

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585 - 1800

**W15c**

**DATE:** October 18, 2018

**TO:** Commissioners and Interested Parties

**FROM:** Jack Ainsworth, Executive Director  
Steve Hudson, Deputy Director  
Deanna Christensen, Supervising Coastal Program Analyst  
Megan Sinkula, Coastal Program Analyst

**SUBJECT:** **County of Santa Barbara Minor LCP Amendment No. LCP-4-STB-18-0074-1** for Commission Action at its November 7, 2018 hearing in San Francisco.

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**AMENDMENT DESCRIPTION**

The County of Santa Barbara is requesting that the Commission certify an amendment to the County's Land Use Plan (LUP) and Implementation Plan/Coastal Zoning Ordinance (IP/CZO) portions of its certified Local Coastal Program (LCP). The LCP amendment includes modifications to the Montecito Architectural Guidelines and Development Standards and Coastal Zoning Ordinance applicable to the Montecito Community Plan area to clarify that the existing accessory building footprint limitation of 800 sq. ft. also applies to unenclosed accessory buildings (e.g., carports and covered patios), to clarify that the rear setback limit of 30 percent for detached accessory structures applies to the cumulative total of all accessory structures, to limit the lot coverage of buildings to 40 percent of the gross lot area, to add guidelines to limit the cumulative net floor area of detached accessory buildings based on lot size, and to make other minor language revisions.

**MINOR LCP AMENDMENT DETERMINATION**

Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) and (d) of the Commission's regulations, the Executive Director has determined the proposed amendment is "minor" in nature. Section 13554(a) of the Regulations provides that a minor amendment includes, but is not limited to, changes which make the use as designated in implementing actions more specific, changes that do not affect the kind, intensity, or density of use, and changes that are consistent with the certified LUP. Section 13554(d) of the Regulations further provides that a minor amendment may include changes such as corrections, reorganization, revisions, or deletion of certified language that does not change the kind, location, intensity or density of use or modify resource protection measures, and additions or revisions to certified policies which further restrict uses that may adversely affect coastal resources if the additions and/or revisions do not conflict with the Chapter 3 of the Coastal Act.

The County's proposed modifications include minor changes to existing language and procedures contained in the County's certified LUP and IP/CZO. The subject amendment

request, reflected in County Board of Supervisors Resolution No. 18-42 (attached) and in Ordinance No. 5030 (attached), represents changes to make implementing provisions more specific and to regulate the cumulative development of accessory structures, which does not change resource protection measures or the kind, location, intensity or density of uses allowed. Further, the changes proposed in the subject amendment are consistent with the certified LUP and the requirements of Chapter 3 of the Coastal Act. Therefore, the proposed amendment is considered “minor” as defined under Section 13554 of the Commission’s regulations.

## **PROCEDURES**

Pursuant to Section 13551(b) of Title 14 of the California Code of Regulations, a local government’s resolution for submittal of a proposed LCP amendment must indicate whether the local coastal program amendment will require formal local government adoption after Commission approval, or is an amendment that will take effect automatically upon the Commission’s approval pursuant to Public Resources Code Sections 30512, 30513 and 30519. In this case, the County has submitted the amendment as one that will take effect automatically upon approval by the Commission.

## **PUBLIC NOTICE**

Section 13555 of Title 14 of the California Code of Regulations requires the Executive Director to prepare a report describing the proposed amendment and providing notice of the Executive Director’s determination the amendment is of a “minor” nature. Section 13555 also requires the Executive Director to report to the Commission at the next meeting, his or her determination and objections to the determination, if any, that have been received within 10 working days. If one third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed in accordance with Section 13555(b).

Notification of the proposed amendment will be mailed on October 23, 2018. The ten working-day objection period will therefore terminate on November 6, 2018. The Commission will be notified at the November 2018 meeting of any objections.

Also, Section 30503 of the Coastal Act requires that maximum opportunities for public input be provided in preparation, approval, certification and amendment of any LCP. The County held public hearings on the proposed LCP amendment on February 23, 2017, March 9, 2017, May 10, 2017, July 6, 2017, August 10, 2017, October 18, 2017, and February 27, 2018. The County conducted public outreach on the proposed LCP amendment on June 28, 2017 and August 3, 2018. The hearings were noticed to the public consistent with Section 13515 of Title 14 of the California Code of Regulations and the County provided evidence of the measures taken to provide notice of their hearings, consistent with Section 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

ATTACHMENT 3: RESOLUTION OF THE BOARD OF SUPERVISORS

COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING SPECIFIC ) RESOLUTION NO. 18-42  
AMENDMENTS TO THE MONTECITO )  
ARCHITECTURAL GUIDELINES AND )  
DEVELOPMENT STANDARDS TO IMPLEMENT )  
NEW GUIDELINES REGARDING THE SIZE AND )  
SOME OTHER CHARACTERISTICS OF )  
DETACHED ACCESSORY BUILDINGS ON )  
RESIDENTIAL LOTS IN MONTECITO. )

WITH REFERENCE TO THE FOLLOWING:

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

- I. On January 30, 2018, the Board of Supervisors held a duly noticed public hearing on the proposed amendments, at which the Board of Supervisors received and considered the Montecito Planning Commission's recommended actions and invited comments from persons in attendance.
- J. The proposed amendments are consistent with the Coastal Act of 1976, the Coastal Land Use Plan and the Comprehensive Plan, including the Coastal Land Use Plan and the Montecito Community Plan, and the requirements of the state planning and zoning laws.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

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

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_ day of \_\_\_\_\_ 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Resolution for Adoption of Amendments to the *Montecito Architectural Guidelines and Development Standards*  
Case Nos. 17ORD-00000-00011 and 17ORD-00000-00012  
Departmental Agenda Date: January 30, 2018  
Attachment 3 – Page 3

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DAS WILLIAMS, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

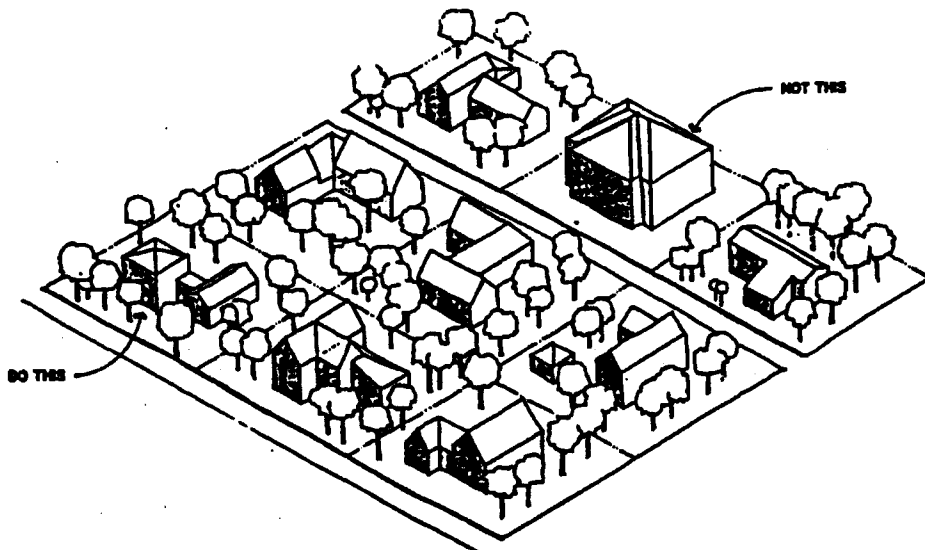
Exhibit A – *Montecito Architectural Guidelines and Development Standards* Amendments

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

**SECTION 1:**

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

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



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

**SECTION 2:**

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

**B. SIZE, BULK AND SCALE**

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

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

TABLE 1

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

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

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

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

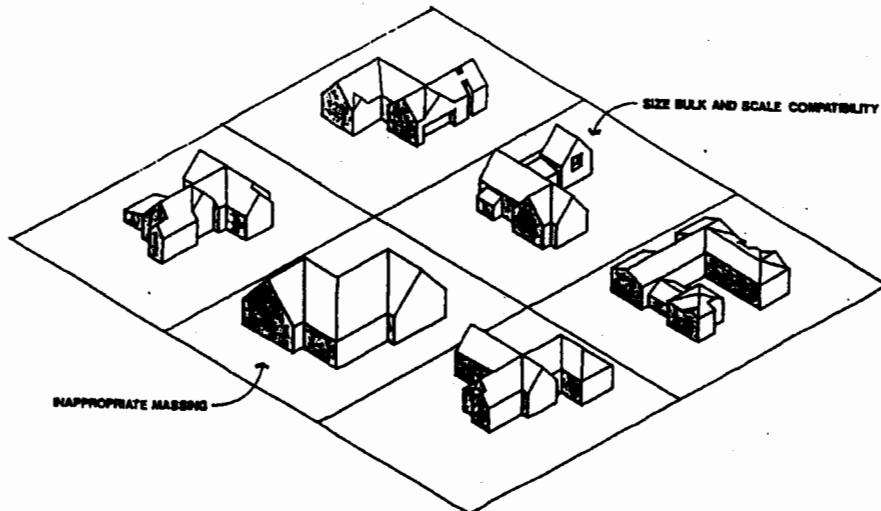
The MBAR shall consider potential development on the lot, including the Recommended Detached Accessory Building Allowances provided in Table 2, prior to approving a project that proposes to exceed the Recommend Maximum House Net Floor Area provided in Table 1.

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

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



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



b. The following guidelines shall apply to detached accessory buildings. For purposes of these Guidelines, detached accessory buildings mean detached accessory structures located beneath a solid roof or other permanent covering, which shall include but not be limited to, any fully enclosed, partially enclosed, or unenclosed portions of detached accessory structures:

- 1) The cumulative net floor area of all approved and proposed detached accessory buildings on a lot should not exceed the Recommended Detached Accessory Building Allowance in Table 2 below. Any floor area in excess of the allowance shall be added to the net floor area of the house (primary residential building). Please see guideline 3.a above for details regarding compatibility with surrounding development.
- 2) For this guideline, "approved" means that a valid land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been legally completed. "Proposed" means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.

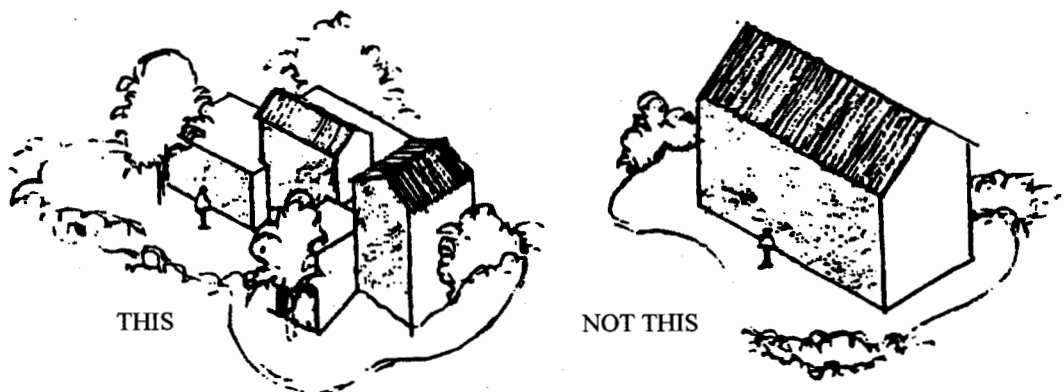
TABLE 2

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

<sup>1</sup> L equals lot area in acres (gross).

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

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



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

### **SECTION 3:**

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

## **C. HILLSIDE DEVELOPMENT STANDARDS**

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

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

- 1) For purposes of this Subsection C.5.b, “gross floor area” includes any fully enclosed, partially enclosed, or unenclosed floor area of the detached accessory building covered by a solid roof or other permanent covering.
  - 2) The gross floor area limitation in this Subsection C.5.b shall not apply to or otherwise limit the gross floor area of approved or proposed accessory dwelling units.
  - 3) If an application includes a proposed detached accessory dwelling unit and one or more detached accessory buildings, and the total gross floor area of all buildings located on the lot, both approved and proposed, would exceed 40 percent of the gross lot area, then the floor area of the proposed detached accessory building(s) shall be reduced as necessary in order to comply with the 40 percent of gross lot area limitation.
  - 4) For purposes of this Subsection C.5.b, “approved” means that a valid land use entitlement exists for a detached accessory building or accessory dwelling unit, but the building or unit has not been constructed, or that construction of the detached accessory building or accessory dwelling unit has been legally completed. “Proposed” means that an application for a detached accessory building or accessory dwelling unit has been submitted to the Department, and final action on the application has not been taken.
6. The floor area of guest houses, artist studios, or pool house/cabana shall not exceed 800 square feet; however, such structures may be attached to an accessory structure provided the building footprint of the combined structure does not exceed 800 square feet.
  7. Project grading shall not exceed 1,500 cubic yards of cut or fill, unless additional grading is necessary to allow reasonable development of the property or to achieve reasonable vehicular access. Exception: Excavation not apparent from the exterior, such as for basements entirely below grade, crawl spaces, swimming pools, underground water storage tanks, etc., shall not be included in the grading calculations under this provision. Grading may exceed 1,500 cubic yards if ~~MBAR~~ the Montecito Board of Architectural Review can make all of the following findings:
    - a. The proposed grading respects the significant natural land forms of the site and blends with adjacent properties.
    - b. The graded slopes relate to the natural contours of the site.
    - c. The length and height of retaining walls have been minimized to the maximum extent feasible.
    - d. There are no other suitable alternative building sites available on the property that could be utilized with significantly less required grading for the primary residence and/or access road.
  8. Fill for residential structures on downslope areas shall not exceed 10 feet in height at the highest point (top of slope).
  9. Cut over ~~thirty~~ (30) feet in total height shall be avoided to the extent feasible.

10. To the maximum extent feasible, freestanding vertical retaining walls shall not exceed eight (8) feet in height. The height of the wall shall be measured from the natural or finished grade at the base of the lower side of the wall to the top edge of the wall material.
11. Building materials and color schemes of structures, walls and roofs shall blend with predominant colors and values of the surrounding natural landscape.
12. The design of new development shall protect, to the extent feasible, unique or special features of the site, such as landforms, rock outcroppings, mature trees, unique vegetative groupings, drainage courses, hilltops and ridgelines.
13. Landscape plans shall include appropriate planting to reduce fire hazard, stabilize cut/fill slopes, reduce erosion, retain moisture, repair areas of required fire department brush removal, and integrate architectural components.
14. Calculation of runoff from impervious surfaces shall be made by a licensed civil engineer prior to issuance of any permits for new residences or additions which exceed fifty (50) percent of existing floor area of the principal structure. Project review will include consideration of any increased runoff and its impact on offsite drainage courses. These calculations will be retained in County records for use in preparing a Master Drainage Plan.

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

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

#### **SECTION 4:**

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

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

1. The floor area of a proposed hillside house (primary residential building) should be in scale with development on similar sized ~~parcels-lots~~ in the immediate area. Table 3 shall serve as a reference for this purpose. A project with a floor area (size) substantially in excess of the floor area of the immediately surrounding properties will have the burden of demonstrating that the project cannot be viewed by surrounding property owners due to siting, or that its spatial volume

(mass, bulk and scale) when taken together with its lot size, setbacks, and landscaping does not make it incompatible with similar surrounding properties.

TABLE 23

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

<sup>1</sup> **Maximum House Net Floor Area not to exceed 7,000 square feet.**

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

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

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

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

A partly underground basement shall mean any basement with a floor-to-ceiling height of 6.5 feet or more and an exposed exterior wall surface with a height of four feet or more (as measured

from the adjacent finished grade to the bottom of the floor joist supporting the floor above) on one or more sides of the house. For partly underground basements the net floor area shall include the first 800 square feet of basement floor area plus 50% of any remaining basement floor area.

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

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

TABLE 4

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

<sup>1</sup> L equals lot area in acres (gross).

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

**SECTION 5:**

The *Montecito Architectural Guidelines and Development Standards* is hereby amended to change all references from “parcel(s)” to “lot(s),” as follows:

...~~parcel~~ lot...



## ATTACHMENT 5: COASTAL ZONING ORDINANCE AMENDMENTS

### ORDINANCE NO. 5030

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

Case No. 17ORD-00000-00012

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

#### **SECTION 1:**

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

#### **Section 35-210. Accessory Structures.**

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

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

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

## SECTION 2:

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

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

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

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

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

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

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

### **SECTION 3:**

DIVISION 2, Definitions, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, specifically Section 35-58, Definitions, is hereby amended to add the following definitions of “Accessory Building” and “Accessory Dwelling Unit”:

**Accessory Building:** See “accessory structure.”

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

1. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares a common wall with the principal dwelling.

**2. Detached Accessory Dwelling Unit.** An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling.

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

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

**SECTION 4:**

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

**SECTION 5:**

Except as amended by this Ordinance, Division 2, Definitions, and Division 15, Montecito Community Plan Overlay District, of the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

**SECTION 6:**

This ordinance shall apply to projects in the Coastal Zone that have not received preliminary approval by the Montecito Board of Architectural Review as of the effective date of this ordinance, except as otherwise required by State law. This ordinance and any portion of it certified by the Coastal Commission shall take effect and be in force upon the date that the California Coastal Commission certifies said amendments pursuant to Public Resources Code Section 30514.; and before the expiration of 15 days after its passage, a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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DAS WILLIAMS, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel