent stormwater contamination.

**Encroachment.** Any architectural feature, structure, or structural element—including, but not limited to, a porch, stoop, balcony, bay window, terrace, or deck—that breaks the plane of a vertical or horizontal regulatory limit by extending into a setback, open yard, or above a height limit. See also, Section 30.140.090, Encroachments ~~into Setbacks and Open Yards.~~

**Environmentally Sensitive Habitat Area (ESHA).** See *Coastal Zone Related Definitions.*

**Erect.** To alter, convert, move, build, construct, attach, hang, place, suspend or affix to or upon any surface. Such term shall also include the painting of wall signs.

**Erosion.** The wearing away of the ground surface as a result of the movement of wind, water or ice.

**Excavation.** The mechanical removal of earth material.

**Existing.** The use of land, buildings, structures, or activities legally permitted and constructed on the site with a final inspection or certificate of occupancy as of the date of application submittal, that conforms to current zoning standards or is legal nonconforming as to current zoning standards.

### **30.300.060 “F”.**

**Façade.** The general outer surface of the structure or walls of a building.

**Family.** See *Household.*

**Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

**Fence.** An upright structure serving as a barrier or boundary, or that visually divides or conceals a parcel, including retaining walls, usually made of masonry, plaster, posts, boards, wire, rails, or other building material. Also called Wall or Screen.

**Fill.** A deposit of earth material placed by artificial means.

**Final Approval.** The development project has received all necessary planning approvals to be eligible to obtain a building permit.

**Final Design Review.** The final phase of the Design Review process. It normally focuses on construction details, finishes, materials, landscape and on consistency of the project with the design that received Project Design Approval.

**Finished.** Walls and ceilings shall be deemed finished only if they are covered with plaster, wallboard, or similar material; floors shall be deemed finished only if they are a solid surface such as concrete, that is generally covered with carpeting, tile, linoleum, wood or similar material. A basement, cellar, or attic area is considered finished if all of the walls, ceilings, and floors are finished.

**Finished Surface Level.** A horizontal surface constructed above grade, including decks, podiums, terraces, or other platforms, that is designed for pedestrian use or to support outdoor equipment or structures. Finished surface level no more than 10 inches above existing grade may be considered equivalent to grade for the purpose of determining encroachment type, provided it is accessible and not part of the building's roof structure.

**First Floor.** See *Story, First*.

**Floor Area.** The total horizontal enclosed area of all the floors below the roof and within the exterior walls of a building or enclosed structure. The floor area of an unenclosed building or structure includes all horizontal area below the roof line. See also, Section 30.15.070, Measuring Floor Area.

***Floor Area, Existing.*** A legally permitted building constructed on the site with a final inspection or certificate of occupancy as of the date of application submittal that conforms to current zoning standards or is legal nonconforming as to current zoning standards.

***Floor Area, Gross.*** Gross floor area is the total floor area of a building that includes the outside faces of its exterior walls.

**Floor Area, Livable.** The interior conditioned space of a residential unit, including finished basements and attics, but not including unfinished or unheated areas such as garages, crawlspaces, or storage areas.

**Floor Area, Net.** The total horizontal area of all floors within the exterior walls of a building, excluding the thickness of exterior walls. See definition of Floor Area above. All references to floor area in this Title are to Net Floor Area, unless otherwise indicated.

**Floor Area, Non-Livable.** The portion of a building's net floor area that is not considered livable space. Includes unconditioned or unfinished spaces such as garages, carports, crawl spaces, mechanical rooms, storage areas, and other accessory structures not designed or used for residential living.

**Footprint.** The horizontal area, as seen in plan view, of a structure, measured from the outside of exterior walls or supporting columns, and excluding eaves.

**Front Elevation.** Any structure elevation that faces a street. See also, *Façade, Front.*

**Frontages.** Frontages are the components of a building that provide the transition and interface between the public realm (street and sidewalk) and the private realm (front setback or front elevation). Examples of frontages include, but are not limited to, porches, dooryards, stoops, forecourts, shopfronts, terraces, gateways and arcades. Also called Private Frontages. See also, Title 25: Objective Design and Development Standards, Chapter 25.05, Frontages.

### **30.300.070 "G".**

**Garage.** See *Parking, Covered.*

**Gazebo.** A freestanding platform, primarily open-sided, roofed, and usually raised.

**General Plan.** The comprehensive General Plan of the City of Santa Barbara together with all Specific Plans adopted by the City Council.

**Glare.** The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability.

**Government Code.** The Government Code of the State of California.

**Grade, Existing.** The topographic elevations representing the surface of the ground five years prior to the application date for grading, filling, or other site alterations for the project. Also called Natural Grade. See §30.15.055 Grading.

**Grade, Finished.** The topographic elevations representing the ground surface upon project completion. Also called Proposed Grade. See §30.15.055, Grading.

**Grading.** Any excavating or filling or combination thereof. See §30.15.055, Grading.

**Ground Level.** The surface of the site at finished grade, including soil, mulch, or other permeable materials that support plant growth. For the purposes of required landscaping, ground level may also include finished surface levels such as decks, terraces, or platforms, provided they are no more than 10 inches above finished grade, are not part of a building's roof structure, and are accessible from adjacent exterior space.

**Guestroom.** An individual sleeping room, or any suite of rooms within a hotel, motel, or other commercial lodging establishment, designed for temporary occupancy in which the individual rooms are configured so that they cannot be rented separately.

**Guest House.** A sleeping room or suite of rooms located within a single residential unit or within a residential accessory building, that provides sleeping accommodation and limited living space. A guest house does not include a kitchen and is not used as a dwelling unit. See Section 30.140.115, Guest Houses.

### **30.300.080 "H".**

**Habitable Space.** See *Floor Area, Livable*.

**Hardscape.** Paving, decks, patios, and other hard, horizontal surfaces.

**Hazardous Materials.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**Hazardous Waste.** A waste, or combination of wastes, which because of the quantity, concentration or physical and chemical characteristics may either (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or (b) pose a substantial present or potential hazard to human health or the environment when

improperly treated, stored, transported, disposed or otherwise managed. Hazardous waste also includes those materials described in Title 22, Division 4.5, Chapter 11, California Code of Regulations.

**Hazardous Waste Management Plan.** A plan prepared, adopted and amended from time to time, pursuant to § 25135 of the California Health and Safety Code by Santa Barbara County to direct the management of hazardous wastes within the boundaries of the County. It is also known as the Hazardous Waste Element of the Santa Barbara County Comprehensive Plan.

**Hearing.** A public meeting, workshop, or appeal conducted by the City in which a housing development project or land use matter is reviewed or acted upon by a decision-making body. Includes any meeting subject to the five-hearing limit under Government Code Section 65905.5.

**Heat.** Thermal energy of a radioactive, conductive, or convective nature.

**Hedge.** A row of shrubs, bushes, or any other kind of plant material that forms a boundary or substantially continuous visual barrier. Also called Screen.

**Height.** The vertical distance from a point on the ground below a structure to a point directly above. See also, Section 30.15.090, Measuring Height and Stories.

**High Fire Hazard Area.** The High Fire Hazard Area includes the City's four High Fire Hazard Zones: Coastal, Coastal Interior, Extreme Foothill, and Foothill. The Extreme Foothill and Foothill zones are also designated as the "Very High Fire Hazard Severity Zone," by the California Department of Forestry and Fire Protection and as defined in the City's Community Wildfire Protection Plan adopted by City Council.

**Historic Resources Related Definitions.** The following terms are related to the rules and regulations applicable only to historic resources.

*Adobe.* An unburnt, sun-dried, clay brick; or a building made of adobe bricks.

*Adjacent.* See *Abutting*, as defined in Section 30.300.010.

*Archaeological site.* The location of a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses archaeological value regardless of the value of any existing buildings or structures. (For the protection of significant archaeological and paleontological resources within the City, please refer to Chapter 22.12, Archaeological and Paleontological Resources.)

***Buffer Area.*** An area of land, developed or undeveloped surrounding a historic resource, El Pueblo Viejo Landmark District or Historic District Overlay Zones, that serves to notice owners, planners and design review boards during the planning and design review process of the necessity to plan to mitigate any negative impacts a new project may have to the historic resource. The distance requirements of the buffer area are the following: 250 feet from the outline of the structure of an original adobe, El Presidio de Santa Barbara State Historic Park and areas inclusive of the original footprint of the Presidio, or a Landmark; 100 feet from the outline of the structure around a Structure of Merit; and at least a radius of one-half block from the boundary line surrounding El Pueblo Viejo Landmark District or a historic district and shall include properties on the opposite side of the street from the district.

***Certificate of Appropriateness.*** The administrative approval document issued by the City's Architectural Historian to approve a minor alteration to a historic resource.

***Character-Defining Feature or Element.*** A visible physical part or aspect of a structure or site that contributes to its identification, understanding or interpretation as an example of architecture or architectural style, as an artifact attributable to a particular period of historical significance, or as a unique entity.

***Compatibility.*** Respect for distinctive character, identity and history of a streetscape and neighborhood through historic materials, features, size, scale and proportion, and massing to protect the integrity of the environment.

***Contributing Resource.*** A structure, site, or feature within the boundaries of a Historic District, or El Pueblo Viejo Landmark District, which reflects the significance of the district as a whole, either because of historic associations, historic architectural qualities, archeological features, or historic integrity, and is considered a historic resource.

***Cultural.*** The concepts, habits, skills, arts, instruments, institutions, etc. of a given people in a given period.

***Cultural Landscape.*** A geographic area (including both cultural and natural resources and the wildlife or domestic animals therein), associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values. Refer to the Secretary of Interior's Standards for Treatment of Cultural Landscapes for further definition of this term.

***Cultural Resource.*** Districts, streetscapes, neighborhoods, sites, buildings, structures, view corridors, vistas and objects that have acquired significant associations with human activities and human events.

***Demolition.*** Removal or destruction. Whenever the term demolition is used in this Title it shall also be considered a substantial redevelopment. See also, Section 30.140.200, Substantial Redevelopment. With regard to a historic resource, the term “demolition” shall also include the removal of a significant component or a character defining element.

***Demolition by Neglect.*** A situation in which a property owner(s) through neglect and lack of maintenance allows a historic resource or character defining feature of a historic resource to suffer severe deterioration, potentially beyond the point of repair.

***Elevation.*** The flat scale orthographically projected architectural drawing of all exterior vertical elements of a building facade.

***Features.*** Natural or man-made elements on a site, examples of which include trees, fountains, walls, and designed landscapes.

***Historic District.*** A geographically definable area in the City possessing a significant concentration, linkage, or continuity of structures, sites or features united by past events or aesthetically by plan or physical development. Historic Districts consist of contributing and non-contributing properties, thematically linked by architectural style or designer, date of development, distinctive urban plan, or historic associations and may include buffer zones as authorized by the Historic Landmarks Commission. A historic district derives its importance from being a unified entity conveying a visual sense of the overall historic environment.

***Historic Fabric or Material.*** Original and later-added historically significant construction materials, architectural finishes or elements in a particular pattern or configuration which form a qualified historical property, as determined by the Historic Landmarks Commission.

***Historic Resource.*** A structure, site, cultural landscape or feature designated or eligible to be designated historically significant based on the criteria in Section 30.157.025. Historic resources may also include, but are not limited to:

1. City-designated Landmark or Structure of Merit;
2. California Historical Landmark;
3. National Historic Landmark;
4. Listed on the State Register of Historical Resources;
5. Listed on the National Register of Historic Places;

6. Contributing historic resources in a City-designated Historic District (HD) or Landmark District (LD) Overlay Zone;
7. State or National Register Historic District;
8. A resource listed in the City's Local Register of Historical Resources; or
9. A Cultural Landscape as defined herein.

***Historic Resource, Exception.*** A property where only a small feature such as a sandstone wall, hitching post or tree is significant, as long as the feature is protected in the project. The determination of what constitutes a small feature shall be made by the staff Architectural Historian.

***Historical Integrity.*** Authenticity of a building or property's historical identity evidenced by the survival of physical characteristics that existed during the property's historical or pre-historical period of significance.

***Historical Significance.*** The degree of importance for which a property has been evaluated and found to be historical as determined by the Historic Landmarks Commission, City Council, the California Office of Historic Preservation, or Keeper of the National Register of Historic Places based on meeting specified local, state and national criteria.

***Landmark.*** A structure, site, cultural landscape or feature having historic, architectural, archeological, cultural, or aesthetic significance and designated by City Council as a Landmark under the provisions in this chapter.

***Landmark Tree.*** See *Historic Tree* in Section 15.24.010.

***Local Register of Historical Resources.*** A list of properties officially designated or recognized as historically significant by the City of Santa Barbara per the procedures outlined in Chapter 30.157, Historic Resources (formerly referred to as "Historic Resources Inventory").

***Major Alteration.*** Any physical modification or change to the exterior of a building, structure, site, object or designated interior that may have a significant effect on character-defining features of a historic resource. A major alteration shall also include construction of additions.

***Minor Alteration.*** Any physical modification or change to insignificant exterior features of a historic resource, including additions, windows, doors, and exterior siding material that is non-original or otherwise lacking in historic integrity.

***Neighborhood.*** For purposes of this chapter, a neighborhood is defined as an area possessing a sense of cohesiveness due to of physical features suggesting boundaries or concentrations of shared architectural, historic, or cultural characteristics.

***Nomination.*** The documentation by a qualified historian or architectural historian setting forth certain facts to support the designation of a historic resource as a Landmark, Structure of Merit, or HD Overlay Zone.

***Non-Contributing Resource.*** A structure, site or feature within the boundaries of a HD Overlay Zone that does not qualify as a historic resource, but which has been included within the Historic District boundaries because of its geographic location with the HD Overlay Zone.

***Ordinary Maintenance.*** The maintenance, painting, landscape or repair of any exterior feature in or upon any historic resource that does not involve a change in design, material, or the external appearance thereof, except that the removal of trees or the change of paint color shall not be considered ordinary maintenance.

***Period of Significance.*** The period of time when a qualified historic structure, site or feature was associated with important events, activities or persons, or attained the characteristics for its listing or registration.

***Preservation.*** The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a qualified historic resource. Preservation work, including preliminary measures to protect and stabilize the structure, site or feature, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are specifically not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-related work to make properties functional is deemed to be appropriate preservation work.

***Qualified Professional Staff in Historic Preservation.*** Staff meeting the Professional Standards in Historic Preservation outlined in the Secretary of the Interior's Guidelines and Qualifications in History, Architectural History, or Historic Architecture in education and

experience required to perform the identification, evaluation, registration, and treatment of historic resources. Referred to in this chapter as Architectural Historian.

***Reconstruction.*** The act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving site, landscape, building, property or object for the purpose of replicating its appearance from a specific period of time.

***Rehabilitation.*** The act or process of making possible a compatible use for a qualified historic resource through repair, alterations and additions while preserving those portions or features which convey its qualified historical, cultural or architectural values.

***Relocation.*** The act or process of moving any qualified historic resource or a portion of a qualified historic resource to a new site, or a different location on the same site.

***Restoration.*** The act or process of accurately depicting the form, features and character of a qualified historic resource as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code required work to make properties functional is appropriate within a restoration project.

***Sandstone Construction.*** A sedimentary rock (usually consisting of quartz sand particles united by some bonding agent such as silica or calcium carbonate) hewed into building materials by a skilled mason or carver and for purposes of this chapter, incorporating traditional, stone masonry, including, but not limited to, curbs, walls, railings, bridges, gardens, buildings, steps or hitching posts using local sandstone material quarried in the Santa Barbara area.

***Secretary of the Interior's Standards.*** The current version of the "Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Restructuring Historic Buildings" published by the U.S. Department of the Interior.

***Streetscape.*** The design quality of the street and its visual effect and pedestrian experience.

***Structure of Merit.*** A historic resource designated by the Historic Landmarks Commission that deserves official recognition as having historic, architectural, archeological, cultural, or aesthetic value but does not rise to the level of Landmark status.

***End of Historic Resources Related Definitions***

**Household.** One or more persons living together in a single residential unit, with common access to, and common use of, all living areas and all areas and facilities for the preparation and storage of food and who maintain no more than ~~four~~ six separate rental agreements for the single residential unit.

**Housing Development Project.** See *Objective Housing Development Project*.

### **30.300.090 “I”.**

**Impervious.** A surface which either prevents or retards the entry of water into soil, as would occur under natural conditions, or which causes water to run off the surface in greater quantities or at an increased rate of flow than would occur under natural conditions.

**Incompatible.** That structure or use which is detrimental and may adversely affect surrounding structures or uses, as determined by the Community Development Director.

**Infill.** Refers to constructing or developing a project on unused and underutilized lands surrounded by existing development patterns. Typically, but not exclusively, in urban areas.

**Intensity of Use.** The extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located, the demand for services, and persons who live, work, and visit the area. Measures of intensity may include, but are not limited to, requirements for water, sewer, gas, electricity, access, recreation, or other public services; number of automobile trips generated; on- and off-site parking demand; number of residents or employees; hours of operation; the amount of noise, light glare, smoke, odors, or hazardous materials generated; or the number of persons attracted to the site.

**Intersection, Street.** The area common to two or more intersecting streets.

### **30.300.100 “J”.**

Reserved.

### **30.300.110 “K”.**

**Kitchen.** Any room or portion of a room used or intended or designed to be used for the preparation or storage of food. A kitchen typically includes a combination of appliances, fixtures, and surfaces such as a cooking appliance, sink, refrigeration, and food preparation counter. The absence of a full kitchen does not, by itself, exempt a space from being considered a kitchen. The presence of kitchen-like amenities—such as a microwave, mini-fridge, bar sink, or countertop—may

constitute a kitchen or cooking facility when provided in combination or used for food preparation, particularly in contexts where kitchens are restricted or prohibited, such as Guest Houses (see Section 30.140.115).

***Congregate Dining Facility.*** A room or rooms that contain suitable space for group dining to feed all the residents of a facility in one or two sittings, accessible to and for the primary use of the residents of the facility and provides at least two meals per day seven days per week for the residents.

***Efficiency Kitchen.*** A limited kitchen facility that includes ~~at a minimum~~ all of the following:

- a. Appliances for cooking food and refrigeration, either built-in or countertop.
- b. A bar sink, as defined in this Title, for food preparation no greater than 12 inches by 12 inches, excluding the sink located in the bathroom.
- c. A food preparation counter not exceeding five linear feet in length, including any adjacent cabinetry or work surface.

***Full Kitchen.*** A kitchen that includes all of the following:

- a. A range or built-in stove-top and oven capable of cooking food, or gas or 220-volt electrical connections intended for a cooking appliance;
- b. A kitchen sink, as defined in this Title, with an interior basin size greater than 12 inches by 12 inches;
- c. A food preparation counter; and
- d. Refrigeration facilities suitable for the storage of perishable food.

### **30.300.120 "L".**

**Landing.** An unenclosed, unroofed platform, attached to a building, and serving as a required means of egress from the first floor of a building.

**Landscape Area.** An area of ground within the boundaries of a lot which consists of living plant material including, but not limited to, trees, shrubs, ground covers, grass, flowers, gardens and vines.

***Established Landscape.*** The point in time at which plants have developed roots into the soil adjacent to the root ball.

***Landscape Accessories.*** Small-scale, unenclosed, non-habitable, and non-mechanical elements placed within landscaped or front yard areas to enhance visual interest, support outdoor use, or contribute to site aesthetics. Landscape accessories do not require a building permit unless otherwise specified. Examples may include mailboxes, flagpoles, sculptures, fountains, birdbaths, garden art, benches, and planters. The Community Development Director may determine whether an item qualifies as a landscape accessory based on its scale, function, and visual impact. Landscape accessories do not include roofed or overhead structures, enclosed structures, barbecues, firepits, loose rubbish, garbage, junk, mechanical or utility equipment, or items that create a visual, noise, or lighting nuisance.

***Landscape Plan.*** Design plans prepared by a licensed landscape architect, unless exempt under California Business and Professions Code Sections 5641 through 5641.6. A landscape plan includes a planting plan, an irrigation plan (if applicable), and a completed Landscape Compliance Statement. A landscape plan may be submitted as a separate document or combined with a site plan, provided all required components are clearly identified and comply with applicable State and local requirements.

***Water Wise Landscape.*** Those plants that are evaluated as needing "low" (10-30% ET<sub>o</sub>) or "very low" (<10%vET<sub>o</sub>) amounts of irrigation water as defined and listed by Water Use Classifications of Landscape Species (WUCOLS) or other sources of water-wise plant water use classifications as verified by a licensed landscape architect. Also called a Low-Water-Use or Very-Low-Water-Use Landscape.

**Livability.** Considers a person's quality of life as it pertains to their place of residence or employment. Desirable livability design features, including useable, functional, common and private open yards, access to light and air, peace and safety, and privacy from neighboring properties.

**Living Room.** The largest livable room in a residential unit accessible from the main entrance and shared as a common area.

**Loading Spaces, Off-street.** Permanently improved and maintained areas on the site dedicated to loading and unloading materials, equipment, and merchandise.

**Lot.** A parcel, tract, or area of land whose boundaries have been established by a legal instrument such as a deed or map recorded with the County of Santa Barbara, and that is recognized as a separate legal entity for purposes of transfer of Title, except public easements or rights-of-way.

Projects using Title 25 of this code may interpret the following types of “Lots” to mean “Design Sites”. See also, *Parcel*.

***Lot, Corner.*** A lot surrounded on two or more contiguous sides by a street.

***Lot, Flag.*** A lot that has access to a street by means of a narrow strip of land.

***Lot, Interior.*** A lot other than a corner lot.

***Lot, Through.*** A lot having frontage on two parallel or approximately parallel streets.

**Lot Area.** The area of a lot measured horizontally between bounding lot lines.

***Lot Area, Gross.*** The total area, measured in acres, of a lot included within the lot lines.

***Lot Area, Net.*** The area of a lot measured horizontally between bounding lot lines, subtracting the existing or proposed horizontal area within any right-of-way.

**Lot Frontage.** See *Street Frontage*.

**Lot Line.** The boundary between a lot and other property or a public or private street. Also called a Property Line. “Lot Line” may be interpreted to mean “Design Site Line” for projects using Title 25 of this code.

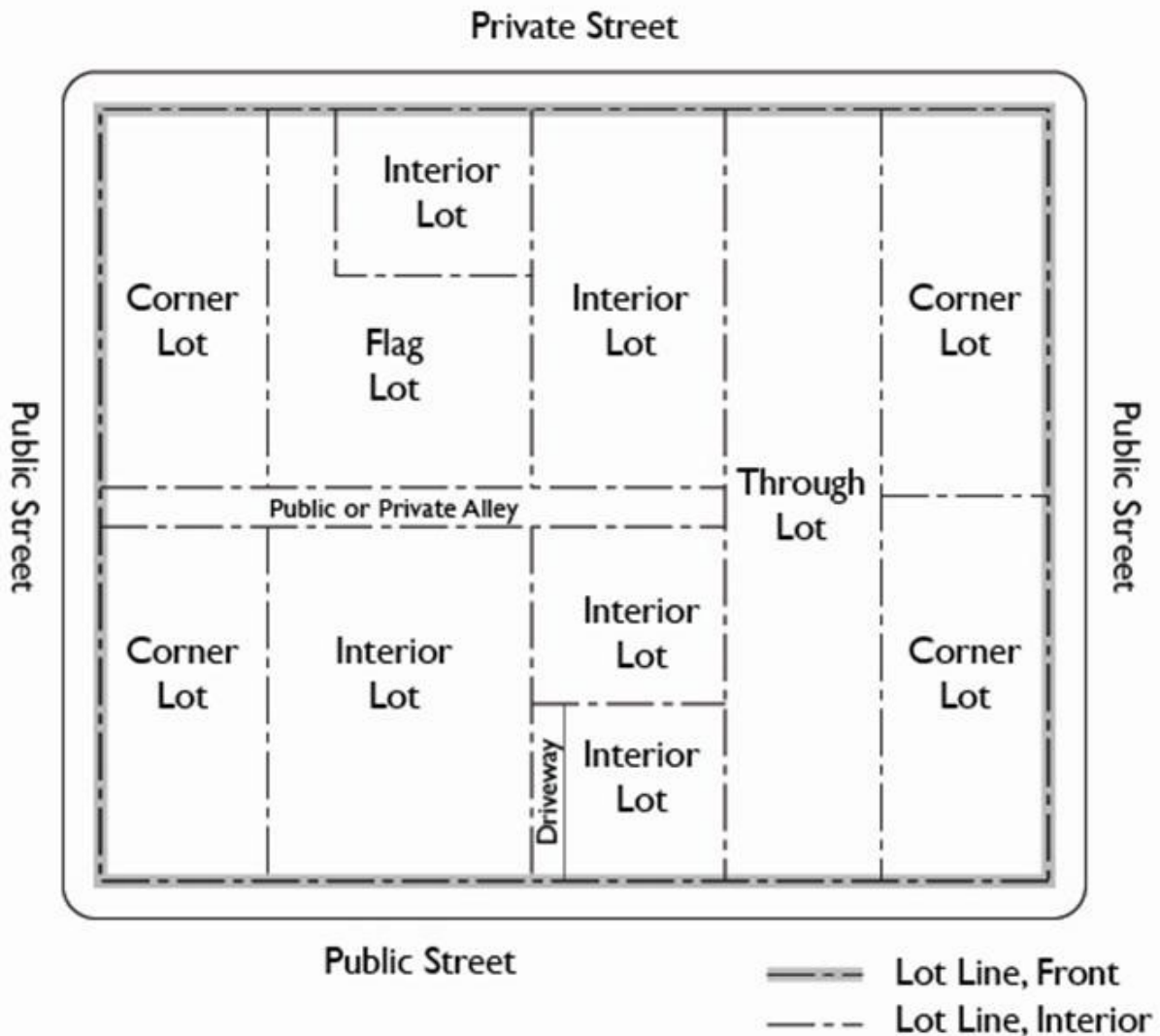
***Lot Line, Front.*** The line or lines dividing a lot from a public or private street. The line or lines that divide a lot from an alley or a driveway shall not be considered front lot lines. On lots that abut multiple streets, all lines that divide the lot from a street shall be considered front lot lines. Design Sites that do not abut a street shall designate a Front Design Site Line consistent with Section 25.02.040, Design Sites, for projects using Title 25 of this code.

***Lot Line, Primary Front.*** Front lot line adjacent to primary front yard.

***Lot Line, Secondary Front.*** Front lot line adjacent to secondary front yard.

***Lot Line, Interior.*** Any lot line other than a front lot line.

FIGURE 30.300.120: LOTS AND LOT LINES



**Lot Line Adjustment.** The adjustment of the boundary of existing parcels where the number of parcels existing after the adjustment is the same as the number of parcels that existed prior to the adjustment.

**Low Barrier Navigation Center.** A facility as defined in Government Code § 65660(a) that meets all of the requirements of Government Code § 65660 et seq. Includes a “Low Barrier” Social Service Facilities (with or without temporary living facilities), and a “Low Barrier” Emergency Shelter provided all the other requirements of Government Code § 65660 et seq. are met.

30.300.130 “M”.

**Manufacturing.** The processing of raw materials or assembly of parts into finished goods through the use of tools, human labor, machinery, or chemical processing. Manufacturing is an industrial use pursuant to Section 30.295.050, Industrial Use Classifications.

**Median.** A planted or paved area which separates two roadways or divides a portion of a road into two or more lanes.

**Meeting.** See *Hearing*

**Mezzanine.** See *Story, Mezzanine*.

**Microcell.** A small cellular transceiver facility installed at or below ground level and comprised of a utility cabinet, one or more small antennas mounted on a steel pipe, an existing public utility pole or existing structure, and transmitters with an effective radiated power not exceeding five watts per channel and not to exceed a total of 200 watts per facility.

**Ministerial Review.** A review process in which the City's role is limited to determining whether a proposed project or land use application complies with objective standards or fixed criteria set forth in the Santa Barbara Municipal Code, the Building Code, or other applicable laws. Ministerial review does not involve the exercise of judgment or discretion, and approval must be granted if the application meets all applicable requirements. Ministerial actions are typically processed administratively by staff, do not require a public hearing, and are not subject to appeal except as expressly provided by law.

**Mixed-Use.** The combination of residential and nonresidential uses within the same building or on the same development site.

***Mixed-Use Building.*** A building that contains both nonresidential and residential uses.

***Mixed-Use Development.*** A development that contains both nonresidential and residential uses on the same lot, whether or not they are located within the same structure.

**Mobilehome.** A structure designed for human habitation and for being moved on a street or highway under permit pursuant to § 35790 of the California Vehicle Code. Mobilehome includes a manufactured home, as defined in § 18007 of the California Health and Safety Code, and a mobilehome as defined in § 18008 of the California Health and Safety Code, but does not include a recreational vehicle as defined in this Title and § 18010 of the California Health and Safety Code, or a commercial coach as defined in § 18001.8 of the California Health and Safety Code. Mobilehomes are residential units, except as allowed by Section 30.185.270, Mobilehomes, Recreational Vehicles and Modular Units, Individual Use.

**Mobilehome Park Space.** That portion of a mobilehome park set aside and designated for the occupancy of a mobilehome, including any contiguous area designed or used for automobile parking, carport, storage, awning, cabana or other use which is clearly incidental and accessory to the primary use of the space.

### **30.300.140 “N”.**

**New.** Any purpose for which land or premises, or a building or structure thereon, is improved, occupied, utilized, built, or constructed for said purpose, which has not before existed on said land or premises.

**Nonconforming.** Any lawfully established use, structure, parking, or site development that is in existence on the effective date of this Title, or any subsequent amendment, but does not comply with all of the standards and requirements of this Title and any additions allowed pursuant to Chapter 30.165, Nonconforming Structures, Site Development, and Uses.

*Nonconforming Density.* A lawfully established development on a lot with more residential units or number of bedrooms than are allowed by the current ordinance in a zone that allows residential uses. Nonconforming density is not considered a nonconforming use.

*Nonconforming Lot.* A legal parcel of land having less area, frontage, or dimensions than required in the zoning district in which it is located.

*Nonconforming Site Improvement.* A site improvement (e.g., fences, landscape, parking, walls, etc.) that conformed to the standards of the previous zoning that lawfully existed before the effective date of this Title and does not conform to the present standards of the zone in which it is located.

*Nonconforming Structure or Building.* A structure or building that lawfully existed before the effective date of this Title and does not conform to the present standards of the zone in which it is located.

*Nonconforming Use.* A use of a building, structure, or site, or portion thereof, or a building, structure or facility itself, which was lawfully established and maintained but, because of the application of this Title to it, does not conform to the present standards of the zone in which it is located.

### **30.300.150 “O”.**

**Objective.** Means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

**Objective Design and Development Standards (ODDS).** A set of objective standards used by the City to regulate new development. These standards, located in Title 25 of the Santa Barbara Municipal Code, define design preferences for qualifying residential projects applying under the provisions of the Housing Accountability Act (HAA), or similar State law intended to limit discretionary review.

*ODDS Architectural Styles.* The boundaries of the allowed Architectural Styles mandated by ODDS, as shown on the ODDS Architectural Styles Map (ODDS-ASM)

*ODDS Zone.* One of several zones established by Title 25 and mapped on the ODDS Zone Map (ODDS-ZM).

**Objective Housing Development Project.** A qualifying residential project for which the State requires review for compliance using only objective standards, including Housing Development Projects meeting the definition of Government Code §65589.5(h)(2).

**Occupiable Space.** Enclosed, finished, and conditioned space within a building envelope designed for extended human occupancy for residential or commercial, retail, or office use, and not used for storage, utilities, parking, or similar uses. Also called Usable Space. See also, *Floor Area, Livable*.

**On-Site.** Located on the lot that is the subject of discussion.

**Open Structure.** See *Trellis*.

**Open Yard.** See *Yard, Open*.

**Open Yard Amenities.** Unenclosed, freestanding or attached features located within required open yard areas that are accessory to a permitted primary use and intended to support outdoor enjoyment, recreation, or passive use. Yard amenities may include, but are not limited to, gazebos, hot tubs, fountains, barbecues, outdoor fireplaces, patio covers, above-grade pools and spas, trellises, arbors, and play equipment. See §30.140.142, Patio Covers; and §30.140.020, Accessory Buildings.

**Owner.** Any person, co-partnership, association, corporation or fiduciary having legal or equitable Title or any interest in any real property.

**30.300.160 “P”.**

**Parcel.** A general term including all plots of land shown with separate identification on the latest equalized county assessment roll. Parcels may or may not be separate lots, depending upon whether or not such parcels are created as required by Title 27, Subdivisions, of the Santa Barbara Municipal Code. See also, *Lot*.

**Parking, Covered.** An accessory building, accessible to vehicles, such as a garage or carport that completely covers the parking spaces. See also, Subsection 30.175.030.N, Covered Parking.

*Carport.* A structure, or portion of a structure, accessible to automobiles, with a solid weatherproof roof that is permanently open on at least two sides, used as parking or storage of one or more vehicles.

*Garage.* An enclosed building or portion of a building accessible to automobiles, used as parking or storage of one or more vehicles.

*Garage, Private.* A building or portion of a building, in which only vehicles used by the tenants of the building or buildings on the premises are stored or kept.

*Garage, Public.* A structure or portion thereof, offering parking to the public with or without a fee.

**Parking, Offsite.** The area located on a site available for parking or storage of one or more vehicles. See also, Section 30.295.040, Parking, Public or Private.

**Parking, Shared.** Any parking spaces available to more than one user.

**Parking, Stacked.** Parking spaces arranged in a system that provides two to three spaces in the area of one space.

**Parking, Street-Facing.** Parking in which the entry of the structure or space is oriented to and facing a street and from which vehicles exit directly (or back out) onto the street. Non-Street-Facing Parking are spaces that include an onsite turnaround movement and do not exit directly (or back out) onto the street.

**Parking, Tandem.** A parking space deep enough to allow more than one car to park, one behind another.

**Parking, Uncovered.** One or more parking spaces that are completely or partially open to the sky.

***Parking Lot, Private.*** Surface lots with more than 3 uncovered parking spaces in which only vehicles used by the tenants of the building or buildings on the premises are stored or kept.

***Parking Lot, Public.*** Surface lots with more than 3 uncovered parking spaces offering parking to the public with or without a fee.

**Park and Recreation Related Definitions.** The following terms are related to Chapter 30.40, Park and Recreation (P-R) Zone.

***Active Recreation.*** Activities such as organized sports and drop-in sports, usually team oriented, which utilize equipment and are played on a field or court. Active Recreation includes, but is not limited to, soccer, football, swimming, baseball, softball, basketball, tennis, ultimate frisbee, volleyball and wheelchair football.

***Ball Fields and Courts.***

***Informal.*** Informal Ball Fields are usually open grass areas with no field or court delineation, or only bases, players' benches and backstop. Fields are not scheduled for league or tournament play. No dugouts, bleachers or lighting are provided. May include basketball courts with pavement striping, but without lighting.

***Formal.*** Formal Ball Fields are often lighted and may include dressed infield area, baselines, pitcher's mound for baseball, large backstops, dugouts, players' benches and bleachers. Soccer fields are delineated, include players' benches and goals and may include lighting. Formal indoor courts for volleyball, basketball and other organized sports are also included. Formal ball fields may also include related food concessions.

***Community Garden.*** A Community Garden is a piece of urban land that is made available to residents of the community who may not have private yard area that is adequate to plant and maintain a private garden. This land is made available for the purpose of planting small personal gardens and usually consists of several small plots that are assigned to individuals or groups of people and which may be subject to an annual rental fee.

***Concession.*** A Concession is a rental or lease of land or space in a building by the City to an operator of the following types of retail outlets: snack bar, restaurant, push cart and miscellaneous sundries and equipment rental that relate to the uses of the facility where the concession is located.

***Community Meeting Rooms.***

*Small Community Meeting Room.* A Small Community Meeting Room accommodates up to 75 people. Small Community Meeting Rooms may include food preparation areas and are used for meetings, seminars and small parties.

*Large Community Meeting Room.* A Large Community Meeting Room accommodates small or large groups of people. Large Community Meeting Rooms usually include food preparation facilities and may be used for large parties, banquets, dances and lectures.

### ***Lighting.***

*General Lighting.* General Lighting is used for security, safety or decorative purposes.

*Ball Field Lighting.* Ball Field Lighting is used to illuminate formal ball fields and courts in order to allow evening use of such facilities.

***Minor Buildings.*** Buildings that are not used for recreation programming or meetings. Minor buildings include restrooms, storage buildings, equipment sheds and caretakers' residences.

***Outdoor Game Area.*** A delineated area designed specifically, and meeting established criteria, for a game. Outdoor Game Areas include, but are not limited to, volleyball, lawn bowling, horseshoe pitching, tether ball, hopscotch and handball.

***Passive Recreation.*** Activities that are engaged in by individuals or small groups, usually not dependent on a delineated area designed for specific activities. Passive Recreation includes, but is not limited to, hiking, bicycling, jogging, frisbee catch, bird watching, walking, picnicking and horseback riding.

### ***Picnic Area.***

*Individual Picnic Area.* Picnic tables generally set a minimum of 10 feet apart and intended for use by small groups requiring the use of only one picnic table.

*Small Group Picnic Area.* A Small Group Picnic Area consists of picnic tables intentionally arranged to accommodate use by a group of up to 30 people. Small Group Picnic Areas often include a single barbecue sized to accommodate a group meal.

*Large Group Picnic Area.* A Large Group Picnic Area consists of picnic tables intentionally arranged to accommodate use by more than 30 people, which may be subject to reservation.

Large Group Picnic Areas often include one or more barbecues and food preparation tables sized to accommodate a group meal.

***Playground.*** An area that includes, but is not limited to, swings, slides, climbing structures, sand play, spring riders and other play structures.

***Trail.*** A passageway for hikers, equestrians or bicyclists. Uses of individual trails shall be determined by the Parks and Recreation Director.

### **End of Park and Recreation Related Definitions**

**Parkway.** An area between the curb and sidewalk in a fully improved right-of-way, typically landscaped.

**Path of Travel.** An identifiable accessible route within an existing site, building or facility, as defined by the Building Code.

**Pathway.** The means of providing internal or external pedestrian connectivity to a property or use. Also called a walkway, accessway, passageway, pedestrian connection, thru-way, walking surface, paseo, or internal circulation network.

**Patio.** A hardscaped (e.g., concrete, tile, brick, stone, wood, etc.) area, constructed with a finished surface level no more than 4210 inches above grade, which may or may not be attached to another structure and intended for indoor-outdoor living and recreation. A patio may be surrounded by walls or roofed, but not both.

**Patio Cover.** A one story, roofed structure, substantially open on at least two sides, and covered with either a solid roof or open trellis roof, used only for recreational or outdoor living purposes, that may be attached or detached as an accessory structure to the main building. Also called a Sunshade. See Section 30.140.142, Patio Covers.

**Permanent Supportive Housing.** Housing as defined in Government Code §65650(a) serving the target population as defined in Government Code §65650(c) that meets all of the requirements of Government Code §65650 et seq. or successor provision.

**Permit.** Any Zoning Clearance, Conditional Use Permit, Performance Standard Permit, Temporary Use Permit, Building Permit, license, certificate, approval, or other entitlement for development or use of property as required by any public agency.

**Permitted Use.** Any use allowed in a zoning district without a requirement for approval of a Conditional Use Permit, Performance Standard Permit, or Temporary Use Permit, but subject to any standards or restrictions applicable to that zoning district. Also called Allowed Use.

**Person.** Any individual, organization, partnership, limited liability company, or other business association or corporation, including any utility, and any federal, state or local government, special district, or an agency thereof.

**Persons with Disabilities.** Persons who have a medical, physical, or mental condition, disorder or disability as defined in Government Code § 12926 or the Americans With Disabilities Act, that limits one or more major life activities.

**Plot Plan.** See *Site Plan*.

**Porch.** A roofed, unenclosed raised platform at the first-floor level, open on at least three sides and serving as the primary entry to a dwelling unit. Also called a Veranda.

**Pre-existing.** In existence prior to the effective date of this Title, or prior to the date of application submittal, as applicable. See also, *Existing*.

**Private Property.** Ownership of property by non-governmental legal entities.

**Project.** Any proposal for a new or changed use, or for new construction, demolition, substantial redevelopment, alteration, or additions to any structure, that is subject to the provisions of this Title.

**Proposed.** The requested use of land, buildings, or structures on an application. See also, *New*.

**Principal Place of Residence.** The sole dwelling unit in which a person resides for more than six months of the calendar year and maintains as their legal domicile. It is the place where the individual lives the majority of the time, remains when not temporarily absent due to special or limited circumstances, and to which they regularly return, such as after work, travel, or vacation. Only one principal place of residence may be claimed at any given time. If a person owns or maintains multiple residences, the burden of proof is on the individual to demonstrate that the dwelling unit qualifies as their principal place of residence. Evidence may include, but is not limited to, qualification for the homeowner's property tax exemption, voter registration, vehicle registration, utility bills, or other documentation indicating residency. In cases of common ownership, such as tenancy in common, at least one owner or a group of owners representing a minimum of fifty percent ownership interest must reside in the dwelling and maintain it as their principal place of residence. Any individual who qualifies for the homeowner's exemption under the California State

Board of Equalization is deemed an owner-occupant for the purposes of this definition. Also called Primary Residence.

**Public Area.** Areas generally open for public use include streets, sidewalks, paseos, pathways, rights-of-way, parks, public parking lots, publicly accessible open spaces, and any public and civic building.

**Public Property.** Any property owned, maintained, or leased by any public agency or governmental entity.

**Public Resources Code.** The Public Resources Code of the State of California.

**Public Property.** Any property owned, maintained, or leased by any public agency or governmental entity.

**Public Scenic Views.** Views of natural or cultural features with significant visual quality that are visible from any Public Area. These include views of the ocean, mountains, open spaces, historic landmarks, and other visually prominent resources. See Public Area.

**Public Use.** A use undertaken by any public agency or governmental entity.

**Public Works Director.** The Public Works Director of the City of Santa Barbara, or designee.

**Publicly Visible.** The condition when a building, structure, or land use is within the area between a front lot line and up to 35 feet behind any front lot line and is either (1) observable by the public along any abutting public area or (2) is observable by the public from a public area on the other side of an abutting street or right-of-way.

### **30.300.170 “Q”.**

**Quasi-Public.** See *Semi-Public*

### **30.300.180 “R”.**

**Rear.** Opposite of front. In the event of two or more fronts, the rear shall be provided from the opposite to any of the fronts.

### **Recreational Vehicles.**

***Recreational Vehicle.*** A motor home, slide-in camper, travel trailer, or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy.

***Recreational Vehicle Space.*** That portion of a recreational vehicle park set aside and designated for the occupancy of one recreational vehicle, including any contiguous area designed or used for automobile parking, carport, storage, awning, cabana or other use which is clearly incidental and accessory to the primary use of the space.

***Camping Trailer.*** A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite and designed for human habitation for recreational or emergency occupancy.

***Motor Home.*** A vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis, chassis cab or van, which becomes an integral part of the completed vehicle, designed for human habitation for recreational or emergency occupancy.

***Slide-In Camper.*** A portable unit, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck, and designed for human habitation for recreational or emergency occupancy and shall include a truck camper.

***Travel Trailer.*** A portable unit, mounted on wheels, of such a size and weight as not to require special highway movement permits when drawn by a motor vehicle and for human habitation for recreational or emergency occupancy.

**Remodel.** See *Alteration*.

**Renovation.** See *Alteration*.

**Repair and Maintenance.** The replacement of existing materials with similar materials in a similar manner. Repair and maintenance does not include: additions, alterations, or substantial redevelopment to any structure; changes in site development; a substitution of or a change to a nonconforming use; or an increase in area occupied by a nonconforming use.

**Replacement in Kind.** The replacement of a structure or an architectural element that is identical to the original in location, size, and shape, and is constructed of materials that outwardly match the original in dimensions, proportions, details, and textures. The replacement must result in no visible change to the architectural style or appearance of the element. Also referred to as Like-for-Like Replacement.

**Residential.** Lands, buildings, structures or portions thereof used, or designed for use, as a home or residence of one or more individuals.

**Residential Lot Subdivision.** The subdivision of land into individual parcels.

**Residential Property.** Any real property, zoned, designed or ~~permitted~~ allowed to be used for any residential purpose, including any buildings or structures located on said improved real property. Also called Residential Development.

**Residential Unit.** Any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, for not more than one household. Also called Dwelling Unit. See Section 30.140.150, Residential Unit.

**Residential Use of the Same Type.** A residential use that occupies a building type (e.g., single-unit residence, duplex, multi-unit residence) that is otherwise allowed in the same zoning district. Transitional housing, supportive housing, community care facilities, residential care facilities for the elderly, hospices, and licensed small and large family day care homes are subject only to the same zoning standards (e.g., setbacks, height, parking) that apply to other residential dwellings of the same building type in the same zone.

**Review Authority.** The highest decision-making body identified for any land use permit responsible for making decisions on zoning and related permits and approvals, including, but not limited to, the Community Development Director, Public Works Director, design review bodies, Staff Hearing Officer, Planning Commission, and City Council.

**Right-of-Way (ROW).** A strip of land acquired by reservation, easement, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a street, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other similar use.

**Roof.** The top covering of a building, principally responsible for providing protection from the elements.

**30.300.190 “S”.**

**Screen.** See *Hedge*.

**Semi-Public Use.** A facility that is open to the public and has a public purpose but is not owned or operated by a governmental entity. Also called Quasi-Public Use.

**Setback.** The distance by which a building, structure, use, parking area, or other site or development feature is separated from a lot line or design site line. See also, Section 30.15.060, Measuring Distances, Section 30.15.100, Measuring Setbacks and Stepbacks, and Section 30.140.090, Encroachments ~~into Setbacks and Open Yards~~. References to “Lot Lines” may be interpreted to mean “Design Sites Lines” for projects using Title 25 of this code.

***Setback, Front.*** An area extending across the full width of the lot, parallel to the front lot line, extending between the interior lot lines.

***Setback, Interior.*** An area between an interior lot line and a line parallel to the interior lot line, bounded by the two lot lines adjacent to the interior lot line from which the setback is measured.

***Setback, Primary Front.*** Setback adjacent to primary front lot line.

***Setback, Secondary Front.*** Setback adjacent to secondary front lot line.

**Shopping Center.** An integrated group of commercial establishments that are planned and managed together with a minimum of five attached businesses and shared onsite parking. Shopping Centers can include a variety of uses including, but not limited to: retail, eating and drinking establishments, small offices, and banks.

**Sidewalk.** A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian pathway.

**Sink.** A sink is a fixed bowl or basin equipped with running water and a drain, used for washing, rinsing, or other utility purposes.

***Sink, Bar.*** A bar sink is a compact sink used for beverage preparation or light clean-up in a wet bar or similar setting. To avoid classification as a full kitchen for zoning purposes, a bar sink must not exceed 12 inches in interior basin width and must not be associated with more than five linear feet of countertop, including any adjacent cabinetry or work surface. Bar sinks are not intended for food preparation, dishwashing, or personal hygiene. The presence of a bar sink does not, by itself, constitute a kitchen.

***Sink, Kitchen.*** A kitchen sink is a plumbing fixture used for food preparation, dishwashing, or cleaning of kitchen-related items. A kitchen sink is typically located in a kitchen or food preparation area and must have an interior basin size greater than 12 inches by 12 inches. The presence of a kitchen sink, in combination with other elements such as a cooking appliance and food preparation counter, may constitute a kitchen for zoning purposes.

***Sink, Lavatory.*** A lavatory sink, or lavatory, is a plumbing fixture designed specifically for handwashing and personal hygiene. A lavatory sink must be located within a bathroom and is not intended for food preparation, dishwashing, or utility use.

***Sink, Utility.*** A deep, durable plumbing fixture intended for cleaning tools, rinsing equipment, or performing household maintenance tasks. Utility sinks are commonly located in garages, laundry rooms, or service areas and are not intended for food preparation or personal hygiene.

**Site Plan.** A plan sheet that includes the basic information that will appear on all plans including, but not limited to, lot lines, natural features, roads, buildings, or other structures proposed or existing to remain on-site. Also called plot plan.

**Site.** A lot, or group of contiguous lots, that is proposed for development in accordance with the provisions of this Title and is in a single ownership or under unified control. Also called development site, or project site. See also, *Building Site*.

**Site Plan.** A plan sheet that includes the basic information that will appear on all plans including, but not limited to, lot lines, natural features, roads, buildings, or other structures proposed or existing to remain on-site. Also called plot plan.

**Skylight.** Roof-mounted window allowing light and sometimes ventilation into the space below.

**Solar Access Height Related Definitions.** The following terms are related to Section 30.140.170, Solar Access Height Limitations.

***Base Elevation Point.*** The elevation of the higher of either (1) the highest point of contact of a structure with existing grade or (2) the highest point of existing grade along the northerly lot line on the subject property measured at the location(s) with the shortest distance from the structure to the northerly lot line. For the purposes of this determination, all fences, covered and uncovered walkways, driveways, patio covers, and other similar elements shall be considered separate structures.

***Northerly Lot Line.*** Any lot line, of which there may be more than one per lot, that forms a generally north facing boundary of a lot and has a bearing greater than or equal to 40 degrees from either true north or true south. For curved lot lines, the bearing of the lot line at any point shall be the bearing of the tangent to the curve at that point.



**Stock Cooperative.** As defined in § 11003.2 of the Business and Professions Code.

**Story.** That portion of a building included between the surface of any floor and the surface of the floor next above it, except that the topmost story shall be that portion of a building included between the surface of the topmost floor and the surface of the roof above. See also, Section 30.15.090.E-G, Determining the Number of Stories in a Building.

***Story, First.*** The lowest story or the ground story of any building, that is closest to finished grade. Also called First Floor or Ground Floor.

***Story, Half.*** A conditioned space that rests underneath the slope of the roof, usually having dormer windows. Where applicable, the half-story is identified by the "0.5" in the description of maximum height (e.g., 2.5). A half-story is not counted as a whole story when its top wall plates, on at least two opposite exterior walls, are less than four feet above the floor of such story. Also called Attic Half-Story.

***Story, Mezzanine.*** A story which covers one-third or less of the area of the story directly underneath it. A mezzanine story shall be deemed a full story when it covers more than one-third of the area of the story directly underneath said mezzanine story.

***Story, Second.*** The story above the First Story. Also called Second Floor.

***Story, Upper.*** Any story above the first story.

**Street.** A public or private way constructed for the primary purpose of vehicular travel. An alley or a driveway is not a street. The term "street" describes the entire legal right-of-way or easement (public or private), including, but not limited to, the traffic lanes, bike lanes, curbs, gutters, sidewalk whether paved or unpaved, parkways, and any other grounds found within the legal right-of-way. The name given to the right-of-way (avenue, court, road, etc.) is not determinative of whether the right-of-way is a street.

***Street, Private.*** A street that is privately owned. Private streets do not appear on the official dedicated street map of the City of Santa Barbara. Private streets generally provide access to multiple lots or units and are usually named, unlike driveways. Private streets may be constructed to public street standards. Private streets are generally differentiated from driveways by larger widths, longer lengths, and may include public or private utilities. Also called a Private Road, Lane, or Drive.

***Street, Public.*** Any street shown on the official dedicated street map of the City of Santa Barbara, as such map may be amended from time to time.

**Street Frontage.** The length of the front lot line along an adjacent street.

**Structural Alteration.** Any change affecting existing structural elements or requiring new structural elements for vertical or lateral support of an otherwise nonstructural alteration. Includes any physical change to the supporting members of a structure, such as bearing walls, columns, beams or girders, floor joists or roof joists, including the creation, or enlargement, of doors or windows and changes to a roofline or roof shape.

**Structure.** Anything constructed or erected and the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. Buildings are considered structures.

***Structure, Accessory.*** A subordinate structure, physically detached from, and used only as incidental to the main structure on the same lot. See also, *Building, Accessory*.

***Structure, Ground-Mounted.*** Any object, structure, equipment, or feature that is intended, designed, and placed directly on a horizontal surface and is not physically attached to a building wall or roof. Ground-mounted encroachments may rest on natural grade, finished grade, or an on-grade surface such as a deck, podium, or terrace, provided the surface is designed to support such features and is accessible from the adjacent exterior space. Examples include, but are not limited to, freestanding mechanical equipment, trash enclosures, pergolas, playground equipment, rainwater tanks, fountains, sheds.

***Structure, Main.*** See *Building, Main*.

***Structure, Roof-Mounted.*** Any object, structure, equipment, or feature that is intended, designed, and affixed to or supported by the roof of a building. Roof-mounted encroachments are elevated above the highest occupied floor and may include solar panels, skylights, roof decks, satellite dishes, chimneys, and antennae.

***Structure, Wall-Mounted.*** Any object, structure, equipment, or feature that is intended, designed, and affixed to a vertical building wall and projects outward from the wall surface. Wall-mounted encroachments do not rest on grade or any horizontal surface. Examples include, but are not limited to, utility meters, conduit, signage, exterior light fixtures, and wall-mounted electric vehicle supply equipment (EVSE).

**Studio.** A residential unit consisting of one combined living and sleeping room. The unit may have a separate kitchen and bathroom in addition to the main room. A studio may have a loft, but the loft may not be a bedroom, as defined in this Title.

**Substantial Redevelopment.** A majority of a structure is removed, or is no longer a necessary and integral component of the overall structure. See Section 30.140.200, Substantial Redevelopment.

**Swimming Pool, Public or Private.** Any pool, pond, lake, or open tank located within or outside of a building and containing or normally capable of containing water to a depth at any point greater than 1.5 feet.

### **30.300.200 “T”.**

#### **Time-Share Terms.**

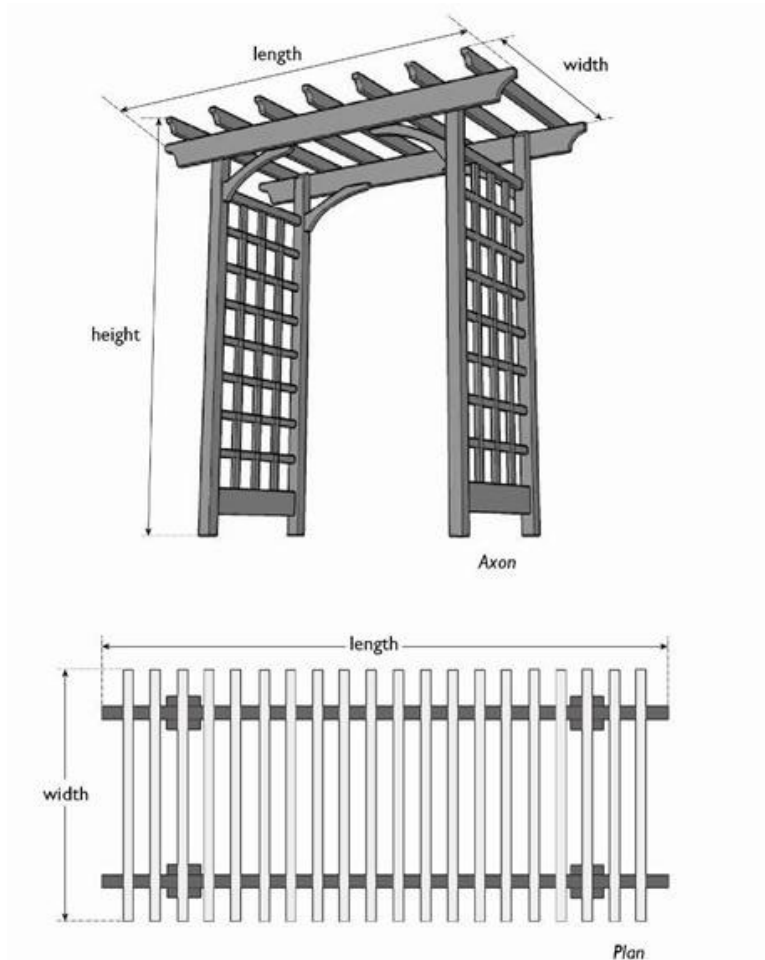
*Time-share Project.* A purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided.

*Time-share Estate.* A right of occupancy in a timeshare project which is coupled with an estate in the real property.

*Time-share Use.* A license or contractual or membership right of use in a timeshare project which is not coupled with an estate in the real property.

**Trellis.** An accessory structure having a roof constructed of lattice or other roof material which allows light and air to pass through a minimum of 50 percent of the roof surface and uniformly distributed. Additionally, the sides of an open structure consist only of support posts and decorative or functional elements including, but not limited to, braces and railings such that light and air can pass through a minimum of 75 percent of each side. Trellis includes but is not limited to pergolas, arbors, and other shade structures. Play structures do not qualify as a trellis but are regulated as accessory structures. A trellis is not an accessory building, subject to the size limitations in Section 30.140.020, Accessory Buildings.

**FIGURE 30.300.200: TRELLIS**



**30.300.210 “U”.**

**Unenclosed.** A structure or portion of a structure that is either: (1) not covered by a roof or overhead structure; or (2) covered, but open to the outdoors on at least 50% of its perimeter, excluding vertical supports and guardrails not exceeding 42 inches in height.

**Unit.** See *Residential Unit*.

**Upper Floor.** See *Story, Upper*.

**Use.** The purpose for which land, buildings, structures, or site development is designed, arranged, or intended; or for which it is, or may be, occupied or maintained. Also called Land Use.

***Accessory Use.*** A use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same lot as the primary use. See also, Section 30.185.030, Accessory Uses.

***Principal or Primary Use.*** A primary, principal or dominant use established, or proposed to be established, on a lot.

***Temporary Use.*** The use of land or premises or a building thereon for a limited period of time which does not change the character of the site, premises, or uses therein. See also, Section 30.185.420, Temporary Uses.

### **30.300.220 “V”.**

**Vehicle.** Any vehicle, as vehicle is defined by the California Vehicle Code, including any automobile, camper, camp trailer, trailer, trailer coach, motorcycle, house car, boat, or similar conveyance.

***Vehicle, Commercial.*** Any truck, bus, truck-tractor, cargo trailer, or other motorized or towed vehicle which has a rated capacity of more than 15 passengers, a rated capacity of more than one ton by the manufacturer, or which exceeds a length of 20 feet or a height of 10 feet and designed, used, or maintained primarily for the transportation of property.

***Vehicle, Fleet.*** Any group of motor vehicles owned or leased by a business, government agency, or other organization rather than by an individual or household. Typical examples are vehicles operated by taxicab companies, public utilities, public bus companies, and police departments.

***Vehicle, Passenger.*** An automobile used or maintained for the transportation of persons.

**Vehicular Use Areas.** All paved surfaces accessible to, connected to, or associated with an off-street parking area including but not limited to access driveways, aisles, curbs, islands, ramps, and vehicle parking spaces.

**Vertical.** Perpendicular to the plane of the horizon.

**Vibration.** A periodic motion of the particles of an elastic body or medium in alternately opposite directions from the position of equilibrium.

**Visible.** See *Publicly Visible*.

### **30.300.230 “W”.**

**Walkway.** See *Pathway*.

**Wall.**

**Wall, Building.** Any vertical exterior surface of a building or any part thereof, including windows and doors.

**Wall, Freestanding.** See *Fence*.

**Wall, Retaining.** A structure built out of rock, block, wood, or other similar material and used to either directly support retained material or to serve as a facing of a cut slope.

**Wall, Wing.** An extension of a ground-level exterior building wall using the same materials and colors of the other exterior building walls, which has the effect of partially or entirely “fencing” an outdoor area.

**Watercourse.** Any stream, creek, arroyo, gulch, wash and the beds thereof, whether dry or containing water. It shall also mean a natural swale or depression which contains and conveys surface water during or after rain storms. See also, Section 30.15.040, Determining Creek Top of Bank.

**Wetland.** See *Coastal Zone Related Definitions*.

**Window.** An opening, typically glazed, in an exterior wall that allows light into the interior, but is not designed as an entry.

**30.300.240 “X”.**

Reserved.

**30.300.250 “Y”.**

**Yard.** A required open space on a lot or parcel of land, open, unenclosed and unobstructed from the ground upward, except as otherwise provided in this Title. Applies to all zones and all land uses where development standards reference required yards.

**Yard, Front.** An area extending across the full width of the lot between the front lot line and the nearest wall of the closest main building on the lot; includes the required front setback and the remaining front yard. See also, Section 30.15.080, Measuring Front Yards.

***Yard, Open.*** A required yard, intended to provide minimum usable open areas within residential development. See Section 30.140.140, Open Yards.

*Yard, Open – Private.* A required yard directly accessible from the living area of the individual dwelling unit it serves, and accessible exclusively to that unit’s occupants. May include landscaped or paved areas, patios, decks, balconies, or rooftop decks.

*Yard, Open – Common.* A required yard accessible to all residential units, or to multiple residential units, on the same lot. May include natural features, landscaped or paved areas, playgrounds, gardens, below-grade swimming pools, plazas, courtyards, decks, patios, or rooftop decks.

***Yard, Primary Front.***

- On a lot with one front yard, the front yard is the primary front yard.
- On lots with multiple front yards, the primary front yard is designated by the property owner and approved by the Community Development Director as the primary front yard.

***Yard, Remaining Front.*** The area of the front yard not including the required front setback.

***Yard, Secondary Front.*** Any front yard on a lot with multiple front yards that is not designated as the primary front yard.

**FIGURE 30.300.250: YARD, FRONT**



**30.300.260 “Z”.**

**Zone.** See *Zoning District*.

**Zone Map.** The zoning maps of the City of Santa Barbara, California, together with all amendments. See *Base Zone* and *ODDS Zone*.

**Zoning District.** A specifically delineated area or district in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and structures. See Section 30.05.010, Zones Established (for Title 30 projects), and Section 25.01.090, Zones Established, (for Title 25 projects).

**SECTION 19.** Appendix of the Santa Barbara Municipal Code is amended to read as follows:

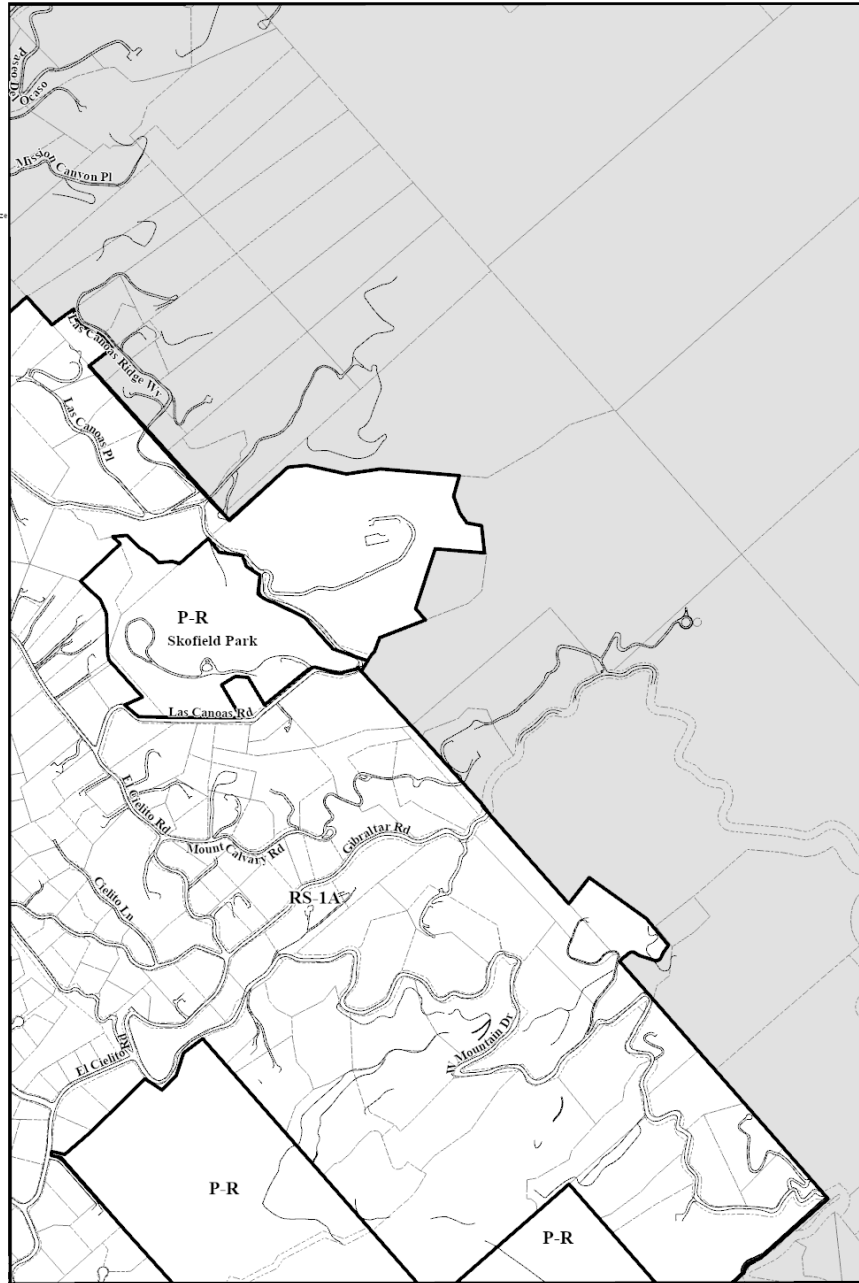
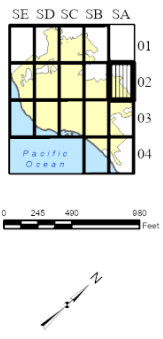
**Appendix Sectional Maps**

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Sectional Map: SA02

- Legend**
- RESIDENTIAL ZONES**
- RS-1A-A-1 - Res. Single Unit, 1 acre min
  - RS-25-A-2 - Res. Single Unit, 250 sq ft min
  - RS-15-E-1 - Res. Single Unit, 150 sq ft min
  - RS-10-E-2 - Res. Single Unit, 100 sq ft min
  - RS-7-E-3 - Res. Single Unit, 75 sq ft min
  - RS-6-R-1 - Res. Single Unit, 60 sq ft min lot size
  - R-2 - Two-Unit Residential
  - R.M.H-1 - Residential Multi-Unit
  - R.M.H.R-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O.R.R.-O - Office Restricted
  - O.M - Office Medical
  - C.R.C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-I - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Auto Commercial and Services
  - RD - Research and Development
  - HWMF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - EH - Senior Home
  - SH - Senior Housing Zone
  - SRP - Sea Ropes Pier
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SNP - Senior Mobilehome Park

- SPECIFIC PLAN ZONES**
- SP-1P2 - Park Plaza
  - SP-2CP - Cabrillo Plaza
  - SP-3MC - Mission Canyon (repealed)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9TM - Ventura Meadows
  - SP-10LP - Las Pintas
- Coastal Zone Boundary



# Sectional Map: SA03

**Legend**

**RESIDENTIAL ZONES**

- RS-1A/A-1 - Res. Single Unit, 1 acre min
- RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
- RS-15/B-1 - Res. Single Unit, 1.5k sq ft min
- RS-10/B-2 - Res. Single Unit, 1.0k sq ft min
- RS-7/E-3 - Res. Single Unit, 7.5k sq ft min
- RS-6/R-1 - Res. Single Unit, 6k sq ft min lot size
- R-2 - Two-Unit Residential
- R-MHR-3 - Residential Multi-Unit
- R-MHR-4 - Residential Multi-Unit and Hotel

**COMMERCIAL AND OFFICE ZONES**

- O-R-R-O - Office Restricted
- O-M - Office Medical
- C-R-C-1/C-P - Commercial Restricted
- C-G-C-2 - Commercial General

**MANUFACTURING ZONES**

- M-C - Manufacturing Commercial
- M-1/M-1 - Light Manufacturing

**COASTAL-ORIENTED RELATED ZONES**

- HRC-1 - Hotel and Restaurant
- HRC-2 - Hotel and Visitor-Serving
- H-C - Harbor Commercial
- OC - Commercial, Arts and Recreation
- OM-1 - Manufacturing Industrial

**PARKS AND RECREATION ZONE**

- P-R - Parks and Recreation

**OVERLAY ZONES**

- ACS - Amro, Commercial, and Services
- RD - Research and Development
- HWMF - Hazardous Waste Mgmt Facility
- PUD - Planned Unit Development
- KH - Resort Hotel
- SH - Senior Housing Zone
- SRP - San Roque Park
- USS - Upper State Street Area
- S-D-3 - Coastal Overlay Zone
- MHP - Mobile Home Park
- SMP - Senior Mobilehome Park

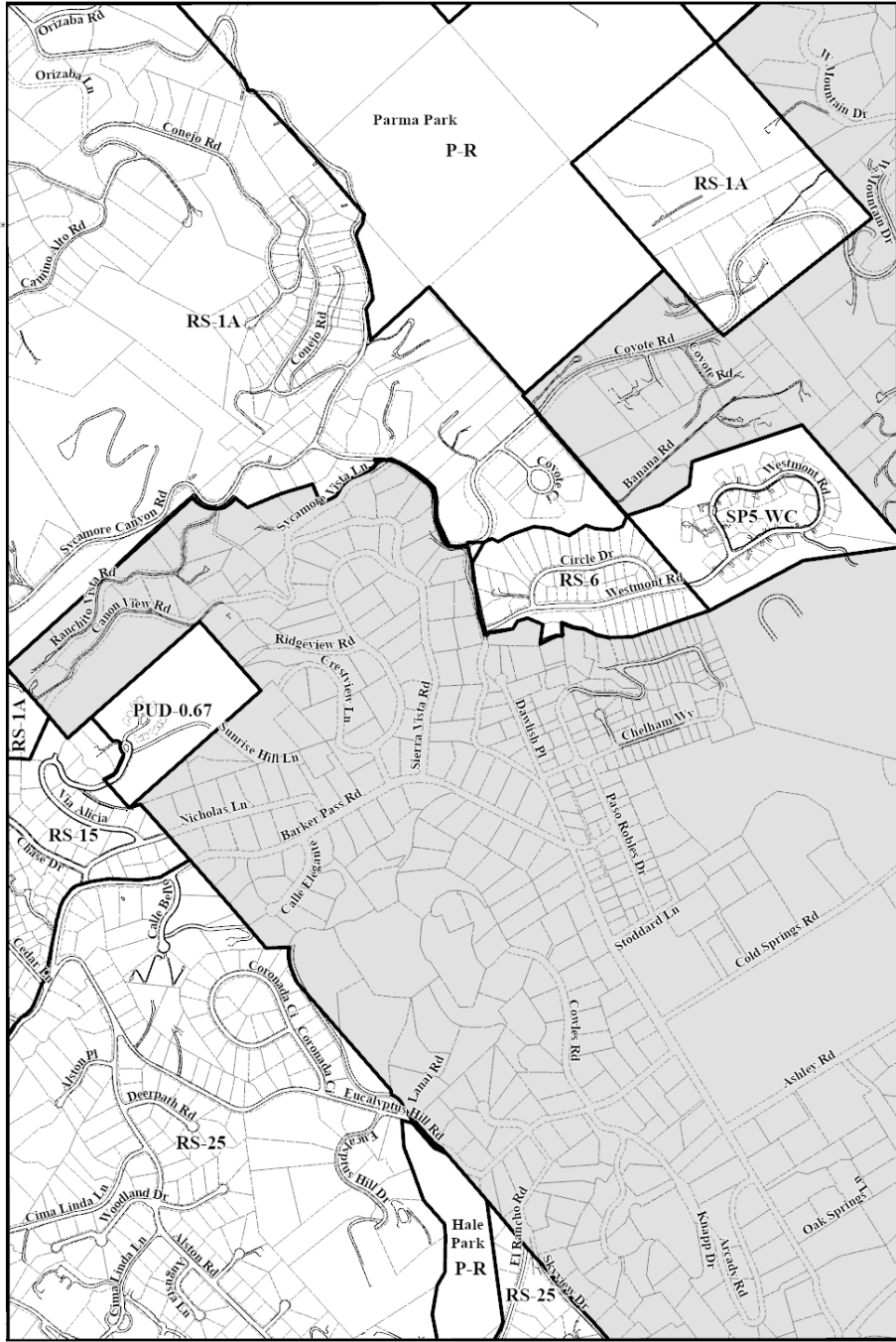
**SPECIFIC PLAN ZONES**

- SP-1PP - Park Plaza
- SP-2CP - Canillo Plaza
- SP-3MC - Mission Canyon (rescinded)
- SP-4RA - Rancho Arroyo
- SP-5WC - Westmont College
- SP-6AIA - Airport Industrial Area
- SP-7RC - Riviera Campus
- SP-8H - Hospital
- SP-9YM - Yonaca Meadows
- SP10-LP - Las Puestas

■ Coastal Zone Boundary

SE SD SC SB SA

0 245 490 980 Feet



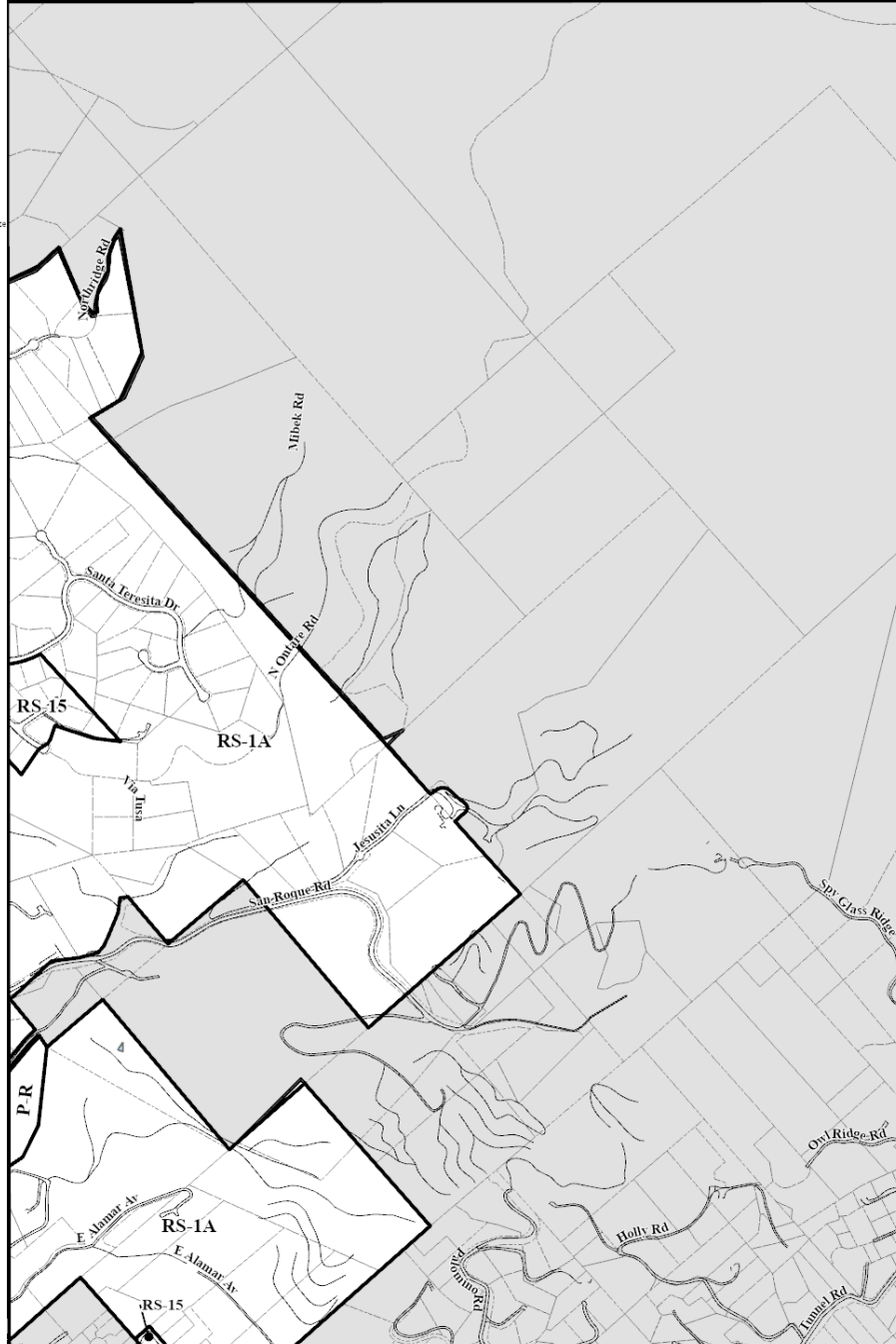


# Map SB01

## Sectional Map: SB01

### Legend

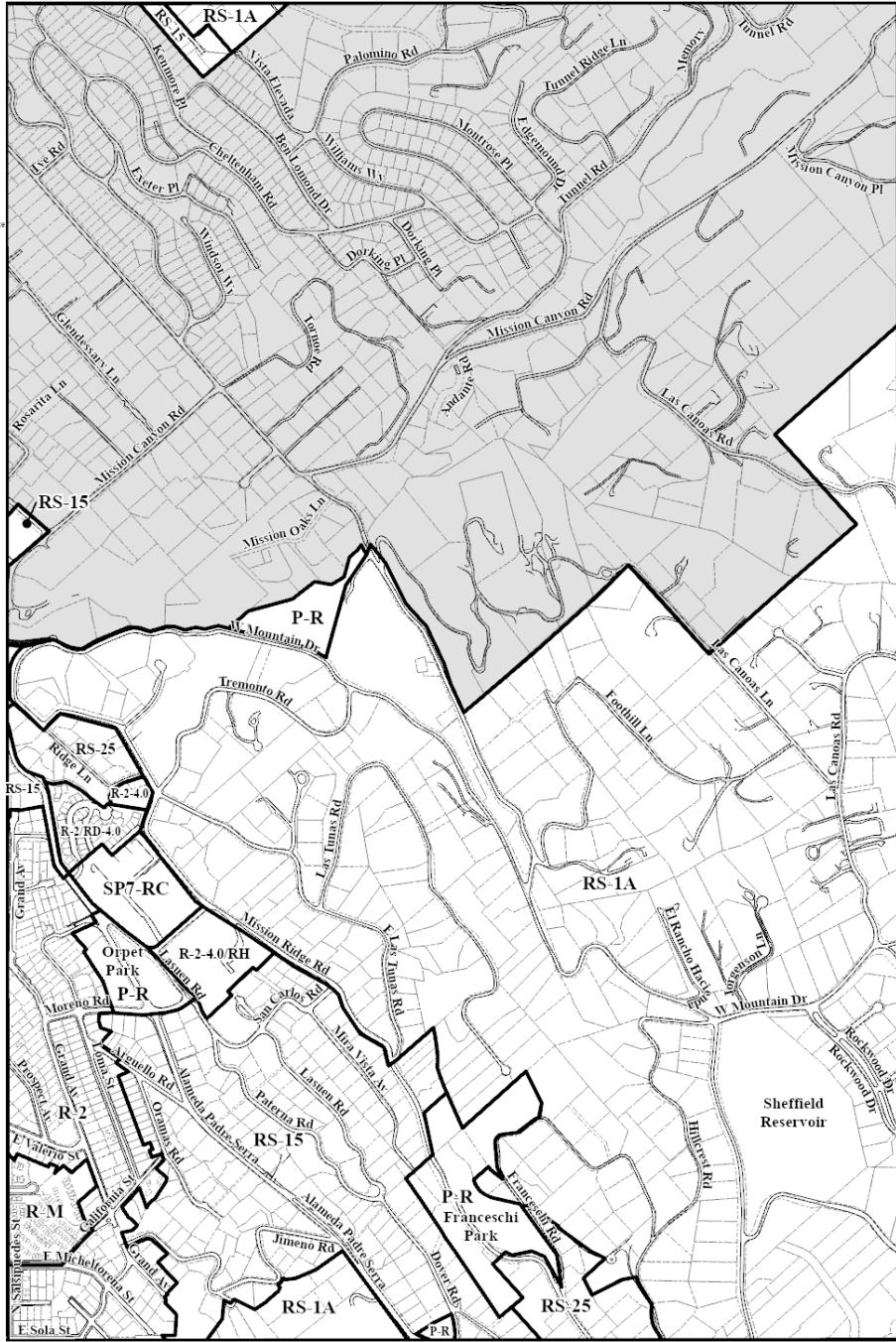
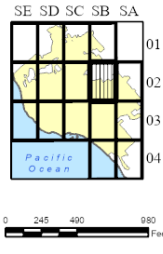
- RESIDENTIAL ZONES**
- RS-1A/A-1 - Res. Single Unit, 1 acre min
  - RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15/B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10/B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5/E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6/R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MHR-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1/C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-I-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Astro, Commercial, and Services
  - RD - Research and Development
  - HWNF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - KH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Camillo Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yonessa Meadows
  - SP16-LP - Las Puntas
- Coastal Zone Boundary
- SE SD SC SB SA
- |    |    |    |    |
|----|----|----|----|
| 01 | 02 | 03 | 04 |
|----|----|----|----|
- 0 245 490 980 Feet
- 
- 



# Sectional Map: SB02

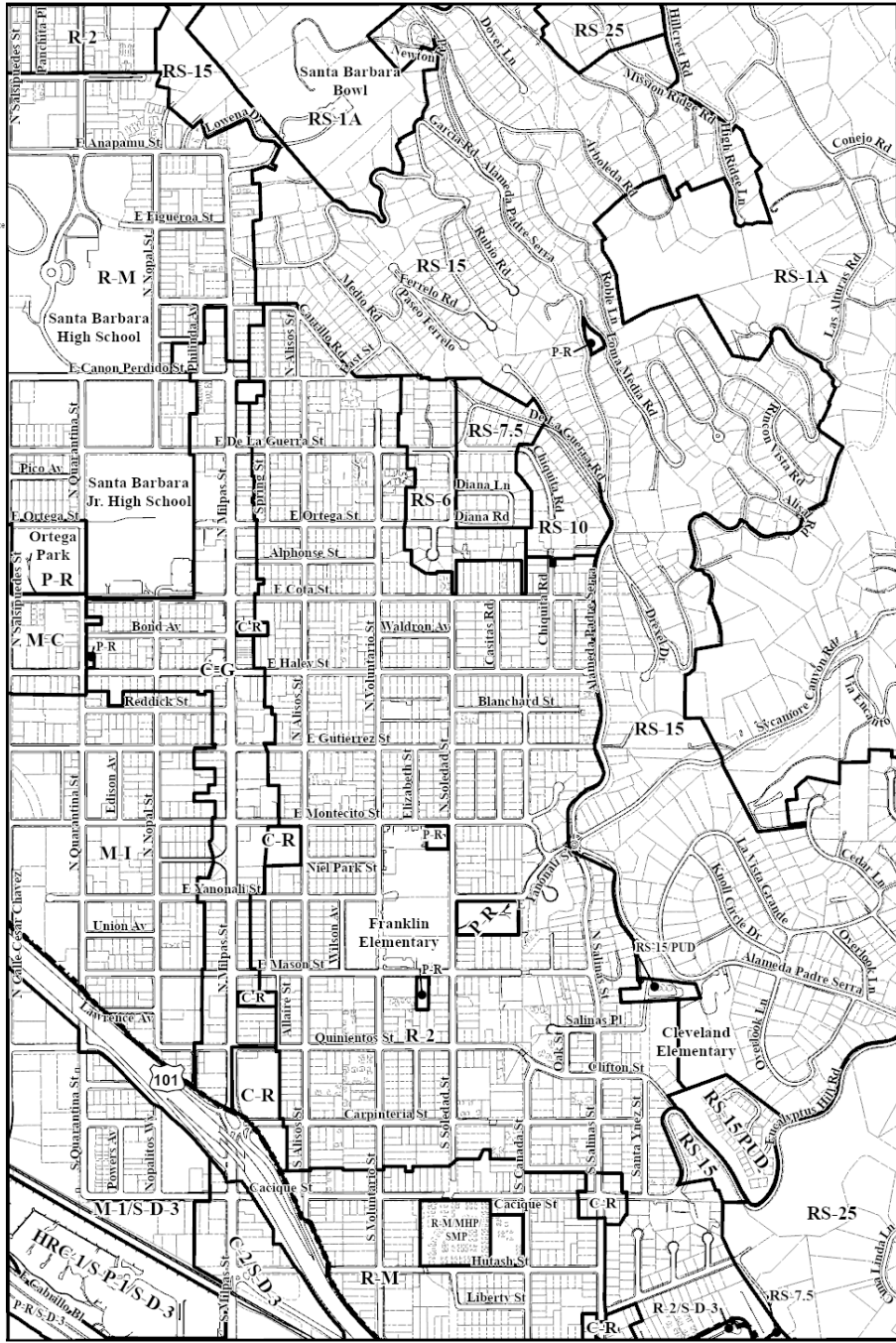
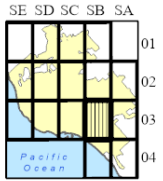
## Legend

- RESIDENTIAL ZONES**
- RS-1A-A-1 - Res. Single Unit, 1 acre min
  - RS-25-A-2 - Res. Single Unit, 2.75 sq ft min
  - RS-15-B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10-B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7-E-3 - Res. Single Unit, 7.75 sq ft min
  - RS-6-R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MH-3 - Residential Multi-Unit
  - R-MH-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-I-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
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  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Astro, Commercial, and Services
  - RD - Research and Development
  - HWMF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
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  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Canillo Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Wainwright College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yonessa Meadows
  - SP16-LP - Las Pottales
- Coastal Zone Boundary



# Sectional Map: SB03

- Legend**
- RESIDENTIAL ZONES**
- RS-1A A-1 - Res. Single Unit, 1 acre min
  - RS-20 A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-10 B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10 E-1 - Res. Single Unit, 1.0k sq ft min
  - RS-7 E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6 R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MR-3 - Residential Multi-Unit
  - R-MR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-IM-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - O-C - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Auto, Commercial and Services
  - RD - Research and Development
  - HWMP - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - RH - Resort Hotel
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  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
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  - SP-2CP - Cabrillo Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9VM - Veronica Meadows
  - SP-10LP - Las Pomas
- Coastal Zone Boundary



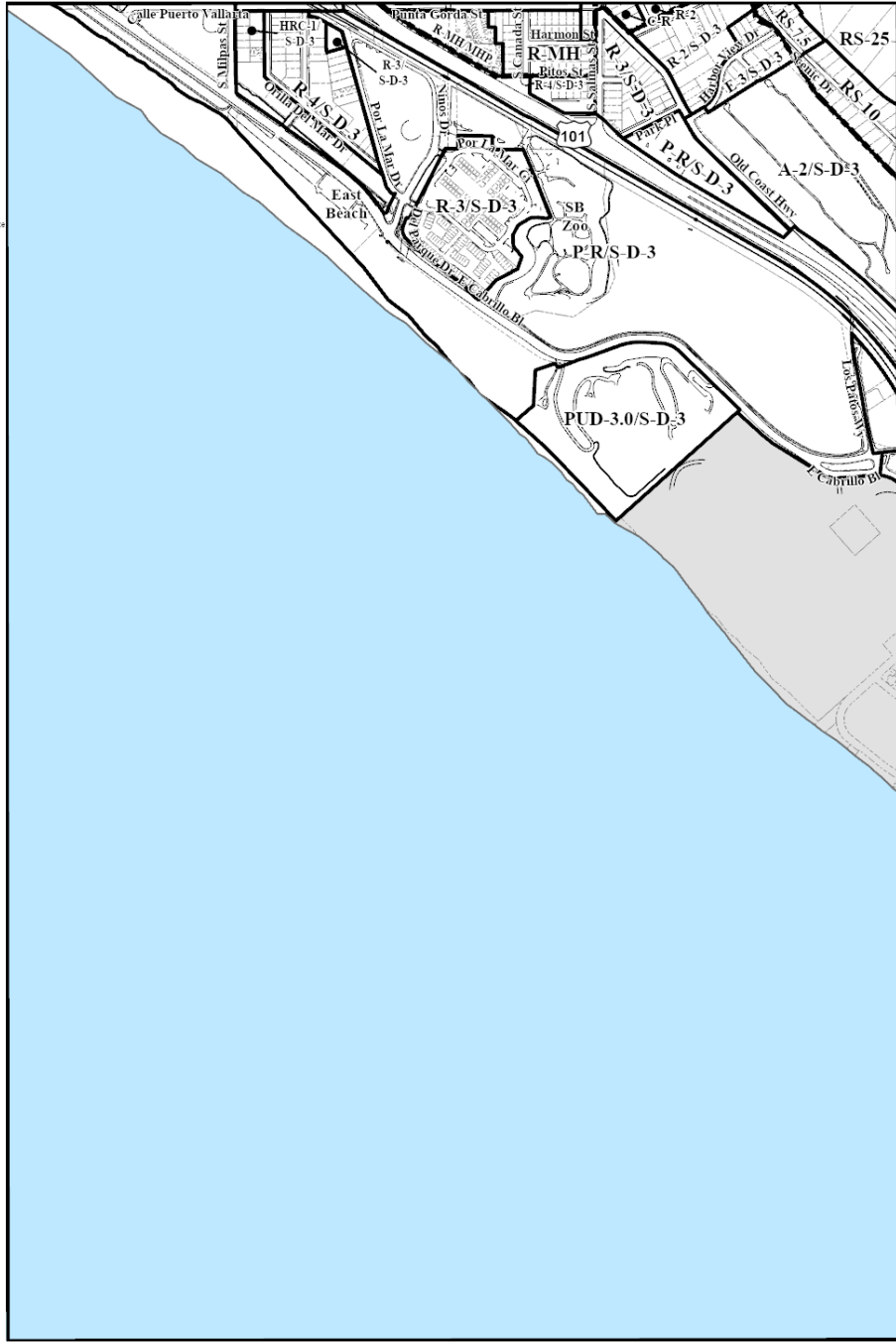
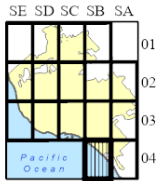
# Map SB04

## Sectional Map: SB04

### Legend

- RESIDENTIAL ZONES**
- RS-1A/A-1 - Res. Single Unit, 1 acre min
  - RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15/B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10/B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5/E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6/R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MH-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-1-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Astro, Commercial, and Services
  - RD - Research and Development
  - HWMF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - KH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park

- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Cannillo Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yonessa Meadows
  - SP10-LP - Las Pottales
- Coastal Zone Boundary



# Sectional Map: SC01

**Legend**

**RESIDENTIAL ZONES**

- RS-1A-A-1 - Res. Single Unit, 1 acre min
- RS-25-A-2 - Res. Single Unit, 2.75 sq ft min
- RS-15-B-1 - Res. Single Unit, 1.5k sq ft min
- RS-10-B-2 - Res. Single Unit, 1.0k sq ft min
- RS-7.5-E-3 - Res. Single Unit, 7.5k sq ft min
- RS-6-R-1 - Res. Single Unit, 6k sq ft min lot size
- R-2 - Two-Unit Residential
- R-MHR-3 - Residential Multi-Unit
- R-MHR-4 - Residential Multi-Unit and Hotel

**COMMERCIAL AND OFFICE ZONES**

- O-R-R-O - Office Restricted
- O-M - Office Medical
- C-R-C-1-C-P - Commercial Restricted
- C-G-C-2 - Commercial General

**MANUFACTURING ZONES**

- M-C - Manufacturing Commercial
- M-1-M-1 - Light Manufacturing

**COASTAL-ORIENTED RELATED ZONES**

- HRC-1 - Hotel and Restaurant
- HRC-2 - Hotel and Visitor-Serving
- H-C - Harbor Commercial
- OC - Commercial, Arts and Recreation
- OM-1 - Manufacturing Industrial

**PARKS AND RECREATION ZONE**

- P-R - Parks and Recreation

**OVERLAY ZONES**

- ACS - Auto, Commercial, and Services
- RD - Research and Development
- HWMF - Hazardous Waste Mgmt Facility
- PUD - Planned Unit Development
- RH - Resort Hotel
- SH - Senior Housing Zone
- SRP - San Roque Park
- USS - Upper State Street Area
- S-D-3 - Coastal Overlay Zone
- MHP - Mobile Home Park
- SMP - Senior Mobilehome Park

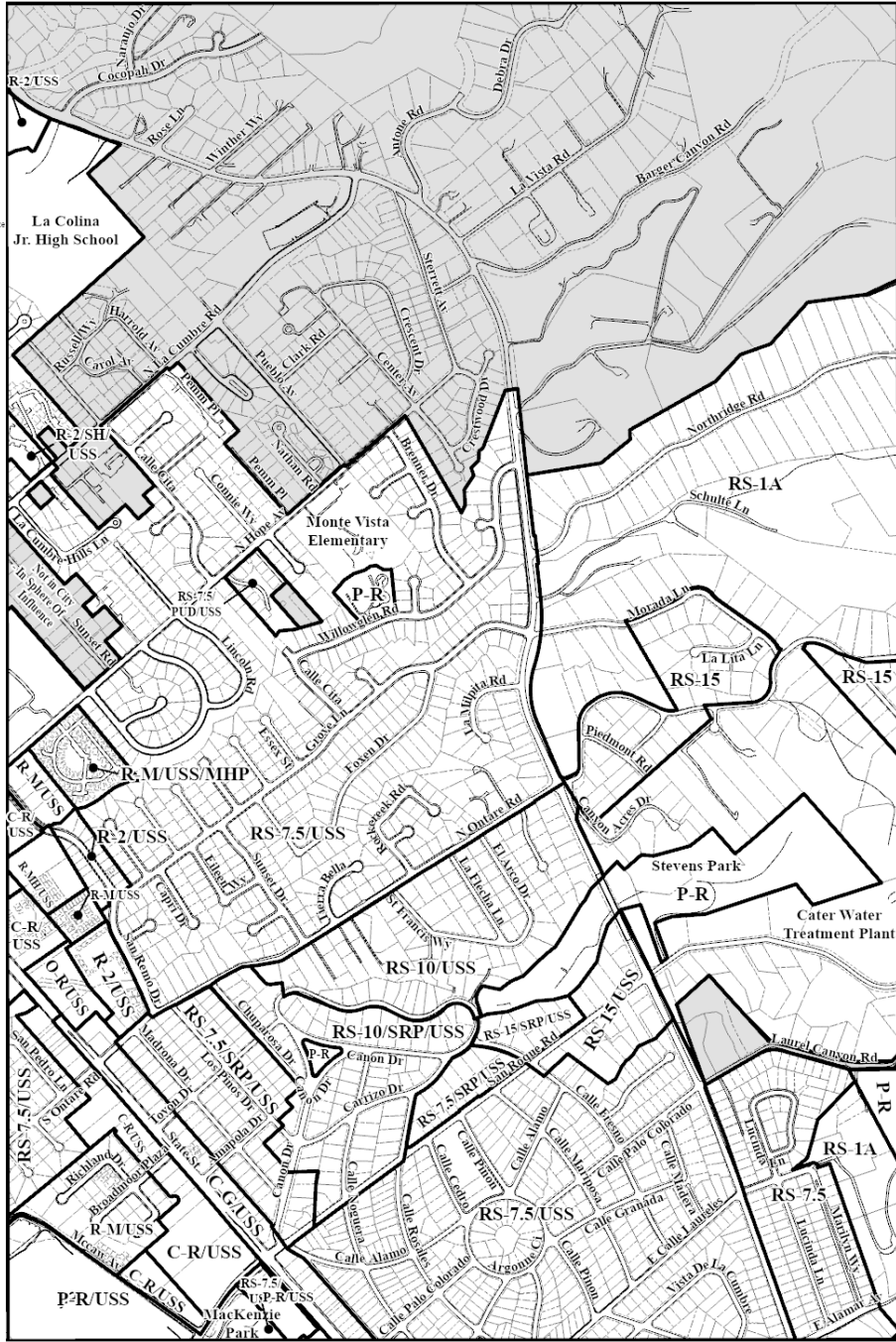
**SPECIFIC PLAN ZONES**

- SP-1PP - Park Plaza
- SP-2CP - Canillo Plaza
- SP-3MC - Missions Canyon (rescinded)
- SP-4RA - Rancho Arroyo
- SP-5VC - Vandenberg College
- SP-6AIA - Airport Industrial Area
- SP-7RC - Riviera Campus
- SP-8H - Hospital
- SP-9YM - Yoncos Meadows
- SP10-LP - Las Puestas

■ Coastal Zone Boundary

SE SD SC SB SA

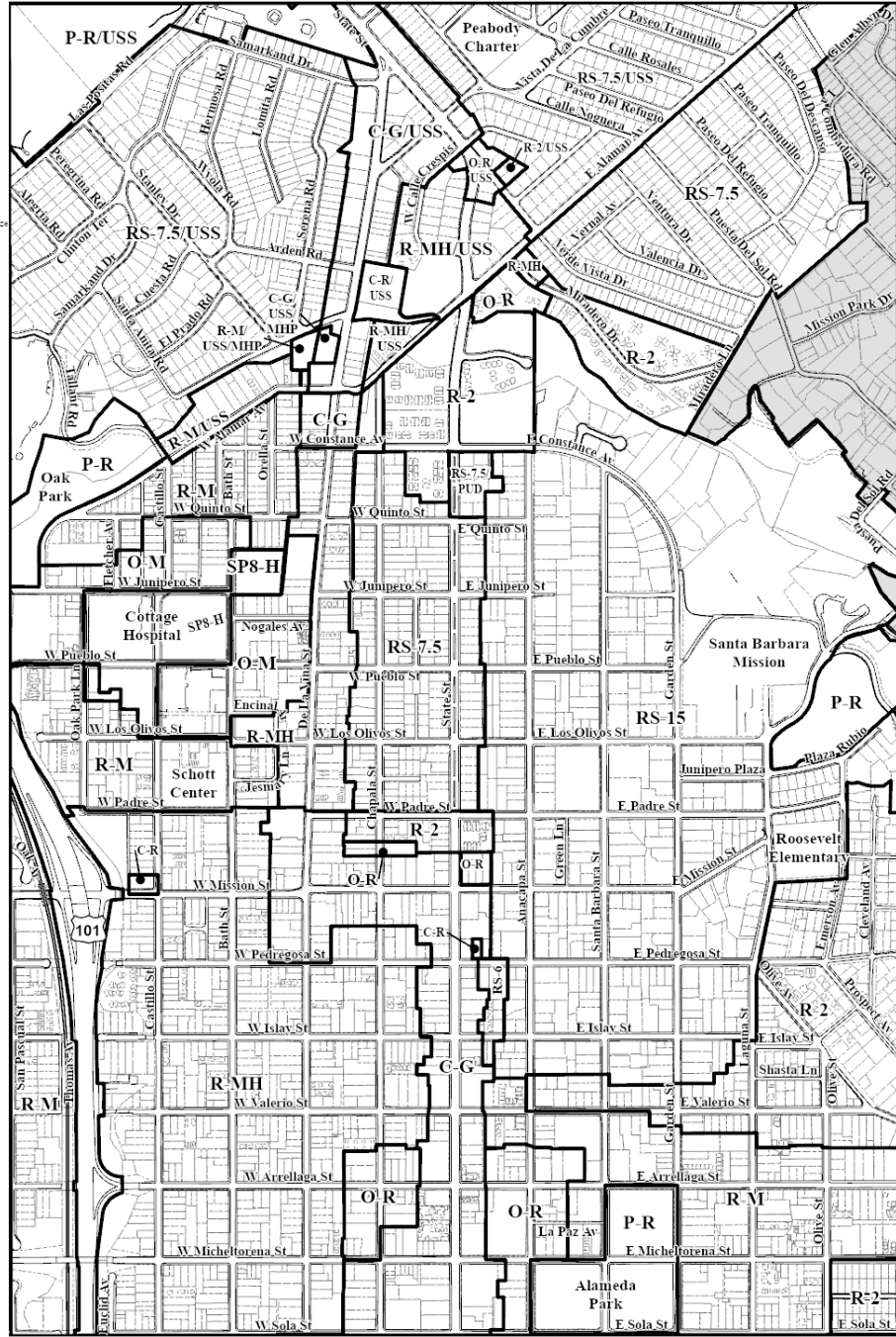
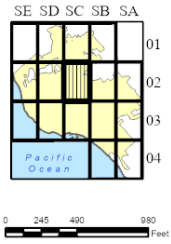
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# Sectional Map: SC02

## Legend

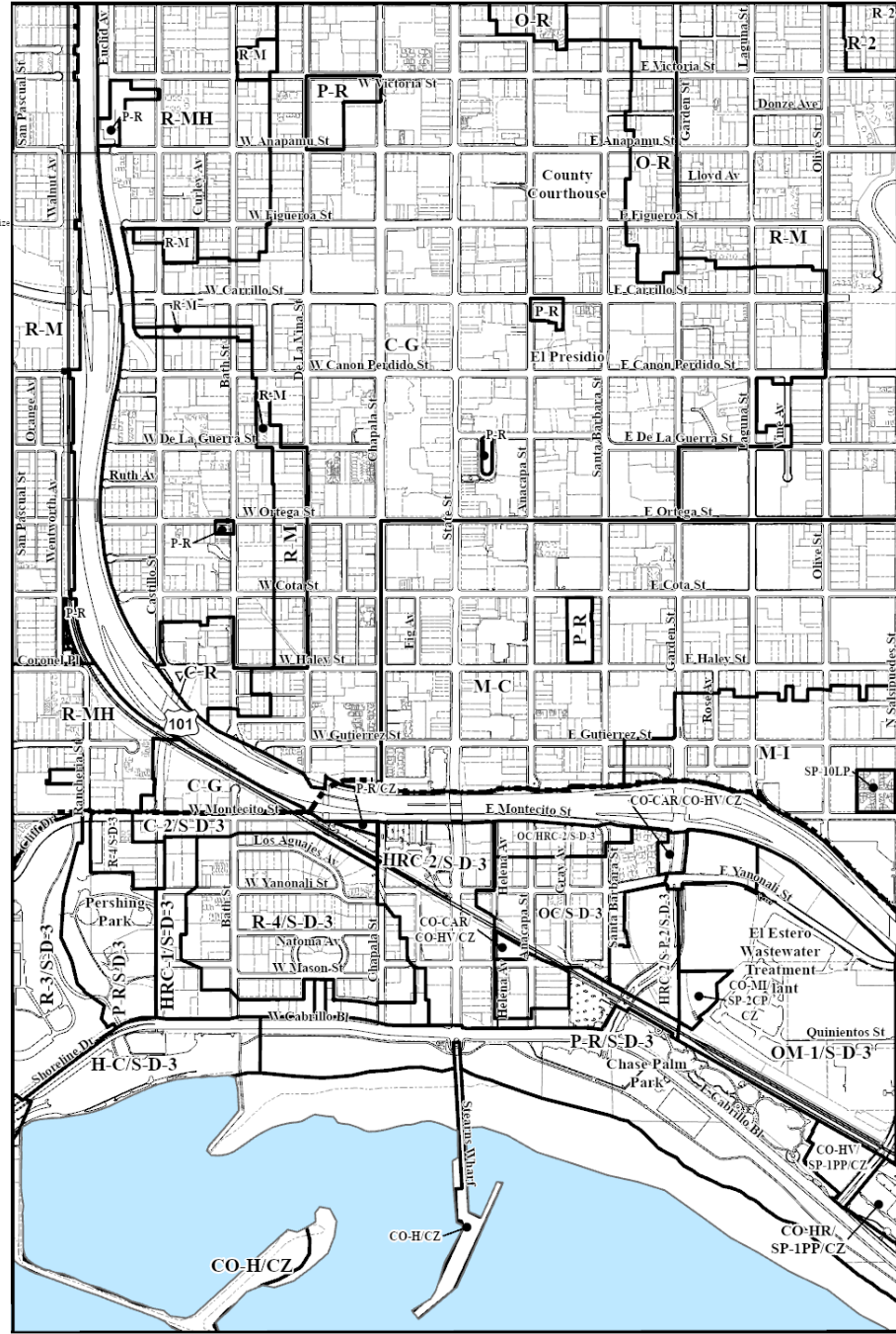
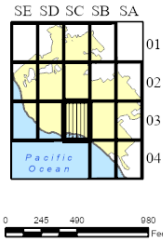
- RESIDENTIAL ZONES**
- RS-1A-A-1 - Res. Single Unit, 1 acre min
  - RS-25-A-1 - Res. Single Unit, 2.75 sq ft min
  - RS-15-B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10-B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5-E-2 - Res. Single Unit, 7.5k sq ft min
  - RS-6-B-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MH-3 - Residential Multi-Unit
  - R-MH-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Auto, Commercial, and Services
  - RD - Research and Development
  - HWNF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - RH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Castillo Plaza
  - SP-3MC - Missions Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yonessa Meadows
  - SP16-LP - Las Puestas
- Coastal Zone Boundary



# Sectional Map: SC03

## Legend

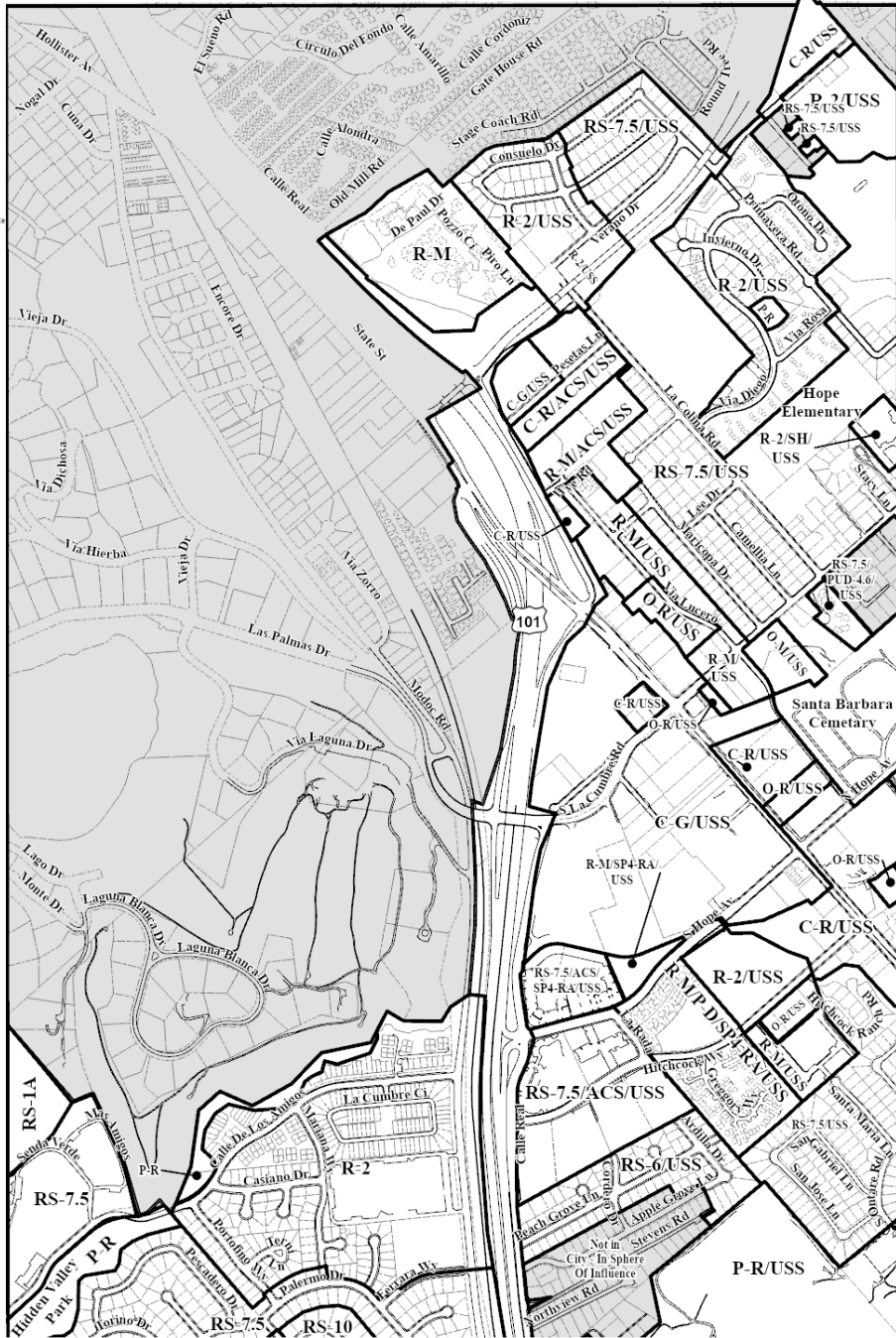
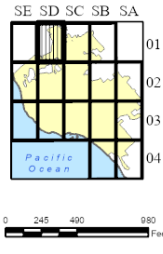
- RESIDENTIAL ZONES**
- RS-1A-A-1 - Res. Single Unit, 1 acre min
  - RS-25-A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15-B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10-B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7-E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6-R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MH-3 - Residential Multi-Unit
  - R-MH-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Auto, Commercial, and Services
  - RD - Research and Development
  - HWMF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - RH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper Santa Maria Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Cannito Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yoncos Meadows
  - SP10-LP - Las Puestas
- Coastal Zone Boundary



# Sectional Map: SD01

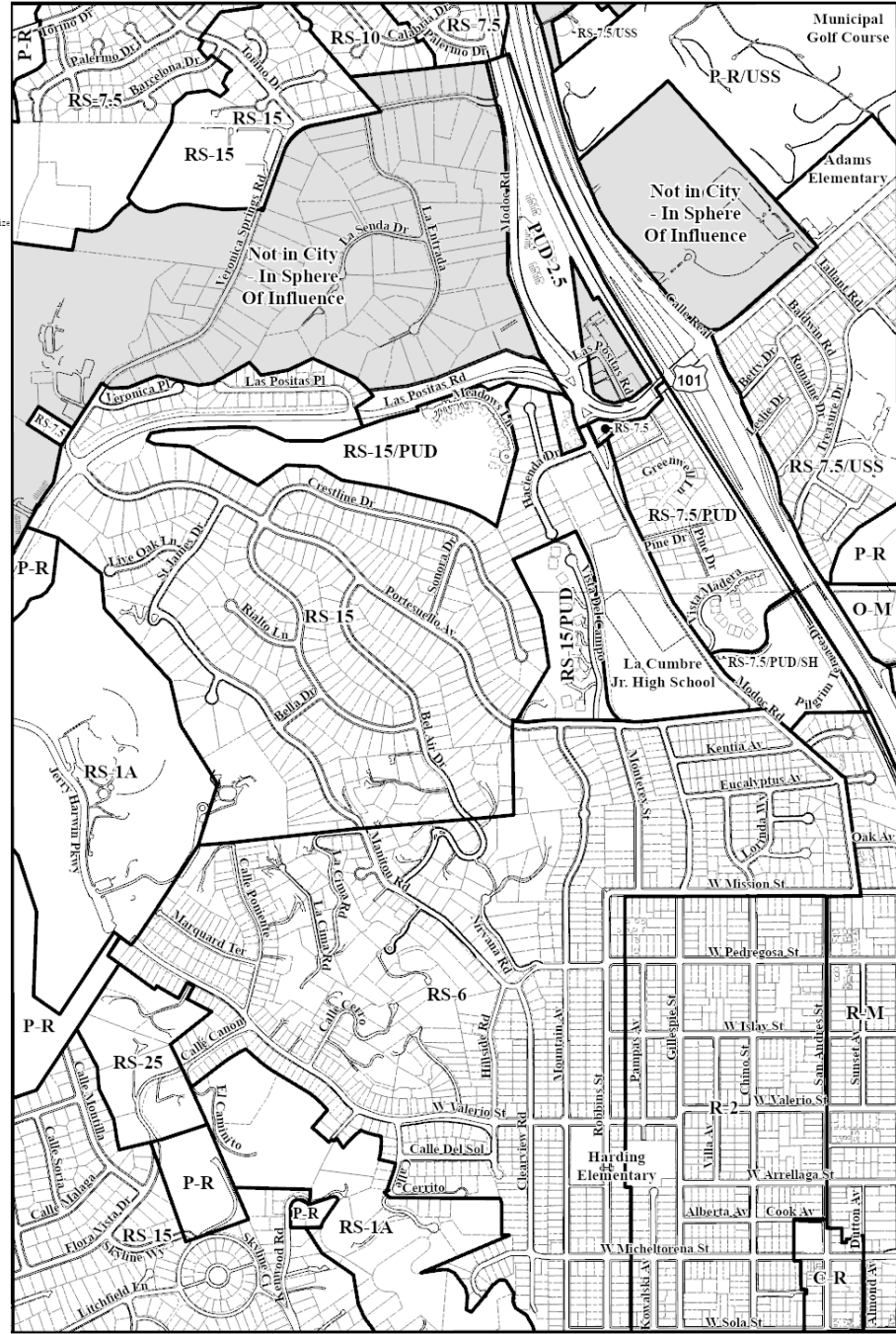
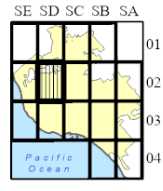
## Legend

- RESIDENTIAL ZONES**
- RS-1A-A-1 - Res. Single Unit, 1 acre min
  - RS-25-A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15-B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10-B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5-E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6-R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MHR-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-I-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Auto, Commercial, and Services
  - RD - Research and Development
  - HWNF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - RH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Canillo Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yoncos Meadows
  - SP10-LP - Las Puntas
- Coastal Zone Boundary



# Sectional Map: SD02

- Legend**
- RESIDENTIAL ZONES**
- RS-1A-A-1 - Res. Single Unit, 1 acre min
  - RS-25-A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15-B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10-B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5-E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6-R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MHR-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - O-C - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Auto, Commercial, and Services
  - RD - Research and Development
  - HWNF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - RH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper Santa Maria Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Casino Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yonessa Meadows
  - SP10-LP - Las Puntas
- Coastal Zone Boundary



# Sectional Map: SD03

## Legend

### RESIDENTIAL ZONES

- RS-1A/A-1 - Res. Single Unit, 1 acre min
- RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
- RS-15/B-1 - Res. Single Unit, 1.5k sq ft min
- RS-10/B-2 - Res. Single Unit, 1.0k sq ft min
- RS-7.5/E-3 - Res. Single Unit, 7.5k sq ft min
- RS-6/R-1 - Res. Single Unit, 6k sq ft min lot size
- R-2 - Two-Unit Residential
- R-M/R-3 - Residential Multi-Unit
- R-M/R-4 - Residential Multi-Unit and Hotel

### COMMERCIAL AND OFFICE ZONES

- O-R/O - Office Restricted
- O-M - Office Medical
- C-R-C-1/P - Commercial Restricted
- C-G-C-2 - Commercial General

### MANUFACTURING ZONES

- M-C - Manufacturing Commercial
- M-I/M-1 - Light Manufacturing

### COASTAL-ORIENTED RELATED ZONES

- HRC-1 - Hotel and Restaurant
- HRC-2 - Hotel and Visitor-Serving
- H-C - Harbor Commercial
- OC - Commercial, Arts and Recreation
- OM-1 - Manufacturing Industrial

### PARKS AND RECREATION ZONE

- P-R - Parks and Recreation

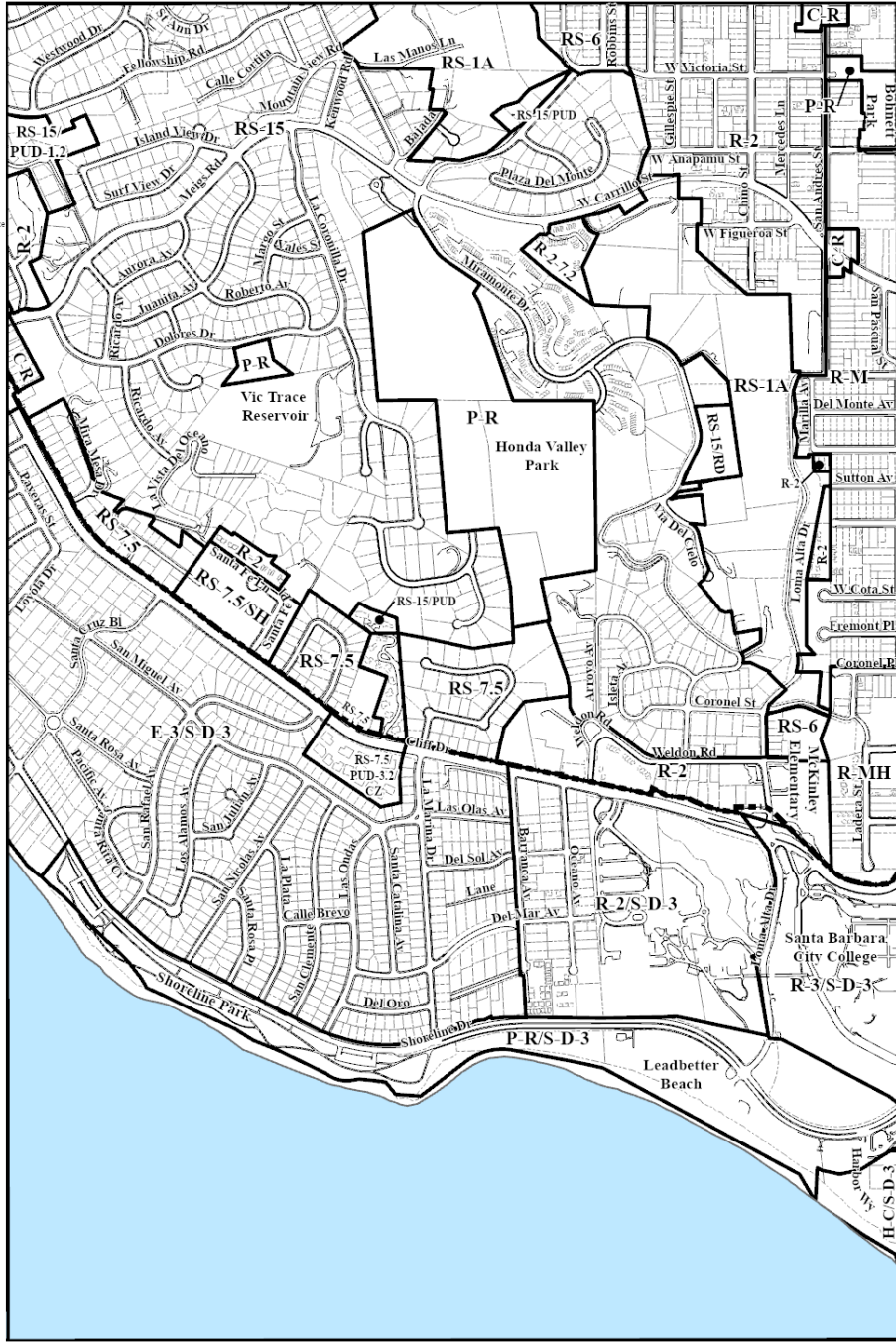
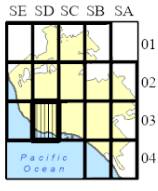
### OVERLAY ZONES

- ACS - Auto, Commercial, and Services
- RD - Research and Development
- HWMF - Hazardous Waste Mgmt Facility
- PUD - Planned Unit Development
- RH - Resort Hotel
- SH - Senior Housing Zone
- SRP - San Roque Park
- US - Upper State Street Area
- S-D-3 - Coastal Overlay Zone
- MHP - Mobile Home Park
- SMP - Senior Mobilehome Park

### SPECIFIC PLAN ZONES

- SP-1PP - Park Plaza
- SP-2CP - Camino Plaza
- SP-3MC - Mission Canyon (rescinded)
- SP-4RA - Rancho Arroyo
- SP-5WC - Westmont College
- SP-6AIA - Airport Industrial Area
- SP-7RC - Riviera Campus
- SP-8H - Hospital
- SP-9YM - Yonkers Meadows
- SP10-LP - Las Puestas

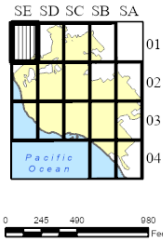
■ Coastal Zone Boundary



# Sectional Map: SE01

## Legend

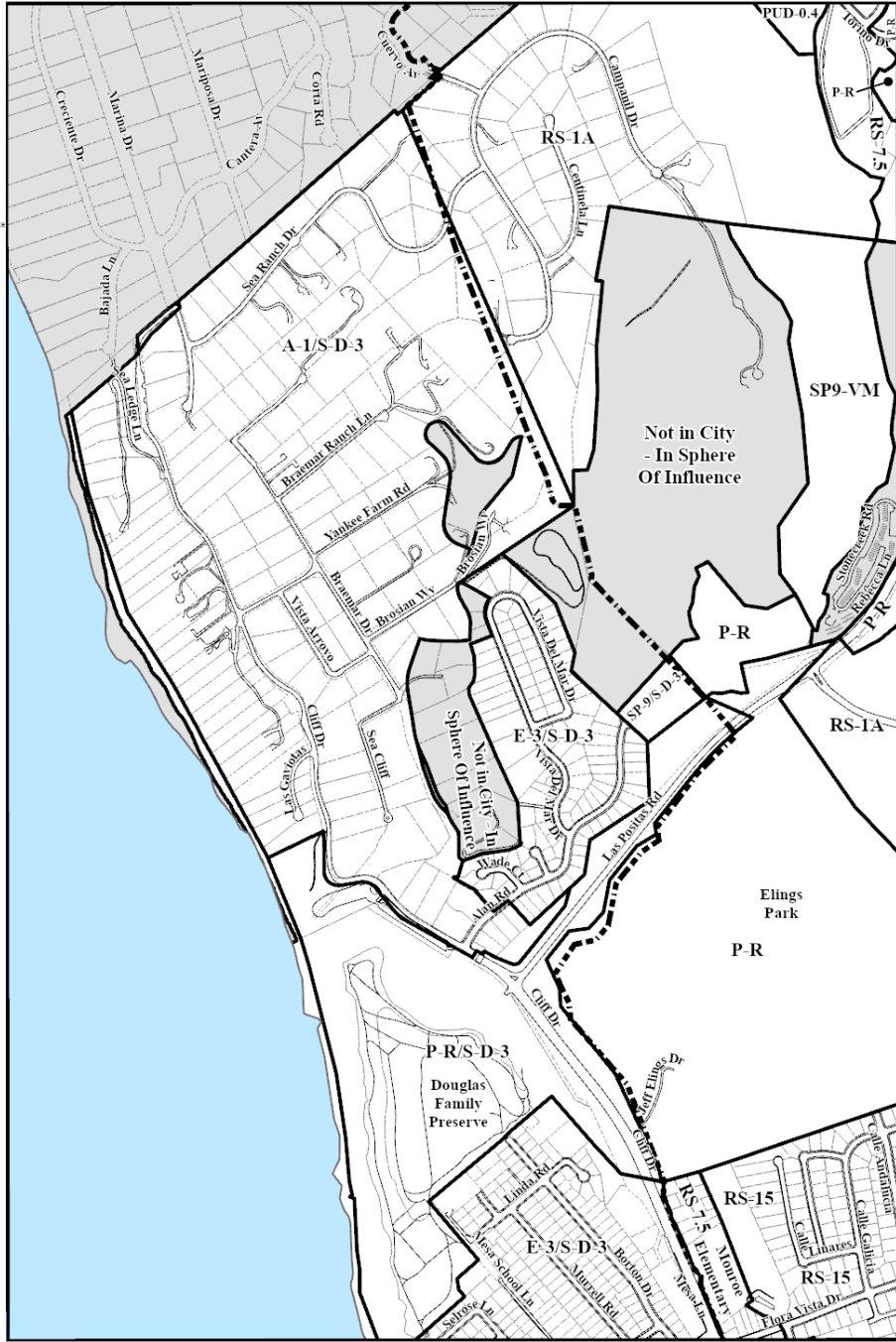
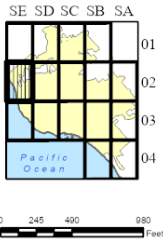
- RESIDENTIAL ZONES**
- RS-1A/A-1 - Res. Single Unit, 1 acre min
  - RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15/B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10/B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5/E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6/R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MHR-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1/C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Astro, Commercial, and Services
  - RD - Research and Development
  - HWNF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - KH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Camino Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Wainwright College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9YM - Yonessa Meadows
  - SP10-LP - Las Puestas
- Coastal Zone Boundary



Sectional Map: SE02

Legend

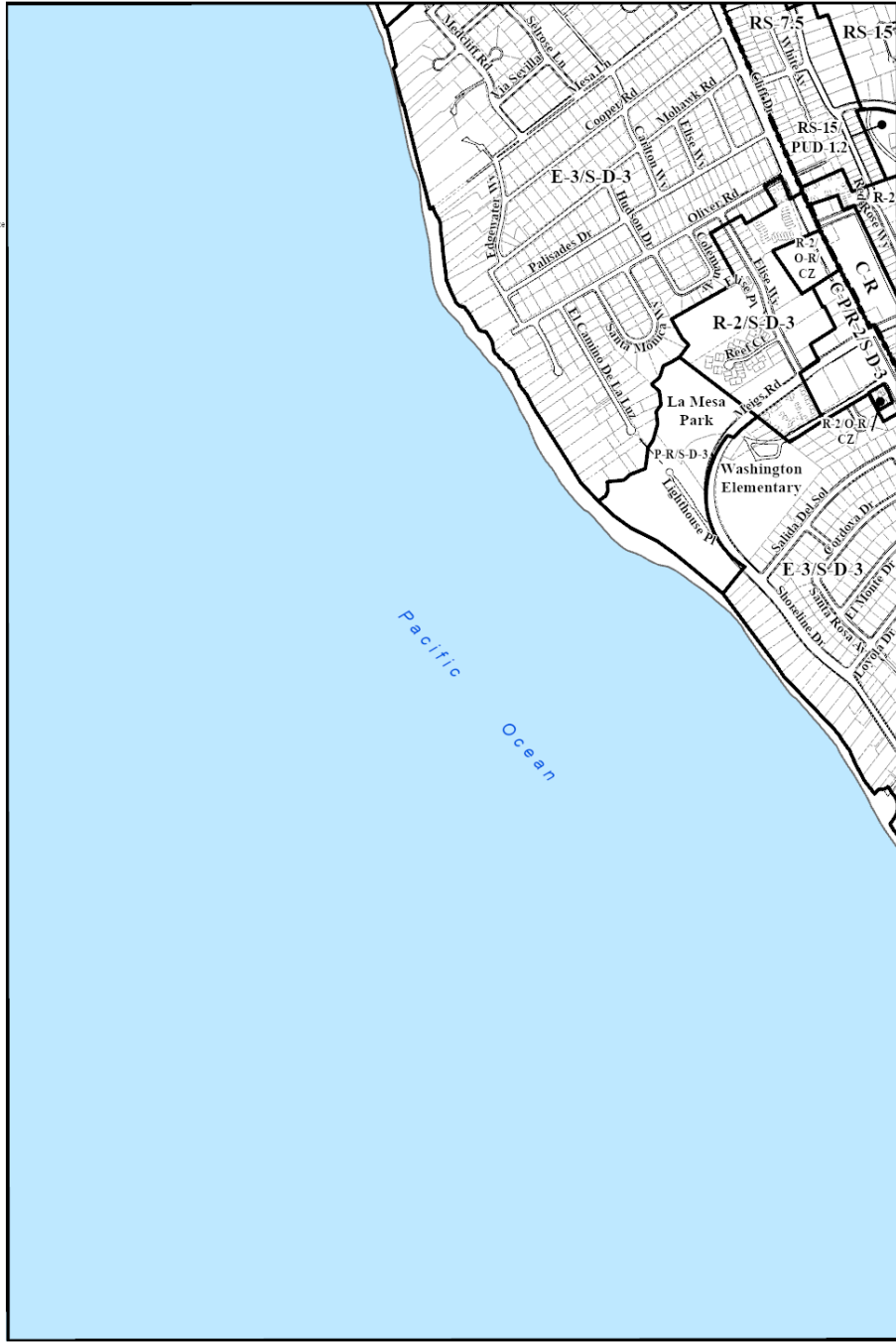
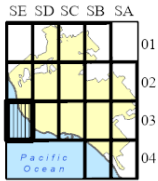
- RESIDENTIAL ZONES**
- RS-1A/A-1 - Res. Single Unit, 1 acre min
  - RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15/B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10/B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5/E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6/R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MHR-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-I-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Astro, Commercial, and Services
  - RD - Research and Development
  - HWMF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - KH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper Santa Smea Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Camino Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Wainwright College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9VM - Yonessa Meadows
  - SP-10-LP - Las Pottales
- Coastal Zone Boundary



# Map SE03

## Sectional Map: SE03

- Legend**
- RESIDENTIAL ZONES**
- RS-1A/A-1 - Res. Single Unit, 1 acre min
  - RS-25/A-2 - Res. Single Unit, 2.5k sq ft min
  - RS-15 B-1 - Res. Single Unit, 1.5k sq ft min
  - RS-10 B-2 - Res. Single Unit, 1.0k sq ft min
  - RS-7.5 E-3 - Res. Single Unit, 7.5k sq ft min
  - RS-6 R-1 - Res. Single Unit, 6k sq ft min lot size
  - R-2 - Two-Unit Residential
  - R-MR-3 - Residential Multi-Unit
  - R-MHR-4 - Residential Multi-Unit and Hotel
- COMMERCIAL AND OFFICE ZONES**
- O-R-R-O - Office Restricted
  - O-M - Office Medical
  - C-R-C-1-C-P - Commercial Restricted
  - C-G-C-2 - Commercial General
- MANUFACTURING ZONES**
- M-C - Manufacturing Commercial
  - M-L-M-1 - Light Manufacturing
- COASTAL-ORIENTED RELATED ZONES**
- HRC-1 - Hotel and Restaurant
  - HRC-2 - Hotel and Visitor-Serving
  - H-C - Harbor Commercial
  - OC - Commercial, Arts and Recreation
  - OM-1 - Manufacturing Industrial
- PARKS AND RECREATION ZONE**
- P-R - Parks and Recreation
- OVERLAY ZONES**
- ACS - Astro, Commercial, and Services
  - RD - Research and Development
  - HWMF - Hazardous Waste Mgmt Facility
  - PUD - Planned Unit Development
  - KH - Resort Hotel
  - SH - Senior Housing Zone
  - SRP - San Roque Park
  - USS - Upper State Street Area
  - S-D-3 - Coastal Overlay Zone
  - MHP - Mobile Home Park
  - SMP - Senior Mobilehome Park
- SPECIFIC PLAN ZONES**
- SP-1PP - Park Plaza
  - SP-2CP - Camillo Plaza
  - SP-3MC - Mission Canyon (rescinded)
  - SP-4RA - Rancho Arroyo
  - SP-5WC - Westmont College
  - SP-6AIA - Airport Industrial Area
  - SP-7RC - Riviera Campus
  - SP-8H - Hospital
  - SP-9VM - Ventura Meadows
  - SP10-LP - Las Puestas
- Coastal Zone Boundary



**SECTION 20.** Uncodified. Severability and Interpretation

A. Severability. If any provision of this Ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable.

B. Interpretation. This Ordinance shall be construed to confer upon the City the maximum power and authority allowed by state and federal law. In the event state or federal law is found to conflict with and preempt any provision of this Ordinance, or in the event state or federal law changes to conflict with and preempt any provision of this Ordinance, the remaining and non-conflicting provisions of this Ordinance shall be interpreted and construed to give maximum effect to the remaining and non-conflicting provisions so as to effectuate, to the greatest extent possible, the purposes and restrictions expressed herein.

**SECTION 21.** Uncodified. California Environmental Quality Act

This action is exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305 based on the City's adopted CEQA implementation ordinance per SBMC Section 22.100.070 (List of Ministerial Projects and Categorical Exemptions), Subsection C.5. Class 5: Minor Alternations in Land Use Limitations, Subsection c. Adoption or amendment of land use or development ordinance, regulations, standards, or guidelines that substantially maintain existing land use intensity or density. The amendments to Title 30 are

administrative in nature and will not result in any increase in the intensity or density of land use above what is currently allowed under the General Plan Land Use designations. There is no possibility of a significant effect on the environment from this action.

**SECTION 22.** Uncodified. Effective Date; Applicability to Pending

Applications

A. Effective Date. This Ordinance shall take effect on May 28, 2026 (“Effective Date”).

B. Applications Submitted Before Effective Date. Notwithstanding Subsection A, any building permit application or planning application submitted to the Community Development Department prior to the Effective Date may, at the applicant’s discretion, be processed in accordance with the codes, standards, and regulations in effect at the time of initial submittal; provided that a valid building permit is issued for the proposed project no later than December 17, 2026, the permit or application remains valid and does not expire, and construction is diligently pursued.

C. Applications Submitted On or After Effective Date. Any building permit application or planning application submitted to the Community Development Department on or after the Effective Date, shall be subject to the provisions of this Ordinance.

D. Revisions After the Effective Date. Any revision or modification to the scope of a project in a manner that increases scope, density, intensity or triggers new

requirements under this Ordinance, made on or after the Effective Date, shall comply with all requirements of this Ordinance.

**SECTION 23.** Uncodified. Typographical Errors.

The Clerk of the City of Santa Barbara is authorized to make the following types of changes to the Santa Barbara Municipal Code: 1) changes to references from other Title so the Santa Barabara Municipal Code to Title 30; and 2) corrections of grammatical or typographical errors.