CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 14, 2026

TO: Mayor and Councilmembers

FROM: Community Development Department

SUBJECT: Single Family Streamlining Project Ordinance Amendments

RECOMMENDATION: That Council:

A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Chapters 30.01, 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 of Chapter 30.150 of Title 30 pertaining to Regulations for Single Family Streamlining;

B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Chapter 25.03 of Title 25 pertaining to regulations for Single Family Streamlining Project;

C. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Adding Chapter 22.22 and Amending Chapters 22.68, and 22.69 of Title 22 pertaining to regulations for Single Family Streamlining Project;

D. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending the Single Family Design Board Guidelines;

E. Determine that the proposed ordinance amendments are consistent with the General Plan; and

F. Determine that the proposed Ordinance Amendments and Resolution are categorically exempt from the California Environmental Quality Act (CEQA) under Class 5 (Guidelines Section 15305: Minor Alterations in Land Use Limitations).

EXECUTIVE SUMMARY

In response to community feedback, State law, and direction from City Council, the Single-Family Development Streamlining Project (Project) is intended to simplify the process for review and approval of single-family residential development projects while maintaining Santa Barbara's tradition of quality architecture and distinctive neighborhood character.

Since establishment of the Single Family Design Board (SFDB) in 2007, the volume of SFDB projects has increased significantly through code updates and the introduction of Title 30. While the code updates streamlined processes, the updated regulations added projects to SFDB's workload. In 2020, when tasked to review the City's land development processes, the Novak Consulting Group called out the substantial number of single-unit projects subject to review and suggested reassigning SFDB's duties to streamline land development.[1] Homeowners and project applicants provided staff overwhelming feedback expressing frustration with the time, anguish, and money involved in getting approvals for minor home projects, especially when those projects require noticed public hearings. As a result of the input, the City's Land Development Team Oversight Subcommittee directed staff to initiate updates to the Municipal Code and design guidelines aimed at streamlining single family development.

The Project aims to reduce the total number of projects that require SFDB review, streamline the public hearing process, and provide more flexibility within the zoning ordinance and design guidelines to reduce permitting barriers. These changes are expected to result in faster processing times and reduced complexity while upholding SFDB's primary goal of ensuring residential projects are compatible with the surrounding neighborhood in size and design. Further, these efforts align with the state's initiative to streamline processes for residential development. The Project also includes zoning ordinance amendments to clarify existing language and updates to align with current state law.

DISCUSSION:

The goals of the Single Family Streamlining Project are as follows:

1. Reduce the number of single family development projects subject to design review.
2. Streamline the public hearing process for single family projects.
3. Create more flexibility to address common homeowner interests.

The Project responds to City Council direction, community input, General Plan policies, and consultant recommendations aimed at streamlining and simplifying the review and approval process for single-unit residential projects. It also implements 2023-2031 Housing Element Program HE-5: Process Improvements. In August 2022, the Land Development Team Oversight Subcommittee (LDTO) directed staff to address

[1] Novak Consulting Group 2020 Land Development Process Improvement Report

recommendations from the Novak Consulting Group's 2020 Land Development Process Improvement Report. These recommendations included reducing the number of design review triggers, streamlining the review process for simple permits and homeowner projects, and developing project tiers that trigger different routing and levels of review.

The Project includes Municipal Code amendments to achieve the project goals and to address general zoning "clean-up" items. The code amendments fall into four categories: 1) significant change; 2) minor change; 3) cleanup and clarifying amendments; 4) clarifying amendments required by State law.

The proposed Title 30 amendments related to design review would apply citywide upon adoption. Similarly, the newly established objective standards for balconies, privacy, windows, doors, etc., would be applicable both inland and in the coastal zone. However, the Title 30 amendments that offer increased flexibility for common homeowner interests (e.g., garage conversions, guest houses, open yard, sheds) would not apply in the coastal zone. Ultimately, it is staff's desire to have all of Title 30 certified by the California Coastal Commission as a new Zoning Ordinance for the coastal zone. Timing of that effort is currently undetermined due to other critical work priorities. See Attachment 1 – Table of Proposed Ordinance Amendments, for a summary explanation of the proposed amendments.

The Project also proposes updates to the SFDB General Design Guidelines to complement the proposed Zoning Ordinance amendments. Refer to the proposed SFDB Guidelines (Resolution) and Attachment 2 – Summary of Changes to the SFDB Guidelines, for more information.[2]

Background

Beginning in August 2022, City staff led more than 14 targeted stakeholder engagement efforts, gathering input from homeowners, applicants, and the design community. Notable support came from the American Institute of Architects Santa Barbara, the Planning Commission, and both current and former SFDB board members. Staff also conducted an applicant and homeowner survey that drew over 220 responses on the SFDB process. In June 2025, staff presented concepts to City Council for feedback and, at Council's direction, sought additional input from SFDB project appellants and neighborhood representatives.

Most recently, the proposed amendments were presented to both the Planning Commission and Ordinance Committee. The Planning Commission heard the item on December 4, 2025 and again on January 8, 2026, ultimately recommending approval with

[2] The Zoning Ordinance and design guidelines are closely interconnected, and as such, the proposed amendments have been carefully calibrated to maintain alignment between them. Changes to one inevitably affect the other, and understanding this relationship is essential to reviewing the amendments as a cohesive package. Together, they establish a more predictable process for both staff and the public.

direction to make several refinements to the draft ordinances and guidelines. The Planning Commission's recommended changes included: clarification that no maximum floor area applies to guest houses created by converting existing space, a definition for Public Scenic Views, and a reduction in floor area increases from 150 to 50 feet in the Substantial Conformance Criteria. The SFDB Guidelines were also updated to make the Visual Aids submittal criteria more objective and to establish clearer story pole requirements and triggers.

On March 17, 2026, the Ordinance Committee unanimously supported the proposed amendments. In response to public comment and Ordinance Committee direction, staff revised the draft ordinance to provide greater design flexibility for front porch standards.

Project Goals and Proposed Solutions

The amendments represent a comprehensive effort to reduce the regulatory burden on homeowners and applicants while preserving meaningful design oversight. Each Project goal is addressed by multiple proposed solutions, including ordinance amendments and guideline updates aimed at improving the single-family development process. Full details and text can be found in: Attachment 1 – Table of Proposed Ordinance Amendments, Attachment 2 – Summary of Changes to SFDB Guidelines, and also the SFDB Guidelines (Resolution) and proposed Ordinances. For a substantive discussion of the Project's goals and proposed solutions that expand on the ideas below, see Attachment 3 – Discussion of Project Goals and Associated Solutions.

Goal	Solution
1. Reduce the number of single family development projects subject to design review.	
	1A. Eliminate SFDB review of alterations-only projects and replace that review with objective design standards in the Zoning Ordinance. The proposed objective standards are based on long-standing design guidelines (e.g., for upper story decks and retaining walls). If applicants do not want to follow the objective standards, they can opt-in to a discretionary design review process.*
	1B. Expand staff's ability to grant administrative approvals for minor projects.**
	1C. Reduce triggers for mailed notice.* This allows staff to review more projects administratively.
	1D. Streamline the process for Minor Zoning Exceptions (MZEs) by converting commonly approved MZEs into zoning standards.* Examples include height and volume increases in setbacks, front yard trash enclosures, and new or enlarged openings in setbacks.
2. Streamline the public hearing process for single family projects.	
	2A. Eliminate the SFDB Final Approval hearing and associated appeal.** This would make Project Design Approval (PDA) the only appealable SFDB action.

	Staff would complete Final Approval. New Substantial Conformance Criteria have been developed to assist staff in reviewing minor changes that may occur between PDA and Final Approval. Projects that do not comply with the criteria would return to SFDB for a revised PDA.
	2B. Make SFDB the decisionmaker for projects exceeding the maximum allowable Floor Area Ratio (FAR).** This would shift approval authority from Planning Commission to SFDB or Historic Landmarks Commission (HLC), as applicable, for projects that exceed the maximum allowable Floor Area Ratio (FAR). Appeals of FAR Design Exceptions would be heard by either Planning Commission (from SFDB) or City Council (from HLC), allowing projects the standard practice of due process at a higher review authority.
3. Create more flexibility to address common homeowner interests.	
	3A. Remove the requirement for covered parking.*
	3B. Provide options for the creative use of home space by allowing the conversion of an existing garage or carport from vehicle parking to another residential use, such as a home office, hobby room, or extra bedroom.*
	3C. Reduce open yard requirements for small lots (less than 6,000 square feet) and provide more flexible open yard standards for all other development, including multi-family.*
	3D. Create more flexible design and development standards for storage sheds, playhouses, and similar enclosed yard buildings.*
*Addressed through ordinance amendments **Addressed through both ordinance amendments and guidelines updates	

Additionally, the project includes amendments that simplify the SFDB's purpose statement and SFDB findings to approve projects, and amendments that clean up and clarify existing zoning language. This includes converting written standards into table format for ease of review and application, and incorporating updates required by state law, such as for community care facilities, day care centers, emergency shelters, family day care homes, low-barrier navigation centers, and transitional/supportive housing. Other notable streamlining changes included in this Project are to limit appeals of Architectural Board of Review and Historic Landmarks Commission Final Approvals to the Applicant, and to allow the Review Authority to refer to a project to a higher authority when doing so is deemed appropriate.

Updates to the SFDB General Design Guidelines

This Project also includes an extensive overhaul of the *Single Family Design Board General Design Guidelines and Meeting Procedures*, including a proposed renaming to the *Single Family Design Board Guidelines* (SFDB Guidelines). The proposed scope and content of the SFDB Guidelines remains largely the same, with several key changes:

- Consolidate SFDB purpose and goals
- Expand and update administrative approval standards
- Update SFDB meeting procedures
- Update and clarify submittal requirements
- Reorganize, reformat, and edit for clarity

The SFDB Guidelines were most recently updated in June 2023 to address SFDB membership, quorum requirements (from four[12] members to three members), and a change in the appeal body (from Council to Planning Commission). The document has remained largely unchanged since the SFDB's inception. As a result, the guidelines have not evolved with options for new building materials, sustainability practices, and development policies. The proposed guideline updates allow staff to approve more minor, aesthetically appropriate projects, thereby reducing the number of SFDB projects at a hearing.

Updated SFDB Findings

The SFDB's findings are currently tied to the goals outlined in the SFDB Guidelines, but the connection between the two could be stronger and clearer. This Project proposes to realign those findings more directly with the SFDB's stated goals while streamlining the language throughout. The result is a revised set of Neighborhood Compatibility Findings (formerly Neighborhood Preservation Findings) — condensed from seven items to five, with overall text reduced by half — making it easier for board members to evaluate projects and craft solid motions.

Board members expressed concern that certain findings address code compliance, public health, and environmental review rather than the design and aesthetic considerations central to the Board's role. Since ensuring compliance with building, fire, and environmental regulations is staff's responsibility — not the Board's — the proposed amendments remove findings that fall outside the Board's purview.

During targeted outreach to appellants of SFDB projects, neighbors felt strongly that the SFDB insufficiently address the Good Neighbor Guidelines and considered the "Good Neighbor Finding" to be a throw away finding. They expressed a desire for the SFDB to be more explicit in their motions about *how* a project meets the "Good Neighbor Guidelines" finding for privacy, landscaping, noise, and lighting. Staff do not propose to change this finding; however, we believe it is imperative to hold additional trainings for SFDB members to ensure a shared understanding of the Good Neighbor guidelines and to help improve the Board's motion making.

Lastly, the Hillside Design District Findings and Grading and Vegetation Removal Findings have been consolidated for simplicity. Refer to Section 30.220.040.E of the proposed Title 30 ordinance for the updated findings.

General Plan Policy Consistency Analysis

Municipal Code Section 30.235.100 (General Plan Consistency Required for Zoning Amendments) requires approval of a Zoning Ordinance Amendment to be found consistent with the General Plan.

Staff has determined that the proposed amendments to the Title 30 Zoning Ordinance are consistent with General Plan policies and programs. For details, see Attachment 4 – General Plan Policy Consistency Analysis.

The proposed design review triggers (i.e., changes to SBMC Chapter 30.220) would apply both in the coastal zone and inland. Similarly, the newly established objective standards for balconies, privacy, windows, doors, etc., would also be applicable inland and in the coastal zone. However, the Title 30 amendments that offer increased flexibility for common homeowner interests (e.g., garage conversions, guest houses, open yard, sheds) would not apply in the coastal zone. Ultimately, it is staff's desire to have all of Title 30 certified by the California Coastal Commission as a new Zoning Ordinance for the coastal zone. Timing of that effort is currently undetermined due to other critical work priorities.

Conclusion

This Project proposes multiple clean-up amendments to the Zoning Ordinance for clarity. The clean-up items include: clarifications to land use regulations and development standards for commercial and office zones, manufacturing zones, residential zones, and coastal-oriented zones; clarifying amendments to standards for nonconforming structures, site development, and uses; clean-ups and clarifications to the section on common procedures for processing Planning Applications; and updates to definitions; and moving written standards into table format. Most of these items are related to State law and Housing Element updates, and some are clean-up items identified by staff to address errors and needed clarifications based on application of the code.

Taken together, these amendments strike a balance between preserving neighborhood character and reducing unnecessary process. By focusing public hearings and design review on projects with the greatest neighborhood impact, the City can uphold the SFDB's core objectives while freeing homeowners from undue delays and costs on simpler projects. Staff and board members will be able to direct their attention toward more complex projects, improving workflow and reducing burnout. The result is a more flexible, efficient, and transparent permitting process — one that benefits homeowners, neighbors, and City operations alike.

BUDGET/FINANCIAL IMPACT:

By reducing the overall number of SFDB projects, the Planning Division expects to see a reduction in SFDB-related revenue. The magnitude of this reduction is uncertain at this time but is expected to be minor relative to the Planning Division's overall budgeted revenue. Currently, the SFDB workload exceeds one FTE. By reducing the number of SFDB projects, staff resources currently supporting SFDB activities can be reassigned to other work, including plan checks, to improve overall timeliness and responsiveness.

The Fiscal Year 2027 (FY27) budget for SFDB-related revenue was originally set at $177,000. In light of the streamlining project, this amount has been reduced in the updated FY27 budget by approximately 10 percent, to $160,000. With total Planning Division revenue budgeted at approximately $2.1 million in FY27, the SFDB revenue adjustment represents less than a one-percent reduction in overall Planning revenue.

ENVIRONMENTAL REVIEW:

Staff have determined that this project qualifies for a categorical exemption from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305 [Minor Alterations in Land use Limitations], because the proposed Single Family Streamlining Project ordinances, regulations, standards, and guidelines substantially maintain existing land use intensity and density.

ATTACHMENTS:
1. Table of Proposed Ordinance Amendments
2. Summary of Changes to SFDB Guidelines
3. Discussion of Project Goals and Associated Solutions
4. General Plan Policy Consistency Analysis

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SUBMITTED BY: Allison DeBusk, Community Development Director

APPROVED BY: Kelly McAdoo, City Administrator

ATTACHMENT 1
SINGLE FAMILY STREAMLINING PROJECT
DESCRIPTION OF AMENDMENTS TO CHAPTERS 22.22, 22.68, AND 22.69, TITLE 25, AND TITLE 30

TABLE OF PROPOSED ORDINANCE AMENDMENTS

The following list of proposed zoning ordinance amendments is organized in ascending order by code section number and categorized based on the significance/type of change occurring: significant changes; minor changes; clean-ups and clarifying amendments; and clarifying amendments required by State law. Amendments considered to be "significant changes" have been indicated in **bold text** for quick reference. Most of the proposed amendments in this list are related to the Project goal of streamlining single family development, some are related to the design review process in general, and some are changes and updates required by State law or Housing Element updates.

Chapter/Section	Amendment Description
Title 22	
Chapter 22.22 Historic Landmarks Commission	Adds back the previously removed Chapter 22.22 to create a cross reference to the updated Section 30.220.020 in Title 30. This ensures the City Charter reference is relevant and addresses any references in Title 28 or carryover references in Title 30. *Result: Minor Changes*
Chapter 22.68 Architectural Board of Review	Replaced with new SBMC §30.220.010 (see §30.220.010 below for details). Provides cross reference to the new section in Title 30 to address any remaining references in Title 28 or other City documents. *Result: Minor Changes*
Chapter 22.69 Single Family Design Board	Replaced with new SBMC §30.220.040. See 30.220.040 below for more details. ***Result: Significant Changes***
Title 25	
25.03.040 Open Yards	Corrected reference to open yard Section 30.140.140 *Result: Minor Changes*
Title 30	
Chapter 30.15 Rules of Measurement	

Chapter/Section	Amendment Description
30.15.025 Calculating Density	Amendment to clarify residential density calculations for lot mergers. *Result: Cleanup/Clarifying Amendments*
30.15.027 Calculating Unit Size	Consolidates and relocates unit size calculation standards—previously found in multiple sections—into the Rules of Measurement Chapter to clarify how minimum, maximum, and average residential unit sizes are determined. *Result: Cleanup/ Clarifying Amendments*
30.15.055 Grading	Consolidates and defines how grading quantities are calculated—previously found in multiple sections—into the Rules of Measurement Chapter, identifies specific exclusions (such as recompacted soil and pool excavation), and establishes that "existing grade" is based on topography from five years prior to the grading application. *Result: Cleanup/ Clarifying Amendments*
30.15.070 Measuring Floor Area	Reformats for clarity, adds exemptions for yard buildings, uses objective standards where applicable. *Result: Minor Changes*
30.15.075 Measuring Floor Area Ratio	Adds instructions for calculating both nonresidential and residential FAR. Moves residential FAR calculation from §30.20.030.A into the more appropriate Rules of Measurement Chapter and consolidates residential and nonresidential FAR calculation into the same section. *Result: Cleanup/Clarifying Amendments*
30.15.090 Measuring Height and Stories	Minor clarifications. Provides new standards to clarify measurement of fence/retaining wall and fence/hedge combinations. *Result: Cleanup/Clarifying Amendments*
30.15.100 Measuring Setbacks and Stepbacks	Adds reference to upper story "Stepback" consistent with newly adopted Objective Design and Development Standards (ODDS) Title 25. Clarifies that first-story building setbacks are measured to the building foundation. *Result: Cleanup/Clarifying Amendments*

Chapter/Section	Amendment Description
~~**30.15.120 Screening**~~	Moved into section 30.140.155 because they are standards rather than direction on how to measure. *Result: Minor Changes*
Chapter 30.20 Residential Zones	
30.20.010 Purpose	Clarification of purpose statement regarding residential classifications. *Result: Cleanup/Clarifying Amendments*
30.20.020 Land Use Regulations – Residential Zones	Changes to implement Housing Element Program HE-3: Amend the Zoning Ordinance for Special Needs Housing, and other land use clean-ups as follows: *(See more detailed descriptions in Chapter 30.185 Standards for Specific Uses and Activities)* • ***Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices:*** Eliminates requirement for a PSP in R-M and R-MH for 7-15 individuals and reduces requirement from a CUP to PSP in all residential zones for more than 15 individuals. • ***Large Family Day Care Homes:*** Eliminates requirements for PSP in all residential zones. • ***Group Residential:*** Removes outdated limitations that restrict Group Residential uses to convents and monasteries, to comply with California Fair Housing laws and promote inclusive housing opportunities for all protected groups. • ***Agriculture:*** Clarifies that agriculture is an accessory use in any zone; thus, clarifying that Health and Safety Code § 17021.8 related to farmworker housing is not applicable. *Result: Cleanup/Clarifying Amendments and Amendments Required by State Law*
30.20.030 Development Standards	Clarifications and clean-ups to the Residential Zone Development Standards table. No substantial changes to setbacks, density, or other development standards that

Chapter/Section	Amendment Description
	would result in an increase in the intensity or density of land use above what is currently allowed. • Adds missing section references (Two-Unit Residential, Standards for Specific Uses and Activities, Nonconforming, etc.) • Relocates min/max unit size to §30.15.027 • Changes name of *Maximum Floor Area (Floor to Lot Area Ratio)* to the simplified *Maximum Floor Area Ratio (FAR)*. • Corrects typo for nonresidential interior setback in RS-10 Zone from 12 to 16 feet. • Adds covered and uncovered parking setbacks to the table rather than a cross-reference to §30.175.060. • Adds "stepback" terminology to align with Title 25 – Objective Design and Development Standards (ODDS). • Replaces the use of number of stories with building height to determine upper level stepbacks, simplifying calculations for split-level structures. • Adds reference to new Landscape standard in §30.140.118. • Moves FAR calculations to Chapter 30.15 Rules of Measurement. • Allows single-unit residential development to exceed the maximum Floor Area Ratio (FAR) through a waiver process reviewed by the applicable design review body, replacing the previous requirement for a Planning Commission FAR Modification under Section 30.250.030. • Relocates interior setback reductions for parking to the table *Result: Cleanup/Clarifying Amendments*
Chapter 30.25 Commercial and Office Zones	

Chapter/Section	Amendment Description
30.25.010 Purpose	Clarification of purpose statement regarding multi-unit and mixed-use classifications. *Result: Cleanup/Clarifying Amendments*
30.25.020 Land Use Regulations	Changes to implement Housing Element Program HE-3: Amend the Zoning Ordinance for Special Needs Housing, and other land use clean-ups as follows: *(See more detailed descriptions in Chapter 30.185 Standards for Specific Uses and Activities)* • ***Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices:*** Changes requirement from a CUP to PSP in commercial and office zones for more than 15 individuals. • ***Large and Small Family Day Care Homes:*** Simplifies table. • ***Day Care Center:*** Adds a reference to use allowed by right in certain multi-family developments per California Health and Safety Code 1597.22. • ***Agriculture:*** Clarifies that agriculture is an accessory use in any zone; thus, clarifying that Health and Safety Code § 17021.8 related to farmworker housing is not applicable. • ***Neighborhood Markets:*** Removes conflicting references to the PSP in the C-R and C-G zones because Food and Beverage Retail Sales is already allowed by right in the zones. *Result: Cleanup/Clarifying Amendments and Amendments Required by State Law*
30.25.030 Development Standards	Clarifications and clean-ups to the Commercial and Office Zones Development Standards table. No substantial changes to setbacks, density, or other development standards that would result in an increase in the intensity or density of land use above what is currently allowed. • Adds missing section references (Standards for Specific Uses and Activities, Nonconforming, etc.) • Relocates min/max unit size to §30.15.027

Chapter/Section	Amendment Description
	• Adds covered and uncovered parking setbacks to the table rather than a cross-reference to R-M zone or §30.175.060. • Adds "stepback" terminology to align with Title 25 – Objective Design and Development Standards (ODDS). • Replaces the use of number of stories with building height to determine upper level stepbacks, simplifying calculations for split-level structures. • Adds reference to new Landscape standard in §30.140.118. • Relocates interior setback reductions for parking to the table *Result: Cleanup/Clarifying Amendments*
Chapter 30.30 Manufacturing Zones	
30.30.020 Land Use Regulations	Changes to implement Housing Element Program HE-3: Amend the Zoning Ordinance for Special Needs Housing, and other land use clean-ups as follows: *(See more detailed descriptions in Chapter 30.185 Standards for Specific Uses and Activities)* • ***Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices:*** Changes requirement from a CUP to PSP in the manufacturing commercial (M-C) zone for more than 15 individuals. • ***Large and Small Family Day Care Homes:*** Simplifies table. • ***Agriculture:*** Clarifies that agriculture is an accessory use in any zone; thus, clarifying that Health and Safety Code § 17021.8 related to farmworker housing is not applicable. • ***Neighborhood Markets:*** Removes conflicting references to the PSP in the M-C zone because

Chapter/Section	Amendment Description
	Food and Beverage Retail Sales is already allowed by right in the zone. *Result: Cleanup/Clarifying Amendments and Amendments Required by State Law*
30.30.030 Development Standards	Clarifications and clean-ups to the Manufacturing Zones Development Standards table. No substantial changes to setbacks, density, or other development standards that would result in an increase in the intensity or density of land use above what is currently allowed. • Adds missing section references (Standards for Specific Uses and Activities, Nonconforming, etc.) • Relocates min/max unit size to §30.15.027 • Adds covered and uncovered parking setbacks to the table rather than a cross-reference to R-M zone or §30.175.060. • Adds "stepback" terminology to align with Title 25 – Objective Design and Development Standards (ODDS). • Replaces the use of number of stories with building height to determine upper level stepbacks, simplifying calculations for split-level structures. • Adds reference to new Landscape standard in §30.140.118. • Relocates interior setback reductions for parking to the table *Result: Cleanup/Clarifying Amendments*
Chapter 30.35 Coastal-Oriented Zones *(Note that these changes will not go into effect until submitted to the Coastal Commission for certification)*	
30.35.010 Purpose	Clarification that residential uses are appropriate in certain areas in the CO zone. *Result: Cleanup/Clarifying Amendments*
30.35.030 Development Standards	Clarifications and clean-ups to the Coastal-Oriented Zones Development Standards table. No substantial changes to setbacks, density, or other development standards that

Chapter/Section	Amendment Description
	would result in an increase in the intensity or density of land use above what is currently allowed. • Adds missing section references (Standards for Specific Uses and Activities, Nonconforming, etc.) • Aligns minimum lot area and street frontage with other commercial/manufacturing zones. • Adds covered and uncovered parking setbacks to the table rather than a cross-reference to R-M zone or §30.175.060. • Adds "stepback" terminology to align with Title 25 – Objective Design and Development Standards (ODDS). • Replaces the use of number of stories with building height to determine upper level stepbacks, simplifying calculations for split-level structures. • Adds reference to new Landscape standard in §30.140.118. • Relocates interior setback reductions for parking to the table *Result: Cleanup/Clarifying Amendments*
Chapter 30.140 General Site Regulations	
30.140.020 Accessory Buildings	The updated standards clarify the purpose of accessory building regulations, improve readability, and align with new Guest House and Yard Building provisions. Key changes include reduced setbacks for small accessory structures, removal of outdated size limits and automatic design review triggers, and a new prohibition on rooftop decks unless approved through design review ***Result: Significant changes***
30.140.025 Balconies and Upper Story Decks	This new section establishes new objective standards for balconies and upper-story decks to minimize privacy and visual impacts, including limits on size, placement, setbacks, and materials; prohibits rooftop decks without design review; and allows certain encroachments and open yard credit under specific conditions.

Chapter/Section	Amendment Description
	Result: Significant changes
30.140.030 Building Attachment	Clarifications to standards for building attachment and separation. Introduces a clear purpose for Building Attachment requirements. *Result: Cleanup/Clarifying Amendments*
30.140.070 Development on Substandard and Publicly Reduced Lots	Adds headings to improve readability. Clarifies that FAR does not change due to dedication. Reference to new Section 30.165.050, Structures Made Nonconforming by Public Acquisition. *Result: Cleanup/Clarifying Amendments*
30.140.090 Encroachments	The updated Encroachments section clarifies that encroachments apply to setbacks, stepbacks, landscape areas, and open yards, and reorganizes the section with tables and updated diagrams and subsections for improved readability. The standards are aligned with the new provisions of Title 25 – Objective Design and Development Standards (ODDS), ensuring consistency across zoning and design regulations. No substantial changes to setbacks or other development standards that would result in an increase in the intensity or density of land use above what is currently allowed. Key changes include: • **Mechanical Equipment:** Wall-mounted units may now project into front setbacks, but interior setback encroachments are reduced from 3 feet to 18 inches to minimize visual and noise impacts. Ground-mounted equipment is now allowed up to 3 feet from the property line (previously 5 feet), balancing flexibility with access needs. • **Trash Enclosures:** Standards relocated from §30.140.240 to §30.140.090, and the Minor Zoning Exception (MZE) requirement was removed. • **Accessibility Improvements:** Now allowed to encroach for both existing and new development.

Chapter/Section	Amendment Description
	• **Front Porches:** Maximum size increased from 16 ft x 6 ft to 16 ft x 10 ft, with subjective design review triggers replaced by objective design criteria. • **Yard Buildings and Balconies:** Align with new standards • **Driveways and Gates:** Codifies existing policy standards ***Result: Significant Changes***
30.140.100 Exceptions to Height Limitations	Removes reference to Title 22 for design review. *Result: Cleanup/Clarifying Amendments*
30.140.110 Fences and Hedges	The updated standards clarify the purpose of fence and hedge regulations, establish objective design and height standards, and reorganize the section with tables, diagrams, and subsections for improved usability. Key changes include: • Extending fence height limits to all lots (not just residential). • Allowing front yard fences up to 5 feet in height (previously 3.5 feet) without design review if they meet new design criteria. • Limiting front yard retaining walls to 3 feet in height without design review (previously 6 feet). • Replacing subjective review with objective material and design requirements to ensure neighborhood compatibility. Prohibited materials include chain-link (in front yards), barbed wire, unfinished cinder block, and hazardous elements. • Codifying temporary fencing policies. ***Result: Significant Changes***
30.140.112 Garage Conversions	Together with elimination of the covered parking requirement for single-unit homes and condominiums in Chapter 30.175, the new Garage Conversion standards now allow homeowners to convert existing private garages into other uses—such as workshops, storage rooms, or home offices—provided replacement parking is

Chapter/Section	Amendment Description
	accommodated off-street. This change increases flexibility and expands development options for residential properties without increasing parking burdens. ***Result: Significant Changes***
30.140.115 Guest Houses	This new section establishes standards for Guest Houses—sleeping facilities with a full bathroom and/or a bar sink that are separated from, and accessory to, the main residential building and are intended for limited sleeping and living purposes. These structures provide homeowners with greater flexibility to create spaces like guest rooms, studios, or home offices without being required to install a full kitchen or convert the space into an Accessory Dwelling Unit (ADU). This change reflects a shift in policy: while the City previously discouraged such uses to prevent illegal units, the availability of legal ADU pathways has reduced that concern, allowing for more practical and homeowner-friendly development options. ***Result: Significant Changes***
30.140.118 Landscape	This new section establishes objective landscape standards to promote water efficiency, support fire safety, and improve neighborhood aesthetics. For residential uses, front setbacks must be landscaped with a mix of living plant materials and limited hardscape (up to 50%). In nonresidential and mixed-use zones, a front landscape buffer is required where no setback exists; however, this does not create a new standard—it replicates the existing Average Unit-Size Density (AUD) Program's variable setback approach. Landscape areas must remain open and unobstructed, and waivers may be granted by Design Review under specific conditions such as site constraints. ***Result: Significant Changes***
30.140.120 Location of Lot Lines	Clarifications regarding development standards for lot line adjustments and lot creation. *Result: Minor Changes*
30.140.130 Mechanical and Utility Equipment	Minor clean-ups to Mechanical and Utility Equipment section. Moved description of encroachments to §30.140.090 (Encroachments).

Chapter/Section	Amendment Description
	Result: Minor Changes
30.140.140 Open Yards	Updates to open yard standards to simplify requirements and increase flexibility for both single-unit and multi-unit residential development, including the amount and type of required open yard. Moves most requirements into a table format for ease of review. Key changes include: • ***Single-Unit and Two-Unit:*** Reduces minimum dimensions of single-unit open yard areas from 20 ft x 20 ft to 20 ft x 15 ft, but total required area remains at 1,250 sf. Expands small lot open yard reduction from lots less than 5,000 sf to lots less than 6,000 sf. • ***Multi-Unit and Mixed-Use***: Open yard requirements are no longer based on bedroom count; instead, applicants may meet the 15% lot area requirement through a mix of private and common open spaces. Reduces minimum dimensions of ground floor private area from 10 ft x 10 ft to 10 ft x 8 ft; minimum total area on ground floor is 100 sf regardless of bedroom count or unit size. For upper level balconies, minimum area is reduced to 50 sf regardless of bedroom count or unit size. • The discretionary Alternative Open Yard Design waiver is removed, as the new standards offer this flexibility by right. ***Result: Significant Changes***
30.140.141 Patio Covers, Sunshades, and Similar Structures	This new section sets objective standards for patio covers, sunshades, and similar structures on single- and two-unit residential lots to ensure compatibility with neighborhood character. Maximum height for detached covers is 12 feet unless approved through design review. Materials must be consistent with the main building and avoid prohibited finishes like chain link, plastic, or reflective metal. Rooftop patio covers are generally not allowed unless tied to solar systems or approved through design review. Flexibility in design may be granted by the Design Review body. ***Result: Significant Changes***

Chapter/Section	Amendment Description
30.140.142 Privacy Standards for Residential Structures	This new section codifies privacy-related design and development standards consistent with the Single Family Residence Design Guidelines' "Good Neighbor Guidelines." It regulates upper-story windows, balconies, and exterior lighting near interior lot lines to protect neighbor privacy. Openings within 15 feet of a side or rear property line must either have a sill height of at least 42 inches or face the front yard. Outdoor lighting must be fully shielded and downward-directed to prevent light trespass. Variations from these standards may be considered by the applicable Design Review body. ***Result: Significant Changes***
30.140.150 Residential Unit	Minor clarifications include moving the minimum unit sizes from development tables, added flexibility for dining rooms and other rooms that are not classified as a "bedroom" for density, parking, or other purposes. Adds reference to new Guest House. Reformats section on efficiency units for clarity (no change to standards). *Result: Minor Changes*
30.140.155 Screening	Moved from Chapter 30.15. Adds objective development standards for screening elements including fences, walls, hedges, and mechanical equipment screening. Updates diagram. Allows exceptions to screening standards to be reviewed by the applicable Design Review body. *Result: Minor Changes*
30.140.160 Setbacks and Stepbacks	Adds stepbacks to the existing section on setbacks for consistency with Title 25. Clarifies that recessed areas on interior upper story stepbacks may be used as a balcony, deck, terrace, or other usable space. *Result: Cleanup/Clarifying Amendments*
30.140.170 Solar Access Height Limitations	Adds purpose statement and clarifies height limitation calculation. Updated diagrams. *Result: Cleanup/Clarifying Amendments*
30.140.172 Solar Energy Systems	This section consolidates existing and new standards for solar energy systems into a new section. Solar carports are allowed over parking spaces and may exceed 12 feet in height (up to 15 feet) if needed for larger vehicles. Roof-

Chapter/Section	Amendment Description
	mounted systems may project modestly above rooflines and can serve as rooftop shade structures if setback and height-limited. Design review is not required if all objective standards are met, and small residential systems benefit from expedited review. Exceptions may be granted if strict compliance would significantly reduce performance or increase costs, as defined by the California Solar Rights Act. *Result: Cleanup/Clarifying Amendments*
30.140.190 Street Widening Setback Lines	Clarifies that temporary structures/uses are allowed in the street widening setback area. *Result: Cleanup/Clarifying Amendments*
30.140.200 Substantial Redevelopment	Updates for ordinance consistency related to historic resources. *Result: Cleanup/Clarifying Amendments*
30.140.210 Swimming Pools or Water Features	Clarifications on types of water features subject to existing setback standards; creates new standard for above-ground features; and adds cross-references for ordinance consistency. *Result: Cleanup/Clarifying Amendments*
30.140.220 Trash, Recycling, and Personal Outdoor Storage	Replaces former Section 30.140.240 for waste and outdoor storage and compiles all related requirements. Formatting edits for clarity. Eliminates requirement for Minor Zoning Exception (MZE) for trash enclosures in the front setback and now is an allowed encroachment in § 30.140.090 (Encroachments). Clarifies standards for personal outdoor storage are distinct from commercial outdoor storage regulated in other sections of the code. Clarifications on uncovered parking. ***Result: Significant Changes***
30.140.230 Visibility at Driveways and Intersections	Minor wording changes for clarity to development standards. *Result: Cleanup/Clarifying Amendments*

Chapter/Section	Amendment Description
~~**30.140.240 Waste, Trash, Recycling, and Outdoor Storage**~~	Standards moved into new Section 30.140.220. *Result: Minor Changes*
30.140.240 Yard Buildings	This new section allows up to two small, detached, non-habitable structures—such as sheds, bike lockers, or playhouses— to be located in interior setbacks and open yards if under 8 feet tall. Each structure may be up to 120 square feet, with a combined total not exceeding 200 square feet. Yard buildings are not allowed in front yards. Taller structures must meet accessory building standards. Rooftop decks are prohibited, and screening is required when placed in setbacks. These structures are exempt from design review, FAR limits, and building permits if they meet Building Code exemptions. ***Result: Significant Changes***
Chapter 30.150 Average Unit-Size Density Incentive Program	
30.150.090 Additional Development Incentives.	References to specific open yard requirements have been removed, as those sections no longer exist under the revised standards in Section 30.140.140. The previously used variable front setback has been replaced with the new Average-Depth Front Landscape Buffer in accordance with Section 30.140.118. The flexibility in open yard design, which was previously limited to projects within the Average Unit-Size Density (AUD) Incentive Program, has been expanded to apply citywide. Additional incentives specific to AUD projects will be considered during implementation of Housing Element Program HE-10: Multi-Unit Housing Program. *Result: Minor Amendments*
Chapter 30.165 Nonconforming Structures, Site Development, and Uses	
30.165.020 Applicability	Clarification that the section's provisions do not apply to features granted a Minor Zoning Exception. *Result: Minor Amendments*
30.165.030 Right to Continue, Repair, and Maintain	Clarification that nonconforming structures, sites, and uses may be continued provided there is no increase in nonconformity.

Chapter/Section	Amendment Description
	Result: Cleanup/Clarifying Amendments
30.165.035 Structures Made Nonconforming by Public Acquisition	New section that clarifies that existing development does not require modifications as a result of land dedication/public acquisition. *Result: Cleanup/clarifying Amendments*
30.165.040 Alterations to Nonconforming Development	Makes several clarifications and revised standards for alterations within nonconforming setbacks. Key changes include: • ***Building Height:*** Removes Minor Zoning Exception (MZE) for additional building height or volume in setbacks if the project meets objective standards. Updated max roof pitch in setback from 4:12 to also allow matching the existing building. Updated graphic. • ***Windows:*** Removes Minor Zoning Exception (MZE) for windows, doors or other openings in the setback if the alterations conform to the privacy standards in §30.140.145, (Privacy Standards for Upper-Story Openings) • ***Conversions:*** Eliminates the prohibition on conversion from nonresidential uses to residential uses in the setback and eliminates the prohibition on increasing the number of units in the setback. This facilitate new housing in existing buildings and the adaptive reuse of existing buildings to housing. ***Result: Significant Changes***
30.165.050 Additions to Nonconforming Development	Clarifications to the development standards for additions to nonconforming buildings. Key changes include: • Allows first floor expansion of nonconforming main or accessory buildings within interior setbacks if the minimum distance from property line is 4 feet (previously 5 feet) to align with ADUs.

Chapter/Section	Amendment Description
	• Increases allowance from 100 to 150 SF for additions to structures that are nonconforming to Maximum FAR to align with ADUs. ***Result: Significant Changes***
30.165.060 Nonconforming Garages and Carports	Clarifications to the existing development standards that allow nonconforming garages and carports to be modified, expanded, demolished, or rebuilt. This now allows an increase in the number of parking spaces in the setback—up to the minimum number of spaces required in Chapter 30.175. It also removes the prohibition on converting garages in the setback to other accessory uses, consistent with new Garage Conversion standards. *Result: Cleanup/Clarifying Amendments*
30.165.070 Nonconforming Uses	Clarifies standards for conforming alterations on lots with both conforming and nonconforming uses. *Result: Cleanup/Clarifying Amendments*
30.165.080 Substantial Redevelopment and Replacement of Nonconforming Structures	Clarifies standards for demolition and reconstruction of nonconforming buildings as follows: • Accessory buildings may be demolished and reconstructed to a different type of accessory use (e.g., garage to workshop) consistent with new standards for Garage Conversions. • Eliminates design review as the review body for replacement of nonconforming buildings. • Increases allowed additions from 100 sf to 150 sf consistent with ADUs. *Result: Minor Changes*
30.165.090 Nonconforming Fences and Hedges	Updates for ordinance consistency. *Result: Cleanup/Clarifying Amendments*
30.165.100 Nonconforming Open Yard	Clarifications to the procedures for how nonconforming open yard is calculated. Eliminates prohibition on increasing number of units or bedrooms on sites with nonconforming open yard. *Result: Cleanup/Clarifying Amendments*

Chapter/Section	Amendment Description
Chapter 30.175 Parking Regulations	
30.175.020 Applicability	Simplifies how minimum parking requirements apply to existing buildings by clarifying that most changes in use do not trigger new parking requirements if there is no increase in floor area and no reduction in existing on-site parking. It establishes strict parking compliance for specific conversions—such as from industrial to other uses or from residential to hotel—while allowing greater flexibility for all other changes in use. The update supports adaptive reuse of existing buildings, encouraging revitalization and reinvestment while protecting sensitive land uses and maintaining consistency with City goals and policies. ***Result: Significant Changes***
30.175.030 General Provisions	Eliminates the requirement for covered parking spaces for single-unit residential, two-unit residential, and condominium developments. While the total number of required parking spaces remains unchanged, those spaces may now be provided as either covered or uncovered, in accordance with §30.175.040. Covered parking construction is often a significant cost barrier to housing flexibility and reinvestment. Removing this requirement enables property owners to convert existing private garages to other allowed residential uses—such as storage, workshops, or guest houses—under the City's new Garage Conversion and Guest House ordinances, while still meeting parking requirements and supporting adaptive reuse of existing structures. ***Result: Significant Changes***
30.175.040 Required Automobile and Bicycle Parking Spaces	Eliminates references to covered parking from the table, as described above. *Result: Cleanup/Clarifying Amendments*
30.175.060 Location of Required Automobile and Bicycle Parking	Minor wording changes related to applicability and allowed locations for parking spaces. Changes include references to new or updated standards in other sections such as Personal Outdoor Storage §30.140.220, Yard Buildings §30.140.240, and Screening §30.140.220. It also allows

Chapter/Section	Amendment Description
	residential parking to be in an off-site location with a recorded agreement. *Result: Minor Change*
30.175.080 Parking Area Landscape and Fence Standards	This update clarifies the applicability of parking setback standards and eliminates the requirement for a different perimeter planter width when parking abuts a residential use. Setbacks for parking are now consistently located in the applicable development standards tables by zone, and the removal of the planter requirement resolves conflicts between overlapping or competing standards. Updated graphic. *Result: Minor Changes*
30.175.090 Parking Area Design and Development Standards	Minor clarifications to terminology. *Result: Cleanup/Clarifying Amendments*
Chapter 30.185 Standards for Specific Uses and Activities	
30.185.050 Additional Residential Unit	Removes reference to covered parking and updates FAR terminology. *Result: Cleanup/Clarifying Amendments*
30.185.070 Agriculture	Health and Safety Code § 17021.8 requires streamlined approval for farmworker housing on land zoned primarily for agricultural use. However, the City of Santa Barbara does not have any zoning districts where agriculture is a principally permitted use. Instead, agriculture is allowed as an accessory use in residential, commercial, office, and manufacturing zones, subject to the standards in Section 30.185.070 of the Municipal Code. Consistent with Housing Element Program HE-3, amendments clarify that agriculture is considered an accessory use in all zones, thereby confirming that the streamlined provisions of § 17021.8 do not apply within city limits. *Result: Clarifying Amendments Required by State Law*
30.185.150 Day Care Centers	Implements Assembly Bill 752 (2025), which requires that a Day Care Center, when located within, or on the same lot as, a multi-unit or mixed-use development containing five or more residential units or legally established community

Chapter/Section	Amendment Description
	amenities, be considered a residential use of property and a use by right under all local ordinances, including zoning regulations. *Result: Clarifying Amendments Required by State Law*
30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices	Consistent with Housing Element Program HE-3, this amendment revises the permit requirements for Community Care Facilities, Residential Facilities for the Elderly, and Hospices to clarify that they are treated as residential uses under the Santa Barbara Municipal Code. Facilities serving six or fewer residents are considered single-unit residences and do not require a Performance Standard Permit unless proposing non-permitted accessory uses. Facilities serving 7–15 residents are permitted by right in most residential zones, but require a Performance Standard Permit in RS and R-2 zones. Facilities with 16 or more residents require a Performance Standard Permit. Facilities may include kitchens in individual units or congregate dining areas, with different zoning standards applied depending on the configuration. Accessory uses such as recreational or skilled nursing facilities may be allowed by right or with a permit, depending on the zone. *Result: Clarifying Amendments Required by State Law*
30.185.170 Emergency Shelter	Adds development standards for Emergency Shelter outdoor areas and simplifies the parking requirement. Changes required per Gov't code 65583(a)(4) *Result: Clarifying Amendments Required by State Law*
30.185.175 Emergency Permit	Adds new section that authorizes issuance of 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. *Result: Minor Changes*
30.185.230 Large and Small Family Day Care Homes	Removes location-specific and operational standards for Large and Small Family Day Care Homes to align with Senate Bill 234 (2019). Under this provision, the City may only enforce standards that are identical to those applied to

Chapter/Section	Amendment Description
	all other residential properties within the same zoning district. *Result: Clarifying Amendments Required by State Law*
30.185.245 Low Barrier Navigation Center	Adds a new section to ensure compliance with Assembly Bill 101 (2019), which mandates that Low Barrier Navigation Centers be treated as a use by right in areas zoned for mixed-use or nonresidential uses permitting multifamily housing, provided they meet specified criteria. This amendment supports implementation of Housing Element Program HE-3. *Result: Clarifying Amendments Required by State Law*
30.185.415 Temporary Housing Units	This new section allows temporary housing on residential lots for occupants displaced by demolition or damage to a home on the same property. A Performance Standard Permit is required. Eligible structures include trailers or existing permitted accessory buildings including ADUs. Units must meet basic living and utility standards, provide two on-site parking spaces, and may remain for up to 36 months, with extensions allowed up to six years. Once expired, the temporary use must end, and the site restored unless otherwise approved. ***Result: Significant Changes***
30.185.430 Transitional and Supportive Housing	Updates made to align with Assembly Bill 2162 (2018), which requires Supportive Housing to be treated as a use by right in zones permitting multifamily and mixed uses, including nonresidential zones that allow multifamily housing. The bill mandates streamlined local approval processes for qualifying developments and prohibits minimum parking requirements for supportive housing located within one-half mile of public transit. *Result: Clarifying Amendments Required by State Law*
Chapter 30.200 Planning Authorities	
30.200.030 Planning Commission	Minor clarifications for ordinance consistency. *Result: Cleanup/Clarifying Amendments*
30.200.050 Community Development Director	Makes Community Development Director the Review Authority for Minor Zoning Exceptions as assigned. Clarifies

Chapter/Section	Amendment Description
	Director authority to act on Administrative Applications including Administrative Design Review. Adds authority to act on Emergency Permits. *Result: Minor Changes*
30.200.070 Architectural Board of Review	New section that moves review authority description of Architectural Board of Review from Chapter 22.68 to Title 30, and includes information from the City Charter. *Result: Minor Changes*
30.200.080 Historic Landmarks Commission	Minor cleanups; adds information from the City Charter; formatting changes to align with ABR and SFDB. *Result: Minor Changes*
30.200.090 Single Family Design Board	New section that moves review authority description of Single Family Design Board from Chapter 22.69 to Title 30. *Result: Minor Changes*
Chapter 30.205 Common Procedures	
30.205.020 Application Forms and Fees	Adds clarification on method of submittal and application received date. *Result: Cleanup/Clarifying Amendments*
30.205.030 Pre-Application Review	Adds description of Optional Pre-Application Design Consultation and noticing requirements. Minor clarifications on Pre-application Review Team. *Result: Minor Changes*
30.205.040 Concept Review	Clarification regarding public noticing. *Result: Cleanup/Clarifying Amendments*
30.205.050 Review of Discretionary Applications	New subsection authorizing the designated Review Authority—such as the Community Development Director or Staff Hearing Officer—to refer a project to the next highest Review Authority. This may occur due to policy implications, unusual circumstances, project scale, community interest, or the need for a more definitive decision. *Result: Minor Changes*
30.205.070 Public Notice	Clarifies noticing requirements for projects requiring design review and land use decisions.

Chapter/Section	Amendment Description
	Result: Cleanup/Clarifying Amendments
30.205.080 Conduct of Hearings	Minor cleanups, as "public hearing" has a specific connotation and associated requirements in state law. *Result: Cleanup/Clarifying Amendments*
30.205.150 Appeals	Minor clarifying language for appeals of Staff Hearing Officer and Planning Commission decisions. New section on appeals of Design Review decisions. It specifies: • Design review decisions on Project Design Review may be appealed by the applicant or any interested person. • Appeals of decisions by the Architectural Board of Review and Historic Landmarks Commission go to the City Council; appeals of Single Family Design Board decisions go to the Planning Commission. • Only applicants may appeal post-approval actions, such as Final Approval. ***Result: Significant Changes***
30.205.155 Review of Administrative Applications	Adds new section that outlines the administrative review process for permits and approvals handled by the Community Development Director. • The Director is the designated Review Authority unless a related application requires action by a higher body, in which case the entire project is reviewed by the higher authority. • The Director may also refer design changes to a Design Review body if there are potential impacts. • Administrative decisions are ministerial, not subject to CEQA, do not require a public hearing, and are final unless otherwise specified. ***Result: Significant Changes***
Chapter 30.220 Design Review	
30.220.005 Discretionary Design Review Procedures	This section establishes procedures for discretionary Design Review in Santa Barbara which applies to most development projects unless exempt or opting into the

Chapter/Section	Amendment Description
	Objective Design Review process. It defines the roles of Design Review bodies, application requirements, and the need for mailed notice and public hearings for certain project types. Key changes include: • Changes to mailed notice triggers—aligned across all three review bodies. • Previously, notice was required for additions over 500 sq. ft. to the first story and over 150 sq. ft. to an existing upper story; now, notice is triggered at 800 sq. ft. for first-story additions and 250 sq. ft. for upper-story additions to any residential building. • Allows applicants to submit, at-risk, for a building permit after Project Design Approval, prior to receiving Final Design Approval. ***Result: Significant Changes***
30.220.010 Architectural Board of Review	Moves Architectural Board of Review purpose, applicability, and findings from Chapter 22.68 to Title 30. Includes content clarifications and clean-ups. For increased consistency with state law, removes requirement for concept review when Planning Commission is decision-maker, and removes potential for referral to Planning Commission. Removes descriptions of obsolete Special Design Districts. Description of Highway 101 Coastal Parkway Special Design District moved to §30.220.060. *Result: Minor Changes*
30.220.020 Historic Landmarks Commission	Cleanups for ordinance consistency. Changes and clarifications to Historic Landmarks Commission procedures, including: • Allowance for administrative review of projects in El Pueblo Viejo Landmark District to by performed by the Community Development Director. • Removal of requirement for concept review when Planning Commission is decision-maker, and removes potential for referral to Planning Commission.

Chapter/Section	Amendment Description
	• Reorganization to match format of ABR and SFDB sections. Allows HLC to approve Maximum FAR exceptions (rather than Planning Commission Modification requirement). *Result: Minor Changes*
30.220.040 Single Family Design Board	Moves Single Family Design Board from Chapter 22.69 to Title 30. SFDB review is required for most exterior changes, new construction, grading, and landscape modifications on lots with single-unit residences, unless exempt. Key changes include: • Increased the exemptions from SFDB review to include small-scale additions, certain accessory buildings, architecturally consistent alterations, minor site features, limited grading or landscaping, and other low-impact changes. • Makes Final Approval a ministerial action by the Community Development Director (this is specified in the guidelines, not in the ordinance). • Revises procedures for changes to approved plans (this is specified in the guidelines, not in the ordinance). • Simplified the required findings and adds Maximum FAR findings. ***Result: Significant Changes***
30.220.050 Objective Design Review	Minor cleanups. *Result: Cleanup/Clarifying Amendments*
30.220.060 Special Design Districts	Adds new section that describes Hillside Design District and Highway 101 Santa Barbara Coastal Parkway Special Design District. Eliminates Mission Area Design District and Lower Riviera Special Design District. When they were created, the purpose of the Mission Area and Lower Riviera Special Design Districts was to facilitate historic resource surveys that would result in the designation of historic resources and the creation of historic districts. Those surveys have since been completed and the contributing historic resources identified, therefore reference to the

Chapter/Section	Amendment Description
	Mission Area and Lower Riviera Special Design Districts is proposed to be removed. *Result: Minor Changes.*
Chapter 30.235 General Plan and Zoning Amendments	
30.235.070 Public Notice	Adds language to reference Government Code §65854 for additional noticing required on land use changes. *Result: Cleanup/Clarifying Amendments*
30.235.085 Ordinance Committee Action	Adds new section to reference procedures for Ordinance Committee review of zoning amendments. *Result: Cleanup/Clarifying Amendments*
30.235.090 City Council Action	Adds procedures for City Council introduction and adoption of ordinance amendments; adds subsection to explain the effective date of an ordinance. *Result: Cleanup/Clarifying Amendments*
30.235.100 General Plan and Local Coastal Plan Consistency Required for Zoning Amendments	Clarifies that consistency with the Local Coastal Plan is required for zoning amendments, if applicable. *Result: Cleanup/Clarifying Amendments*
Chapter 30.250 Modifications	
30.250.020 Applicability	Adds modification for accessory building standards. Eliminates Maximum FAR Modification for single-unit residential projects and replaces with Design Review FAR Exception in Chapter 30.220. ***Result: Significant Changes***
30.250.030 Review Authority	Changes review authority and process for Maximum FAR Modifications from Planning Commission to a Design Review Exception and SFDB or HLC. ***Result: Significant Changes***
30.250.060 Required Findings	Amends and relocates findings for FAR Modifications for single-unit residential projects to 30.220.040.H as a Design Review Exception. ***Result: Significant Changes***

Chapter/Section	Amendment Description
Chapter 30.290 Zoning Upon Annexation	
30.290.030 Procedure	Clarifies that the entirety of any annexation shall become a part of the Hillside Design District upon annexation, unless otherwise determined as part of the annexation. Relocates from Title 22. *Result: Cleanup/Clarifying Amendments*
Chapter 30.295 Use Classifications	
30.295.020 Residential Use Classifications	Amendments to the Single-Unit Residential Use classification to align with state law changes, recognizing Employee Housing Units, Community Care Facilities, and similar living arrangements with six or fewer residents—each under separate rental agreements—as consistent with single-unit residential use, provided the dwelling otherwise meets the definition of a single-unit residence.. *Result: Clarifying Amendments Required by State Law*
Chapter 30.300 Definitions	
30.300.005	Added section to explain purpose, applicability, and interpretation of definitions. *Result: Cleanup/Clarifying Amendments*
30.300.010 "A"	Adds definitions for "Administrative Design Review" and "Architectural Feature." Corrects alphabetization. *Result: Cleanup/Clarifying Amendments*
30.300.020 "B"	Updates "Basement" definition to identify when it counts as a story. Updates "Bedroom" definition to state that a dining room is not a bedroom. *Result: Cleanup/Clarifying Amendments*
30.300.030 "C"	Corrects alphabetization. Elaborates on "Cellar" definition. Adds definition for "Concept Design Review." *Result: Cleanup/Clarifying Amendments*
30.300.040 "D"	Corrects alphabetization. Adds definitions for "Design Review," "Dining Room," and "Discretionary Review." *Result: Cleanup/Clarifying Amendments*

ATTACHMENT 1
SINGLE FAMILY STREAMLINING PROJECT
DESCRIPTION OF AMENDMENTS TO CHAPTERS 22.22, 22.68, AND 22.69, TITLE 25, AND TITLE 30

Chapter/Section	Amendment Description
30.300.050 "E"	Adds definitions for "Efficiency Unit" and "Enclosure, Trash and Recycling." Clarifies definition of "Enclosed." Corrects alphabetization. *Result: Cleanup/ Consistency*
30.300.060 "F"	Adds definitions for "Final Design Review," "Finished Surface Level," "Floor Area, Non-Livable," and "Frontages." Revises definition of "Floor Area, Net." *Result: Cleanup/ Consistency*
30.300.070 "G"	Adds references to §30.15.055, Grading. Clarifies that "Guestroom" refers to a room in a temporary lodging establishment. Adds definition of "Guest House." *Result: Cleanup/Clarifying Amendments*
30.300.080 "H"	Revises definition of "Hearing." Updates to Historic Resources Related Definitions. *Result: Cleanup/Clarifying Amendments*
30.300.090 "I"	Corrects alphabetization. *Result: Cleanup/Clarifying Amendments*
30.300.110 "K"	Elaborates on "Kitchen" definition, including adding definition of "Full Kitchen." *Result: Cleanup/Clarifying Amendments*
30.300.120 "L"	Adds definitions for "Landscape Accessories." Re-alphabetizes and adds clarification to "Landscape Plan." *Result: Cleanup/Clarifying Amendments*
30.300.130 "M"	Adds definitions for "Meeting" and "Ministerial Review." Corrects alphabetization. *Result: Cleanup/Clarifying Amendments*
30.300.150 "O"	Adds definitions for "Open Yard" and "Open Yard Amenities." Corrects alphabetization. *Result: Cleanup/Clarifying Amendments*
30.300.160 "P"	Adds definition for "Principal Place of Residence" and "Public Scenic View." Minor changes to "Patio," "Patio Cover," and "Porch." Corrects alphabetization.

Chapter/Section	Amendment Description
	Result: Cleanup/Clarifying Amendments
30.300.180 "R"	Adds definition for "Replacement In Kind" of architectural elements for clarification. Adds "Residential Use of the Same Type." *Result: Cleanup/Clarifying Amendments*
30.300.190 "S"	Adds definition for "Sink" and sub-definitions. Adds sub-definitions for "Structure." Corrects alphabetization. *Result: Cleanup/Clarifying Amendments*
30.300.200 "T"	Moves figure for Trellis. *Result: Cleanup/Clarifying Amendments*
30.300.210 "U"	Clarifications to definition of "Unenclosed." *Result: Cleanup/Clarifying Amendments*
30.300.250 "Y"	Moves "Yard, Open" under "Yard" and adds sub-definitions. *Result: Cleanup/Clarifying Amendments*
Appendix Sectional Maps	Minor zone edits from rezones and legend updates to include Title 28 and Title 30 zone codes

SUMMARY OF CHANGES TO SFDB GUIDELINES

The table below provides an outline of the changes to the SFDB General Design Guidelines and Meeting Procedures, to be renamed as the SFDB Guidelines. Below the table is an explanation of key changes to the administrative approval standards.

Updated Guidelines Section Name & Page Number	Summary of Changes
Table of Contents, pp. 2-3	Reformatted and shortened for easier navigation.
Introduction, pp. 4-7	Added consolidated SFDB Goals, a Statement on Neighborhood Compatibility, Character, and Architectural Style; added a reference to other applicable guidelines; removed reference to outdated guidelines.
Section 1 - General Information, pp. 8-17	Review process information consolidated into one section. Added information about SFDB jurisdiction and the design review process, including submittal requirements, levels of review, and steps in the process. Added a section on determining substantial conformance to approved plans. Reduced maximum allowable floor area increase from 150 square feet to 50 square feet.
Section 2 – Meeting Procedures, pp. 18-26	General meeting procedures information consolidated into one section.
Section 3 – Meeting Conduct for SFDB Members, pp. 27-29	Moved Board member-specific meeting conduct information to follow general meeting procedures.
Section 4 – Submittal Requirements and Visual Aids, pp. 30-35	Clarifications and updates regarding when visual aids are required, with explanations of commonly used visual aids. Added procedure for waiving story pole requirements and included description of the levels of story pole installation. Added timing and documentation requirements for story pole installations.
Section 5 – Landscape Design Guidelines, pp. 36-46	Reorganized and reformatted. Minor updates and clarifications. Replaced outdated Water Conservation information with a reference to the City website for current Water Conservation best practices; relocated subdivision grading plan guidelines from the Meeting Procedures section.

Section 6 - Administrative Approval Standards, pp. 50-61	Added procedures for administrative review. Added general administrative approval standards for landscape projects, designing projects in consideration of neighbors, changes to approved plans, and home hardening for fire resistance. Expanded general standards for additions and alterations. Added project-specific standards for screening and screening waivers. Expanded project-specific standards for accessory buildings, additions, decks, fences, hardscape & landscape, pools & spas, retaining walls, roofs, tree removal, trellises, and windows.

Key Changes to the Administrative Approval Standards

For brevity, only the key changes to the Administrative Approval Standards are discussed below. Refer to Exhibit F (Draft SFDB Guidelines, Section 6.1-6.3) for the full text of the SFDB Administrative Approval Standards.

<u>New Procedures Section</u>

The current Administrative Approval Standards lack thorough instructions for use, which makes it difficult to train staff, applicants, and the public on how to use them. The proposed guidelines address this issue with a new Procedures section that outlines how to review projects using the General Administrative Approval Standards and the Project-Specific Administrative Approval Standards. The procedures include step-by-step instructions and an example.

<u>Updated General Administrative Approval Standards</u>

The General Standards assist with “big picture” considerations such as how to evaluate architectural style, designing projects in consideration of neighbors, how to review changes to approved plans, and how to evaluate a project’s scale in relation to the neighborhood. The General Standards have been expanded to include new standards for landscape, designing projects in consideration of neighbors, reviewing changes to approved plans, and home hardening for fire resistance. The existing General Standards have been updated for consistency with the proposed ordinance and to include additional guidance to assist Staff, applicants, and the public understand what the broad considerations are to grant an administrative approval.

<u>General Standards: Home Hardening for Fire Resistance</u>

The General Administrative Approval Standards are proposed to be expanded with new, more lenient standards for home hardening projects in High Fire Hazard Areas that are using State-recognized fire-resistant materials. Fire preparedness is an increasingly important topic to homeowners in the City, particularly with the July 2025 expansion of the City’s mapped High Fire Hazard Areas. If a project is proposing new fire-resistant materials and site design, staff will be able to administratively approve those elements

even if they do not explicitly meet the applicable project-specific administrative approval standards. This is not anticipated to result in undesirable design outcomes, since most common and approvable building materials, such as standing seam roofing, 2-piece clay tile, class A asphalt shingles, and dual pane tempered glass windows already meet State fire resistance requirements. However, if the decision is between a project being aesthetically superior or fire resistant, the proposed guidelines allow staff to approve the more fire-resistant option.

Updated Project-Specific Administrative Approval Standards

The Project-Specific Standards have been updated to include more types of projects that can be administratively approved. Along with increasing administrative approval size limits for accessory buildings, additions, and decks, the Project-Specific standards include fewer restrictions on the types of exterior materials that are eligible for administrative approval, including windows, decks, fences, and roofing. To temper the increased allowances in the standards and maintain aesthetic oversight, new criteria have been added regarding elements such as project height, location on the lot, screening, and preservation of character-defining features. Examples include:

- Accessory buildings up to 800 square feet may be administratively approved, however they cannot exceed one story or 17 feet in height, cannot be located in the front yard, and must match the architectural style of the main house if the accessory building is publicly visible, and other standards.
- Additions of up to 800 square feet may be approved administratively, however existing development must be less than 4,000 square feet, the addition must not significantly alter the front façade, and the project must not exceed 85% of the maximum required floor area ratio (FAR), and other standards.
- Vinyl windows are no longer disqualified from administrative approval and may be administratively approved if they are a visual match to the existing windows, are not replacing original wood windows, and other standards.

The intent in adding these caveats to the more inclusive Project-Specific administrative approval standards is to introduce flexibility into the process while ensuring projects are compatible with the neighborhood. Adding this level of specificity to the standards also facilitates more straightforward review by staff by reducing confusion and adding objectivity. Key changes to specific standards are described in more detail below.

Project-Specific Standards: Accessory Buildings

The current Project-Specific Standards only allow administrative approval of accessory buildings of up to 250 square feet and 500 square feet if not publicly visible. The proposed standards increase the administrative approval limit to 800 square feet, consistent with State accessory dwelling unit regulations that allow ministerial approval of units up to 800 square feet. New standards that act as guardrails are proposed along with the increased size limit, including that accessory buildings not used for covered parking and located in the front yard are not eligible for administrative approval. These changes encourage accessory buildings to be located in the back yard and limited to one story, while allowing a larger size than the current standards.

ATTACHMENT 2
SINGLE FAMILY STREAMLINING PROJECT
SUMMARY OF CHANGES TO SFDB GUIDELINES

Project-Specific Standards: Additions

In terms of impacts to the site and neighborhood, the most significant change proposed for the Project-Specific Administrative Approval Standards is to increase the size of additions that can be administratively approved by staff. The current SFDB Guidelines allow administrative approval of first-story additions up to 250 square feet and upper story additions up to 150 square feet. A first story addition of up to 500 square feet can be administratively approved if it is not publicly visible[1] and is located in consideration of neighbors[2]. The proposed amendments increase the size of additions that can be approved administratively from 500 to 800 square feet on the first story (to align with the State law allowance for one 800 square foot ADU), and from 150 to 250 square feet on an upper story. This would keep these modest additions with little to no potential for negative neighborhood impacts out of a public hearing.

The proposed administrative approval standards include a caveat for large residential development, consistent with the design review trigger for additions on lots developed with more than 4,000 net square feet of floor area. The proposed administrative approval standards allow staff to approve additions of up to 800 square feet on lots developed with up to 4,000 square feet of floor area, but for lots developed with more than 4,000 square feet of floor area, only up to 250 square feet of additions can be approved administratively. This places more scrutiny on additions to homes that are already large by Santa Barbara's standards and gives staff the flexibility to approve larger additions to smaller homes.

Project-Specific Standards: Decks

Currently, the SFDB Guidelines allow administrative approval of first-story decks up to 200 square feet, and do not allow administrative approval of balconies or upper-story decks. This project proposes to increase the allowable size for administrative approvals of decks to 400 square feet at the first story and 250 square feet for decks at the second and higher story. Upper story decks under 160 square feet would be exempt from design review provided that they meet the new zoning standards for balconies and upper story decks. Consistent with the Single-Family Residence Design Guidelines, an existing design standard is proposed to be added to the zoning ordinance requiring decks greater than 20 square feet to be located at least 15 feet from interior lot lines. Planning Commission supported this concept at the March 21, 2024 discussion on this project. Any project that does not comply with this standard may be approved by the applicable Design Review body, but would not be eligible for administrative approval.

Roof decks (decks on top of the roof of the highest story) would not be eligible for administrative approval. The SFDB/AIA subcommittee agreed that roof decks require more scrutiny due to their potential for privacy and noise nuisance issues.

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[1] A building, structure, or improvement is publicly visible if it may be typically, reasonably, and usually observed by an average person standing or traveling upon a public right-of-way (including streets and sidewalks) or visible from a public park, beach, or other area generally open for public use. If the building, structure, or improvement is only visible from a very distant viewing location where the building, structure, or improvement would not be readily discernable from the viewing location, then the building, structure, or improvement is not considered publicly visible for purposes of interpreting these Guidelines (SFDB Guidelines & Meeting Procedures p.15).

[2] I.e., generally consistent with the Good Neighbor Guidelines (Single Family Residence Design Guidelines p. 67-N).

ATTACHMENT 2
SINGLE FAMILY STREAMLINING PROJECT
SUMMARY OF CHANGES TO SFDB GUIDELINES

Project-Specific Standards: Windows

The current Project-Specific Standards for windows are ambiguous about the eligibility of two of the most common window materials: aluminum and vinyl. This leads to confusion among staff and inefficient processing of applications, even for windows on the rear of the house that aren't publicly visible. The proposed standards remedy this issue by changing the criteria to not exclude aluminum or vinyl and to encourage new and replaced windows to match the existing windows. They also add a new standard, that the replacement of original wood windows or Special Design Windows[3] with another type of window is not administratively approvable. This places more scrutiny on projects that propose to remove character-defining features and less scrutiny on a homeowner replacing an aluminum rear bathroom window with vinyl. Although it seems minor, this change will allow staff to be more efficient with their review of home improvement projects.

[3] A window that uses quality materials such as wood or steel and is constructed using a unique or artistic design style is considered a Special Design Window. Such windows are an important component of a building's character and may be an enhancement to the entire neighborhood. Such windows include, but are not limited to, leaded glass windows, stained glass windows, multi-pane wood windows with elaborate muntin patterns, or non-rectangular accent windows.

SINGLE FAMILY STREAMLINING PROJECT
DISCUSSION OF PROJECT GOALS AND ASSOCIATED SOLUTIONS

Goal 1: *Reduce the number of single family development projects subject to design review.*

Solution 1A: *Eliminate alterations-only projects from SFDB purview and add design standards to the Zoning Ordinance that address alterations to existing development to avoid automatically triggered design review.*

There are currently over 35 triggers for SFDB design review, mostly listed in Chapter 22.69, with some in Titles 28 and 30 (coastal and inland zoning ordinances). The biggest proposed change to reduce SFDB design review triggers is to exempt alteration projects that do not involve a change in building square footage. In reviewing three years of SFDB project data (2019-2022), staff found that approximately 45% of projects were building or site alterations that did not involve any changes to floor area, and were instead routine maintenance, upgrades, and repairs, with a slim minority resulting in a significant change to the appearance of the building or site. Board members and applicants felt strongly that projects involving routine repairs, maintenance, and updates that do not affect house size are the least important thing for the SFDB to review, while new two-story houses, large additions, and major site work are among the most important. As a result, the proposed amendments to the SFDB design review triggers have been carefully calibrated to exempt alteration-only projects if they meet proposed design and development standards within Title 30.

The resulting SFDB design review exemptions are drafted as design and development standards and allow ministerial review of projects that either visually match the existing, permitted condition of the building or site, or result in a new, cohesive design style as defined in the SFDB Guidelines. This approach allows for ministerial review of routine maintenance projects such as window replacement, reroofing, and exterior siding replacement.

If adopted, these amendments are conservatively estimated to reduce SFDB projects by 24%[1]. In addition, staff anticipate that a larger share of the projects under SFDB purview will be eligible for administrative approval based on the expanded administrative approval standards in the proposed Guidelines.

Some members of the public expressed concern that City staff lack the expertise to assess whether a project aligns with a specific architectural style. Staff acknowledge this concern but are confident that we possess the ability to do this type of review. Staff regularly process administrative approval requests for consistency with codified ministerial design criteria (Accessory Dwelling Units) and through review of other minor

[1] The 24% reduction is estimated based on analysis of 3 years of project data subtracting projects that would no longer be triggered for design review under the proposed code.

projects for consistency with the Administrative Approval Standards in the Architectural Board of Review (ABR), Historic Landmarks Commission (HLC), and SFDB Guidelines. Weekly internal workshops help staff to review architectural details, window schedules, and materials and finishes to evaluate consistency with the ministerial criteria. Staff also use *A Field Guide to American Houses* to evaluate architectural style consistency. This type of evaluation is routine for City staff.

The Project establishes clear design standards for alteration projects within the Zoning Ordinance. These standards provide applicants with a clear path to ministerial approval while preserving the option to deviate from these design standards by opting in to the design review process. The proposed design standards – covering elements such as retaining walls, decks, and new or expanded upper story windows –are based on long-standing design *guideline* criteria, guiding applicants toward established and familiar local design preferences.

For example, current code has no retaining wall-specific standards beyond those that apply to fences. The proposed standards address this gap by specifying required materials (natural stone, brick, or stucco), requiring landscape elements to soften the appearance of walls over 4 feet tall, and clarifying cumulative height limits for terraced walls in both cut and fill slope configurations.

Similarly, there are no standards for upper story decks, despite the privacy concerns they often raise for neighboring properties. The proposed amendments address this by implementing a 15-foot setback from interior lot lines for upper story decks, consistent with Good Neighbor Guideline 36.2.4 from the Single Family Residence Design Guidelines. Decks smaller than 160 square feet that are more than 15 feet from an interior lot line would not require design review, and decks that do not meet those size or distance standards may request an exception reviewed by the applicable design review body. One deck is allowed per façade.

Updates to Title 30 also include new standards for landscape improvements for all zones. The standards require that front setbacks must be at least 50% natural plant material and groundcover to provide a landscape buffer from the street and avoid excessive paving. Existing properties made nonconforming by these new standards would not be required to meet the standards unless building or site improvements are proposed that require a landscape plan[2]. See section 30.220.040.B of the draft Title 30 ordinance amendments for the full text of the proposed SFDB design review triggers, and the Draft SFDB Guidelines, Section 6) for the updated administrative approval standards.

[2] See SBMC Ch.14.23 – Landscape Design Standards and Recycled Water Use – for projects that require a landscape plan.

Solution 1B: *Expand opportunities for administrative (staff) review and approval of minor projects.*

In addition to reducing the number of projects that require SFDB review at any level, this project proposes to reduce the number of single family projects that require a public hearing by expanding the criteria for administrative approvals in the SFDB Guidelines. Proposed cleanups and clarifications to the SFDB Guidelines incorporate feedback from the SFDB Working Group, applicants, and staff. As part of this effort, staff are also addressing lessons learned from previous administrative approvals based on feedback from neighbors. The following discussion highlights only the most significant changes to administrative approvals. The proposed expansion of administrative approvals includes increases in approvable size limits for accessory buildings, additions, and decks. Note that projects must comply with additional criteria beyond these proposed administrative approval size limits.

	Administrative Approval Limit	
Project Element	**Existing**	**Proposed**
Accessory Buildings[3] (one-story, max. 17 feet in height)	250 SF (500 SF if not publicly visible)	800 SF
Additions, First-Story[4]	500 SF	800 SF
Additions to an existing Second- or Higher-Story	150 SF	250 SF
Decks, First Story	200 SF	400 SF
Decks, Second- and Higher-Story (except roof decks)	Ineligible for administrative approval	250 SF

See Resolution Exhibit B - Draft SFDB Guidelines, Section 6.1-6.3 for the full text of the SFDB Administrative Approval Standards, and Attachment 2, Summary of Changes to SFDB Guidelines, for additional information.

Solution 1C: *Reduce triggers for mailed notice.*

Mailed notices serve to inform neighbors about proposed development that may affect them. Because not all projects carry the same potential for neighborhood impact, the noticing requirement is reserved for those with the greatest likelihood of generating community interest or concern. To preserve meaningful public participation while reducing unnecessary process, the proposed amendments maintain mailed noticing for projects that warrant it and eliminate it for those that typically do not.

Projects that require a mailed notice are not eligible for administrative approval. Therefore, to expand administrative approvals, the SFDB's mailed notice triggers also require adjustment. To determine appropriate adjustments to the mailed notice triggers,

[3] To qualify for administrative approval, accessory buildings cannot be located in the front yard.
[4] To qualify for administrative approval, additions must not significantly alter the front/street-facing façade in terms of massing, scale, and architectural style.

staff reviewed project data and consulted with SFDB stakeholders. Notably, the proposed amendments change the noticing trigger for first-story additions from 500 square feet to 800 square feet to be consistent with the State allowance for an 800 square foot ministerial ADU. SFDB stakeholders felt that this threshold was appropriate for additions to the first story as it encourages massing on the first story rather than the second story. In addition, some Minor Zoning Exceptions and other waivers of zoning requirements that routinely receive a rubber-stamp approval at design review are proposed to become ministerial and no longer require a mailed notice or public hearing. A new main building, a new upper story on an existing building, and grading in excess of 250 cubic yards would still require a mailed notice. All existing mailed notice thresholds are listed in the table below, along with proposed changes:

Mailed Noticing Threshold	
Existing	**Proposed**
New main building	No change
500-square-foot first story addition	800-square-foot first story addition
New second or higher story on an existing building	No change
150-square-foot addition to an existing second or higher story	250-square-foot addition to an existing second or higher story
250 cubic yards of grading outside the main building footprint or on a vacant lot	No change
Minor Zoning Exceptions: fence and hedge height	No change
Minor Zoning Exceptions: alterations to nonconforming structures, trash enclosure location	No notice required[5]
Exterior lighting with potential for impacts to neighboring properties	No change[6]
Uncovered parking spaces exception	No notice required

Solution 1D: *Streamline the process for Minor Zoning Exceptions (MZEs) by converting commonly approved MZEs into zoning standards.*

Currently, Title 30 identifies a limited number of specific projects (e.g. new or enlarged window openings in setbacks) for which an MZE can be granted by the applicable design review body subject to specific findings. Prior to adoption of Title 30, exceptions to the zoning standards for these projects required Staff Hearing Officer review and approval of a Zoning Modification. In that sense, Title 30 MZEs streamline the process compared to coastal zoning (Title 28) regulations. However, we have learned that at SFDB, most MZE

[5] All MZEs except those for additional fence and hedge height are proposed to be converted to zoning standards reviewed ministerially or as a waiver by the applicable design review body, without a mailed notice. Refer to additional discussion under Solution 1D.
[6] Although the noticing trigger for lighting is not being substantively changed, it is being edited for clarity so that Staff better understand when it applies.

requests get a "rubber stamp" approval because they generally do not generate neighborhood interest at hearings, nor do they pose architectural compatibility concerns. All MZE requests heard by SFDB between 2019 and 2022 were approved. Current and former board members and SFDB Process Improvements working group members indicated that most MZEs are straightforward enough to be handled at the staff level and rarely warrant the level of oversight they are given at a public hearing.

Initially, this Project proposed to take all MZEs out of design review purview by making the Community Development Director the MZE review authority. However, street-facing fences and hedges can have a major aesthetic impact on the streetscape and pose inconsistencies with neighborhood patterns; and interior fences and hedges can have impacts on adjacent neighbors' properties. Staff believe fence and hedge MZEs still warrant a public forum and design review board oversight. Therefore, the proposed ordinance maintains the applicable design review body as the review authority for front- and interior-lot-line fence and hedge MZE requests. The remaining MZEs – for height and volume increases in setbacks, trash enclosures in front yards, and new or enlarged openings in setbacks – are proposed to be reviewed by the Community Development Director using new design standards in the zoning ordinance. MZE requests that the Director finds do not meet those standards would be forwarded to the applicable design review body. This approach ensures aesthetic oversight of projects with more potential to impact neighbors and neighborhood character while providing additional streamlining for projects that are less likely to present neighborhood compatibility issues.

Goal 2: *Streamline the public hearing process for single family projects.*

Solution 2A: *Eliminate the Final Approval hearing and associated appeal.*

Under the current SFDB process, staff, the Board, and project applicants spend a significant amount of time on Final Approval, the last discretionary action by the SFDB prior to building permit submittal. The Board's purview at Final Approval is narrow, limited to whether the plans substantially conform to Project Design Approval[7] and whether the exterior construction details and materials are sufficient and accurate. Along with adding time and cost to a homeowner, the current Final Approval process requires staff to perform an additional plan review that otherwise occurs during building permit application review – a redundancy in the process. Specifically, when a project granted Project Design Approval is submitted for Final Approval, staff reviews for substantial conformance to Project Design Approval and ensures the required materials and details are on the plans. The same staff review is performed again when the project is submitted for a building permit.

To shorten the time a project spends in the SFDB process, this Project proposes making the Community Development Director the default review authority for post-approval decisions, namely Final Approval and Review After Final, for SFDB projects. The Director

[7] Project Design Approval is the substantive approval for all City design boards.

would have the ability to refer post-approval decisions to SFDB if necessary to ensure substantial conformance to Project Design Approval or verify final details. This would make Final Approval and Review After Final ministerial actions performed by the Community Development Director. It would also make Project Design Approval the only SFDB action appealable by the public – Final Approval and Review After Final would be appealable only by the project applicant, but only if referred to the SFDB by the Director. To ensure a robust Project Design Approval, some project details currently required at Final Approval, including exterior colors, materials, and key exterior structural details, would now be required at Project Design Approval. Under the proposed process, staff would perform their routine plan check of Final Approval plans during the building permit phase, verifying that all conditions of approval have been met and that any changes requested by the SFDB have been made. Minor changes to the approved plans would be eligible for an administrative substantial conformance determination, subject to the new Substantial Conformance Criteria in the proposed SFDB Guidelines (explained in detail below). If staff determines that a Final Approval plan set does not substantially conform to the plans that received Project Design Approval, then a revised Project Design Approval would be required. Staff would also be able to refer any post-approval decision to the SFDB, which would then be appealable to Planning Commission only by the project applicant.

This process improvement reduces confusion by making Project Design Approval the only appealable action at which all project elements can be addressed. Further, it decreases confusion for the public on the appropriate time to appeal a project. In addition, it facilitates compliance with the Housing Crisis Act, which limits the total number of hearings that a single family residence may be subject to, which is especially important when projects can be subject to other City discretionary review processes and *those* appeal processes (e.g. Staff Hearing Officer, Planning Commission, or Street Tree Advisory Committee/Parks and Recreation Commission, and City Council). Appeals are staff-intensive, highly subsidized by the General Fund, involve multiple departments, and a single appealable hearing is sufficient for single family development.

Requiring a Final Approval decision at the SFDB remains a popular idea to some community members who have expressed concerns about staff's ability to determine substantial conformance. Our effort in removing the automatic SFDB Final Approval hearing is to significantly streamline review and provide clear standards for substantial conformance for building permit submittals.

<u>Substantial Conformance</u>
To better assist staff and the public, the proposed SFDB Guidelines provide new criteria for determining substantial conformance to approved plans. For SFDB projects, the new substantial conformance determination process will be carried out by the Community Development Director and will apply to projects seeking Final Approval at the building permit phase and projects proposing changes after Final Approval (Review After Final). Below are the criteria that must be met for a Final Approval plan set or revised project to substantially conform to Project Design Approval:

ATTACHMENT 3
SINGLE FAMILY STREAMLINING PROJECT
DISCUSSION OF PROJECT GOALS AND ASSOCIATED SOLUTIONS

Issue	Substantial Conformance Criteria (Proposed)
Conditions of Approval	Does not conflict with findings or conditions of approval made by the SFDB or Planning Commission on appeal.
Height	Does not result in an overall height which is greater than one foot above the approved height and does not exceed a maximum of 25 feet. For residences between 25 and 30 feet in height, the revised project does not increase the height by more than 4 inches above the approved height. In no case shall the building height exceed the maximum residential height in the zone.
Floor Area	Does not result in an increase of more than 50 square feet to the approved net floor area.
Grading	Does not result in an increase in grading outside the building footprint greater than 25 cubic yards more than the quantities shown on the approved plans.
Environmental Studies	Alterations do not occur in any biologically sensitive area as identified in the City's MAPS database, unless a technical study prepared by a qualified consultant indicates that the alterations will not have an adverse environmental impact. Does not result in environmental effects not analyzed or discussed at the approval process and does not result in new mitigation measures.
Trees	Any proposed tree removal is consistent with the Administrative Approval Standards for tree removals.
Privacy	Alterations do not result in new or enlarged window or door openings within interior setbacks. Any new or expanded decks or patios are located outside required zoning setbacks.

In addition to these criteria, the proposed changes in the SFDB Guidelines include staff considering broad issues such as whether the project was subject to an appeal, whether the proposed changes result in a new project or impact zoning conformance, whether the project was subject to significant controversy, whether there was significant discussion about the particular issue, and whether the proposed revisions would alter the public's perception of the project. The above-listed criteria provide guardrails for the decision, and the additional considerations provide the project-specific critical analysis needed to ensure consistency in the Director's determinations of substantial conformance.

While eliminating the final approval hearing has drawn broad support — and was recommended in the Novak Report — some concerns were raised during public outreach. These concerns, along with staff responses, are provided below:

- **Concern:** City staff are not licensed architects, and therefore, are less equipped to make informed decisions on substantial conformance determinations during building permit review or to make calls on architectural details for administrative design review requests.

Staff response: Staff review architectural plans and details daily and hold weekly meetings to review and apply eligibility criteria when assessing administrative design requests. If staff raise questions about final architectural details and feel uncomfortable

with making a determination, staff would refer those to the SFDB. To be clear, although a project is eligible for administrative approval, staff are not obligated to approve the request if questions or concerns emerge about neighbor impacts, neighborhood compatibility, or any other design elements. In these instances, staff may refer projects back to the Board (either Consent or Full Board) for a decision.

- **Concern:** Requiring more information and project details at Project Design Approval would be too costly or too much of a time investment when the project has not yet been approved.

Staff response: Due to the significant upfront cost, full working construction drawings would not be required at Project Design Approval, but it is expected that more details will be required. Staff consider this a balance between concerns we hear from applicants about early investment without knowing if a project will be approved and having enough detail that the SFDB can make their required findings. Staff find that the trade-off is worth being able to eliminate an additional appealable hearing. Conceptual review is the best way for applicants to get early feedback on the design and massing before moving forward with the additional details that would be required prior to Project Design Approval and it is included in the SFDB review fee (fee currently covers up to four total hearings). The SFDB may also request exterior details to clarify confusion with a design and the submitted plans.

- **Consideration:** Some members of the public will want to maintain maximum oversight on neighborhood development and will not support the expansion of administrative approvals.

Staff response: The most significant single-unit projects—such as new second and third story additions and new residences, including new residences in the Hillside Design District—will still require Full Board SFDB review. This project aims to maintain the existing oversight that SFDB has on projects that pose the greatest impact to neighborhood compatibility based on a project's size, bulk, and scale. Unlike the Architectural Board of Review and the Historic Landmarks Commission, the SFDB is not a Charter board or commission. As such, there is more flexibility to experiment with streamlining efforts—an advantage that will help us try to find the right balance of SFDB oversight. Prior to 1992, there was no design review for single family residences. Over time, we have added a significant number of projects to SFDB's plate. This effort will hopefully course correct to bring the number of minor projects down so that they may be ministerially reviewed and approved. The effort to streamline the process for single family homeowners is a tradeoff to maintaining maximum oversight of projects. We understand the desire of some to maintain maximum oversight, but staff believe there is a more appropriate balance of oversight given the direction to streamline.

Solution 2B: *Make SFDB the decisionmaker for projects exceeding the maximum allowable Floor Area Ratio (FAR).*

To further streamline the process for single family projects, this Project proposes a shift in the decision-making responsibility for FAR Modifications from Planning Commission to the SFDB (or HLC for historic resources). Currently, if a project proposes to exceed the maximum allowable FAR, the majority of SFDB or HLC members must vote in favor of the project at a concept hearing. Following an affirmative majority vote at design review, the project is referred to Planning Commission for a decision on the FAR Modification. In discussions with both the SFDB and Planning Commission, this process was determined to be unnecessary because the required findings[8] to grant an FAR Modification are more closely related to design and aesthetics than land use. As a result of the proposed change, appeals of FAR Design Exceptions granted by the SFDB would be heard by Planning Commission, and appeals of FAR Design Exceptions granted by HLC would be heard by City Council, allowing projects the standard practice of due process at a higher review authority.

Goal 3: ***Create more flexibility within the code and design guidelines to address common homeowner interests.***

Solution 3A: *Remove the requirement to provide covered parking.*

The proposed amendments give homeowners more flexibility by removing the requirement for off-street parking to be "covered"—meaning in a garage or carport. Currently, two covered parking spaces are required for every single family residence, with some exceptions[9]. The proposed amendments would not change the number of required spaces, only the requirement that they be covered in either a carport or garage. Staff proposed this amendment as a common-sense solution to a problem that tends to hold up projects. While covered parking is encouraged both as a principle of sound transportation planning and an aesthetic preference, to require it can present hardships, especially for owners of lots developed prior to the current covered parking requirement. Removing the covered parking requirement can make it easier for homeowners who have to address existing substandard garages. In instances where substandard garages have needed to be rebuilt to conform to current regulations, it has been a massive cost to a homeowner for something they may not wish to have. Replacement uncovered parking

[8] Findings to approve an FAR Modification (SBMC §30.250.060.C): 1. Not less than five members of the Single Family Design Board or six members of the Historic Landmarks Commission (on projects referred to the Commission pursuant to Section 22.69.030) have voted in support of the Modification following a concept review of the project; 2. The subject lot has a physical condition (such as the 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 3. The physical condition of the lot allows the project to be compatible with existing development within the neighborhood that comply with the floor area standard.

[9] SBMC §30.175.030.N provides for two exceptions to the covered parking requirement for lots under 15,000 square feet: i.) One covered and once uncovered space allowed for lots developed with less than 85% of the allowed floor area ratio, and ii.) Two uncovered spaces allowed for lots developed with less than 80% of the allowed floor area ratio, if at least 200 cubic feet of enclosed exterior storage space is provided and subject to approval by the appropriate design review body.

spaces would be allowed in an existing driveway[10]. This is a newer concept that received strong support from City Council at their June 2025 project briefing.

Solution 3B: *Provide options for the creative use of home space by allowing the conversion of an existing garage or carport from vehicle parking to another residential accessory use, such as a home office, hobby room, or extra bedroom.*

By giving homeowners the option to park in different configurations, the proposed code amendments facilitate the conversion of an existing garage to another residential use such as a storage room, workshop/home office, bedroom, or guest house (no requirement for kitchen). This flexibility would allow homeowners to increase the amount of usable space on their property at a lower cost than building a new addition or accessory building while maintaining the residential character of the area. Additionally, more opportunities to allow a full bathroom (i.e. toilet, sink, and bathtub/shower) in a garage or other accessory buildings are offered. This allows owners to add a "guest house"—a maximum 500-square-foot building used for guests—without the need to create a separate dwelling unit. This fills a need not currently met for homeowners who do not want to go to the length of permitting an ADU, specifically installing a kitchen, but want to convert their garage to livable space with a full bathroom.

Solution 3C: *Reduce open yard requirements for small lots and provide more flexible open yard standards for all other lots.*

Modest changes to the residential open yard requirements for both single family and multi-family developments are proposed to simplify the requirements and make it easier for smaller, constrained lots to build additions without needing a discretionary approval, waiver, or modification. Additional flexibility would allow a mix of open yard options (e.g. balconies, decks, patios, natural areas, etc.) by eliminating the need for a design review "waiver" of private open yards.

For example, the open yard requirement for a single family residence on a lot less than 6,000 square feet (sq. ft.) would be reduced from 1,250 sq. ft. to 800 sq. ft. and minimum dimensions for all lots would be reduced from 20 feet x 20 feet to 15 feet x 20 feet. Similarly, the open yard requirement for multi-family development is not decreasing in overall area— it is still 15% of the lot area—but the strict requirement to provide a certain area of private patio or balcony area for each unit based on the number of bedrooms is relaxed to give more options in a new project[11].

Solution 3D: *Create design and development standards for storage sheds, playhouses, and similar enclosed yard buildings.*

The proposed amendments would make it easier for homeowners to have a small accessory building, such as a storage shed, bicycle locker, or playhouse, in the backyard.

[10] Uncovered parking spaces may be located in the front yard if they are screened from public view, meeting zoning standards.
[11] This concept was discussed and supported by Planning Commission in 2022.

Current zoning requirements are strict on these types of yard buildings, with the main limitation being that they are not allowed in setbacks or open yards. The proposed code would allow a 6-foot-tall yard building in side-yard setbacks if it meets size, location, and screening requirements. Accessory buildings in the setbacks that exceed those requirements would require a Modification and review by the applicable design review body.

Consolidating the SFDB's Purpose and Goals

Guided by robust community feedback, staff revised the SFDB's purpose statement in the municipal code and the SFDB's goals in the SFDB Guidelines to better align with the realities of the SFDB process. The SFDB's current purpose statement within SBMC Chapter 22.69 addresses the SFDB's primary goal of ensuring projects are compatible with their surrounding neighborhood, but in the expanded list of goals in the existing Guidelines, it also includes elements that SFDB members feel are less within their purview. The SFDB General Design Guidelines and Meeting Procedures identify 12 additional goals, which the Board wished to consolidate to be more focused. SFDB members indicated that the Board's purpose statement and goals should more concretely reflect their purview, including project size and design, architectural style, landscape design, exterior building materials, and the protection of public views of the hillsides and ocean. They felt that other considerations within the purpose statement and goals, such as public safety, sustainability, and consistency with the Zoning Ordinance, were adequately addressed through staff's routine review of development applications for consistency with code standards, CEQA requirements, and building permit procedures.

The updated purpose statement within the proposed ordinance (SBMC §30.220.040) is:

"…to protect and preserve the City's natural and historical character and to enhance its visual and aesthetic quality. The SFDB 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."

This focused purpose statement clarifies the purpose and intent of the Board and reduces the potential for confusion as to the Board's purview. Further, per SFDB's direction, staff propose to consolidate the goals in the Guidelines from a list of twelve wide-ranging goals to six focused goals:

A. Ensure development is compatible with the site and the neighborhood;
B. Enhance neighborhood character by fostering quality and diversity in architectural styles;
C. Promote high standards in architectural and landscape design and the construction of aesthetically pleasing structures;
D. Ensure new development does not significantly impact adjacent historic resources;
E. Ensure new development does not significantly impact the beauty of Santa Barbara's natural and built resources; and

ATTACHMENT 3
SINGLE FAMILY STREAMLINING PROJECT
DISCUSSION OF PROJECT GOALS AND ASSOCIATED SOLUTIONS

F. Promote visual relief throughout the community and preserve public scenic views of the ocean and mountains.

GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Staff has determined that the Single Family Streamlining Project is consistent with General Plan policies and programs that encourage process improvements, reduction in constraints on housing development, sustainable neighborhood planning, protection of historic resources, and protection of visual resources.

Consistency Analysis	General Plan Policies
The Single Family Streamlining Project is consistent with General Plan policies that encourage process improvements by supporting the reduction of constraints to housing development. It also implements recommendations made by the Novak Consulting Group to streamline the design review process by reducing the number of projects subject to SFDB review, expanding administrative approvals, and creating more flexibility in the zoning ordinance for home improvement projects.	Housing Element HE-5: Process Improvements Housing Element H1.4: Reduce Constraints Housing Element HE-8: Innovative Housing Types
The Single-Family Streamlining Project is consistent with General Plan policies that protect historic resources. It maintains oversight of new development adjacent to historic resources.	Historic Resources Element HR1: Protect Historic and Archaeological Resources Historic Resources Element HR2: Ensure respectful and compatible development.
The Single-Family Streamlining Project is consistent with General Plan policies that support community benefit housing. It eliminates the requirement for a Conditional Use Permit or Performance Standard Permit for Community Care Facilities.	Land Use element LG5: Community Benefit Housing. Land Use Element LG5.1: Affordable Housing Housing Element Policy H1.4: Reduce Constraints Housing Element Program HE-3: Special Needs Housing

ATTACHMENT 4
SINGLE FAMILY STREAMLINING PROJECT
GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Consistency Analysis	General Plan Policies
The Single-Family Streamlining Project is consistent with General Plan policies that reduce the urban heat island effect through landscape. The ordinance implements new front setback landscape requirements for all lots with the intent of preventing excessive paving on any given site.	Environmental Resources Element ER1.3 Urban Heat Island Effect.
The Single-Family Streamlining Project is consistent with General Plan policies that support innovative design standards. The ordinance eliminates the requirement that vehicle parking spaces must be covered, i.e. in a garage or carport. Adds flexibility to provide bike lockers in setbacks.	Circulation Element CE7.4.1: Incorporate innovative design standards, such as tandem parking, stacked parking, and valet parking. Circulation Element CE4.2.3: Encourage facilities for bicycle travel and parking in any future development, construction, or reconstruction projects during the review of new development and infrastructure improvements. Circulation Element CE4.2.6: The City shall work to expand, enhance, and maintain the system of bikeways to serve current community needs and to develop increased ridership for bicycle transportation and recreation.

Consistency Analysis	General Plan Policies
The Single-Family Streamlining Project is consistent with General Plan policies that support sustainable community planning principles such as providing onsite open space, strengthening design standards within single-unit residential zones, promoting neighborhood character and enhancing the community's sense of place through the design review process. The ordinance also allows for innovative use of existing floor area on single-unit lots, decreasing the need to construct new structures, thereby decreasing resource use.	Land Use Element LG5.2: Open Space Land Use Element LG12: Community Character Land Use Element LG14: Low Density Single Family Zoned Residential Areas Land Use Element LG15: Sustainable Neighborhood Planning. Environmental Resources Element ER30: Enhance Visual Quality Environmental Resources Element ER3: Decrease City's Global Footprint

Land Use Element

LG5 Community Benefit Housing. While acknowledging the need to balance the provision of affordable housing with market-rate housing, new residential development in multi-family and commercial zones, including mixed-use projects, should include affordable housing and open space benefits.

Possible Implementation Actions to be Considered

LG5.1 Affordable Housing. Develop standards and project level findings to encourage the development of Community Benefit Housing defined as:

Rental housing;

Housing affordable to low, moderate, or middle income households;

Employer sponsored workforce housing;

Limited Equity Co-operative Housing;

Affordable Housing Downtown for Downtown Workers; and/or

Transitional housing, single residential occupancy, and other housing for special needs populations including seniors, physically or mentally disabled, homeless, and children aging out of foster care.

LG5.2 Open Space. Develop on and off site open space standards for incorporation into the development review process to include:

Access to adequate public open space within a ½-mile radius; and/or

Dedication of sufficient useable open space on-site; and/or

A contribution made toward future parks through in-lieu fees.

LG12 Community Character. Strengthen and enhance design and development review standards and process to enhance community character, promote affordable housing, and further community sustainability principles.

LG14 Low Density Single Family Zoned Residential Areas. Maintain and protect the character and quality of life of single family zoned neighborhoods as a low density residential community.

LG15 Sustainable Neighborhood Planning. Neighborhoods shall be encouraged to preserve and enhance the sense of place, provide opportunities for healthy living and accessibility, while reducing the community's carbon footprint.

Housing Element

Goal 1 – Create New Housing. Create new, healthy, safe, and energy-efficient housing that meets community needs, within our resources.

Policy H1.4 Reduce Constraints. Reduce and, where feasible and practical, remove unnecessary City-imposed constraints that impede housing development.

Program HE-3: Amend The Zoning Ordinance for Special Needs Housing

The 2023 Housing Element identified potential governmental constraints to housing, including Zoning Ordinance amendments necessary to comply with changes in state law. Persons and households with special needs, particularly extremely low-income households and persons experiencing homelessness or at risk of becoming homeless, have limited housing options. Housing types appropriate for these groups include emergency shelters, low barrier navigation centers, transitional housing, supportive housing, and single-room occupancy units. Special needs persons may also find housing opportunities in residential care facilities and group homes.

As part of the Governmental Constraints analysis, amendments were identified to the City's Zoning Ordinances to better facilitate a variety of special needs housing types, as required by state law.

The City will draft and adopt the following Zoning Ordinance amendments in compliance with state law :

- **Residential Facilities/Group Homes**: Amend the permit requirements for Community Care Facilities, Residential Facilities for the Elderly, and Hospices and clarify that only projects that include a housing type not allowed by right in the base zone (e.g., multiple units in a single-unit zone) or includes nonresidential accessory uses, will trigger the Use Permit requirements. The required findings for facilities serving seven or more individuals in a residential zone will be revised to ensure they are objective with approval certainty similar to other residential uses.
- **Low Barrier Navigation Centers**: Amend to allow Low-Barrier Navigation Centers (as defined in Government Code § 65660 (a)) in mixed-use and nonresidential zones permitting multi-unit uses.
- **Employee and Farmworker Housing**: Amend to categorize agriculture as an accessory use where allowed by zoning; thus clarifying that California Health and Safety Code §17021.8 does not apply and to allow agricultural employee housing as "employee housing" (as defined in Health and Safety Code § 17008) for six or fewer persons to be permitted without a Conditional Use Permit in all zones where single-unit residences are allowed.
- **Emergency Shelters**: Amend parking standards to comply with new state law parking provisions for emergency shelters.

Program HE-5: Process Improvements

Since 2020, the City has been implementing discretionary and ministerial permit process improvements recommended by the Novak Consulting Group, Inc., (Novak Report, August 2020) guided by the City Council Land Development Team (LDT) Oversight Committee. In addition to the Novak Report, the Governmental Constraints analysis also identified City processes that potentially constrain housing projects, including multiple concept reviews and appealable actions. Through the City's LDT Oversight Subcommittee, the City will further study and if appropriate implement some of the process improvements recommended by the Novak Report as well as those identified in Governmental Constraints analysis including drafting Zoning Ordinance and other Municipal Code amendments for adoption to streamline the design review process, such as reducing the number of design review triggers and appealable actions for projects that require design review approval. Process improvements may be implemented in two phases starting with single unit residential, followed by multi-unit residential developments.

Program HE-8: Innovative Housing Types

The Housing Needs Assessment and demographic changes indicate a need for a variety of housing types to suit special needs households and different household compositions, changes in circumstances or incomes, and existing and future household needs. The City will conduct outreach to the American Institute of Architects, developers, and contractors for input on housing trends and review the Zoning Ordinance to determine if amendments are necessary to incentivize and facilitate innovative housing types, such as small units (single room occupancy/efficiency/micro units), multi-generational housing, universal designed housing (i.e., safe and accessible for everyone), live-work units, small and large family day care homes, shared housing, cooperative housing, and temporary housing (for use when the primary unit is destroyed or damaged). Based on the results of the outreach and review, the City will draft Zoning Ordinance amendments for adoption to increase the production of innovative housing types.

Historic Resources Element

Policy HR1: Protect Historic and Archaeological Resources. Protect the heritage of the City by preserving, protecting and enhancing historic resources and archaeological resources. Apply available governmental resources, devices and approaches, such as the measures enumerated in the Land Use Element of this Plan, to facilitate their preservation and protection.

Policy HR2: Ensure respectful and compatible development. Seek to ensure that all development within the City respects rather than detracts from individual historic and archaeological resources as well as the neighborhood and the overall historical character of the city. Assure compatibility of development, respect for the historical context of historical resources, and consideration of sustainable design alternatives where compatible.

Environmental Resources Element

Policy ER1: Climate Change. As applicable, private development and public facilities and services may be required to incorporate measures to minimize contributions to climate change and to adapt to climate changes anticipated to occur within the life of each project.

Policy ER1.3: Urban Heat Island Effect. Improve carbon sequestration and reduce the urban heat island effect by:

a. Amending the Zoning Ordinance to establish standards that decrease impermeable surfaces and building areas relative to lot size;

b. Providing incentives such as expedited permitting for building projects that incorporate green roofs; and

c. Exploring possibilities for reducing standards for impermeable surfacing required by the Transportation Division and Fire Department.

Policy ER3: Decrease City's Global Footprint. In addition to promoting reduced unit size, building footprints and GHG emissions, and energy conservation, promote the use of more sustainable building and landscaping materials and methods.

Policy ER30: Enhance Visual Quality. Not only retain, but improve visual quality of the city wherever practicable.

Circulation Element

Goal 4: Increase Bicycling as a Transportation Mode. Develop a comprehensive system of bicycle routes which are integrated with other modes of transportation and which provide safe and efficient bikeways.

Policy CE4.2: The City shall work to expand, enhance, and maintain the system of bikeways to serve current community needs and to develop increased ridership for bicycle transportation and recreation.

Policy CE4.2.3: Encourage facilities for bicycle travel and parking in any future development, construction, or reconstruction projects during the review of new development and infrastructure improvements. Bicycle facilities can be achieved through methods such as:

- purchase, dedication, and other means of property acquisition,
- conditions of approval,
- expanding the scope of maintenance projects, and
- enforcement of the Santa Barbara Municipal Code, Parking Section.

Policy CE4.2.6: Increase attractive, convenient, and secure bike parking and storage facilities on public property and encourage the provision of the same on private property. Continue to consider fully enclosed individual lockers and/or bicycle racks.

Goal 7: Increase Access by Optimizing Parking Citywide. Develop and implement innovative parking management strategies and a master parking plan that is consistent

with the scale of surrounding neighborhood land uses, supports the land uses of the General Plan, and furthers the goals of the Circulation Element's Vision Statement.

Policy CE7.4 The City shall update its Parking Requirements and Design Standards to optimize its parking resources and to encourage increased use of alternative transportation.

Policy CE7.4.1 Incorporate innovative design standards, such as tandem parking, stacked parking, and valet parking.

Policy C7.6 Residential Off-site Parking. Amend the Zoning Ordinance to allow residential required parking off-site in commercial zones.

RESOLUTION NO._____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE SINGLE FAMILY DESIGN BOARD GUIDELINES

WHEREAS, on April 14, 2026 Council approved the Single Family Design Board's (SFDB) Guidelines to expand and update the administrative approval standards, update the SFDB's meeting procedures, and update and clarify SFDB application submittal requirements; and

WHEREAS, the Single Family Design Board Guidelines have been revised to reflect changes related to the Single Family Streamlining Project and associated Ordinance Amendments.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

The Council adopts the revised Single Family Design Board Guidelines attached as an Exhibit hereto.

SINGLE FAMILY DESIGN BOARD GUIDELINES

Spring 2026

Prepared By

COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF SANTA BARBARA

Originally Adopted in 2007

Revised 2026

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INTRODUCTION

A. Purpose of the SFDB Guidelines

1. What the Guidelines Do

The Single Family Design Board Guidelines support high-quality design for single-unit residential development in the City of Santa Barbara. They outline the SFDB's goals and policies and serve as a reference for applicants, design professionals, City staff, and the public, throughout the design review process.

2. Advisory Nature of the Guidelines

These Guidelines are advisory rather than legally binding. A project may be denied if it does not meet them; however, noncompliance does not invalidate SFDB decisions or create legal claims against the City or its representatives.

3. Minor Edits Authorized by Resolution

Under City Council Resolution No. 07-032, the Community Development Director may make minor or clarifying edits—such as correcting formatting, updating references, or clarifying language—in consultation with the City Attorney. These edits do not require City Council approval.

4. Relationship to State Law and the Municipal Code

These Guidelines must follow State law and the Santa Barbara Municipal Code. If there is a conflict, State law or the Municipal Code will take priority.

B. Single Family Design Board Purpose

Single-family homes are an important part of Santa Barbara's neighborhood character. The Single Family Design Board (SFDB) is responsible for ensuring that new and remodeled homes reflect high-quality design, fit the surrounding neighborhood, protect the City's visual resources, support long-term sustainability, and contribute to a desirable living environment.

C. Single Family Design Board Background

1. Establishment of the Board

The SFDB was established by ordinance on June 8, 2007, following the update to the Neighborhood Preservation Ordinance (NPO) and Single Family Residence Design Guidelines, which began in 2004. The Board reviews single-unit residential projects to ensure they are compatible with neighborhood character and meet the City's design standards.

2. Membership

The SFDB consists of five members:

At least one licensed architect.

Up to three members of the public at large who do not possess professional qualifications in fields related to architecture.

The remaining members must have professional qualifications in architecture or landscape architecture or related fields, such as building design, structural engineering, industrial design, urban planning, or landscape contracting.

D. Single Family Design Board Goals

The SFDB follows a set of general goals that guide its review process:

Ensure development is compatible with the site and the surrounding neighborhood

Enhance neighborhood character through quality and diversity in architectural styles

Promote high standards in architectural and landscape design

Ensure new development does not significantly impact adjacent historic resources

Protect Santa Barbara's natural and built visual resources

Preserve public scenic views of the ocean and mountains

1. Approach to Design Review

The SFDB reviews projects to ensure they are compatible in size and design with surrounding neighborhoods. In Santa Barbara—where topography, architectural variety, and zoning regulations vary widely— compatibility doesn't mean uniformity. A home may differ in size or style and still be appropriate if it respects neighborhood patterns and character.

2. Design Evaluation Factors

The Board evaluates each project holistically, considering massing, scale, materials, site planning, and architectural consistency. While no specific architectural style is required, proposed designs must be high-quality and well-executed examples of their chosen styles. Common styles include Craftsman, Spanish Colonial Revival, Mediterranean, Victorian, Cottage, and Contemporary.

3. Related Design Goals

For more information on the SFDB's goals related to infill development, hillside neighborhoods, neighborhood compatibility, and sustainability, see the "Introduction" section of the Single Family Residence Design Guidelines.

E. Relationship to Other Documents

1. General Plan and Coastal Land Use Plan

The **Santa Barbara General Plan** provides policies related to visual quality, neighborhood compatibility, and protection of historic resources. It describes the character of individual neighborhoods and supports sustainable community design.

The **Coastal Land Use Plan** governs land use within the Coastal Zone including policies on coastal access, coastal resource protection, scenic resources, and public scenic views. The Zoning Ordinance and SFDB Guidelines help implement the goals of both plans.

2. Municipal Code

The Santa Barbara Municipal Code (SBMC) establishes mandatory development standards. These Guidelines are intended to supplement the Municipal Code by offering additional detail and design direction.

For the SFDB ordinance, refer to SBMC Chapter 30.220 (Design Review) which includes:

Projects requiring SFDB review

Required findings for approval

Projects requiring a mailed notice

Procedures for processing planning applications, including noticing requirements, can be found in SBMC Chapter 30.205 (Common Procedures).

3. Relationship to the Single Family Residence Design Guidelines

While the SFDB Guidelines address Board operations and procedures, the **Single Family Residence Design Guidelines (SFRDG)** provide and the primary design criteria for single-unit residential development citywide. They are advisory rather than mandatory but should inform the SFDB's findings when approving or denying projects. These guidelines include illustrative examples and cover topics such as architectural style, massing, and site planning. They also provide guidance on projects located in the Hillside Design District.

Some design topics—such as historic building information and landscape design—are addressed in the SFDB Guidelines but not in the Single Family Residence Design Guidelines.

Applicants are encouraged to consult the Neighborhood Compatibility Guidelines (starting on page 15-C of the Single Family Residence Design Guidelines) and consider the Neighborhood Compatibility Findings in SBMC §30.220.040.E.

F. Relationship to Other Guidelines

Several other City-adopted guidelines provide additional direction on architectural appearance, site design, and landscape. The SFDB Guidelines are generally consistent with those documents but may offer more detail on certain topics. If a conflict arises, the guidelines specific to the area or subject matter take precedence.

Fence, Screen, Wall, and Hedge Guidelines: Explains Coastal Zone standards for exceptions to height standards for fences, screens, walls and hedges.

Historic Resource Design Guidelines: Provides guidance on new construction, specifically location and site design and massing adjacent to historic resources to avoid negative impacts.

Lower Riviera Special Design District Guidelines: Ensures compatibility with the existing pattern of pedestrian-friendly bungalow character of the district.

Outdoor Lighting & Streetlight Design Guidelines: Includes outdoor lighting standards to minimize glare and light trespass.

Upper State Street Area Design Guidelines: Describes the different Upper State Street area neighborhoods and assists the public in designing projects to be compatible with those neighborhoods.

Urban Design Guidelines: Promotes traditional design principles and pedestrian-friendly development in the urban grid.

SECTION 1: General Information



1.1 SFDB Jurisdiction

Projects on a lot with one single-family residential unit or related accessory structures in any zone are subject to SFDB review under SBMC §30.220.040.

Projects involving designated and potentially historic homes and homes in Historic District Overlay Zones that would otherwise be subject to review by the SFDB are instead referred to the Historic Landmarks Commission under SBMC §30.220.020.

The SFDB's purview includes building and site design:

Building design includes building size, bulk, height, massing, scale, architectural style, and exterior finish materials.

Site design includes the placement of buildings on a lot, public views, vehicle access and circulation, pedestrian circulation, parking placement and design, landscaping, and other similar issues, including any topic in these guidelines and other applicable design guidelines.

1.2 Levels of SFDB Review

The SFDB uses different levels of review based on the scale, complexity, and potential neighborhood impact of a project. This tiered approach allows more detailed consideration of larger projects, while smaller or low-impact projects may be reviewed through streamlined procedures.

1.2.1 Full Board Review

Full Board is the standard level of SFDB review and is conducted by a quorum of at least three, and up to five, Board members.

a. Projects subject to Full Board review

- Subdivision grading plans subject to Planning Commission or Public Works review.
- New single-unit residences.
- Upper-story additions over 500 square feet or additions that create a new second or higher story.
- Projects exceeding the maximum allowable floor area ratio (FAR) in the Municipal Code.
- Significant site work, including more than 250 cubic yards of grading or grading on slopes over 20%.

b. Referrals

The Full Board may refer projects to Consent Review or Administrative Design Review when the project is minor, when the Board has provided clear direction and only follow-up adjustments remain, or when the project is unlikely to result in significant visual or neighborhood impacts.

1.2.2 Consent Review

Consent Review is used for minor projects that do not qualify for Administrative Approval but are unlikely to result in significant visual or neighborhood impacts. One SFDB member, assisted by Staff, conducts the review. All decisions are subject to ratification by the Full Board.

a. Projects eligible for Consent Review

First story-additions up to 1,200 sq ft.

Additions to existing second stories up to 500 square feet. New second story is Full Board.

Additions to existing first or second stories larger than 250 square feet that result in over 85% required FAR.

Site work involving less than 100 cubic yards of grading and not on slopes over 20%;

Requests for minor design or development standard waivers, Minor Zoning Exceptions, or similar allowance, when a Design Review body is the Review Authority.

b. Referrals to Full Board

Items may be referred to the Full Board when the project involves design questions beyond the scope of Consent Review, where neighbor concerns warrant broader consideration, or when Board direction is needed to resolve outstanding issues.

c. Referrals to the Director

Items may be referred to the Director for Administrative Design Review when the outstanding issues are limited in scope and can be addressed through a ministerial approval.

1.2.3 Administrative Design Review

Some minor projects may be approved ministerially by the Community Development Director without an SFDB hearing.

a. Projects eligible for Administrative Review

Projects eligible for Administrative Staff review are listed in Section 6 of these Guidelines.

b. Referrals to the Board

The Director may refer any project to the Consent Calendar or the Full Board if:

It may adversely affect the architectural integrity of the building or nearby properties, or

It does not appear consistent with the Single Family Residence Design Guidelines.

1.3 Stages of Design Review

Santa Barbara's design review process is organized into stages that follow the natural progression of a project allowing early feedback, coordination with land-use decisions, and verification of design consistency from initial concepts through final details.

1.3.1 Pre-Application Design Consultation (One-Time, Optional)

a. Purpose

The One-Time Pre-Application Design Consultation provides early, informal, and non-binding feedback prior to submitting a full Planning Application. It is intended for very preliminary concepts, in contrast to the more developed plans typically submitted for Concept Review.

b. When it Occurs

This consultation may be scheduled on the next available agenda and occurs before a full Planning Application is filed. Only one hearing will be scheduled per pre-application submittal.

c. Who Reviews

The SFDB conducts the consultation at a public meeting.

d. Scope of Review

The SFDB provides general comments on site planning, building placement, massing, scale, and architectural character. The Board may identify potential neighborhood compatibility issues such as privacy, views, or streetscape presence.

e. Submittal Requirements and Procedures

Applicants must submit a separate pre-application prior to filing a full Planning Application. Sketches or conceptual plans are encouraged. Applications are processed under SBMC §30.205.030 (Pre-Application Review). Plans submitted for a Pre-Application Design Consultation are not reviewed for completeness or compliance with the Municipal Code.

f. Noticing and Appeals

Projects subject to a mailed notice will require a mailed notice for the Pre-Application Design Consultation. Pre-Application Design Review is not a discretionary action. No formal action is taken, and the review is not appealable.

1.3.2 Concept Design Review (Optional)

a. Purpose

Concept Design Review provides applicants and the community an early opportunity to assess a project's overall design approach before significant resources are invested in detailed plans. The goal is to identify potential issues, provide early guidance, and reduce the likelihood of costly redesigns later in the process.

b. When it Occurs

Concept Review is an optional review stage available after a full Planning Application is submitted but before the application is reviewed for completeness or consistency with the Municipal Code.

c. Who Reviews

The SFDB conducts Concept Design Review at a public meeting.

d. Recommended Project Types

Concept Review is encouraged for:

New single-unit residences.

Additions over 800 sq. ft. or over 50% of the existing structure.

Projects involving height or massing changes, such as second-story additions.

Projects with potential impacts on privacy, views, or neighborhood character including projects in the Hillside Design District and along Shoreline Drive.

Projects requiring discretionary land use approvals by the Staff Hearing Officer, Planning Commission, or City Council.

e. Scope of Review

The SFDB considers site layout, building orientation, architectural style, compatibility with surrounding development, and consistency with the Single Family Residence Design Guidelines. Concept Review may occur more than once, but applicants are encouraged to incorporate feedback to avoid more than two hearings.

f. Submittal Requirements and Procedures

Applicants request Concept Review by submitting a Planning Application and indicating that Concept Review is desired. Applications are processed under SBMC §30.205.040 (Concept Review). Projects with major unresolved zoning or policy issues will not be scheduled until those issues are addressed.

g. Noticing and Appeals

Projects subject to a mailed notice will require a mailed notice at Concept Review. No formal action is taken, and the review is not appealable.

h. Forwarding of Comments

If a project requires discretionary land use approval, SFDB's Concept Review comments are included in the minutes forwarded to the appropriate decision-making body.

1.3.3 Project Design Review (Discretionary Action)

a. Purpose

Project Design Review is the formal stage of the Design Review process. The SFDB evaluates design compatibility, massing, proportion, siting, and consistency with applicable design guidelines. Approval at this stage is referred to as Project Design Approval and constitutes the City's discretionary Design Review decision under the State Permit Streamlining Act (Government Code §65950 et seq.).

b. When it Occurs

Project Design Review occurs after the application is deemed complete, development-standard compliance is verified, and environmental review is finished. Projects requiring discretionary land use approvals may only be scheduled after the land use decision has been made, and plans must reflect all conditions of approval.

c. Who Reviews

The SFDB conducts Project Design Review and issues the discretionary design approval. City staff provide technical and statutory review, verify environmental compliance, and confirm conformance with the Municipal Code.

d. Level of Plan Detail Required

Plans submitted for Project Design Review must include enough detail for the SFDB to evaluate design quality and guideline consistency. Required components include:

Site plan and building orientation

Architectural elevations and materials

Landscape plans

Exterior lighting

Window and door specifications

Roofing and finish materials

Exterior details, materials, and finishes

Exterior mechanical equipment

Screening elements

Construction-level drawings are not required unless SFDB specifically requests them for design or aesthetic clarity in the design review process.

e. Submittal Requirements and Procedures

Applicants request Project Design Review through their Planning Application. If Concept Review occurred, the same application may be used to request Project Design Review after receiving SFDB Concept Review comments. Applications are processed under SBMC §30.205.050 (Review of Discretionary Applications).

e. Noticing and Appeals

Mailed noticing is required as specified in the Municipal Code. A Project Design Review decision is a discretionary action and is appealable to the Planning Commission.

f. Next Steps After Approval

Following Project Design Approval, applicants may submit for a building permit.

1.3.4 Final Design Review

a. Purpose

Final Design Review confirms that construction drawings are in substantial conformance with the plans granted Project Design Approval. Approval at this stage is referred to as Final Approval. This

review ensures all conditions of approval and detailed design elements are fully incorporated before issuance of a building permit.

b. When it Occurs

Final Design Review typically occurs during building permit plan check, after Project Design Approval has been granted.

c. Who Reviews

The Director reviews the building permit drawings for substantial conformance. The Director may refer an application to the SFDB for a decision when Board input is needed to verify conformance or resolve design-related questions. If changes are not clearly identified on the plans, they are not considered approved.

d. Scope of Review

During the building permit application review, the Director (or SFDB upon referral) verifies:

- Substantial conformance with Project Design Approval.
- Inclusion of all conditions of approval (if applicable).
- Completeness of final details such as colors, materials, door hardware, and exterior lighting fixtures.

e. Submittal Requirements and Procedures

For Final Approval, applicants must include the following information on their building permit construction drawings, in addition to what was submitted for Project Design Approval:

All architectural and site details

Color and material samples

Exterior door hardware

Fenestration (final window and door specifications)

Exterior light fixtures (final cut sheet/locations)

Final site grading

Final landscape and irrigation plans

All Conditions of Approval listed directly on the plans

f. Noticing and Appeals

No mailed noticing is required. Decisions made by the Director are final and not appealable.

Items referred by the Director to the SFDB for a decision may be appealed by the applicant to the Planning Commission.

1.3.5 Review After Final

a. Purpose

Review After Final (RAF) evaluates proposed changes to a project after Final Approval to ensure that any changes remain consistent with the approved design intent and are clearly documented.

b. Who Reviews

The Director reviews Review After Final applications when the revisions maintain substantial conformance with the approved project and fall within the originally approved scope of work. Minor changes may be approved administratively. Revisions that expand the project scope, introduce new design elements, or raise design concerns may be referred to the SFDB for a decision or may require the applicant to submit a new application.

c. Scope of Review

Review is limited to the proposed changes. The Director (or SFDB on referral) determines whether the revisions are in substantial conformance with the approved project. Any change not shown clearly and explicitly on the submitted drawings is not considered approved.

d. Submittal Requirements

Applicants must submit revised plans clearly identifying all proposed changes and showing sufficient detail to explain how the changes affect the approved design. A Review After Final Approval submittal is subject to additional fees.

e. Procedures

Minor changes that meet the criteria for substantial conformance are processed and approved administratively by the Director are processed under Chapter 30.205.155 (Review of Administrative Applications). Applicants must submit revised drawings clearly identifying all proposed changes, along with any supporting documentation needed to evaluate the revisions. Additional fees may apply.

f. Noticing and Appeals

No mailed noticing is required. Decisions made by the Director are final and not appealable. Items referred by the Director to the SFDB for a decision may be appealed by the applicant to the Planning Commission.

1.3.6 Determining Substantial Conformance and Changes to Approved Plans

a. Purpose

This section explains how the Community Development Director evaluates proposed changes to an approved project and determines whether those changes remain in substantial conformance with the approved plans. It also describes when changes may be approved administratively and when referral to the SFDB or a new application is required.

b. Broad Considerations

When determining whether a change to an approved project is in substantial conformance with the approved plans, the Community Development Director considers broad issues such as:

Whether the original project was controversial.

Whether the proposed changes are outside the scope of the original approval and effectively constitute a new project.

Whether the changes would noticeably alter the public's perception of the project.

These considerations guide whether the proposed revisions are appropriate for administrative approval or require review by the SFDB.

c. Required Criteria for Substantial Conformance

In addition to these broad considerations, all of the following criteria must be met to determine substantial conformance.

Table 1.3.6 – Determining Substantial Conformance to Approved Plans

Issue	Substantial Conformance Criteria
Conditions of Approval	The change must not conflict with findings or conditions of approval made by the SFDB or, if applicable, by the Planning Commission on appeal.
Height	For residences under 25 feet in height, the change must not increase the overall height by more than one foot (12 inches) above the approved height, and the total height must remain below 25 feet. For residences over 25 feet in height, the change must not increase the height by more than 4 inches above the approved height. Projects may not qualify for substantial conformance if they increase the approved height in cases where height was a concern raised during the original SFDB or Planning Commission decision.

	In all cases, building height must comply with the maximum height allowed by the zoning ordinance.
Floor Area	The change must not increase the approved net floor area by more than 50 square feet.
Grading	Outside the building footprint, the change must not increase grading quantities by more than 25 cubic yards.
Environmental Studies	Changes must not occur within a biologically sensitive area, unless a qualified technical study demonstrates that no adverse environmental impact will occur. Changes must not create environmental effects not previously analyzed or require new mitigation measures.
Trees	Any proposed tree removal must comply with the Administrative Approval Standards for tree removals in Section 6.3.T of these Guidelines.
Privacy	Changes must not add new or enlarged window or door openings within interior setbacks. Any new or expanded decks or patios must be located outside the interior setbacks.

d. Minor Changes

Minor changes are revisions that meet all substantial conformance criteria and remain within the originally approved scope of work.

Minor changes may be approved administratively by the Director.

The Director may refer any change to the SFDB when Board input is needed to clarify design intent or resolve potential design issues.

e. Major Changes

Major changes are revisions that do not meet the substantial conformance criteria.

Major changes must be reviewed by the SFDB for a revised Project Design Approval, consistent with SBMC §30.205.130 (Changes to Approved Plans).

Major changes require filing a new application when the revision introduces new project elements or expands the project beyond the original approval.

1.4 Scope of Project Review

The SFDB has the authority to approve, conditionally approve, or deny projects within its jurisdiction. The following subsections describe how the SFDB determines the scope of its review:

1.4.1 Standard Review – Full Project Scope

When a single-unit residential project requires Design Review under the Municipal Code, the SFDB must review the entire scope of exterior work shown on the plans—not only the component that triggered the review. For example, if a second-story addition triggers Design Review and the plans also include site work, both the addition and the site work fall under SFDB's purview.

1.4.2 Focused Review – Fences, Walls, and Gates

If the only element that requires Design Review is a fence, wall, or gate, the SFDB's review is limited to that element only. Other exterior work on the site that would not otherwise require Design Review is not included in SFDB's purview in a focused review.

1.4.3 Review of Unpermitted ("As-Built") Construction

The SFDB must review unpermitted ("as-built") work with the same degree of scrutiny applied to proposed new work. The following criteria apply:

- As-built work must comply with all adopted design guidelines or be modified to comply.
- As-built work may be denied if the SFDB finds the work unacceptable.
- The SFDB must evaluate the materials, craftsmanship, and architectural quality of as-built work when determining whether it is acceptable as constructed.

1.4.4 Manufactured Homes – Limited Review Authority

Under Government Code §65852.3, the SFDB's Design Review authority for manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 is limited. When SFDB review is required, the Board may evaluate only:

Roof overhang

Roofing material

Siding material

Manufactured homes must meet the same zoning standards that apply to a conventional single-family residence on the same lot.

1.4.5 Reviewing Zoning Modifications

Requests for Zoning Modifications are decided by the Staff Hearing Officer or the Planning Commission, as specified in the Municipal Code. When a project requires both a Zoning Modification and SFDB review, the Board typically provides comments during Concept Review before the Modification request is heard.

The SFDB's role is limited to commenting on the aesthetic and neighborhood compatibility aspects of the requested Modification. This includes whether the request is consistent with existing neighborhood development patterns, whether it maintains adequate light, air, and usable open space for each residence, or whether it aligns with the Single Family Residence Design Guidelines.

The SFDB does not take a position for or against the Modification itself, as that is a land use decision outside the SFDB's purview.

Example of an appropriate comment:

"The proposed Modification is/is not aesthetically appropriate. The proposed Modification does/does not raise consistency issues with Single Family Residence Design Guidelines" (Include guideline reference when applicable).

1.4.6 Subdivision Grading Plan Considerations

Subdivision grading plans involving cut or fill on lots in single-family zones must be reviewed by the SFDB, as required by the Municipal Code. After any applicable Pre-Application Review Team (PRT) review, the SFDB evaluates:

a. Site Design

Consistency with Guidelines 1, 2, 3, of the Single Family Residence Design Guidelines (SFRDG), including: lot layout and suitability for future development, building pads and envelopes, hillside protection, road and sidewalk design, pedestrian access, driveways , visitor access, connectivity, and the preservation of public scenic views. The SFDB may require supplemental materials—such as view studies, grading sections, massing diagrams, tree surveys, or additional site photographs—when needed to complete its review of the subdivision design.

b. Grading

Consistency with grading findings and SFRDG Guidelines 30 and 31, focusing on grading quantities and the placement of cut and fill to avoid visible scarring.

c. Retaining Walls, Fencing, and Gates

Consistency with SFRDG Guideline 35 regarding height, length, materials, and placement. Lot layout should follow natural terrain to avoid excessive retaining walls or unusual fence alignments. Gates must be modest in scale and compatible with neighborhood character.

d. Site Landscaping

Conceptual landscape design must align with SFRDG Guideline 1. Review includes preservation of existing trees, required mitigation of any tree removals, and appropriate site screening.

e. Site Drainage

Consistency with SFRDG Guideline 4, focusing on maximizing permeability, effectiveness of drainage, related fencing, and compliance with the Storm Water Management Program.

f. Site Utilities

Placement of electrical equipment, transformers, gas meters, fire backflow prevention devices, and central mailbox locations (if applicable) are also evaluated for appropriate placement.

g. Parking Design

Consistency with SFRDG Guideline 5 on parking aesthetics.

h. Privacy

Adequacy of setbacks, distance between structures, and lot layout to protect privacy and align with the Good Neighbor Guidelines.

i. Solar Access

Consistency with SFRDG Guideline 3, ensuring homes are oriented to support passive and active solar energy use. The impact of existing trees on solar potential is also considered.

j. Items outside SFDB review authority

These matters fall under the Staff Hearing Officer or Planning Commission, not the SFDB:

State Subdivision Map Act

City's General Plan and Municipal Code Title 27

Allowable residential density and lot sizes

Street design and traffic impacts

Public Improvements

View corridors

1.4.7 Historic Significance Evaluation

a. Overview

Evaluation and protection of archaeological or historic resources are governed by the City Charter and Municipal Code, and applicable state and federal laws. Before submitting a development application, applicants should check City records, historic surveys, and available archives to determine whether existing structures may be historically significant. Plans must identify any potentially historic features and show how the project preserves or incorporates them.

b. Procedures

The following procedures apply:

- Applicants should consult with the City's Architectural Historian by submitting photos, basic site information, and a brief description of the proposed work so the historian can determine whether a structure over 50 years old is historically significant. If the historian determines that the structure is eligible for the Historic Resources Inventory, the project will be reviewed by the Historic Landmarks Commission (HLC) instead of the SFDB.
- If the structure itself is not historic but the project is adjacent to a historic structure or within a historic neighborhood, the SFDB must evaluate the proposal for consistency with Chapter 3.2 of the Historic Resource Design Guidelines, which apply to new construction near historic resources.

SECTION 2: Meeting Procedures



2.1 General Information and Procedures

2.1.1 Meeting Dates and Location

Full Board SFDB meetings are held every other Monday at 3:00 P.M. in the David Gebhard Public Meeting Room, 630 Garden Street, Santa Barbara. Meetings are broadcast live on the local Government Access channel and on YouTube. Agenda items are scheduled as time-certain, and the final item is generally scheduled for no later than 6:00 P.M. Meeting times may shift due to postponement of items as described in Section 2.10.

The SFDB Consent Calendar is reviewed at 11:00 A.M. every other Monday in the same location. Consent meetings are not televised.

If a holiday falls on a Monday, meetings are typically held on the following Tuesday. Regular meetings may occasionally be canceled or special meetings scheduled.

To request accommodations under the Americans with Disabilities Act, contact the Planning Division at (805) 564-5470 at least 48 hours before the meeting.

2.1.2 Notice and Posting

Agendas for the Full Board and Consent Calendar are posted for public review at 630 Garden Street and are available online.

2.1.3 Staff Contact

Community Development Department

Planning Division

630 Garden Street

Phone: (805) 564-5470

Website: www.santabarbaraca.gov

Email: SFDBSecretary@santabarbaraca.gov

2.2 Agenda Organization

Full Board agendas follow a general time-certain schedule. Items may not be heard more than 15 minutes before their scheduled time. The agenda typically includes:

Preliminary Matters:

Announcements, requests for continuances or withdrawals, future or ex-agenda items, and appeals.

Comments from members of the public pertaining to items not on this agenda. Due to time constraints, each person is limited to two minutes.

Review of the minutes and Resolutions of the previous meeting

Ratification of Consent Calendar Actions

Subject Items:

A. Appeals Referred Back to SFDB from Planning Commission

One-Time Pre-Application Consultation

Concept Review (continued items first, followed by new items)

Project Design Approval (continued items first, followed by new items)

Revised Project Design Approval

Items Referred from the Community Development Director

Items Referred from Consent

Administrative Agenda:

A. Standing and Ad Hoc Subcommittee Reports. (These reports are brief announcements and do not involve general SFDB discussion or actions. If members wish to discuss the substance of a subcommittee report, members must request that staff properly agendize the topic under "Discussion Items" at a future meeting of the SFDB.)

2.2.1 Timing and Attendance Expectations

Actual timing may vary based on the length of earlier items. Attendees are encouraged to arrive at least 15 minutes before the approximate time of their item. Applicants and applicant teams are required to be present in person. Applicants who arrive late—or who are not present at all—may have their item postponed unless the Board agrees to hear it and time permits. It is the applicant's responsibility to request rescheduling if needed.

2.3 Public Notice

2.3.1 Consent and Full Board Items

Some projects require a mailed notice before SFDB review. The purpose is to give nearby owners and occupants an opportunity to comment on proposals that may affect them. When required, notice is mailed to the applicant, owners, and occupants within 300 feet of the site, and interested parties in the City database. A "Notice of Development" sign may also be required on the site.

If a project also requires a land use decision by the City Council, Planning Commission, or Staff Hearing Officer, the first SFDB hearing must follow the notice requirements for that decision-making body. See Municipal Code for noticing requirements.

2.3.2 When Revised Plans Require Re-Notice

If revised plans differ from what was previously noticed in ways that may affect neighbors or decision-makers, the Community Development Director may require a new mailed notice. If the Director determines that changes to height, floor area, building footprint, grading quantities, or exterior massing exceed the limits allowed under the substantial-conformance criteria, the project must be re-noticed for a new hearing. Additional noticing fees may be required.

2.4 Project Presentation and Plan Substitution

2.4.1 Project Presentation by the Applicant

Applicants must present their project at both Consent and Full Board hearings. If no one is available to present on behalf of the applicant, the item must be continued to a future meeting date. This ensures that the Board can ask questions, receive clarifications, and evaluate the proposal accurately.

2.4.2 Plan Substitution and Supplemental Hearing Items

Plans submitted for a scheduled meeting must not be replaced at the hearing. Minor supplemental materials that do not require zoning review, such as changes in materials, new renderings, additional photos, color boards, or similar presentation items, may be submitted up to one week before the hearing if accepted by the Community Development Director. This requirement ensures adequate staff review and provides the public with a fair opportunity to review the revised plans before the meeting.

2.5 Public Meeting and Public Comment

2.5.1 Procedure

Each regular meeting of the SFDB must include an opportunity for general public comment on items not on the agenda, as well as item-specific public comment before the Board begins questions or discussion. The Chair will announce the start of item-specific public comment prior to SFDB questions or discussion. The SFDB Secretary will call on speakers who have submitted a request to speak or who have indicated they wish to speak on the virtual meeting platform, if applicable. Speakers are limited to no more than two minutes. The Chair may reduce the time limit based on the number of speakers and the length of the agenda.

2.5.2 Public Comment Topics

a. Appropriate Public Comment

The City encourages neighbors to coordinate their comments or select a representative to speak on their behalf. Appropriate public comment topics include:

Aesthetic issues

Project design and size

Neighborhood compatibility

Compliance with the “Good Neighbor Guidelines”

Public views

The SFDB will consider public comments related to these topics, as well as comments relevant to the Neighborhood Compatibility Findings, including grading, tree removal, and the project’s mass, bulk, and scale.

b. Comments outside the Board’s Purview

Comments outside the SFDB’s purview should not be discussed, including:

Land use or zone designation

Project affordability

Private views

Parking, traffic, or congestion impacts

Residential density or number of bedrooms

Construction-related impacts

2.6 Continuances, Postponements, and Referrals

2.6.1 Continuances

A continuance carries an item forward to a future meeting. To request a continuance, the applicant must attend the meeting and make a presentation. An item may be continued at the applicant's request or by action of the SFDB. Unless more information is needed to make a required finding, the Chair should offer the applicant the option of a continuance or a decision at the current meeting.

2.6.2 Postponements

A postponement defers an agenda item to a future meeting. A postponement must be indefinite and cannot be to a date certain. No discussion or presentation occurs on the date a postponement occurs.

Applicants requesting a postponement must contact SFDB staff as early as possible before the scheduled hearing and state the reason for the request. For timely agenda processing, requests must be made before 4:30 p.m. on the Tuesday prior to the meeting.

Postponed items remain postponed indefinitely. It is the applicant's responsibility to contact staff to reschedule the item. Re-noticing and postponement fees apply. If an application has been postponed more than twice, the SFDB may deny the application without prejudice, meaning the Board will not carry forward any concerns or opinions if the project is resubmitted.

2.6.3 Referrals

All Consent Calendar actions are subject to ratification by the Full Board. Any SFDB member may request that an item on the Consent Calendar item be referred to the Full Board and must state the reason for the referral.

Referred items must be agendized and heard by the Full Board at a later date (not same day).

2.7 Decisions

2.7.1 Project Approvals

To grant Project Design Approval, the SFDB must make the applicable findings in the Municipal Code. If a project is approved administratively by staff in accordance with these SFDB Guidelines, findings are not required.

2.7.2 Project Denials

The SFDB may deny a project that is inconsistent with any applicable finding. The motion for denial must state the specific findings that cannot be made and the reasons those findings are not met.

When state housing law (e.g., SB 330) limits the City's design review authority, the SFDB may deny a project only if it makes the written, evidence-based findings required under state law.

2.8 Appeals, Extensions, and Expirations

2.8.1 Time Limits and Extensions

Consistent with Chapter 30.205 (Common Procedures)the following time limits apply:

a. Concept Review

Concept Review comments are valid for one year from the hearing date, or at the Community Development Director's discretion.

b. Project Design Approval

A Project Design Approval is valid for three years from the approval date and will automatically expire unless the applicant pulls a building permit or receives a time extension before it expires.

c. Multiple Approvals

When a project requires multiple discretionary approvals, the overall expiration date is tied to the longest approval, except that design review approvals run from the date of Project Design Approval and do not extend any other permit. Any extension of a discretionary land use approval automatically extends the related design review approval.

d. Time Extensions

The Community Development Director may extend an SFDB Project Design Approval with either two one-year extensions or one two-year extension.

2.8.2 Appeal of SFDB Decision

Any SFDB action on a Project Design Review application may be appealed to the Planning Commission under SBMC §30.220.005 and Chapter 1.30 of the Municipal Code.

To file an appeal, the applicant must submit a letter stating the reasons for the appeal, along with the required fee, within ten (10) calendar days of the contested action.

2.8.3 Re-Filing a Denied Project Design

If a denied project design is re-filed within one year, the revised submittal must address and mitigate the reason for the prior denial. A new application and new application fees are required.

Section 3: Meeting Conduct



3.1 Officer Election

3.1.1 Chair

The SFDB must elect a Chair from its members each year. Elections must occur as soon as practical after January 1, or whenever the Chair position becomes vacant.

3.1.2 Vice-Chair

After electing the Chair, the SFDB must elect a Vice-Chair. The Vice-Chair conducts meetings when the Chair is absent.

3.2 Subcommittees/Advisory Committees.

The SFDB must not establish a subcommittee without the approval of the Community Development Director and City Attorney.

3.3 General Meeting Conduct

3.3.1 Rosenberg's Rules of Order

Rosenberg's Rules of Order govern how SFDB meetings are conducted unless these Guidelines state otherwise or the Chair determines that a different procedure is appropriate for a specific meeting.

3.3.2 Brown Act.

SFDB meetings, including meetings of any standing subcommittees, must follow the Ralph M. Brown Act (Government Code Section 54950 et seq.). The Brown Act establishes requirements for public notice, agendas, and public participation.

3.3.3 Ex-Parte Communication

SFDB members must not initiate or encourage private discussions about specific projects with applicants or with groups of two or more SFDB members. Any ex-parte communication that does occur must be disclosed at the next regularly scheduled meeting.

3.3.4 Quorum Requirements

A quorum consists of three SFDB members.

A member who is present but abstains from voting counts toward the quorum.

A member who steps down due to a conflict of interest must leave the room and does not count toward the quorum.

Any member with a disqualifying conflict under the Political Reform Act must step down and must not be counted toward a quorum.

3.3.5 Abstention on Continued Items

A member who was absent at a previous review of a project should only comment or vote if they have:

reviewed the previous plans,

watched the video of the prior hearing, and

read the minutes related to that project.

If the member has not reviewed this information, they should abstain.

For Consent Calendar and minor items reviewed only briefly, members must read the minutes and review the plans, since there is no video recording of Consent meetings.

3.3.6 Reconsideration

A motion to reconsider an SFDB action may be made only at the same meeting or at the next regular meeting.

Only a member who voted on the prevailing side of the original action may make the motion.

To meet Brown Act requirements, if the motion is not made at the same meeting, the member must submit a written request to Staff before the end of the second business day following the original meeting so that the motion can be placed on the next regular agenda.

3.3.7 Conflict of Interest Compliance

Members must follow all applicable conflict-of-interest laws, including the Political Reform Act of 1974. Members must not participate in decisions when they have a disqualifying conflict of interest.

3.3.8 Staff Assistance

Staff assist both the SFDB and the public throughout the review process. Staff comments must be presented at the start of each item's review.

3.3.9 Member Attendance

If a member cannot attend a meeting or must step down from a specific item due to a conflict of interest, the member must notify Staff as early as possible. The purpose of early notice is to help ensure the SFDB maintains a quorum.

3.3.10 Member Compensation

SFDB members may receive meeting attendance compensation as authorized in the Community Development Department's approved budget.

3.3.11 Site Visits

The SFDB may conduct site visits when additional on-site information is needed before commenting on or acting on a project. Staff must notify SFDB members and the public of scheduled, organized, or drive-by site visits through a notation on the meeting agenda.

3.3.12 Story Pole and Site Visit Coordination

For projects requiring both design review and another land use approval, timing of story pole installation and site visits must be coordinated with the Planning Commission or the Staff Hearing Officer, as applicable.

SECTION 4: Application Requirements and Visual Aids



Rendering: Donaldson + Partners

4.1 Application Requirements

4.1.1 Overview

Applications for Design Review must follow the procedures outlined in SBMC Chapter 30.205 (Common Procedures) and SBMC Chapter 30.220 (Design Review). Applications must be submitted by the property owner or an authorized agent. If an agent applies, the application must include written proof of authorization to act for the owner.

4.1.2 Public Record

All application materials become part of the public record and, unless prohibited by law, are available for public review during normal business hours.

4.1.3 How to Submit

Application forms and checklists are available on the City's Forms & Applications webpage. Applications, including all supporting plans and documents, must be submitted electronically through the City's online system.

4.1.4 Required Content

A complete Design Review application must include all required plans, such as a site plan, floor plans, roof plan, building elevations, building sections, grading plans (if applicable), and any other drawings identified in the submittal checklist. Applicants must submit the current City application forms, project description, plan sheets in the required formatting, and all technical documentation identified for the project type. These materials must be accurate, internally consistent, drawn to required scales, and prepared according to the City's submittal standards.

Applications must also include any information or evidence needed to support the applicable findings. This may include:

Visual aids (see Sections 4.2 and 4.4)

Environmental documentation

Written statements explaining how the project meets the findings.

4.2 When Supplemental Visual Aids Are Required

Supplemental visual aids provide additional information to help the SFDB, staff, and the public understand a project's height, massing, neighborhood context, and potential visual impacts. See the Visual Aids Supplemental Application for complete submittal requirements, standards, and formatting instructions.

A project must provide one or more supplemental visual aids listed in Section 4.4. (Types of Visual Aids) before Project Design Approval when any of the following conditions apply:

4.2.1 Second Stories

At least one supplemental visual aid is required when a project includes a new two-or-more story building, or an expanded second or higher story, or alterations to a building over 17 feet in height, and meets at least one of the following conditions:

Upper-Story Size. The new or expanded upper-story floor area is 250 square feet or larger.

Height Increase. The new or expanded upper story, or alterations over 17 feet in height, increases the existing building height by more than 5 feet.

4.2.2 High FAR Projects (Over 85% FAR)

Projects proposed at more than 85% of the maximum floor area ratio (FAR) must include a Neighborhood Context Study and at least one other supplemental visual aid.

4.2.3 FAR Exceptions (Over 100% FAR)

Projects proposing an FAR Exception to be over 100% of the maximum floor area ratio (FAR) must include at least one supplemental visual aid and must install "Full Level" story poles at least seven calendar days before Project Design Review. See Section 4.5 (Story Pole Requirements).

4.2.4 Large Grading Projects

Projects proposing more than 500 cubic yards of grading outside of the main building footprint must include a 3D massing model or 3D topographic/grading model showing proposed terrain changes.

4.2.5 Terraced or Elevated Sites

At least one supplemental visual aid is required when terracing or grading creates a 4-foot vertical difference greater than four feet between the adjacent street right-of-way and the finished grade along the front lot line.

4.2.6 Ridgelines, Scenic Views, and Hillside Exposure

A supplemental visual aid is required when the project is located in an area with elevated visual sensitivity based on mapped or measurable topographic conditions including:

a. Ridgeline Vertical Proximity

The highest point of the proposed structure is within 15 feet vertically of a mapped ridgeline.

b. Ridgeline Horizontal Proximity

Any portion of the proposed roof form is within 150 horizontal feet of a mapped ridgeline and not fully screened by existing development or vegetation.

c. Scenic View Corridor

The project is located within a mapped Scenic View Corridor identified in an adopted City document.

4.2.7 Setback Modifications

Projects requesting zoning modifications into required setbacks must include at least one supplemental visual aid.

4.2.8 SFDB Difficulty Making Required Findings

If one or more SFDB members state that due to insufficient information they cannot make required Project Compatibility Findings, the applicant must submit supporting visual aid materials as specified by the Board. An applicant's failure to provide the SFDB with sufficient visual information may result in a denial at Project Design Review.

4.2.9 Other Review Bodies

Story poles or other visual aids may also be required by the Planning Commission, Staff Hearing Officer, or during environmental review. When more than one decision-making body requires visual aids, the most stringent applicable requirement applies.

4.3 Visual Aids Waiver

During Concept Review, or before the application is deemed complete, supplemental visual aids may be waived by:

The SFDB, for Full Board projects, or

The Community Development Director, for projects eligible for Consent or Administrative approval.

A waiver may be granted only when the standard submittal materials or other available visual aids clearly show the building's height, massing, and relationship to nearby development.

4.4 Types of Visual Aids

Supplemental visual aids help the public and the SFDB understand a project's height, massing, neighborhood context, and potential visual impacts. Detailed preparation requirements, viewpoints, formatting, and documentation are provided in the Visual Aids Supplemental Application.

The following types of visual aids may be required:

4.4.1 Neighborhood Context Study

A study showing the project's relationship to surrounding parcels using aerial photographs, keyed site photos, and basic neighborhood data such as building heights, number of stories, parcel sizes, zoning, and lot coverage. This study helps evaluate neighborhood compatibility and scale.

4.4.2 Photo Simulations (Renders)

Scaled images showing the proposed building accurately overlaid onto site or contextual photographs. These include required public vantage points such as streets, parks, beaches, and mapped scenic view corridors.

4.4.3 Streetscape Context Elevations

Scaled drawings showing the proposed building in relation to adjacent or representative nearby structures across a continuous streetscape. These may include silhouettes, rendered building elevations, or drawings placed on photographic background.

4.4.4 Perspective Drawings

Three-dimensional drawings from human-eye level showing the project's building form, plate heights, rooflines, and surrounding development, illustrating how the project appears from key public viewpoints.

4.4.5 Three-Dimensional Massing / Topographic Models

Physical or digital 3D models showing building form, major volumes, rooflines, and any proposed grading or terrain changes. These models illustrate massing, height, and topography without requiring photorealistic detail.

4.4.6 Story Poles

Temporary on-site markers showing the proposed building's height and massing, installed according to Section 4.5.

4.5 Story Pole Requirements

Story poles illustrate the proposed building's height, massing, and rooflines on site.

When story poles are required for SFDB review, Full Level installation is the default.

The SFDB may reduce to Standard Level or Basic Level, or waive the requirement, at a Concept Review hearing based on the criteria in Section 4.3 (Visual Aids Waiver).

If Planning Commission, Staff Hearing Officer, or CEQA visual analysis requires story poles the SFDB cannot waive or reduce the story pole requirement. The most stringent applicable requirement governs.

4.5.1 Levels of Story Pole Installation

a. Full Level

Show all major building forms, corners, ridges, eaves, rakes, outer plate heights (not the outer edge of the eaves), and ridgelines with vertical poles and string lines.

b. Standard Level

Show selected building forms (as determined by the SFDB) with vertical poles and, if requested, string lines.

c. Basic Level

Show selected locations at highest building elements (as determined by the SFDB) with vertical poles only.

4.5.2 Story Pole Timing and Documentation

a. Standard Timing

Story pole installations must be completed a minimum of 7 days prior to the Project Design Review hearing and must remain in place until the hearing.

b. Photographic Record

Once installed, the applicant must photograph the story poles from all angles visible to the public. Additional photos from more distant points may be required.

c. Post-Construction Documentation

Before issuance of Final Inspection/Certificate of Occupancy, submit photographs of the completed building from the same locations used for the story pole documentation.

SECTION 5: Landscape Design Guidelines



5.1 Purpose

The Landscape Design Guidelines provide general and specific direction for designing and installing throughout single-family neighborhoods. Landscaping should be used to unify the project design, enhance the site, and support compatibility with surrounding development while complying with applicable City policies and regulations.

5.2 Landscape Plan Applicability and Requirements

5.2.1 Applicability

A landscape plan is required for the following SFDB projects:

- When a landscape plan is required under SBMC Chapter 14.23 (Landscape Design Standards and Recycled Water Use).

- When a project either alters or adds required landscape areas, or requests a waiver, under SBMC 30.140.118 (Landscape).
- Subdivision grading plans in Residential Single Unit Zones.
- Any grading permit when not submitted in connection with a building permit for construction or alteration on the same lot.
- Vegetation Removal Permits under SBMC Chapter 22.10.
- Alterations to Approved Landscape Plans under SBMC Chapter 22.11.
- Landscape Design Standards Waiver under SBMC 30.140.118 (Landscape).

The SFDB may also require a landscape plan when necessary to determine consistency with applicable findings.

5.2.2 Landscape Plan Contents

Landscape plans must contain the information required in the City's the Landscape Plan Submittal Guide.

5.2.3 Landscape Plan Preparation Licensing Requirements

a. License Required

Per Business and Professions Code (BPC) §5641, the following construction-level plans must be prepared by a licensed landscape architect, registered or licensed engineer, architect, land surveyor, or a landscape contractor who is contracted to install the landscaping:

Final grading or drainage plans

Construction details, specifications, or plans for tangible landscape features

These requirements include grading or drainage plans prepared for Storm Water Management Plan (SWMP) compliance.

b. No License Required

In the following circumstances, plans may be prepared by an unlicensed person:

Property owners preparing plans for their own property (BPC §5641.1).

Concept Review Plans for a single family dwelling (BPC §5641).

Project Design Review Plans that do not require grading or drainage plans (BPC §5641).

Irrigation Plans prepared by property owners or irrigation consultants (BPC §5641.6).

Advisory. The SFDB may suggest, but cannot require, the use of a licensed landscape architect when plan submittals are inadequate or when the project involves extensive grading, revegetation, or sensitive habitat areas.

5.3 General Landscape Design Guidelines

Landscape is an integral part of a project's design and helps maintain neighborhood character. Landscape plans should enhance site aesthetics, complement architecture, and provide screening, usable outdoor space, water-wise planting, and efficient irrigation.

The following guidelines apply to all landscape proposals:

5.3.1 Site Layout and Massing

a. Landscape Coverage

Landscape massing must provide substantial plant landscaping relative to hardscape. Paved areas should be minimized and planting areas maximized.

b. Screening

Screening plants, such as hedges, may be used to provide privacy between neighbors. Species must fit the space at maturity and comply with applicable hedge height standards in the Zoning Ordinance.

c. Trees

Mature canopy trees must be provided for shade and weather protection, where appropriate.

d. Limit Lawn Size

Use turf/lawn grass only where necessary for recreational uses. Consider natural lawn-alternative species.

5.3.2 Plant Selection

a. Blend with Existing Vegetation

New plants should blend with existing vegetation in type, coloring, and scale.

b. Growth

Select and place plants to:

Minimize blocking of adjacent properties' primary scenic views and solar access.

Achieve desired screening without requiring excessive pruning.

Maintain scale compatible with public view preservation policies.

c. Adaptability ("Right Plant / Right Place")

Plants must be appropriate for site conditions, including soil, slope, climate, and available space.

d. Native Plants

Use native plants whenever possible. When using non-native species, prioritize Mediterranean - climate plants.

e. Fire Resistant Landscape

Use fire resistant landscaping where feasible. See Section 3.6 and the City's High Fire Hazard Area resources for required plant lists.

f. Invasive Plants

Avoid invasive species, especially near sensitive habitats. Refer to the California Invasive Plant Council (www.cal-ipc.org) for a list of invasive plants.

g. Plant Spacing & Height

Space plants to accommodate mature size without crowding or root conflict. Select plants with appropriate mature plant height.

h. Group by Plant Needs

Group plants with similar water and sun requirements into hydrozones with appropriate irrigation valve types.

i. Natural Plants

Landscaping must use live plant material. Artificial plants and artificial turf are prohibited in parkways. Artificial turf may be considered in less visible private areas but is generally discouraged.

5.3.3 Sustainability Principles

Landscape and irrigation design should incorporate sustainable practices, including:

Preserve existing vegetation and significant trees (see Section 5.4).

Protect natural features and revegetate graded areas promptly.

Use landscaping to assist with passive heating and cooling.

Avoid nonnative species that add weight to steep slopes; prefer deep-rooted species for stability.

Comply with water-efficient landscape requirements in SBMC Chapter 14.23.

Minimize waste in landscape planning and materials.

Follow Stormwater Management Program (SWMP) principles by incorporating bioswales, porous paving, rain gardens, and onsite infiltration strategies.

Maximize permeability and onsite percolation using BMPs.

Use natural drainage features such as swales, vditches, and drywells to direct and manage flows.

5.3.4 Street and Driveway Design

a. Grading & Retaining Walls

Minimize grading and avoid unnecessary retaining walls.

b. Limit Paving

Limit driveway widths and consider permeable materials. Consult the Fire Department and Transportation Division before proposing alternative paving (ribbon driveways, permeable pavers and other materials).

c. Garage Orientation

Orient driveways and garages to present a street-friendly facade, so that garage or carport openings are not facing directly onto streets.

d. Sidewalk Widths

Provide street sidewalk widths that allow landscaped parkways to buffer pedestrians from street traffic.

e. Street Trees

Incorporate City street trees as recommended by the SFDB, City Arborist, and the Street Tree Master Plan. Removal requires Parks & Recreation Commission approval. Consult with the Parks & Recreation Department for information on Street Trees.

f. Planting in Parkways

Water-wise plants are required and turf is prohibited in parkways. Use drip irrigation or low precipitation systems to avoid runoff. See the City's list of recommended plants for parkways on the City website.

5.4 Tree Preservation

Protecting existing trees, especially mature and native trees, is a primary design goal. Mature trees must be integrated into project design whenever feasible, and all reasonable preservation and protection measures must be considered before removal is proposed. Tree removal and replacement may require Design Review, Street Tree Advisory Committee and Parks & Recreation Commission

review, and/or a building permit. The following standards apply to any project involving tree removal or replacement.

5.4.1 General Tree Replacement Standards

If preservation of existing trees is not possible, replacement trees must be provided according to the ratios and size standards below.

a. Tree Replacement Ratios

Trees measuring 4 inches or more in diameter (measured 4 feet 6 inches above grade) that are proposed for removal must be replaced onsite at a minimum 1:1 ratio, unless environmental review determines that a different ratio is appropriate.

The standard mitigation ratio for tree loss is 3:1.

Ratios may be increased up to 10:1 depending on tree species, lot size, and the size and expected survival of replacement trees.

b. Tree Replacement Size

The required replacement size will be determined through environmental review, in coordination with SFDB review, based on the size and biological value of the tree being removed and onsite conditions. See Section 5.4.2 for additional standards.

5.4.2 Tree Protection and Replacement Standards

Efforts must be made to preserve existing trees—particularly native species such as oaks—consistent with applicable City policies (Environmental Resources Element ER11 and ER12; 1979 Conservation Element Visual and Biological Resources policies). Projects involving work near existing trees are subject to the following standards:

a. Earth Disturbance Prohibitions

No earth disturbance is allowed within a radius from the trunk equal to one-third of the tree's canopy radius. Example: If the canopy extends 30 feet from the trunk, no work may occur within the inner 10 feet. In the remaining canopy/dripline area, soil may only be disturbed with hand tools.

b. Arborist's Report

Work within a tree's dripline or within a distance that may affect the tree's root zone requires an Arborist's Report. When an Arborist's Report is required, the SFDB may base its conditions of approval on the report's recommendations.

c. Paving

Paving or other non-permeable surfaces under native tree canopies must be minimized.

For oak trees:

No more than 25% of the area beneath the canopy may be paved.

Paving under the canopy must be installed by hand or using hand tools due to the sensitivity of surface roots.

d. Distance from Structures

The edge of all new structures must be placed at least 5 feet outside the expected mature canopy/dripline of a native tree, unless approved with an Arborist's Report.

e. Protection Notes

Projects that include work within or adjacent to the dripline of an existing native tree must include Tree Protection notes on all site and grading plans.

f. Replacement Dimensions

If removal of a native tree is approved, each required replacement tree must have a trunk diameter equal to or greater than one-quarter of the diameter of the removed tree.

Example: A 16-inch oak must be replaced with a tree at least 4 inches in diameter.

Smaller sizes may be allowed when replacement availability is limited.

g. Tree Root Barrier Guideline

The SFDB may recommend or condition that the applicant consult a qualified tree expert (landscape architect, City Arborist, or certified arborist) to determine whether a root barrier is appropriate.

Root barriers may be required when roots will be within 4 feet of any hardscape and may affect buildings, sidewalks, pathways, or curbs.

Palm trees do not require root barriers.

Root barriers are not recommended when existing trees are nearby, because installation may damage existing root.

h. Condition of Approval for Specific Tree or Planting

The SFDB may conditionally approve projects requiring maintenance of specific trees or plantings. Trees or plantings identified for retention on an approved landscape plan may not be altered without Design Review or a permit.

5.6 Special Areas

5.6.1 Hillside Residential Landscape Design

Landscape in hillside areas must respect both public views toward the project and views from the subject property. Plantings should soften the appearance of new homes, major additions, and retaining walls. The following guidelines apply to hillside areas:

a. Appearance

Landscaping must reduce the visual mass of structures when viewed from public areas. Plantings should be selected from California native or Mediterranean species that blend with the hillside. Species that visually contrast with natural terrain (e.g., palms along ridgelines or large expanses of brightly colored vines) are discouraged in publicly visible locations.

b. Natural Surroundings

Disturbance to oak woodlands, steep slopes, bluffs, creeks, watersheds, and other native habitats must be evaluated by a qualified professional to determine appropriate plant selection and maintenance that minimize impacts on natural areas.

c. Grading

Grading should be minimized.

d. Slope Failure Mitigation

If slope instability occurs, recommendations from a soils engineer, geologist, or landscape architect is required for plantings, irrigation, and erosion control.

e. Erosion Control Measures

Erosion control measures must be included on hillside landscape plans.

5.6.2 Creeks and Wetlands

Projects near creeks and wetlands must comply with the guidelines below and be consistent with the sustainability principles in Section 5.3.3.

a. Degradation Prohibition

Development adjacent to creeks or wetlands must not degrade the waterway or its riparian environment.

b. Native Plant Species

Native vegetation along creeks and wetlands must be protected, maintained, enhanced, and restored.

c. Immediately Adjacent Landscaping

Only native, non-invasive plants may be installed immediately adjacent to creeks and wetlands. A licensed landscape architect or biologist should provide plant recommendations. If the project impacts a creek or wetland, a biologist must prepare a restoration plan.

d. Buffer Landscaping

Vegetative buffers must be provided between natural areas and developed or high-use areas. Buffer vegetation should be native to California.

5.6.3 High Fire Hazard Area Landscape Design

a. Defensible Space

Projects must meet defensible space requirements in the Fire Code and comply with the Fire Department's High Fire Hazard Area Landscape Requirements. These standards identify drought-tolerant, fire-resistant species and placement requirements to reduce wildfire risk. Consultation with the Fire Department's Wildland Fire Specialist is recommended

b. Native and Fire Resistant Vegetation

Native or fire-resistant vegetation must be used on major cut-and-fill slopes within hillside development areas. Within Vegetation Management Units identified in the Community Wildfire Protection Plan, vegetation must be designed to reduce flammable plant materials. Consultation with the Wildland Fire Specialist is recommended.

SECTION 6: Administrative Approval Standards



6.1 Administrative Approval Procedures

6.1.1 Procedure

Projects may be reviewed and approved administratively by the Community Development Director—without SFDB review—if the project meets all applicable Administrative Approval Standards in Sections 6.2 (Project-Specific Standards) and 6.3 (General Standards).

Administrative approval is a ministerial action. Projects are not eligible for administrative approval if:

The project may create a risk of an adverse environmental effect, or

The project requires public noticing under SBMC §30.220.040.

The Community Development Director may approve, conditionally approve, or deny a project submitted for administrative approval.

a. Evaluating Projects Using the Administrative Approval Standards

To determine whether a project may be approved administratively, staff must use the following procedure:

1. Review the scope of work and plan sheets to identify which Project-Specific Administrative Approval Standards apply.
2. Evaluate each portion of the scope of work for consistency with the criteria in the applicable project-specific standards (Section 6.2).
3. Evaluate each portion of the scope of work for consistency with the General Administrative Approval Standards (Section 6.3).
4. If the project meets all applicable project-specific standards and all general standards, it may be eligible for administrative approval.

b. Example

If a project includes a first-story addition, a new window, a pool, and new landscape, staff must review the corresponding project-specific standards in Section 6.3:

First-Story Additions (6.3.2)

Hardscape & Landscape Alterations (6.3.10)

Pools and Spas (6.3.14)

Windows (6.3.22)

The project must also meet the applicable general standards in Section 6.2:

Design Style (6.2.1)

Alterations (6.2.2)

Colors (6.2.3)

Scale (6.2.4)

Landscape (6.2.5)

Consideration of Neighbors (6.2.6)

Changes to Approved Plans (6.2.7)

Home Hardening (6.2.8)

Note: *Even if a project meets all applicable project-specific and general standards, staff may refer the application to the SFDB if the project raises potential neighborhood compatibility concerns.*

6.2 General Administrative Approval Standards

To be eligible for administrative staff review, a project must comply with the following general standards in addition to all applicable project-specific standards in section 6.3.

6.2.1 Design Style

The architectural style must be clearly stated on the plans. The design must either match the building's existing style or result in a cohesive new style. Staff will verify style consistency by reviewing architectural elements such as windows, doors, lighting, railings, trim, eaves, roof pitch, proportions, and materials.

Staff may reference *A Field Guide to American Houses* or similar resources to confirm the proposed style classification. Proposed exterior materials must visually match or be consistent with the stated style.

6.2.2 Alterations

Alterations must match the current architectural style or produce a single, cohesive style. Projects that introduce multiple exterior changes may be approved administratively if the design intent is clear and the overall style is unified.

6.2.3 Colors

Additions must match existing colors. Simple color changes may be approved administratively if they use colors from the Santa Barbara Colors Guide. Bright or incompatible colors do not qualify for administrative approval.

6.2.4 Scale

Additions must be compatible with the scale of the house, architectural style, and neighborhood. Staff will evaluate scale using criteria such as visibility, plate heights, roof pitch, and maximum building height. See SFRDG 17-C for additional guidance. Projects that are out of character with the neighborhood or poorly sited will be referred to the SFDB.

6.2.5 Landscape

Changes to an approved landscape plan must be consistent with the original planting purpose, such as privacy screening, shade, solar access, interest, historic preservation, erosion control, or appropriate species near sensitive habitat areas.

6.2.6 Consideration of Neighbors

Projects must generally conform to the Good Neighbor Guidelines in the Single Family Residence Design Guidelines. Development must be sited and oriented to minimize privacy impacts and reduce potential noise or lighting issues.

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6.2.7 Changes to Approved Plans

Minor changes may be approved administratively if they meet the criteria in Section 1.3.7 (Changes to Approved Plans – Determining Substantial Conformance). Changes that do not substantially conform must be referred back to the SFDB for revised Project Design Approval.

6.2.8 Home Hardening (fire-resistant construction).

Projects in High Fire Hazard Areas must comply with Chapter 7A of the California Building Code or use materials listed on the State Fire Marshal Wildland Urban Interface Products list.

Examples include:

Class A fire-rated roofing systems

Dual-pane windows with at least one tempered pane

Fire-retardant decking materials within 10 feet of the structure

Projects in High Fire Hazard Areas may receive greater design flexibility related to materials.

6.3 Project-Specific Administrative Approval Standards

Projects requesting administrative approval must meet all applicable project-specific standards in this section, as well as the General Administrative Approval Standards in Section 6.2. See the table below to help navigate to the standards applicable to your project. Applicable project elements include:

6.3.1 Accessory Buildings (Excluding ADUs)
6.3.2 Additions: First Story
6.3.3 Additions: Second or Higher Story
6.3.4 Awnings
6.3.5 Chimneys
6.3.6 Color Changes: Exterior
6.3.7 Decks
6.3.8 Doors
6.3.9 Fences and Site Walls (Excluding Retaining Walls)
6.3.10 Hardscape and Landscape Alterations, Including Grading
6.3.11 Lighting: Exterior
6.3.12 Mechanical Equipment: General
6.3.13 Mechanical Equipment: Rooftop
6.3.14 Pools and Spas
6.3.15 Porches
6.3.16 Retaining Walls
6.3.17 Roofs and Reroofs
6.3.18 Screening and Screening Waivers
6.3.19 Skylights
6.3.20 Tree Removal
6.3.21 Tree Removal: Emergency or Hazardous
6.3.22 Trellises, Pergolas, Patio Covers, and Sunshades
6.3.23 Windows

6.3.1 Accessory Buildings (Excluding ADUs)

New, altered, or expanded accessory buildings (not Accessory Dwelling Units) may be approved administratively if all of the following standards are met:

1. The building is 800 square feet or less.
2. The building does is one story or 17 feet or less in height.
3. The project does not exceed 85% of the Maximum Floor Area Ratio (FAR).
4. Any mechanical equipment complies with subsections 6.3.12 (General) and 6.3.13 (Rooftop).
5. The accessory building does not include a roof deck.
6. Carports use supporting columns at least 4 inches in diameter (thin support poles are not eligible).
7. Accessory buildings are not located in the front yard.
    - Exception: Carports and garages, including garage conversions, may be approved in the front yard only if they are not publicly visible due to site topography or existing or proposed screening.
8. If publicly visible, accessory buildings must match the architectural style of the main house. If not publicly visible, style matching is not required.

6.3.2 Additions: First Story

First-story additions may be approved administratively if all the following standards are met:

1. Additions and related alterations are less than 17 feet in height.
2. On lots developed with less than 4,000 sq ft of net floor area, the addition is 800 square feet or less.
3. On lots developed with 4,000 square feet or more of net floor area, the addition is 250 square feet or less.
4. The project does not exceed 85% of the Maximum Floor Area Ratio (FAR).
5. Any retaining walls proposed with the addition comply with the development standards for retaining walls in the Zoning Ordinance and Section 6.3.16 (Retaining Walls).
6. The project does not include a vegetated roof.

7. The addition does not significantly alter the front or street-facing façade's massing, scale, or architectural style.
8. In the Hillside Design District, the addition does not result in a taller apparent height than the existing structure (see Section 29, p. 53-H of the Single Family Residence Design Guidelines for apparent height).

6.3.3 Additions: Second or Higher Story

New second story additions on existing one-story residences are not eligible for administrative approval. Additions to existing second or higher stories may be reviewed and approved administratively if the following standards are met.

1. Addition is 250 square feet or less.
2. The project does not exceed 85% of the Maximum Floor Area Ratio (FAR).
3. Any retaining walls proposed with the addition comply with the development standards for retaining walls in the Zoning Ordinance and Section 6.3.16 (Retaining Walls).
4. The project does not include a vegetated roof.
5. The addition does not significantly alter the front or street-facing façade's massing, scale, or architectural style.
6. In the Hillside Design District, the addition does not result in a taller apparent height than the existing structure (see Section 29, p. 53-H of the Single Family Residence Design Guidelines for apparent height).

6.3.4 Awnings

Awnings up to 9 square feet over window or door may be approved administratively if they match the style and colors of the house. Shiny or reflective materials are not allowed. See Section 6.3.22 for patio cover standards.

6.3.5 Chimneys

The following standards must be met for administrative approval:

1. The chimney matches the style of the house and uses masonry, stone, stucco, or metal pipe.
2. Wood material is not used on chimneys.
3. Metal flues have a traditional design and are painted to match the roof color.
4. Exposed pipe beyond the top of the chimney is limited to the minimum height required by Building & Safety.

6.3.6 Color Changes: Exterior

The project is consistent with General Administrative Approval Standards, Colors (6.2.3)

6.3.7 Decks

Decks are defined pursuant to SBMC §30.300.040 "D". Rooftop decks are not eligible for administrative approval. Other decks may be approved if all of the following are met:

1. First story decks are no larger than 400 square feet.
2. Elevated decks are no larger than 250 square feet.
3. Elevated decks are at least 15 feet from any interior lot line.
4. Deck railings meet, but do not exceed, the minimum required by the Building Code.
5. Wood decks are left natural or finished with a neutral or wood-tone color stain or sealer or painted to match the color of the house or trim. Non-wood decks use high-quality materials such as a wood-simulating composite in neutral or earth tone in color.
6. Shiny or reflective decking and railing materials are prohibited. Glass railing may be approved if treated to eliminate glare.

6.3.8 Doors

Administrative approval requires:

1. For double doors, both doors and sidelights have equal width.
2. Doors and sidelights are centered or symmetrically placed within architectural elements when that is appropriate for the architectural style.

6.3.9 Fences and Site Walls (Except Retaining Walls)

The following materials are not eligible: chicken wire, sheet metal (except quality COR TEN/weathering steel), corrugated metal, plastic, vinyl, wire mesh fence materials, gabion wall (rock and wire mesh) and unfaced cement block.

Other materials may be approved if all criteria below are met:

1. Wood, chain-link, and picket fences must be 8 feet tall or less. Masonry, stucco-finished block, stone, concrete, plastered CMU, or similar site walls must be less than 5 feet tall.
2. Height added to existing fences must match existing fence materials and contribute to a cohesive fence design.

3. If the fence is constructed of wood, it is constructed of smooth cedar, redwood, high-quality pressure-treated pine, or comparable material and left in a natural condition to weather or is treated with a neutral or wood color stain or sealer, or painted as described in number 4 below.
4. If the fence is proposed to be painted, the paint color either matches the predominant color of the siding or trim of the main building or is painted a neutral/earth tone color to blend with the surroundings.
5. If the fence is constructed of chain link, it is dark colored or hot dip galvanized chain link fencing located outside of any front yard. Chain link fences that are publicly visible must be screened with vegetation such as vines or shrubs to soften the appearance of the fence.

6.3.10 Hardscape and Landscape Alterations, Including Grading

Alterations including walkways, on-grade patios, driveways, planters, barbecues, firepits, fountains, and other yard amenities may be approved administratively provided they meet the following criteria:

1. Grading outside the building footprint does not exceed 50 cubic yards.
2. No grading on slopes averaging 15% or more.
3. No alterations on slopes of 30% or more.
4. No grading within required setbacks.
5. Driveway paving is limited to what is required for access per the City's Access & Parking Design Standards.
6. Paving materials are concrete, asphalt, pavers, flagstone, or similar in neutral or earth tone colors.
7. New paved parking areas are screened from public view using fencing, landscaping, or other approved structures.
8. Planting changes must generally match the original planting intent and does not change a condition of approval.
9. No alterations within 50 feet of the top of the creek bank or within an established creek buffer.
10. A vegetation removal permit is not triggered (SBMC Chapter 22.10)
11. Any retaining walls meet SBMC §30.140.110.G and the standards in Section 6.3.16.

12. No alterations in an environmentally sensitive habitat area unless a qualified study confirms no adverse impact.

6.3.11 Lighting: Exterior

The following criteria must be met for administrative approval:

1. Lighting fixtures and placement meet the standards in the Outdoor Lighting Ordinance (SBMC Chapter 22.75), including that the fixtures must generally be shielded to prevent sky glow and light trespass onto adjacent residential properties.

6.3.12 Mechanical Equipment: General

The following criteria must be met for administrative approval:

1. The equipment's property line decibel level must be consistent with the Noise Ordinance (SBMC Chapter 9.16).
2. New equipment is screened from view consistent with SBMC §30.15.120. Landscape screening is indicated on project plans to be maintained.
3. New equipment attached to a structure is not publicly visible, as defined in Section 6.4. Attached mechanical equipment that is publicly visible is not eligible for administrative approval.

6.3.13 Mechanical Equipment: Rooftop

Telecommunications facilities and antennas are not eligible for administrative approvals. Other rooftop equipment must meet the following criteria for administrative approval:

1. Equipment is screened pursuant to SBMC §30.15.120. The screening proposal must present an integrated appearance with the overall building.
2. If equipment will be visible from off-site locations despite screening, or in cases where only vegetative screening is used, the equipment must be painted the same color as the roof or adjacent background, as specified by staff.

6.3.14 Pools and Spas

Soil excavated for a below-grade swimming pool, or soil located within five feet of an exterior wall of a building that is excavated and recompacted, shall not be included in the calculation of the volume of grading outside the building footprint. Above-ground pools are not eligible for administrative approval unless they are not publicly visible. Pools and spas may be approved administratively if the following criteria are met:

1. The pool or spa is screened or not publicly visible as defined in Section 6.4.
2. Site grading outside the footprint of the pool or spa does not exceed 50 cubic yards.

3. Any proposed retaining walls associated with the pool or spa must meet the administrative approval standards for retaining walls in subsection 6.3.16.
4. Any proposed mechanical equipment meets the mechanical equipment administrative approval criteria listed in subsection 6.3.12 and 6.3.13.

6.3.15 Porches

Residential porches may be approved administratively if the following criteria are met:

1. If the porch is publicly visible as defined in Section 6.4, the porch roof is not higher than 12 feet.

6.3.16 Retaining Walls

Retaining walls may be approved administratively if the following criteria are met:

1. Less than 5 feet tall. Exception: If the project involves reconstruction of an existing, permitted retaining wall, then the retaining wall may be rebuilt at the same height and length using the same materials that were permitted or replaced with cut sandstone or stucco.
2. Similar in character in terms of height, length, and materials with other retaining walls visible in the neighborhood from public viewing locations.
3. Hillside Design District retaining walls must be screened with vegetation or finished in neutral colors to blend with the natural surroundings.
4. Retaining walls must meet the development standards for retaining walls in SBMC 30.140.110.G.
5. Any grading or landscape alteration associated with retaining wall construction complies with the administrative approval standards for hardscape and landscape alterations in subsection 6.3.10.

6.3.17 Roofs and Reroofs

Reroofs and projects proposing to replace existing two-piece clay Mission-Style tile with a different material are not eligible for administrative approvals. S-tile (one-piece) roofing material is not eligible for administrative approval unless it is replacing existing, permitted S-tile. Vegetated roofs are prohibited in High Fire Hazard Areas. In order to be approved administratively, new roofs and re-roofs must comply with the following criteria:

1. Shiny or reflective roofing materials are not used.

2. The type of roofing material and color is compatible with the architectural style of the structure. Neutral colors and earth tones are generally acceptable for administrative approval. See the Santa Barbara Colors Guide for examples.
3. Vegetated roofing is prohibited in High Fire Hazard Areas.

Roofing Materials Guidance. Roof materials generally eligible for administrative approval are listed in the table below by architectural style. Note: the table below is not an exhaustive list; roofing materials not listed below may be considered for administrative approval on a case-by-case basis. Additional guidance on appropriate roof materials can be found in A Field Guide To American Houses.

Architectural Style of Main House	**Roofing Materials**
Any Style	Match Existing Material
Contemporary (Ranch, Midcentury, American Vernacular, tract homes)	Composition Shingle, Standing Seam Metal
Craftsman	Composition Shingle
Mission	Clay Two-Piece Terra Cotta Mission Tile
Spanish Revival	Clay Two-Piece Terra Cotta Mission Tile
Victorian (Queen Anne, Stick, Folk Victorian)	Composition Shingle

6.3.18 Screening and Screening Waivers

Screening elements such as fences, hedges, walls, and landscape planting may be administratively approved provided that they are no higher than necessary to fully screen the mechanical equipment, automobile parking spaces, or other item they are intended to screen. The requirement for screening may be waived if the item being screened is not publicly visible or is already screened by existing screening elements, location on the lot, or topography. Refer to the Administrative Approval Standards for fences for approvable materials.

6.3.19 Skylights

Skylights may be approved administratively if the following criteria are met:

1. Skylights are flat and made of non-reflective materials; or
2. Are screened by the building form, landscaping, or a parapet.

6.3.20 Tree Removal

Tree removal or replacement may be approved administratively if the following criteria are met:

1. The tree removal or replacement meets the original planting purpose as defined in Section 6.4 of these Guidelines.
2. The tree removal or replacement does not alter or amend a condition of approval.
3. No more than three trees are proposed to be removed or replaced.
4. No historic tree or specimen tree is proposed for removal. (Historic and specimen trees are specially designated and are reviewed by the Parks and Recreation Department.).
5. No setback tree shall be administratively approved for removal unless it has received required approvals at Street Tree Advisory Committee and Parks & Recreation Commission.
6. No skyline or mature native tree (such as a Coast Live Oak/Quercus agrifolia) is proposed for removal.
7. Replacement does not occur within 50 feet from the top of creek bank as established on an approved plan or section drawing.
8. A vegetation removal permit is not triggered pursuant to SBMC Chapter 22.10.
9. If tree removal does not include replacement trees, it may still be approved administratively if it meets any of the following criteria:
    a. An appropriate number and size of other trees would remain on the project site after the requested removal, in keeping with the original planting purpose; or;
    b. A sufficient number of adjacent trees exist on City Property (i.e. the Public Right of Way including parkway planters) to maintain desirable tree density in the area; or
    c. The tree or trees have been determined by a qualified arborist to be negatively affecting the structural integrity of real property including fences, structures, or paving; or

d. The tree or trees have been determined by a qualified arborist to be negatively affecting the structural integrity or health of other adjacent trees; or

e. The tree or trees have been determined by a qualified arborist to be unable to survive or thrive in its current location.

6.3.21 Tree Removal, Emergency/Hazardous

Removal of a tree that presents an apparent hazard to life or property, as verified in writing by a certified arborist, may be approved administratively if any of the following criteria are met:

1. The main trunk of the tree is less than four inches in diameter at a point four feet, six inches above the highest natural grade adjacent to the trunk; or
2. The tree is diseased, and the tree's condition is a source of present danger to healthy trees in the immediate vicinity; or
3. The tree is so weakened by age, disease, storm, fire, or any injury so as to cause imminent danger to persons or property; or
4. The tree is dead; or
5. The Fire Department has ordered the tree removed in order to maintain required defensible space on the lot or to comply with the City's Wildland Fire Plan.

6.3.22 Trellises, Pergolas, Patio Covers, and Sunshades

Chain link, chicken wire, shiny or reflective material, corrugated metal, plastic, vinyl, wire-mesh, and unfaced cement block materials are not eligible for administrative approval. Trellises and pergolas are eligible for administrative approval if the following criteria are met:

1. The trellis or pergola covers less than 250 square feet and is less than 12 feet in height. Exception: If the trellis or pergola is not publicly visible as defined in subsection 6.4, then it may be up to 500 square feet.
2. Constructed of smooth cedar, redwood, high-quality pressure-treated pine, or comparable material and left in a natural condition to weather or be treated with a neutral or wood color stain or sealer. Structures not made of wood must be constructed of a quality material such as a wood-like composite (e.g. Trex). Structures that are painted must match the paint color of the siding or trim of the main building.

6.3.23 Windows

Projects involving the replacement of original wood windows with vinyl windows are discouraged and may not be eligible for administrative approval, especially if the proposed vinyl windows are publicly visible. Repair of existing wood windows is preferred when feasible. Projects proposing to remove a publicly visible Special Design Window (as defined in Section

6.4) are not eligible for administrative approval. Projects involving the replacement or installation of windows may be administratively approved if the following criteria are met:

1. The type, color, size, and scale of proposed windows are compatible with the architectural style of the house.
2. Windows of additions visually match the predominant windows of the house.
3. The window location, size, and scale generally comply with Good Neighbor Guidelines for privacy.
4. Where adjacent windows are "divided light" type, the new windows are also divided light to match the existing windows.
5. Proposed divided light windows must use an external grid and not have faux mullions or an “internal grid” where the grid is sandwiched between the two pieces of glass.

6.4 Definitions

Any terms used in these Guidelines that are not specifically defined below shall be as defined in the Municipal Code.

6.4.1 Original Planting Purpose

The intended function of a tree or plant shown on an approved landscape plan. The purpose may be explicitly identified or implied by the design. Examples include providing privacy, preserving solar access, creating shade, framing a building, maintaining architectural style consistency, adding visual interest, supporting historic character, preventing erosion, or using appropriate species near sensitive biological areas.

6.4.2 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.

6.4.3 Ridgeline

The line of highest elevation along a hill or mountain crest, identifiable in the City’s topographic GIS data as the narrow summit between descending slopes on both sides.

6.4.4 Skyline Tree

A tree that is at least 50 feet tall that is publicly visible from multiple viewing locations and contributes to the character of a streetscape or neighborhood. Skyline trees are generally taller and more noticeable than adjacent trees and structures

6.4.5 Special Design Window



A window that uses quality materials such as wood or steel and is constructed using a unique or artistic design style is considered a Special Design Window. Such windows are an important component of a building's character and may be an enhancement to the entire neighborhood. Such windows include, but are not limited to, leaded glass windows, stained glass windows, multi-pane wood windows with elaborate muntin patterns, or non-rectangular accent windows.

6.5.6 Substantially Similar Tree or Landscaping Replacement

Replacement trees or plantings are considered "substantially similar" and eligible for administrative design review when they meet either of the following sets of criteria:

a. Same Species Replacement

1. The replacement is the same species as the tree or plant being removed; and

2. The replacement tree has a trunk diameter equal to or greater than one-quarter of the diameter of the tree being removed; and

3. The replacement meets or exceeds the planting size shown on the approved landscape plan, with a minimum 5-gallon container for trees.

OR

b. Different Species Replacement

1. The tree being removed is less than 12 inches in diameter (measured 4 feet 6 inches above grade) and less than 20 feet tall; and

2. The cumulative area of changes to conditionally approved plantings is less than 1,000 square feet in the front yard and less than 20% of the total landscaped area; and

3. Removal does not require a vegetation removal permit under SBMC Chapter 22.10; and

4. The replacement species continues to fulfill the original planting purpose, such as privacy, solar access, shade, screening, erosion control, or habitat compatibility.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE SANTA BARBARA MUNICIPAL CODE BY ADDING CHAPTER 22.22 AND AMENDING CHAPTERS 22.68 AND 22.69 OF TITLE 22 PERTAINING TO REGULATIONS FOR SINGLE FAMILY STREAMLINING PROJECT

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

SECTION 1. Chapter 22.22 of Title 22 of the Santa Barbara Municipal Code is added to read as follows:

CHAPTER 22.22

Historic Landmarks Commission

Design review is as required by Chapter 30.220, Design Review, Section 30.220.020, Historic Landmarks Commission.

SECTION 2. Chapter 22.68 of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

CHAPTER 22.68

ARCHITECTURAL BOARD OF REVIEW

Design review is as required by Chapter 30.220, Design Review, Section 30.220.010, Architectural Board of Review.

~~**§ 22.68.010. Architectural Board of Review.**~~

~~A. Purpose. Section 814 of the Santa Barbara City Charter creates and establishes an Architectural Board of Review for the City to promote the general public welfare of the City and to protect and preserve the natural and historical charm and beauty of the City and its aesthetic appeal and beauty.~~

~~B. Membership. The Architectural Board of Review shall be composed of seven members to be appointed as provided in the Charter.~~

~~C. Officers - quorum. The members of the Architectural Board of Review shall elect from their own members a chair and vice-chair. The Community Development Director shall act as secretary and record Board actions and render written reports thereof for the Board as required by this chapter. The Board shall adopt its own rules of procedure. Four members shall constitute a quorum, one of which shall be an architect.~~

~~§ 22.68.015. Definitions.~~

~~Community Development Director. Community Development Director of the City of Santa Barbara, or designee.~~

~~Defined in this Chapter. If any word or phrase is defined in this chapter, the definition given in this chapter shall be operative for the purposes of this chapter.~~

~~Defined in the Municipal Code. If a word or phrase used in this chapter is not defined in this chapter, but is defined in Chapter 28.04 (for properties in the Coastal Zone), or either Chapter~~

~~30.295 or Chapter 30.300 (for properties in the Inland Zones) of this code, the word or phrase shall have the same meaning in this chapter as the meaning specified in the chapter that applies to the zone in which the property is located.~~

~~Project Design Approval. The review and approval of an application filed pursuant to this chapter where the minutes of the Single Family Design Board identify the approval as "Project Design Approval." For the purposes of the State Permit Streamlining Act (Government Code Section 65950 et seq.), the Project Design Approval is the substantive approval of the project on its design merits.~~

~~Undefined Words and Phrases. Any words or phrases used in this chapter that are not defined in this chapter, Chapter 28.04 (for properties in the Coastal Zone), or either Chapter 30.295 or Chapter 30.300 (for properties in the Inland Zones) of this code shall be construed according to the common meaning of the words and the context of their usage.~~

~~§ 22.68.020. Design Review - Nonresidential, Multi-Unit, Two-Unit Residential and Mixed-Use Development.~~

~~A. Approval required before issuance of permit. No building permit or grading permit, the~~

~~application for which is subject to design review by the Architectural Board of Review in accordance with the requirements of this chapter, shall be issued without the approval of the Board or the City Council, on appeal.~~

~~B. Building permits - nonresidential, multi-unit residential, two-unit residential, and mixed-use. Any application for a building permit to construct, alter, or add to the exterior of a nonresidential, multi-unit residential, two-unit residential, or mixed-use development, or any application which will result in two or more residential units on one lot in any zone (other than the Residential Single Unit Zones listed in Chapter 28.15 or Chapter 30.20 of this code), shall be referred to the Architectural Board of Review for design review in accordance with the requirements of this chapter.~~

~~C. Subdivision grading plans. All subdivision grading plans involving grading on a lot or lots located in any zone (other than the Residential Single Unit Zones listed in Chapter 28.15 or Chapter 30.20 of this code) shall be referred to the Architectural Board of Review for a review of the proposed grading.~~

~~D. Grading permits. Any application for a grading permit that proposes grading on any lot (other than a lot located in the Residential Single Unit Zones listed in Chapter 28.15 or Chapter~~

~~30.20 of this code or a lot that is developed with either a single-unit residence, or a single-unit residence in combination with either an Additional Dwelling Unit (Section 28.93.030.E) or an Additional Residential Unit (Section 30.295.020.B.2)) and which application is not submitted in connection with an application for a building permit for the construction or alteration of a building or structure on the same lot shall be referred to the Architectural Board of Review for a review of the proposed grading.~~

~~E. Exterior color.~~

~~1. New Buildings. The Architectural Board of Review shall review the exterior color of any new building or structure that is subject to design review by the Architectural Board of Review.~~

~~2. Alterations. If a change of the exterior color of a building or structure is proposed in connection with another alteration to a building or structure that is subject to design review by the Architectural Board of Review, the Architectural Board of Review shall review the proposed change of color in the course of the design review of the other alteration(s).~~

~~3. Nonresidential Buildings or Structures. The Architectural Board of Review shall review any change to the exterior color of a nonresidential building or related accessory structure whether or not the change of color is proposed in connection with another alteration of the building or structure that is subject to design review by the Architectural Board of Review.~~

~~F. Highway 101 improvements. Improvements to U.S. Highway 101 or appurtenant highway structures which require a Coastal Development Permit pursuant to the City's Certified Local Coastal Program, and which are located within the Highway 101 Santa Barbara Coastal Parkway Special Design District as defined by Municipal Code Section 22.68.060, shall be referred to the Architectural Board of Review for design review, except for improvements to~~

~~those portions of U.S. Highway 101 and its appurtenant structures that are located within the El Pueblo Viejo Landmark District, which are subject to review by the Historic Landmarks Commission pursuant to Section 30.57.030.~~

~~G. Substantial alterations to approved landscape plans for lots developed with nonresidential or multi-unit residential uses. The Architectural Board of Review shall review~~

~~any substantial alteration or deviation from the design, character, plant coverage at maturity, or other improvements specified on an approved landscape plan for any lot within the City of Santa Barbara that is developed with multi-residential units, a mixed-use development, or a building that is occupied by a nonresidential use, whether or not such alteration or deviation to the landscape plan is proposed in connection with an alteration to a building or structure on the lot that is subject to design review by the Architectural Board of Review. Whether a proposed alteration or deviation is substantial shall be determined in accordance with the Architectural Board of Review guidelines.~~

~~H. Accessory buildings. The Architectural Board of Review shall review any new buildings, additions, or exterior alterations to existing buildings, on projects that are subject to design review by the Architectural Board of Review, for the following:~~

~~1. Detached accessory buildings greater than 500 square feet, or.~~

~~2. Buildings, or portions of buildings, providing covered parking, resulting in three or more covered parking spaces on the lot.~~

~~I. Minor zoning exceptions. The Architectural Board of Review shall review applications for a Minor Zoning Exception whenever it is allowed by Title 30 on all projects that are subject to review by the Architectural Board of Review, subject to the criteria and findings in Title 30.~~

~~J. Alternative open yard design. The Architectural Board of Review shall review applications for an Alternative Open Yard Design on multi-unit residential or mixed-use projects, subject to the criteria and findings Section 30.140.140, Open Yards.~~

~~K. Outdoor sales and display. The Architectural Board of Review shall review all proposals for Outdoor Sales and Display (as described in Section 30.295.040.W).~~

~~L. Architectural Board of Review submittal requirements. Applications for review by the Architectural Board of Review shall be made in writing in such form as is approved by the Community Development Director. No application required to be referred to the Architectural Board of Review shall be considered complete unless accompanied by the application fee in the amount established by resolution of the City Council.~~

~~M. Administrative review and approval. Minor design alterations, as specified in the Architectural Board of Review Design Guidelines approved by a resolution of the City Council, may be approved as a ministerial action by the Community Development Director without review by the Architectural Board of Review. The Community Development Director~~

~~shall have the authority and discretion to refer any minor design alteration to the Architectural Board of Review if, in the opinion of the Community Development Director, the alteration has the potential to have an adverse effect on the architectural or landscape integrity of the building, structure or surrounding property.~~

~~§ 22.68.030. Alternative Design Review by Historic Landmarks Commission.~~

~~A project that is otherwise subject to review by the Architectural Board of Review in accordance with the requirements of this chapter shall be referred to the Historic Landmarks Commission for review in accordance with the requirements of Chapter 30.157 if the project is proposed in any of the following locations:~~

~~A. A lot on which a City Landmark or City Structure of Merit is located,~~

~~B. A property on the City's Potential Historic Resources List, or~~

~~C. Any property located within El Pueblo Viejo Landmark District or another landmark district.~~

~~This referral to the Historic Landmarks Commission is supplemental to any other design review requirements required by Chapter 30.57 due to the status of any building or structure on the lot or the location of the lot within a landmark district. The fact that an application for a building permit or grading permit is not subject to design review pursuant to this chapter shall not excuse or exempt an application from review pursuant to Chapter 30.57 of this code.~~

~~§ 22.68.040. Architectural Board of Review Notice and Hearing.~~

~~A. Projects that require a noticed hearing. Review of the following projects by the Architectural Board of Review must be preceded by a noticed public hearing:~~

~~1. A new two-unit residential, multi-unit residential, mixed-use or nonresidential building,~~

~~2. The addition of over 500 square feet of net floor area to a two-unit residential or multi-unit residential development,~~

~~3. An addition of a new story or an addition to an existing second or higher story of a two-unit residential or multi-unit residential development,~~

~~4. An addition or alteration that will result in an additional residential unit on a lot,~~

~~5. Small nonresidential additions as defined in Chapter 28.85 or Chapter 30.170 of this code,~~

~~6. Projects involving grading in excess of 250 cubic yards outside the footprint of any main building (soil located within five feet of an exterior wall of a main building that is excavated and recompacted shall not be included in the calculation of the volume of grading outside the building footprint), or~~

~~7. Projects involving exterior lighting with the apparent potential to create significant glare on neighboring parcels.~~

~~8. Projects involving an application for a Minor Zoning Exception as specified in Section 30.245.050 of this code.~~

~~B. Mailed notice. Not less than 10 calendar days before the date of the hearing required by subsection A above, the City shall cause written notice of the project hearing to be sent by first class mail to the following persons: the applicant and the current record owner (as shown on the latest equalized assessment roll) of any lot, or any portion of a lot, which is located not more than 300 feet from the exterior boundaries of the lot which is the subject of the action. The written notice shall advise the recipient of the following: (1) the date, time and location of the hearing; (2) the right of the recipient to appear at the hearing and to be heard by the Architectural Board of Review; (3) the location of the subject property; and (4) the nature of the application subject to design review.~~

~~C. Additional noticing methods. In addition to the required mailed notice specified in subsection B above, the City may also require notice of the hearing to be provided by the applicant in any other manner that the City deems necessary or desirable, including, but not limited to, posted notice on the project site and notice delivered to non-owner residents of any of the 20 lots closest to the lot which is the subject of the action. However, the failure of any person or entity to receive notice given pursuant to such additional noticing methods shall not constitute grounds for any court to invalidate the actions of the City for which the notice was given.~~

~~D. Projects requiring decisions by the City Council, Planning Commission, or Staff Hearing Officer. Whenever a project requires another land use decision or approval by the City Council, the Planning Commission, or the Staff Hearing Officer, the mailed notice of the first hearing before the Architectural Board of Review shall comply with the notice~~

~~requirements of this section or the notice requirements applicable to the other land use decision or approval, whichever are greater. However, nothing in this section shall require either: (1) notice of any hearing before the Architectural Board of Review to be published in a newspaper; or (2) mailed notice of hearings before the Architectural Board of Review after the first hearing conducted by the Architectural Board of Review, except as otherwise provided in the Architectural Board of Review Guidelines adopted by resolution of the City Council.~~

~~§ 22.68.045. Project Compatibility Analysis.~~

~~A. Purpose. The purpose of this section is to promote effective and appropriate communication between the Architectural Board of Review and the Planning Commission (or the Staff Hearing Officer) in the review of development projects and in order to promote consistency between the City land use decision making process and the City design review process as well as to show appropriate concern for preserving the historic character of certain areas of the City.~~

~~B. Project compatibility findings. In addition to any other considerations and requirements specified in this code, the following findings shall be considered by the Architectural Board of Review when it reviews and approves or disapproves the design of a proposed development project in a noticed public hearing pursuant to the requirements of Chapter 22.68:~~

~~1. Consistency with Design Guidelines. The design of the project is consistent with design guidelines applicable to the location of the project within the City.~~

~~2. 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.~~

~~3. 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.~~

~~4. Sensitivity to Adjacent Landmarks and Historic Resources. The design of the project is appropriately sensitive to adjacent Federal, State, and City Landmarks and other nearby designated historic resources, including City structures of merit, sites, or natural features.~~

~~5. Public Views of the Ocean and Mountains. The design of the project responds appropriately to established scenic public vistas.~~

~~6. Use of Open Space and Landscaping. The project includes an appropriate amount of open space and landscaping.~~

~~C. Review procedures.~~

~~1. Projects with Design Review Only. If a project only requires design review by the Architectural Board of Review pursuant to the provisions of this chapter and does not require some form of discretionary land use approval, the Architectural Board of Review shall consider the applicable Project Compatibility Findings during the course of its review prior to granting an approval, denial or continuance of project design approval for the project.~~

~~2. Projects with Design Review and Other Discretionary Approvals. If, in addition to design review by the Architectural Board of Review, a project requires a discretionary land use approval (either from the Staff Hearing Officer, the Planning Commission, or the City Council), the Architectural Board of Review shall review and discuss the applicable Project Compatibility Findings during its conceptual review of the project and shall provide its comments on those findings as part of the minutes of the Board decision forwarded to the Staff Hearing Officer, the Planning Commission, or the City Council (as applicable).~~

~~§ 22.68.050. Architectural Board of Review Referral to Planning Commission.~~

~~A. Planning commission comments. When the Architectural Board of Review determines that a project is proposed for a site which is highly visible to the public, the Board may, prior to granting preliminary approval on the application, require presentation of the application to the Planning Commission solely for the purpose of obtaining comments from the Planning Commission regarding the application for use by the Architectural Board of Review in its deliberations.~~

~~B. Planning commission notice and hearing. The Planning Commission shall hold a noticed hearing prior to making any comments on a project pursuant to this section. Notice of the Planning Commission hearing shall be provided in accordance with the requirements of Section 22.68.040.~~

~~§ 22.68.060. Special Design Districts.~~

~~The following areas are identified as City Special Design Districts:~~

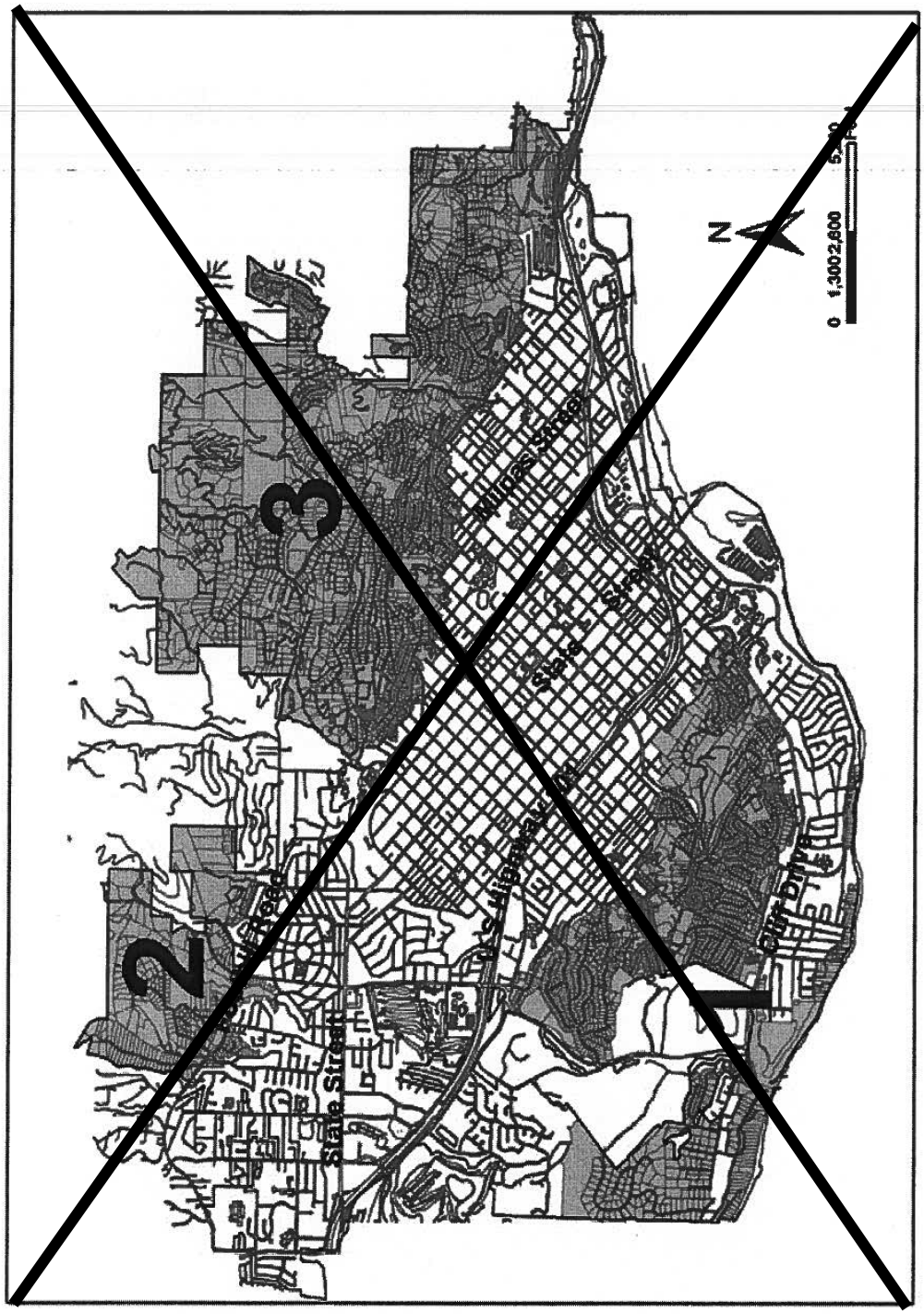
~~A. Mission Area Special Design District. All real property located within 1,000 feet of Part II of El Pueblo Viejo Landmark District, as legally described in Section 22.22.100.B.~~

~~B. Hillside Design District. All real property within the Hillside Design District as delineated on the maps labeled "Hillside Design District" which are part of this code and are shown at the end of this chapter. All notations, references, and other information shown on said maps are incorporated herein and made a part hereof. The entirety of any annexation shall become a part of the Hillside Design District upon annexation, unless otherwise determined as part of the annexation.~~

~~C. 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 S-D-3 Coastal Overlay Zone.~~

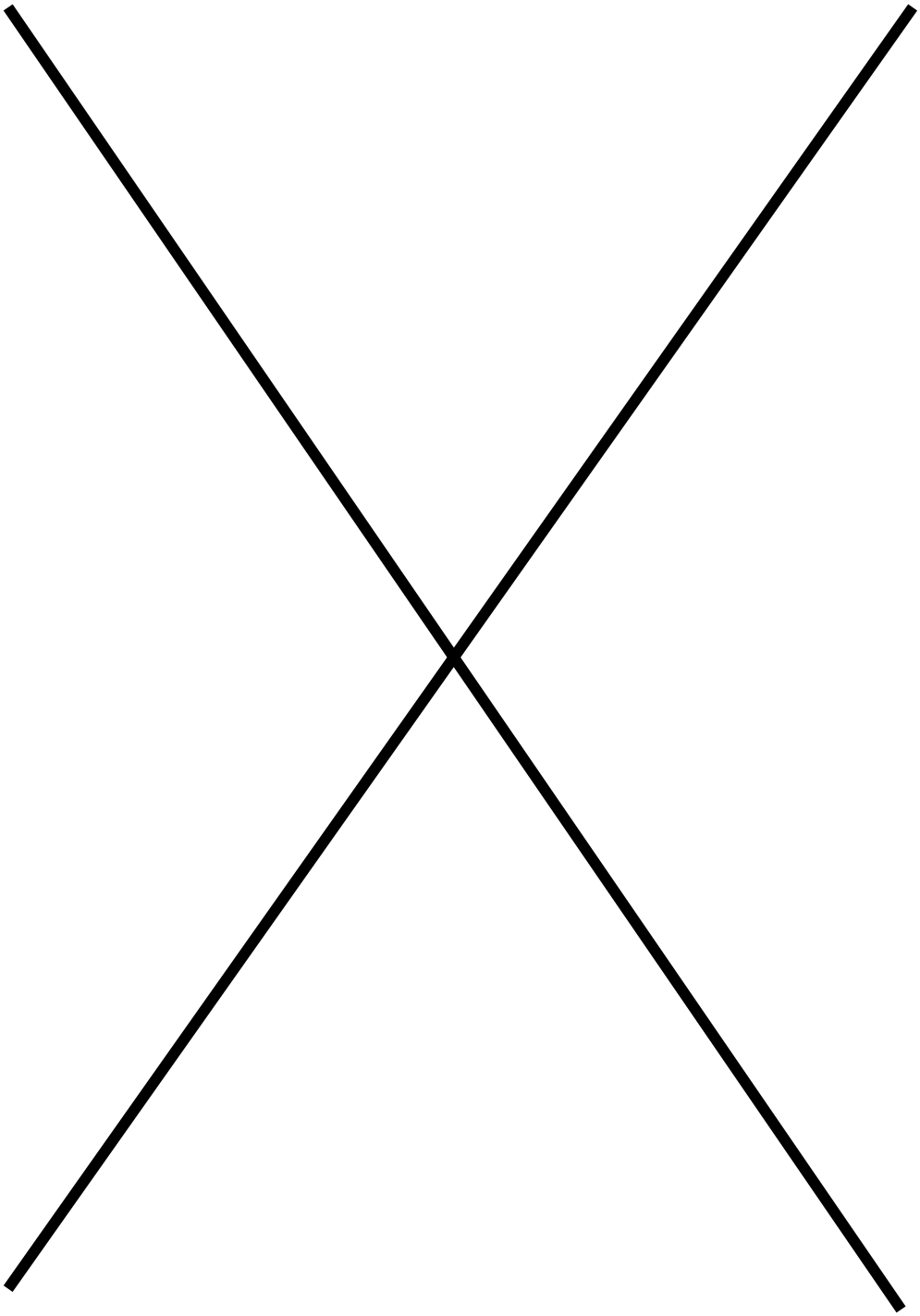
~~D. Lower Riviera Survey Area - Bungalow District. All real property within "Lower Riviera Survey Area - Bungalow District" as shown on the map labeled as such and appended to the end of this section -hereinafter referred to as the "Bungalow District."~~

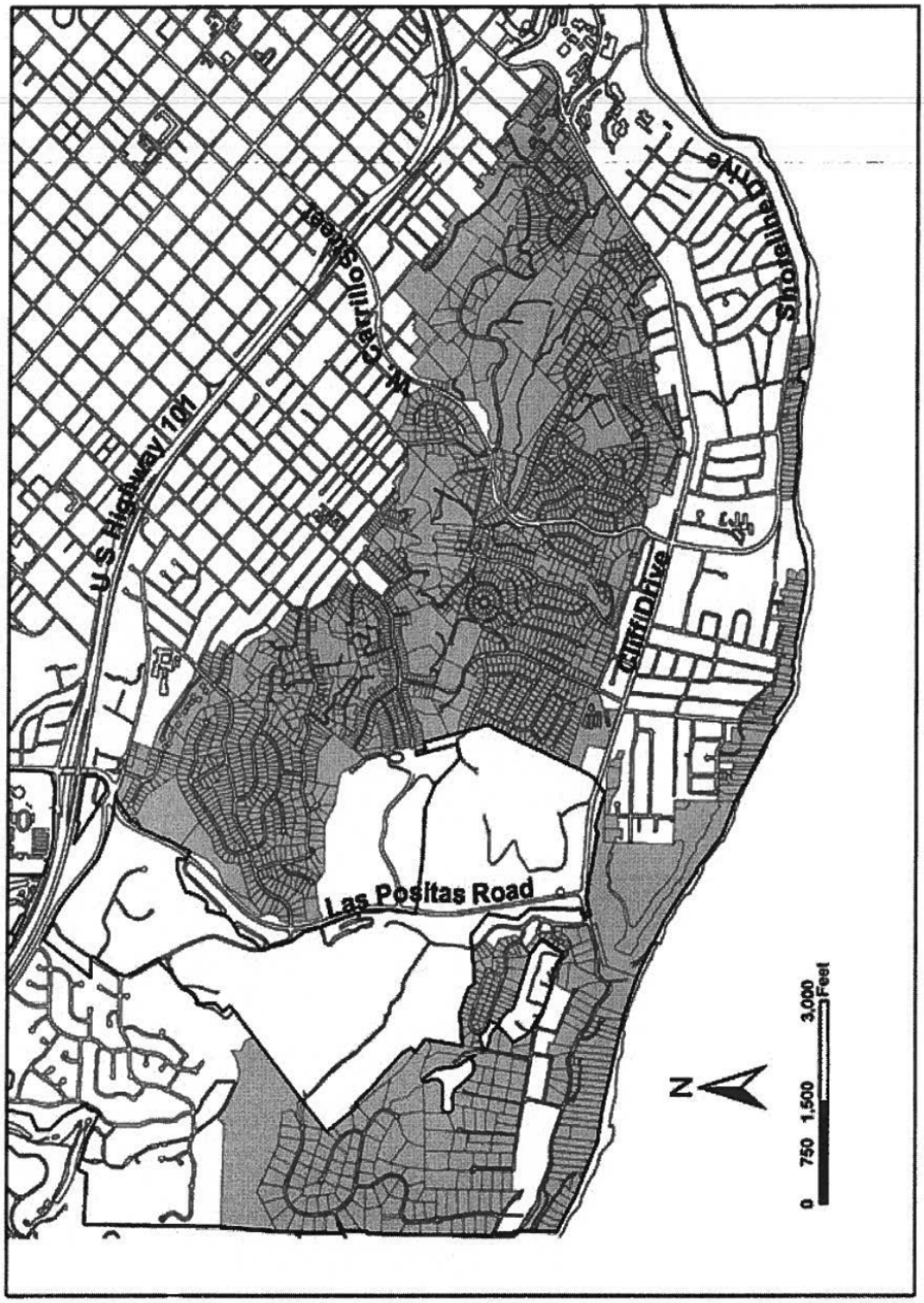
~~HILLSIDE DESIGN DISTRICT INDEX MAP~~



HILLSIDE DESIGN DISTRICT INDEX MAP

~~HILLSIDE DESIGN DISTRICT MAP – AREA 2~~





HILLSIDE DESIGN DISTRICT MAP – AREA 1

~~HILLSIDE DESIGN DISTRICT MAP – AREA 3~~



HILLSIDE DESIGN DISTRICT MAP – AREA 2

~~§ 22.68.070. Special Design District - Lower Riviera Survey Area (Bungalow District).~~

~~A. Special Design District area map - Lower Riviera Survey Area - Bungalow District. Applications for building permits to construct, alter, or add to multi-unit residential or two-unit residential development on lots located within the "Lower Riviera Survey Area - Bungalow District" established pursuant to Section 22.68.060 shall be subject to design review in accordance with the requirements of this section as follows:~~

~~B. Review of building permit applications. Applications for building permits to construct, alter, or add to multi-unit residential or two-unit residential development on lots located within the Bungalow District shall be referred to the Community Development Director for review to determine if the application constitutes a project to demolish the structure. For the purposes of this section, a "demolition" shall be as defined in Section 30.300.080. Such a determination shall be made by the Community Development Director in writing within 30 days of the date of the original application. If the Community Development Director determines that the property is eligible for listing on the City's Potential Historic Resources list, the demolition application shall be referred to the Historic Landmarks Commission for determination of the historical significance of the building or structure pursuant to Section 30.157.110. If it is determined that the property is not eligible for listing on the City's Potential Historic Resources list and the Community Development Director determines that the application does constitute an application to demolish the structure, such application shall be referred to the City's Architectural Board of Review for review by the Board in accordance with the requirements of this section. If the Community Development Director determines that the application does not constitute a demolition under the terms of this section, the building permit shall be issued upon compliance with the otherwise applicable requirements of this code for appropriate and required design and development review.~~

~~C. Review of Bungalow District demolition applications by the Architectural Board of Review. An application referred to the Architectural Board of Review pursuant to subsection B above shall be reviewed by the Architectural Board of Review in accordance with the hearing, noticing, and appeal procedures established in Sections 22.68.040 and 22.68.100. An application referred to the Architectural Board of Review pursuant to subsection B above shall not be approved unless the Architectural Board of Review makes all of the following findings with respect to that application:~~

~~1. That the demolition will not result in the loss of a structure containing a primary feature or features of Bungalow or Arts and Crafts style residential architecture, which features are worthy of or appropriate for historical preservation;~~

~~2. That the demolition will not result in the loss of a structure which, although not eligible as a City Historic Resource, is a prime example of the Bungalow or Arts and Crafts style residential building appropriate for historical preservation;~~

~~3. That the demolition will not result in the loss of a structure which is prominent or which is a prime example of the Bungalow or Arts and Crafts style residential architecture for which this neighborhood is characterized or known.~~

~~D. Architectural Board of Review conditional approval of demolition within the Bungalow District.~~

~~1. Notwithstanding the above-stated requirement for appropriate demolition findings, the ABR may approve a demolition application within the Bungalow District if the ABR conditions the demolition permit such that any proposed future development of the real property upon which the structure or structures are located must comply with express conditions of approval designed to preserve certain existing architectural features or buildings, as determined appropriate by the ABR.~~

~~2. Such conditions may provide that any future development of the property involved must either incorporate the existing structures, in whole or in part, into the new development, or it must preserve certain features or aspects of the existing structures or of the site such that these features are incorporated into any future development of the real property, either through the preservation of the building or feature or its replication in the new development, as may be determined appropriate by the ABR.~~

~~3. Such conditions of approval shall be prepared in written form acceptable to the Community Development Director and the City Attorney and shall be recorded in the official records of Santa Barbara County with respect to the involved real property prior to issuance of any building permit for said demolition such that these conditions shall be binding on all future owners of the real property as conditions imposed on any new development for a period of 20 years after the conditional approval of the original demolition application and the completion of the demolition.~~

~~E. Review of new development within the Bungalow District by Architectural Board of Review. Applications for building permits to construct new multi-unit residential or two-unit~~

~~residential development on lots located within the Bungalow District shall be referred to the Architectural Board of Review for development plan review and approval in accordance with the public hearing, noticing and appeal requirements of Sections 22.68.040 and 22.68.100, provided that the property owner/applicant may be required to submit those development plan materials deemed necessary for full and appropriate review by the ABR prior to the ABR hearing.~~

~~F. Bungalow District findings. The ABR shall not approve a new development within the Bungalow District unless it makes both of the following findings:~~

~~1. Express conditions of approval have been imposed on the proposed development which appropriately incorporate the existing structures or architectural features or other aspects of these structures (or of the site involved) into the new development, or these structures, features or aspects will be appropriately replicated in the new development; and~~

~~2. The proposed development will not substantially diminish the unique architectural style and character of the Bungalow District as a residential neighborhood of the City.~~

~~G. Guidelines for Special Design District. The Lower Riviera Special Design District Guidelines adopted by resolution of the City Council shall provide direction and appropriate guidance to the ABR, the Planning Commission and City staff in connection with the review of applications filed pursuant to this section.~~

~~§ 22.68.080. Signs.~~

~~Application for sign permits shall be considered by the Architectural Board of Review only upon an appeal filed pursuant to Section 22.70.050.J of this code.~~

~~§ 22.68.090. Approval of Plans for Buildings or Structures on City Lands.~~

~~No building or structure shall be erected upon any land owned or leased by the City, or allowed to extend over or upon any street, or other public property, unless plans for the same and the location thereof shall first have been submitted to the Architectural Board of Review or the Historic Landmarks Commission, as applicable, for its approval.~~

~~§ 22.68.100. Appeal to Council - Notice and Hearing.~~

~~A. Procedure for appeal. Any action of the Architectural Board of Review on an application for preliminary or final approval taken pursuant to this chapter may be appealed to the City Council by the applicant or any interested person pursuant to Chapter 1.30 of this~~

~~Code. In deciding such an appeal, the City Council shall make those findings required of the Board with respect to a determination made pursuant to this chapter.~~

~~B. Notice of appeal. In addition to the procedures specified in Chapter 1.30, notice of the public hearing before the City Council on an appeal from a decision of the Architectural Board of Review made pursuant to this chapter shall be provided in the same manner as notice was provided for the hearing before the Architectural Board of Review.~~

~~C. Limits on new evidence. The City Council will decide the appeal in the exercise of its independent judgment based upon the record of the proceedings of the Single Family Design Board. New evidence will not be considered unless the City Council determines that relevant evidence exists that, in the exercise of reasonable diligence, could not have been produced or was improperly excluded at the hearing before the Architectural Board of Review.~~

~~§ 22.68.110. Expiration of Project Design Approvals.~~

~~A. Project design approval.~~

~~1. Approval Valid for Three Years. A Project Design Approval issued by the Architectural Board of Review or the City Council on appeal shall expire if a building permit for the project is not issued within three years of the granting of the Project Design Approval by the Architectural Board of Review or the City Council on appeal.~~

~~2. Extension of Project Design Approvals. Upon a written request from the applicant submitted prior to the expiration of the Project Design Approval, the Community Development Director may grant one two-year extension of a Project Design Approval.~~

~~B. Exclusions of time. The time period specified in this chapter for the validity of a Project Design Approval shall not include any period of time during which either of the following applies:~~

~~1. A City moratorium ordinance on the issuance of building permits is in effect; or~~

~~2. A lawsuit challenging the validity of the Project's approval by the City is pending in a court of competent jurisdiction.~~

SECTION 3. Chapter 22.69 of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

CHAPTER 22.69

SINGLE FAMILY DESIGN BOARD

Design review is as required by Chapter 30.220, Design Review, Section 30.220.040, Single Family Design Board.

~~**§ 22.69.010. Single Family Design Board.**~~

~~A. Purpose. A Single Family Design Board is hereby created and established by the City to promote the general public welfare, protect and preserve the City's natural and historical charm, and enhance the City's aesthetic appeal and beauty. The goal of the Single Family Design Board shall be to ensure that single-unit residential projects are compatible with the surrounding neighborhood in size and design. The Single Family Design Board is also charged with the task of protecting public visual resources and promoting the ecological sustainability of the City's built environment through the design review process.~~

~~B. Membership. The Single Family Design Board shall be composed of five members appointed by the City Council. At least one member shall be a licensed architect. Up to three members of the public at large, who reside in the city, may be appointed who do not possess professional qualifications in fields related to architecture. Remaining members shall possess professional qualifications in fields related to architecture or landscape architecture, including, but not limited to, building design, structural engineering, industrial design, urban planning, or landscape contracting. All members of the Board with professional qualifications shall reside within Santa Barbara County and all members shall hold office at the pleasure of the City Council. A person may serve on the Architectural Board of Review or the Historic Landmarks Commission and the Single Family Design Board at the same time.~~

~~C. Conduct of meetings. The members of the Single Family Design Board shall elect from their own members a chair and vice-chair. The Community Development Director shall act as secretary and record Board actions and render written reports thereof for the Board as required by this chapter. The rules of procedure for the Board shall be established and approved by resolution of the City Council. Three members shall constitute a quorum.~~

~~§ 22.69.015. Definitions.~~

~~Community Development Director. Community Development Director of the City of Santa Barbara, or designee.~~

~~Defined in this Chapter. If any word or phrase is defined in this chapter, the definition given in this chapter shall be operative for the purposes of this chapter.~~

~~Defined in the Municipal Code. If a word or phrase used in this chapter is not defined in this chapter, but is defined in Chapter 28.04 (for properties in the Coastal Zone), or either Chapter~~

~~30.295 or Chapter 30.300 (for properties in the Inland Zones) of this code, the word or phrase shall have the same meaning in this chapter as the meaning specified in the chapter that applies to the zone in which the property is located.~~

~~Project Design Approval. The review and approval of an application filed pursuant to this chapter~~

~~where the minutes of the Single Family Design Board identify the approval as "Project Design Approval." For the purposes of the State Permit Streamlining Act (Government Code Section 65950 et seq.), the Project Design Approval is the substantive approval of the project on its design merits.~~

~~Undefined Words and Phrases. Any words or phrases used in this chapter that are not defined in this chapter, Chapter 28.04 (for properties in the Coastal Zone), or either Chapter 30.295 or Chapter 30.300 (for properties in the Inland Zones) of this code shall be construed according to the common meaning of the words and the context of their usage.~~

~~§ 22.69.020. Neighborhood Preservation - Single Family Residential Unit Design Review.~~

~~A. Approval required before issuance of permit. No building permit, grading permit, vegetation removal permit, or subdivision grading plan, the application for which is subject to the review of the Single Family Design Board pursuant to this chapter, shall be issued without the approval of the Board or the City Council, on appeal.~~

~~B. Building permits - special design districts.~~

~~1. Mission Area Special Design District and Lower Riviera Survey Area - Bungalow District. Applications for building permits to construct, alter, or add to the exterior of a single-unit residence or a related accessory structure on a lot or lots within the Mission Area Special Design District or the Lower Riviera Survey Area - Bungalow District identified in Section 22.68.060 shall be referred to the Single Family Design Board for design review in accordance~~

~~with the requirements of this chapter and the approved Single Family Design Board Guidelines.~~

~~2. Hillside Design District. Applications for building permits to construct, alter, or add to the exterior of any lot developed with either a single-unit residence, or a single-unit residence in combination with an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2), or an accessory structure on a lot or lots within the Hillside Design District identified in Section 22.68.060 shall be referred to the Single Family Design Board for design review in accordance with the requirements of this chapter and the approved Single Family Design Board Guidelines if either:~~

~~a. The average slope of the lot or the building site is 20% or more as calculated pursuant to Section 28.15.080 or 30.15.030 of this code; or~~

~~b. The application involves the replacement of an existing roof covering with a roof covering of different materials or colors.~~

~~C. Building permits - single-unit residential and additional residential units. Applications for building permits to construct, alter, or add to the exterior of any lot developed with either a single-unit residence, or a single-unit residence in combination with an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2), or an accessory structure on any lot shall be referred to the Single Family Design Board for design review in accordance with the requirements of this chapter and the Single Family Design Board Guidelines if the project for which the building permit is sought involves any of the following:~~

~~1. The construction of a new building or structure where any portion of the proposed construction is either: (a) two or more stories tall, or (b) 17 feet or taller in building height (for purposes of this paragraph 1, building height shall be measured from natural grade or finished grade, whichever is lower), or~~

~~2. An alteration to an existing building or structure where any portion of the proposed alteration either: (a) alters the second or higher story of the building or structure, or (b) alters a point on the existing building or structure that is 17 feet or higher in building height (for purposes of this paragraph 2, building height shall be measured from natural grade or finished grade, whichever is lower), or~~

~~3. An addition to an existing building or structure where any part of the proposed addition is either: (a) two or more stories tall, or (b) 17 feet or taller in building height (for~~

~~purposes of this paragraph 3, building height shall be measured from natural grade or finished grade, whichever is lower), or~~

~~4. The net floor area of all floors of all existing and new buildings on the lot will exceed 4,000 square feet as calculated pursuant to Section 28.15.083 or 30.20.030.A. of this code, or~~

~~5. The project requires a net floor area modification pursuant to Section 28.92.110.A.6 or 30.250.020.E of this code, or~~

~~6. The construction, alteration, or addition of a deck on the second or higher floor (including roof decks) or a balcony on the second or higher floor of any building that will extend perpendicularly more than three feet from the adjacent exterior wall or will be more than seven feet in length in the dimension parallel to the adjacent exterior wall, or~~

~~7. The construction, alteration, or addition of a retaining wall that is six feet or greater in height, or~~

~~8. The construction, alteration, or addition of a wall, fence or gate in the front yard of the lot that is greater than three and one half feet in height, excluding walls, fences, or gates that are constructed along the interior lot lines of the lot, shall be referred to the Single Family Design Board for a review of the proposed wall, fence or gate, or~~

~~9. The installation of a manufactured home, mobile home or factory-built home (as those terms are defined in the California Health and Safety Code), subject to the limitations on review specified in Government Code section 65852.3 et seq., or~~

~~10. The installation of a single-unit residence that was, as a whole or in part, previously located on another lot, or~~

~~11. Grading outside the footprint of the main building on the lot that exceeds either: (i) 50 cubic yards on a lot within the Hillside Design District identified in Section 22.68.060, or (ii) 250 cubic yards on a lot that is not within the Hillside Design District. For purposes of this paragraph 11, soil located within five feet of an exterior wall of a main building that is excavated and recompacted shall not be included in the calculation of the volume of grading outside the main building footprint, or~~

~~12. Projects involving an application for an exception to the covered parking requirements as specified in Section 28.90.100.G.1.c. or 30.175.030.N.1.a.ii. of this code.~~

~~13. Any new buildings, additions, or exterior alterations to existing buildings, resulting in either: (a) detached accessory buildings greater than 500 square feet, or (b) buildings, or portions of buildings, providing covered parking, resulting in three or more covered parking spaces on the lot.~~

~~D. Subdivision grading plans. All subdivision grading plans involving grading on a lot or lots located in any of the One Family Residence Zones (Chapter 28.15) or Single-Unit Residential Zones (Chapter 30.20) of this code shall be referred to the Single Family Design Board for a review of the proposed grading.~~

~~E. Grading permits. Applications for grading permits that propose grading on a vacant lot or lots located within a One-Family Residence Zones (Chapter 28.15) or Single-Unit Residential Zones (Chapter 30.20) of this code or on any lot that is developed with a single-unit residence, or a single-unit residence in combination with either an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2) or accessory buildings, and which are not submitted in connection with an application for a building permit for the construction or alteration of a building or structure on the same lot or lots, shall be referred to the Single Family Design Board for a review of the proposed grading.~~

~~F. Vegetation removal permits. Applications for vegetation removal permits pursuant to Chapter 22.10 of this title on a lot or lots located within a One-Family Residence Zone (Chapter 28.15) or a Single-Unit Residential Zone (Chapter 30.20), or on any lot that is developed with single-unit residence, or a single-unit residence in combination with an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2), or accessory buildings, shall be referred to the Single Family Design Board for a review of the proposed vegetation removal.~~

~~G. Retaining walls. The following types of retaining wall improvements, if located on a lot or lots within a One-Family Residence Zone (Chapter 28.15) or a Single-Unit Residential Zone (Chapter 30.20), or on any lot that is developed with a single-unit residence, or a single-unit residence in combination with an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2), or accessory buildings shall be referred to the Single Family Design Board for design review of the proposed retaining walls in accordance with the requirements of this chapter and the approved Single Family Design Board Guidelines:~~

~~1. The construction of a retaining wall on a lot or a building site with an average slope of 15% or more (as calculated pursuant to Section 28.15.080 or 30.15.030 of this code), or~~

~~2. The construction of a retaining wall on a lot that is adjacent to or contains an ocean bluff, or~~

~~3. The construction of multiple terracing retaining walls that are not separated by a building or a horizontal distance of more than 10 feet where the combined height of the walls exceeds six feet.~~

~~H. Substantial alterations to approved landscape plans. The Single Family Design Board shall review any substantial alteration or deviation from the design, character, plant coverage at maturity, or other improvements specified on an approved landscape plan for any lot within the City of Santa Barbara that is developed with a single-unit residence where the conditions of approval for the development on the lot require the installation and maintenance of trees or landscaping in accordance with an approved landscape plan, whether or not such alteration or deviation to the landscape plan is proposed in connection with an alteration to a building or structure on the lot that is subject to design review by the Single Family Design Board. Whether a proposed alteration or deviation is substantial shall be determined in accordance with the Single Family Design Guidelines.~~

~~I. Minor zoning exceptions. The Single Family Design Board shall review applications for a Minor Zoning Exception whenever it is allowed by Title 30, on any lot that is developed with a single-unit residence or a single-unit residence in combination with Additional Residential Unit (Section 30.295.020.B.2), subject to the criteria and findings in Title 30.~~

~~J. Submittal requirements. Applications for review by the Single Family Design Board shall be made in writing in such form as is approved by the Director of Community Development. No application shall be considered complete unless accompanied by the application fee in the amount established by resolution of the City Council.~~

~~K. Administrative approval. Minor design alterations, as specified in the Single Family Design Guidelines or the Single Family Design Board Guidelines approved by a resolution of the City Council, may be approved as a ministerial action by the Community Development Director without review by the Single Family Design Board. The Community Development Director shall have the authority and discretion to refer any minor design alteration to the Single Family Design Board if, in the opinion of the Community Development Director, the alteration has the potential to have an adverse effect on the architectural or landscape integrity of the building, structure or surrounding property.~~

~~L. Presumption regarding prior grading, tree removal, and construction. There shall be a presumption that any grading, removal of trees, or construction that occurred on the lot within~~

~~two years prior to the submittal of an application for a building permit to construct, alter, or add to a single-unit residence, an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2) or a related accessory structure was done in anticipation of such application, and said activities will be included in determining whether the project is subject to review by the Single Family Design Board pursuant to this chapter. For purposes of this presumption, if the prior work required a permit from the City, the prior work shall not be considered complete unless a final inspection has occurred or a certificate of occupancy has been issued. An applicant has the burden to rebut this presumption with substantial evidence sufficient to convince the Single Family Design Board that such work was not done in an effort to avoid review of the entirety of the project by the Single Family Design Board.~~

~~M. Single family design guidelines. The Single Family Design Guidelines adopted by resolution of the City Council shall provide direction and appropriate guidance to decision makers and City staff in connection with applications reviewed pursuant to this chapter.~~

~~§ 22.69.030. Alternative Design Review by Historic Landmarks Commission.~~

~~A project shall be referred to the Historic Landmarks Commission for review under Section~~

~~30.220.020 of this Code if the project is proposed in any of the following locations:~~

~~A. A lot on which a City Landmark or City Structure of Merit is located;~~

~~B. A property on the City's Potential Historic Resources List; or~~

~~C. Any property located within the El Pueblo Viejo Landmark District or another landmark district.~~

~~Review by the Historic Landmarks Commission is in lieu of review by the Single Family Design Board under this chapter.~~

~~§ 22.69.040. Single Family Design Board Notice and Hearing.~~

~~A. Projects that require a noticed public hearing. Single Family Design Board review of the following projects must be preceded by a noticed public hearing:~~

~~1. New single-unit residence, Additional Dwelling Unit (Section 28.93.030.E) or Additional Residential Unit (Section 30.295.020.B.2);~~

~~2. The addition of over 500 square feet of net floor area to a single-unit residence, an Additional Dwelling Unit (Section 28.93.030.E) or an Additional Residential Unit (Section 30.295.020.B.2);~~

~~3. An addition of a new second or higher story to a single-unit residence, an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2), or a related accessory structure;~~

~~4. An addition of over 150 square feet of net floor area to an existing second or higher story of a single-unit residence, an Additional Dwelling Unit (Section 28.93.030.E), an Additional Residential Unit (Section 30.295.020.B.2), or a related accessory structure;~~

~~5. Projects involving an application for a Minor Zoning Exception as specified in Title 30 of this code;~~

~~6. Projects involving grading in excess of 250 cubic yards outside the footprint of any main building (soil located within five feet of an exterior wall of a main building that is excavated and recompacted shall not be included in the calculation of the volume of grading outside the building footprint);~~

~~7. Projects involving exterior lighting with the apparent potential to create significant glare on neighboring parcels; or~~

~~8. Projects involving an application for an exception to the covered parking requirements as specified in Section 28.90.100.G.1.c or 30.175.030.M of this code.~~

~~B. Mailed notice. Not less than 10 calendar days before the date of the hearing required by subsection A above, the City shall cause written notice of the project hearing to be sent by first class mail to the following persons: (1) the applicant, and (2) the current record owner (as shown on the latest equalized assessment roll) of any lot, or any portion of a lot, which is located not more than 300 feet from the exterior boundaries of the lot which is the subject of the action. The written notice shall advise the recipient of the following: (1) the date, time and location of the hearing, (2) the right of the recipient to appear at the hearing and to be heard by the Single Family Design Board, (3) the location of the subject property, and (4) the nature of the application subject to design review.~~

~~C. Additional noticing methods. In addition to the required mailed notice specified in subsection B above, the City may also require notice of the hearing to be provided by the applicant in any other manner that the City deems necessary or desirable, including, but not limited to, posted notice on the project site and notice delivered to non-owner residents of any of the 10 lots closest to the lot which is the subject of the action. However, the failure of any person or entity to receive notice given pursuant to such additional noticing methods shall not constitute grounds for any court to invalidate the actions of the City for which the notice was given.~~

~~D. Projects requiring decisions by the city Council, Planning Commission, or Staff Hearing Officer. Whenever a project requires another land use decision or approval by the City Council, the Planning Commission, or the Staff Hearing Officer, the mailed notice of the first hearing before the Single Family Design Board shall comply with the notice requirements of this section or the notice requirements applicable to the other land use decision or approval, whichever are greater. However, nothing in this section shall require either: (1) notice of any hearing before the Single Family Design Board to be published in a newspaper; or (2) mailed notice of hearings before the Single Family Design Board after the first hearing conducted by the Single Family Design Board, except as otherwise provided in the Single Family Design Board Guidelines adopted by resolution of the City Council.~~

~~§ 22.69.050. Neighborhood Preservation, Grading and Vegetation Removal Ordinance Findings.~~

~~If a project is referred to the Single Family Design Board for review pursuant to Section 22.69.020 and the Single Family Design Board Guidelines, the Single Family Design Board shall make the findings specified below prior to approving the project.~~

~~A. Neighborhood preservation findings. Prior to approval of any project, the Single Family Design Board shall make each of the following findings:~~

~~1. Consistency and Appearance. The proposed development is consistent with the scenic character of the City and will enhance the appearance of the neighborhood.~~

~~2. Compatibility. The proposed development is compatible with the neighborhood, and its size, bulk, and scale are appropriate to the site and neighborhood.~~

~~3. Quality Architecture and Materials. The proposed buildings and structures are designed with quality architectural details. The proposed materials and colors maintain the natural appearance of the ridgeline or hillside.~~

~~4. Trees. The proposed project does not include the removal of or significantly impact any designated Specimen Tree, Historic Tree or Landmark Tree. The proposed project, to the maximum extent feasible, preserves and protects healthy, non-invasive trees with a trunk diameter of four inches or more measured four feet above natural grade. If the project includes the removal of any healthy, non-invasive tree with a diameter of four inches or more measured four feet above natural grade, the project includes a plan to mitigate the impact of such removal by planting replacement trees in accordance with applicable tree replacement ratios.~~

~~5. Health, Safety, and Welfare. The public health, safety, and welfare are appropriately protected and preserved.~~

~~6. Good Neighbor Guidelines. The project generally complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting.~~

~~7. Public Views. The development, including proposed structures and grading, preserves significant public scenic views of and from the hillside.~~

~~B. Hillside Design District and sloped lot findings. In addition to the findings specified in subsection A above, prior to approval of any project on a lot within the Hillside Design District described in Section 22.68.060 or on a lot or a building site that has an average slope of 15% or more (as calculated pursuant to Section 28.15.080 or 30.15.030 of this code), the Single Family Design Board shall make each of the following findings:~~

~~1. Natural Topography Protection. The development, including the proposed structures and grading, is appropriate to the site, is designed to avoid visible scarring, and does not significantly modify the natural topography of the site or the natural appearance of any ridgeline or hillside.~~

~~2. Building Scale. The development maintains a scale and form that blends with the hillside by minimizing the visual appearance of structures and the overall height of structures.~~

~~C. Grading findings. In addition to any other applicable findings specified in this section, prior to approval of any project that requires design review under Section 22.69.030 of this chapter, the Single Family Design Board shall make each of the following findings:~~

~~1. The proposed grading will not significantly increase siltation in or decrease the water quality of streams, drainages or water storage facilities to which the property drains; and~~

~~2. The proposed grading will not cause a substantial loss of southern oak woodland habitat.~~

~~D. Vegetation removal findings. In addition to any other applicable findings specified in this section, prior to approving a vegetation removal permit that requires design review under Section 22.69.030 of this chapter, the Single Family Design Board shall make each of the following findings:~~

~~1. The proposed vegetation removal will not significantly increase siltation in or decrease the water quality of streams, drainages or water storage facilities to which the property drains; and~~

~~2. The proposed vegetation removal will not cause a substantial loss of southern oak woodland habitat; and~~

~~3. The proposed vegetation removal will comply with all applicable provisions of Chapter 22.10, "Vegetation Removal," of this code.~~

~~§ 22.69.055. Green Building Standard for Large Residences.~~

~~If a project proposes more than 500 square feet of new net floor area (new construction, replacement construction, or additions), and the net floor area of all existing and new buildings on the lot resulting from the application will exceed 4,000 square feet of net floor area as calculated pursuant to Chapter 28.04, all new square footage (new construction, replacement construction, or additions) proposed as part of the project shall meet or exceed a three-star designation under the Santa Barbara Contractors' Association Built Green program or equivalent standards under another green construction program recognized by the City.~~

~~§ 22.69.060. Single Family Design Board Referral to Planning Commission for Comments.~~

~~A. Planning Commission comments. When the Single Family Design Board determines that a project is proposed for a site which is highly visible to the public, the Board may, prior to granting preliminary approval of the application, require presentation of the application to the Planning Commission solely for the purpose of obtaining comments from the Commission regarding the application for use by the Single Family Design Board in its deliberations.~~

~~B. Notice and hearing. Prior to making any comments regarding an application pursuant to this section, the Planning Commission shall hold a noticed public hearing. Notice of the hearing shall be provided in accordance with the requirements of Section 22.69.040.~~

~~§ 22.69.070. Special Design District - Lower Riviera Survey Area (Bungalow District).~~

~~A. Special Design District area map - Lower Riviera Survey Area - Bungalow District. Applications for building permits to construct, alter, or add to single-unit residential development or related accessory buildings or structures on lots located within the "Lower Riviera Survey Area - Bungalow District" established pursuant to Section 22.68.060 shall be subject to design review in accordance with the requirements of this section as follows:~~

~~B. Review of building permit applications. Applications for building permits to construct, alter, or add to single-unit residential development on lots located within the Bungalow District shall be referred to the Community Development Director for review to determine if the application constitutes a project to demolish the structure. For the purposes of this section, a "demolition" shall be as defined in Section 30.300.080. Such a determination shall be made by the Community Development Director in writing within 30 days of the date of the original permit application. If the Community Development Director determines that the property is eligible for listing on the City's Potential Historic Resources list, the application shall be referred to the Historic Landmarks Commission for determination of the historical significance of the buildings or structures pursuant to Section 30.157.110. If it is determined that the property is not eligible for listing on the City's Potential Historic Resources list, and the Community Development Director determines that the application does constitute an application to demolish the structure, such application shall be referred to the City's Single Family Design Board for review by the Board in accordance with the requirements of this section. If the Community Development Director determines that the application does not constitute a demolition under the terms of this section, the building permit shall be issued upon compliance with the otherwise applicable requirements of this code for appropriate and required design and development review.~~

~~C. Review of Bungalow District demolition applications by the Single Family Design Board. An application referred to the Single Family Design Board pursuant to subsection B above shall be reviewed by the Board in accordance with the hearing, noticing, and appeal procedures established in Sections 22.69.040 and 22.69.080. An application referred to the Single Family Design Board pursuant to subsection B above shall not be approved unless the Single Family Design Board makes all of the following findings with respect to that application:~~

~~1. That the demolition will not result in the loss of a structure containing a primary feature or features of Bungalow or Arts and Crafts style residential architecture, which features are worthy of or appropriate for historical preservation;~~

~~2. That the demolition will not result in the loss of a structure which, although not eligible as a City Historic Resource, is a prime example of the Bungalow or Arts and Crafts style residential building appropriate for historical preservation;~~

~~3. That the demolition will not result in the loss of a structure which is prominent or which is a prime example of the Bungalow or Arts and Crafts style residential architecture for which this neighborhood is characterized or known.~~

~~D. Single Family Design Board conditional approval of demolition within the Bungalow District.~~

~~1. Notwithstanding the above-stated requirement for appropriate demolition findings, the Single Family Design Board may approve a demolition application within the Bungalow District if the Board conditions the demolition permit such that any proposed future development of the real property upon which the structure or structures are located must comply with express conditions of approval designed to preserve certain existing architectural features or buildings, as determined appropriate by the Board.~~

~~2. Such conditions may provide that any future development of the property involved must either incorporate the existing structures, in whole or in part, into the new development, or it must preserve certain features or aspects of the existing structures or of the site such that these features are incorporated into any future development of the real property, either through the preservation of the building or feature or its replication in the new development, as may be determined appropriate by the Board.~~

~~3. Such conditions of approval shall be prepared in written format acceptable to the Community Development Director and the City Attorney and shall be recorded in the official records of Santa Barbara County with respect to the involved real property prior to issuance of any building permit for said demolition such that these conditions shall be binding on all future owners of the real property as conditions imposed on any new development for a period of 20 years after the conditional approval of the original demolition application and the completion of the demolition.~~

~~E. Review of new development within the Bungalow District by Single Family Design Board. Applications for building permits to construct new single-unit residential development on lots located within the Bungalow District shall be referred to the Single Family Design Board for development plan review and approval in accordance with the public hearing, noticing and appeal requirements of Sections 22.69.040 and 22.69.080.~~

~~F. Bungalow District findings. The Single Family Design Board shall not approve a new single- unit residential development within the Bungalow District unless it makes both of the following findings:~~

~~1. Express conditions of approval have been imposed on the proposed development which appropriately incorporate the existing structures or architectural features or other aspects of these structures (or of the site involved) into the new development, or these structures, features or aspects will be appropriately replicated in the new development; and~~

~~2. The proposed development will not substantially diminish the unique architectural style and character of the Bungalow District as a residential neighborhood of the City.~~

~~G. Guidelines for Special Design District. The Lower Riviera Special Design District Guidelines adopted by resolution of the City Council shall provide direction and appropriate guidance to the decision makers and City staff in connection with the review of applications filed pursuant to this section.~~

~~§ 22.69.080. Appeals to Planning Commission - Notice and Hearing.~~

~~A. Procedure for appeal. Any action of the Single Family Design Board to approve, conditionally approve, or deny project design approval or project final approval subject to this chapter shall be appealable to the Planning Commission under the provisions of subsection B of Section 30.205.150 of this Code and subsections B and C of this section. Notwithstanding Section 30.205.150, subsection A.3, and Section 1.30.050 of this Code, the Planning Commission decision on appeal shall be final subject only to judicial review as provided in Section 1.30.020.~~

~~B. Notice of appeal. Notice of the public hearing before the Planning Commission on an appeal from a decision of the Single Family Design Board made pursuant to this chapter shall be provided in the same manner as notice was provided for the hearing before the Single Family Design Board.~~

~~C. Planning Commission decision - limits on new evidence. The Planning Commission will decide the appeal in the exercise of its independent judgment based upon the record of the proceedings of the Single Family Design Board. New evidence will not be considered unless the Planning Commission determines by a majority vote at the hearing on the appeal that relevant evidence exists that, in the exercise of reasonable diligence, could not have been produced or was improperly excluded at the hearing before the Single Family Design Board.~~

~~D. The Planning Commission decision on the appeal shall be based upon findings required by this chapter and the guidelines adopted pursuant to subsection M of Section 22.69.020.~~

~~§ 22.69.090. Expiration of Project Design Approvals.~~

~~A. Project design approval.~~

~~1. Approval Valid for Three Years. A Project Design Approval issued by the Single Family Design Board or the Planning Commission on appeal shall expire if a building permit for the project is not issued within three years of the final decision approving or conditionally approving the Project Design Approval.~~

~~2. Extension of Project Design Approval. Upon a written request from the applicant submitted prior to the expiration of the Project Design Approval, the Community Development Director may grant one two-year extension of a Project Design Approval.~~

~~B. Exclusions of time. The time period specified in this chapter for the validity of a Project Design Approval shall not include any period of time during which either of the following applies:~~

~~1. A City moratorium ordinance on the issuance of building permits is in effect; or~~

~~2. A lawsuit challenging the validity of the project's approval by the City is pending in a court of competent jurisdiction.~~

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, and the permit remains valid and does not expire.

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.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE SANTA BARBARA MUNICIPAL CODE BY AMENDING CHAPTER 25.03 OF TITLE 25 PERTAINING TO REGULATIONS FOR SINGLE FAMILY STREAMLINING PROJECT

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

SECTION 1. Section 25.03.040 of Chapter 25.03 of Title 25 of the Santa Barbara Municipal Code is amended to read as follows:

25.03.040 Open Yards.

A. **Intent**. These standards provide space for recreational and leisure activities, allow for increased light and air, provide permeable surfaces for storm water retention, improve the visual environment, and increase livability.

B. **Standards**. All open yard minimum area and dimensions shall be in compliance with Section 30.140.140 (Open Yards) ~~except as noted below~~ based on the proposed building type. The minimum common and private open yard must be located within the design site boundary for each building type.

~~1.~~

~~2. Design sites developed with the Duplex Side-by-Side, Duplex Stacked, and Duplex Court Building Types must provide open yard in compliance with Section 30.140.140C.1 (Open Yards).~~

~~3. Projects on design sites in the Mixed-Use Corridor (MUC), Downtown Edge (DE), and Downtown Core (DC) zones may provide an alternative common open yard in compliance with Section 30.150.090G.2.b (Additional Development Incentives).~~

~~4. All other Building Types must provide common and private open yard in compliance with Section 30.140.140C.2 (Open Yards).~~

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, and the permit remains valid and does not expire.

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.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE SANTA BARBARA MUNICIPAL CODE BY AMENDING CHAPTERS 30.01, 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 OF CHAPTER 30.150 OF TITLE 30 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

Sections:

30.15.010 Purpose
30.15.020 General Provisions
30.15.025 Calculating Density
30.15.030 Determining Average Slope
30.15.040 Determining Creek Top of Bank
30.15.050 Fractions
30.15.060 Measuring Distances
30.15.070 Measuring Floor Area
30.15.080 Measuring Front Yards
30.15.090 Measuring Height and Stories
30.15.100 Measuring Setbacks and Stepbacks
30.15.110 Measuring Street Frontage
~~30.15.120 Screening~~

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 ~~permitted~~ 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 ~~permitted~~ 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 ~~permitted~~ 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:

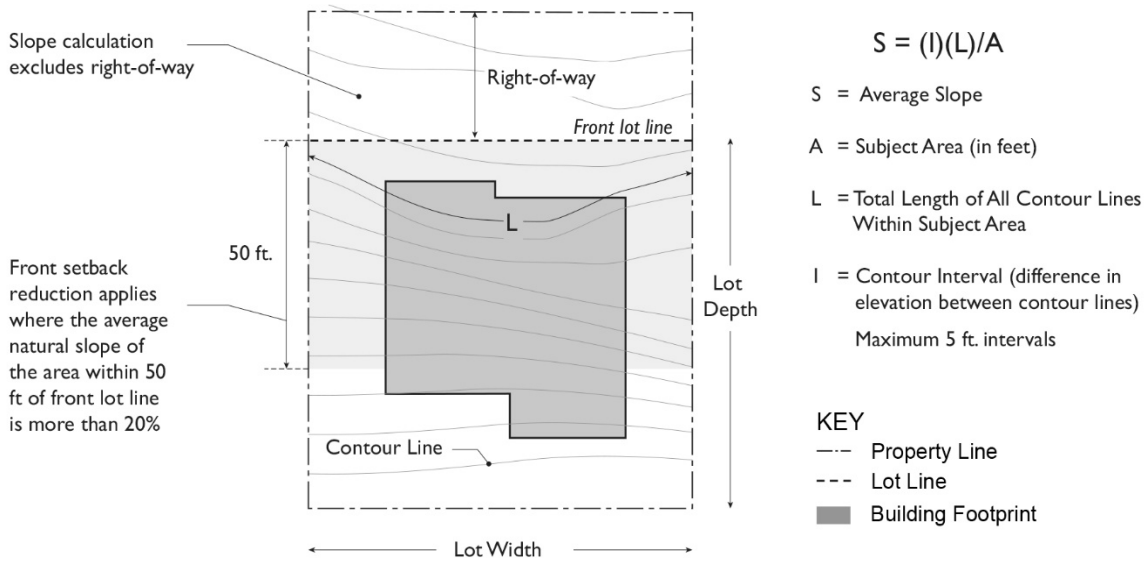
A. S = Average slope (in percent)

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

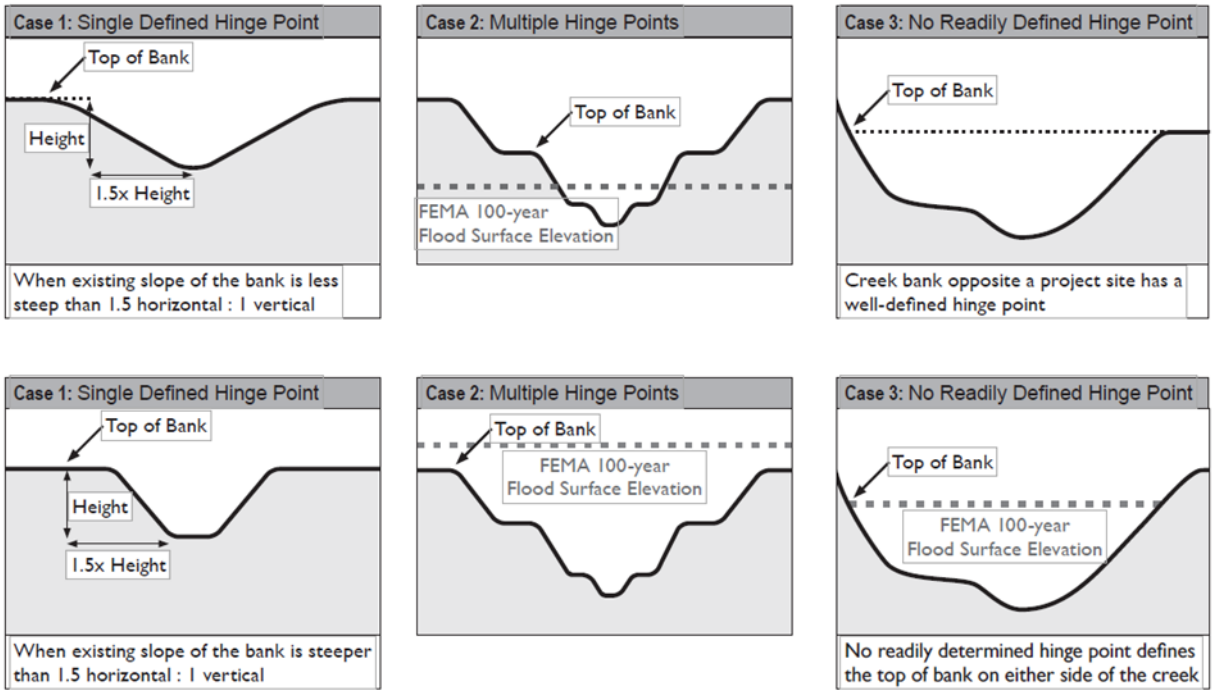
of the bank to the generally level upper ground is the "top of bank." For concrete flood control channels, that meet the definition outlined above, the top of bank is the upper hinge point regardless of the steepness of the bank.

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.

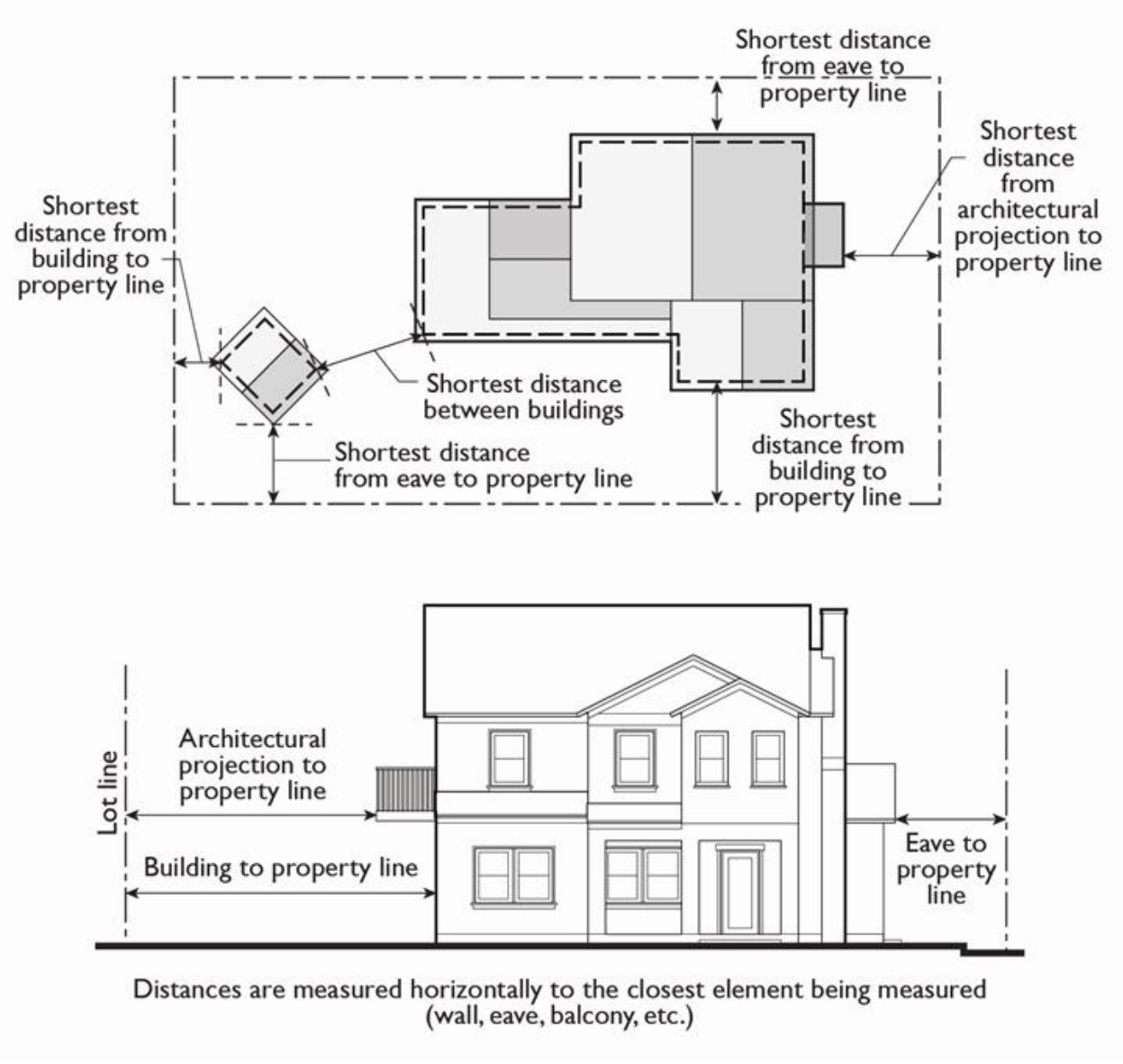
30.15.060 Measuring Distances.

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.

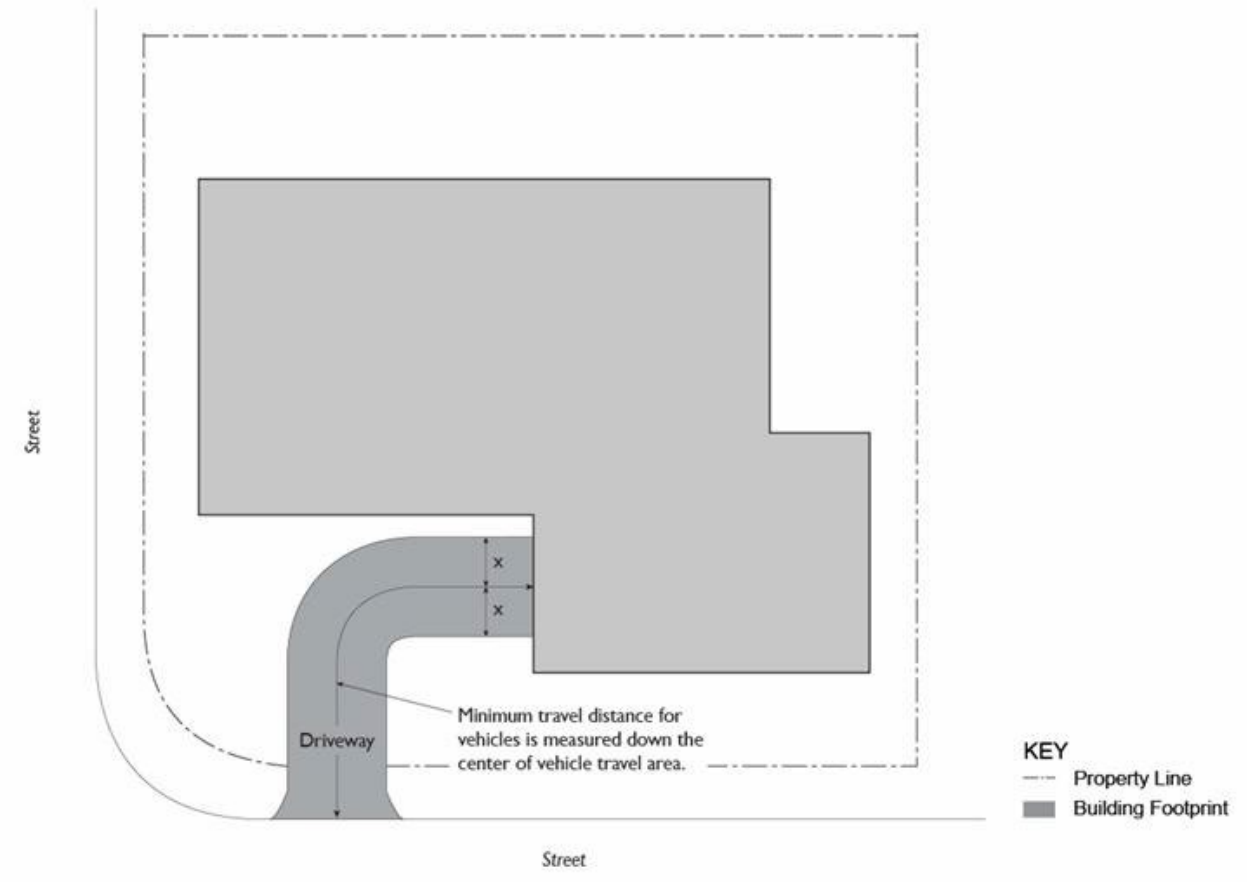
C. **Measurements Involving a Structure.** When measuring a required distance involving a structure, the measurements are made to the closest exterior wall or exterior element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

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



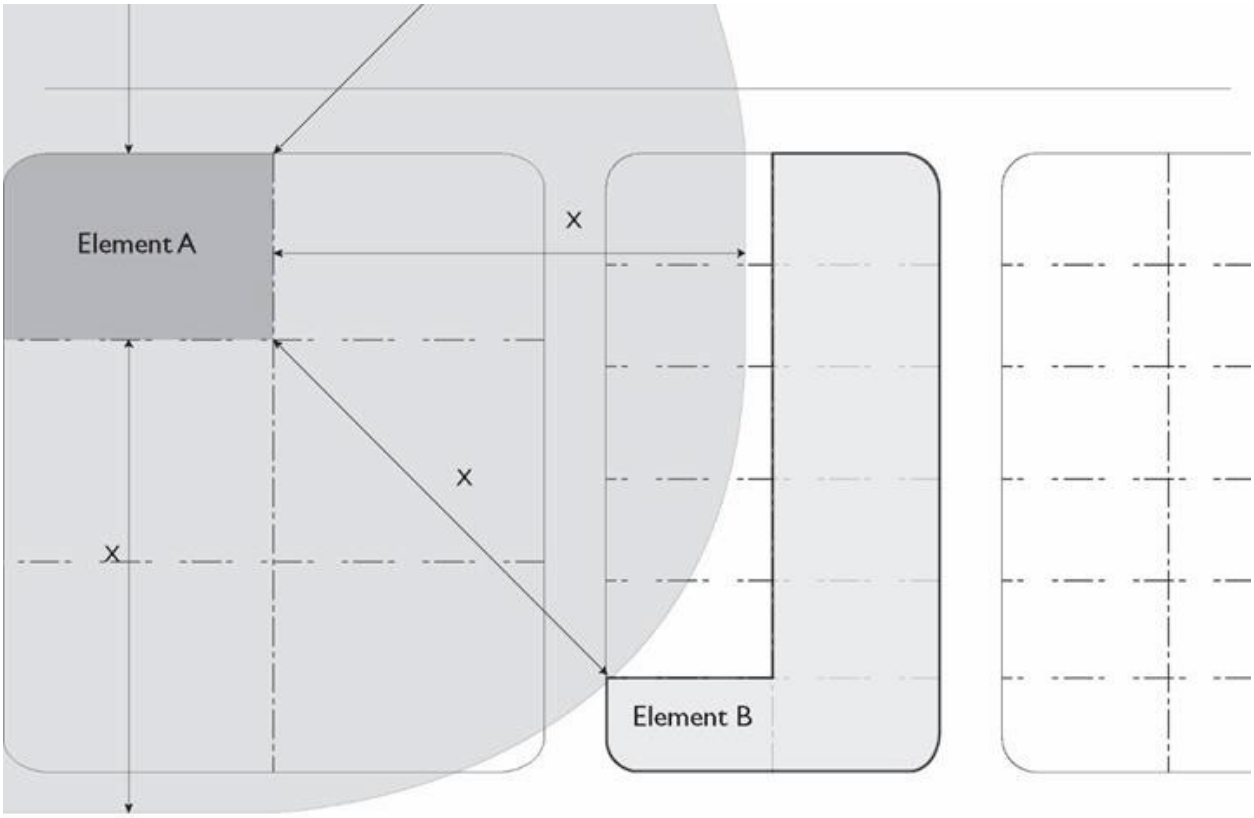
D. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as vehicle backup distance, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or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



The minimum distance from one specified element to another is measured in a straight line.

X = Minimum Distance

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).

~~The net floor area of a structure is the sum, in square feet, of the horizontal areas of all floors of a structure or other enclosed structure, or portions thereof, measured from either the interior perimeter of the exterior walls, or below the roofline, or the centerline of interior walls, as described below. All references to floor area in this Title are to net floor area, unless otherwise indicated. The following are included in and excluded from floor area except as otherwise provided in this Title~~

~~A. **Included in Floor Area.**~~

~~1. ***Enclosed Structures.*** Net floor area includes all space within a structure that is below the roof and within the interior perimeter of the exterior walls of any main or accessory structure.~~

2. ***Interior Spaces.*** Net floor area of interior spaces, such as rooms or separate tenant spaces, includes all space within the centerlines of demising walls separating such spaces or portions thereof.

3. ***Stairways and Elevator Shafts.*** In the case of a multistory structure that has covered or enclosed stairways, stairwells, or elevator shafts, the floor area of such features is counted only once at the floor level of their greatest area of horizontal extent.

4. ***Unenclosed Structures.*** When measuring the area of a structure that is unenclosed such as a carport, the net floor area includes all space below the roof line.

B. **Excluded from Floor Area.** The following areas are excluded from floor area:

1. Vent shafts or areas with a ceiling height of less than five feet above finished floor.

2. Attics, crawlspaces, or similar areas, where entry is made only for service of utilities, and not designed for use as storage or any other use whatsoever.

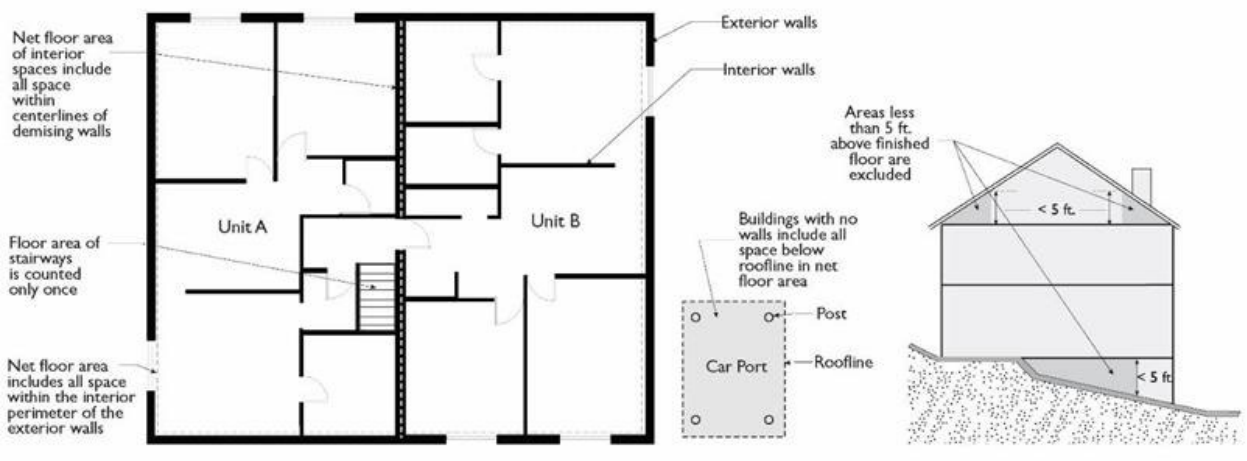
3. If unenclosed on at least two sides, roofed areas such as patio covers, porches, trellises, gazebos, shade structures, or other similar unenclosed structures shall not count toward the calculation of floor area if not used for the shelter, housing, or enclosure of persons, animals, or property.

4. Enclosed spaces in nonresidential or mixed-use structures that contain "infrastructure" (e.g., mechanical equipment enclosures, vent shafts, trash and recycling enclosures, air conditioners, forced air units, electric vaults, water heaters and softeners, cellular telephone equipment, and other similar uses) shall not count toward the calculation of floor area if such areas are designed in the minimum size necessary to screen or enclose such equipment, and the space cannot be converted to storage or another non-infrastructure use.

5. Minor accessory structures that do not require a building permit for construction or installation.

6. Temporary structures permitted with a Temporary Use Permit.

FIGURE 30.15.070.A: MEASURING FLOOR AREA



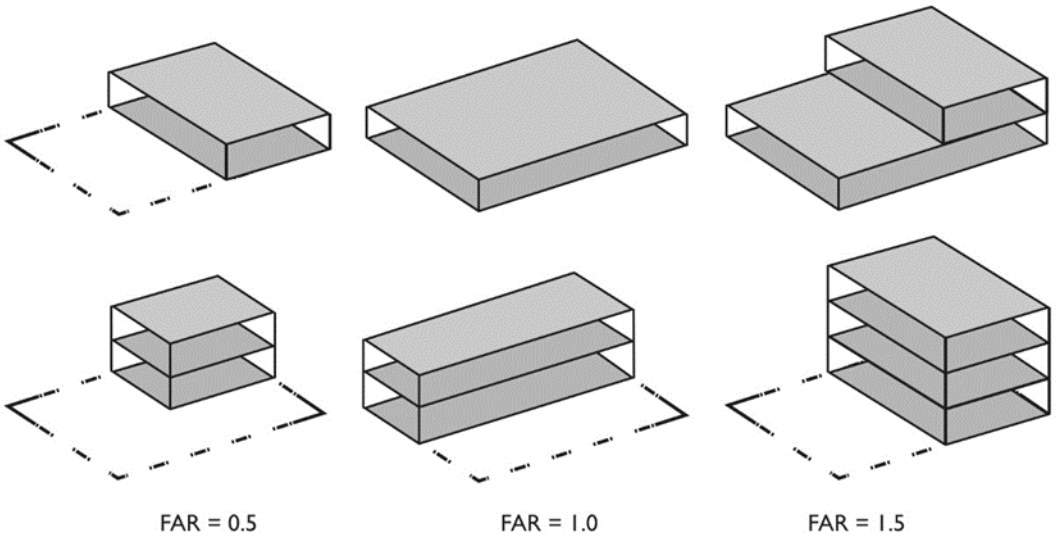
30.15.075 Measuring Floor Area Ratio (FAR).

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.

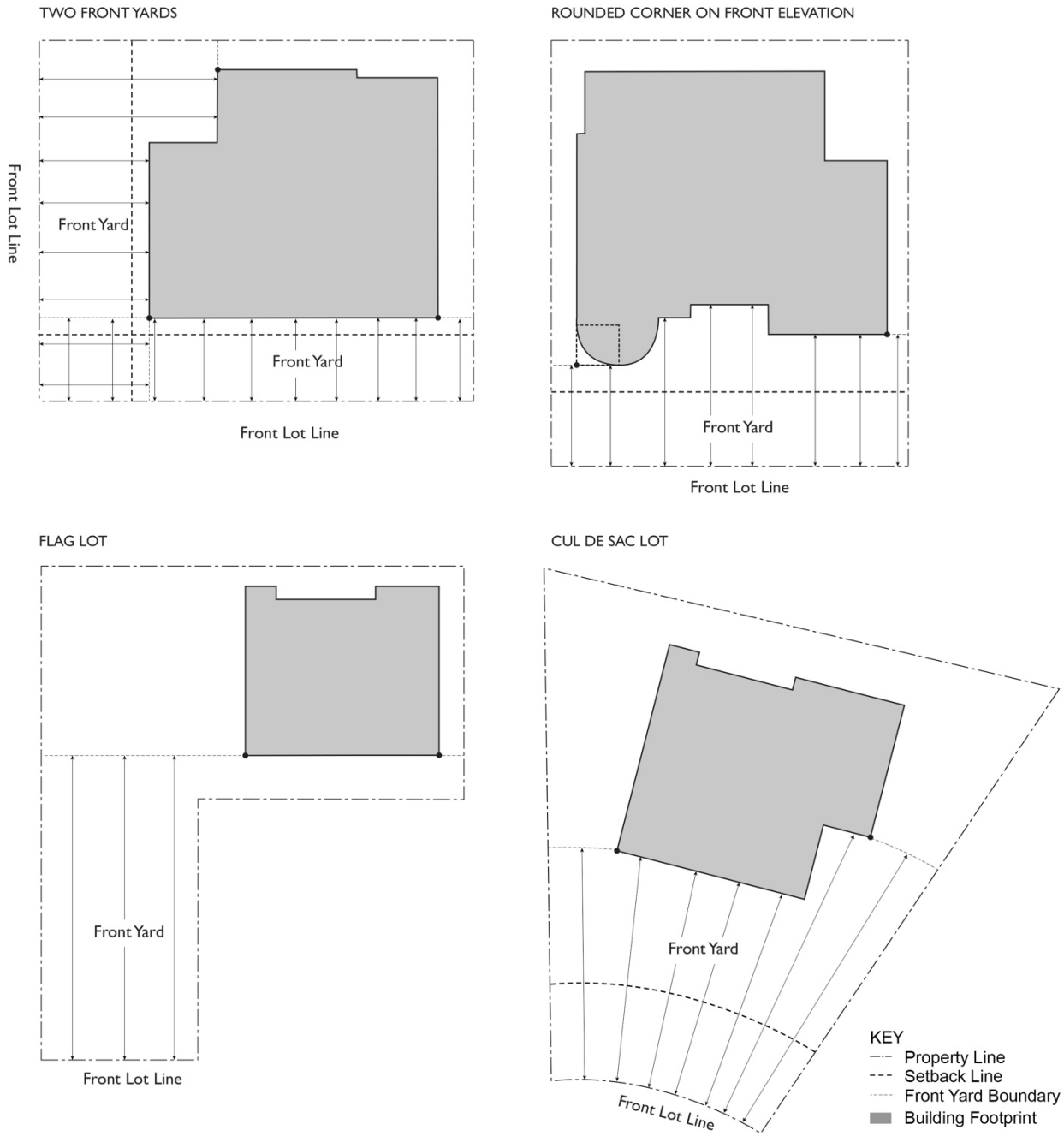
4. ***Accessory Buildings.*** Floor area within any accessory building, including an accessory dwelling unit or junior accessory dwelling unit, is included in the FAR, except for portions specifically excluded under Subsections C.1 (Below Grade Exclusion) and C.2 (Partial Reduction) of this Section, 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. ~~**Measuring Height Generally**~~ **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.

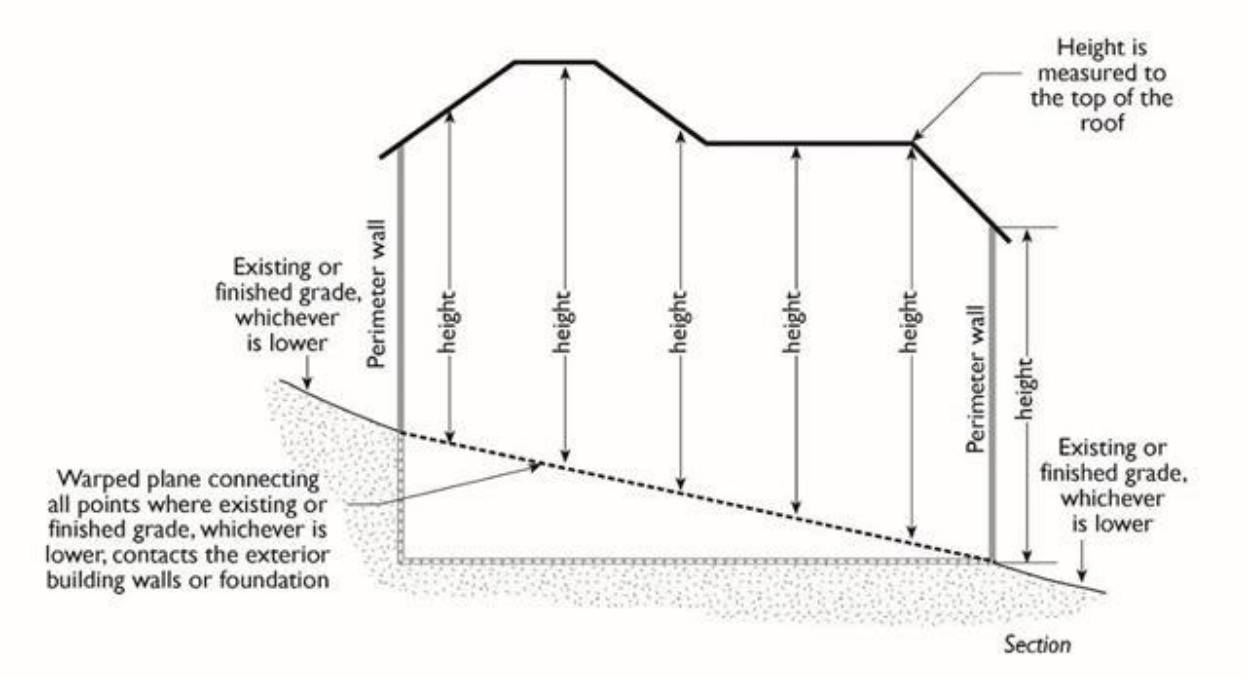
C. **Height Exclusions.**

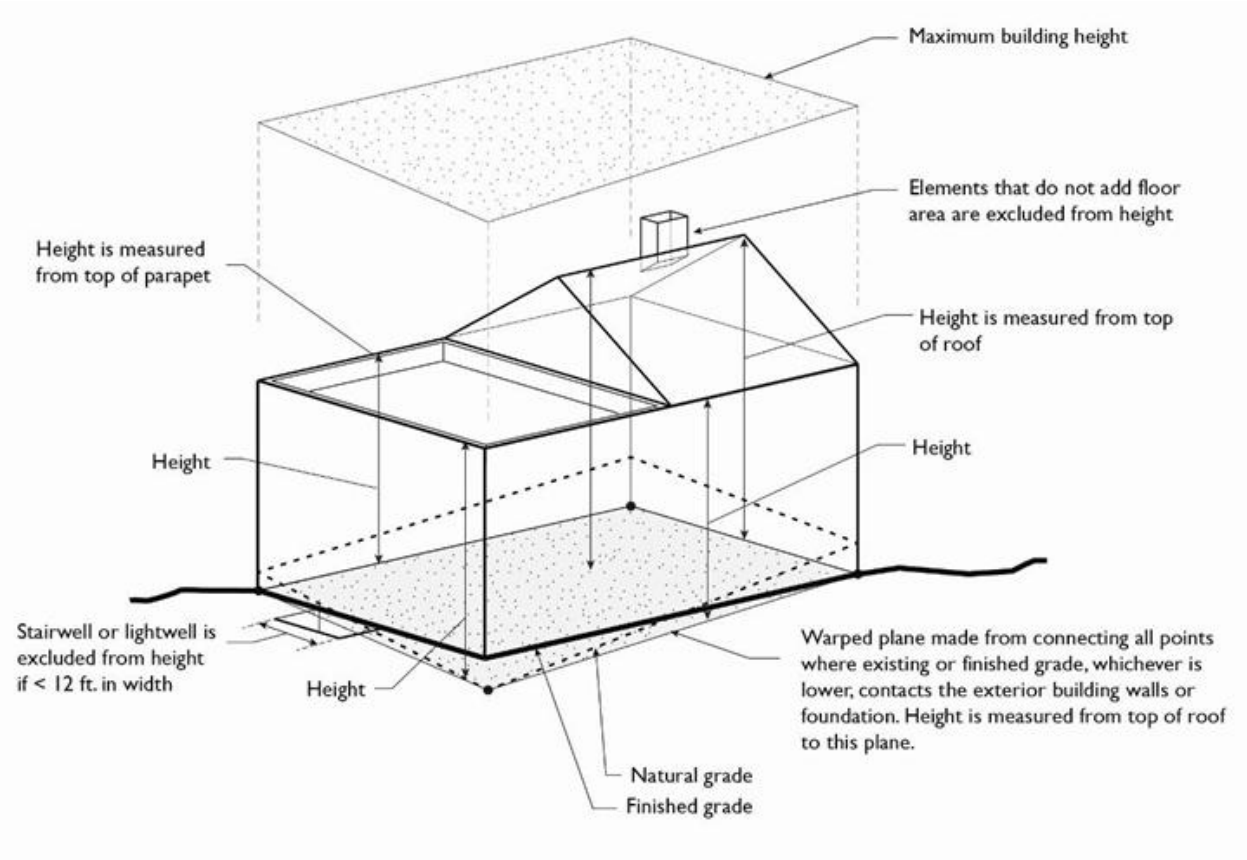
1. *Light Wells.* The vertical portion of exterior doors, stairway landings, or light wells on a basement elevation are excluded from the height calculation if the cumulative total width does not exceed 12 feet per elevation.

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 ~~in a vertical line~~ vertically from the lowest point of contact with the ground ~~directly adjacent to both sides of the fence or hedge~~ on either side to the highest point of the fence or hedge along ~~said~~ that same vertical line.

1. *Multiple Fences and Hedges*. ~~All fences and hedges located within five feet of each other, including fences and hedges on adjoining lots, shall be considered a single fence or hedge. The height of multiple fences and hedges that are subject to the same height limitation shall be measured from the lowest point of contact with the ground of a fence or hedge to the highest point of any other fence or hedge located within five feet. The horizontal separation shall be measured from the surfaces of the fences or hedges that face each other.~~ 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.

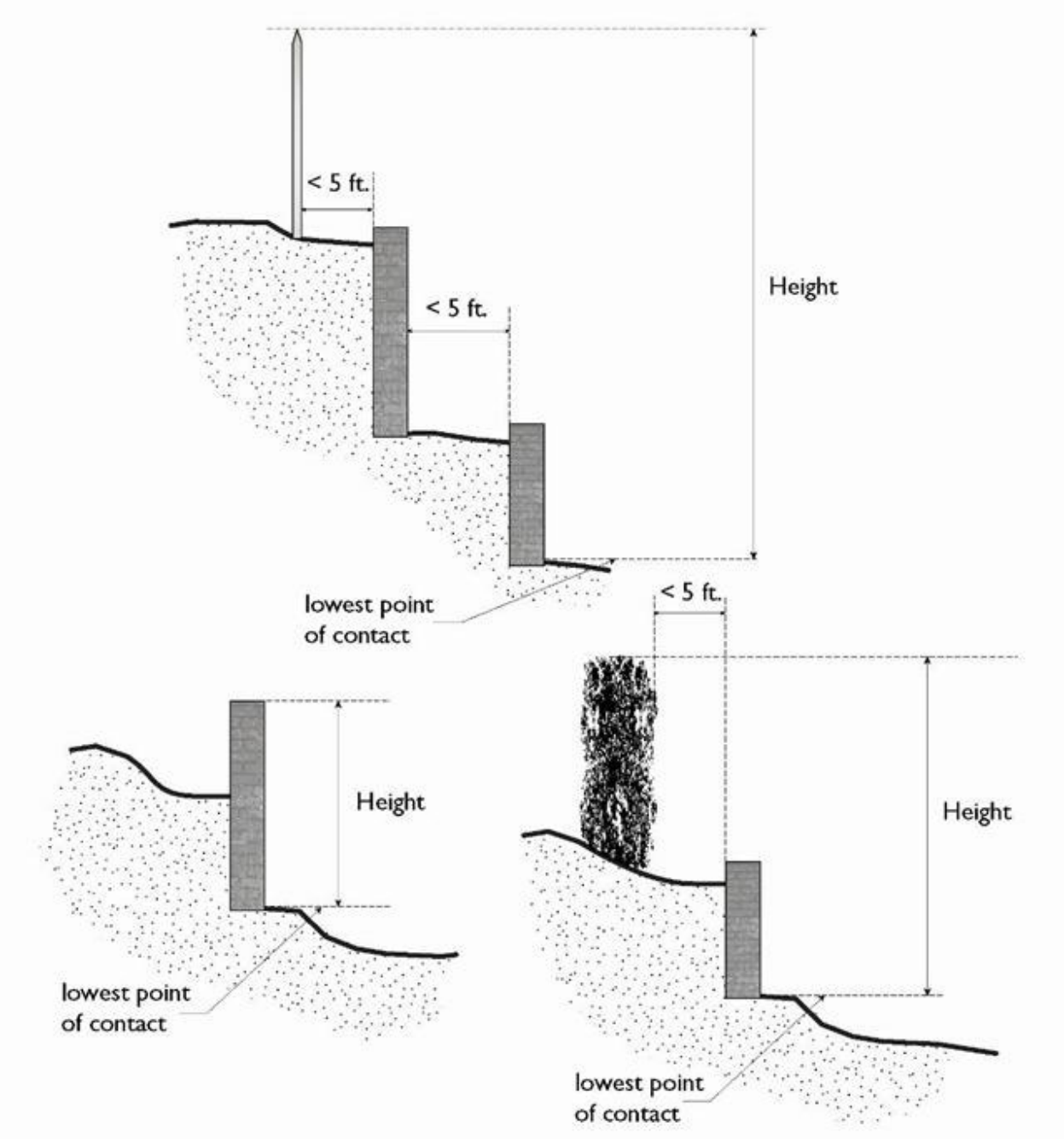
b. In such cases, the height is measured from the lowest ground level at the base of any of the fences or hedges to the highest point of any of them.

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.

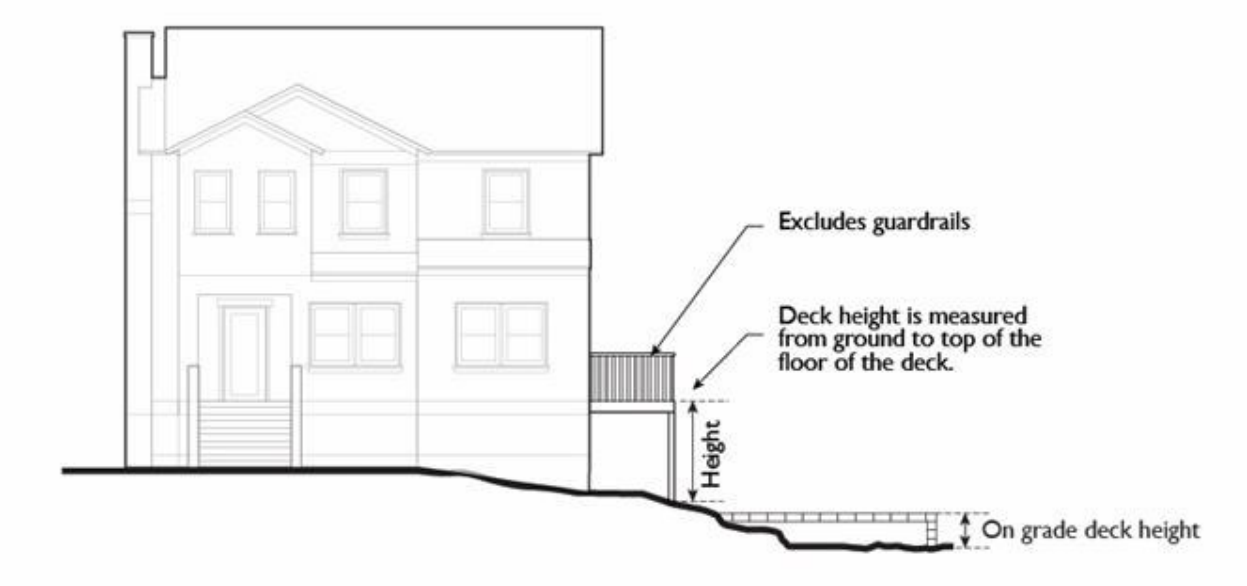
FIGURE 30.15.090.D: MEASURING THE HEIGHT OF FENCES AND HEDGES



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:

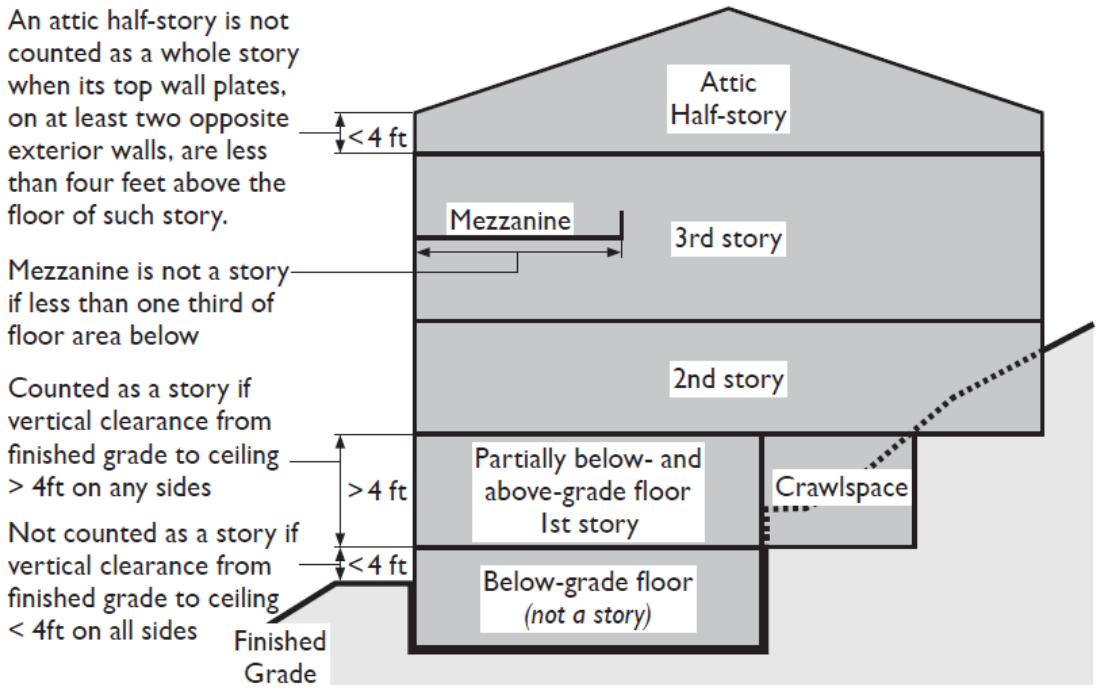
1. The number of stories in a building or structure shall be construed to be the maximum number of stories through which any one of an unlimited number of possible vertical lines can pass, without passing through a wall.

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

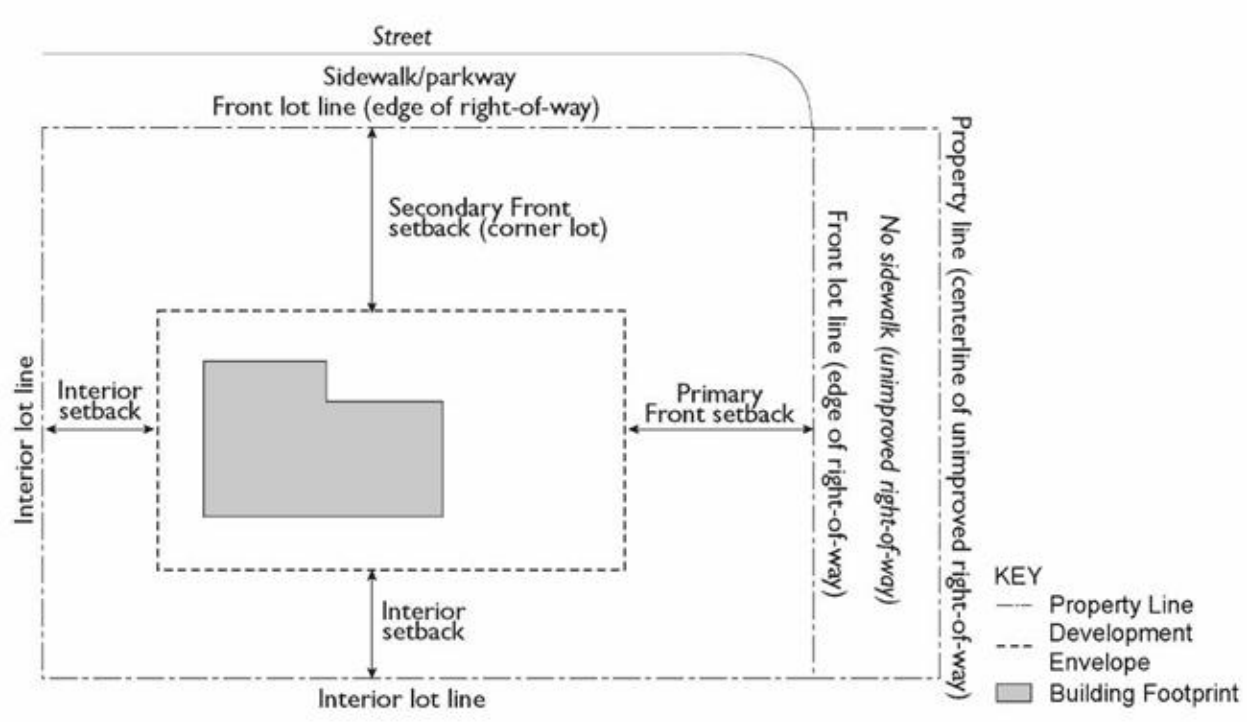
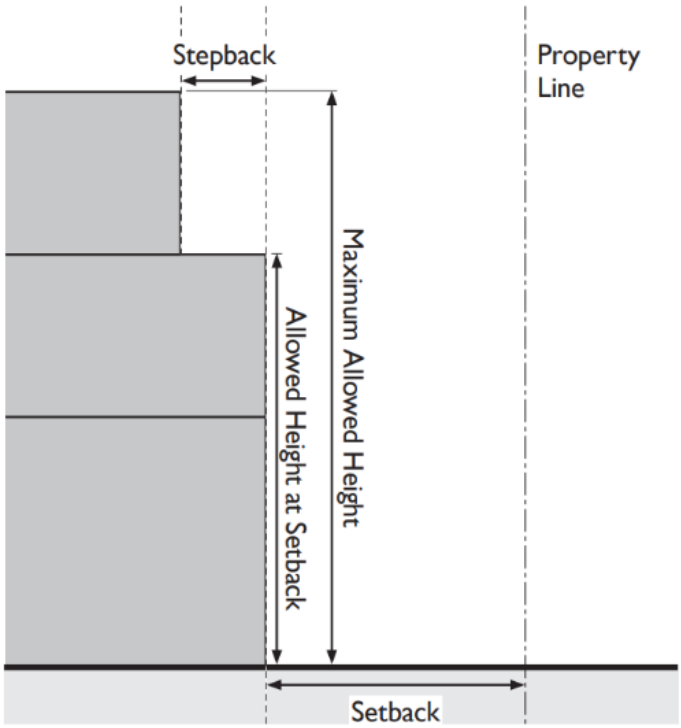


FIGURE 30.15.100.C: MEASURING UPPER STORY STEPBACKS



30.15.110 Measuring Street Frontage.

Street frontage is measured along the front lot line.

~~**30.15.120 Screening.**~~

~~These standards provide methods for the screening and buffering of surface parking, mechanical equipment, and any other objects or land uses as required by this code to minimize visual, noise, and privacy impacts to surrounding properties and rights-of-way.~~

~~A. **Screening Generally.** Unless otherwise stated in this section, objects and activities are considered "screened" when they are either not publicly visible, as defined in Section 30.300.160 "P" of this code, or behind a solid six-foot-high fence or hedge where such fence or hedge is otherwise~~

~~allowed by zoning. Screening shall be required for the repair, rehabilitation, expansion, new installation, or relocation of any object or land use to be screened.~~

~~B. **Uncovered Parking.** Uncovered automobile parking shall be screened, in locations as specified by Section 30.175.060, Location of Required Automobile and Bicycle Parking, consistent with one of the following:~~

~~1. On a site with four or fewer automobile parking spaces, uncovered parking must be screened from public view, except at driveways necessary for ingress and egress, by a solid fence, wall, driveway gate, or a compact evergreen hedge, with a maximum height between five and six feet and a minimum distance of 10 feet from the front lot line. The area between the lot line and such fence or wall must be landscaped; or~~

~~2. If located more than 35 feet from a front lot line, and includes no more than four automobile parking spaces, uncovered parking is considered screened by the distance from the front lot line; or~~

~~3. On a site with five or more automobile parking spaces, applicable fence and landscape buffers, consistent with Section 30.175.080 Parking Area Landscape and Fence Standards, must be provided for screening.~~

~~C. **Trash and Recycling**. Trash and recycling containers must be screened and located in compliance with the standards in Section 30.140.240, Waste, Recycling, and Outdoor Storage.~~

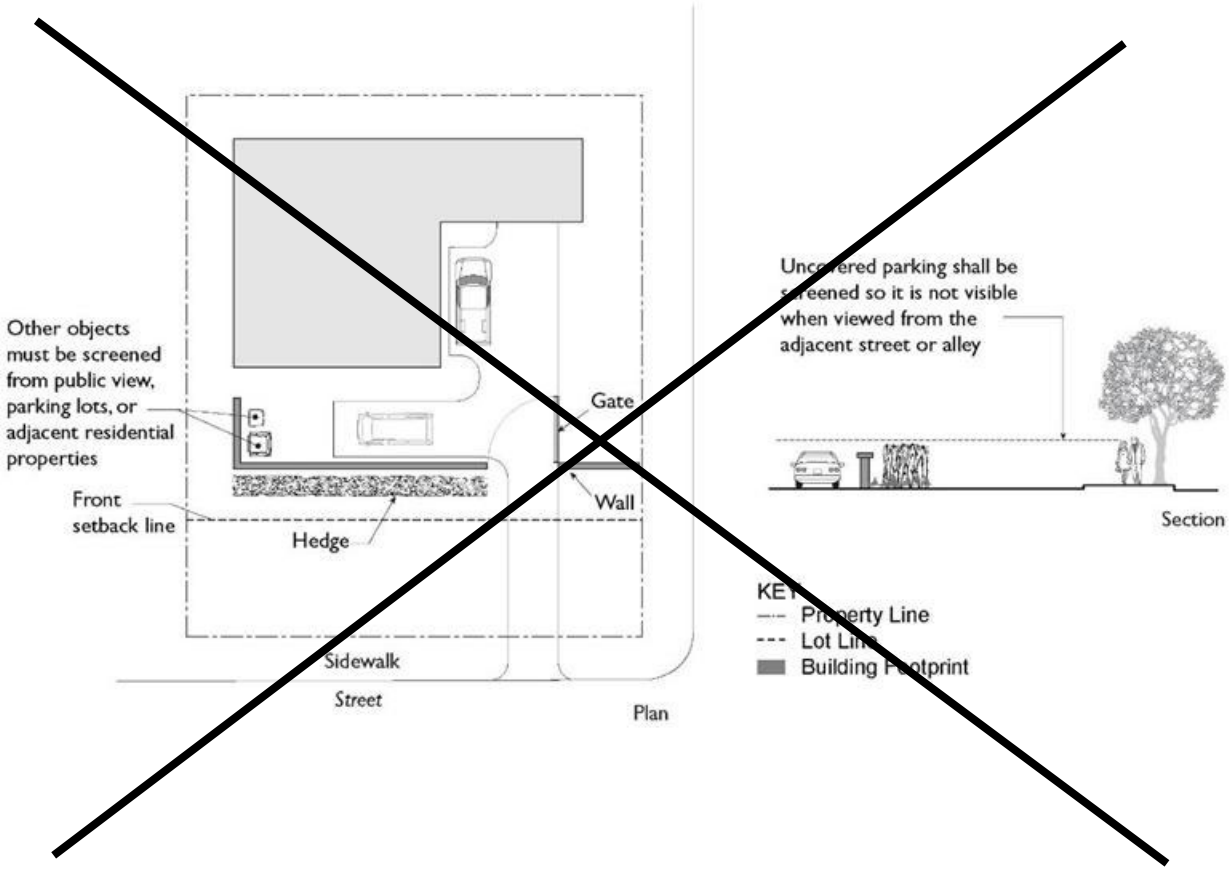
~~D. **Screening Materials.** Screening may include fences and walls, landscape, equipment painted to match the building, building parapets, or other architectural elements in the building's architectural style.~~

~~E. **Screening Height.** All screen devices shall be as high as the highest point of the object being screened but shall not exceed applicable maximum height limitations. Screening height shall be measured as the vertical distance between the finished grade at the base of the screen and the top edge of the screen material.~~

~~F. **Exceptions.**~~

~~1. Solar energy (i.e., photovoltaic) panels and electric vehicle charging stations shall not be subject to the screening requirements described in this section. However, accessory power equipment associated with these systems shall be fully screened.~~

~~2. Where an applicant can demonstrate to the satisfaction of the appropriate 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, screening may be reduced or waived by the Design Review body.~~



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

Sections:

30.20.010 Purpose
30.20.020 Land Use Regulations
30.20.030 Development Standards

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~~. of Low Density Residential, Medium Density Residential, Medium High Density Residential, and High Density Residential~~.

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.

TABLE 30.20.020: LAND USE REGULATIONS–RESIDENTIAL 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	*RS*	*R-2*	*R-M*	*R-MH*	*Additional Regulations*
Residential Uses					
Residential Housing Types					
Single-Unit Residential	A	A	A	A	
Two-Unit Residential	A(8)	A	A	A	§30.185.440, Two-Unit Residential Development
Multi-Unit Residential	–	A(1)	A	A	
Special Residential Unit Types					
Accessory Dwelling Unit	A	A	A	A	§30.185.040, Accessory Dwelling Units

TABLE 30.20.020: LAND USE REGULATIONS–RESIDENTIAL 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	*RS*	*R-2*	*R-M*	*R-MH*	*Additional Regulations*
Additional Residential Unit	PSP	–	–	–	§30.185.050, Additional Residential Unit
Caretaker Unit	–	–	A	A	§30.185.120, Caretaker Unit
Garden Apartment	–	CUP	–	–	§30.185.180, Garden Apartment Developments
Planned Residential Development	CUP	–	–	–	§30.185.330, Planned Residential Development
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
6 or fewer individuals	A	A	A	A	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
7 to ~~12~~ 15 individuals	PSP	PSP	~~PSP~~A	~~PSP~~A	
~~More than 12~~ 16 or more individuals	~~CUP~~ PSP	~~CUP~~ PSP	~~CUP~~ PSP	~~CUP~~ PSP	
Family Day Care Home	A	A	A	A	§30.185.230, Large and Small Family Day Care Homes
~~Small~~	~~A~~	~~A~~	~~A~~	~~A~~	~~§30.185.230, Large Family Day Care Homes~~
~~Large~~	~~PSP~~	~~PSP~~	~~PSP~~	~~PSP~~	
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				

TABLE 30.20.020: LAND USE REGULATIONS–RESIDENTIAL 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	*RS*	*R-2*	*R-M*	*R-MH*	*Additional Regulations*
Transitional Housing	§30.185.430, Transitional and Supportive Housing				
Public and Semi-Public Uses (4)					
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
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)	
Commercial Uses					
Agriculture	A(2)	A(2)	A(2)	A(2)	§30.185.070, Agriculture
Commercial Entertainment and Recreation					

TABLE 30.20.020: LAND USE REGULATIONS–RESIDENTIAL 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	*RS*	*R-2*	*R-M*	*R-MH*	*Additional Regulations*
Large-scale	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
Transportation, Communication, and Utilities Uses					
Telecommunications Facilities	§30.185.410, Telecommunications Facilities				
Public Works and Utilities	§30.185.340, Public Works and Utilities				
Other Applicable Types					
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				

TABLE 30.20.020: LAND USE REGULATIONS–RESIDENTIAL 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	*RS*	*R-2*	*R-M*	*R-MH*	*Additional Regulations*
Solar Energy Systems	§30.140.090~~.D.8, Solar Energy Systems~~ Encroachments, and §30.185.400, Solar Energy Systems				
Temporary Use	§30.185.420, Temporary Uses				
Specific Limitations 1. No more than two residential units may be located in any one building. ~~2. Limited to convents and monasteries~~. 2. Agriculture uses are limited to accessory uses only. 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. 4. Other public or semi-public facilities not specifically ~~permitted~~ allowed may be allowed in any zone pursuant to Conditional Use Permit approval. 5. Must be located a minimum 300 feet from any other social service facility or emergency shelter. 6. Limited to outdoor tennis clubs, lawn bowling clubs, golf courses and driving ranges. Miniature golf is not allowed. 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. 8. Limited to specific standards in §30.185.440, Two-Unit Residential Development. 9. Limited to uses ~~permitted~~ allowed in the zone. 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.

TABLE 30.20.030.A: DEVELOPMENT STANDARDS–RESIDENTIAL SINGLE UNIT ZONES						
Zone	*RS-1A*	*RS-25*	*RS-15*	*RS-10*	*RS-7.5*	*RS-6*
Lot Size and Street Frontage						
Minimum Net Lot Area for Newly Created Lots (sq. ft. unless noted)	See also Chapter 27.60, Parcel Maps for Urban Lot Splits					
Average Slope less than 10%, and all lots with frontage on the Pacific Ocean regardless of slope	1 acre	25,000	15,000	10,000	7,500	6,000
Average Slope 10% to 20%	1.5 acre	37,500	22,500	15,000	11,250	9,000
Average Slope over 20% to 30%	2 acres	50,000	30,000	20,000	15,000	12,000
Average Slope over 30%	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					
Maximum Base Residential Density						
Maximum Density (per lot)	1 unit	1 unit	1 unit	1 unit	1 unit	1 unit
Additional Residential Density Allowances						
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 ~~and Development~~ Incentives					
Maximum Floor Area Ratio (FAR)						
Maximum Floor Area Ratio ~~(Floor to Lot 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.					
Less than 4,000 sq. ft. Net Lot Area	2,200. See also A, Maximum Floor Area Ratio ~~(Floor to Lot Area Ratio)~~					
4,000 to 9,999 sq. ft. Net Lot Area	1,200 + (0.25 multiplied by the net lot area) = Maximum Floor Area. See also (A), Maximum Floor Area Ratio ~~(Floor to Lot Area Ratio)~~					
10,000 to 14,999 sq. ft. Net Lot Area	2,500 + (0.125 multiplied by the net lot area) = Maximum Floor Area. See also A, Maximum Floor Area Ratio ~~(Floor to Lot Area Ratio)~~					
15,000 and more sq. ft. Net Lot Area	Not Applicable					
Structure Form and Location						
Minimum Residential Unit Size	~~Studio: 220 square feet;~~ ~~All other units: 400 square feet~~ 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					

TABLE 30.20.030.A: DEVELOPMENT STANDARDS–RESIDENTIAL SINGLE UNIT ZONES						
Zone	*RS-1A*	*RS-25*	*RS-15*	*RS-10*	*RS-7.5*	*RS-6*
	See also §30.140.090, Encroachments ~~into Setbacks and Open Yards~~					
Front	35	30	30	25	20	15; Portions of structures over 15 feet in height: +5~~Portions of structures 15 feet or less in height: 15; Portions of structures more than 15 feet in height: 20; Street facing covered parking: 20~~
	See also 30.20.030.B, Setback Reduction for Sloping Lots					
Interior	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 ~~into Setbacks and Open Yards~~					
~~*Front*~~	~~Same as for Residential Structures~~					
Front	35	30	30	25	20	15; Portions of structures over 15 feet in height: +5
~~*Interior (Conversion and Alterations)*~~	~~Conversions of existing residential structures to nonresidential structures, or alterations of existing structures that contain nonresidential uses, are subject to the setback requirements for residential structures.~~					
Interior ~~(New or Additions)~~	30	20	20	~~12~~ 16	12	10
	~~Exception: Community Gardens are subject to the setback requirements for residential structures.~~					
Minimum Setbacks and Stepbacks, Mixed Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks					
~~Minimum Setbacks, Mixed-Use~~	~~Portions of structures that contain residential uses are subject to the setback for residential structures, and portions of structures used for nonresidential uses are subject to the setback requirement for nonresidential structures.~~ ~~Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.~~					
~~Minimum Setbacks, Uncovered Parking~~	~~See §30.175.060, Location of Required Automobile and Bicycle Parking~~					
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking					
Front, Street-Facing	35	30	30	25	20	20
Front, Non-Street-Facing	35	30	30	25	20	15

TABLE 30.20.030.A: DEVELOPMENT STANDARDS–RESIDENTIAL SINGLE UNIT ZONES						
Zone	*RS-1A*	*RS-25*	*RS-15*	*RS-10*	*RS-7.5*	*RS-6*
Interior, Covered – Residential Use	15	10	10	8	6	5
Interior, Covered – Nonresidential Use	30	20	20	16	12	10
Interior, Uncovered	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.					
Open Yard and Landscape						
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			
Zone	*R-2*	*R-M*	*R-MH*
Lot Size and Street Frontage			
Minimum Net Lot Area for Newly Created Lots (sq. ft.)			
Average Slope less than 10%	7,000	14,000	14,000
Average Slope 10% to 20%	10,500		
Average Slope over 20% to 30%	14,000		
Average Slope over 30%	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		
Maximum Base Residential Density			
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			
Average Slope less than 10%	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	

TABLE 30.20.030.B: DEVELOPMENT STANDARDS–TWO-UNIT AND MULTI-UNIT ZONES			
Zone	*R-2*	*R-M*	*R-MH*
Average Slope 10% to 20%	1 unit/5,250 sq. ft. of net lot area		
Average Slope over 20% to 30%	1 unit/7,000 sq. ft. of net lot area		
Average Slope over 30%	1 unit/10,500 sq. ft. of net lot area		
Additional Residential Density Allowances			
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 ~~and Development~~ Incentives		
Structure Form and Location			
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		
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		
Front	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		
Interior	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		
Front	15; Portions of structures over 15 feet in height: +5	10; Portions of structures over 25 feet in height: +10	
Interior	12; Portions of structures over 25 feet in height: +8		

TABLE 30.20.030.B: DEVELOPMENT STANDARDS–TWO-UNIT AND MULTI-UNIT ZONES			
Zone	*R-2*	*R-M*	*R-MH*
~~Front~~	~~Portions of structures 15 feet or less in height: 15;~~ ~~Portions of structures more than 15 feet in height: 20;~~ ~~Street facing covered parking: 20~~ ~~See also (B), Setback Reduction for Sloping Lots~~	~~1st and 2nd Stories: 10~~ ~~Portions of structures above 2nd story: 20~~	
		~~Covered parking: 10~~ ~~Covered parking, street-facing: 20~~	
~~Interior~~	~~Covered parking: 3~~ ~~Other structures: 6~~	~~1st and 2nd Stories: 6~~ ~~Portions of structures above 2nd story: 10~~	
		~~Covered parking:~~ ~~• Single-Unit Residential and Two-Unit Residential: 3~~ ~~• Multi-Unit Residential: 6 except as provided in (C), Interior Setback Reduction for Covered Parking on Lots 55 Feet or Less and (D), Interior Setback for Covered Parking Opposite the Primary Front Lot Line~~	
~~Minimum Setbacks (ft.), Nonresidential Structures~~	~~See also §30.140.090, Encroachments into Setbacks and Open Yards~~		
~~Front~~	~~Same as for Residential Structures~~		
~~Interior (Conversions and Alterations)~~	~~Conversions of existing residential structures to nonresidential structures, or alterations of existing structures that contain nonresidential uses, are subject to the setback requirements for residential structures.~~		
~~Interior (New or Additions)~~	~~12~~	~~New nonresidential structures or additions to existing nonresidential structures are subject to the following interior setback:~~ ~~• 1st and 2nd Stories: 12~~ ~~• Portions of structures above 2nd story: 20~~ ~~• Exception: Neighborhood Markets and Community Gardens are subject to the setback requirements for residential structures.~~	

TABLE 30.20.030.B: DEVELOPMENT STANDARDS–TWO-UNIT AND MULTI-UNIT ZONES			
Zone	*R-2*	*R-M*	*R-MH*
Minimum Setbacks and Stepbacks, Mixed-Use	Residential portions follow residential setbacks; nonresidential and mixed-use portions follow nonresidential setbacks		
~~Minimum Setbacks, Mixed-Use~~	~~Portions of structures that contain residential uses are subject to the setback for residential structures, and portions of structures used for nonresidential uses are subject to the setback requirement for nonresidential structures.~~ ~~Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.~~		
~~Minimum Setbacks, Uncovered Parking~~	~~See §30.175.060, Location of Required Automobile and Bicycle Parking~~		
Minimum Setbacks (ft.), Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking		
Front, Street-Facing	20		
Front, Non-Street-Facing	15; Portions of structures over 15 feet in height: +5	10; Portions of structures over 25 feet in height: +10	
Interior, Covered, 4 or Fewer Spaces – Residential Use	3		
Interior, Covered, 5 or More Spaces – Residential Use	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		
Interior, Covered, Lots ≤ 55 ft – Residential Use	May be reduced to 3 feet if: • The lot is less than 55 feet wide at the location of the covered parking structure, • The parking opening does not face a street or alley, and • The interior depth of the covered parking structure does not exceed 20 feet		
Interior, Covered – Nonresidential Use	12		
Interior, Uncovered Parking	3-foot wide landscape buffer along the interior property line		
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 ~~(Floor to Lot 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.

~~***1. Floor Area, Precluded Development-RS Zones.*** No application for a Building Permit may be approved for a project in an RS Zone that will: (1) result in an increase of the floor area on the lot; (2) change the location of any floor area on the second or higher story of any structure on the lot; or (3) increase the height of any portion of a structure on the lot to 17 feet or higher if any of the following will occur:~~

~~a. The floor area will exceed the allowable maximum floor area for the lot; or~~

~~b. The floor area will exceed 85% of the allowable maximum floor area and any of the following apply:~~

~~i. The average slope of the lot or the building site is 30% or greater,~~

~~ii. The height of any structure on the lot is more than 25 feet, or~~

~~iii. The lot is located in the Hillside Design District and 500 or more cubic yards of grading is proposed to occur outside the footprint of the main or accessory buildings. Soil located within five feet of an exterior wall of a main or accessory building that is excavated and recompacted shall not be included in the calculation of the volume of grading outside the building footprint.~~

~~2. ***Measuring Floor Area Pursuant to this Section***. In determining floor area pursuant to this section see Section 30.15.070, Measuring Floor Area, and the following:~~

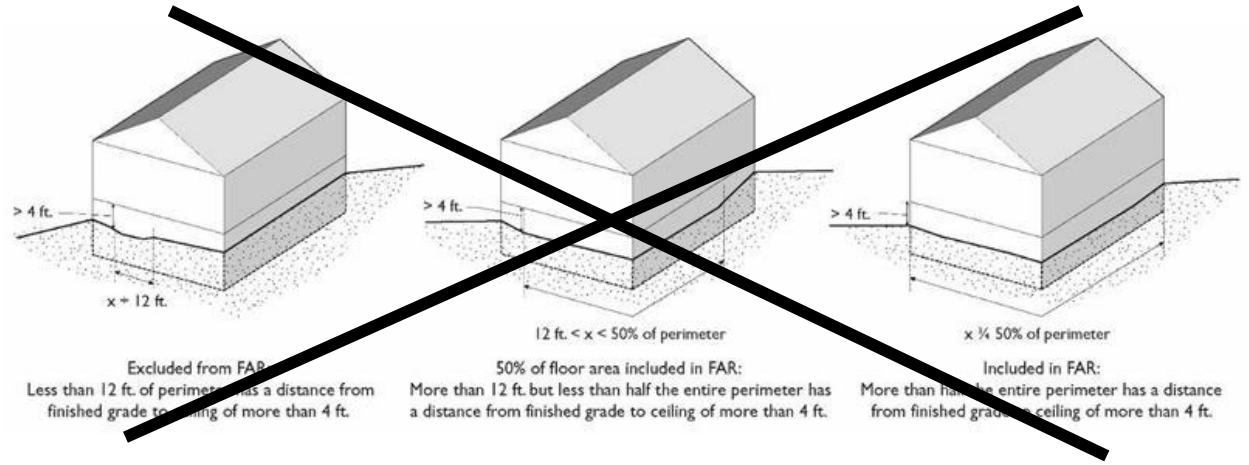
~~a. *Below Grade Excluded.* On any floor which is partly below and partly above grade, such as a basement, cellar, or understory, the total floor area of that floor may be excluded from the floor to lot area ratio (FAR) if no more than a cumulative total width of 12 feet per elevation has a distance from finished grade to ceiling greater than four feet.~~

~~b. *Partially Below Grade Reduced.* On any floor which is partly below and partly above grade, such as a basement, cellar or understory, the total floor area of that floor may be reduced by 50% from the floor to lot area ratio (FAR) if more than 12 feet, but less than one half the entire length of the perimeter has a distance from grade to ceiling greater than four feet.~~

~~c. *All Other Floor Area Included.* If more than one half the entire length of the perimeter of any floor has a distance from grade to ceiling greater than four feet, it is included in the floor to lot area ratio (FAR).~~

~~d. *Accessory Dwelling Unit and Junior Accessory Dwelling Unit Included.* Floor area within a portion of a structure designed and permitted as an accessory dwelling unit or junior accessory dwelling unit is included.~~

~~FIGURE 30.20.030.A.2: MEASURING FLOOR AREA~~



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

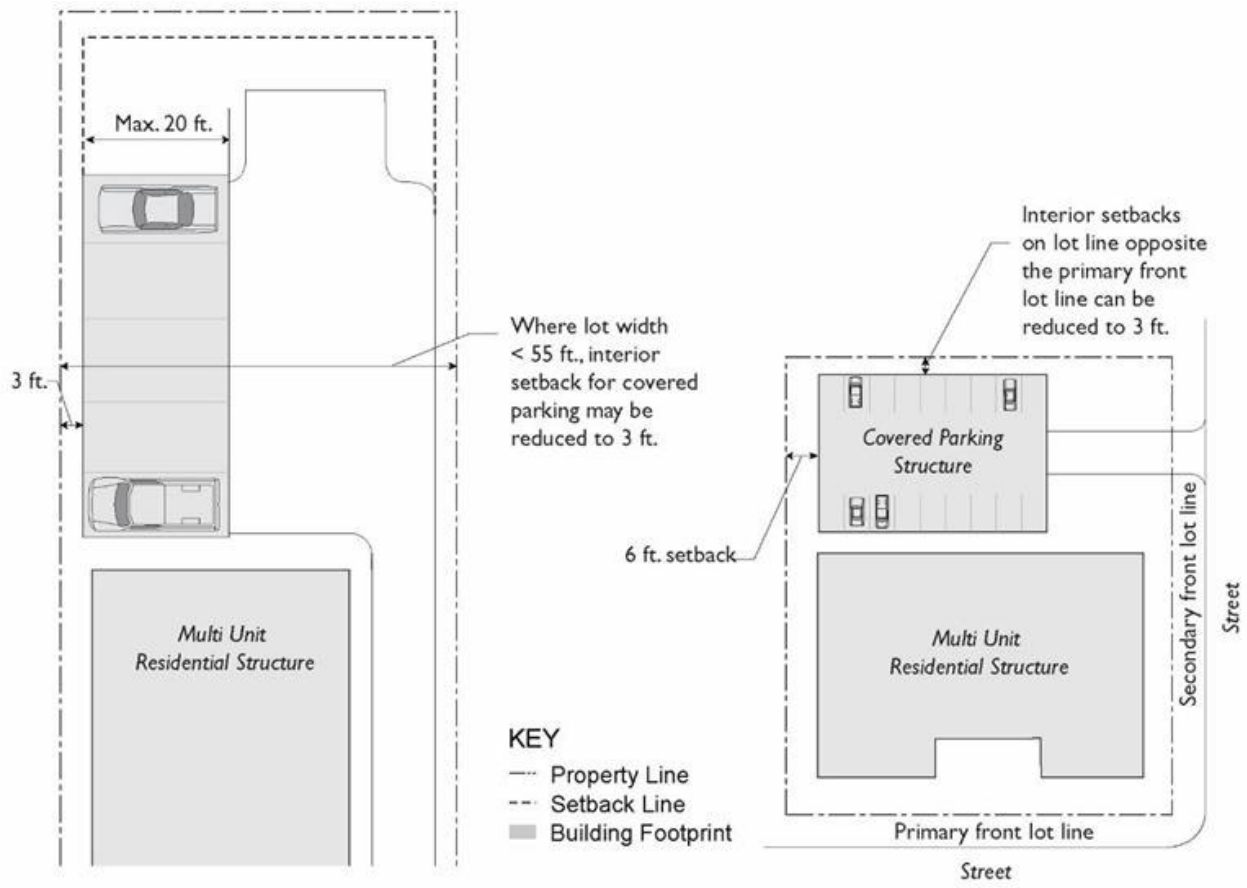
1. ***Residential Single Unit Zones***. In Residential Single Unit zones, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback and stepback for all stories is reduced by five feet.

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.

~~C. **Interior Setback Reduction for Covered Parking on Lots 55 Feet or Less**. the required interior setback for covered parking on lots in the R-M or R-MH zone less than 55 feet in width, measured at the location of the covered parking structure, may be reduced to three feet provided the covered parking opening does not face a street or alley and the interior depth of the covered parking structure does not exceed 20 feet.~~

~~D. **Interior Setback Reduction for Covered Parking Opposite the Primary Front Lot Line**. The required interior setback for covered parking on lots in the R-M or RMH zone developed with multi-unit residential may be reduced to three feet on the lot line opposite the primary front lot line. In the event of two or more front lot lines, the setback of only one opposite lot line may be reduced to three feet.~~

FIGURE 30.20.030.~~C AND D~~B: 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

Sections:

30.25.010 Purpose
30.25.020 Land Use Regulations
30.25.030 Development Standards

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 ~~General Plan classifications of Commercial/Medium High Residential, Commercial/High Residential, Office/Medium Density Residential, Office/Medium High Residential, and Office/High Residential~~.

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.

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
Residential Uses					
Residential Housing Types					
Single-Unit Residential	A	A	A	A	
Two-Unit Residential	A	A	A	A	

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
Multi-Unit Residential	A	A	A	A	
Special Residential Unit Types					
Accessory Dwelling Unit	A	A	A	A	§30.185.040, Accessory Dwelling Units
Caretaker Unit	A	A	A	A	§30.185.120, Caretaker Unit
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
6 or fewer individuals	A	A	A	A	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
7 to ~~12~~15 individuals	A	A	A	A	
~~More than 12~~16 or more individuals	~~CUP~~PSP	~~CUP~~PSP	~~CUP~~PSP	~~CUP~~PSP	
Family Day Care Home	A	A	A	A	§30.185.230, Large and Small Family Day Care Homes
~~*Small*~~	~~A~~	~~A~~	~~A~~	~~A~~	~~§30.185.230, Large Family Day Care Homes~~
~~*Large*~~	~~A~~	~~A~~	~~A~~	~~A~~	
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				
Public and Semi-Public Uses (2)					
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	

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
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					
Hospital	–	CUP	CUP	CUP	
Clinic	CUP	A	CUP	A	
Birth Center	–	A	A	A	
Instructional Services	–	–	A	A	
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)	
Commercial Uses					
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					
Animal Daycare	–	–	A(4)	A(4)	
Animal Shelter and Boarding	–	–	A(5)	A(5)	
Grooming and Pet Stores	–	–	A(4)	A(4)	
Veterinary Services	–	–	A(4)	A(4)	
Artist Studio	–	–	A	A	
Automated Teller Machine	A	A	A	A	§30.185.080, Automated Teller Machines

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
Automobile/Vehicle Sales and Services					
Automobile/Vehicle Rentals	–	–	A	A	
Automobile/Vehicle Sales and Leasing	–	–	–	A(6)	
Car Washing Facilities	–	–	PSP	PSP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
Fueling Station	–	–	PSP(7)	PSP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
Service and Repair, Minor	–	–	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					
Cinema/Theater	–	–	–	A	
Large-scale	–	–	–	CUP	§30.185.350, Recreation Facilities
Small-scale	–	–	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

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
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	
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					
Food and Beverage Retail Sales	–	–	A	A	
General Retail	–	A/PSP(15)	A	A	§30.185.260, Medical Equipment Supply Stores
Neighborhood Market	PSP	PSP	~~PSP~~ –	~~PSP~~ –	§30.185.370, Retail Sales, Neighborhood Market
Industrial Uses					
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					
Personal Storage	–	–	–	A(18)	
Transportation, Communication, and Utilities Uses					

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
Telecommunications Facilities	§30.185.410, Telecommunications Facilities				
Transportation Passenger Terminals	–	–	–	PSP	
Public Works and Utilities	§30.185.340, Public Works and Utilities				
Other Applicable Types					
Accessory Uses and Buildings	A/PSP	A/PSP	A/PSP	A/PSP	§30.185.030, Accessory Uses and §30.140.020, Accessory Buildings
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~~.D.8, Solar Energy Systems~~ Encroachments, and §30.185.400, Solar Energy Systems				
Temporary Use	§30.185.420, Temporary Uses				

Specific Limitations

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.

2. Other public or semi-public facilities not specifically ~~permitted~~ allowed may be allowed in any zone pursuant to Conditional Use Permit approval.

3. Must be located a minimum 300 feet from any other social service facility or emergency shelter.

4. All activities shall be conducted within an enclosed building.

5. Limited to boarding of cats and other household pets, excluding dogs. All activities shall be conducted within an enclosed building. Breeding is not ~~permitted~~ allowed.

6. Limited to sales of used automobiles; new or used motorcycles and mopeds are allowed.

7. Limited to no more than six fuel dispensers, which may each serve two vehicles.

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE 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	*O-R*	*O-M*	*C-R*	*C-G*	*Additional Regulations*
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. 9. Limited to no more than 10 employees at any given time. 10. Limited to no more than 20 employees at any given time. 11. Limited to Hotels located in Structures of Merit or Landmarks pursuant to Chapter ~~22.22~~ 30.157, Historic ~~Structures~~ Resources or in another structure on the same lot as a Structure of Merit or Landmark used as a Hotel. 12. Limited to offices related to medical and dental field only. 13. Limited to outdoor uses associated with Fueling Stations and Nurseries and Garden Centers. 14. In conjunction with any establishment that serves or sells food or beverages. 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 ~~permitted~~ 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.

TABLE 30.25.030: DEVELOPMENT STANDARDS–COMMERCIAL AND OFFICE ZONES				
Zone	*O-R*	*O-M*	*C-R*	*C-G*
Lot Size and Street Frontage				
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			
Maximum Base Residential Density				
Less than 5,000 sq. ft. Net Lot Area	1 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			
Additional Residential Density Allowances				
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 ~~and Development~~ Incentives			
Structure Form and Location				
Minimum Residential Unit Size	~~Studio: 220 square feet;~~ ~~All other units: 400 square feet~~ 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 ~~into Setbacks and Open Yards~~ See Chapter 30.150, Average Unit-Size Density Incentive Program			
Front	10; Portions of structures over 25 ft in height: +10			

TABLE 30.25.030: DEVELOPMENT STANDARDS–COMMERCIAL AND OFFICE ZONES				
Zone	*O-R*	*O-M*	*C-R*	*C-G*
Interior	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			
Front	10; Portions of structures over 25 ft in height: +10			0
Interior, Adjacent to Nonresidential Zone	6; Portions of structures over 25 ft in height: +4			0
Interior, Adjacent to Residential Zone	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			
Front, Street-Facing	20			
Front, Non-Street-Facing – Nonresidential Use	10		0	
Front, Non-Street-Facing – Residential Use	10			
Interior, Covered – Nonresidential Use	6		0	
Interior, Covered, 4 or Fewer Spaces – Residential Use	3			
Interior, Covered, 5 or More Spaces – Residential Use	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			
Interior, Covered, Lots ≤ 55 ft – Residential Use	May be reduced to 3 feet if: • The lot is less than 55 feet wide at the location of the covered parking structure, • The parking opening does not face a street or alley, and • The interior depth of the covered parking structure does not exceed 20 feet			
Interior, Uncovered	3-foot wide landscape buffer along the interior property line			
~~Front~~	~~Residential only development: Same as R-M Zone~~ ~~Nonresidential and mixed-use development:~~ ~~● 1st and 2nd Stories: 10~~ ~~● Portions of structure above 2nd story: 20~~			~~Residential only development: Same as R-M Zone~~ ~~Nonresidential and mixed-use development: 0~~

TABLE 30.25.030: DEVELOPMENT STANDARDS–COMMERCIAL AND OFFICE ZONES				
Zone	*O-R*	*O-M*	*C-R*	*C-G*
~~Interior, Adjacent to a Nonresidential Zone~~	~~Residential only development: Same as R-M Zone~~ ~~Nonresidential and mixed-use development:~~ ~~● 1st and 2nd Stories: 6~~ ~~● Portions of structure above 2nd story: 10~~		~~Residential only development: Same as R-M Zone~~ ~~Nonresidential and mixed-use development: 0~~	
~~Interior, Adjacent to a Residential Zone~~	~~Residential structures, and the residential portion of any mixed-use development: Same as R-M Zone~~ ~~Nonresidential structures, and the nonresidential portion of any structure in a mixed-use development, 30 feet or less in height: 15~~ ~~Nonresidential structures, and the nonresidential portion of any structure in a mixed-use development, more than 30 feet in height: 20~~ ~~Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.~~			
~~Uncovered Parking~~	~~See §30.175.060, Location of Required Automobile and Bicycle Parking~~			
Open Yard and Landscape				
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

Sections:

30.30.010 Purpose
30.30.020 Land Use Regulations
30.30.030 Development Standards

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.

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*
Residential Uses			
Residential Housing Types			
Single-Unit Residential	A	–	
Two-Unit Residential	A	–	
Multi-Unit Residential	A	–	
Special Residential Unit Types			
Accessory Dwelling Unit	A	–	§30.185.040, Accessory Dwelling Units
Caretaker Unit	A	A(1)	§30.185.120, Caretaker Unit
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices			
6 or fewer individuals	A	–	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
7 to ~~12~~ 15 individuals	A	–	
~~More than 12~~ 16 or more individuals	~~CUP~~ PSP	–	
Family Day Care Home	A	–	§30.185.230, Large and Small Family Day Care Homes
~~*Small*~~	~~A~~	~~–~~	~~§30.185.230, Large Family Day Care Homes~~
~~*Large*~~	~~A~~	~~–~~	
Group Residential	PSP	–	§30.185.190, Group Residential
Home Occupation	A	–	§30.185.200, Home Occupation
Live-Work Unit	Allowed subject to the highest permit level	–	§30.185.240, Live-Work Units

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*
	required for 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		
Public and Semi-Public Uses (3)			
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
Hospitals and Clinics			
Hospital	CUP	–	
Clinic	A	–	
Birth Center	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)	

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*
Commercial Uses			
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			
Animal Daycare	A(6)	A	
Animal Shelter and Boarding	A(7)	A	
Grooming and Pet Stores	A(6)	A	
Veterinary Services	A(6)	A	
Artist Studio	A	A	
Automated Teller Machine	A	A	§30.185.080, Automated Teller Machines
Automobile/Vehicle Sales and Services			
Automobile/Vehicle Rentals	A	A	
Automobile/Vehicle Sales and Leasing	A(8)	A(8)	
Car Washing Facilities	PSP	PSP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
Fueling Station	PSP	A	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
Service and Repair, Minor	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			
Cinema/Theater	A	–	
Large-scale	CUP	–	§30.185.350, Recreation Facilities
Small-scale	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	

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*
Hotels and Similar Uses	A	–	§30.185.220, Hotels and Similar Uses
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			
Business and Professional	A	A(9)	
Medical and Dental	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			
Food and Beverage Retail Sales	A	A(9)	
General Retail	A	A(9)	
Neighborhood Market	~~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			
Limited/Small Scale	A(11)	A/PSP (12)	§30.185.380, Seafood Odor Control
General/Large Scale	–	A/PSP (12)	§30.185.380, Seafood Odor Control

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*
Hazardous Waste Management Facility	CUP	CUP	Chapter 30.55, Hazardous Waste Management Facility (HWMF) Overlay Zone
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	
Warehousing and Storage			
Indoor Warehousing and Storage	A	A	
Outdoor Storage	–	A	§30.185.310, Outdoor Storage
Personal Storage	A	A	
Wholesaling and Distribution	–	A	
Transportation, Communication, and Utilities Uses			
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		

Other Applicable Types			
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		

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*
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~~.D.8, Solar Energy Systems~~ Encroachments, and §30.185.400, Solar Energy Systems		
Temporary Use	§30.185.420, Temporary Uses		

Specific Limitations

1. Limited to a Caretaker Unit of no more than 400 square feet of net floor area.

2. 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.

3. Other public or semi-public facilities not specifically ~~permitted~~ allowed may be allowed in any zone pursuant to Conditional Use Permit approval.

4. Limited to industrial-related trade schools.

5. Must be located a minimum 300 feet from any other social service facility or emergency shelter.

6. Outdoor activities may occur between the hours of 9:00 a.m. and 4:00 p.m. Activities at all other times shall be conducted within an enclosed building.

7. Limited to the boarding of cats and other household pets, excluding dogs. Outdoor activities may occur between the hours of 9:00 a.m. and 4:00 p.m. Activities at all other times shall be conducted within an enclosed building. Breeding is not ~~permitted~~ allowed.

8. Limited to sales of used automobiles. New or used motorcycles or mopeds are allowed.

9. Only allowed as an accessory use pursuant to §30.185.030, Accessory Uses.

10. Retail sales only allowed as an accessory use. See §30.185.030, Accessory Uses.

11. Seafood processing is not allowed.

12. Seafood processing is only allowed with a PSP.

13. Commercial Cannabis Businesses, as defined in Section 30.295.050.C., require a commercial cannabis business permit pursuant to Chapter 9.44.

14. Limited to uses ~~permitted~~ allowed in the zone.

15. Agriculture limited to accessory uses only.

30.30.030 Development Standards.

Table 30.30.030 prescribes the development standards for Manufacturing Zones. Section numbers refer to other sections of this Title. Additional regulations that apply throughout the City are located in Division III, Citywide Regulations.

TABLE 30.30.030: DEVELOPMENT STANDARDS–MANUFACTURING ZONES		
Zone	*M-C*	*M-I*
Lot Size and Street Frontage		
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	
Maximum Base Residential Density		
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	
Additional Residential Density Allowances		
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 ~~and Development~~ Incentives	None applicable
Structure Form and Location		
Minimum Residential Unit Size	~~Studio: 220 square feet;~~ ~~All other units: 400 square feet~~ 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 ~~into Setbacks and Open Yards~~ See Chapter 30.150, Average Unit-Size Density Incentive Program	
Front Setback	10; Portions of structures over 25 ft in height: +10	

TABLE 30.30.030: DEVELOPMENT STANDARDS–MANUFACTURING ZONES		
Zone	*M-C*	*M-I*
Interior Setback	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	
Front	0	
Interior, Adjacent to Nonresidential Zone	0	
Interior, Adjacent to Residential Zone	15; Portions of structures over 25 ft in height: +5	
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	
Front, Street-Facing	20	
Front, Non-Street-Facing – Nonresidential Use	0	
Front, Non-Street-Facing – Residential Use	10	
Interior, Covered – Nonresidential Use	0	
Interior, Covered, 4 or Fewer Spaces – Residential Use	3	
Interior, Covered, 5 or More Spaces – Residential Use	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	
Interior, Covered, Lots ≤ 55 ft – Residential Use	May be reduced to 3 feet if: • The lot is less than 55 feet wide at the location of the covered parking structure, • The parking opening does not face a street or alley, and • The interior depth of the covered parking structure does not exceed 20 feet	
Interior, Uncovered	3-foot wide landscape buffer along the interior property line	
~~Front~~	~~Residential only structures: Same as R-M Zone~~ ~~Nonresidential and mixed-use development: 0~~	
~~Interior, Adjacent to a Nonresidential Zone~~	~~Residential only structures: Same as R-M Zone~~ ~~Nonresidential and mixed-use development: 0~~	
	~~See §30.185.265, Mixed-Use Projects~~	
~~Interior, Adjacent to a Residential Zone~~	~~Residential structures and the residential portion of any mixed-use development: Same as R-M Zone~~	

TABLE 30.30.030: DEVELOPMENT STANDARDS–MANUFACTURING ZONES		
Zone	*M-C*	*M-I*
	~~Nonresidential, and the nonresidential portion of any structure in a mixed-use development, 30 feet in height or less: 15~~ ~~Nonresidential structures, and the nonresidential portion of any structure in a mixed-use development, more than 30 feet in height: 20~~ ~~Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.~~	
~~Uncovered Parking~~	~~See §30.175.060, Location of Required Automobile and Bicycle Parking~~	
Open Yard and Landscape		
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

Sections:

30.35.010 Purpose
30.35.020 Land Use Regulations
30.35.030 Development Standards

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.

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*		
Use Classification	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR*	*CO-MI*	*Additional Regulations*
Residential Uses						
Residential Uses	–	A	–	A	–	§30.185.360, Residential Uses in the CO-HV and CO-CAR Zones §30.185.040, Accessory Dwelling Units
Public and Semi-Public Uses						

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*		
Use Classification	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR*	*CO-MI*	*Additional Regulations*
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	
Commercial Uses						
Aquaculture Facilities	–	–	–	A	–	
Artist Studio	–	–	–	A	–	
Automobile/Vehicle Sales and Services						
Automobile/Vehicle Rentals	–	A/CUP (4)	A(4)	A/CUP (4)	A(4)	
Automobile/Vehicle Sales and Leasing	–	A(5)	A(2,5)	A(5)	A(5)	
Fueling Station	–	CUP(6)	PSP(3)	CUP	CUP	§30.185.090, Automobile/Vehicle Fueling Stations or Car Washing Facilities
Service and Repair, Minor	–	–	A(5)	A(5)	A(5)	
Business Services	–	–	–	A(7)	–	
Commercial Entertainment and Recreation						
Small-scale	–	–	–	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)	
Offices						
Business and Professional	–	CUP(8)	A(2,9)	A(9)	–	

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*		
Use Classification	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR*	*CO-MI*	*Additional Regulations*
Parking, Public or Private	–	A	A	A	A	
Retail Sales						
Food and Beverage Sales	–	A(6,10)	A(2,10)	A(10)	–	
General Retail	–	A(11)	A(2,11)	A(11)	–	
Industrial Uses						
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
Transportation, Communication, and Utilities Uses						
Public Works and Utilities	–	–	–	–	CUP	
Other Applicable Types						
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

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

Use Classification	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR*	*CO-MI*	*Additional Regulations*
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~~.D.8, Solar Energy Systems~~ Encroachments, and §30.185.400, Solar Energy Systems					
Temporary Use	§30.185.420, Temporary Uses					

Specific Limitations:

1. Limited to schools for the arts or coastal-oriented education facilities.
2. Limited to Stearns Wharf or as secondary harbor uses.
3. Limited to marine-related facilities.
4. Allowed if boat, boat trailer, or personal watercraft rental, CUP for automobile rental in the CO-HV and CO-CAR Zones only.
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.
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.
7. Limited to printing and copying, blueprint services, advertising and mailing, photo finishing, model building, and publishing.
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.
9. Limited to offices of businesses or persons engaged in coastal-related activities.
10. Limited to 2,500 square feet of floor area per lot.
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.
12. Limited to seafood facilities.
13. Allowed as a secondary harbor use only when limited to facilities exclusively serving the area within the CO-H Zone.
14. Limited to uses ~~permitted~~ allowed in the zone.

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.

TABLE 30.35.030: DEVELOPMENT STANDARDS–COASTAL-ORIENTED ZONES					
Zone	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR [CO-HV/CO-CAR(A)]*	*CO-MI*
Lot Size and Street Frontage					
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				
~~Minimum Net Lot Area for Newly Created Lots (sq. ft.)~~	~~None~~	~~Lots that include residential uses: 3,500~~ ~~Otherwise: None~~	~~None~~	~~Lots that include residential uses: 3,500~~ ~~Otherwise: None~~	~~None~~
~~Minimum Public Street Frontage~~	~~None~~	~~Structures and portions of structures used for residential purposes: Same as R-M Zone~~ ~~Otherwise: None~~	~~None~~	~~Structures and portions of structures used for residential purposes: Same as R-M Zone~~ ~~Otherwise: None~~	~~None~~
	~~See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines~~				
Residential Density					
Maximum Base Residential Density	N/A	Structures and portions of structures used for residential purposes: Same as R-M Zone Otherwise: N/A	N/A	Structures and portions of structures used for residential purposes: Same as R-M Zone Otherwise: N/A	N/A
Additional Density Allowances	N/A		N/A		N/A
Structure Form and Location					
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

TABLE 30.35.030: DEVELOPMENT STANDARDS–COASTAL-ORIENTED ZONES					
Zone	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR [CO-HV/CO-CAR(A)]*	*CO-MI*
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				
Front	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	
Interior	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				
Front	0				
Interior, Adjacent to Nonresidential Zone	0				
Interior, Adjacent to Residential Zone	15; Portions of structures over 25 feet in height: +5				
~~Front~~	~~Portions of structures 15 feet or less: 10~~ ~~Portions of structures more than 15 feet in height: 20;~~ ~~100 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~~		~~None~~	~~Residential only development: Same as R-M Zone~~ ~~Otherwise: None~~	~~None~~
~~Interior, Adjacent to a Nonresidential Zone~~	~~None~~ 0		~~None~~ 0	~~Residential only development: Same as R-M Zone~~ ~~Otherwise: None~~	~~None~~ 0
~~Interior, Adjacent to a Residential Zone~~	~~Residential structures, and the residential portions of mixed-~~		~~None~~ 0	~~Residential only development: Same as R-M Zone~~	~~None~~ 0

TABLE 30.35.030: DEVELOPMENT STANDARDS–COASTAL-ORIENTED ZONES					
Zone	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR [CO-HV/CO-CAR(A)]*	*CO-MI*
	~~use development: Same as R-M Zone~~ ~~Nonresidential structures and the nonresidential portions of any structure in a mixed-use development, 30 feet in height or less: 15~~ ~~Nonresidential structures, and the nonresidential portion of any structure in a mixed-use development, more than 30 feet in height: 20~~ ~~Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.~~			~~Otherwise: None~~	
~~Uncovered Parking~~	~~See §30.175.060, Location of Required Automobile and Bicycle Parking~~				
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				
Front, Street-Facing	20				
Front, Non-Street-Facing – Nonresidential Use	0				
Front, Non-Street-Facing – Residential Use	10				
Interior, Covered – Nonresidential Use	0				
Interior, Covered, 4 or Fewer Spaces – Residential Use	3				
Interior, Covered, 5 or More Spaces – Residential Use	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				
Interior, Covered, Lots ≤ 55 ft – Residential Use	May be reduced to 3 feet if: • The lot is less than 55 feet wide at the location of the covered parking structure, • The parking opening does not face a street or alley, and • The interior depth of the covered parking structure does not exceed 20 feet				
Interior, Uncovered	3-foot wide landscape buffer along the interior property line				
Open Yard and Landscape					

TABLE 30.35.030: DEVELOPMENT STANDARDS–COASTAL-ORIENTED ZONES					
Zone	*CO-HR*	*CO-HV*	*CO-H*	*CO-CAR [CO-HV/CO-CAR(A)]*	*CO-MI*
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

Sections:

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

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.

~~A.~~ 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~~. The provisions of this section~~ These standards apply to:

1. ~~a~~All attached and detached covered parking structures, and

2. ~~a~~All other detached accessory buildings and structures, whether enclosed or unenclosed, that have ~~having~~ a solid roof supported by columns or walls.

~~located on lots developed with Residential, Agriculture, Community Garden, or Market Garden uses. Attached accessory buildings consistent with Section 30.140.030, Building Attachment, are not subject to this section, and are considered part of the main building subject to all of the standards and regulations of the main building~~.

~~B.~~C. **Types of Regulated Accessory Buildings**. Accessory buildings are defined in Chapter 30.300, Definitions, and ~~may include, but are not limited to~~ 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.

~~Accessory buildings are defined in Chapter 30.300, Definitions, and may include, but are not limited to, non-livable buildings used as garages, carports, workshops, barns, greenhouses, agricultural buildings, pens, stables, sheds, and storage rooms; and livable floor area such as detached Accessory Dwelling Units, bedrooms, playrooms, or guestrooms.~~

~~C.~~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. ~~Bathing facilities, more than one sink, or a kitchen are prohibited unless approved as a residential unit, or an accessory dwelling unit pursuant to subsection D, Additional Residential Building Elements, below and a Performance Standard Permit, Chapter 30.255~~

~~D.~~F. ~~**Additional**~~ **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.

~~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 Recorded Agreement 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.~~

~~F.~~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 ~~Agriculture,~~ Community Garden, or Market Garden uses, pursuant to ~~Section 30.185.070, Agriculture, and~~ Section 30.185.130, Community and Market Gardens.

~~F.~~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 ~~into Setbacks and Open Yards~~.

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.

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

~~H.~~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.

~~I. **Design Review Required**. Design review approval by the appropriate Design Review body pursuant to Title 22 of the Santa Barbara Municipal Code shall be required for any new building, additions, or other exterior alterations to an existing accessory building, when any of the following apply:~~

~~1. The aggregate floor area of all detached accessory buildings on the lot is greater than 500 square feet; or~~

~~2. The cumulative total of all buildings, or portions of buildings, on the lot providing covered parking, result in three or more covered parking spaces on the lot.~~

~~***Exception for Accessory Dwelling Units***. Design review approval under this subsection is not required for any portion of an accessory building proposed for use as an Accessory Dwelling Unit approved under Section 30.185.040, Accessory Dwelling Units.~~

~~J.~~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 residential unit,~~ Single-Unit Residential use, as defined in Section 30.295.020.A.1, and no other principal uses. ~~Agriculture pursuant to Section 30.185.070, or Community and Market Gardens pursuant to Section 30.185.130.~~ 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

~~2. ***Covered Parking***. Other than to permit the construction of an Accessory Dwelling Unit pursuant to Section 30.185.040, detached accessory buildings in excess of 500 square feet shall not be permitted unless the total amount of required covered parking is provided per Chapter 30.175, Parking Regulations.~~

~~3. ***Maximum in a Single Building***. The maximum floor area in any single detached building shall not exceed 1,250 square feet. The floor area of an Accessory Dwelling Unit attached to or constructed above a new or existing covered parking structure shall not be included in the calculation of floor area pursuant to this subsection.~~

~~4. *Maximum Livable Floor Area*. The maximum cumulative detached livable floor area in accessory buildings per lot, excluding the livable floor area of a permitted Accessory Dwelling Unit, shall not exceed 500 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.

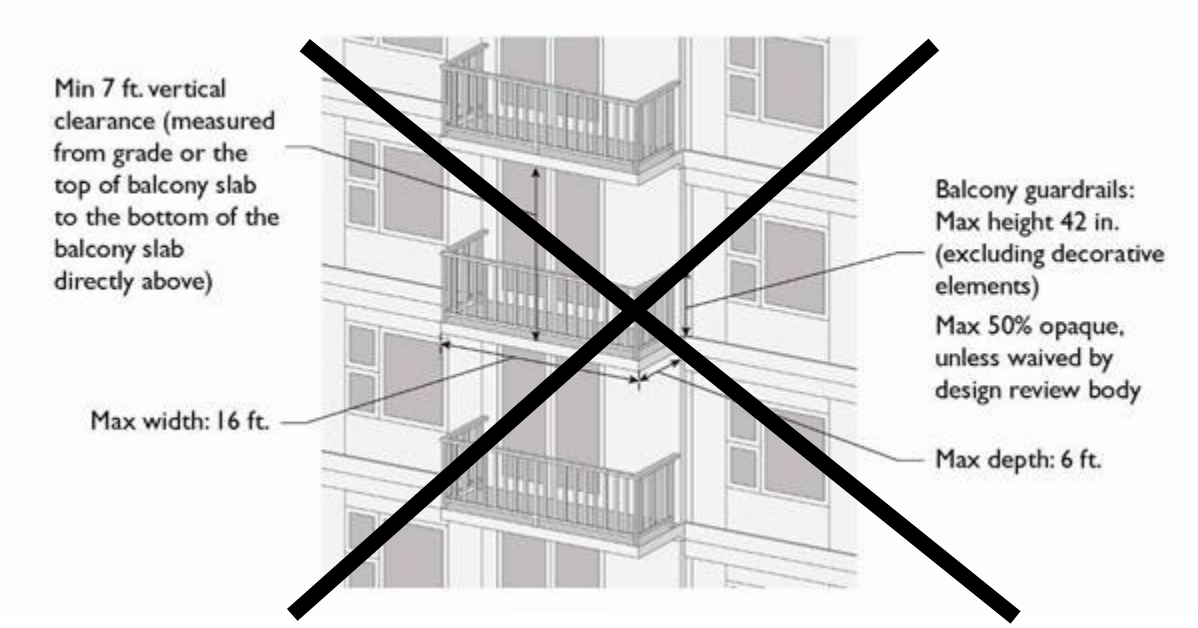
b. Guardrails shall not exceed 50% opacity, consisting of open elements such as bars, balusters, or railings. Solid materials, including glass panels, are not considered open elements and do not meet this transparency requirement unless otherwise approved by the applicable Design Review body.

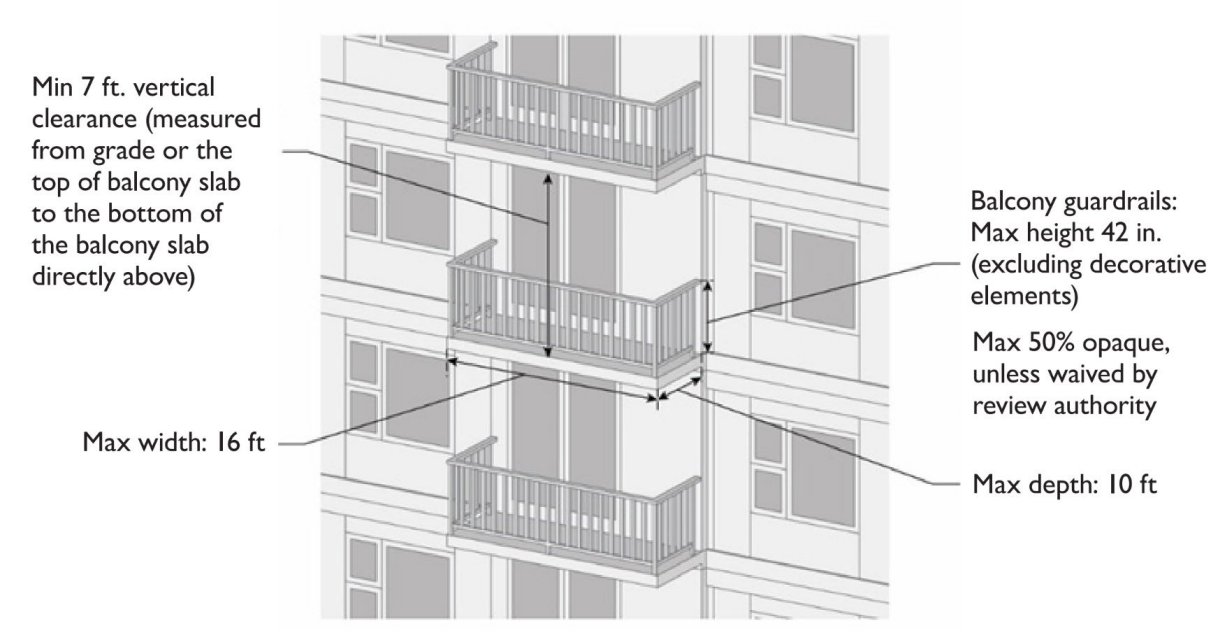
c. Variations to these guardrail standards may be approved by the applicable Design Review body to ensure consistency with the building's architectural style, as defined in applicable design guidelines.

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.

~~A.~~ 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.

~~If a building or roofed structure or portion of a building or roofed structure, does not meet the minimum connection standards of Subsection 30.140.030.B, Required Minimum Connection, below, the building or roofed structure, or portion of a building or roofed structure, shall be subject to all of the standards and limitations for separate main or accessory buildings in this Title.~~

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.

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

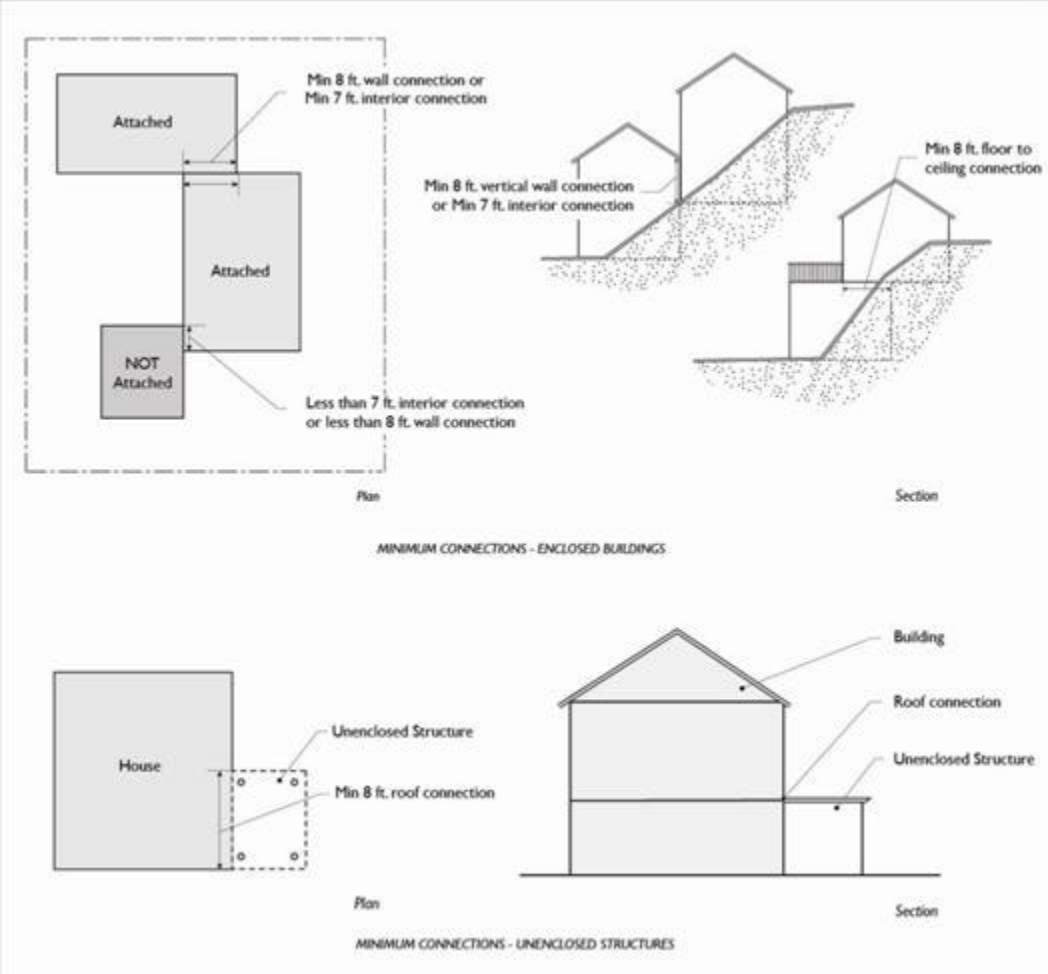
1. *Enclosed Buildings*. Enclosed buildings shall be considered attached when the buildings share either:

a. A common building wall or floor-to-ceiling connection with minimum dimensions ~~a minimum~~ of eight feet by eight feet ~~of common building wall, or floor to ceiling connection~~; or

b. An interior connection, such as a hallway or room, with ~~share a~~ minimum dimensions of seven feet by seven feet ~~of interior connection, such as a hallway or room~~.

2. *Unenclosed Structures*. Unenclosed roofed structures such as carports, patio covers, or similar, ~~shall be~~ are considered attached when they share a solid roof connection with a minimum dimension of eight feet. ~~An unenclosed structure, such as a breezeway, shall not be used to attach enclosed buildings.~~ 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~~ing~~, 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 ~~permitted~~ 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 ~~immediately~~ 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 ~~into Setbacks and Open Yards~~.

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.

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 Elements					
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
Functional Elements					
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

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*		
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
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
Outdoor Living and Circulation					
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	Se 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

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*		
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
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 buiding, 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.

~~A. **Applicability.** Required setbacks, and open yard areas shall be open, unenclosed, and unobstructed by structures from the ground upward, except as provided in this section. The provisions of this section do not apply to Development Along Mission Creek, pursuant to Section 30.140.050, Street Widening Setbacks, pursuant to Section 30.140.190, or public utility easements which are to remain unobstructed.~~

~~B. **Limitations.** The following limitations shall apply to all allowed encroachments:~~

~~1. Encroachments shall not provide floor area within a building or structure;~~

~~2. Structures constructed below grade, or less than 10 inches above existing grade, are not considered an encroachment;~~

~~3. Enclosures for any encroachment are subject to the same setback and distance requirements as the encroachment.~~

~~4. Encroachments up to the maximum allowed by this section may be made, in both conforming and nonconforming setbacks and open yards, provided the minimum distance to the property line is met; and~~

~~5. Encroachments are subject to the applicable requirements of the Building Code.~~

~~C. **General Encroachments.** The following may encroach into setbacks, and open yards, subject to the specified standards.~~

~~1. ***Architectural Projections***. A cantilevered architectural building projection, such as awnings, cornices, eaves, and canopies, located at least 30 inches above adjacent grade and at least 18 inches above finish floor, may encroach up to three feet into any setback or open yard, but shall be no closer than two feet to any property line and shall have a minimum of seven feet vertical clearance below. Rain gutters may encroach an additional six inches beyond the roof eave.~~

2. ***Balconies and Upper Story Decks***. An uncovered balcony or upper story deck may encroach up to three feet into a front setback or open yard, but shall be no closer than two feet to any property line and subject to the following:

a. *Size.* The overall size of each balcony or upper story deck shall be limited to a maximum of six feet deep and 16 feet wide, excluding railings.

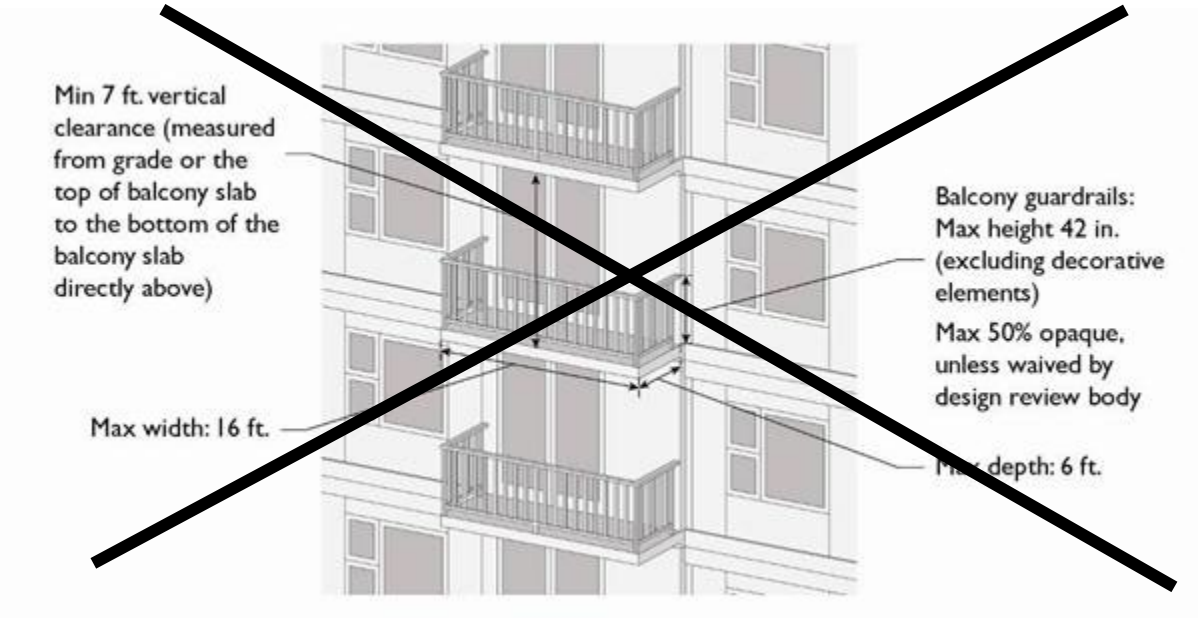
b. *Ground Supports.* No new ground supports for the balcony or upper story deck may be located in the setback or open yard.

c. *Vertical Clearance.* The cantilevered portion of the balcony or upper story deck shall have a minimum vertical clearance of seven feet.

d. *Uncovered.* A balcony or upper story deck shall be uncovered by any structure other than an awning. However, a balcony or upper story deck may be placed above another balcony or upper story deck if there are no horizontal connections of any kind between balconies and upper story decks except the wall from which the balconies and upper story decks are cantilevered.

e. *Guardrails.* The guardrails on balconies and decks shall not exceed the minimum height required by the Building Code, and the design of the guardrail shall be at least 50% transparent or see through (consisting of open spaces with bars, balusters, railings, or similar). Decorative elements on balconies or decks that exceed the height limitation or guardrails that are less than 50% transparent may be approved by the appropriate Design Review body on a case-by-case basis to achieve consistency with the architectural style of the site.

~~**FIGURE 30.140.090.C.2: BALCONY AND UPPER STORY DECK ENCROACHMENTS**~~



~~3. ***Bay Windows.*** A bay window, or similar protruding window construction, with a sill located at least 30 inches above adjacent grade and at least 18 inches above finish floor, may encroach up to three feet into a front setback or open yard, except private open yard, but shall be no closer than two feet to any property line.~~

~~**FIGURE 30.140.090.C.3: BAY WINDOW ENCROACHMENTS**~~

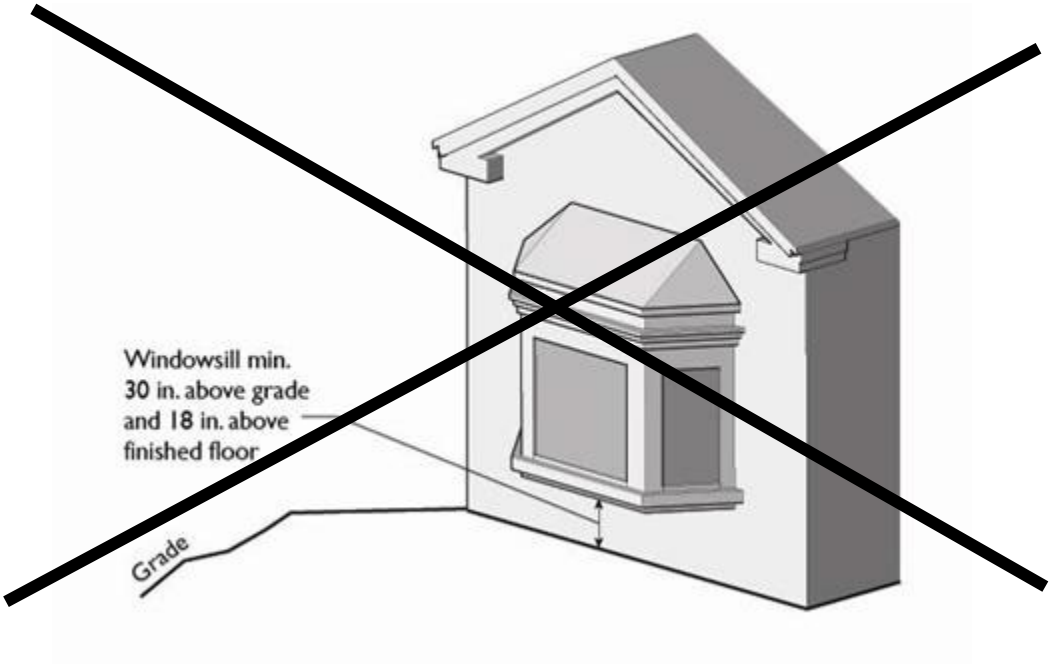
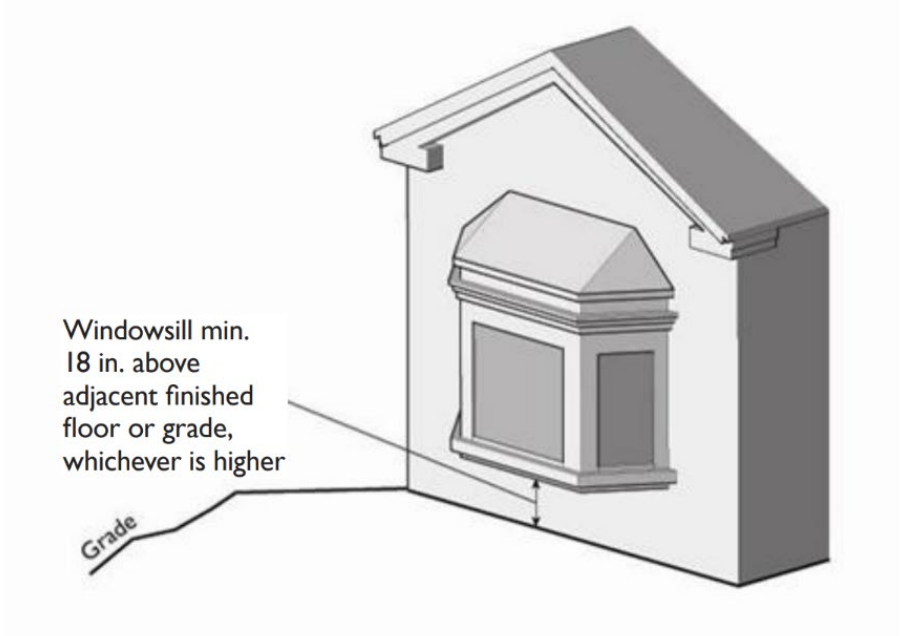


FIGURE 30.140.090.B.1: VERTICAL CLEARANCE FOR WALL-MOUNTED ENCROACHMENTS

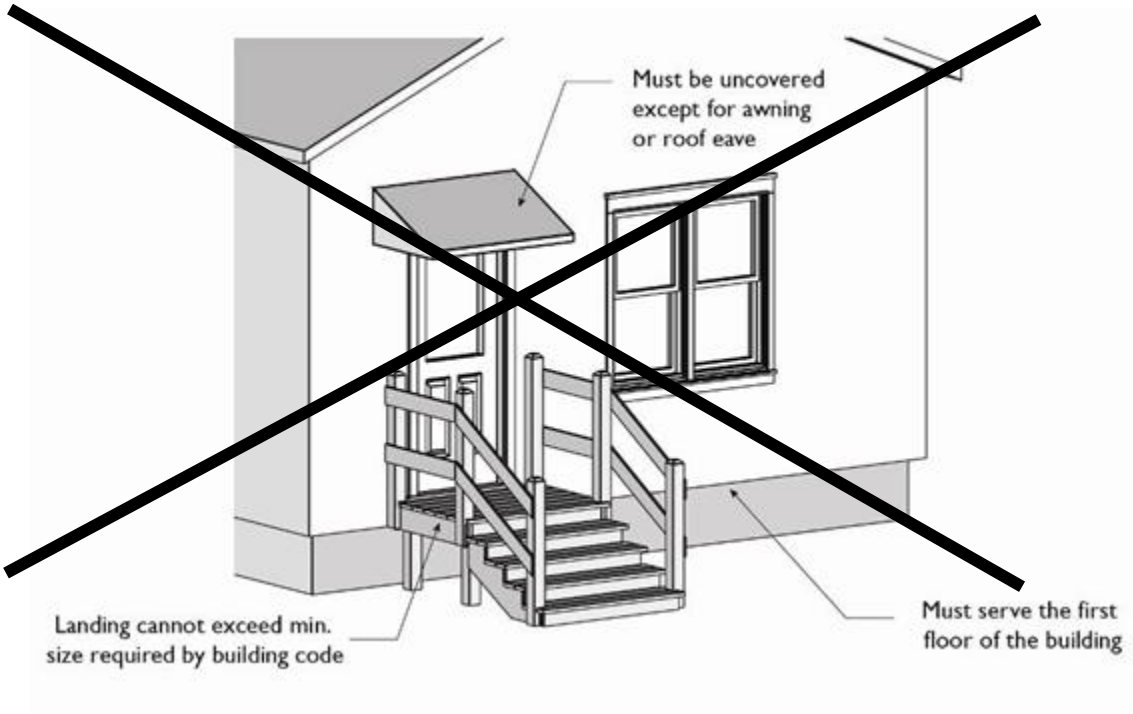


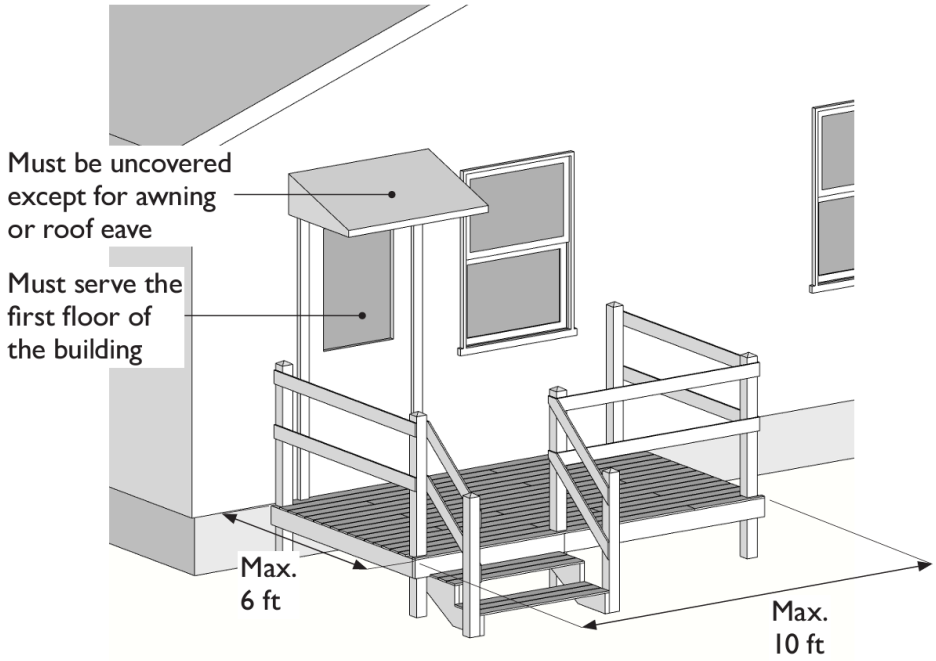
~~4. ***Chimneys***. A chimney serving the interior of a building may encroach up to three feet into any setback or open yard, except private open yard, but shall be no closer than two feet to any property line. Freestanding chimneys shall not encroach into setbacks but may be allowed in Open Yard pursuant to Subsection 30.140.090.E, Open Yard Encroachments.~~

~~5. ***Fences and Hedges***. Fences and hedges may encroach into any setback or open yard, pursuant to the standards in Section 30.140.110, Fences and Hedges.~~

~~6. ***Landings and Outside Steps***. Unenclosed landings and outside steps uncovered by any structure other than an awning or roof eave, serving the first floor of a building, in the minimum size required by the Building Code, may encroach up to three feet into any setback or open yard, except private open yard, but shall be no closer than two feet to any property line.~~

FIGURE 30.140.090.~~C.6~~ D.3: STOOPS, LANDINGS, AND OUTSIDE STEPS ENCROACHMENTS





7. ***Mechanical and Other Equipment***. See Section 30.140.130, Mechanical and Other Equipment.

8. ***Planter Beds***. Planter beds consisting of low walls and earth for the purpose of providing landscaping and gardening areas, no more than 42 inches in height above existing grade, may encroach into any setback and open yard.

9. ***Rain Barrels and Cisterns***. Rain barrels and cisterns with a maximum cumulative capacity of 1,000 gallons per lot line, or other similar storm water management equipment, may encroach up to three feet into any setback or open yard, except private open yard, but shall be no closer than two feet to any property line, subject to the following:

a. *Height*. Rain barrels and cisterns shall not exceed a maximum height of six feet.

b. *Number*. Maximum two per setback or open yard area.

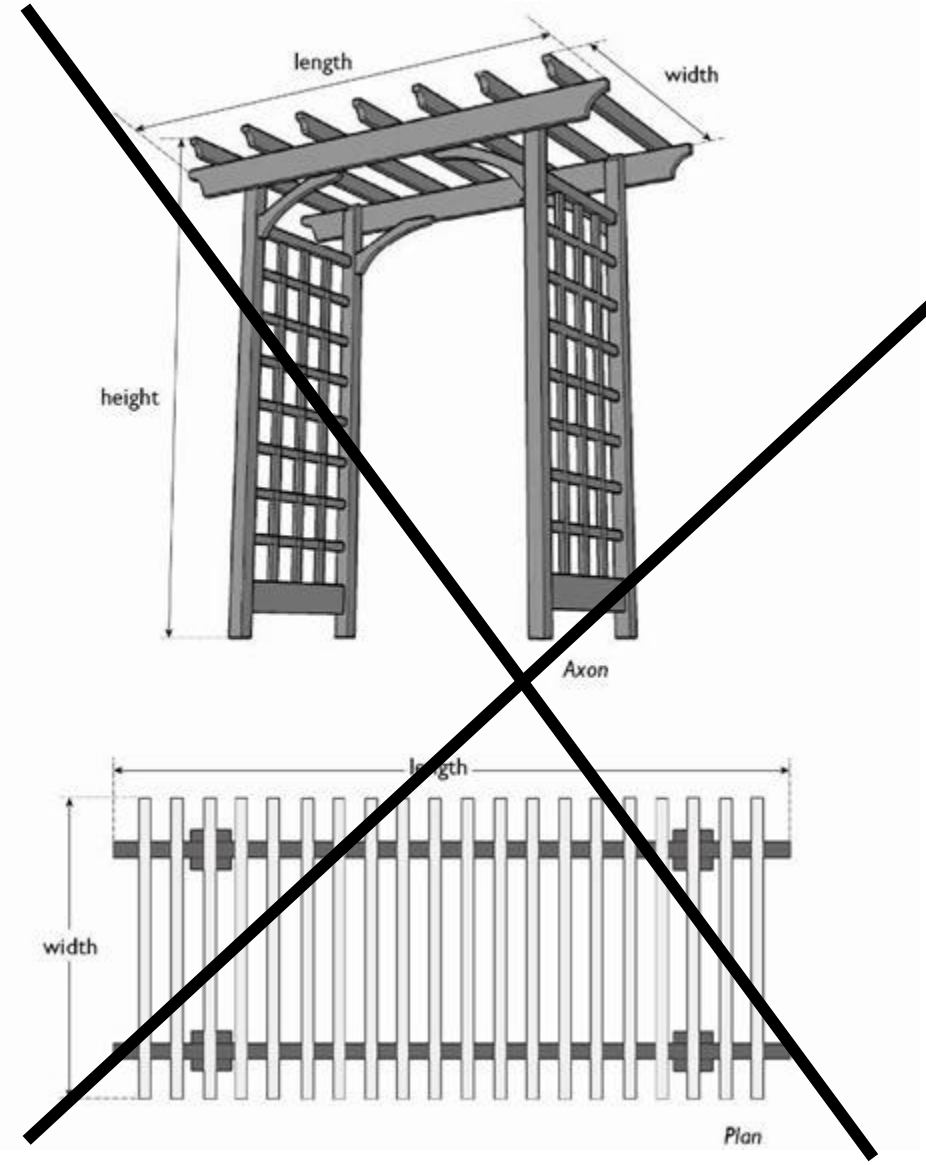
c. *Screening*. Rain barrels and cisterns shall be hidden from view or screened, pursuant to Section 30.15.120, Screening.

d. *Maintenance*. Rain barrels and cisterns shall be maintained in good condition and shall be utilized regularly to prevent accumulation of material which attracts mosquitoes or other vectors. Rain barrels and cisterns shall not create a nuisance, hazard, or other objectionable condition, pursuant to Chapter 30.180, Performance Standards.

10. ***Swimming Pools and Spas***. See Section 30.140.210, Swimming Pools, Spas, and Similar Uses.

11. ***Trellis***. One small overhead structure per lot line, such as an arbor, arch, trellis, or pergola, not exceeding nine feet in height and 18 square feet in area, may encroach into any setback or open yard.

~~**FIGURE 30.140.090.C.11: TRELLIS ENCROACHMENTS**~~



~~12. ***Waste and Recycling Enclosures***. See Section 30.140.240, Waste Recycling, and Outdoor Storage.~~

~~D. **Setback Encroachments.** The following may encroach into front and interior setbacks, subject to the standards of this section:~~

1. ***Accessibility Improvements***. Accessible uncovered parking spaces and associated access aisles, and components of an accessible route (sloped walk ways and ramps/landings/guard rails), may encroach into any setback, as follows:

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 development only and shall not apply to new or reconstructed structures, additions, or substantial redevelopment where the proposed project can provide a reasonable accommodation.

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.

2. ***Decks, First Story***. One residential uncovered deck per lot, including landings and stairs serving the deck, no more than 18 inches in height above existing grade, may encroach up to three feet into any interior setback, but shall be no closer than two feet to any property line provided:

a. *Minor Zoning Exception Required*. A Minor Zoning Exception is approved by the appropriate Design Review body pursuant to Chapter 30.245, Minor Zoning Exception.

3. ***Electric Vehicle Supply Equipment (EVSE)***. See Section 30.175.030.Q, Electric Vehicle Charging Stations.

4. ***Outdoor Furniture***. Ground signs and outdoor furniture for nonresidential uses, consisting of items not permanently affixed to the ground, such as tables, chairs, umbrellas, space heaters, sculptures, and potted plants, may encroach into any nonresidential front setback provided that the encroachments are not located in an open yard or any setback required for exclusively residential structures.

5. ***Yard Ornaments***. Yard amenities such as mailboxes, flag poles, fountains, bird baths, benches, sculptures, and other practical or decorative freestanding yard elements accessory and

complimentary to the primary use of the development, may encroach into any front setback, as follows:

a. *Prohibited Items*. Yard Ornaments shall not include any roofed or overhead structures, enclosed structures, barbecues, loose rubbish, garbage, junk, items that create a nuisance, or any of the prohibited items from Section 30.140.240, Waste Trash, Recycling and Outdoor Storage, or any of the items identified in this section as either limited or not allowed in the front setback.

b. *Maximum Area*. Residential front yard amenities are limited to a cumulative total of 50 square feet or one percent of the total combined front setback area, whichever is greater.

6. ***Porches and Outside Steps***. Covered front porches and outside steps, serving the first floor of a residential main building, and unenclosed except for the wall of the main building, may encroach into the front and interior setbacks, as follows:

a. *Size*. Porches shall be limited to a maximum of 16 feet wide and six feet deep exclusive of handrails, guardrails, wing walls and associated uncovered steps.

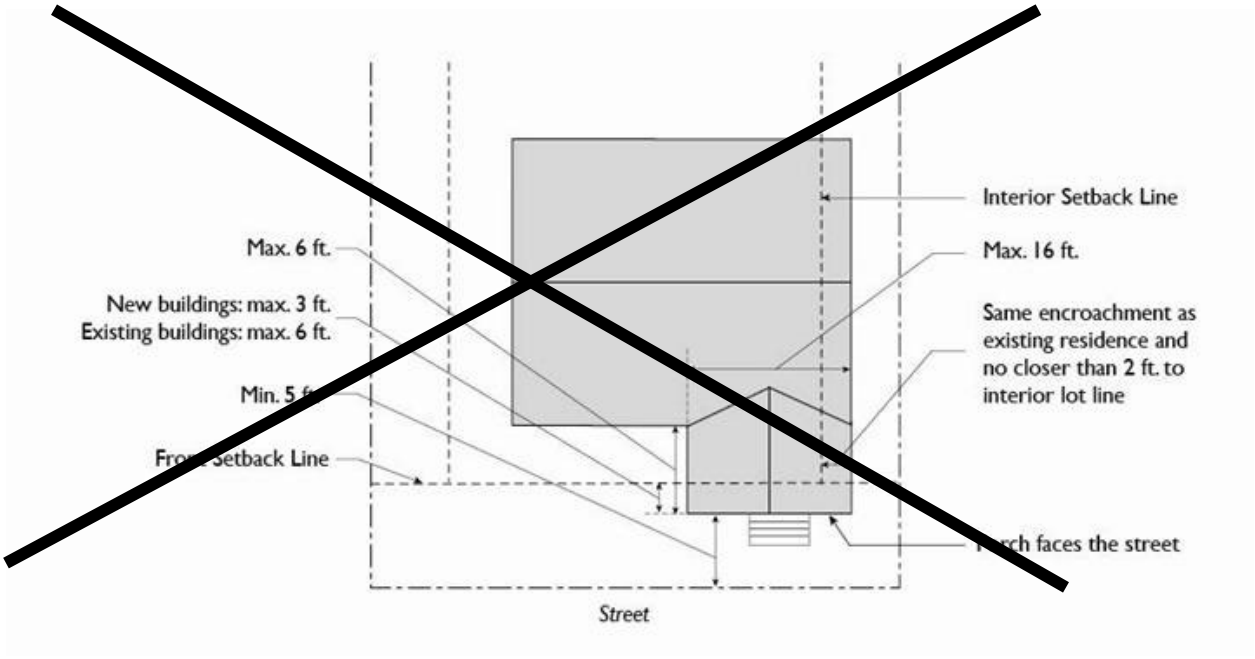
b. *Number*. One porch is allowed per residential unit, provided the porch serves as the front entry of the unit.

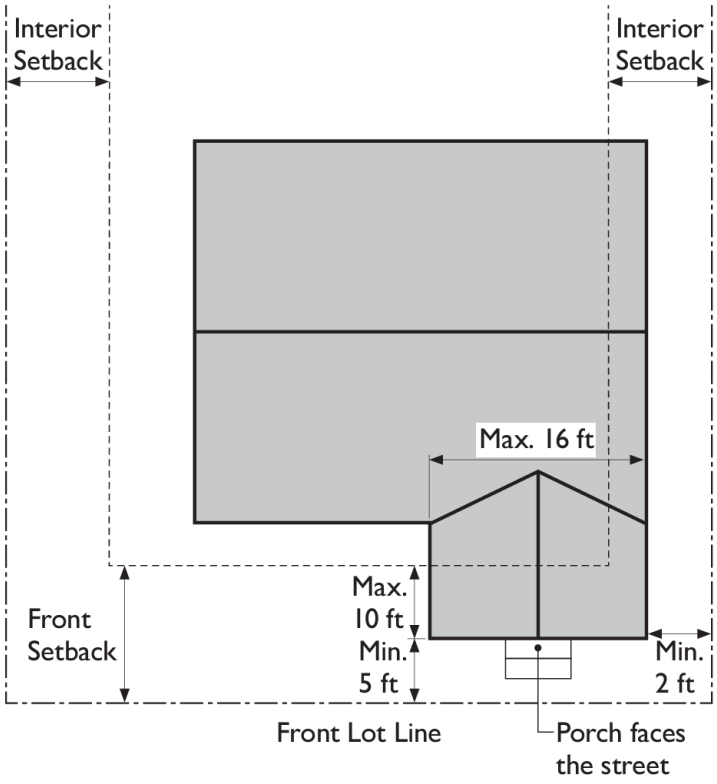
c. *Interior Setback*. Porches may encroach into the interior setback the same distance as an existing residence, provided that the porch faces the street, and no portion of the porch, except the uncovered steps, is closer than two feet to the interior property line.

d. *Front Setback*. Porches may encroach a maximum three feet into the front setback for all new buildings, and six feet into the front setback for all buildings constructed prior to the effective date of this Title, provided the porch faces the street and no portion of the porch, except the uncovered steps, is closer than five feet to any front lot line.

e. *Design Review. Approval Required* The porch must be compatible with the architecture of the building and the development pattern of the neighborhood, as determined by the appropriate Design Review body.

FIGURE 30.140.090~~.D.6~~ D.3: PORCH~~ES AND OUTSIDE STEP~~ ENCROACHMENTS





7. ***Sheds***. A detached accessory building may encroach into the interior setback if the building is:

a. Not more than 120 square feet; and

b. Not livable space; and

c. 10 feet or less in height; and

d. Constructed prior to August 1, 1975; and

e. Located outside of the front yard or required open yard.

8. ***Solar Energy Systems***. Solar energy systems, as defined in subsection (a) of Civil Code Section 801.5. may encroach as follows:

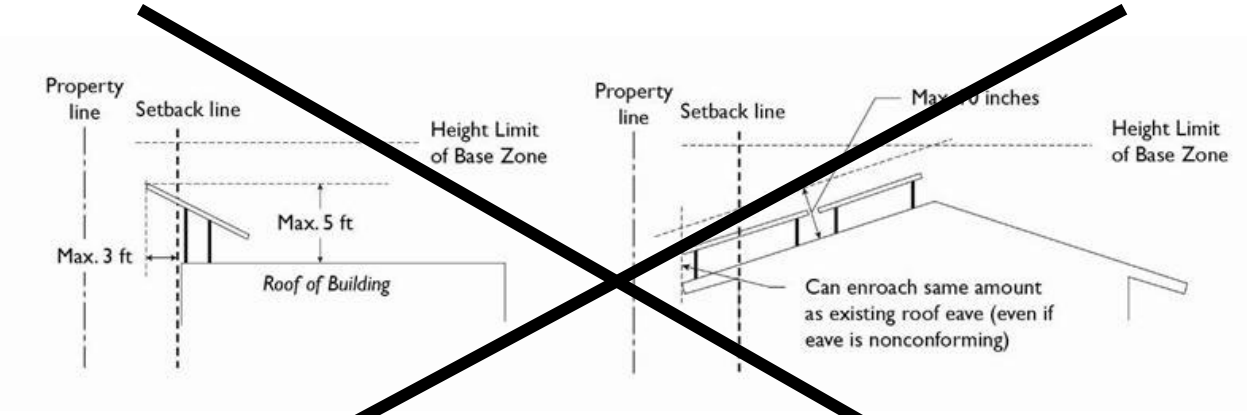
a. *Ground Mounted Equipment.*

i. Front Setback. Ground mounted equipment no higher than 30 inches above existing grade may encroach up to three feet.

ii. Interior Setback. Ground mounted equipment no higher than six feet above existing grade may encroach up to three feet.

b. *Roof Mounted Equipment.* Roof mounted equipment may encroach up to three feet into any setback provided it is no higher than five feet above the highest point of the roof and does not exceed the maximum height limitation of the applicable zone. However, roof mounted equipment may encroach the same amount as the existing roof eave if installed roughly parallel to, and no higher than 10 inches above the roof (measured from the top of the roof perpendicularly to the highest point of the solar energy system).

FIGURE 30.140.090.D.8: ROOF MOUNTED SOLAR ENERGY EQUIPMENT ENCROACHMENT



E. **Open Yard Encroachments.** The following may encroach into the open yard, subject to the standards of this section:

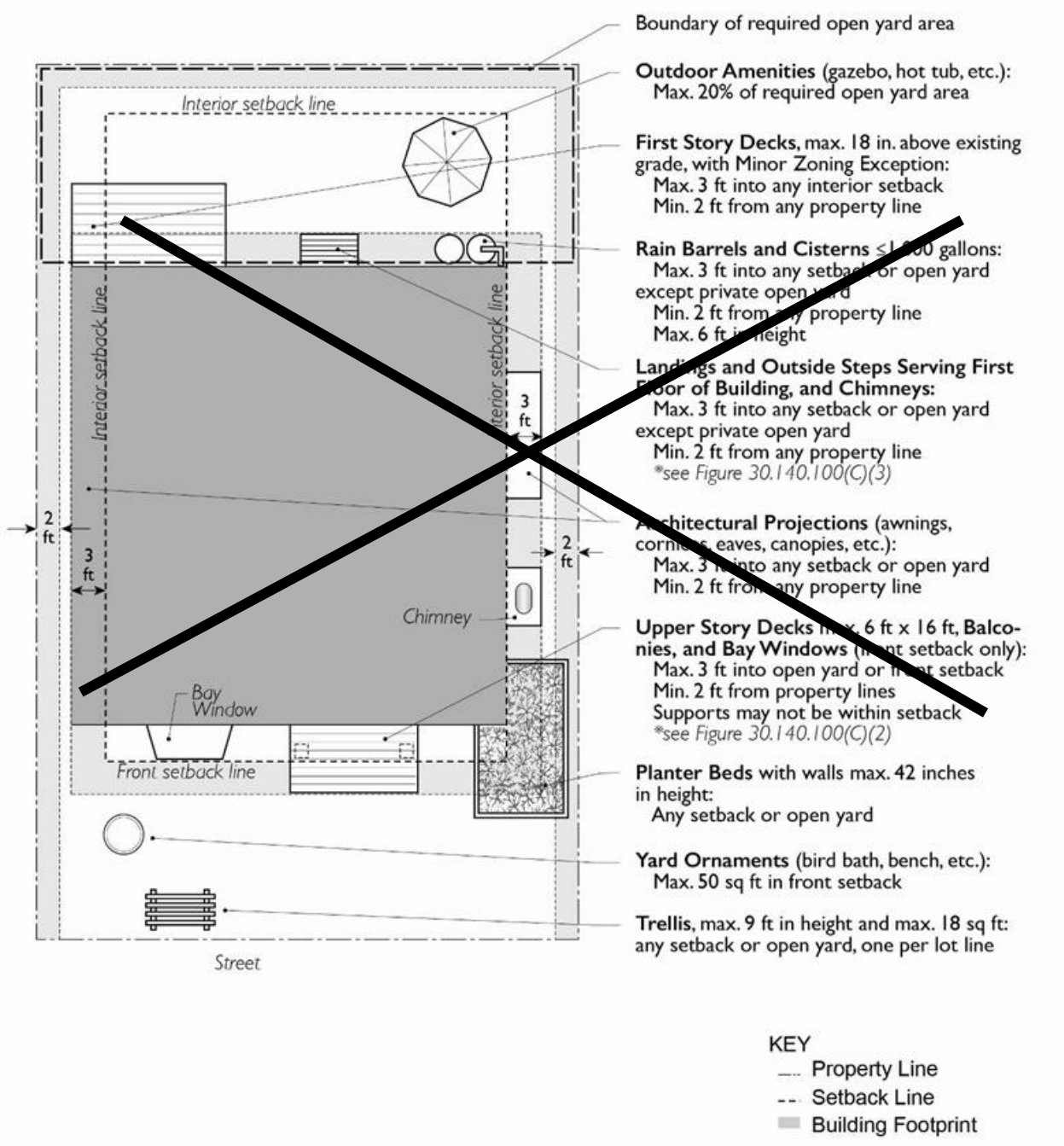
1. ***Outdoor Amenities.*** Amenities intended for outdoor enjoyment of the required open yard area such as patio covers and other attached or detached unenclosed structures, upper story decks, gazebos, hot tubs, fountains, barbecues, outdoor fireplaces, above-grade pools, large trellises and arbors, and play equipment, may encroach into the open yard, as follows:

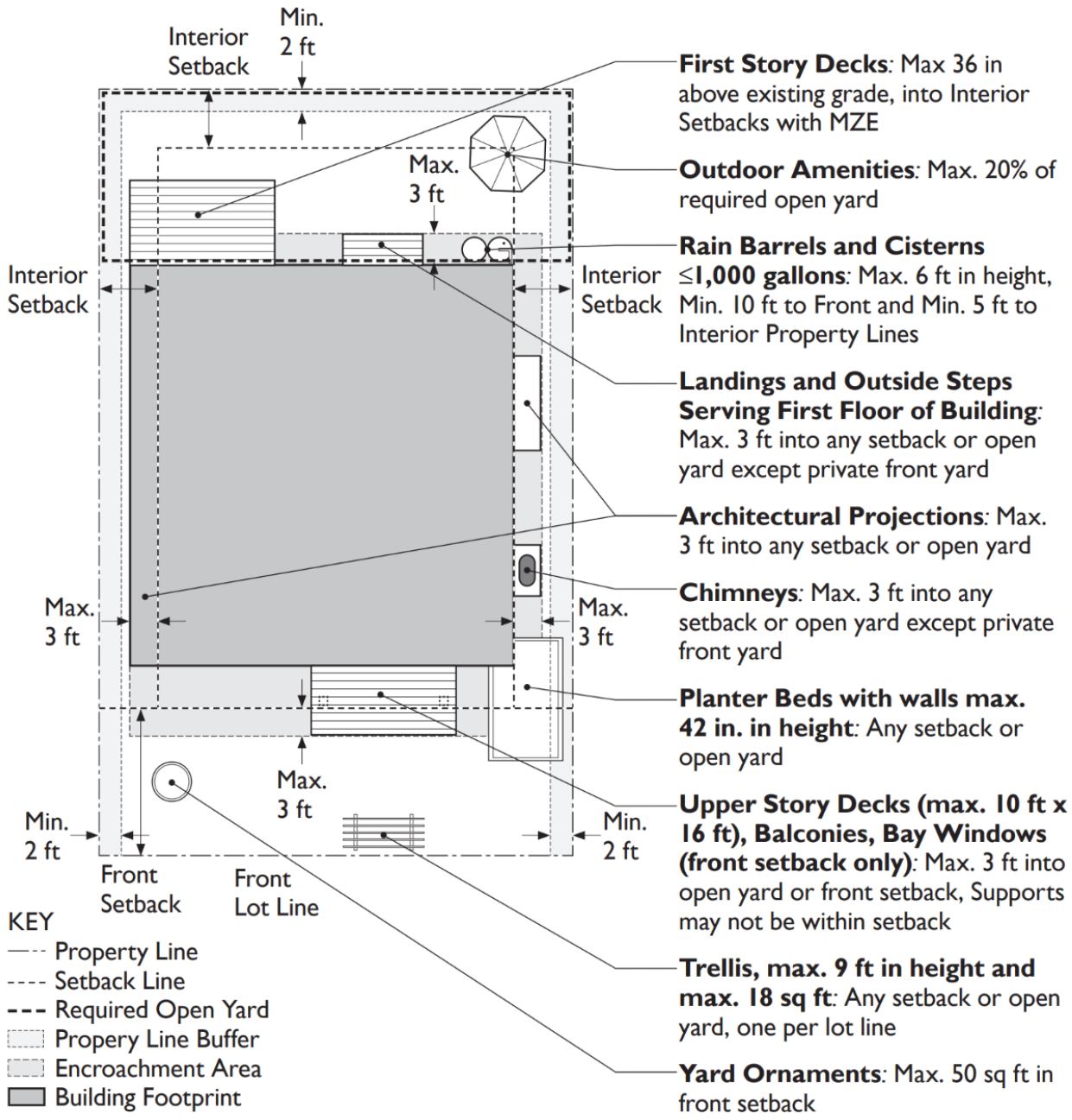
a. *Vertical Clearance.* The vertical clearance under any patio cover or similar overhead structure shall be seven feet or more; and

b. *Maximum Area.* Encroachments shall not exceed 20% of any individual open yard area, or a cumulative total of 20% of the total required open yard area, with the exception of Covered Private Open Yards, below.

2. ***Covered Private Open Yards.*** Private open yards may be covered by roof overhangs, patio covers, the floor above, or other similar architectural or buildings projections, either cantilevered or supported from below with columns or walls, provided that the vertical supports do not reduce the minimum area and dimensions of the open yard, the vertical clearance is seven feet or more, and the private open yard is substantially unenclosed on at least one side.

FIGURE 30.140.090: ENCROACHMENTS




Interior Setback
Min. 2 ft
Max. 3 ft
Interior Setback
Interior Setback
Max. 3 ft
Max. 3 ft
Max. 3 ft
Min. 2 ft
Min. 2 ft
Front Setback
Front Lot Line
KEY
Property Line
Setback Line
Required Open Yard
Propery Line Buffer
Encroachment Area
Building Footprint
First Story Decks: Max 36 in above existing grade, into Interior Setbacks with MZE
Outdoor Amenities: Max. 20% of required open yard
Rain Barrels and Cisterns ≤1,000 gallons: Max. 6 ft in height, Min. 10 ft to Front and Min. 5 ft to Interior Property Lines
Landings and Outside Steps Serving First Floor of Building: Max. 3 ft into any setback or open yard except private front yard
Architectural Projections: Max. 3 ft into any setback or open yard
Chimneys: Max. 3 ft into any setback or open yard except private front yard
Planter Beds with walls max. 42 in. in height: Any setback or open yard
Upper Story Decks (max. 10 ft x 16 ft), Balconies, Bay Windows (front setback only): Max. 3 ft into open yard or front setback, Supports may not be within setback
Trellis, max. 9 ft in height and max. 18 sq ft: Any setback or open yard, one per lot line
Yard Ornaments: Max. 50 sq ft in front setback

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 ~~pursuant to Title 22 of the Santa Barbara Municipal Code~~, 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 ~~pursuant to Title 22 of the Santa Barbara Municipal Code~~, but before the ~~Development Application Review Team (DART)~~ 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.

TABLE 30.140.110.C: HEIGHT LIMITATIONS FOR FENCES AND HEDGES						
	Maximum Height			*Maximum Height with Minor Zoning Exception*		
Feature	*Within 10 ft of Front Lot Line*	*Front Yard*	*All Other Areas*	*Within 10 ft. of Front Lot Line*	*Front Yard*	*All Other Areas*
Fence	3.5 ft	5 ft	8 ft	7.5 ft	12 ft	12 ft
Retaining Wall	3 ft	3 ft	6 ft	7.5 ft	12 ft	12 ft
Hedge	8 ft	8 ft	12 ft	12 ft	14 ft	14 ft
Allowed Projections Above Maximum Height						
Decorative Elements	Up to 12 inches for pilaster caps, finials, posts, or lighting fixtures, spaced no closer than 6 ft on center.					
Arbor/Trellis /Gate	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.					
Guardrails	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.					
School Fencing	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.

A. **School Fencing.** A chain link or open mesh type fence of any height necessary to enclose a Day Care Center or School may be located and maintained in any required yard.

B. **Barbed Wire, Concertina Wire, Sharp Wire or Points.** No barbed wire or concertina wire shall be used or maintained in or about the construction of a fence or hedge closer than three feet of any lot line. Sharp wire or points shall not project at the top of any fence less than six feet in height.

C. **Visibility.** Notwithstanding other provisions of this section, all existing and proposed fences and hedges must comply with Section 30.140.230, Visibility at Driveways and Intersections.

D. **Protection of Solar Access.** All proposed fences and hedges must comply with the height limitation applicable to structures for the protection of solar access as specified in Section 30.140.170, Solar Access Height Limitations.

E. **Residential Zones.** The following standards apply to fences and hedges located within Residential Zones.

1. ***Height Limitations for Fences and Hedges.***

a. *Hedges Within Required Front and Interior Setbacks.* Eight feet.

b. *Fences Within Required Front and Interior Setbacks.* Eight feet, except fences closer than 10 feet of a front lot line shall not exceed a height of 42 inches.

c. *Combination of Fence and Hedge Within Required Front and Interior Setbacks.* In situations where a hedge is located within five feet of a conforming or nonconforming fence, the overall combined height of the fence and hedge may not exceed the maximum allowed height of a hedge for that location.

2. ***Additional Fence and Hedge Height Allowances.***

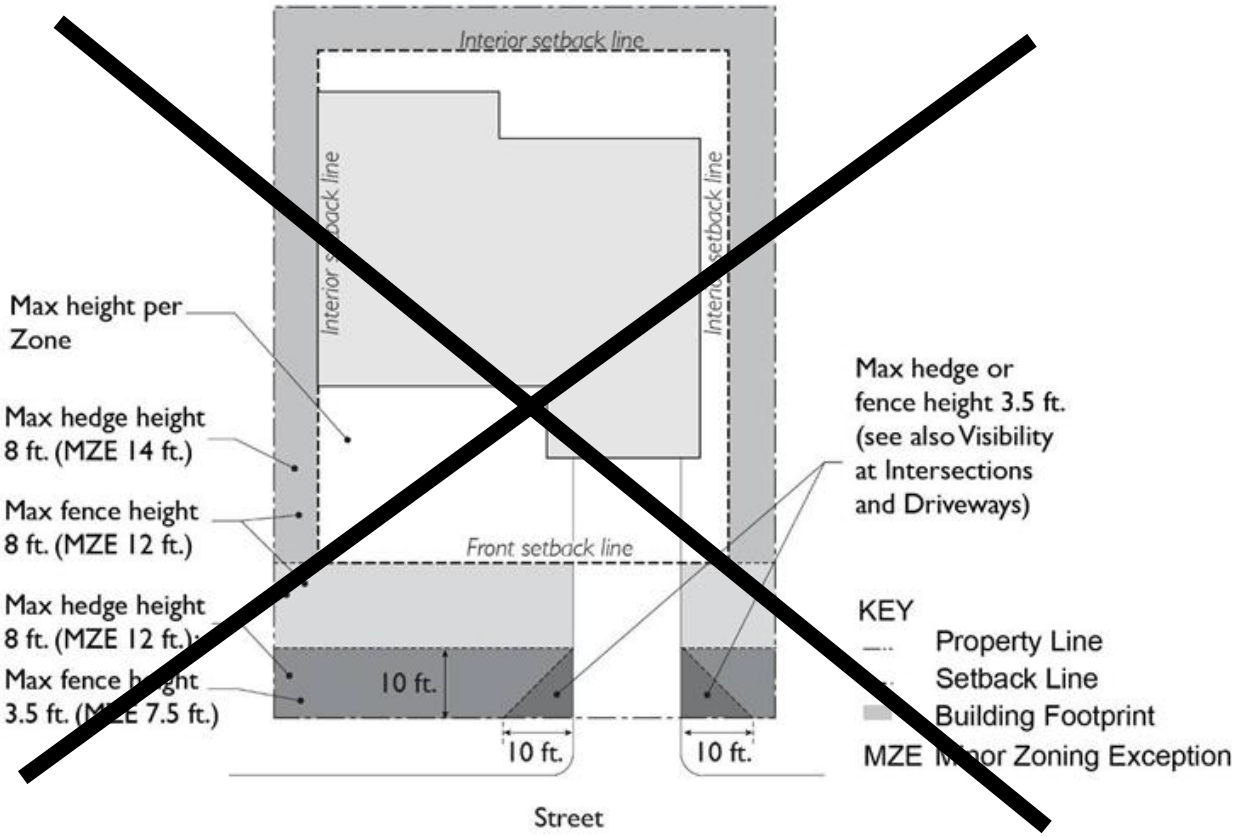
a. *Minor Zoning Exception.* Additional fence and hedge height allowance, as specified below, may be approved by the appropriate Design Review body pursuant to Chapter 30.245, Minor Zoning Exceptions, upon making the finding required in Subsection 30.140.110.F, Required Finding for Fence and Hedge Minor Zoning

~~Exceptions, in addition to the findings required pursuant to Chapter 30.245, Minor Zoning Exceptions:~~

~~b. *Modification.* Additional exceptions may be granted pursuant to Section 30.250, Modifications.~~

~~c. *Fences and Hedges Adjacent to a Street with a Higher Elevation.* If a fence or hedge is located adjacent to a street where the elevation of the street is higher than the elevation of the subject property, the Community Development Director may allow the height of the fence or hedge to be measured from the elevation of the right-of-way surface nearest to the fence or hedge, subject to the same height limitations and permit requirements listed in subsection E, above, and provided that the overall height of the fence or hedge does not exceed the maximum height for a structure in the zone.~~

FIGURE 30.140.110.~~D~~C: FENCE AND HEDGE HEIGHT LIMITATIONS



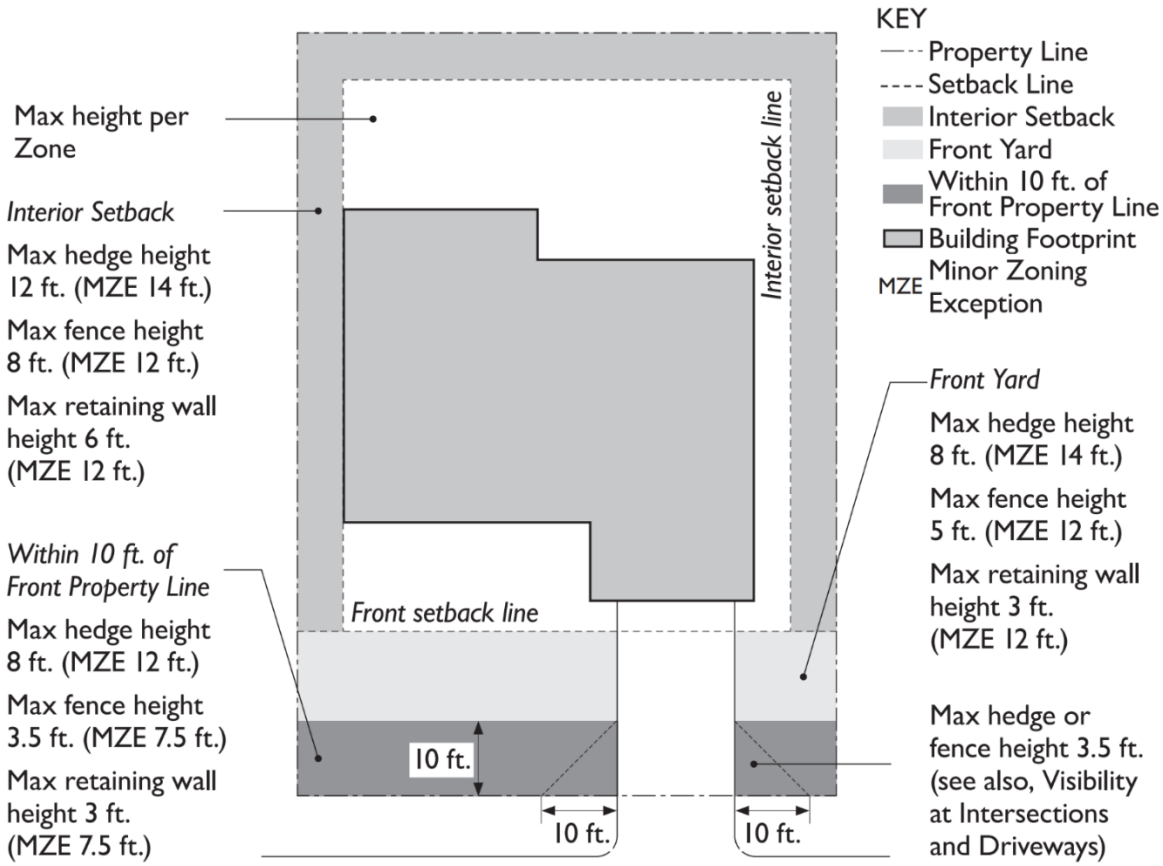
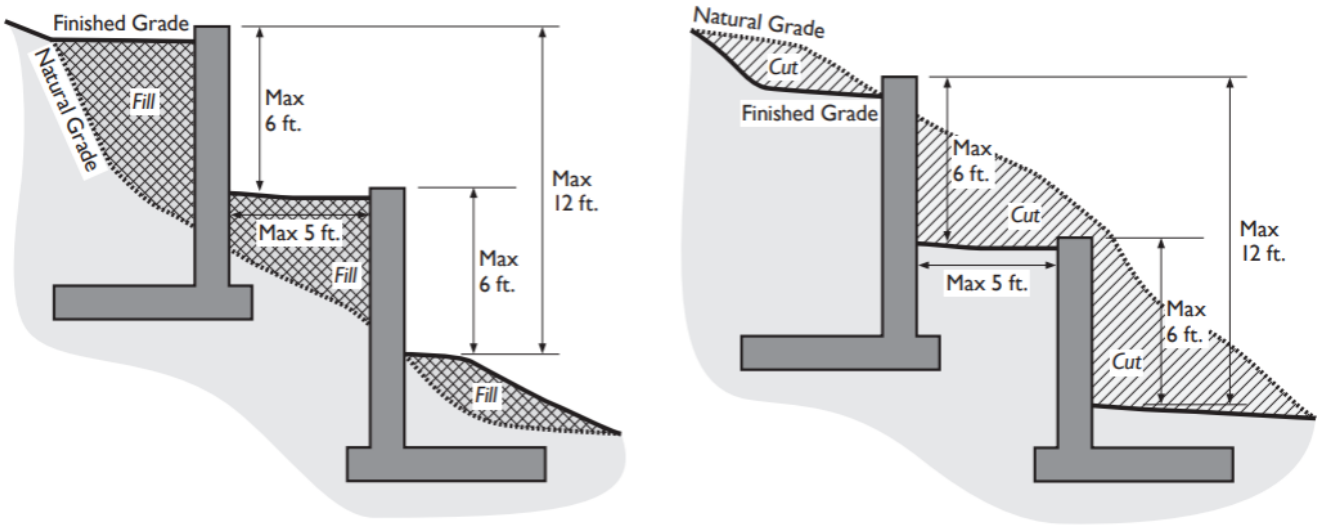

KEY
Property Line
Setback Line
Interior Setback
Front Yard
Within 10 ft. of Front Property Line
Building Footprint
MZE Minor Zoning Exception
Max height per Zone
Interior Setback
Max hedge height 12 ft. (MZE 14 ft.)
Max fence height 8 ft. (MZE 12 ft.)
Max retaining wall height 6 ft. (MZE 12 ft.)
Within 10 ft. of Front Property Line
Max hedge height 8 ft. (MZE 12 ft.)
Max fence height 3.5 ft. (MZE 7.5 ft.)
Max retaining wall height 3 ft. (MZE 7.5 ft.)
Interior setback line
Front setback line
10 ft.
10 ft.
10 ft.
Front Yard
Max hedge height 8 ft. (MZE 14 ft.)
Max fence height 5 ft. (MZE 12 ft.)
Max retaining wall height 3 ft. (MZE 12 ft.)
Max hedge or fence height 3.5 ft. (see also, Visibility at Intersections and Driveways)

FIGURE 30.140.110.H: STANDARDS FOR RETAINING WALLS



~~3. ***Guardrails***. A guardrail may extend above the maximum height limit for a fence without requiring a Minor Zoning Exception or Modification, only if it meets all of the following conditions:~~

~~a. The guardrail height shall not exceed the minimum height required by the Building Code; and~~

~~b. The design of the guardrail area shall be at least 50% transparent or see-through (consisting of open spaces with bars, balusters, railings, or similar).~~

~~i. Exception. Guardrails that are less than 50% transparent may be approved by the appropriate Design Review body on a case-by-case basis if necessary to achieve consistency with the architectural style of the site.~~

~~4. ***Decorative Elements***.~~

~~a. *Maximum Height.* Decorative elements on fences not wider than nine inches by nine inches, such as pilaster caps, finials, posts, lighting fixtures, or similar decorative features, may exceed the maximum height by a maximum of 12 inches.~~

~~b. *Spacing.* Decorative elements on fences shall be spaced a minimum of six feet apart, measured on-center.~~

~~c. *Minor Zoning Exception.* Minor exceptions to the size and spacing requirements may be approved by the appropriate Design Review body pursuant to Chapter 30.245, Minor Zoning Exceptions, upon making the findings required in Subsection 30.140.110.F, Required Finding for Fence and Hedge Minor Zoning Exceptions, in addition to the findings required pursuant to Chapter 30.245, Minor Zoning Exceptions.~~

~~F. **Required Finding for Fence and Hedge Minor Zoning Exceptions.** The granting of such exception will not create or exacerbate an obstruction of the necessary sightlines for the safe operation of motor vehicles.~~

~~G. **Relationship with the View Dispute Resolution Process.** The fact that a hedge complies with the standards set forth in this section or the fact that a property owner has received a Minor Zoning Exception or Modification from the standards set forth in this section shall not preclude another property owner from alleging an unreasonable obstruction of a view and exercising the protections and procedures of the City's View Dispute Resolution Process.~~

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 ft × (60 ft – 12 ft) = 5 × 48 = 240 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 ~~Other~~ 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, ~~excluding any equipment identified in Section 30.140.090, Encroachments into Setbacks and Open Yards,~~ 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.

~~A. **Attached Equipment.** Equipment attached to the outside wall of a structure, located at least 30 inches above adjacent grade, may encroach a maximum of three feet into any interior setback or open yard, but shall be no closer than two feet to any property line.~~

~~B. **Roof-Mounted Equipment.** Roof-mounted equipment shall be hidden from view or screened pursuant to Section 30.15.120, Screening.~~

~~C. **Free-Standing Equipment.**~~

~~1. ***Location.*** Freestanding equipment, and associated screening or enclosures, may be located within the front yard and may encroach into any setback or open yard, except private open yard, and as follows:~~

~~a. *Residential Uses.* On lots developed with residential uses only, freestanding equipment and enclosures shall be no closer than 10 feet to any front lot line, and no closer than five feet to any interior lot line adjacent to property zoned for residential use or developed with residential uses.~~

~~b. *Nonresidential and Mixed Use.* On lots developed with nonresidential uses or mixed-use, freestanding equipment and enclosures shall be no closer than five feet to~~

~~any front lot line, and no closer than five feet to any interior lot line adjacent to property zoned or developed with residential uses.~~

~~c. *Maximum Area.* Freestanding equipment and enclosures in the front yard or open yard is limited to a cumulative total of 50 square feet.~~

~~2. ***Screening***. All freestanding equipment shall be hidden from view or screened, pursuant to Section 30.15.120, Screening.~~

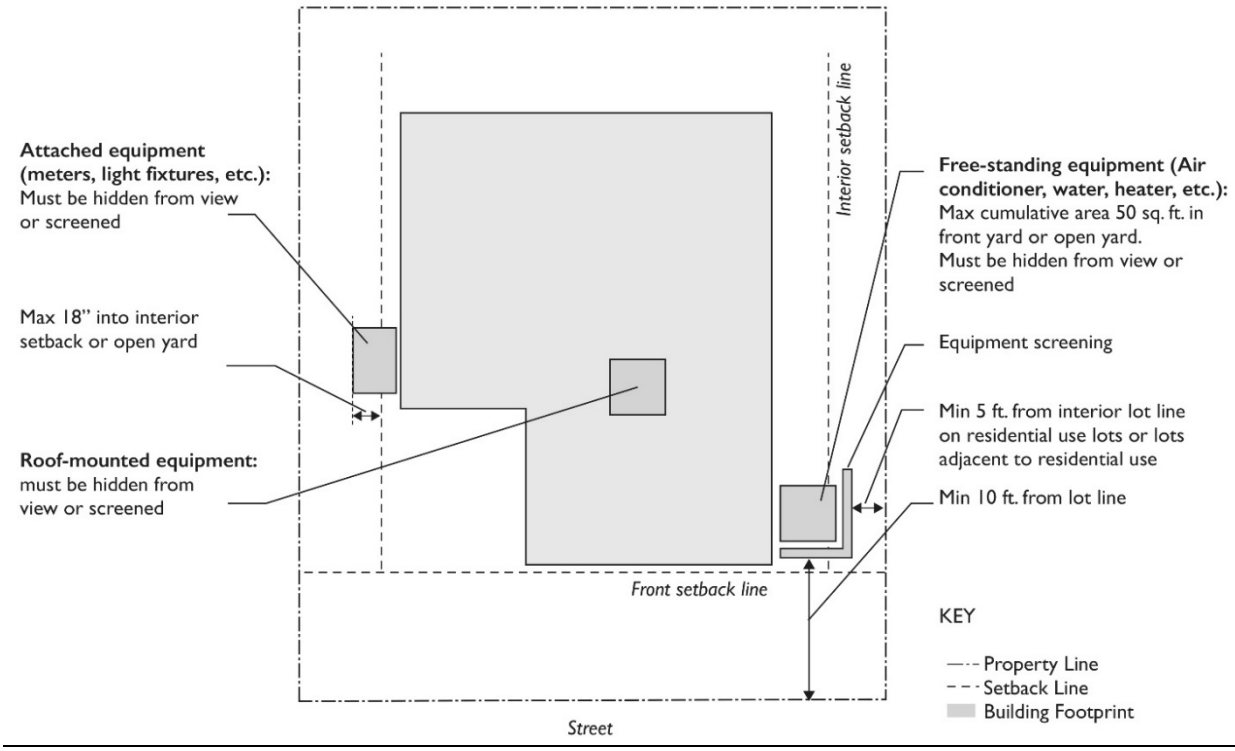
~~D. **Exceptions.** Where an applicant can demonstrate to the satisfaction of the appropriate Design Review body that variations in the requirements of this section are warranted in order to provide relief for existing site constraints, or to achieve a superior aesthetic or environmental design, distance or screening may be reduced or waived by the Design Review body.~~

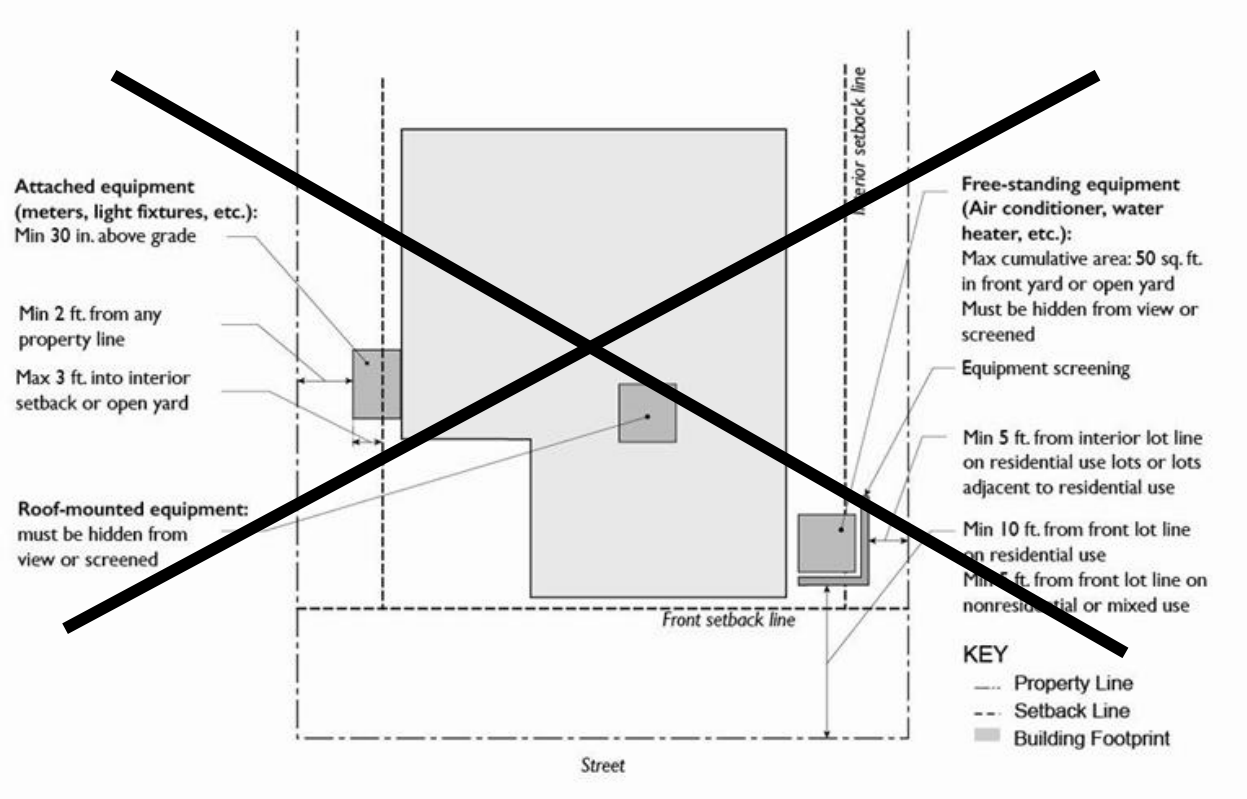
~~E. **Noise.** All mechanical equipment must meet the noise limitations of Santa Barbara Municipal Code, Title 9.~~

FIGURE 30.140.130: MECHANICAL AND OTHER EQUIPMENT

FIGURE 30.140.130: MECHANICAL AND OTHER EQUIPMENT

Attached equipment may encroach a maximum of 18 inches and all other equipment must be 10 feet from front lot line and 5 feet from interior lot line.





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.

TABLE 30.140.140.D: MINIMUM AREA–OPEN YARDS		
Residential Housing Type	***Lot Size***	***Minimum Open Yard Area***
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.

TABLE 30.140.140.F: MINIMUM DIMENSIONS–OPEN YARDS			
Open Yard Type	***Min. Area (sq ft)***	***Min. Depth (ft)***	***Min. Width (ft)***
Single-Unit and Two-Unit			
Ground-Level Open Yard (Common or Private)	300	20	15
Multi-Unit and Mixed-Use			
Ground-Level Open Yard (Common)	300	20	15
Rooftop Deck (Common)	225	15	15

TABLE 30.140.140.F: MINIMUM DIMENSIONS–OPEN YARDS			
Open Yard Type	***Min. Area (sq ft)***	***Min. Depth (ft)***	***Min. Width (ft)***
Elevated Deck (Common)	200	10	10
Ground-Level Patio (Private)	100	8	10
Balcony/Elevated Deck/Rooftop Deck (Private)	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.

TABLE 30.140.140.G.5: BUFFER REQUIREMENTS–OPEN YARDS	
Type and Location	***Buffer Requirement***
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

~~A. **Purpose.** Open yard areas are intended to promote desirable living conditions, a sense of openness on residential development, and to provide minimum useful space for outdoor living and enjoyment.~~

~~B. **Applicability.** Open yards as described in this section shall be required in all zones for all residential uses, unless otherwise provided in Chapter 30.185, Standards for Specific Uses and Activities.~~

~~C. **Minimum Area and Dimensions.** The minimum area and dimensions of required open yards shall be provided as follows:~~

~~1. ***Lots Developed with Single-Unit and Two-Unit Residential***~~

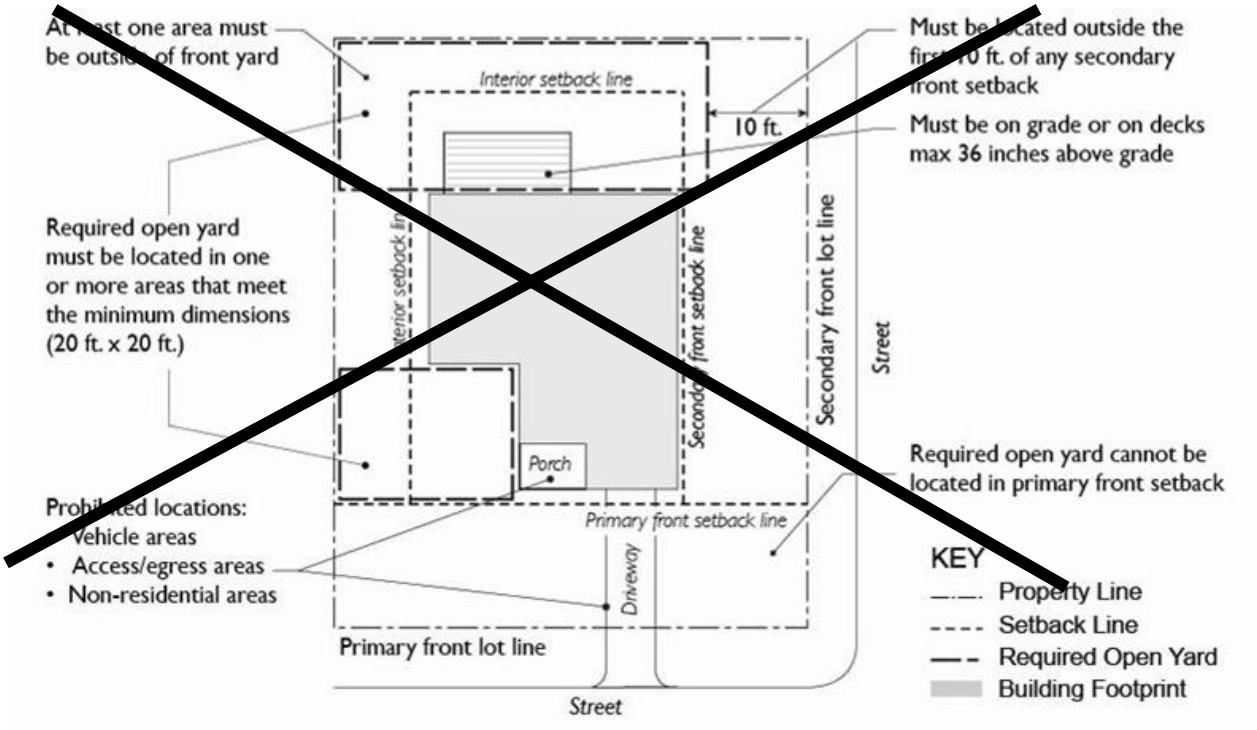
~~a. *Minimum Area*:~~

~~i. 800 square feet on lots less than 5,000 square feet.~~

~~ii. 1,250 square feet on lots 5,000 square feet or greater.~~

~~b. *Minimum Dimensions*: 20 feet long and 20 feet wide.~~

~~**FIGURE 30.140.140.C.1: OPEN YARDS–SINGLE-UNIT AND TWO-UNIT RESIDENTIAL**~~



~~2. Lots Developed with Multi-Unit Residential or Mixed-Use:~~

~~a. *Minimum Area*: 15% of the net lot area.~~

~~b. *Minimum Dimensions*: 10 feet long and 10 feet wide.~~

c. *Private Open Yard.* In addition to open yard area meeting the minimum area and minimum dimension requirements in subparagraphs a. and b. above, private open yard is required for each residential unit. private open yards located on grade, or on decks no more than 36 inches in height above the ground, may overlap with required open yard areas in subparagraphs a. and b. above.

i. Private Open Yard Located on the First Story:

(1) *Minimum Area*:

(a) Studio unit: 100 square feet

(b) 1 Bedroom unit: 120 square feet

(c) 2 Bedroom unit: 140 square feet

(d) 3 or more Bedroom unit: 160 square feet

(2) *Minimum Dimensions*: 10 feet long and 10 feet wide.

ii. Private Open Yard Located on a Second or Higher Story:

(1) *Minimum Area*:

(a) Studio unit: 60 square feet

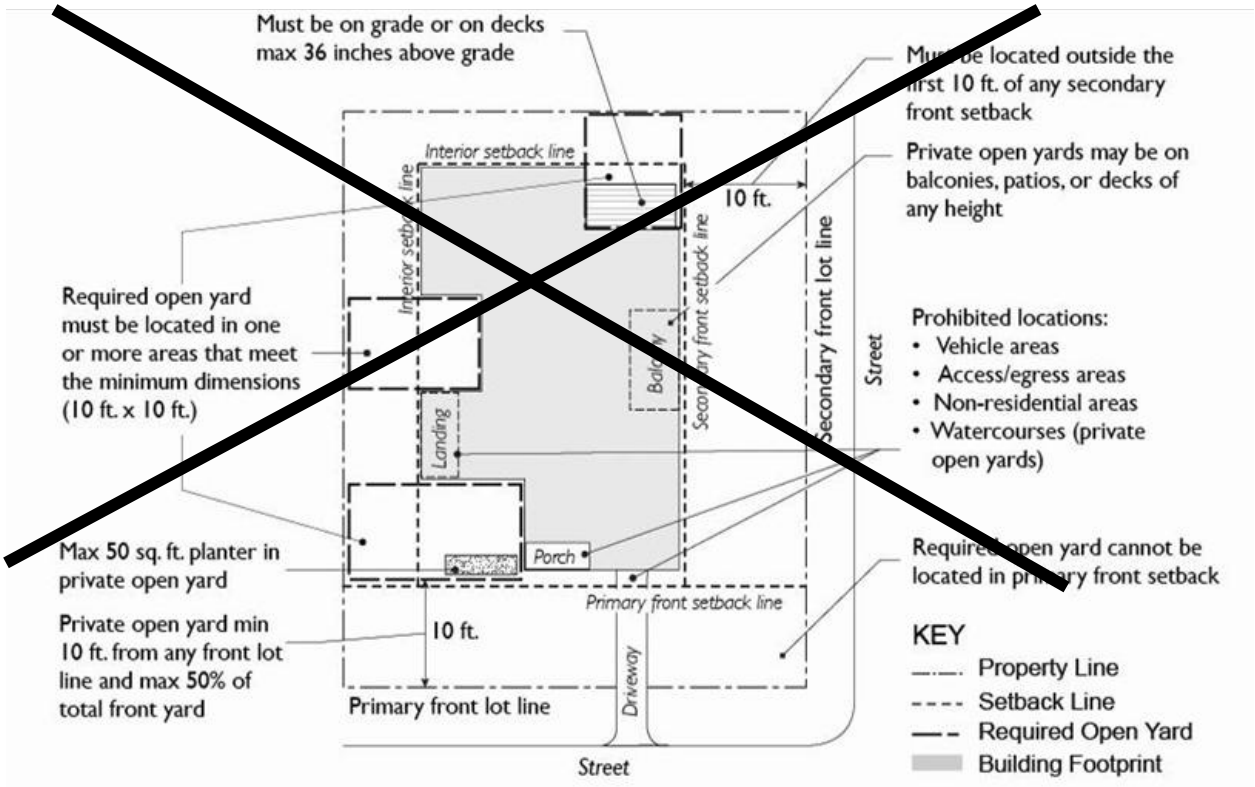
(b) 1 Bedroom unit: 72 square feet

(c) 2 Bedroom unit: 84 square feet

(d) 3 or more Bedroom unit: 96 square feet

(2) *Minimum Dimensions*: Six feet long and six feet wide.

FIGURE 30.140.140.C.2: OPEN YARDS–MULTI-UNIT RESIDENTIAL AND MIXED-USE



~~D. **Standards.** The following standards shall apply to all required open yard areas:~~

~~1. ***Open.*** Required open yard areas shall be open, unenclosed, and unobstructed by structures from the ground upward, except as provided in Section 30.140.090, Encroachments into Setbacks and Open Yards. Required open yard, except private open yard, shall not be located under enclosed floor area.~~

~~2. ***Availability.*** All open yard areas, except private open yards required by 30.140.140.C.2.c above, shall be made available to all residents on site as either communal areas or private areas. Each residential unit shall have access to at least one open yard area that meets the minimum dimension requirement. Open yard divided into private areas shall be contiguous to and accessible from the residential unit for which it serves.~~

~~3. ***Protection from Vehicles.*** Required open yards shall be protected from vehicles by a physical barrier.~~

4. ***Additional Standards for Private Open Yards***. The following additional standards shall apply to all private open yard areas:

a. *Availability*. Private open yards shall be designed to ensure adequate privacy and usability and must be contiguous to and accessible from the unit served.

b. *Required Fence or Hedge*. Private open yard areas located in either a front yard or adjacent to another private open yard area 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. **Location.** Required open yard areas shall comply with all of the following location requirements:

1. ***Allowed Areas***. Required open yard areas may include interior setbacks and any combination of landscaped areas, natural areas, flat areas, hillsides, paved or other hardscape areas, in-ground swimming pools and spas, and planters and decks that meet the standards of this section.

2. ***On Grade***. Required open yard areas must be located on the ground or decks no more than 36 inches in height above grade.

3. ***Multiple Areas***. Required open yards shall be located in one area or multiple areas that meet minimum dimension requirements.

4. ***Front Yards***. Required open yard area may be located within front yards, except as follows.

a. *Primary Front Setback*. All required open yard areas shall be located outside the primary front setback and outside the first 10 feet of any secondary front setback measured from the front lot line.

b. *Lots Developed with Single-Unit and Two-Unit Residential*. Lots developed with Single-Unit and Two-Unit Residential must locate at least one open yard area that meets the required minimum dimensions outside the front yard.

5. ***Additional Location Requirements for Private Open Yards***. The following additional location requirements shall apply to all private open yard areas:

a. *Multiple Stories*. Residential units that occupy more than one story may provide required private open yard on any story.

b. *Balconies, Patios or Decks.* Private open yard areas may be located on a balcony, patio, or deck of any height.

c. *Planters.* Private open yard areas may include planter areas no more than 50 square feet.

d. *Front Yards.* Private open yards located on the first story shall be a minimum of 10 feet from any front lot line, and the total area of all private open yards provided in front yards may not exceed 50% of the total front yard area, exclusive of driveways, turnarounds, or parking areas.

e. *Creeks.* Private open yards areas may not be located within any watercourse, or within any required watercourse development limitation area.

6. ***Prohibited Locations.*** Required open yard areas shall not include any of the following:

a. *Vehicle Areas.* Areas designated for use by motor vehicles such as driveways, turnarounds, or parking areas; as well as required parking lot landscaping and screening pursuant to Section 30.175.090, Parking Area Design and Development Standards.

b. *Access and Egress Areas.* Areas designed to provide access/egress and remain open and passable such as front porches, landings, stairs, and ramps, or required access/egress paths on a multi-unit or mixed-use development.

c. *Nonresidential Areas.* Areas used or designed for use by any nonresidential purpose.

F. **Alternative Open Yard Design.** An application to replace or reduce the private open yards with a common area on multi-unit residential or mixed-use development may be approved by the appropriate Design Review body, or other Review Authority if another discretionary approval is required, provided that all of the following standards are met and findings made:

1. ***Minimum Area***: 15% of the net lot area;

2. ***Minimum Dimensions***: 10 feet long and 10 feet wide, unless reduced or waived by the Review Authority;

3. ***Standards and Location***: Except those for private open yards, all open yard standards and location requirements are met; and

~~4. ***Common Open Yard Area.*** At least one area with a minimum dimension of 20 feet long and 20 feet wide, located on the ground or on decks of any height, or on any floor of the structure, that is accessible to all units for use as a common open yard area is provided.~~

~~5. ***Findings.*** Approval may only be granted if the Review Authority finds that:~~

~~a. The alternative open yard design is necessary to provide flexibility in architectural style or site organization, such as the preservation of natural features, enhanced circulation, shared amenities, or the protection/creation of scenic views; and~~

~~b. Approval of the alternative open yard design will meet the purpose of the required open yard, as described in this section.~~

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 "T", 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.

~~Each studio residential unit shall contain a minimum of 220 square feet of livable floor area and all other residential units shall contain a minimum of 400 square feet of livable floor area. Accessory buildings shall not be included in the minimum unit size.~~

~~1. ***Exception for Affordable Efficiency Units.*** An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, with a minimum floor area of 150 square feet, may be permitted; provided that the efficiency unit is provided for occupancy by persons 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 permitted as a studio Accessory Dwelling Unit, approved under Section 30.185.040, Accessory Dwelling Units.~~

C. **Required Features.** Except as otherwise allowed in this Title, ~~E~~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.

~~3.~~5. *Adequate Interior Access*. ~~The Community Development Director shall determine whether a building or portion of a building contains adequate interior access to the main living space. Configurations including, but not limited to, building attachment via a long separate hallway, spiral staircase, and access to a bedroom through another bedroom may not be considered 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.

~~a.~~b. ~~*Rooms*~~ *Areas with Adequate Interior Access.* ~~Rooms determined to have~~ 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 ~~B~~bathroom ~~with bathing facilities~~.

iii. Exterior entrance.

~~b.~~c. ~~*Rooms*~~ *Areas without Adequate Interior Access.* ~~Residential building elements in rooms~~ Areas that do not have adequate interior access are limited to ~~those allowed in accessory buildings, pursuant to Section 30.140.020, Accessory Buildings~~ 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.

~~4.~~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 ~~Recorded Agreement~~ 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.**

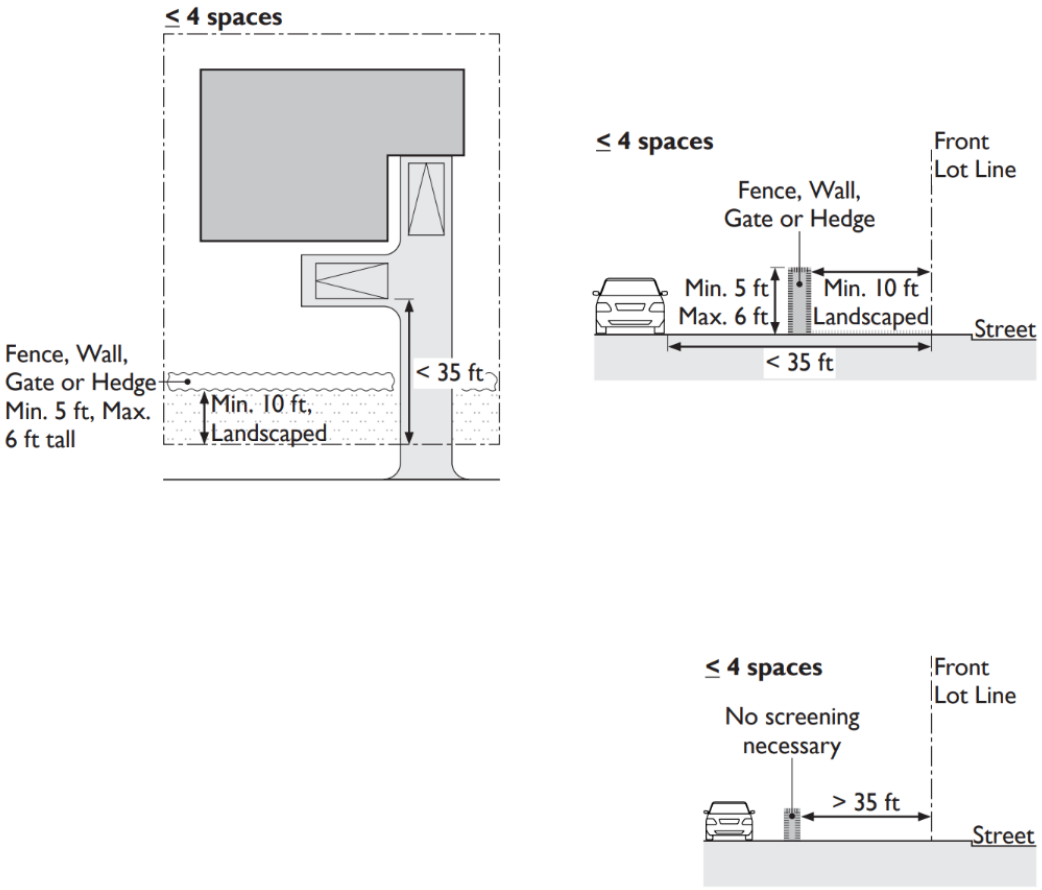
1. ***Screening Exception for Solar Energy Systems.*** Solar energy systems, including photovoltaic panels, are not subject to screening requirements. Accessory power equipment associated with solar energy systems must be screened unless the applicant demonstrates, through documentation prepared by a 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 ~~into Setbacks and Open Yards~~. 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.

~~A. **Height Limitations.**~~

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.

~~3.~~C. **Exceptions**. The maximum height limits of this section do not apply to the following.

~~a.~~1. Lots with a north property line abutting a street, alley, or a non-residentially zoned lot.

~~b.~~2. Any flagpole, antenna, ornamental spire, chimney, or other structure or building element which is less than four feet along each horizontal dimension.

~~c.~~ 3. A utility pole and line.

~~d.~~ 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:

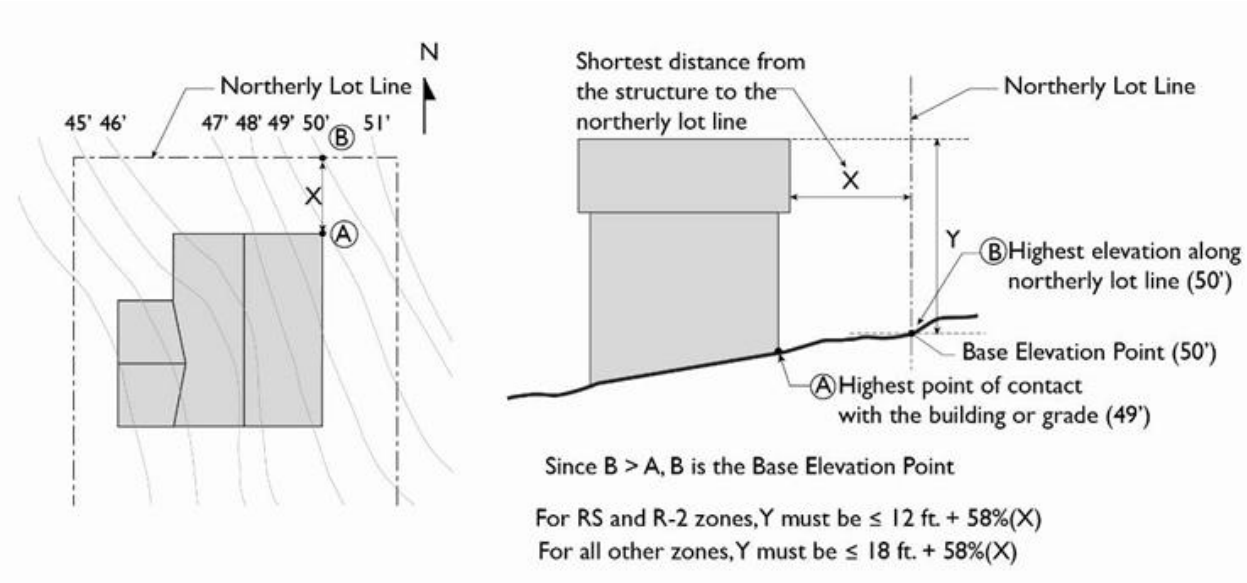
~~i.~~ a. Not exceed the boundaries of a simultaneous shadow cast by a legally existing structure, or by a hill or other topographical feature other than trees or other vegetation;

~~ii.~~ 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

~~iii.~~ c. Fall entirely within the boundaries of an existing covered or uncovered paved off street parking area, or paved driveway leading thereto.

~~B.~~ 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

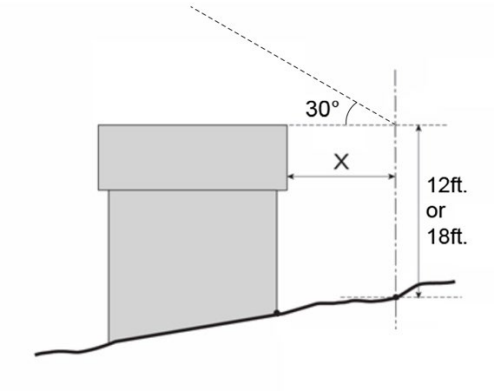
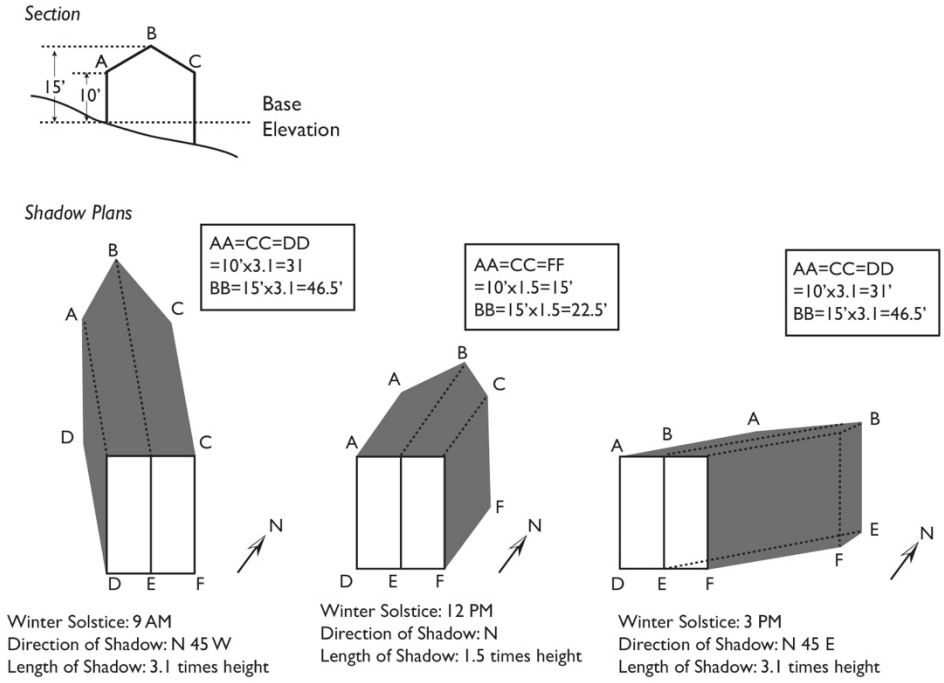


FIGURE 30.140.170: SOLAR ACCESS HEIGHT LIMITATIONS – SHADOW PLAN



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.

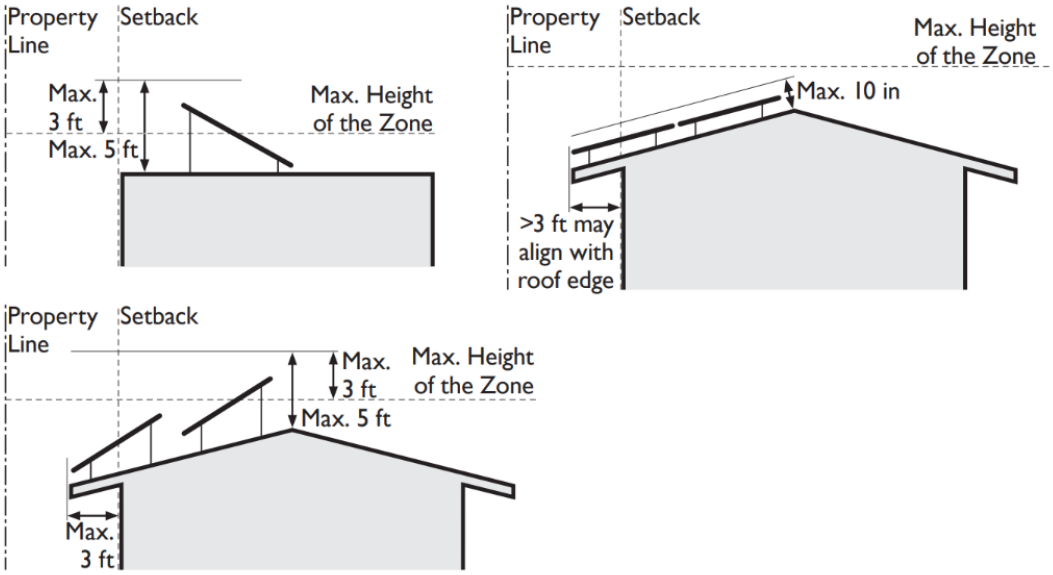
2. Expedited review and administrative approval for small residential rooftop solar energy systems is provided in Chapter 22.91, Solar Energy System Review Process.

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, ~~fence,~~ 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, ~~where demolition is defined in Santa Barbara Municipal Code Section 22.22.020, Definitions,~~ 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 ~~within Historic or Landmark Districts or of Designated City Landmarks~~ of Historic Resources.** The structure, site and landscap~~ing~~ 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. ~~and approval of the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another historic or landmark district, or if the structure is a designated City Landmark, or the City Council on appeal~~.

30.140.210 Swimming Pools~~, Spas, and Similar Uses~~ 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.

~~The outside wall of the water-containing portion of any in-ground swimming pool, spa, pond, fountain, or similar in-ground water feature shall 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. The location of the associated mechanical equipment is subject to the standards in Section 30.140.130 Mechanical and Other Equipment.~~

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, stepbacks, 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.

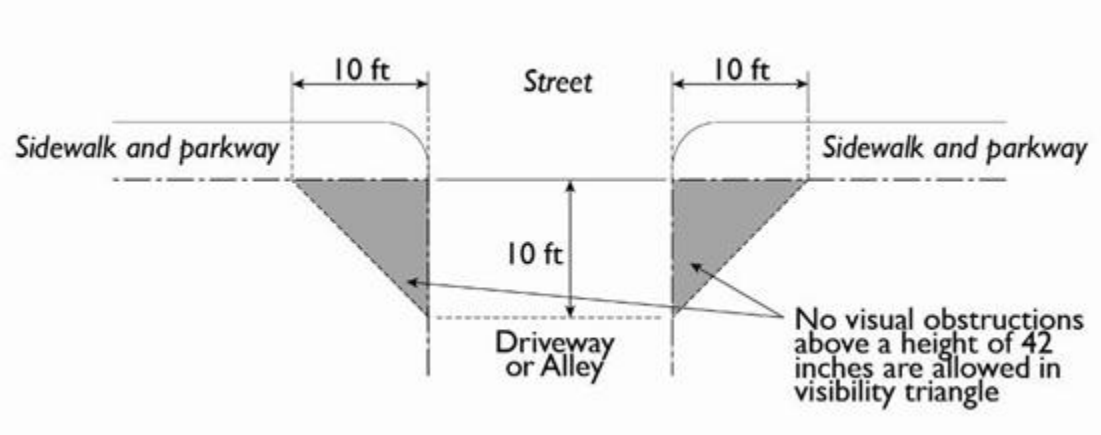
C. **Street Intersections.** The required ~~site~~ sight distance is established based on legal vehicle speed and the position of the driver's eye in relation to the ~~intersection~~ edge of travelled way as determined by the Public Works Director.

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.

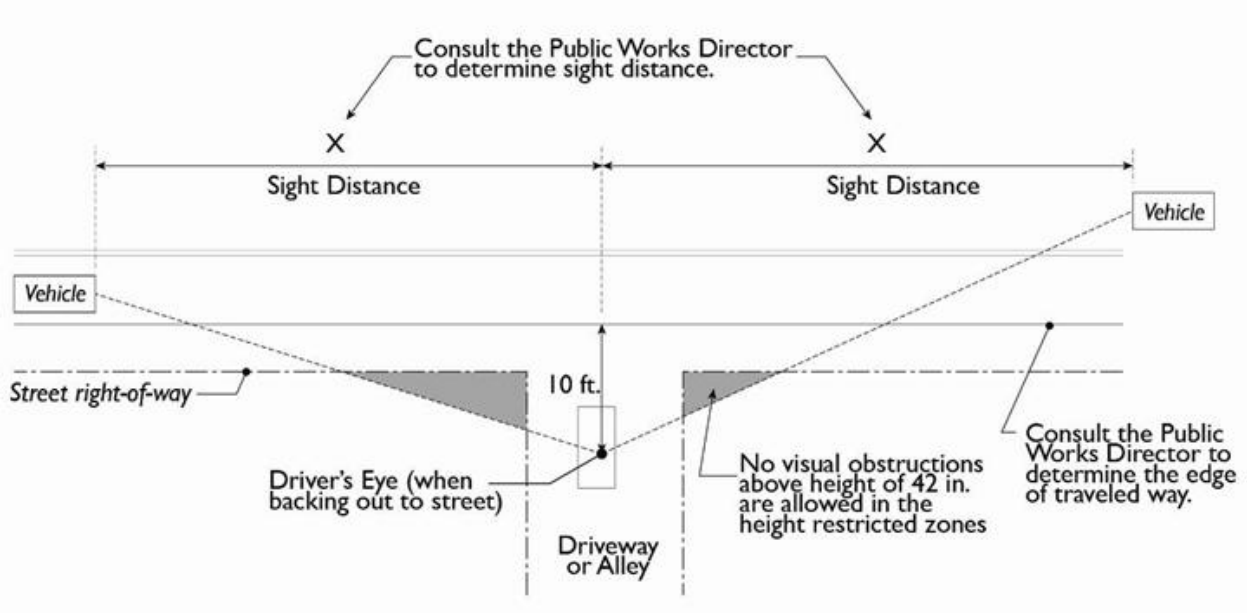
2. Structures and landscape located adjacent to intersections controlled by an all-way stop are not subject to additional height restrictions pursuant to this subsection~~.~~ unless ~~T~~the Public Works Director ~~may require additional site distance~~ imposes additional height restrictions due to site-specific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

D. **Required Reduction for Safety.** If the height of any landscape~~ing~~ 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 Waste, Recycling, and Outdoor Storage.**~~

All new and existing waste, recycling, and outdoor storage areas shall comply with the requirements of this section.

A. **Waste and Recycling Storage.** Appropriately screened and located storage areas for solid waste and recycling receptacles that provide sufficient capacity for the development or use shall be provided, as follows:

1. ***Compliance with the City Trash and Recycling Enclosure Design Guide.*** Waste and recycling storage areas shall comply with the City Trash and Recycling Enclosure Design Guide.

2. ***Screening.*** Waste and recycling receptacle storage areas shall be hidden from view by a fence or enclosure, compatible with adjacent architecture, with a minimum height of five feet for carts/cans, and seven feet for dumpsters, from any parking lot, right-of-way, or adjoining residential property. This requirement may be reduced or waived by the appropriate Design Review body if the waste and recycling receptacle storage area is determined to be adequately screened pursuant to Section 30.15.120, Screening.

3. ***Access.*** Adequate access to and from the waste and recycling receptacle storage areas shall be provided including to the waste hauler access point.

4. ***Visibility.*** Waste and recycling receptacle storage areas shall comply with all height limitations pursuant to Section 30.140.230, Visibility and Driveways and Intersections.

5. ***Maintenance.*** Waste and recycling receptacle storage areas shall be maintained in good condition, free of visible debris, and shall not be used for anything other than storing waste and recycling receptacles. Waste and recycling receptacle storage areas shall not create a nuisance, hazard, or other objectionable condition, pursuant to Chapter 30.180, Performance Standards.

6. ***Location.*** No portion of any front yard, setback, open yard, or front porch shall be used to store waste, recycling or similar receptacles. However, waste, recycling, or similar receptacles provided by the City's contracted local waste hauler may encroach into an interior setback, front yard, or front setback, if located in an enclosure, and located no closer than 10 feet to the front lot line; under the following conditions:

~~a. A Minor Zoning Exception pursuant to Chapter 30.245, Minor Zoning Exceptions, is approved by the appropriate Design Review body, with the following findings:~~

~~i. In addition to the findings required by Chapter 30.245, Minor Zoning Exceptions, the Minor Zoning Exception may only be granted where the Design Review body finds that the waste and recycling enclosure is not anticipated to create a nuisance, hazard, or other objectionable condition, pursuant to Chapter 30.180, Performance Standards.~~

~~b. The setback encroachments is for existing development only. The encroachment is not available for new structures, additions, or substantial redevelopment to existing structures where the proposed project can provide a conforming location.~~

~~c. When located within a setback or front yard, the waste and recycling enclosure shall be unroofed and shall not exceed the size required to store the receptacles, as determined by the City's Environmental Services Division.~~

~~B. **Outdoor Storage.** No or portion of a front yard, setback, required open yard, or front porch, shall be used for the storage or parking motor vehicles, trailers, airplanes, boats, parts of any of the foregoing, appliances, loose rubbish or garbage, junk, tents, building materials, compost pile, or any similar item, for a period of 48 or more consecutive hours, except as provided below.:~~

~~1. Storage established as a permitted use with a permit or approval, as provided in this Title.~~

~~2. Construction materials for use on the same premises may be stored during the time that a valid permit is in effect for construction on the premises.~~

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, ~~shall observe the following front setback standard:~~ 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.

~~(1) A uniform front setback of five feet shall be provided except where that portion of the structure which intrudes into the required~~

~~five-foot front setback is appropriately balanced with a front setback area that exceeds the minimum five-foot front setback. The additional compensating setback area shall be in the front yard, and not located farther from the adjacent front lot line than one half of the depth of the lot~~.

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 ~~follows:~~ specified by Section 30.140.140, Open Yards.

~~1. ***Residential Zones.*** Projects in residential zones shall provide the open yard requirements specified by Section 30.140.140, Open Yards.~~

~~2. ***Nonresidential Zones***.~~

~~a. Projects in nonresidential zones, in the Medium-High Density designation, within USS Overlay Zone, and developed with market rate ownership units shall provide the open yard requirements specified by Section 30.140.140, Open Yards.~~

~~b. All other projects in nonresidential zones shall provide open yard requirements as follows:~~

~~i. Private open yard, pursuant to Section 30.140.140.C.2, Lots Developed with Multi-Unit Residential or Mixed-Use; and~~

~~ii. On lots developed with four or more residential units, one additional area, located on grade or on a roof deck, is required with minimum dimensions of 15 feet long and 15 feet wide for use as a common open yard accessible to all residential units on the lot.~~

~~iii. An alternative open yard design that meets the following standards is allowed to replace subsections G.2.b.i and ii above.~~

~~(1) Minimum Area. 15% of the net lot area located on the ground or on decks of any height, including roof decks; and~~

~~(2) Minimum Dimensions. At least one area with a minimum dimension of 20 feet long and 20 feet wide, located on the ground or on any floor of the building or structure, including roof decks, that are accessible to all units for use as a common open yard area must be provided.~~

~~(3) Standards and Location. Except those for private open yards in Sections 30.140.140.D.4 and 30.140.140.E.5, and the on-grade requirement in Section 30.140.140.E.2, all other open yard standards~~

~~and location requirements, pursuant to subsections 30.140.140.D and E, Standards and Location, shall be met.~~

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

Sections:

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

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. ~~The~~ Non-structural alterations may be made ~~shall~~ 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.

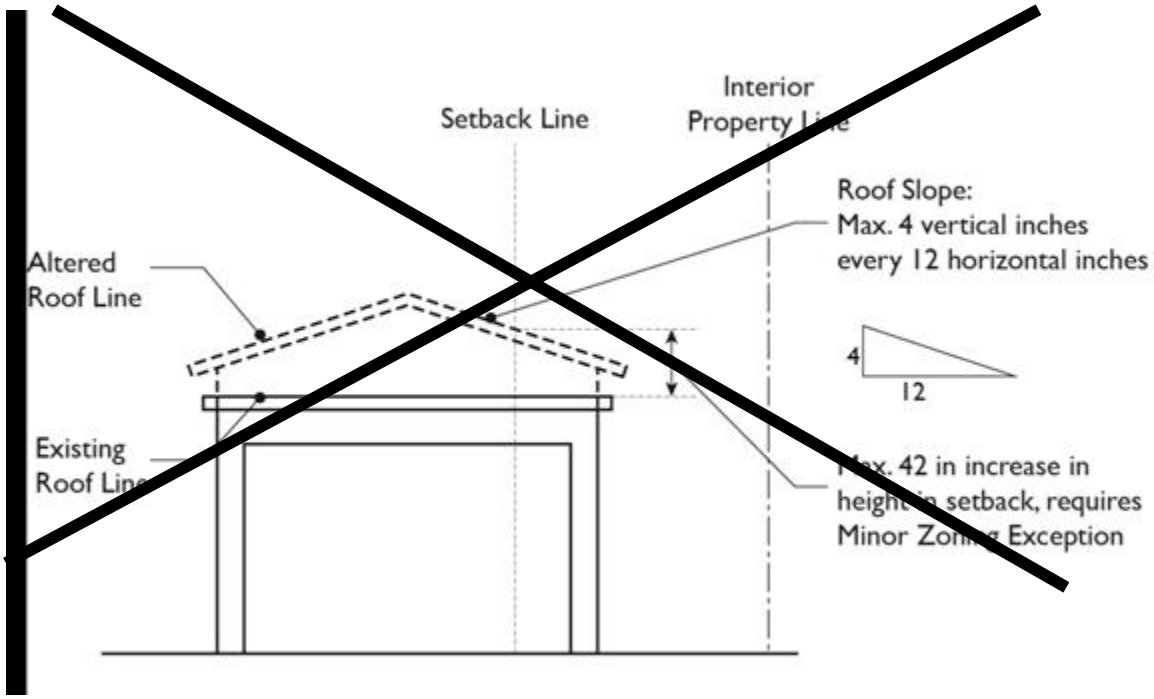
B. **Nonconforming Setbacks.**

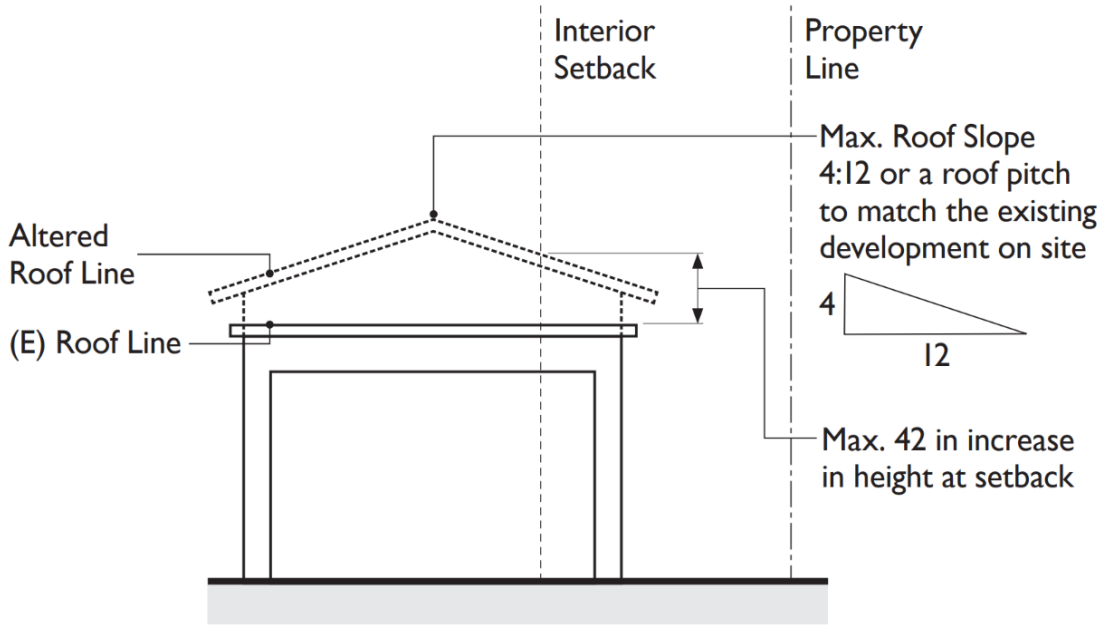
1. ***Height and Volume in Setbacks***. Alterations that increase or relocate the height or volume of the portion of ~~the structure~~ a building within the front or interior setbacks, may be ~~approved by the appropriate Design Review body, subject to Chapter 30.245, Minor Zoning Exceptions, and as follows:~~ 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 ~~when not within an interior setback adjacent to a residential use or zone~~ provided that the alterations conform to the privacy standards in Section 30.140.145, Privacy Standards for Upper-Story Openings.

~~a. *Exceptions* If within an interior setback and adjacent to a residential use or zone, alterations may be approved by the appropriate Design Review body, pursuant to Chapter 30.245, Minor Zoning Exceptions~~.

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~~, or from nonresidential to residential within the portion of the structure that is located closer than five feet to an interior lot line when adjacent to a residential use or zone~~.

a. *Exceptions.* ~~If closer than five feet to an interior lot line and adjacent to a residential use or zone, a change of use to or from a residential use and the following uses is allowed~~ 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

~~5. ***Residential Units in Setbacks***. Alterations that result in an increase in the number of residential units are allowed provided that the alteration does not result in an increase in the number of residential units within the portion of the structure that is located closer than five feet to an interior lot line when adjacent to a residential use or zone~~

~~a. *Exception.* A conversion to or from a residential unit to an Accessory Dwelling Unit is allowed.~~

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, ~~A~~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.~~, or the number of bedrooms, such that it would cause the residential density for the development to exceed the approved residential density~~.

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

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

~~H.~~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 <u>of new floor area</u> 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 ~~as of the effective date of this Title~~;

b. ~~Additions may continue nonconforming setbacks All new construction shall continue the plane of the existing exterior building wall that is located in the setback, and maintain a minimum setback of five feet or the same distance from the closest point of the existing building to the interior lot line, whichever is greater;~~ <u>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;</u>

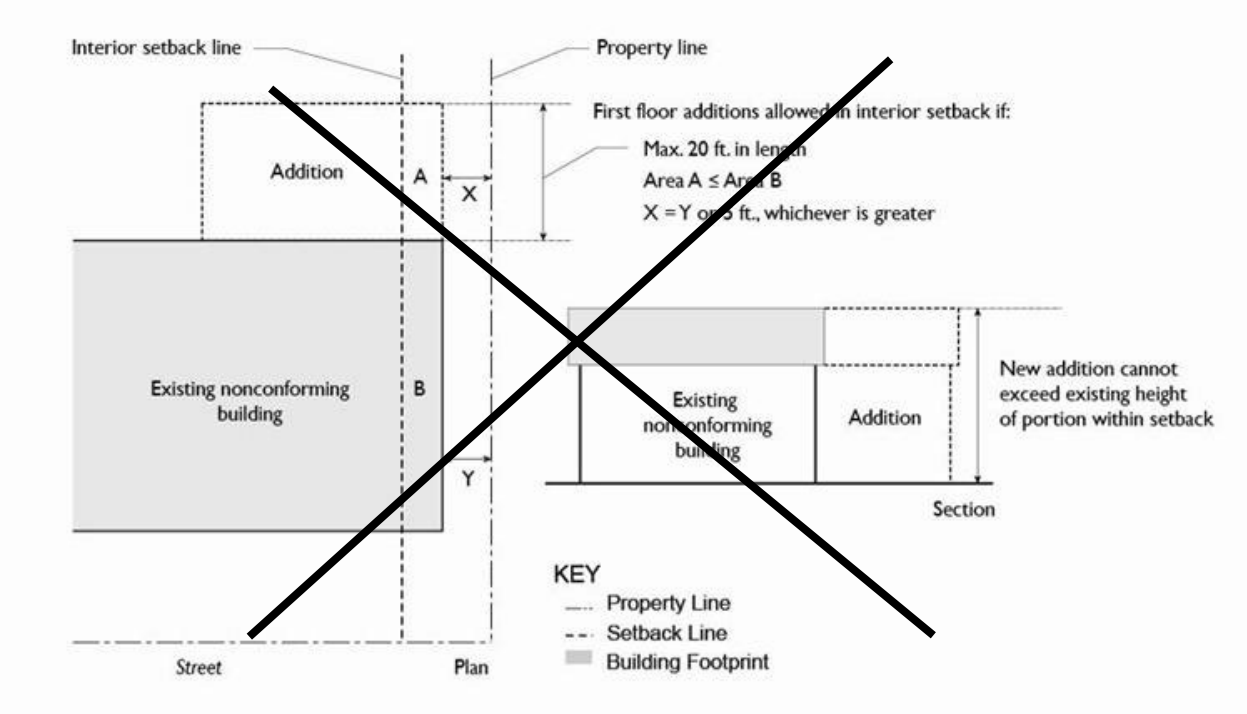
c. The maximum cumulative length of the addition located within the interior setback shall not exceed 20 linear feet <u>measured parallel to the lot line</u>;

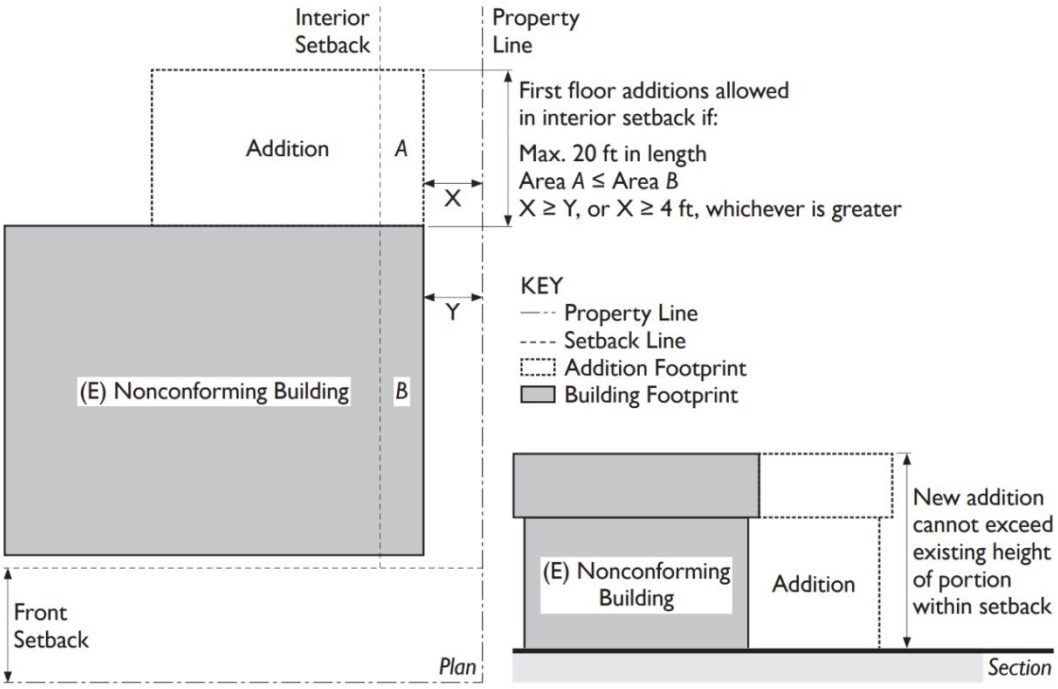
d. The height of the addition within the interior setback complies with the Height and Volume in Setbacks provisions of Section 30.165.040, Alterations to Nonconforming Development.

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 ~~(Floor to Lot 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 ~~would~~ is otherwise ~~be deemed precluded development~~ not allowed as specified in Subsection 30.20.030.A, Maximum Floor Area Ratio ~~(Floor to Lot 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 ~~shall~~ does not exceed ~~100~~ 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 ~~the effective date of this Title~~ 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, garages and carports that are nonconforming setbacks, or on lots with nonconforming open yard, or on a lot that is nonconforming to the Maximum Floor Area (Floor to Lot Area Ratio), use or residential density, may be altered, increased in size expanded, demolished and reconstructed, substantially redeveloped, or any combination of the above, in order to provide covered parking that conforms to City Standards for Parking Design, subject to the following provisions:~~ 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 parking spaces shall not be increased within any nonconforming setback or nonconforming open yard.~~ The number of proposed parking spaces must not exceed the minimum number of spaces required by Chapter 30.175, Parking Regulations.

2. The new ~~nonconforming~~ setback of the resulting garage or carport shall be no less than the existing ~~nonconforming~~ 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 Standards for Parking Design~~ City Access and Parking Design Standards, and the floor area shall ~~be no larger than~~ 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.

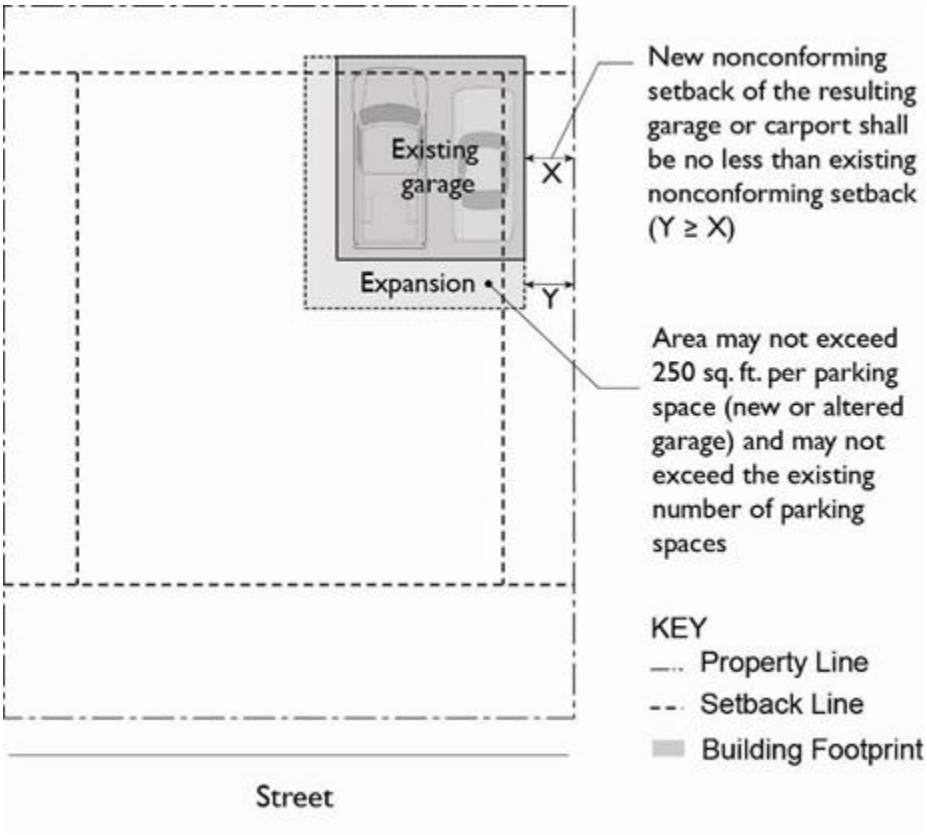
5. There shall be no increase in the height of a structure or relocation of windows and doors within any setback, except as otherwise allowed under Section 30.165.040, Alterations to Nonconforming Development.

6. The resulting garage or carport shall not exceed the maximum height in the zone.

~~7. The portion of nonconforming garages or carports within an interior setback and located closer than five feet to an interior property line, and adjacent to a residential zone or use, shall not be converted from covered parking to another use, such as storage, workshops, livable space, other than the conversion to an Accessory Dwelling Unit, pursuant to Section 30.185.040; and~~

~~8.~~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 ~~(Floor to Lot Area Ratio)~~, provided:

1. The interior dimensions of the resulting garage or carport shall be no larger than those described in the ~~City Standards for Parking Design~~ 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. ~~*Permitted*~~ *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 a~~A~~lterations 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 ~~appropriate Design Review body~~ Community Development Director pursuant to Chapter 30.245, Minor Zoning Exceptions, upon finding the proposed location of the structure is safer or more appropriate that 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 ~~100~~ 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 ~~into Setbacks and Open Yards~~.

~~12. ***Design Review Required***. The structure, site and landscape~~ing plans ~~shall be subject to the review and approval of the appropriate Design Review body~~ if required per ~~Chapter 30.220, Design Review~~.

~~13.~~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 ~~Santa Barbara Municipal Code Section 22.22.070~~ Chapter 30.157, Historic Resources; or

2. The retaining wall is necessary to retain or support soil ~~in a vertical or near vertical slope of earth~~.

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.

~~A.~~ 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 ~~possible~~ feasible. If ~~there are~~ multiple areas qualify ~~that meet these requirements~~, the Director shall determine which areas ~~shall be included~~ 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; or

c. ~~*On lots developed with*~~ *For Single-Unit or Two-Unit Residential Lots*: Any area~~s~~ less than 10 feet ~~long~~ in length ~~by~~ and 10 feet ~~wide~~ in width.

d. ~~*On lots developed with*~~ *For Multi-Unit Residential or Mixed-Use Lots:* Any area~~s~~ less than six feet ~~long~~ in length ~~by~~ and six feet ~~wide~~ in width.

~~B.~~ 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, ~~are allowed subject to the following:~~ 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. There is no increase in the number of residential units on the lot, except for an Accessory Dwelling Unit located entirely within the existing primary residence or an existing accessory structure (excluding covered parking);~~

~~3. There is no increase in the bedrooms for any residential unit, if the additional bedrooms will result in an increase to the open yard required on-site, unless the additional open yard area is provided;~~

~~4.~~2. The~~re~~ proposed project does not reduce any ~~is no reduction of~~ required private open yards or the Designated Nonconforming Open Yard; and

~~5.~~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

Sections:

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

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, ~~that are~~ 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 ~~results in an increase to the minimum number of required parking spaces for any existing building, structure, or land use~~ increases the minimum number of required parking spaces. The number of additional ~~automobile parking~~ spaces ~~that must be provided for the project~~ required shall be equal to the number ~~of parking spaces~~ required for the ~~proposed addition~~ 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 ~~required for any existing building, structure, or land use~~, no additional ~~automobile~~ parking ~~spaces~~ 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 ~~under this chapter than are~~

~~required for the existing use~~, no additional ~~automobile~~ parking ~~spaces~~ shall be required.

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

i. Industrial Uses. In the ~~manufacturing and industrial zones~~ ~~(~~M-C, M-I, CO-MI, and CO-CAR ~~Z~~zones~~)~~, when an industrial land use is changed to a commercial land use or any other non-industrial land use that requires more parking ~~spaces under this chapter than are required for the existing use~~, 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. ~~Non-Industrial Uses in the M-C, M-I, CO-MI, and CO-CAR Zones and~~ All Other Uses ~~in Other Zones~~. Except as provided ~~for industrial uses in certain zones~~ in subsections i. and ii. above, when an existing land use is changed to another land use that requires more parking, ~~spaces under this chapter than are required for the existing use, additional automobile parking shall be provided. The number of additional automobile parking spaces shall be equal to the number of parking spaces required pursuant to this chapter for the proposed development minus the number of parking spaces already being provided for the existing use.~~ 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.

~~Covered automobile parking shall be provided as follows. Covered automobile parking shall also comply with the limitations in Section 30.140.020, Accessory Buildings.~~

~~1. ***Single Unit Residential.*** All required automobile parking spaces must be covered.~~

~~a. *Exception.* On lots less than 15,000 square feet, uncovered automobile parking may be substituted for covered automobile parking as follows, provided that the uncovered automobile parking complies with Section 30.175.060, Location of Required Parking, and permeable pavers are used on any new paved areas, as feasible.~~

~~i. One Covered and One Uncovered Space. Any lot developed with less than 85% of the maximum net floor area for the lot, pursuant to Section 30.20.030.A, Maximum Floor Area (Floor to Lot Area Ratio), may provide one covered automobile parking space and one uncovered automobile parking space.~~

~~ii. Two Uncovered Spaces. Any lot developed with less than 80% of the maximum net floor area for the lot, pursuant to Section 30.20.030.A, Maximum Floor Area (Floor to Lot Area Ratio), may provide two uncovered automobile spaces, subject to approval by the appropriate Design Review Body, provided a minimum 200 cubic feet of enclosed exterior storage space is provided on-site.~~

~~2. ***Two-Unit Residential, Condominium, Community Apartment, or Stock Cooperative.*** A minimum of one automobile parking space allocated to each unit shall be covered.~~

~~3. ***Designated Historic Resources.*** On any lot developed with a designated historic resource, uncovered automobile parking may be substituted for covered automobile parking, provided that the uncovered automobile parking complies with Section 30.175.060, Location~~

~~of Required Parking and subject to approval by the appropriate Design Review body, and permeable pavers are used on any new paved areas, unless reduced or waived by the appropriate Design Review body.~~

~~4. *All Other Uses*. For all other uses, automobile parking spaces may be provided as either covered or uncovered. However, required automobile parking spaces for any nonresidential use shall not be allowed in individual garages or carports, unless the location and design are approved by the Public Works Director.~~

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 ~~t~~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.

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
Residential Uses		
Residential Housing Types		
Single-Unit Residential	2 per unit; see ~~§30.175.030.N, Covered Parking and~~ §30.175.050, Parking Exceptions and Reductions	None
Two-Unit Residential	2 per unit; see ~~§30.175.030.N, Covered Parking and~~ §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%)
Special Residential Unit Types		
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%)
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices		
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	1 per 15 bedrooms; minimum 2 spaces (50%/50%)

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
	See §30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices	
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%)
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 Unit	None beyond what is required for the Residential Unit
Transitional Housing	None beyond what is required for the Residential Unit	None beyond what is required for the Residential Unit
Public and Semi-Public Uses		
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%)

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
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
Hospitals and Clinics		
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%)
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%)
Commercial Uses		
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
Animal Care, Sales and Services		

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
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%)
Automobile/Vehicle Sales and Services		
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%)
Commercial Entertainment and Recreation		

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
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
Eating and Drinking Establishments		
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%)
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	1 per 1,750 square feet (75%/25%)

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
	greater; minimum 2 spaces shall be provided per site.	
Offices		
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%)
Retail Sales		
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
Industrial Uses		
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%)

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
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%)
Food and Beverage Manufacturing		
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%)
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
Warehousing and Storage		
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

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
Use Classification or Development Type	*Required Automobile Parking Spaces*	*Required Bicycle Parking Spaces (long term%/short term%)*
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, see of net floor area;	1 per 3,500 square feet (75%/25%)
Transportation, Communication, and Utilities Uses		
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 ~~permitted~~ 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.

~~A.~~B. **On-Site Parking Required.** Required automobile and bicycle parking shall be located on the same lot as the ~~residential unit~~ use served except as allowed below.

1. *Allowance for Off-Site Parking*. Required automobile parking ~~for nonresidential uses and for residential uses located in nonresidential zones~~ 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.

~~B. **Uncovered Parking.** Uncovered automobile, bicycle, and other vehicle parking and storage shall observe the same setbacks as covered parking in the zone, except as otherwise allowed by this section. Where there is no setback specified for covered parking, then uncovered automobile, and bicycle, and vehicle parking and storage shall observe the smallest setback in the zone. These location standards shall apply to all vehicles including automobiles, trucks, buses, trailers, boats, recreational vehicles, and motorcycles.~~

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.

~~C.~~D. ~~**Front**~~ **Setbacks.** Automobile, bicycle, and other vehicle parking shall not be located within any front or interior setback, except as follows:

1. ~~*Nonresidential*~~ *Front Setback Reduction for Uncovered Bicycle Parking.* Uncovered bicycle parking ~~required for nonresidential uses~~ may be located ~~in a~~ 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 ~~not publicly visible or~~ screened pursuant to ~~Section 30.15.120, Screening~~ Section 30.140.155, Screening.

~~E. **Interior Setback.** Uncovered automobile and vehicle parking shall observe an interior setback equal to the width of the required perimeter planter along interior lot lines as described in Table 30.175.080.A: Parking Area Landscape.~~

~~F.~~ 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.

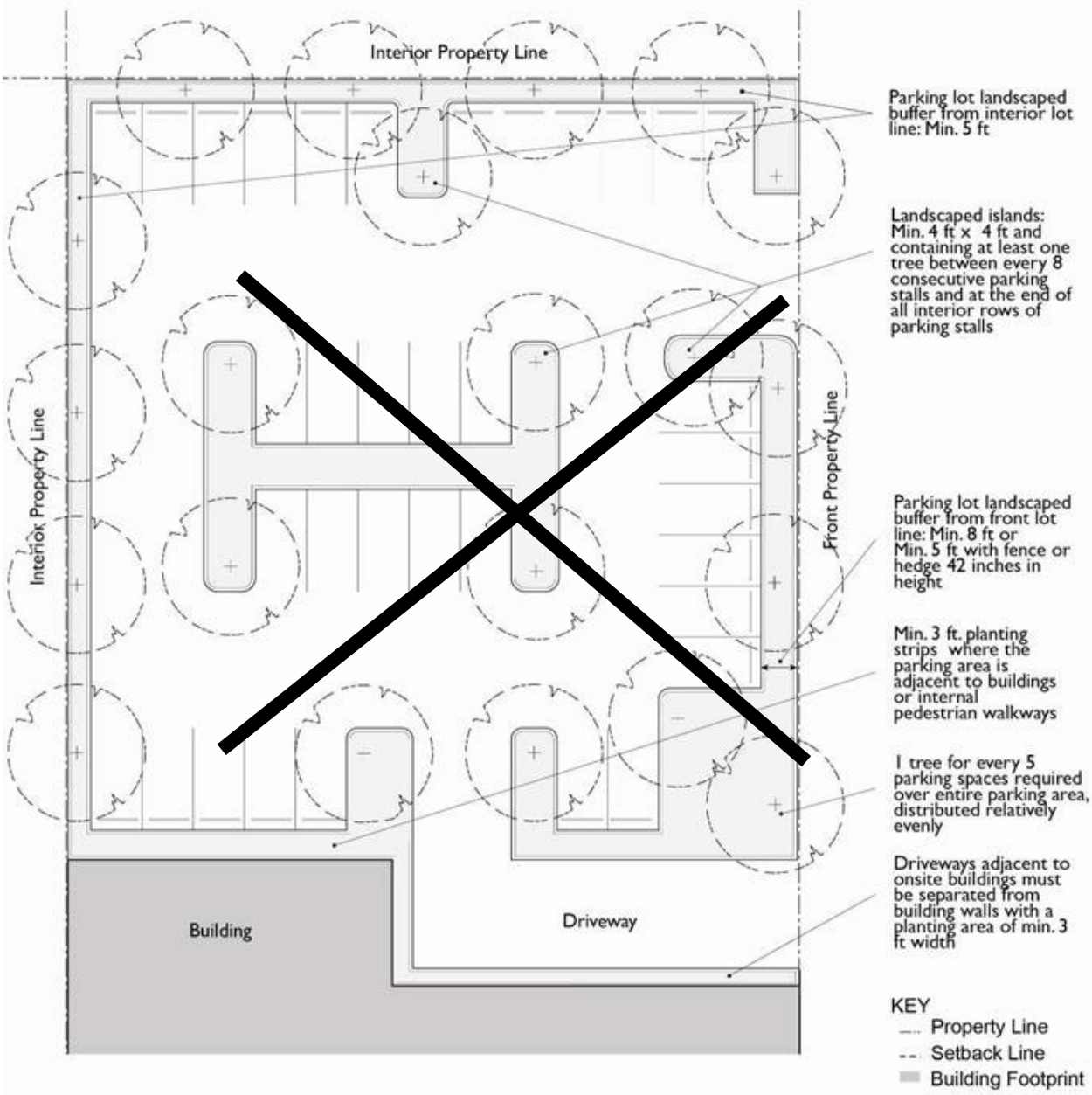
These standards are intended to create a landscaped setback area that will appropriately limit and screen vehicle parking areas to protect adjacent land uses and pedestrians; enhance privacy; attenuate noise; control dust; and reduce glare and light trespass.

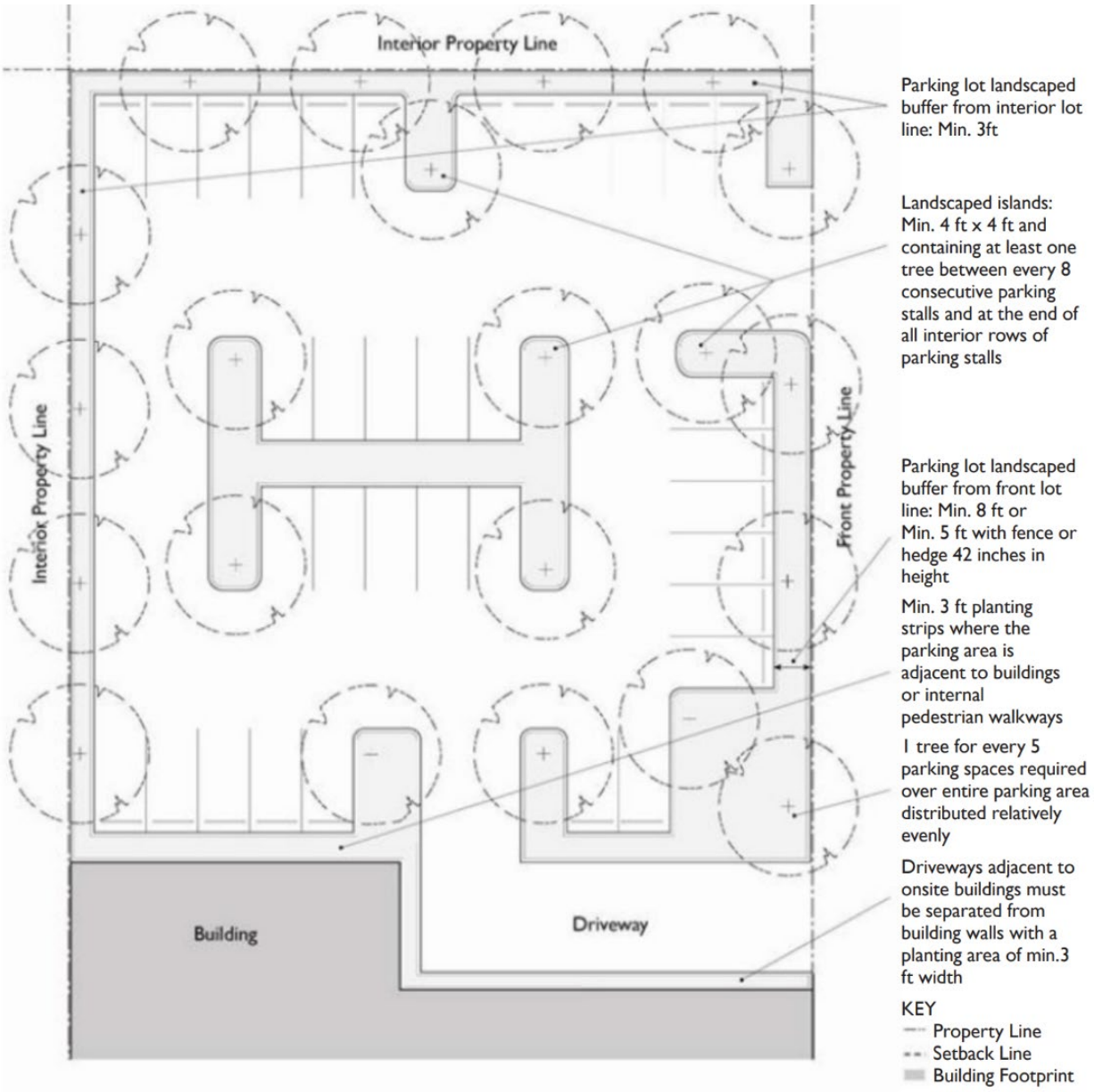
A. **Landscape.** Public and private parking lots with four or more uncovered parking spaces, driveways, and areas between driveways and buildings, shall include minimum landscape areas in compliance with Table 30.175.080.A: Parking Area Landscape.

TABLE 30.175.080.A: PARKING AREA LANDSCAPE	
Perimeter Planters	
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 ~~or~~ ~~5-foot wide where parking lot abuts a residential use~~
Interior Planters	
Driveways	3-foot wide between driveways and onsite buildings
Parking Areas	3-foot wide between parking areas and onsite buildings and walkways

TABLE 30.175.080.A: PARKING AREA LANDSCAPE	
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
General Landscaping	
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 ~~permitted~~ 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
Trees	
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	⅔ 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

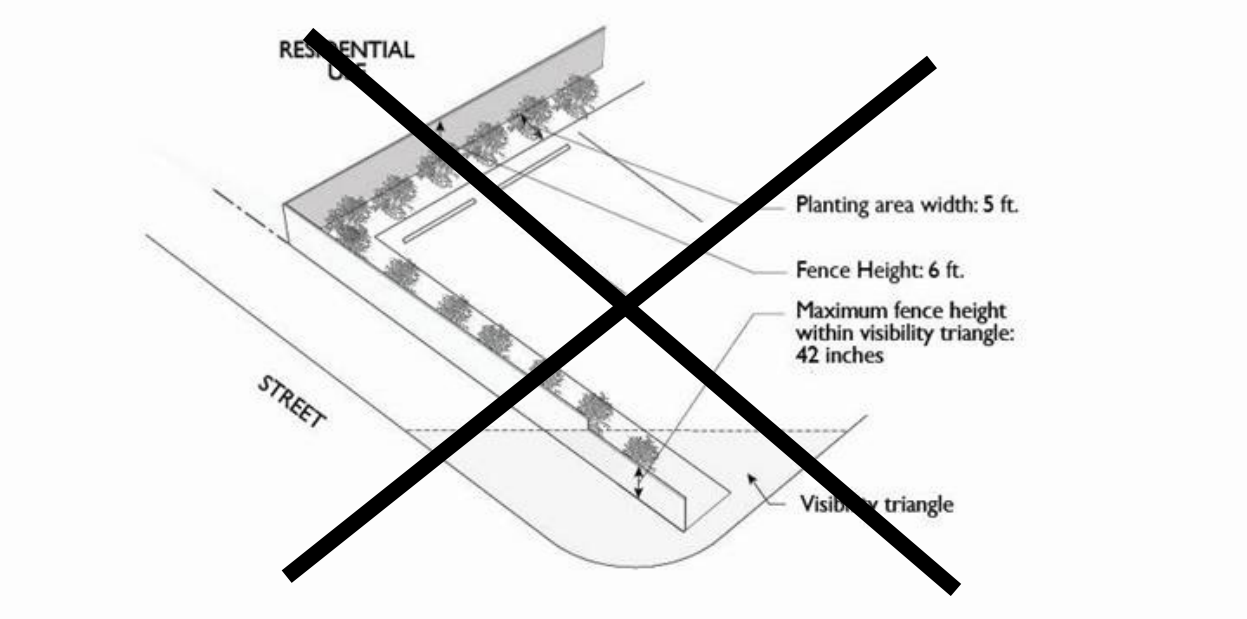
FIGURE 30.175.080.A: PARKING AREA LANDSCAPE

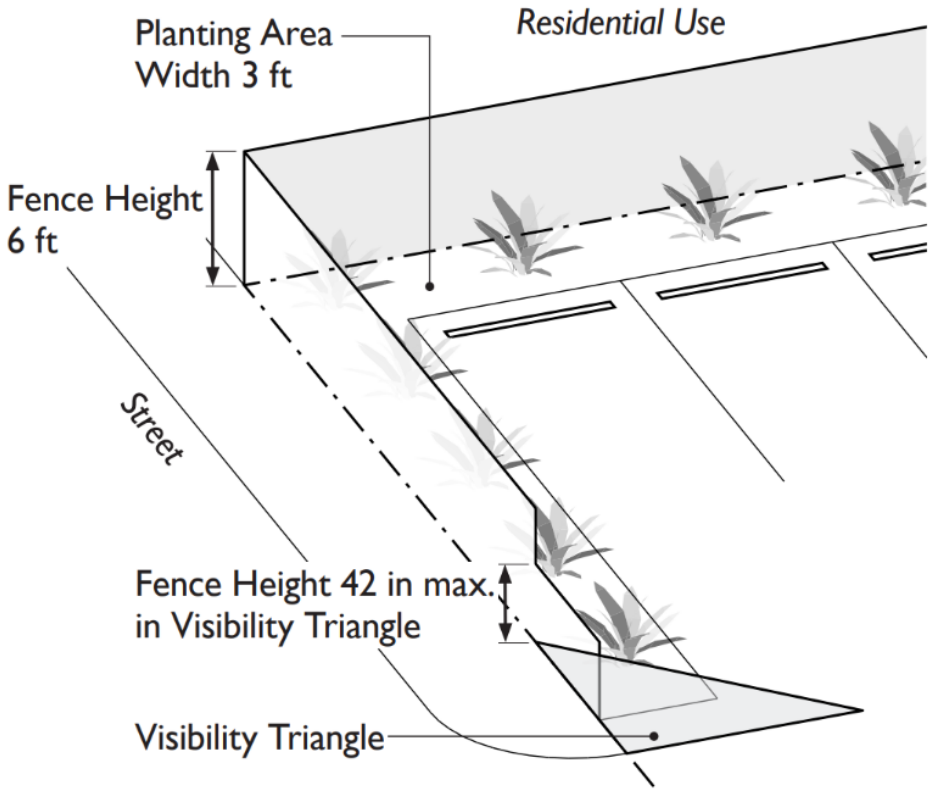




B. **Fences and Hedges.** On a site with five or more uncovered surface automobile parking spaces, parking and loading areas shall be screened from adjacent residential uses or zones by a six-foot-tall wall, fence, or hedge, except within the visibility triangle described in Section 30.140.230, Visibility at Driveways and Intersections, where the maximum height is 42 inches.

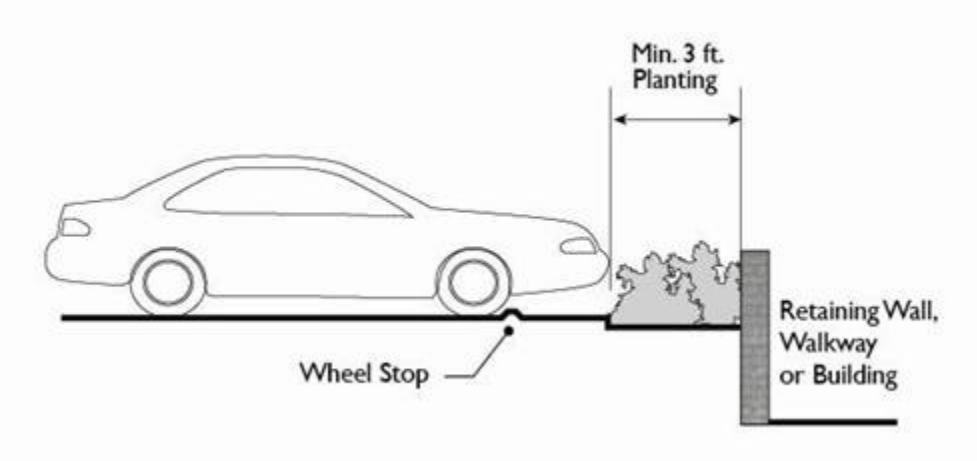
FIGURE 30.175.080.B: PARKING AREA LANDSCAPE–FENCES AND HEDGES





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. ~~However, no perimeter planter on any interior lot line in a residential zone or adjacent to a residential zone shall be reduced to less than three feet.~~

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.

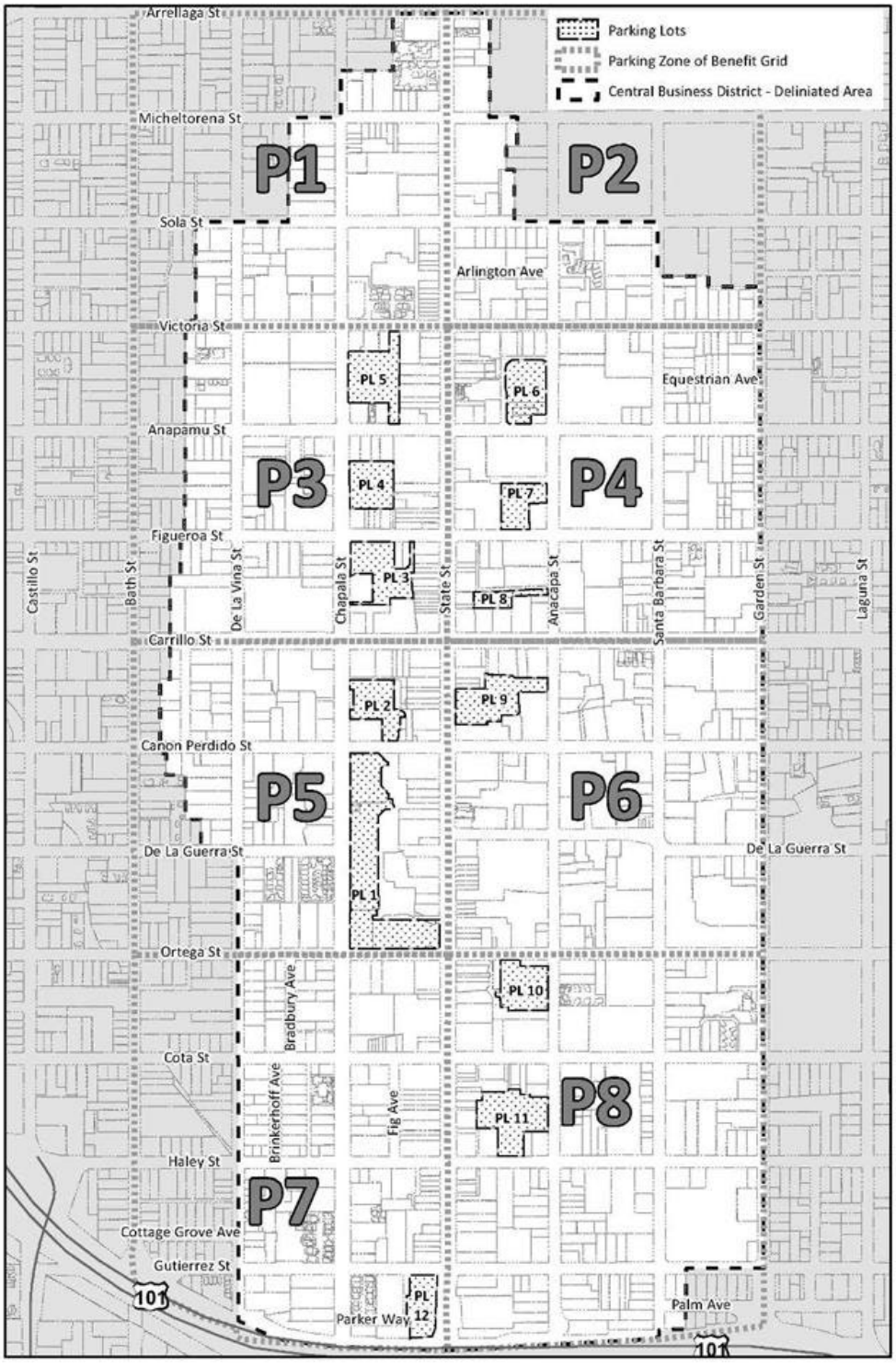
H. **Parking Lifts and Machines.** Parking lifts and parking machines may be allowed per the criteria outlined in the City Access and Parking Design Standards.

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

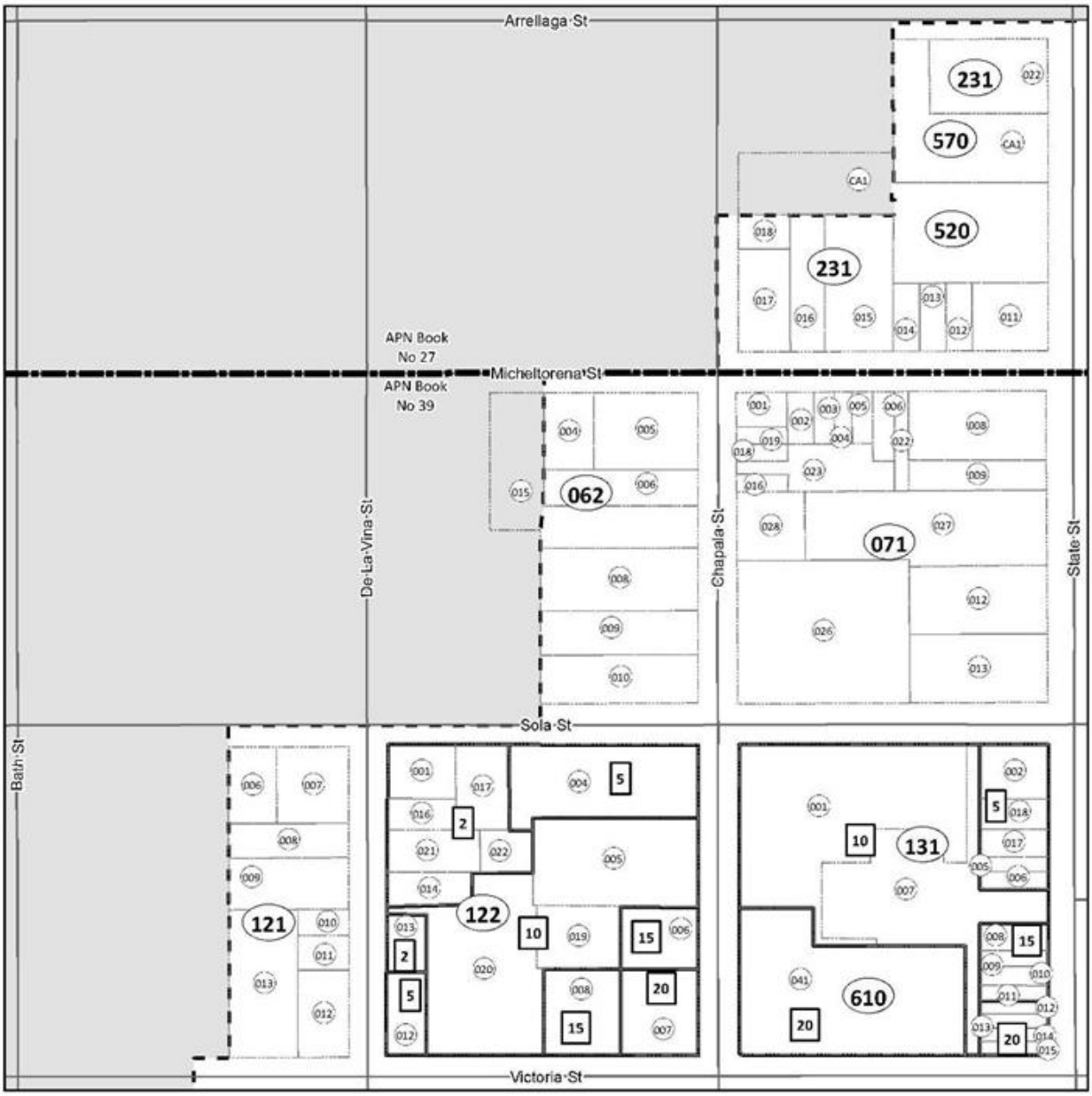
site conditions do not present a safety hazard such as the roadway volumes or slope of driveway, and provided that the borders of any such parking spaces are clearly delineated with a hard-surfaced edging material such as pavers or raised blocks.

J. **Waiver.** The Public Works Director may approve waivers to parking area standards whenever specified in this ~~t~~Title or as specified within the City Access and Parking Design Standards.

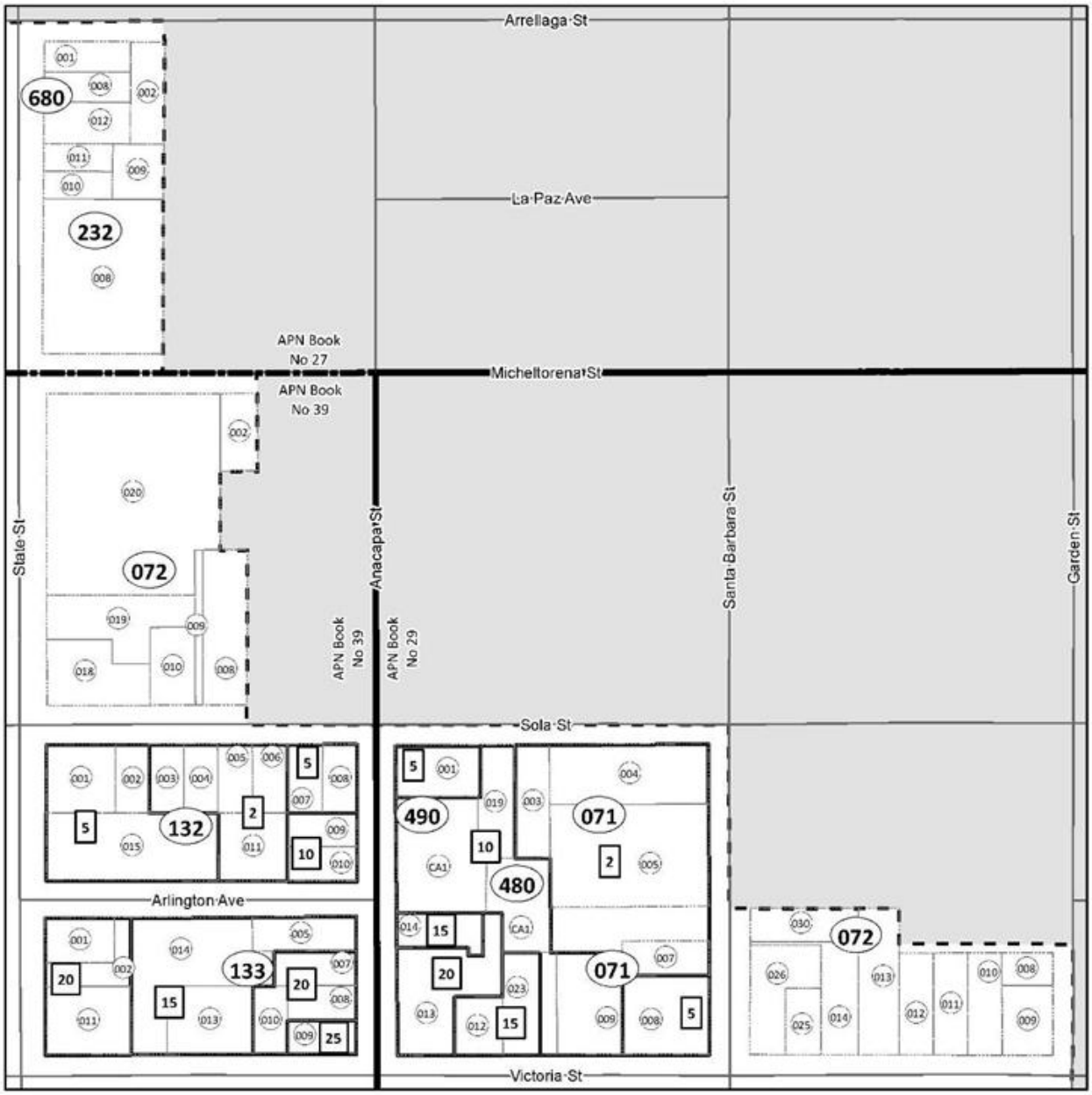
FIGURE 30.175: CENTRAL BUSINESS DISTRICT AND PARKING ZONES OF BENEFIT



PARKING ZONES OF BENEFIT
MAP PAGE P1



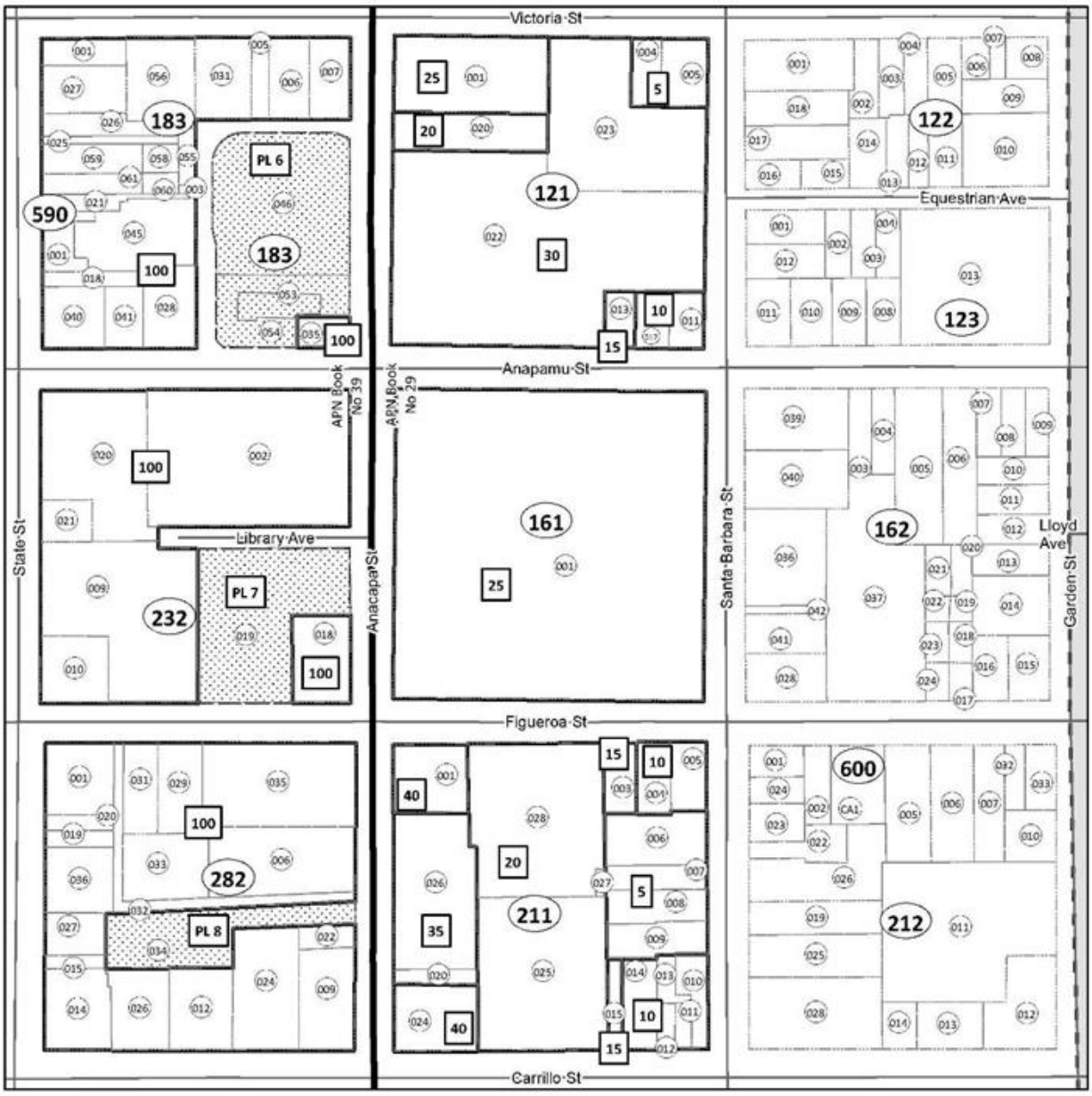
PARKING ZONES OF BENEFIT
MAP PAGE P2



PARKING ZONES OF BENEFIT
MAP PAGE P3



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 - Deliniated Area

PARKING ZONES OF BENEFIT
MAP PAGE P5



Assessor's Parcel Number

Assessor's Block Number

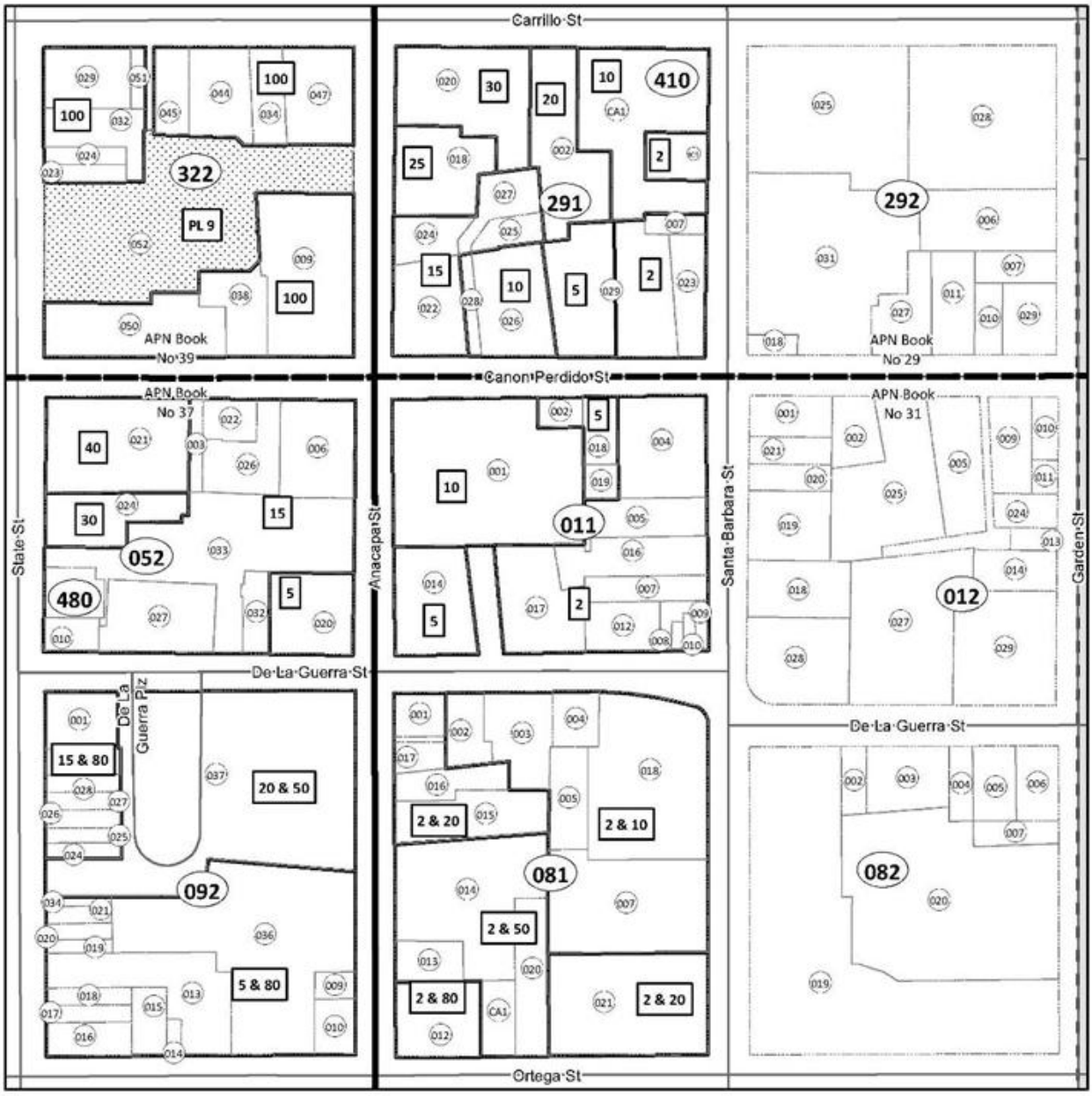
Assessor's Book Boundary

Parking Lots

Parking Zone of Benefit % Credit

Central Business District - Deliniated Area

PARKING ZONES OF BENEFIT
MAP PAGE P6



Assessor's Parcel Number

123 Assessor's Block Number

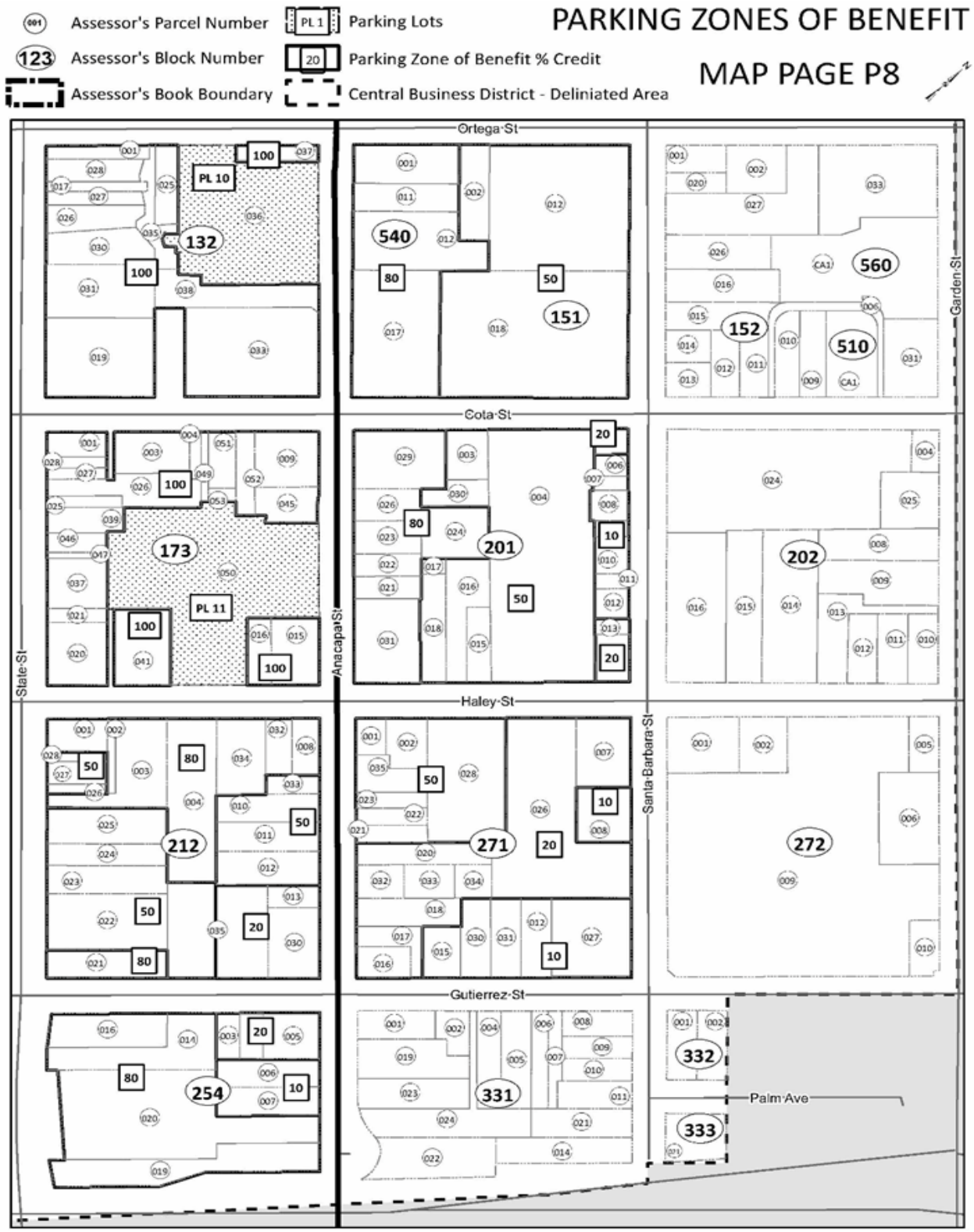
Assessor's Book Boundary

PL 1 Parking Lots

20 Parking Zone of Benefit % Credit

Central Business District - Deliniated Area


Assessor's Parcel Number
Assessor's Block Number
Assessor's Book Boundary
Parking Lots
Parking Zone of Benefit % Credit
Central Business District - Deliniated Area
PARKING ZONES OF BENEFIT
MAP PAGE P7
Ortega St
Bradbury Ave
Cota St
Bath St
De La Vina St
Brinkerhoff Ave
Chapala St
Fig Ave
Haley St
State St
Cottage Grove Ave
Gutierrez St
Motor Way
Parker Way
Bath St


Assessor's Parcel Number
Assessor's Block Number
Assessor's Book Boundary
Parking Lots
Parking Zone of Benefit % Credit
Central Business District - Deliniated Area
PARKING ZONES OF BENEFIT
MAP PAGE P8
Ortega St
Cota St
Haley St
Gutierrez St
State St
Anacapa St
Santa Barbara St
Garden St
Palm Ave
PL 10
PL 11
132
173
212
254
540
151
201
271
331
560
152
510
202
272
332
333

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

Sections:

30.185.010 Purpose
30.185.020 Applicability
30.185.030 Accessory Uses
30.185.040 Accessory Dwelling Unit
30.185.045 Adaptive Reuse Projects
30.185.050 Additional Residential Unit
30.185.060 Adult Entertainment Facilities
30.185.070 Agriculture
30.185.080 Automated Teller Machines
30.185.090 Automobile/Vehicle Fueling Stations or Car Washing Facilities
30.185.100 Banks and Financial Institutions in the O-M Zone
30.185.110 Cannabis Cultivation
30.185.120 Caretaker Unit
30.185.130 Community and Market Gardens
30.185.140 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
30.185.150 Day Care Centers
30.185.160 Drive-Through Facility
30.185.170 Emergency Shelter
30.185.175 Emergency Permits
30.185.180 Garden Apartment Developments
30.185.190 Group Residential
30.185.200 Home Occupation
30.185.210 Horse Keeping
30.185.220 Hotels and Similar Uses
30.185.230 Large and Small Family Day Care Homes
30.185.240 Live-Work Units
30.185.245 Low Barrier Navigation Center
30.185.250 Medical Cannabis Dispensaries
30.185.260 Medical Equipment Supply Stores
30.185.270 Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use
30.185.280 Mobilehome and Permanent Recreational Vehicle Parks
30.185.290 Mobilehome and Permanent Recreational Vehicle Park Conversion Regulations
30.185.300 Outdoor Sales and Display
30.185.310 Outdoor Storage
30.185.320 Overnight Recreational Vehicle or Camping Parks
30.185.330 Planned Residential Development
30.185.340 Public Works and Utilities
30.185.350 Recreation Facilities
30.185.360 Residential Uses in the CO-HV and CO-CAR Zones
30.185.370 Retail Sales, Neighborhood Market
30.185.380 Seafood Odor Control
30.185.390 Shooting Range
30.185.400 Solar Energy Systems
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 ~~to Lot~~ 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. ~~Eligibility for covered parking exceptions pursuant to Section 30.175.030.N, Covered Parking, is based on the Maximum Floor Area (Floor to Lot Area Ratio) for each residential unit rather than the lot.~~

G. ***Accessory Buildings.*** Each residential unit may have up to the maximum amount of accessory building floor area as ~~permitted~~ 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 ~~permitted~~ 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.

~~A.~~ 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, ~~and no congregate dining facility,~~ are subject only to the ~~base~~ same zoning standards (residential density, open yard, and parking requirements) ~~that for multi-unit development in the same applicable zone~~ 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 ~~could~~ may be located in a small, recessed opening off other living areas.

~~B.~~ 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.

~~C.~~ 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.

~~1. ***Facilities with Seven or More Individuals***. Accessory uses for facilities with seven or more individuals in the R-S, R-2, R-M and R-MH zones requiring a Performance Standard Permit or Conditional Use Permit may be allowed subject to the project approval. The use of the facilities by persons other than residents and staff may be limited.~~

~~2. ***Facilities with 12 or More Individuals***. Accessory uses for facilities with 12 or more individuals requiring Conditional Use Permit in the O-R, O-M, C-R, C-G, and M-C zones may be allowed subject to the project approval. The use of the facilities by persons other than residents and staff may be limited.~~

~~3.~~ 2. ~~***All Other Facilities***.~~ ***Accessory Uses Allowed by Right.*** Accessory uses ~~for all other facilities are limited to those 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.

~~4.~~ 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.

~~D.~~G. **Required Findings ~~for Facilities in Residential Zones~~.** ~~A~~ When a Performance Standard Permit is required by this Title, ~~permit for community care facilities, residential care facilities for the elderly, and hospices serving seven or more individuals and located in a Residential Zone may only be approved if~~ the Review Authority must make~~s~~ the following findings in addition to the findings required pursuant to ~~Chapter 30.215, Conditional Use Permits, or~~ Chapter 30.255, Performance Standard Permits~~, as applicable,~~ 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. ~~are subject to the following standards~~ Where a Conditional Use Permit is required, the following findings must be made:

~~A.~~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.

~~B.~~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 ~~C-M~~ M-C Zone may provide a maximum of 100 beds and shall serve no more than 100 ~~homeless persons~~ 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 queueing on site.

D. **Outdoor Area/Activity.** ~~Outdoor gathering areas shall be hidden from view or screened pursuant to Section 30.15.120, Screening. An Emergency Shelter shall not allow prospective residents to queue on the public right-of-way or parking areas.~~ 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.

~~1. One parking space for every eight beds; and~~

~~2. One covered and secure bicycle parking space for every four beds.~~

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.

~~Large Family Day Care Homes in Residential Zones shall be located, developed, and operated in compliance with the following standards:~~

~~A. **Location.** Large Family Day Care Homes shall be located on a lot that is a minimum of 300 feet from a lot that contains another Large Family Day Care Home. The Review Authority may waive the 300-foot spacing requirement if certain physical conditions exist and the waiver would not result in significant effects on the public peace, health, safety and comfort of the affected neighborhood. Examples of physical conditions that may warrant granting of a waiver include intervening topography that creates a barrier or separation between the facilities such as hillsides or ravines, the presence of major nonresidential uses or structures between facilities or the presence of a major roadway between the facilities.~~

~~B. **Outdoor Activities.** Outdoor activities shall be limited to the hours between 8:00 a.m. and 6:00 p.m.~~

~~C. **Loading and Unloading.** A plan and schedule for the pick-up and drop-off of children or clients shall be provided for approval by the Review Authority. The plan shall demonstrate that off-street area or on-street area in front of the residence is available for passenger loading and~~

~~unloading. The passenger loading and unloading area shall be of adequate size and configuration and shall allow unrestricted access to neighboring properties.~~

~~D. **Parking.** One additional parking space for employee parking shall be provided unless the Review Authority finds that adequate on-street or off-street parking is available.~~

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.

~~Transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zone.~~

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

Sections:

30.200.010 Purpose
30.200.020 City Council
30.200.030 Planning Commission
30.200.040 Staff Hearing Officer
30.200.050 Community Development Director
30.200.060 Public Works Director
30.200.070 Architectural Board of Review
30.200.080 Historic Landmarks Commission
30.200.090 Single Family Design Board

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 ~~t~~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 ~~t~~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 ~~t~~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 ~~t~~Title include, but are not limited to, the following:

A. All actions provided by this ~~t~~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 ~~t~~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 ~~t~~Title include, but are not limited to, the following:

A. Maintain and administer this ~~t~~Title.

B. Request interpretations of this ~~t~~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 ~~t~~Title and the Government Code.

E. Review permit applications for conformance with this ~~t~~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 ~~t~~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 ~~t~~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 ~~(pursuant to Title 22 of the Santa Barbara Municipal Code)~~, 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 ~~t~~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.

~~P.~~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 ~~t~~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 ~~t~~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.

~~The Historic Landmarks Commission is established and organized pursuant to Section 817 of Article VIII of the City Charter. The powers and duties of the Historic Landmarks Commission under this~~ Title ~~include, but are not limited to, the following:~~

~~1. 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. Designate certain structures or objects having historic, architectural, archaeological, cultural or aesthetic significance as Structures of Merit;~~

~~3. Review and approve, disapprove, or approve with conditions, plans for exterior alteration, demolition, relocation, moving, or construction of or on: (a) any structures or real property within El Pueblo Viejo Landmark District; (b) any structures or real property within any designated Landmark District; (c) any additional property authorized by action of the City Council; (d) a designated Landmark.~~

~~4. Perform such other functions or duties, not inconsistent with the City Charter, as may be prescribed by ordinance.~~

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

Sections:

30.205.010 Purpose
30.205.020 Application Forms and Fees
30.205.030 Pre-Application Review
30.205.035 Preliminary Housing Applications
30.205.040 Concept Review
30.205.050 Review of Discretionary Applications
30.205.060 Environmental Review
30.205.070 Public Notice
30.205.080 Conduct of ~~Public~~ Hearings
30.205.090 Decision
30.205.100 Scope of Approvals
30.205.110 Effective Dates
30.205.120 Expiration of Permits
30.205.130 Changes to Approved Plans
30.205.140 Revocation of Permits and Approvals
30.205.150 Appeals
30.205.155 Review of Administrative Applications
30.205.160 Enforcement and Penalty

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 ~~t~~Title, unless superseded by specific requirement of this ~~t~~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 ~~t~~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.

~~C.~~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-~~a~~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-~~a~~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, ~~the Team may require~~ 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 ~~B~~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 ~~Public~~ 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 public hearing, subject to the same limitations and circumstances as described in Pre-Application Review, Section 30.205.030, above. 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 the application is filed with the required fee 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 tTitle, 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 ~~t~~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 ~~outlined in this chapter~~ 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 ~~t~~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 ~~t~~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 ~~public~~ hearing, or 20 days if applicable pursuant to Government Code §65854, 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 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~~A mailed notice ~~shall~~ must be provided at the first Design Review hearing; and

b. iIf a subsequent hearing is scheduled for Project Design ~~Approval~~ Review, a second mailed notice must also be provided~~.; however, nothing in this section shall require~~

No more than two mailed notices are required for ~~of~~ any Design Review project~~.~~ ~~or notice of any hearing to be published in a newspaper~~ 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 ~~Public~~ Hearings.

Whenever the provisions of this ~~t~~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 ~~t~~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. **~~Public~~ Hearing Testimony.** Any person may appear at a ~~public~~ 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 ~~Public~~ Hearing.** The Review Authority conducting the ~~public~~ hearing may, by motion, continue the ~~public~~ hearing to a fixed date, time and place without additional notice; or the body conducting the ~~public~~ 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 ~~public~~ 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 ~~public~~ hearing must be closed before a vote is taken.

J. **Limit to ~~Public~~ Hearings for ~~Objective~~ 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 ~~Objective~~ 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 ~~public~~ 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.~~1~~2.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 ~~permitted~~ 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. (Ord. 6027 § 6, 2021)

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*. ~~Decisions of the Staff Hearing Officer may be appealed to the Planning Commission or the Community Development Director in accordance with this section.~~

a. ~~*Appeals of Staff Hearing Officer Decisions on*~~ *Accessory Dwelling Units*. The decision of the Staff Hearing Officer concerning an application for a Coastal Development Permit for an Accessory Dwelling Unit ~~shall~~ 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 ~~Section 30.205.150, Appeals~~ Subsection C, Appeals to the Coastal Commission.

b. ~~*Appeals of a*~~*All Other Staff Hearing Officer Decisions*. ~~Appeals of all other Staff Hearing Officer decisions shall be heard by the Planning Commission.~~ 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 ~~and Design Review~~ Decisions*. Decisions of the Planning Commission ~~and Design Review~~ may be appealed to the City Council in accordance with Chapter 1.30 and this chapter ~~and Chapter 30.220, Design Review, except as provided below~~.

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.

~~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.~~

~~a. *Single Family Design Board*. Appeals of Single Family Design Board decisions shall be heard by the Planning Commission, and the decision of the Planning Commission shall be final, subject only to judicial review as provided in Section 1.30.020 of this code. The Planning Commission's decision on the appeal shall be based upon findings required by Chapter 30.220, Design Review, and the applicable design guidelines.~~

~~4.~~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.

~~5.~~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, ~~O~~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 ~~public~~ 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 ~~4:30 p.m.~~ 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 ~~t~~Title or how there was an error or abuse of discretion.

c. *Public Notice.* Notice of the appeal hearing must be provided ~~in the same manner required for the action that was the subject of the appeal~~ 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 ~~t~~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 ~~t~~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 ~~t~~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 ~~t~~Title, and any such permit or license issued in conflict with the provisions of this ~~t~~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 ~~t~~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 ~~t~~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 ~~t~~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 ~~t~~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 ~~t~~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 ~~t~~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 enjoinment 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 ~~t~~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

Sections:

30.220.005 Discretionary Design Review
30.220.010 Architectural Board of Review
30.220.020 Historic Landmarks Commission
30.220.030 Sign Committee
30.220.040 Single Family Design Board
30.220.050 Objective Design Review
30.220.060 Special Design Districts

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.

~~Design review is as required by Chapter 22.68, 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):

l. ***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. ***Exterior Alterations, Relocation and Demolition.*** Approval by the Historic Landmarks Commission 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:~~

~~a. ***City-Owned or Leased Property.*** If the alteration, construction or relocation of any structure, natural feature, site or area owned or leased by the City has a historic resource on the lot, the entire property is under Historic Landmarks Commission jurisdiction, except for the Airport Property due to the size of the property and demand for air use and the Historic Landmarks Commission purview will be over historic resources on the site only.~~

~~b.~~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. ~~As defined in Section 30.57.030.~~

~~c.~~2. ***Historic Resource.*** A historic resource as defined in Section 30.300.080 "H" Historic Resources Related Definitions.

~~d.~~3. *Historic District (HD) Overlay Zones.* All properties, contributing and non-contributing, within a HD Overlay Zone as described in Chapter 30.57.

~~e. ***Publicly Owned Buildings Generally.*** Except as provided in subsections B.1.f. and g below, any structure, natural feature, site or area owned or leased by any public entity other than the City of Santa Barbara and designated as a Landmark or Structure of Merit, or located within any landmark district, shall not be subject to the provisions of this chapter section.~~

~~f. ***Public Interest Exception for City Facilities.*** The City Council shall first make a public interest determination on whether the alteration, construction or relocation of any structure, natural feature, site or area owned or leased by the City and designated as a Landmark or Structure of Merit, or located within any Landmark or Historic District, is exempt from review by the Historic Landmarks Commission.~~

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.

~~g.~~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 ~~22.68.060.C~~ 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 ~~shall be reviewed by the Historic Landmarks Commission~~.

~~2. ***Minor Zoning Exceptions and Other Approvals.*** In addition to any review required pursuant to this chapter, the Historic Landmarks Commission shall review all applications for Minor Zoning Exceptions.~~

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.

~~3. ***Exception for Certain Trees.*** Notwithstanding the above, the placement, alteration, or removal of trees shall be processed in accordance with Chapter 15.20 or 15.24, as applicable.~~

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.

~~C.~~D. **Review Authority.** ~~The Review Authority shall approve, conditionally approve, revise or deny all applications for design review based on consideration of the requirements of this chapter.~~ The HLC must approve, conditionally approve, or deny all applications for Design Review as required by this section, except as specified below.

~~1. *Historic Landmarks Commission.* The Historic Landmarks Commission shall review all applications as required by this Chapter , including minor alterations on Landmarks and in El Pueblo Viejo Landmark District, and alterations contributing to a historic resources in a historic district overlay zone and properties listed on the Historic Resources Inventory.~~

~~2.~~1. *City Architectural Historian ~~(as defined under Qualified Professional Staff in Historic Preservation)~~.* The City's Architectural Historian, as defined in Section 30.300.080 "H" under Qualified Professional Staff in Historic Preservation, must ~~Shall~~ review ordinary maintenance ~~contributing~~ to historic resources in a historic district overlay zone and properties listed on the Local Register of Historical Resources ~~Inventory~~ (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 ~~City's Architectural Historian finds that the maintenance~~ work has the potential to ~~have an~~ adversely affect ~~effect on~~ 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.

~~D. **Referrals to Planning Commission.**~~

~~1. ***Planning Commission Comments.*** When the Historic Landmarks Commission determines that a development is proposed for a site which is highly visible to the general public, the Historic Landmarks Commission may, prior to granting project design approval of the application, require presentation of the application to the Planning Commission solely for the purpose of obtaining comments from the Planning Commission regarding the application. Planning Commission comments would be considered by the Historic Landmarks Commission in its deliberations.~~

~~2. ***Public Notice and Hearing.*** Prior to making any comments regarding an application pursuant to this section, the Planning Commission shall hold a noticed public hearing. Notice of the hearing shall be provided in accordance with the requirements of Chapter 30.205, Common Procedures.~~

~~E. **Public Notice and Hearing.** Projects That Require Public Notice.~~

~~Applications for the following projects shall require public notice and hearing pursuant to Chapter 30.205, Common Procedures.~~

~~1. New single residential units, two-unit residential units, multiple residential units, mixed-use buildings or nonresidential buildings located in El Pueblo Viejo Landmark District or a Historic District;~~

~~2. The addition of over 500 square feet of net floor area to a single-unit residential or two-unit residential unit;;~~

~~3. An addition of a new second or higher story to an existing single-unit residential or two-unit residential housing type;~~

~~4. An addition of over 150 square feet of net floor area to an existing second or higher story of a single-unit residential or two-unit residential housing type;~~

~~5. The addition of over 500 square feet of net floor area or any change that will result in an additional residential unit to a multi-unit residential housing type;~~

~~6. Whenever approval of~~ If a Development Plan is required pursuant to ~~Chapter or 30.170 (Nonresidential Growth Management Program);~~

~~7. Projects involving more than 250 cubic yards of grading outside the~~ building footprint of any main building ~~(soil located within five feet of an exterior wall of a main building that is excavated and re-compacted shall not be included in the calculation of the volume of grading outside the building footprint)~~

~~10. Projects involving an application for an exception to the parking requirements for a single residential unit as specified in Section 28.90.100.G.l.c. or Section 30.175.030.N.l.a.;~~

~~11. Projects involving an application for a Minor Zoning Exception as specified in Section 30.245.060; or~~

~~12. All proposals to designate a City Landmark or Structures of Merit.~~

F. **~~Project Compatibility~~ 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.* ~~In addition to any other considerations and requirements specified in this Code, the applicable findings identified below shall be considered by the Historic Landmarks Commission when it reviews and approves or disapproves the design of a proposed development project in a noticed public hearing pursuant to the requirements of Section 30.157.100~~.

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 ~~designated~~ 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.

~~2. ***Review Procedures.***~~

~~a. *Projects with Design Review Only.* If a project only requires design review by the Historic Landmarks Commission pursuant to the provisions of this chapter and does not require discretionary land use approval, the Historic Landmarks Commission shall consider the applicable Project Compatibility Findings during the course of its review prior to granting an approval, denial or continuance of project design approval for the project.~~

~~b. *Projects with Design Review and Other Discretionary Approvals.* If, in addition to design review by the Historic Landmarks Commission, a project requires a discretionary land use approval (either from the Staff Hearing Officer, the Planning~~

~~Commission, or the City Council), the Historic Landmarks Commission shall review and discuss the applicable Project Compatibility Findings during its conceptual review of the project and shall provide its comments on those findings as part of the minutes of the Historic Landmarks Commission hearing which would then be forwarded to the Staff Hearing Officer, the Planning Commission, or the City Council (as applicable).~~

~~G. **Appeals.** Appeals of any decision of the Historic Landmarks Commission to the City Council may be made in accordance with the requirements of Section 30.205.150, Appeals.~~

~~1. ***Limits on New Evidence.*** The City Council will decide the appeal in the exercise of its independent judgment based upon the record of the proceedings of the Historic Landmarks Commission. New evidence will not be considered unless the City Council determines that relevant evidence exists that, in the exercise of reasonable diligence, could not have been produced or was improperly excluded at the hearing before the Historic Landmarks Commission.~~

30.220.030 Sign Committee.

Design review is as required by Chapter 22.70, Sign Regulations.

30.220.040 Single Family Design Board.

~~Design review is as required by Chapter 22.69, 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 ±5 degrees), roof design, window and door dimensions (within ±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 ~~subjective~~ 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.

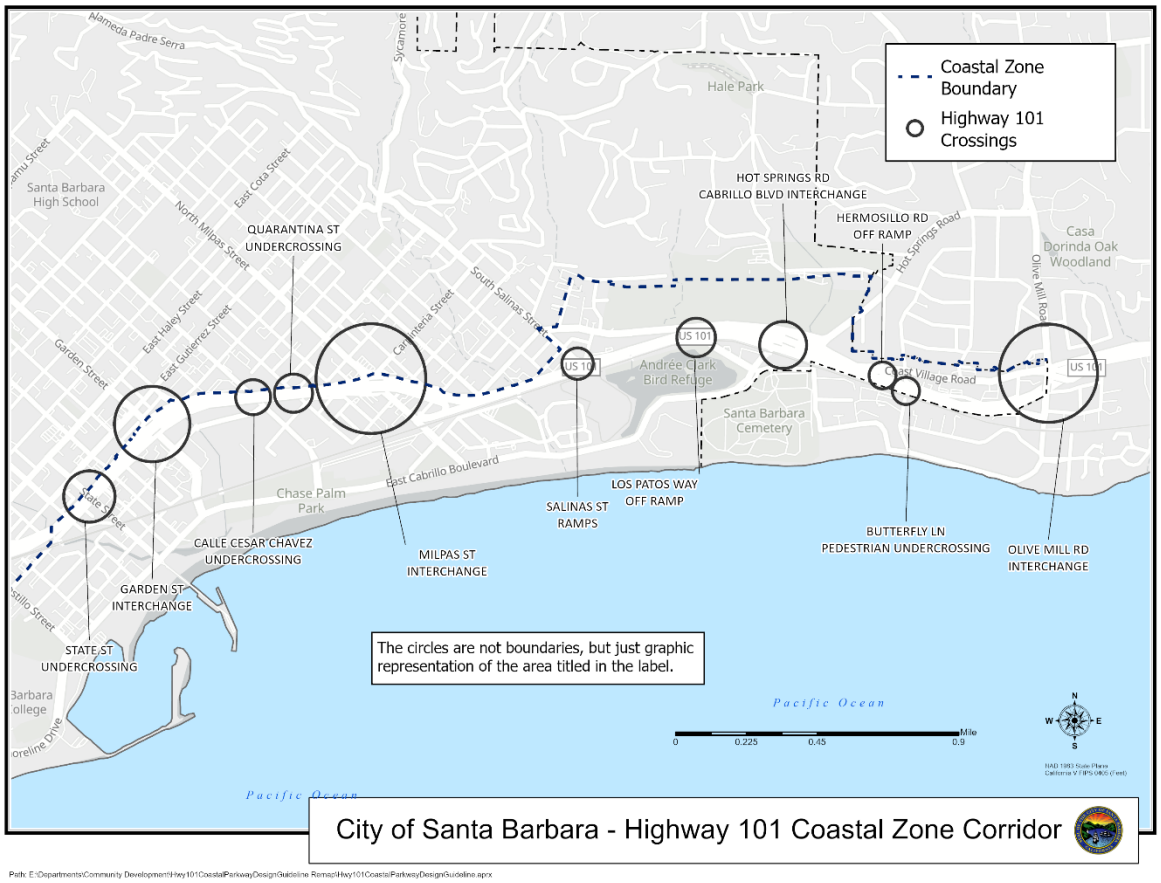
4. *Appeals.* A final action by the Review Authority on an Objective Design Review project may only be appealed by the applicant to the City Council in accordance with Chapter 1.30 of the Santa Barbara Municipal Code. In addition to the procedures specified in Chapter 1.30 of the Santa Barbara Municipal 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:

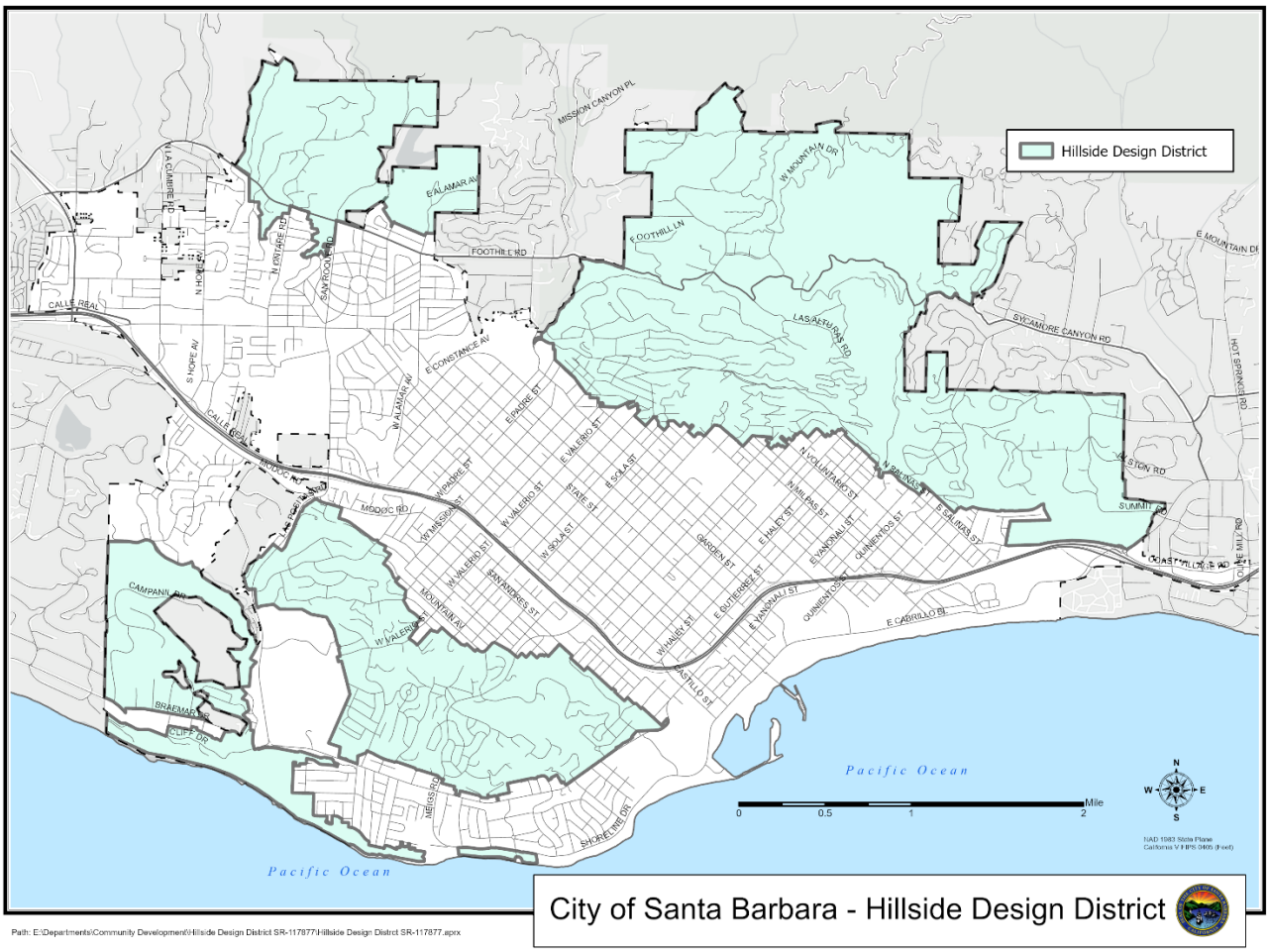
A. ***Highway 101 Santa Barbara Coastal Parkway Special Design District.*** All real property within the State owned or leased right-of-way of Highway 101 and all City owned or leased right-of-way which intersects Highway 101 within the Coastal (CZ) Overlay Zone as shown on the "Highway 101 Santa Barbara 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

Sections:

30.235.010 Purpose
30.235.020 Applicability
30.235.030 Pre-Application Review
30.235.040 Initiation
30.235.050 Application Requirements
30.235.060 Maximum Number of General Plan Amendments
30.235.070 Public Notice
30.235.080 Planning Commission Action
30.235.090 City Council Action
30.235.100 General Plan and Local Coastal Plan Consistency Required for Zoning 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

Sections:

30.250.010 Purpose
30.250.020 Applicability
30.250.030 Review Authority
30.250.040 Application Requirements
30.250.050 Public Notice and Hearing
30.250.060 Required Findings
30.250.070 Conditions of Approval

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 ~~t~~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. Maximum Floor Area (Floor to Lot Area Ratio).~~

~~F.~~ E. Standards necessary for the Accommodation of Disabilities.

~~G.~~ F. Standards necessary for Reconstruction of Nonconforming Structures.

~~H.~~ 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.~~C~~B, ~~Modifications to Maximum Floor Area (Floor to Lot Area Ratio),~~ 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. **Maximum Floor Area (Floor to Lot Area Ratio).** A Modification to allow a development that would otherwise be precluded by operation of Subsection 30.20.030.A, Maximum Floor Area (Floor to Lot Area Ratio), may only be approved if the Planning Commission makes all of the following findings:~~

~~1. Not less than five members of the Single Family Design Board or six members of the Historic Landmarks Commission (on projects referred to the Commission pursuant to Section 22.69.030 30.220.020) have voted in support of the Modification following a concept review of the project;~~

~~2. The subject lot has a physical condition (such as the 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~~

~~3. The physical condition of the lot allows the project to be compatible with existing development within the neighborhood that comply with the floor area standard.~~

~~D.~~C. **Accommodation of Disabilities.** A Modification of any provision of this ~~t~~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.

~~E.~~D. **Preservation of Historic Resources.** A Modification of any provision of this ~~t~~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 ~~t~~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.

~~F.~~ 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

Sections:

30.290.010 Purpose
30.290.020 Applicability
30.290.030 Procedure
30.290.040 Effective Date of Zoning and Time Limit

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

30.295.020 Residential Use Classifications.

A. **Residential Housing Types.**

1. ***Single-Unit Residential.*** One primary residential unit, and ~~up to~~ may include one or more accessory dwelling units ~~or one junior accessory dwelling unit~~ 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. ~~The definition of single-unit residential shall include an Employee Housing unit with six or fewer residents as allowed by State law.~~

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

Sections:

30.300.005 Purpose and Applicability
30.300.010 "A"
30.300.020 "B"
30.300.030 "C"
30.300.040 "D"
30.300.050 "E"
30.300.060 "F"
30.300.070 "G"
30.300.080 "H"
30.300.090 "I"
30.300.100 "J"
30.300.110 "K"
30.300.120 "L"
30.300.130 "M"
30.300.140 "N"
30.300.150 "O"
30.300.160 "P"
30.300.170 "Q"
30.300.180 "R"
30.300.190 "S"
30.300.200 "T"
30.300.210 "U"
30.300.220 "V"
30.300.230 "W"
30.300.240 "X"
30.300.250 "Y"
30.300.260 "Z"

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.

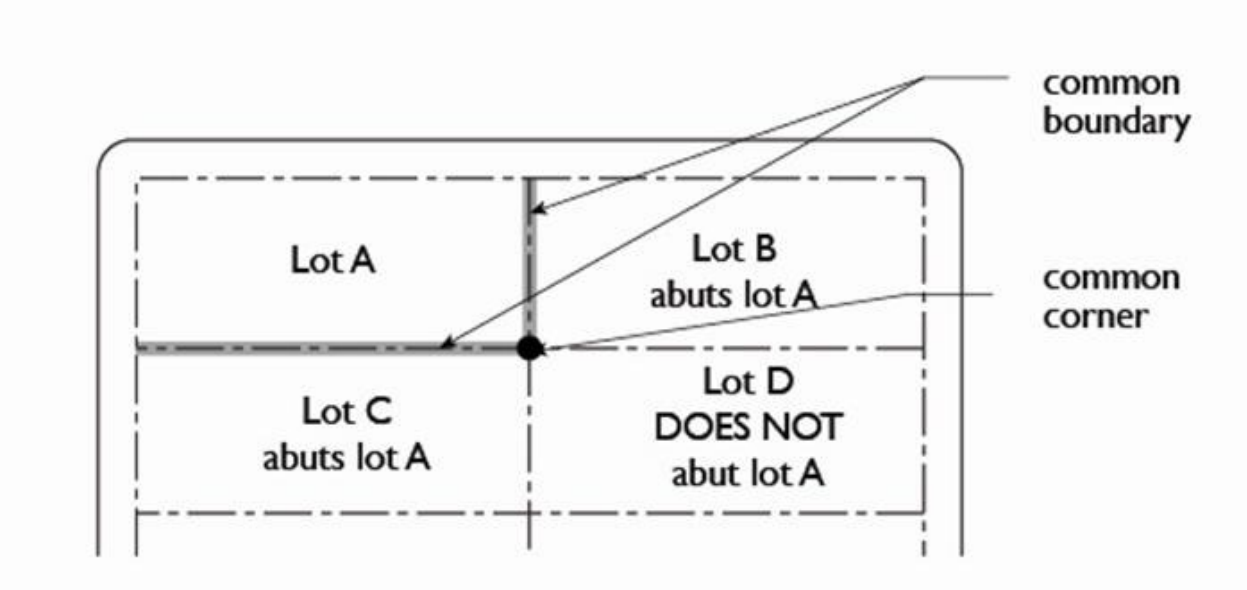
B. **Applicability.** The definitions in this Chapter apply to all provisions of Title 30 unless otherwise specified. Where a term is not defined in this Chapter, its meaning will be determined based on common usage, context, and the purpose of the applicable regulation.

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.*

~~**Adjoining.** See A*butting.*~~

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 A*butting.*

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.

~~**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.*~~

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. ~~Any floor of a building that is partially below and partially above grade. See also,~~ 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.

~~**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.~~

Ceiling Height. The vertical height measured from finished floor to finished ceiling.

~~**City.** City of Santa Barbara.~~

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.

~~***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.~~

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.

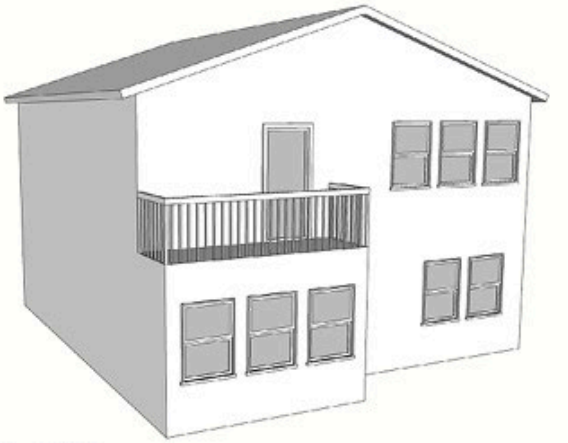
~~*Deck, Elevated.* A deck that is structurally elevated over 36 inches above grade, either on posts, or placed on top of the projecting or recessed portion of a building that is not the highest roof surface. An elevated deck is differentiated from a balcony when the balcony is cantilevered and only supported by beams. Also called an Upper Story Deck when attached to the upper story of a building.~~

Deck, 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.

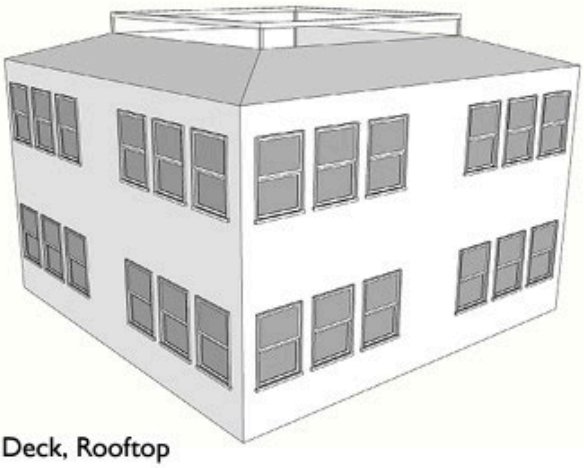
FIGURE 30.300.040: DECK



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~~.

~~**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.~~

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, Net.*** See definition of Floor Area above. All references to floor area in this Title are to Net Floor Area, unless otherwise indicated.~~

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.

~~**Hearing.** Includes any public hearing, workshop, or similar meeting, including any appeal, conducted by the city with respect to a development project.~~

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 ~~Inventory~~; 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.

~~***Historic Resources Inventory.*** A list consisting of those structures, sites, or features identified by the Historic Landmarks Commission or City's Architectural Historian as historically significant and eligible for formal designation as a Landmark, Structure of Merit, Historic District, or contributing historic resource to a Historic District (formerly referred to as "Potential Historic Resources List").~~

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.

~~**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.~~

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% ETo) or "very low"(<10%vETo) 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.

~~***Landscape Plan.*** Design plans that include a planting plan, an irrigation plan, (if applicable) or both, and a completed Landscape Compliance Statement.~~

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.

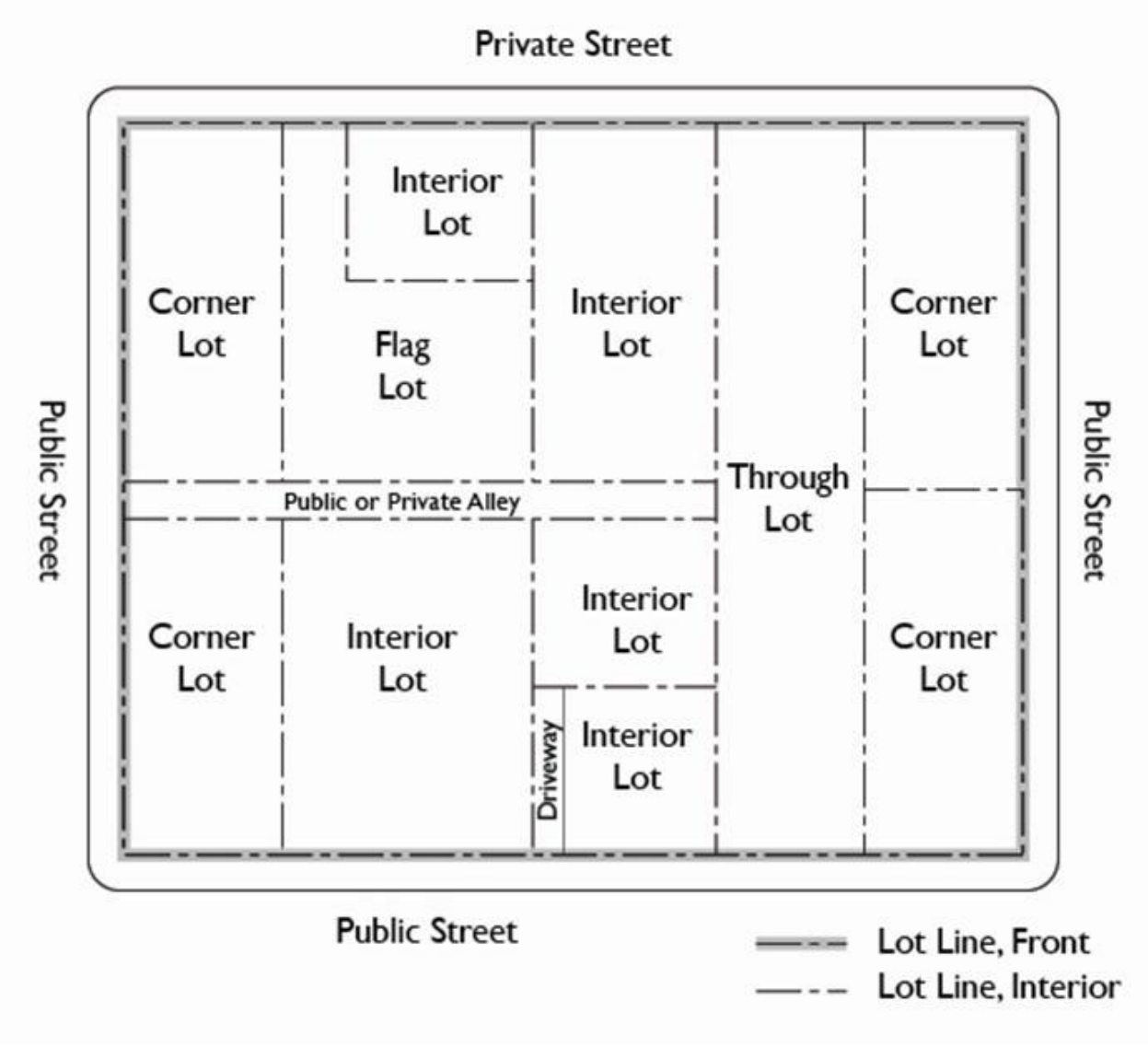
Lot Line, Front. The line or lines dividing a lot from a public or private street. The line or lines that divide a lot from an alley or a driveway shall not be considered front lot lines. On lots that abut multiple streets, all lines that divide the lot from a street shall be considered front lot lines. 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.

~~***Mixed-Use Building.*** A building that contains both nonresidential and residential uses.~~

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.

~~**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 Useable Space. See also, *Floor Area, Livable.*~~

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).

~~***ODDS Architectural Styles.*** The boundaries of the allowed Architectural Styles mandated by ODDS, as shown on the ODDS Architectural Styles Map (ODDS-ASM)~~

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, 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, 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.

~~*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.~~

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 ~~12~~10 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. ~~A roofed, raised platform, sometimes partly enclosed with low walls, that extends along an outside wall of a building. A porch is usually at the primary entrance to a residential 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.
>
> ~~***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.~~

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.

~~**Skylight.** Roof-mounted window allowing light and sometimes ventilation into the space below.~~

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*.

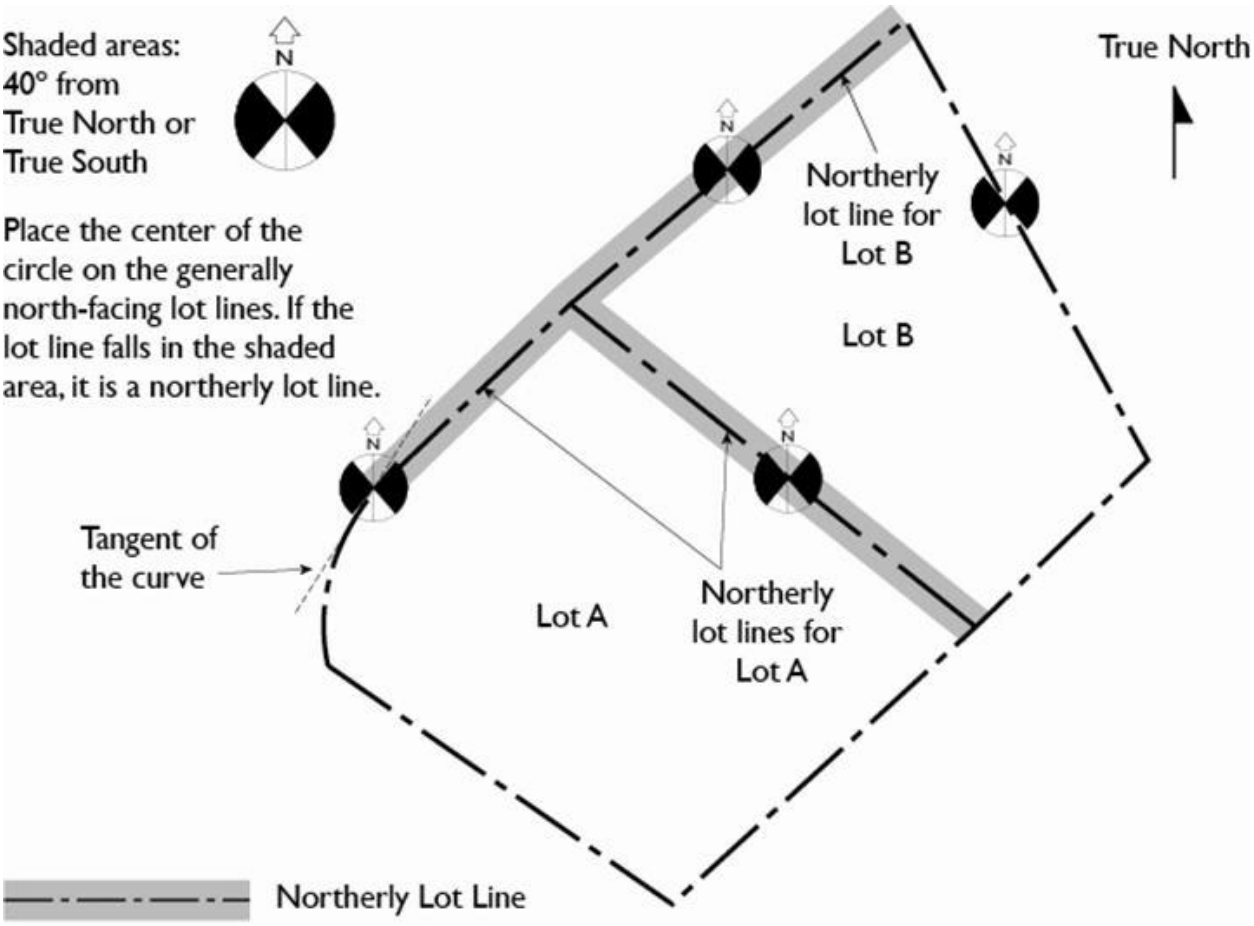
Site Plan. A plan sheet that includes the basic information that will appear on all plans including, but not limited to, lot lines, natural features, roads, buildings, or other structures proposed or existing to remain on-site. Also called plot plan.

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.

FIGURE 30.300.190: NORTHERLY LOT LINE



Plan View. A plot plan of the parcel which shows the horizontal dimensions of a parcel and each structure on the parcel.

Shadow Plan. A plot plan which shows the extent of shading caused by a proposed structure.

Solar Access. The ability of a location to receive direct sunlight.

State. The State of California.

Stepback. The upper portion of a building that is required to be set (or stepped) further back than the minimum setback. See also, Section 30.15.100, Measuring Setbacks and Stepbacks.

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, Second.*** The story above the First Story. Also called Second 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.

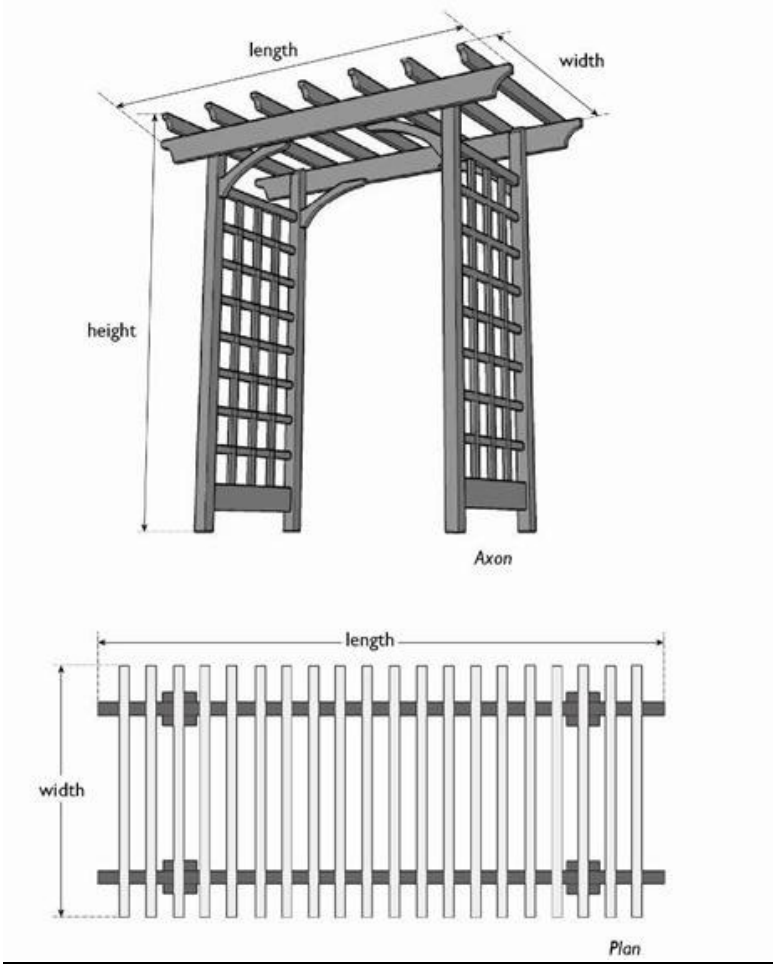
Time-share Estate. A right of occupancy in a timeshare project which is coupled with an estate in the real property.

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) ~~substantially unroofed or uncovered~~ not covered by a roof or overhead structure; or (2) ~~substantially open on at least two sides~~ 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



~~**Yard, Open.** A required yard, intended to provide minimum open areas within residential development.~~

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.*

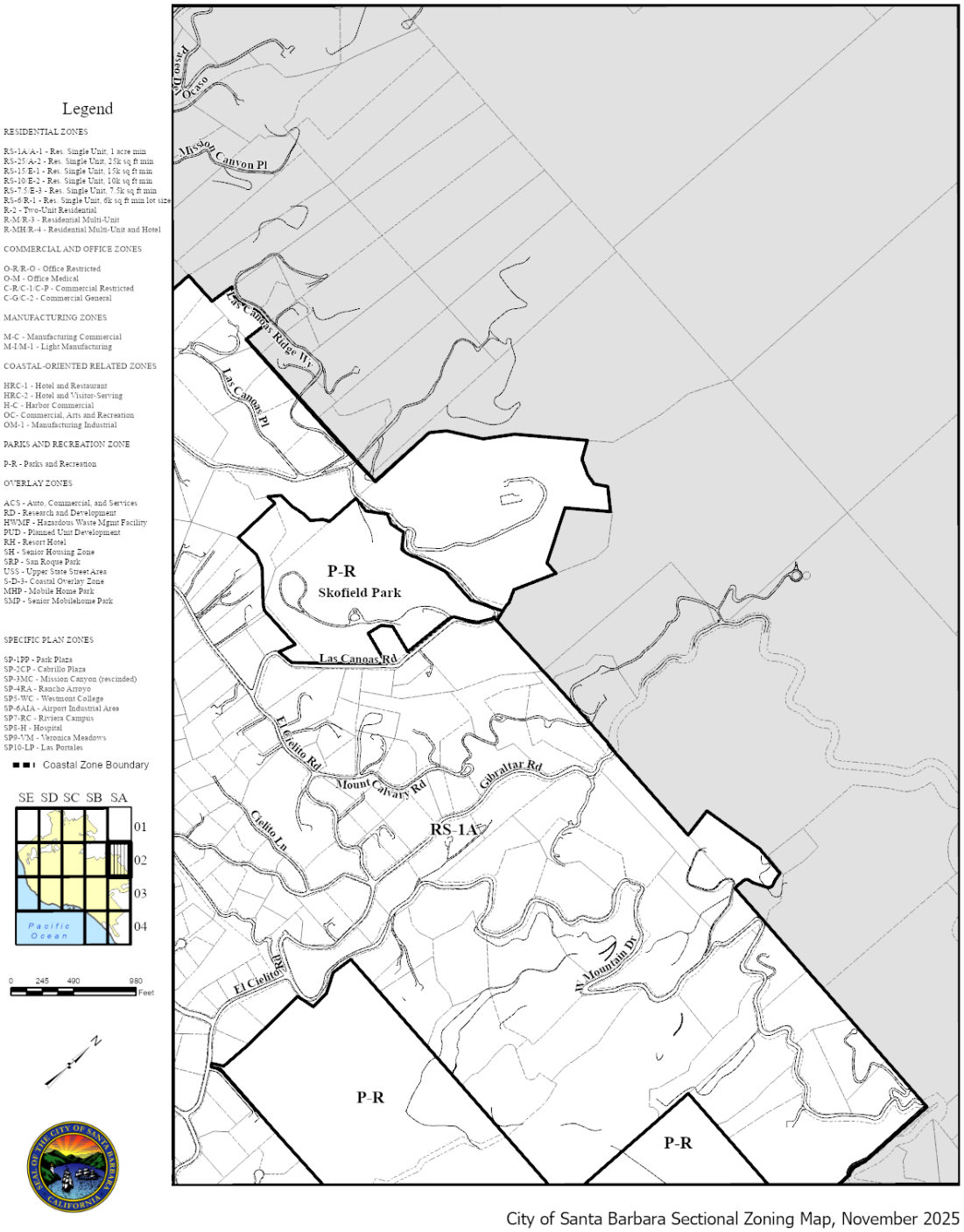
Zoning District. A specifically delineated area or district in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and structures. See Section 30.05.010, Zones Established (for Title 30 projects), and Section 25.01.090, Zones Established, (for Title 25 projects).

SECTION 19. Appendix of the Santa Barbara Municipal Code is amended to read as follows:

Appendix Sectional Maps

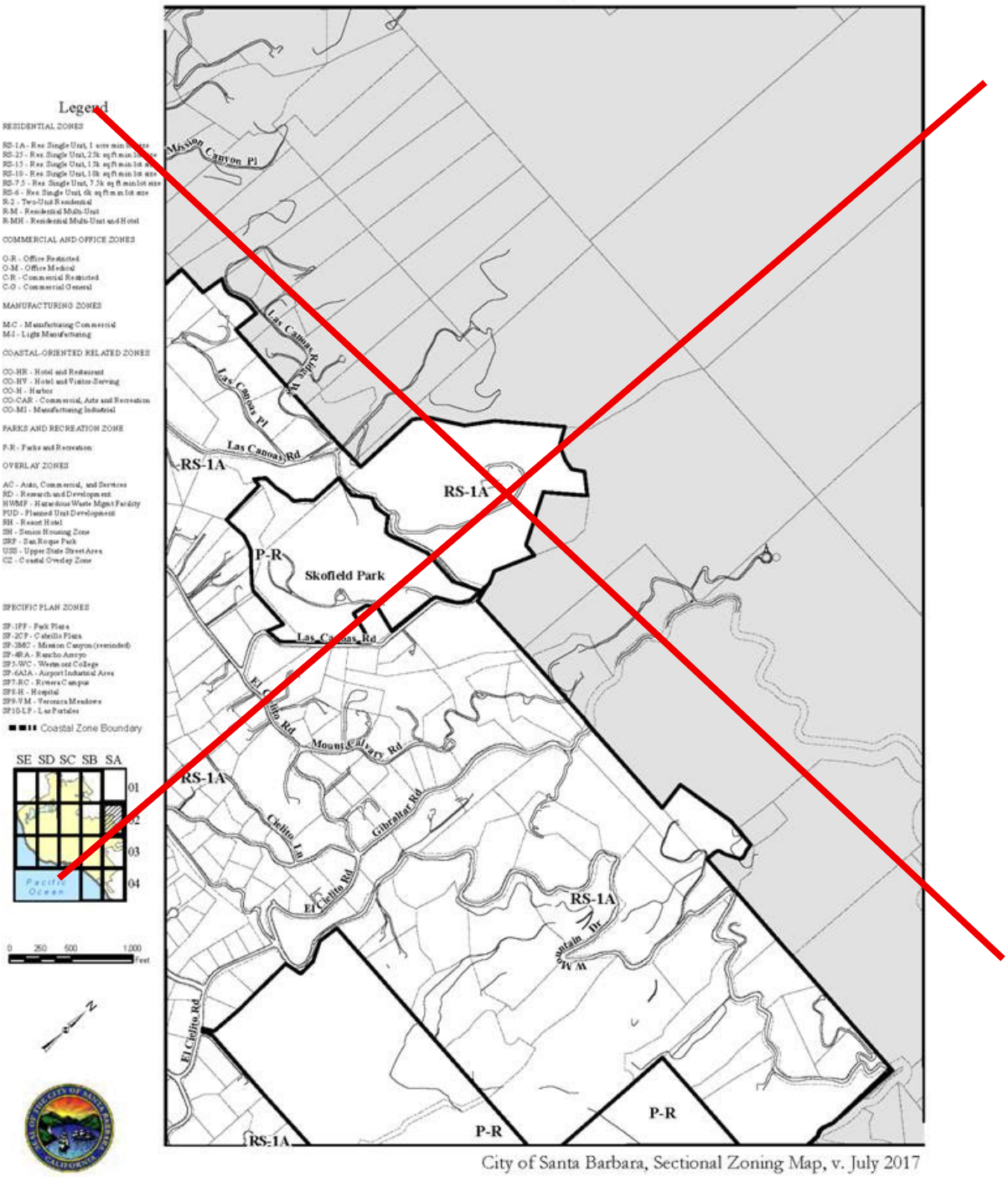
Map SA02

Sectional Map: SA02



City of Santa Barbara Sectional Zoning Map, November 2025

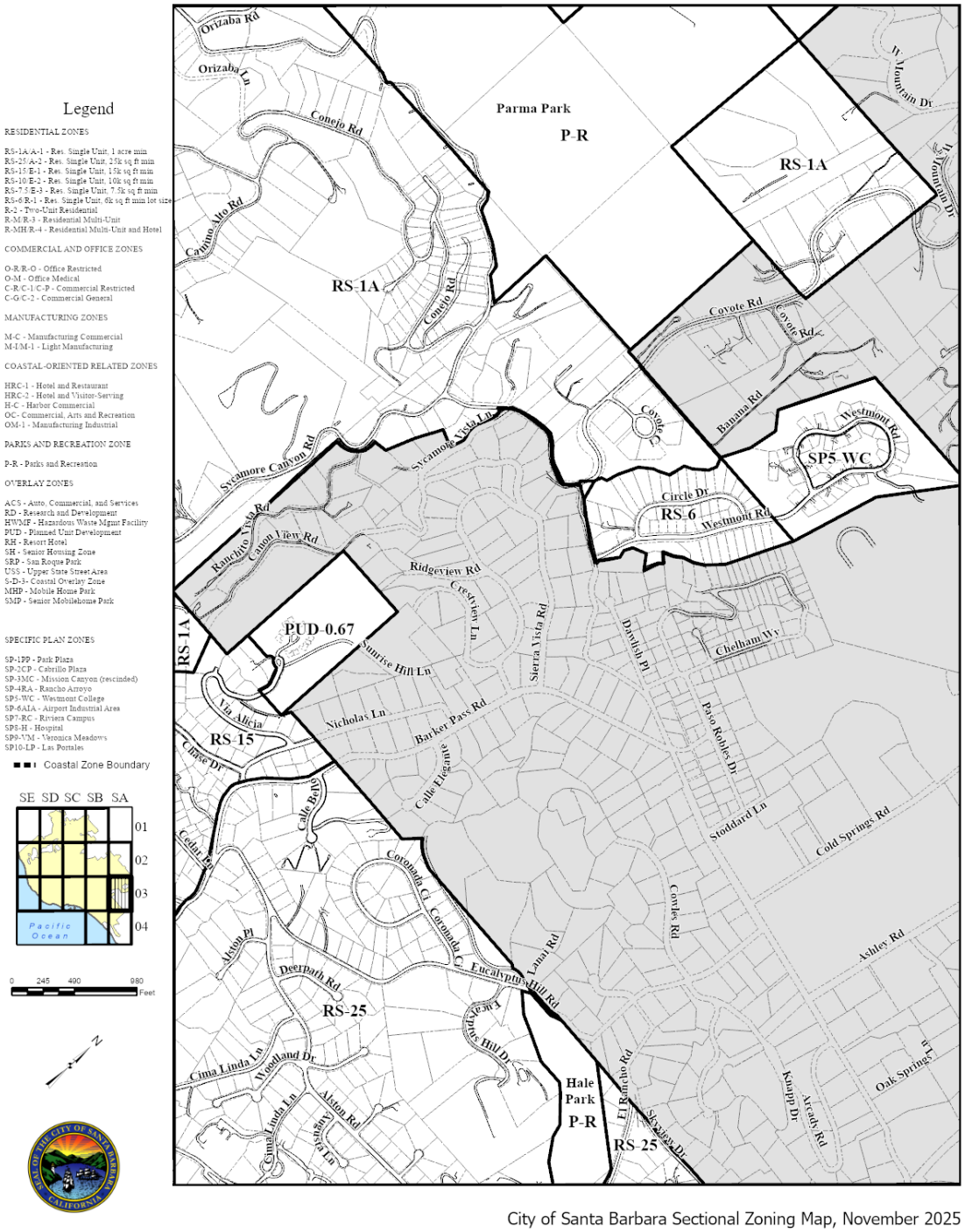
Sectional Map: SA02



City of Santa Barbara, Sectional Zoning Map, v. July 2017

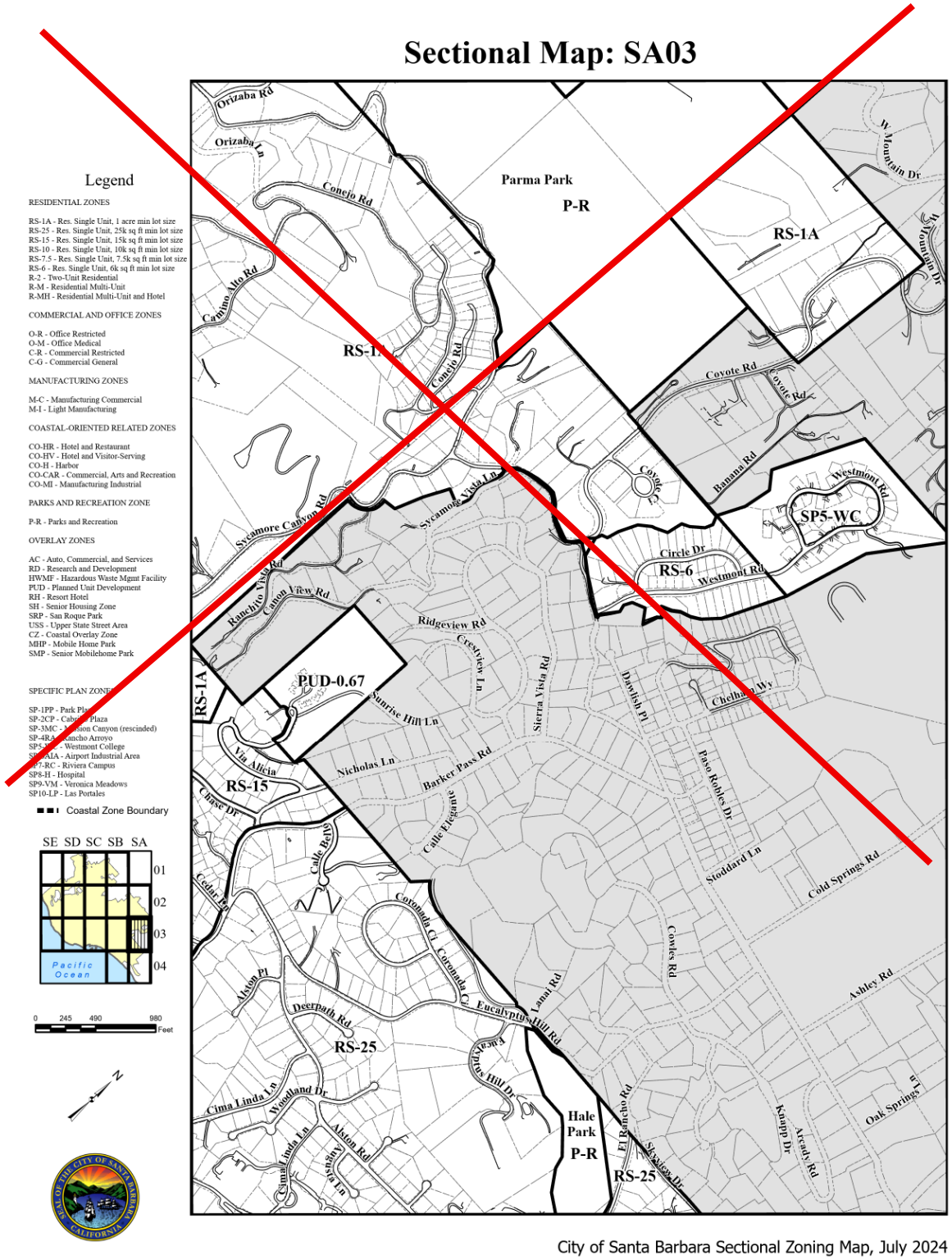
Map SA03

Sectional Map: SA03



City of Santa Barbara Sectional Zoning Map, November 2025

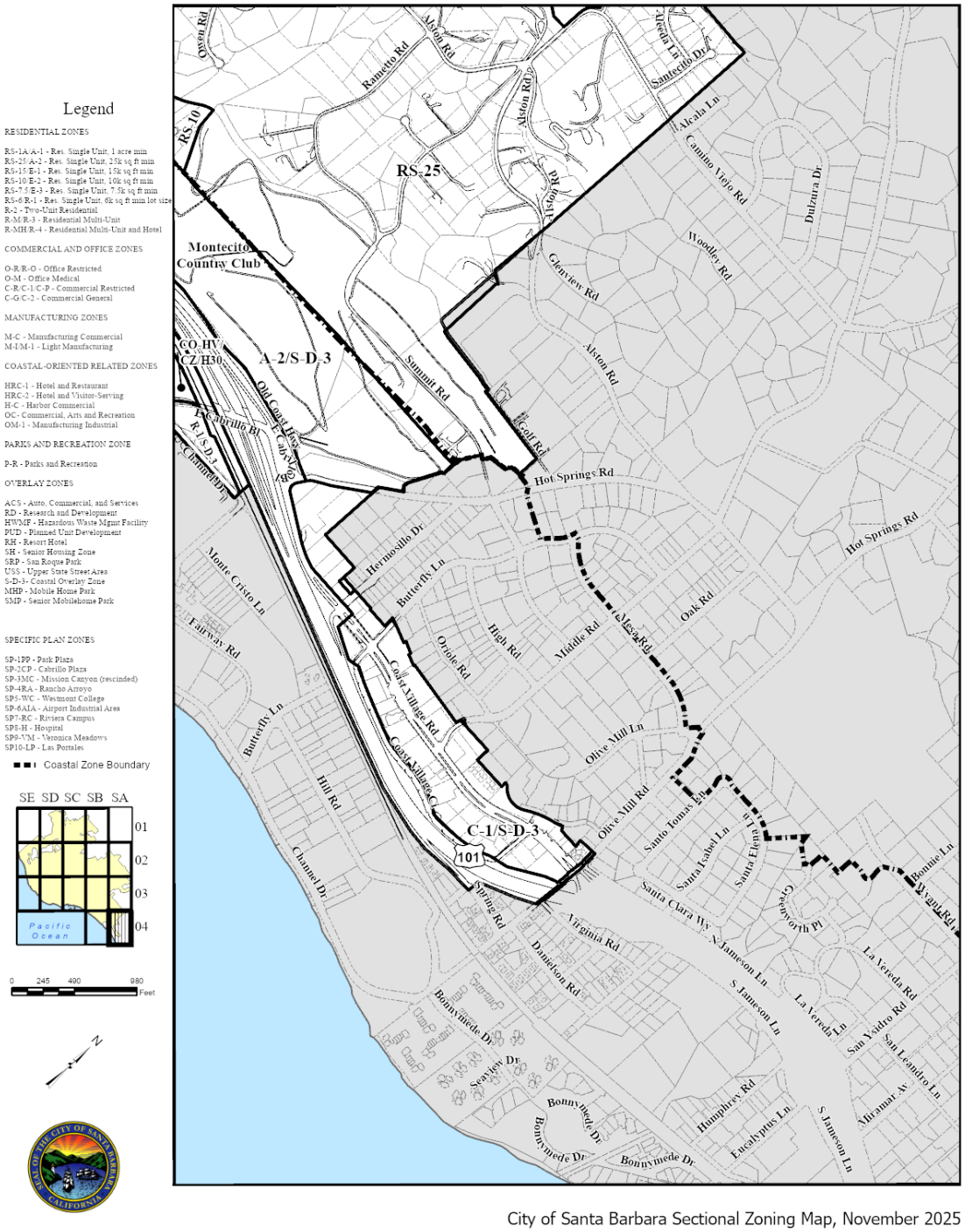
Sectional Map: SA03



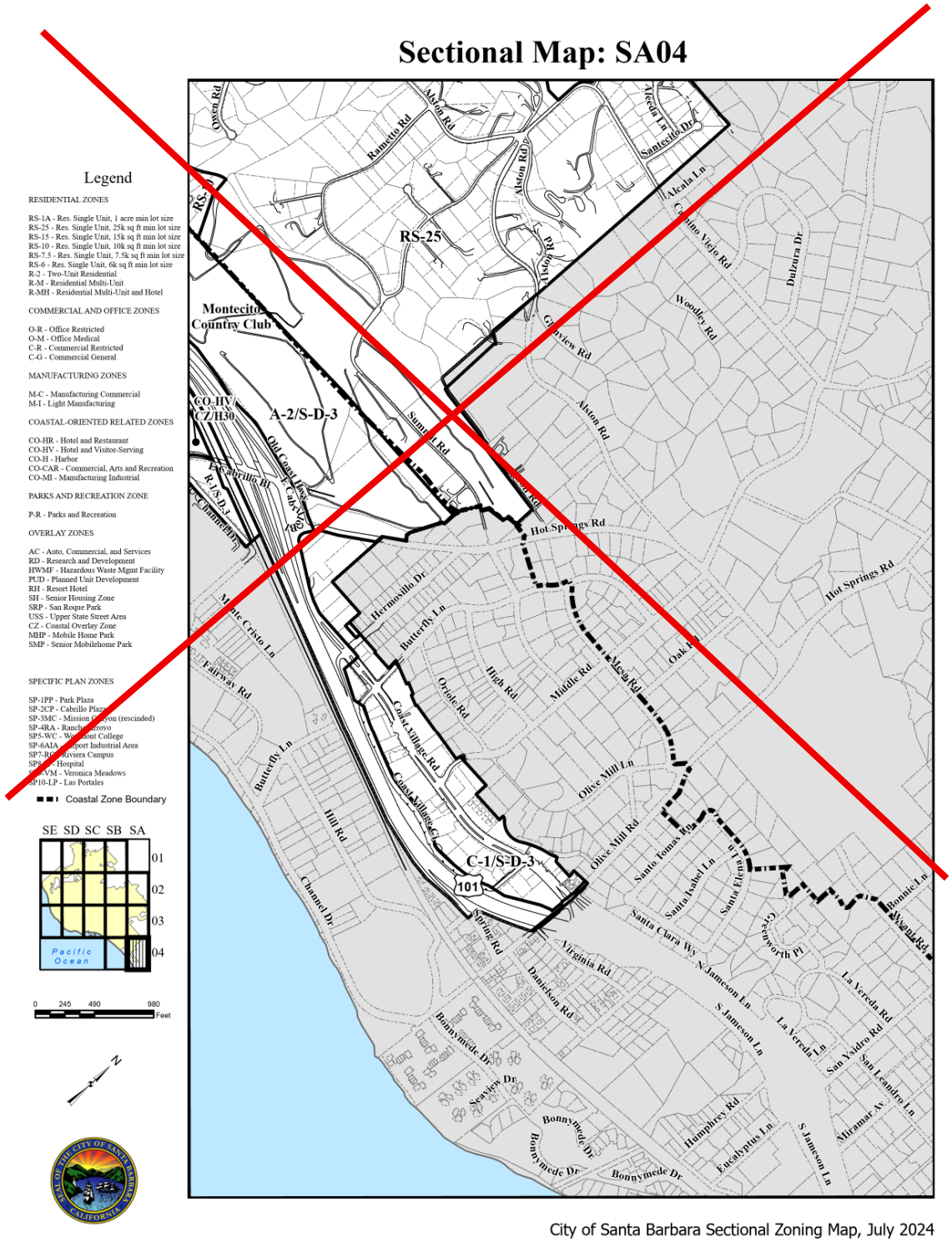
City of Santa Barbara Sectional Zoning Map, July 2024

Map SA04

Sectional Map: SA04



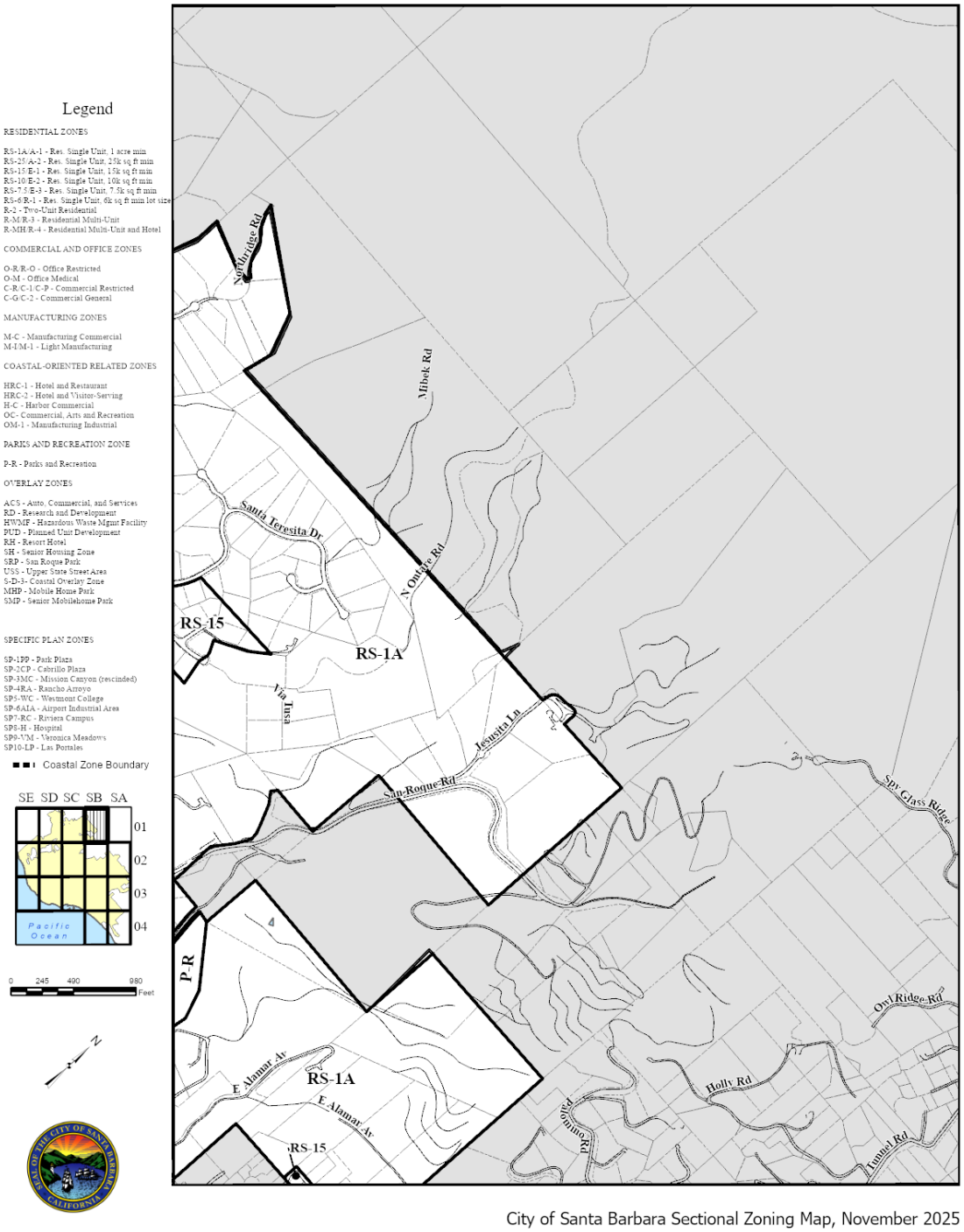
City of Santa Barbara Sectional Zoning Map, November 2025



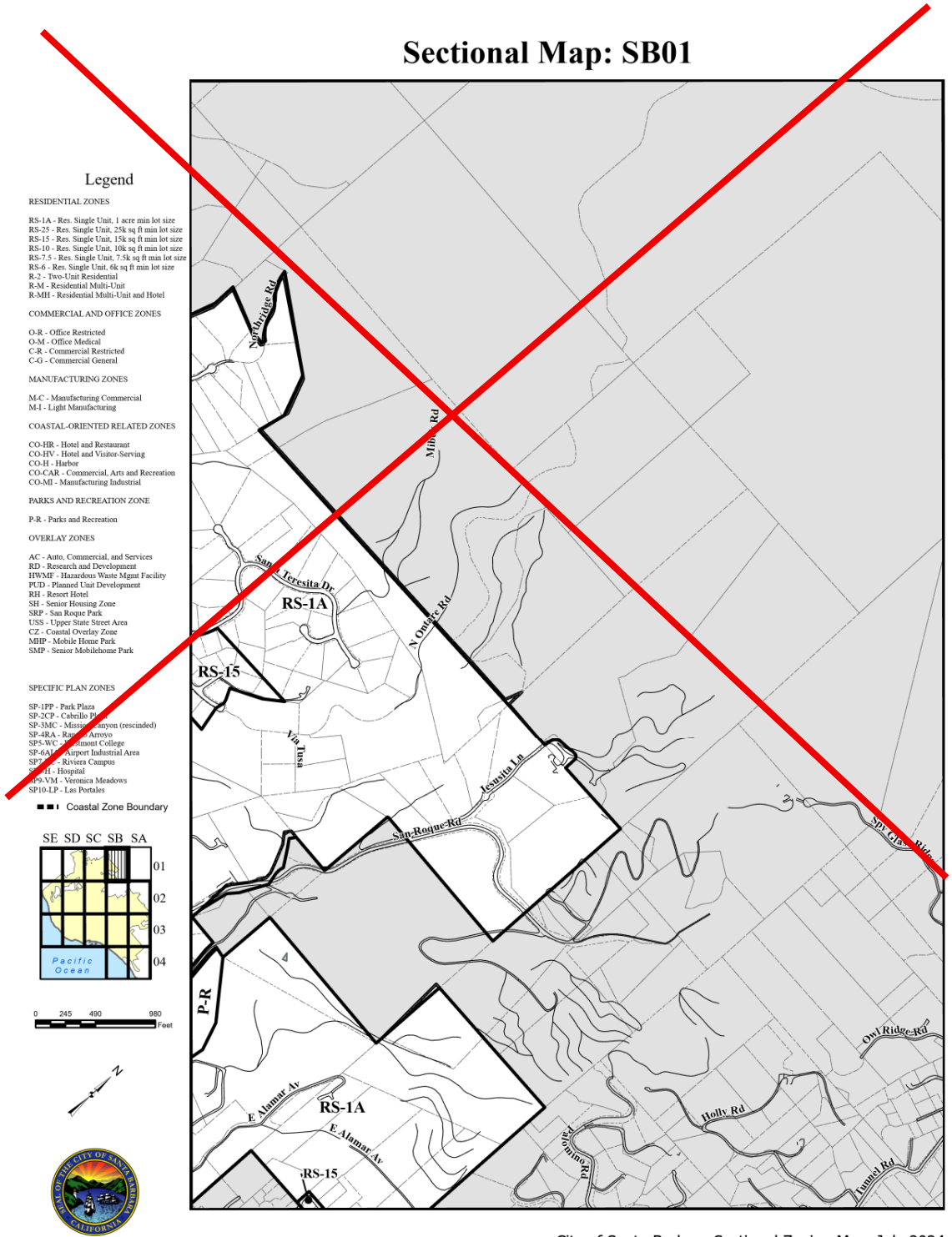
City of Santa Barbara Sectional Zoning Map, July 2024

Map SB01

Sectional Map: SB01



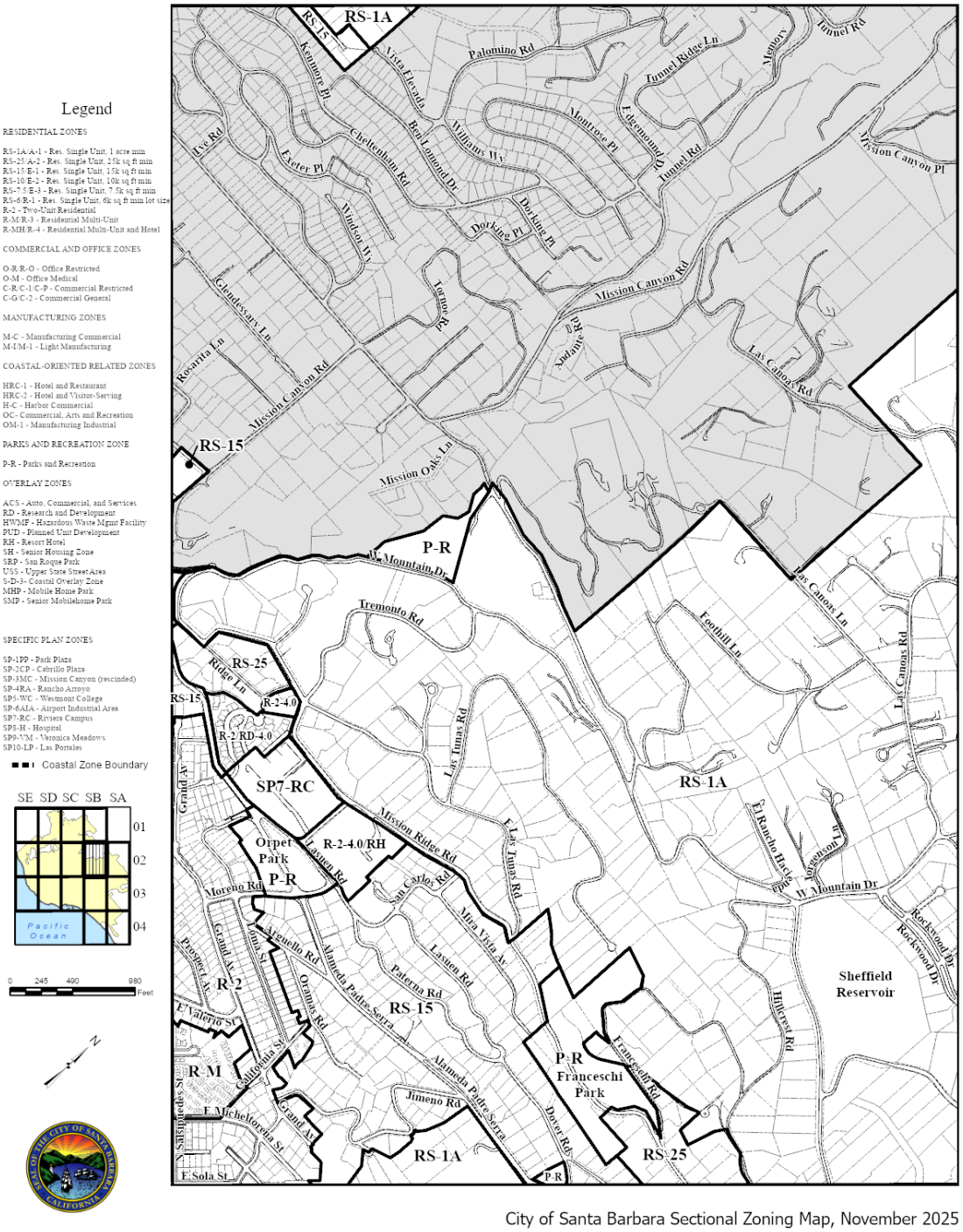
City of Santa Barbara Sectional Zoning Map, November 2025



City of Santa Barbara Sectional Zoning Map, July 2024

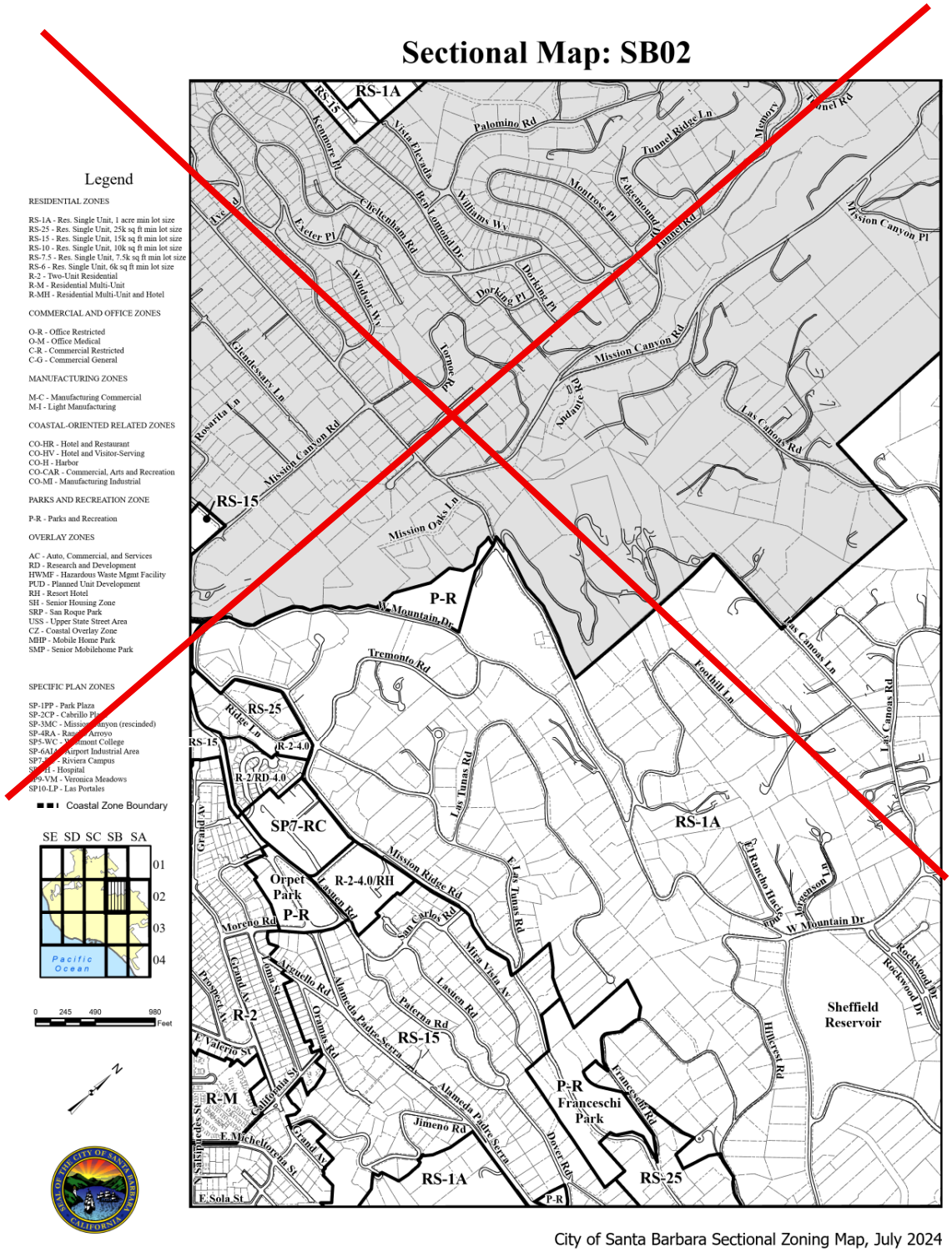
Map SB02

Sectional Map: SB02



City of Santa Barbara Sectional Zoning Map, November 2025

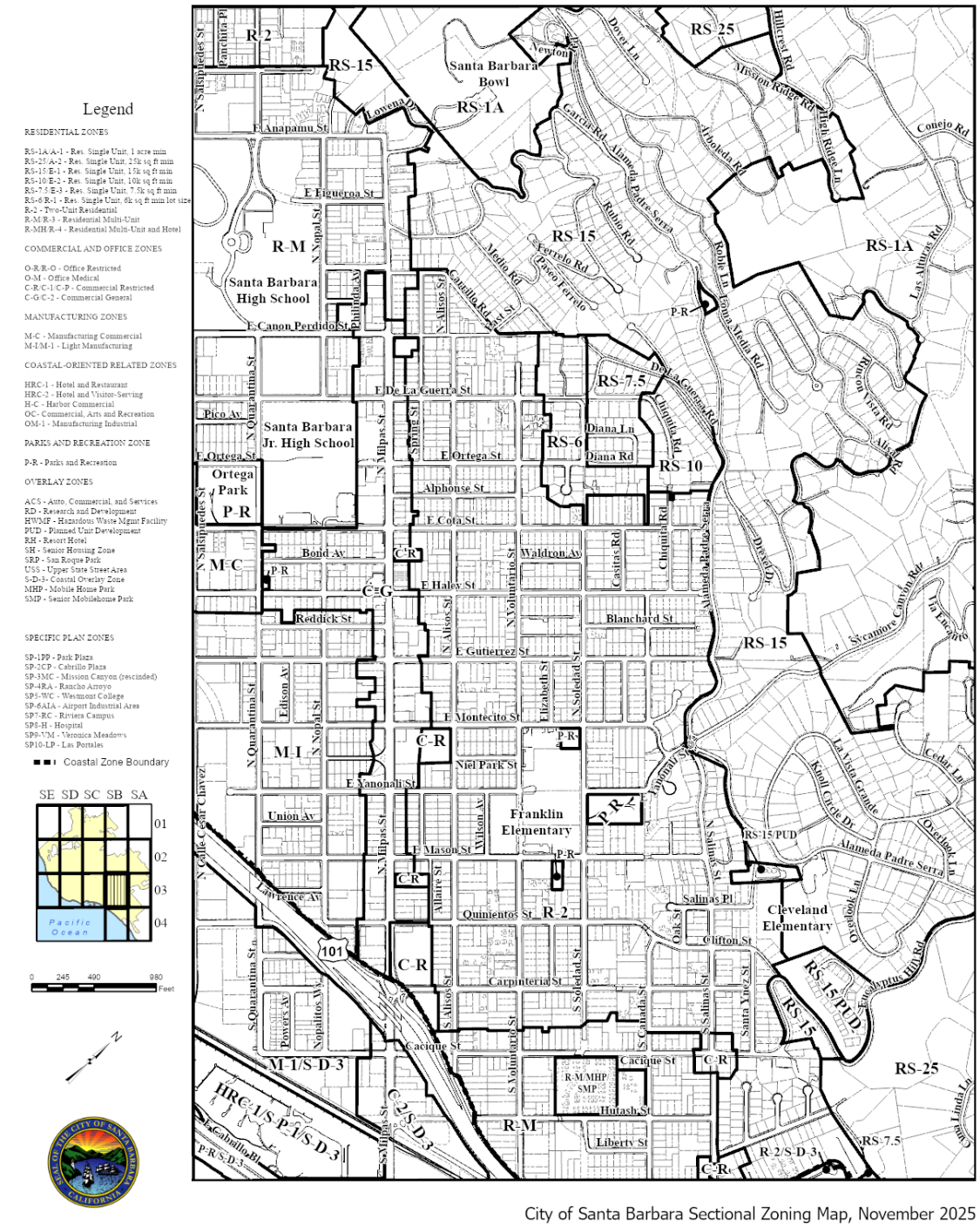
Sectional Map: SB02



City of Santa Barbara Sectional Zoning Map, July 2024

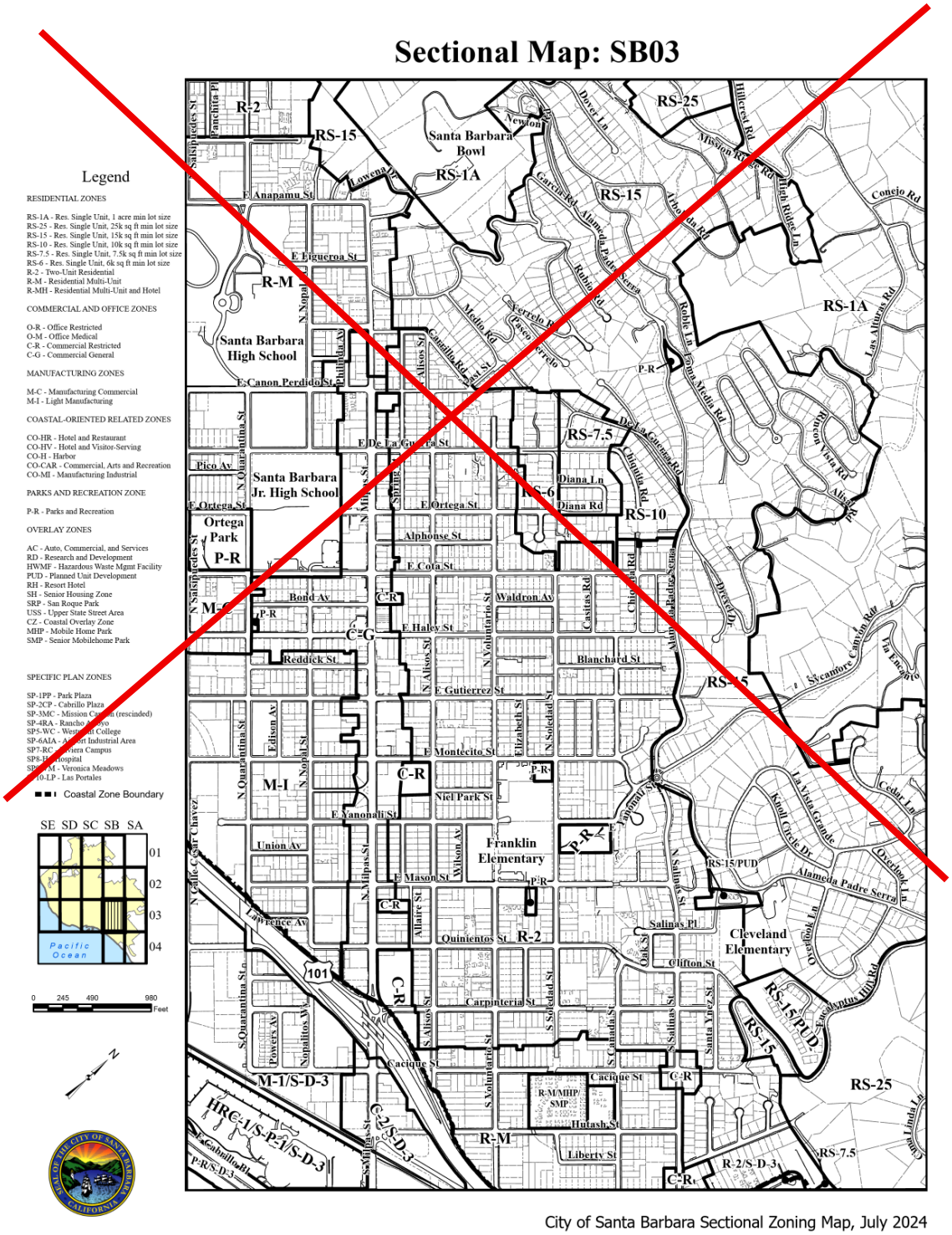
Map SB03

Sectional Map: SB03



City of Santa Barbara Sectional Zoning Map, November 2025

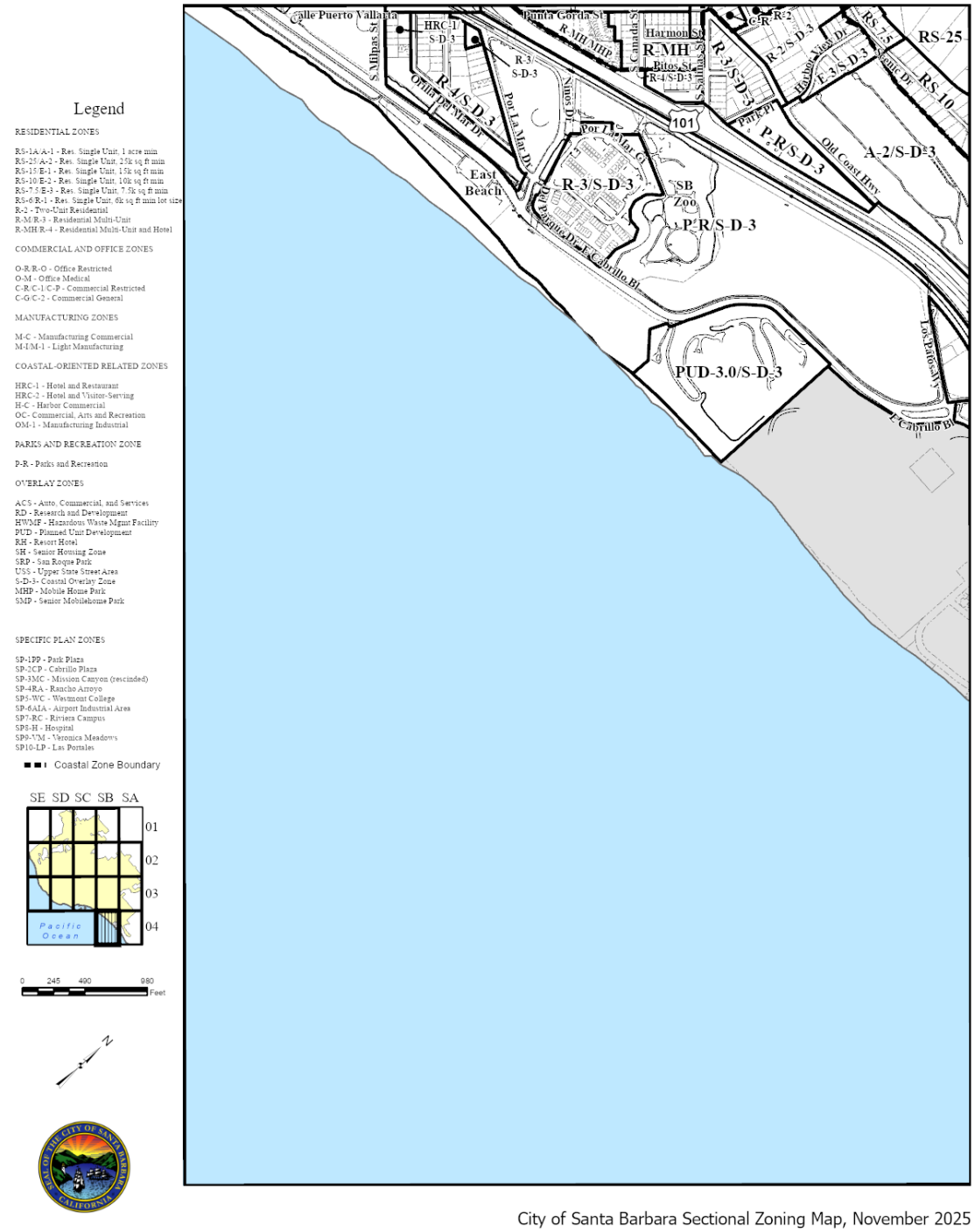
Sectional Map: SB03



City of Santa Barbara Sectional Zoning Map, July 2024

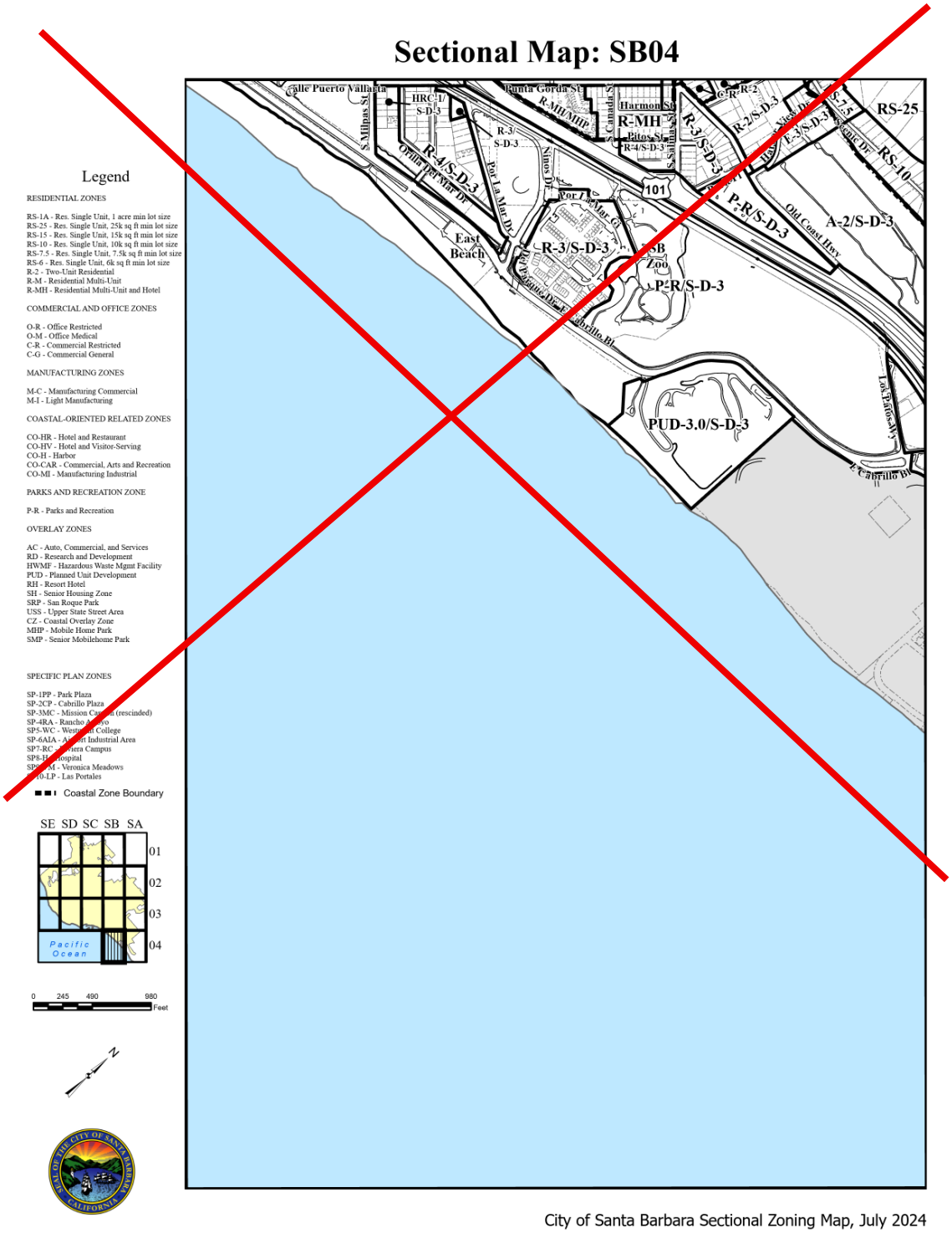
Map SB04

Sectional Map: SB04



City of Santa Barbara Sectional Zoning Map, November 2025

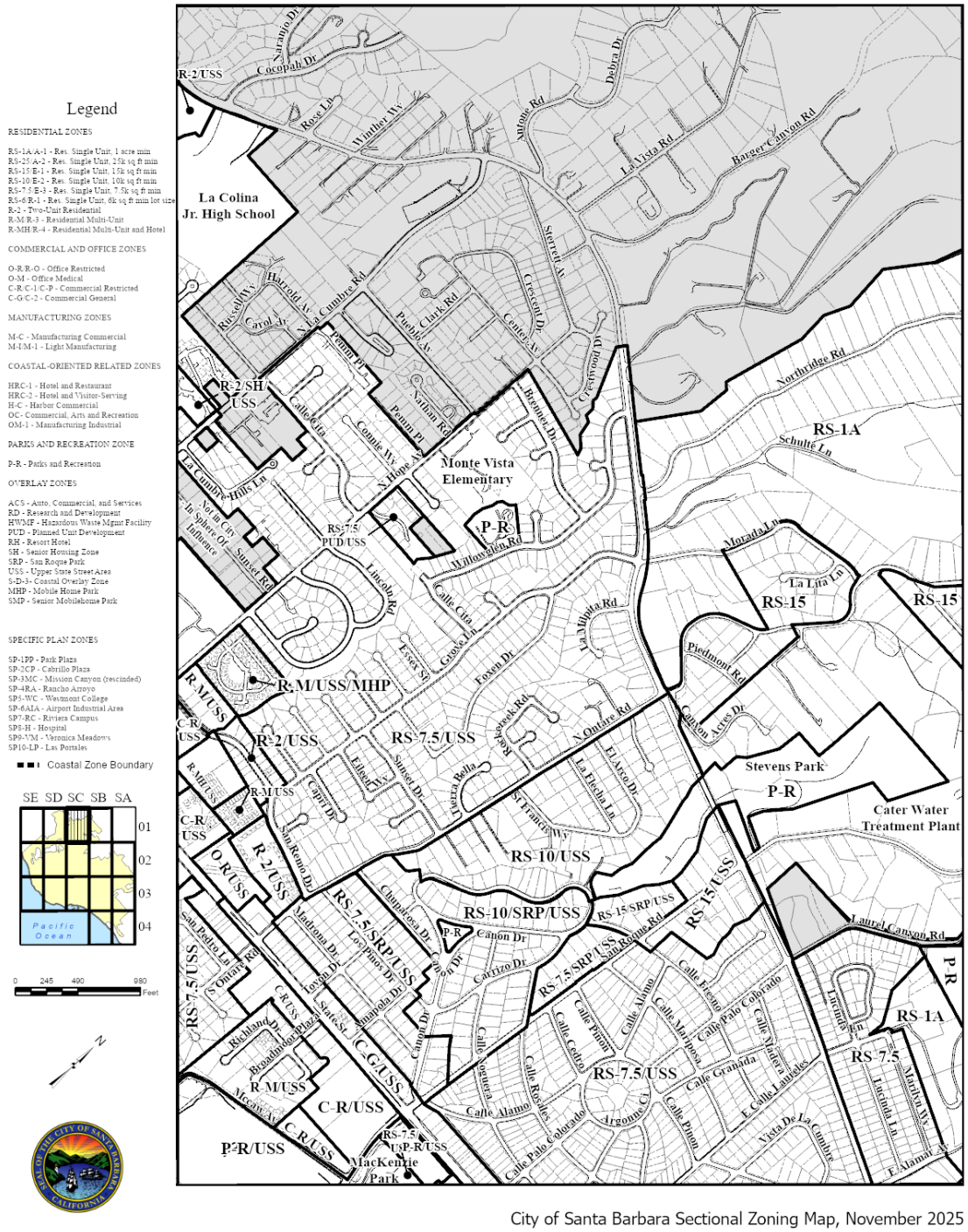
Sectional Map: SB04



City of Santa Barbara Sectional Zoning Map, July 2024

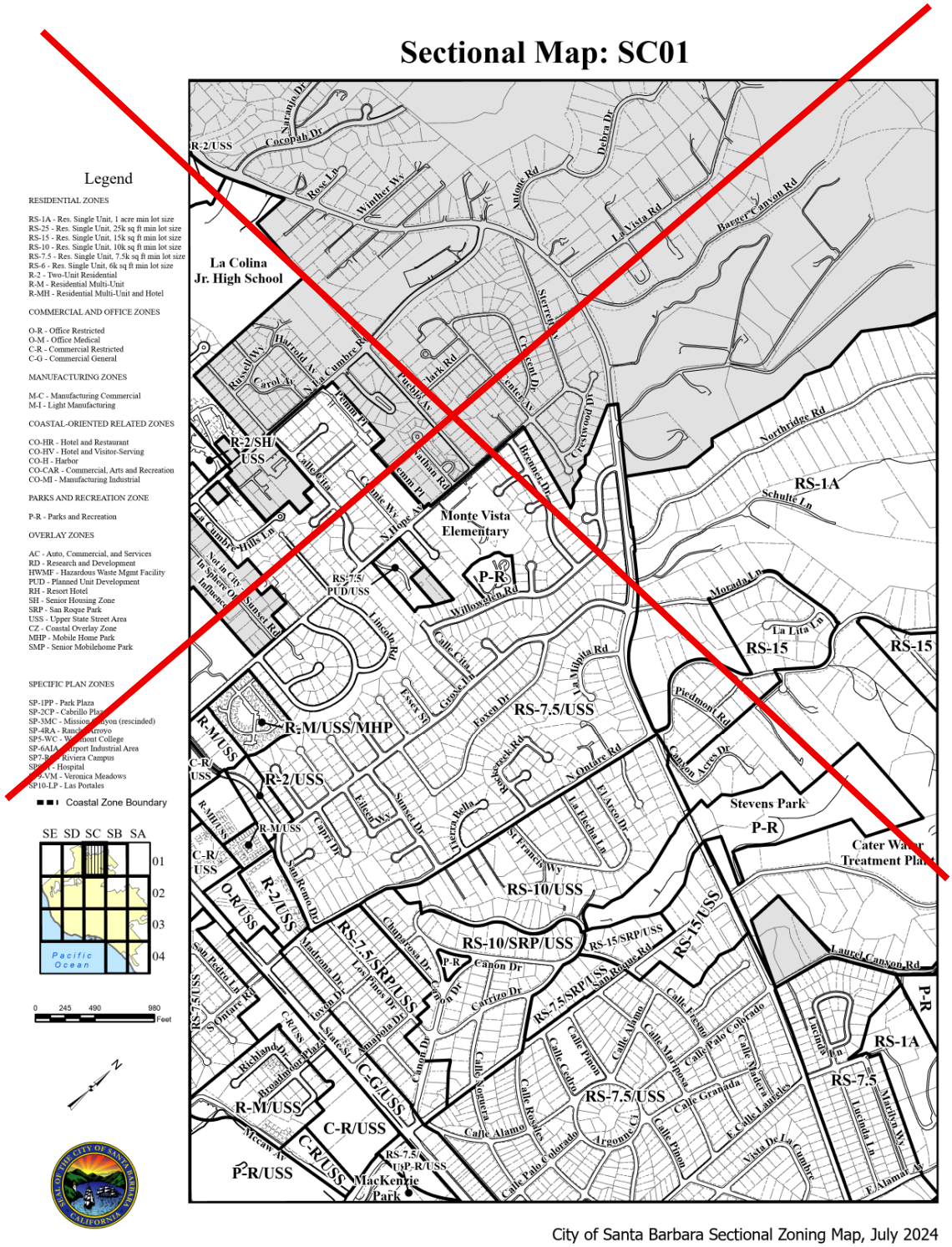
Map SC01

Sectional Map: SC01



City of Santa Barbara Sectional Zoning Map, November 2025

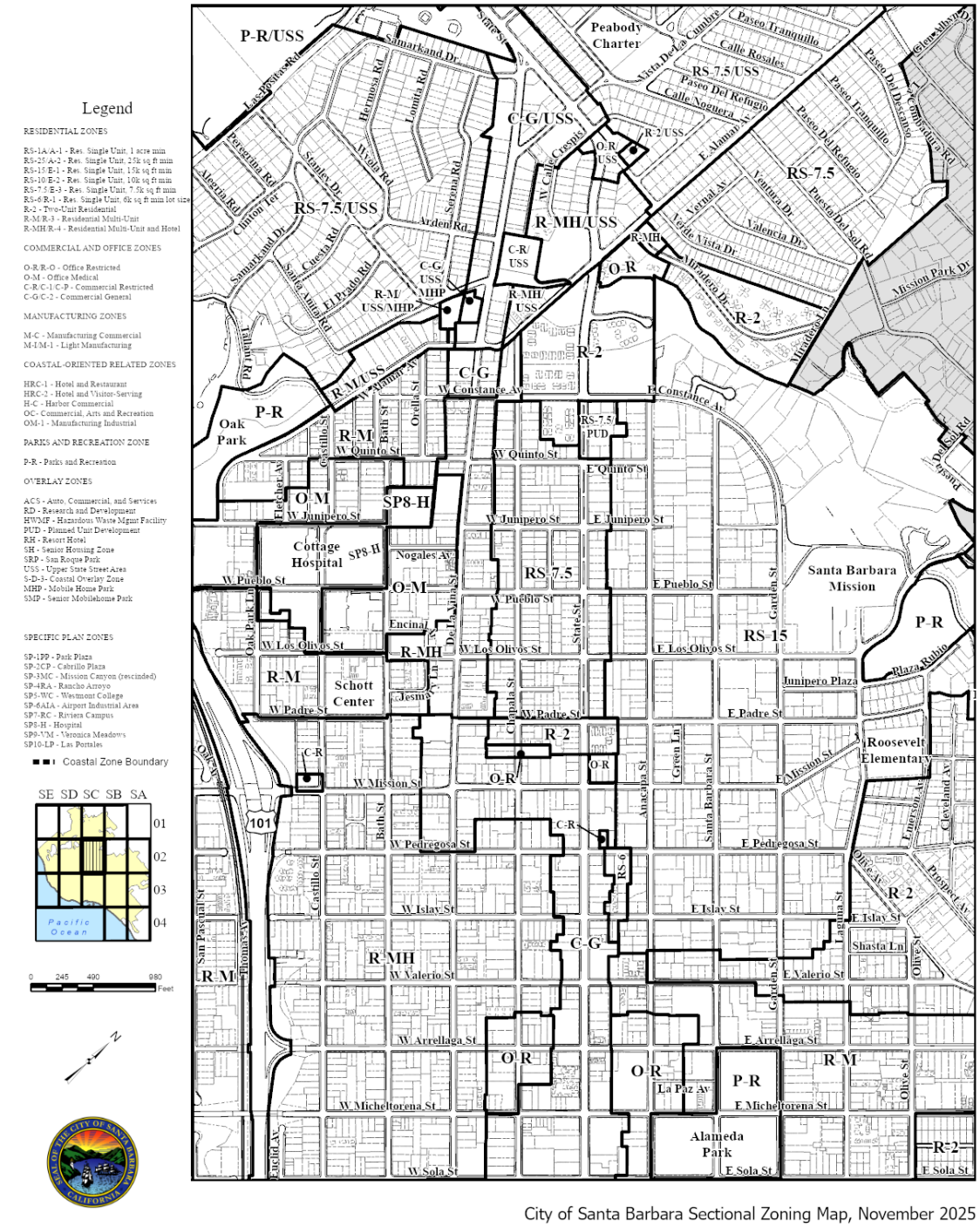
Sectional Map: SC01



City of Santa Barbara Sectional Zoning Map, July 2024

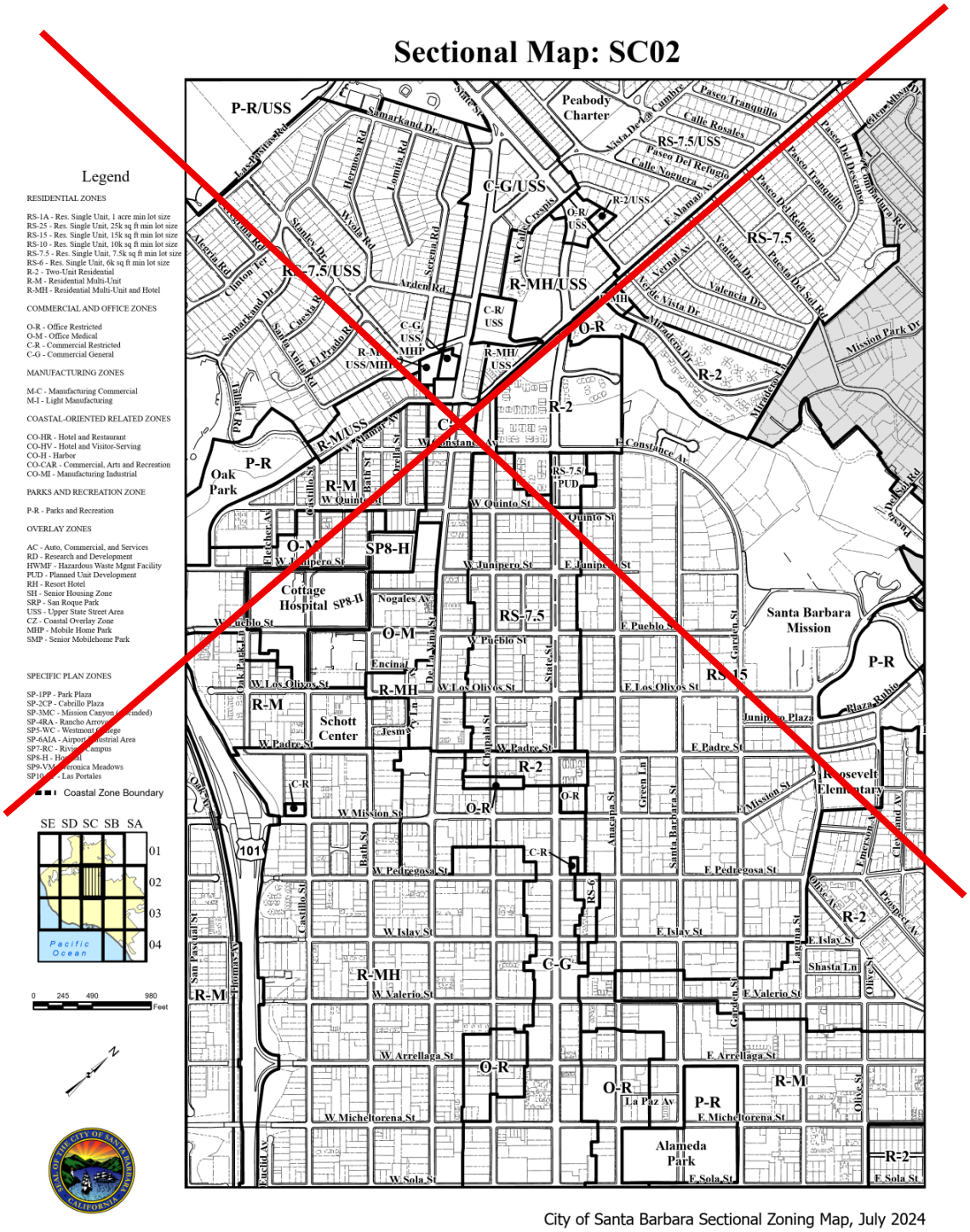
Map SC02

Sectional Map: SC02



City of Santa Barbara Sectional Zoning Map, November 2025

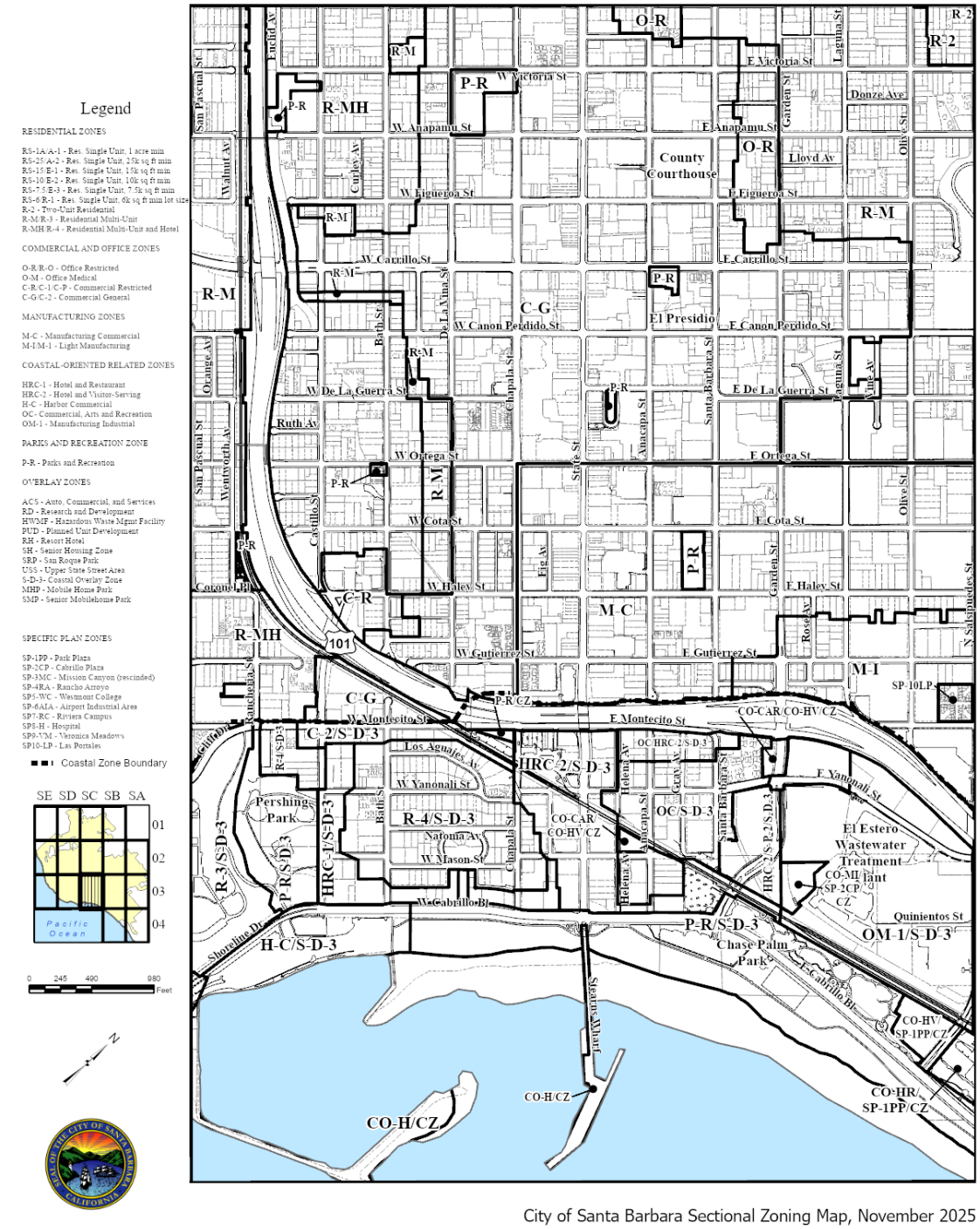
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City of Santa Barbara Sectional Zoning Map, July 2024

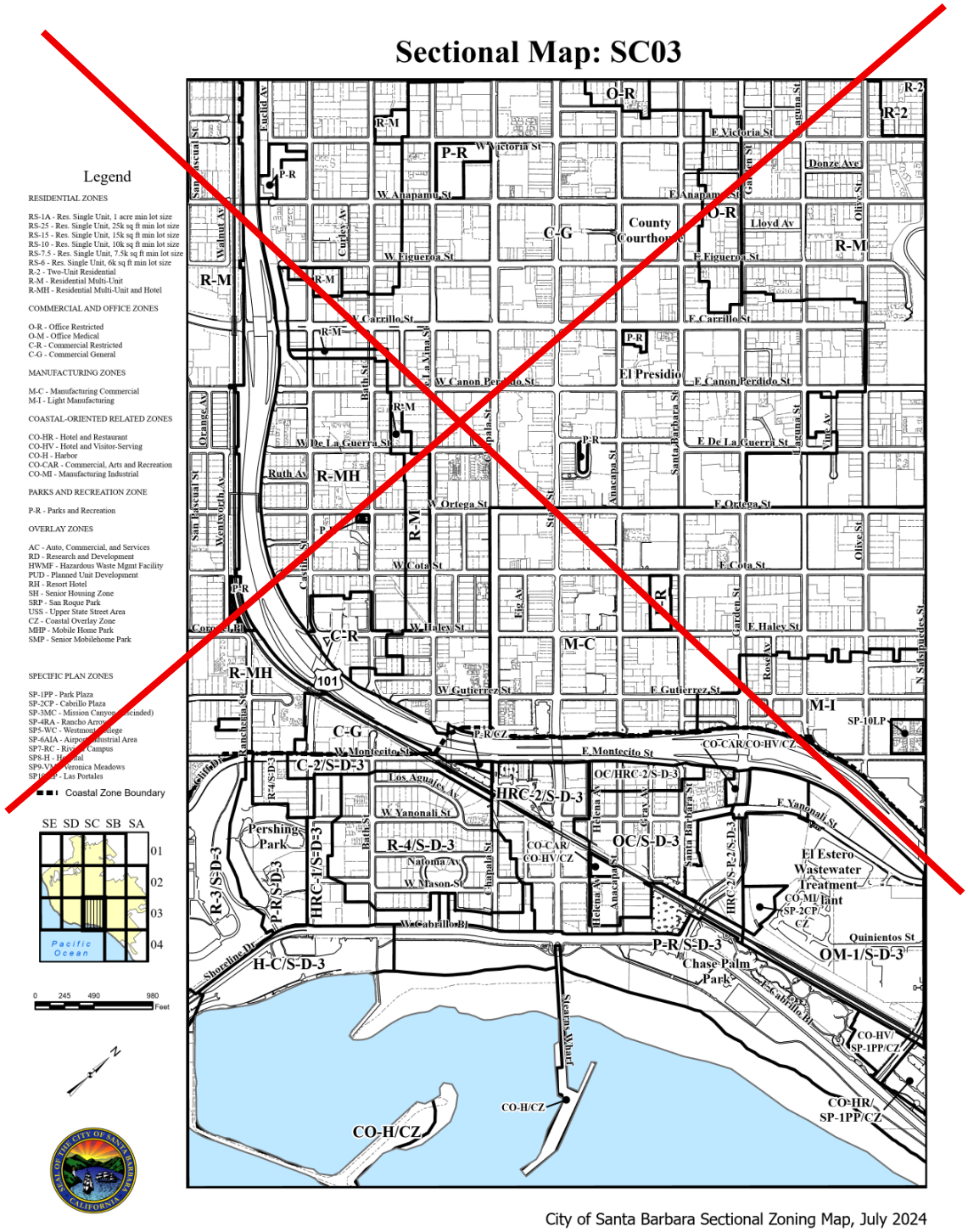
Map SC03

Sectional Map: SC03



City of Santa Barbara Sectional Zoning Map, November 2025

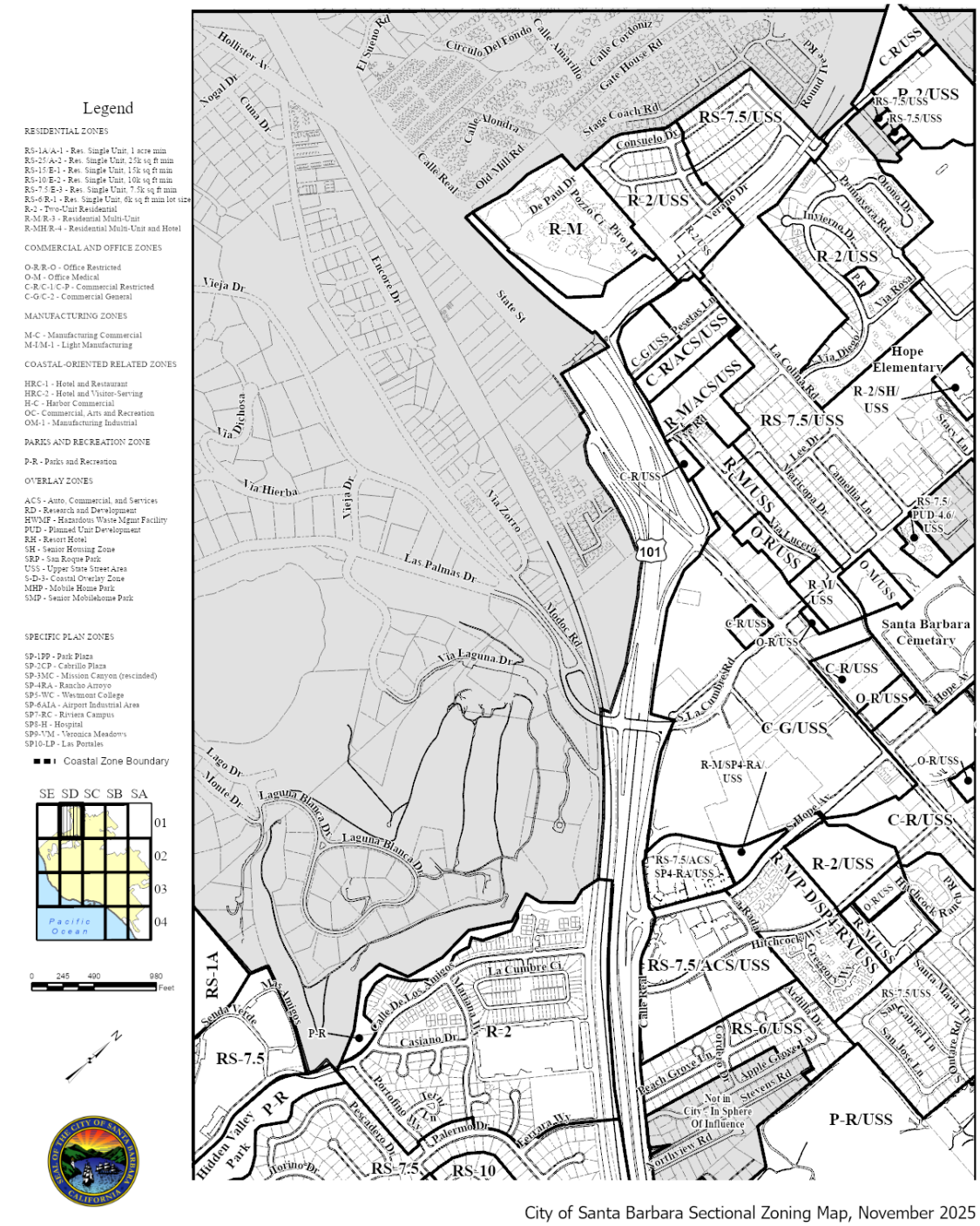
Sectional Map: SC03



City of Santa Barbara Sectional Zoning Map, July 2024

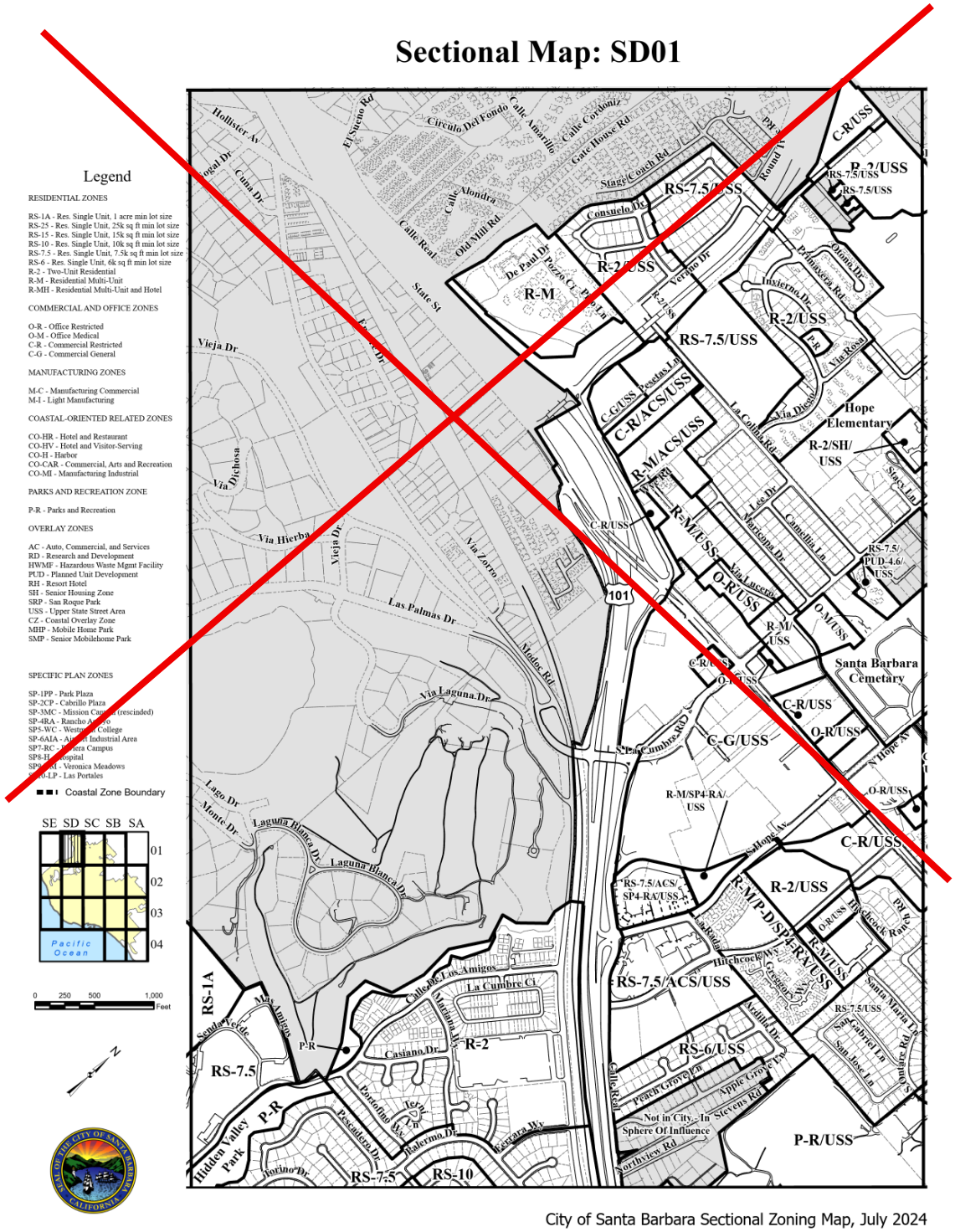
Map SD01

Sectional Map: SD01



City of Santa Barbara Sectional Zoning Map, November 2025

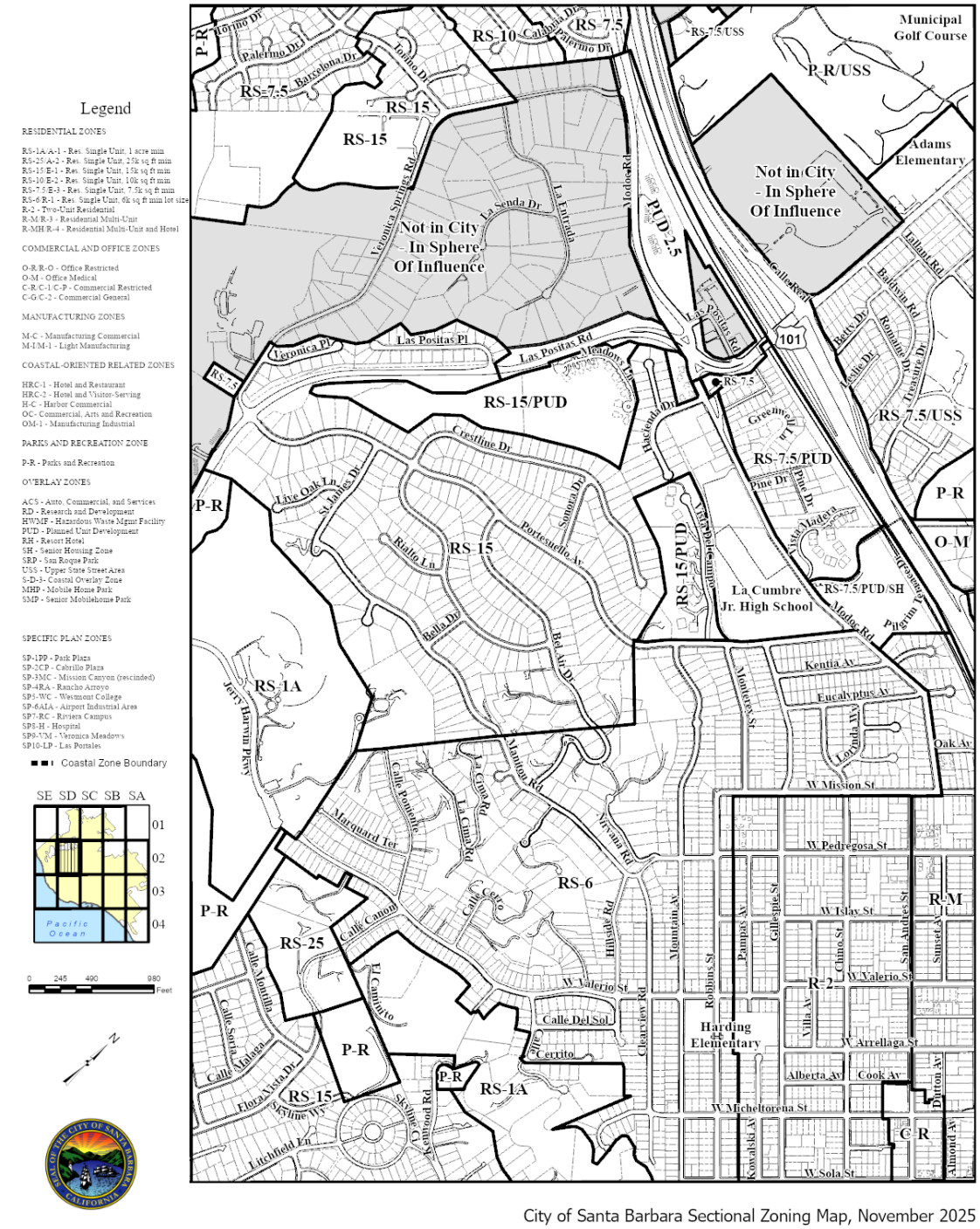
Sectional Map: SD01



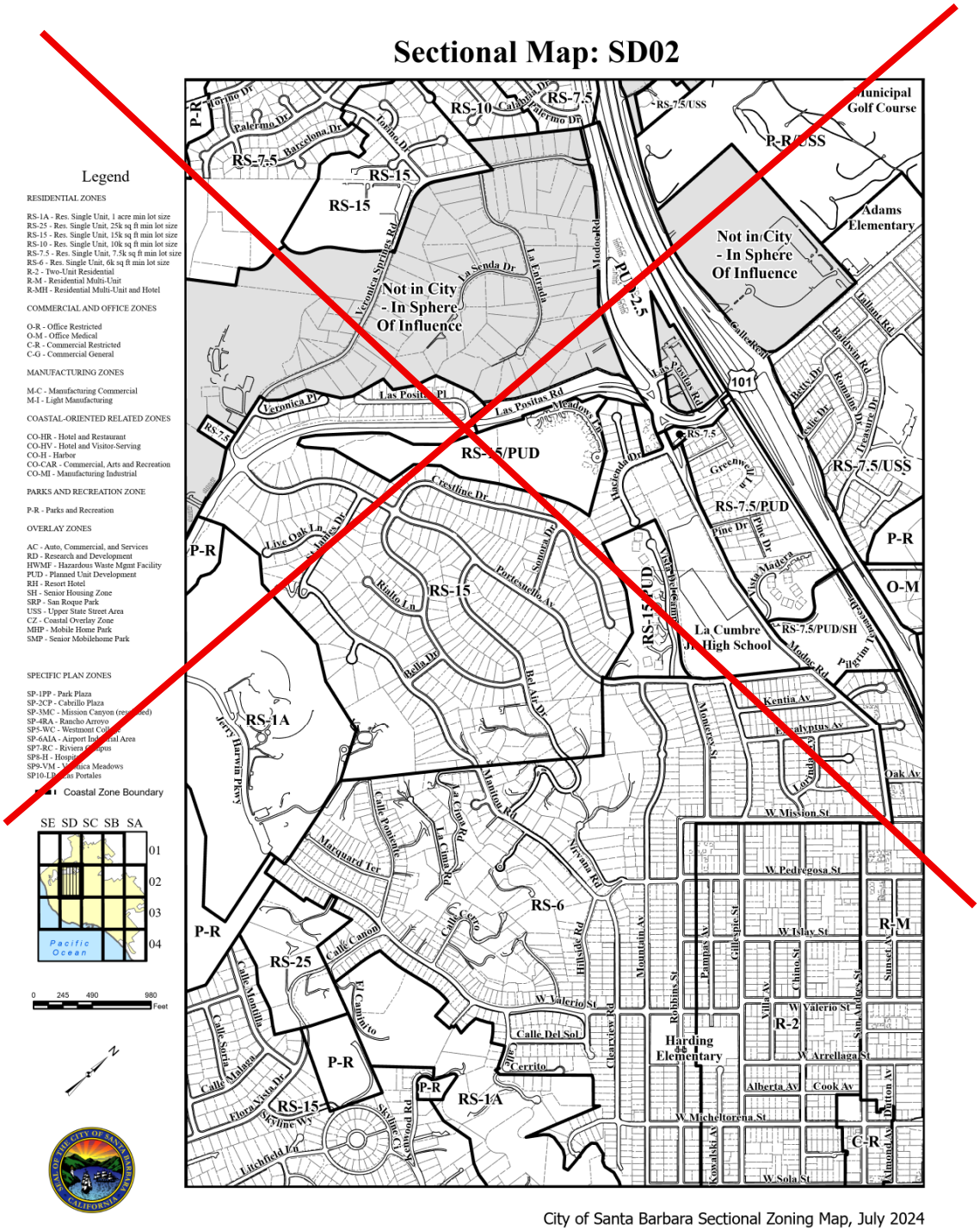
City of Santa Barbara Sectional Zoning Map, July 2024

Map SD02

Sectional Map: SD02

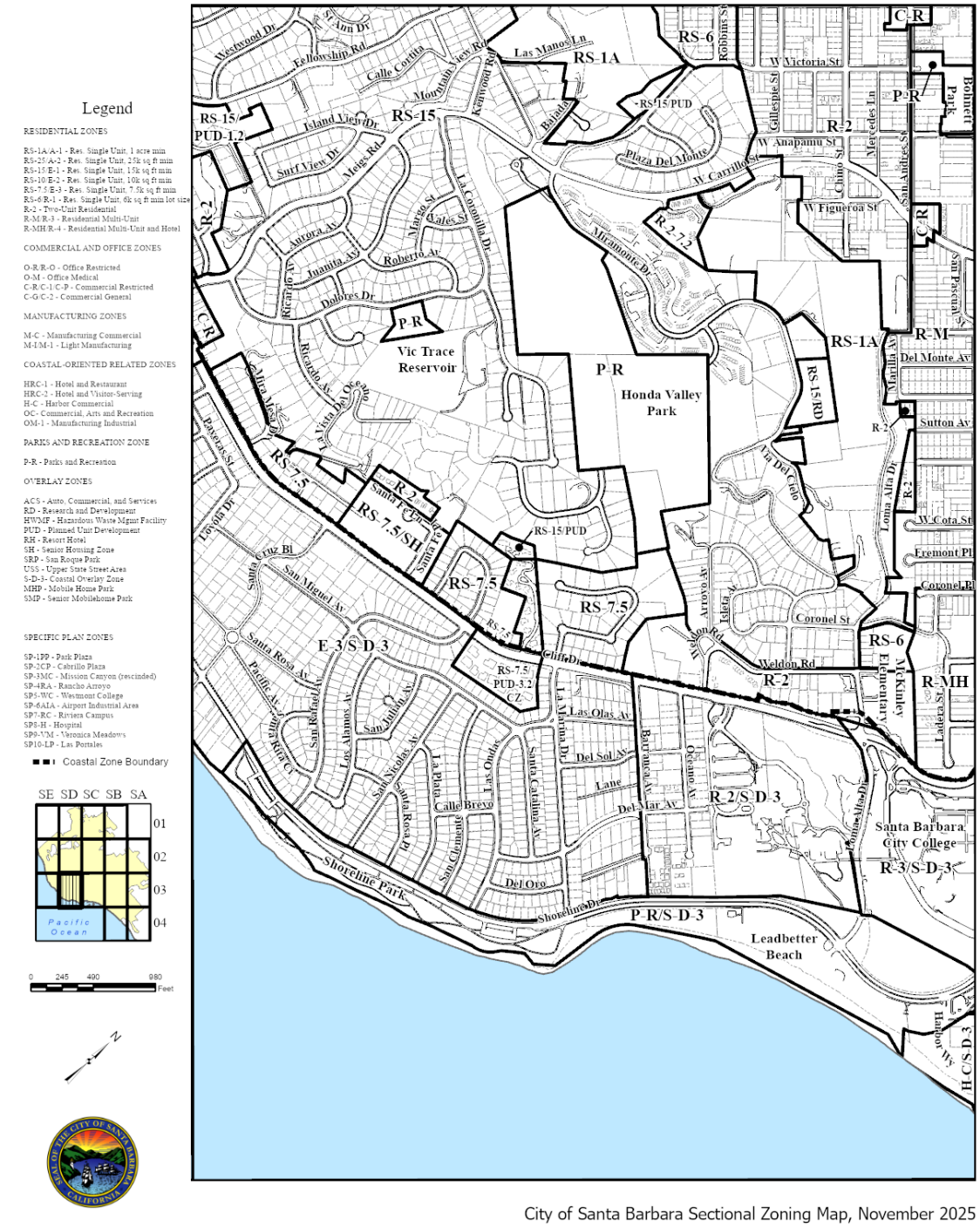


City of Santa Barbara Sectional Zoning Map, November 2025


Sectional Map: SD02
Legend
RESIDENTIAL ZONES
RS-1A - Res. Single Unit, 1 acre min lot size
RS-25 - Res. Single Unit, 25k sq ft min lot size
RS-15 - Res. Single Unit, 15k sq ft min lot size
RS-10 - Res. Single Unit, 10k sq ft min lot size
RS-7.5 - Res. Single Unit, 7.5k sq ft min lot size
RS-6 - Res. Single Unit, 6k sq ft min lot size
R-2 - Two-Unit Residential
R-M - Residential Multi-Unit
R-MH - Residential Multi-Unit and Hotel
COMMERCIAL AND OFFICE ZONES
O-R - Office Restricted
O-M - Office Medical
C-R - Commercial Restricted
C-G - Commercial General
MANUFACTURING ZONES
M-C - Manufacturing Commercial
M-I - Light Manufacturing
COASTAL-ORIENTED RELATED ZONES
CO-HR - Hotel and Restaurant
CO-HV - Hotel and Visitor-Serving
CO-H - Harbor
CO-CAR - Commercial, Arts and Recreation
CO-MI - Manufacturing Industrial
PARKS AND RECREATION ZONE
P-R - Parks and Recreation
OVERLAY ZONES
AC - 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
CZ - Coastal Overlay Zone
MHP - Mobile Home Park
SMP - Senior Mobilehome Park
SPECIFIC PLAN ZONES
SP-1PP - Park Plaza
SP-2CP - Cabrillo Plaza
SP-3MC - Mission Canyon (rescinded)
SP-4RA - Rancho Arroyo
SP5-WC - Westmont College
SP-6AIA - Airport Industrial Area
SP7-RC - Riviera Campus
SP8-H - Hospital
SP9-VM - Veronica Meadows
SP10-LP - Las Portales
Coastal Zone Boundary
SE SD SC SB SA
01
02
03
04
Pacific Ocean
0 245 490 980
Feet
Not in City - In Sphere Of Influence
Not in City - In Sphere Of Influence
RS-10
RS-7.5
RS-7.5/USS
P-R/USS
Municipal Golf Course
Adams Elementary
RS-15
RS-15/PUD
RS-7.5/PUD
RS-7.5/USS
RS-7.5/PUD/SH
P-R
O-M
RS-1A
RS-6
RS-25
R-M
R-2
C-R
Harding Elementary
La Cumbre Jr. High School
Torino Dr
Palermo Dr
Barcelona Dr
Calabasa Dr
Veronica Springs Rd
La Senda Dr
La Entrada
Modoc Rd
PUD-2.5
Las Positas Rd
Meadows Ln
Hacienda Dr
Greenmeadow Ln
Cresline Dr
Live Oak Ln
Mobile Dr
Sonoma Dr
Portesuello Av
Rialto Ln
Bella Dr
Bel Air Dr
Jerry Harman Pkwy
Marguard Ter
Calle Ponerle
La Cima Rd
Manitou Rd
Nirvana Rd
Calle Canon
Calle Cerro
Hillside Rd
El Camino Vo
Calle Del Sol
Cerrito
Clearview Rd
Mountain Av
Robbins St
Pampas Av
Gillespie St
Chino St
Vista Av
Sunset Av
San Andres St
Monterey St
Kentia Av
Eucalyptus Av
Laurel Av
Oak Av
W Mission St
W Pedregosa St
W Islay St
W Valerio St
W Arrellaga St
Alberta Av
Cook Av
Dalton Av
W Micheltorena St
W Sola St
Kowalski Av
Kimball Av
Calle Montilla
Calle Sorrento
Calle Malaga
Flora Vista Dr
Skyline Wy
Skyline Cir
Richmond Rd
Litchfield Ln
Las Positas Pl
Veronica Pl
Las Positas Rd
Modoc Rd
Cliffwood Dr
Tallant Rd
Baldwin Rd
Romero Dr
Treasure Dr
Betty Dr
Celia Dr
Pine Dr
Vista Madera
Pilgrim Ter
Madre Rd
Hollister Ave
Garden St
Milpas St
Olive St
Santa Barbara St
Castillo St
Bath St
Chapala St
De la Vina St
Anacapa St
Santa Barbara Harbor
Stearns Wharf
Cabrillo Blvd
Shoreline Dr
Los Patos Way
Las Alturas Rd
Mission Ridge Rd
Foothill Rd
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Mission Creek
Mission Creek

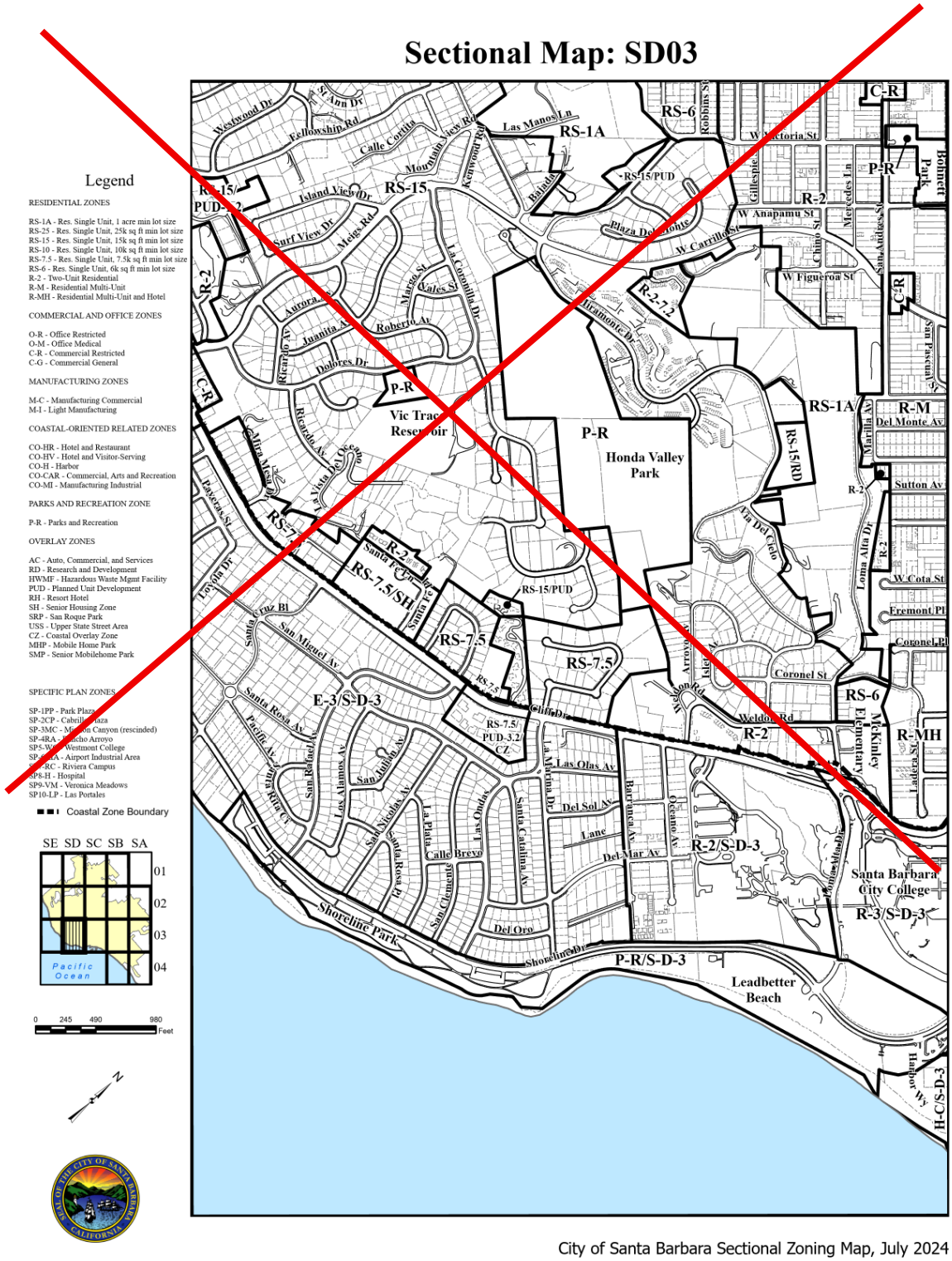
Map SD03

Sectional Map: SD03



City of Santa Barbara Sectional Zoning Map, November 2025

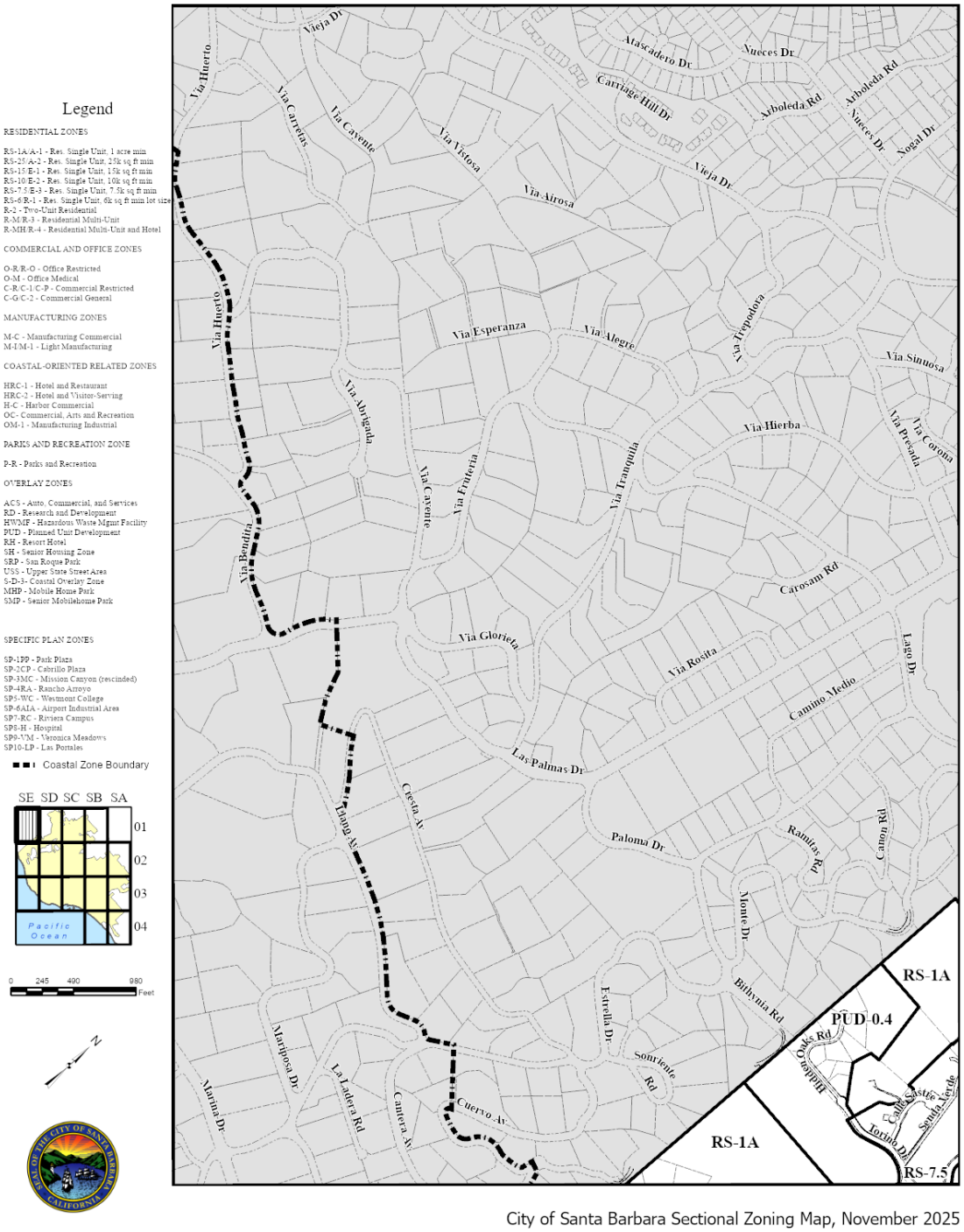
Sectional Map: SD03



City of Santa Barbara Sectional Zoning Map, July 2024

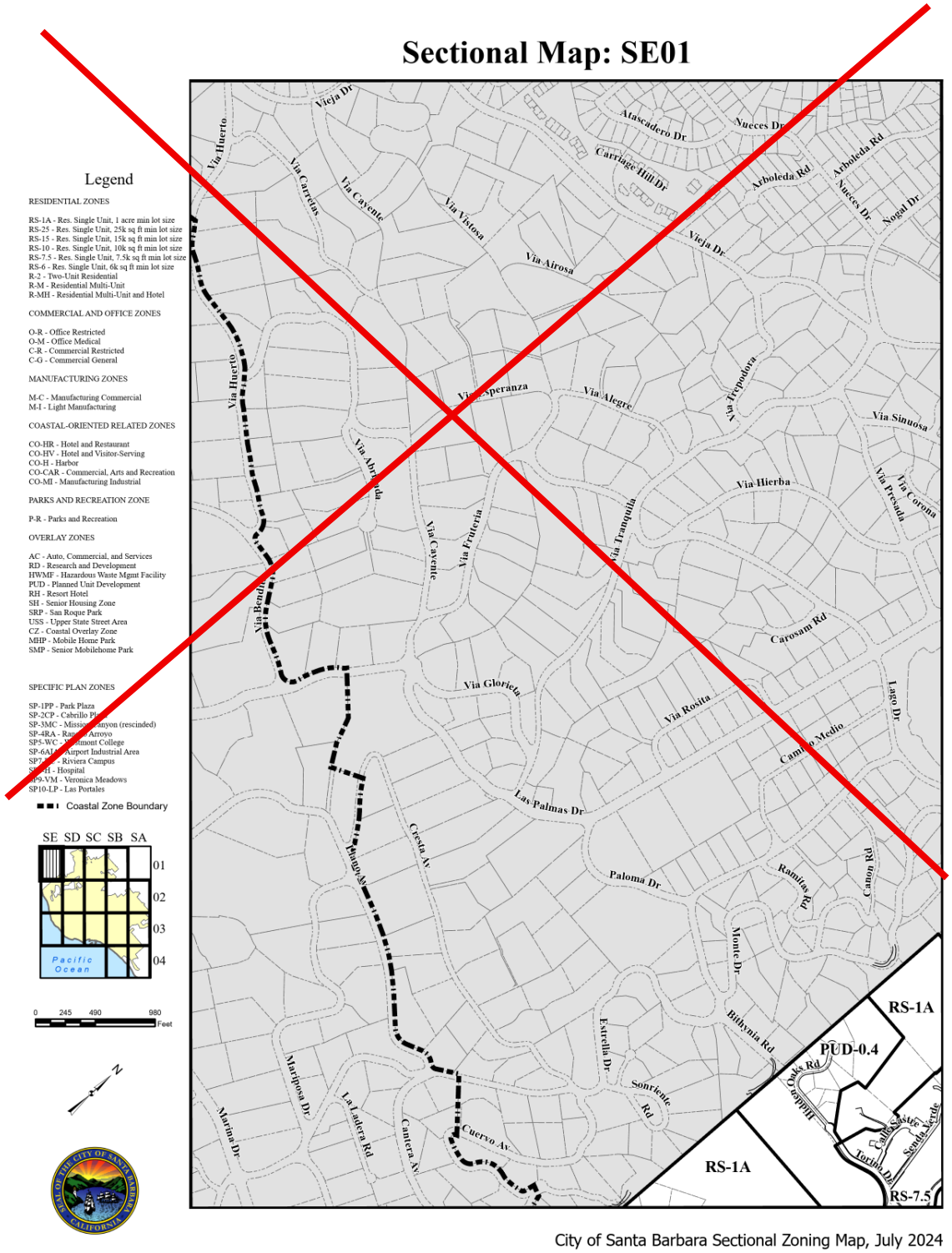
Map SE01

Sectional Map: SE01



City of Santa Barbara Sectional Zoning Map, November 2025

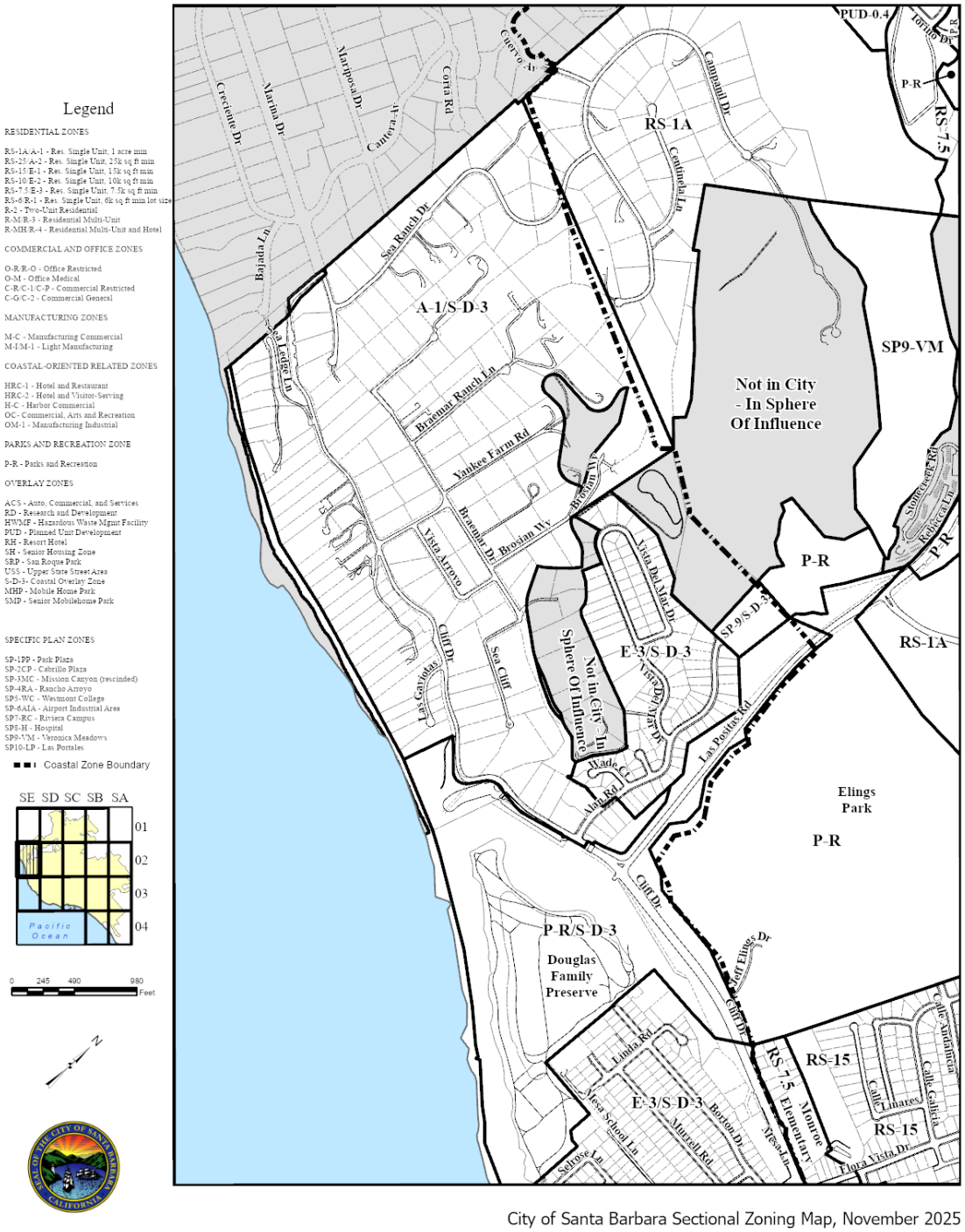
Sectional Map: SE01



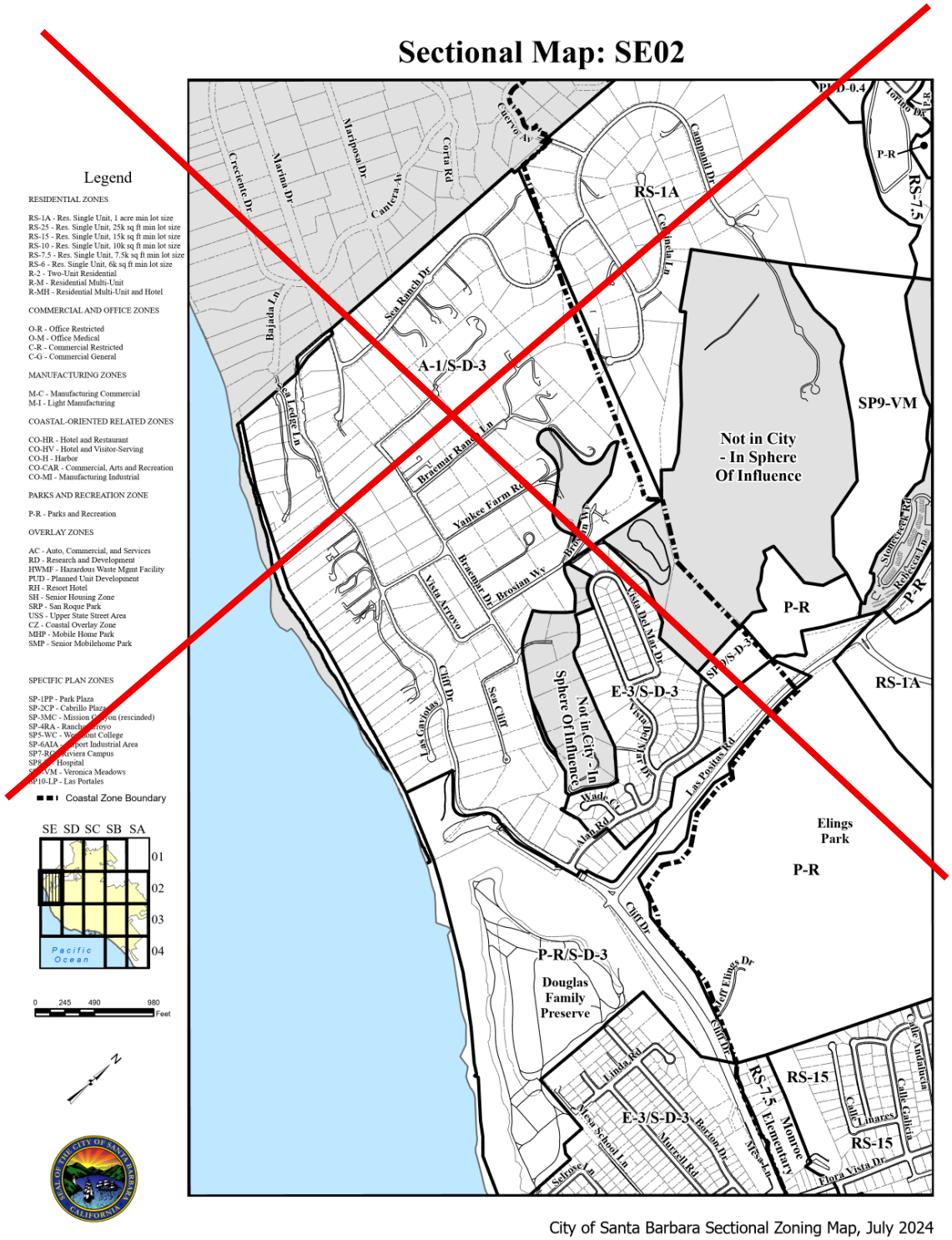
City of Santa Barbara Sectional Zoning Map, July 2024

Map SE02

Sectional Map: SE02



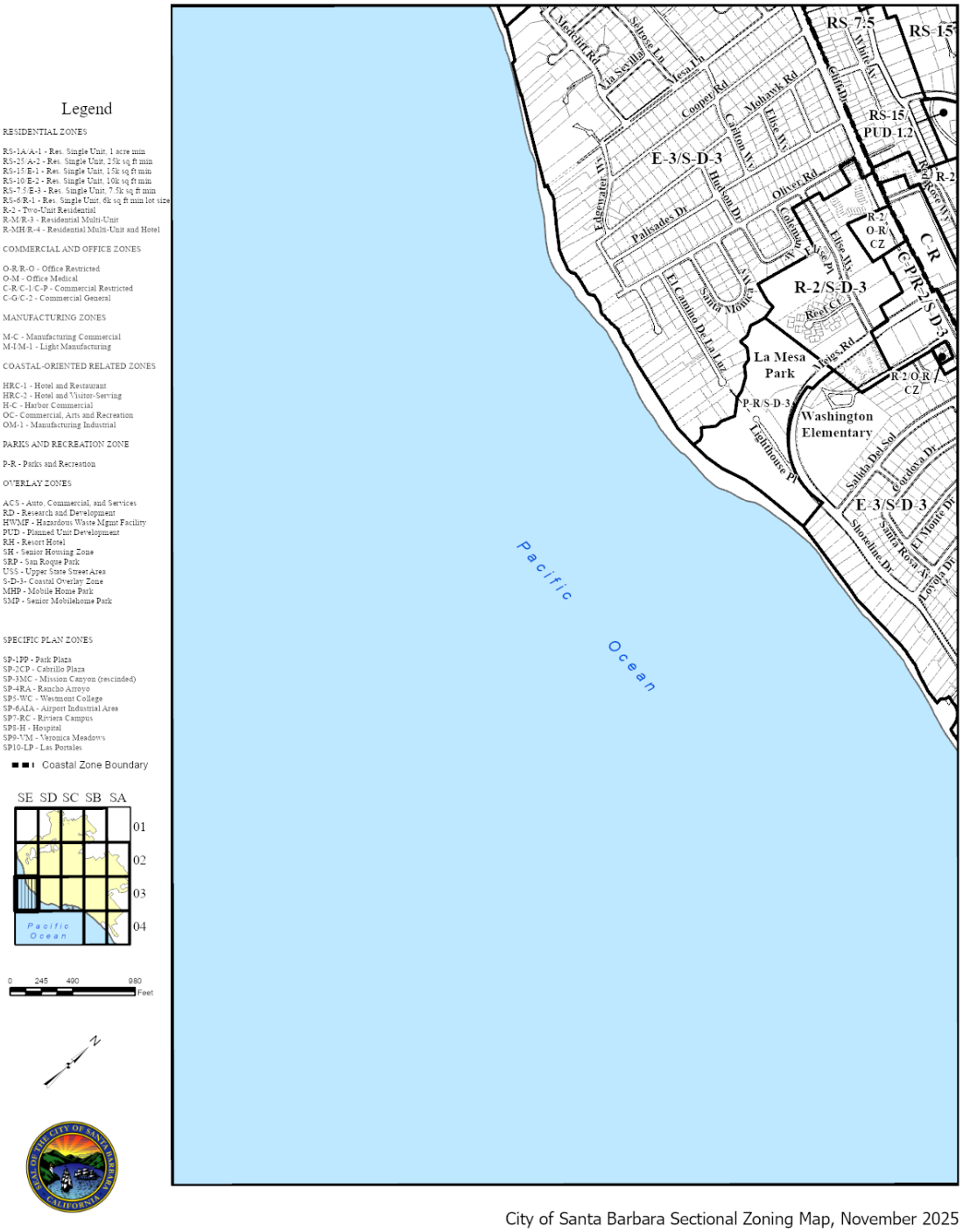
City of Santa Barbara Sectional Zoning Map, November 2025



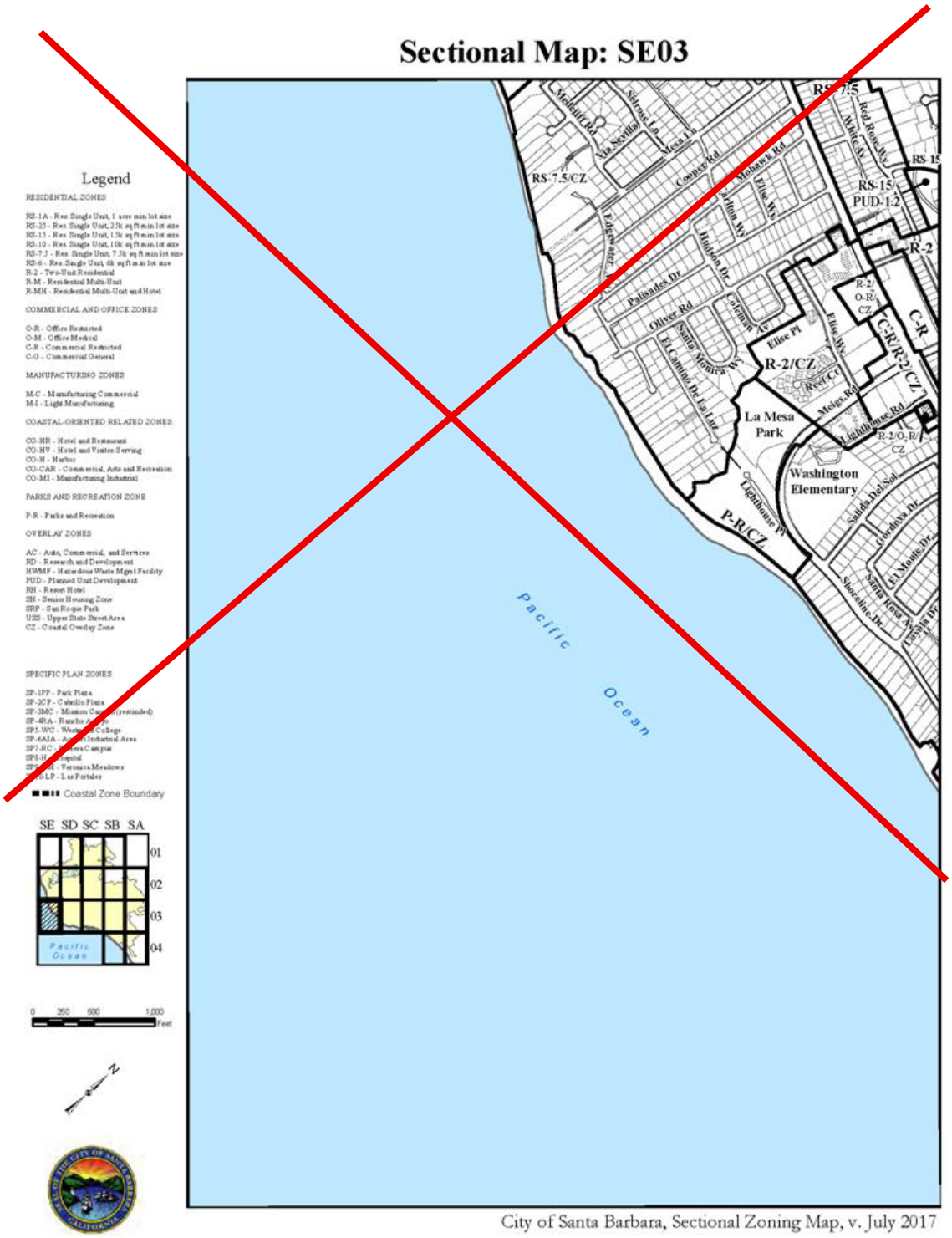
City of Santa Barbara Sectional Zoning Map, July 2024

Map SE03

Sectional Map: SE03



City of Santa Barbara Sectional Zoning Map, November 2025


Sectional Map: SE03
Legend
RESIDENTIAL ZONES
COMMERCIAL AND OFFICE ZONES
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PARKS AND RECREATION ZONE
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Coastal Zone Boundary
SE SD SC SB SA
01
02
03
04
Pacific Ocean
RS-7.5/CZ
RS-15 PUD-1.2
R-2
C-R
R-2/CZ
P-R/CZ
La Mesa Park
Washington Elementary
Pacific Ocean
Hillcrest Rd
Via Sevilla
Mesa Ln
Cooper Rd
Mohawk Rd
Edgewater
Hinkson Dr
Palisades Dr
Oliver Rd
Santa Monica
El Camino De La Luz
Elise Pl
Elise Wy
Reef Ct
Meigs Rd
Lighthouse Rd
Lighthouse Pl
Reid Rd
Miller St
Salida Del Sol
Gerardosa Dr
Santa Rosa
Sterlina Dr
City of Santa Barbara, Sectional Zoning Map, v. July 2017

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**, and the permit remains valid and does not expire.

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.