

APPENDIX I
Gaviota Overlay District

ATTACHMENT ____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE, BY ADDING A NEW DIVISION 18 TITLED “GAVIOTA COAST PLAN OVERLAY DISTRICT,” AND BY AMENDING THE GAVIOTA COAST RURAL REGION ZONING MAP, THE NORTH GAVIOTA COAST RURAL REGION ZONING MAP, THE GAVIOTA COAST COASTAL PLAN ZONING OVERLAY MAP, AND THE POINT CONCEPTION AREA COASTAL PLAN ZONING OVERLAY MAP BY REZONING CERTAIN LOTS TO APPLY ZONES AND OVERLAY ZONES, TO IMPLEMENT THE GAVIOTA COAST PLAN AND MAKE OTHER MINOR MODIFICATIONS.

Case Nos. 13ORD-00000-00007 & 15RZN-00000-00005

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

SECTION X:

DIVISION I, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 5, Other Districts, of Section 35-52, Zoning District Designations and Applicability, to re-organize the listing of the existing Overlay Districts and to add a new Overlay District titled “Critical Viewshed Corridor Overlay District” to read as follows:

Section 35-53. Overlay District Designations and Applicability.

In addition to the regulations governing the zoning districts described in Section 35-52, the following overlay districts and the symbols used to represent them on the zoning maps are established as follows:

~~SD — Site Design~~

~~FA — Flood Hazard Area~~

~~VC — View Corridor~~

~~ESH — Environmentally Sensitive Habitat Area~~

~~D — Design Supervision~~

~~ARC — Agriculture Residential Cluster~~

~~F — Airport Approach Area~~

~~ARC-CI — Agriculture Residential Cluster - Channel Islands~~

~~SF — Single Family Restricted~~

~~HWMF Hazardous Waste Management Facility~~

~~AH — Affordable Housing~~

~~HC — Highway 101 Corridor~~

~~CA — Carpinteria Agricultural Overlay District~~

AH Affordable Housing

ARC Agriculture Residential Cluster

ARC-CI Agriculture Residential Cluster - Channel Islands

<u>CA</u>	<u>Carpinteria Agricultural Overlay District</u>
<u>CVC</u>	<u>Critical Viewshed Corridor Overlay District</u>
<u>D</u>	<u>Design Control</u>
<u>ESH</u>	<u>Environmentally Sensitive Habitat Area</u>
<u>F</u>	<u>Airport Approach Area</u>
<u>FA</u>	<u>Flood Hazard Area</u>
<u>HWMF</u>	<u>Hazardous Waste Management Facility</u>
<u>SD</u>	<u>Site Design</u>
<u>SF</u>	<u>Single Family Restricted</u>
<u>VC</u>	<u>View Corridor</u>

The regulations of the overlay district shall apply to the land in the same manner as the zoning district regulations. Overlay district regulations shall apply wherever the symbol and the boundaries of the area are shown on the zoning maps. When a symbol for an overlay district is added to a zoning district symbol, the regulations of the overlay district shall be applicable in addition to the zoning district regulations. If any of the provisions of the overlay district conflict with provisions of the zoning district regulations, the provisions which are most restrictive shall govern. Exceptions may be made for the AH Overlay District provided that the overlay shall be applied in a manner consistent with all applicable policies and provisions of the Local Coastal Program. The provisions of the ESH Overlay District are more restrictive than any base zone district and therefore the provisions of the ESH shall govern over the regulations of any base zone or other overlay district. ~~The provisions of the HC Overlay District apply only to development within the Highway 101 Corridor described in Section 35-102E.3.~~

SECTION X:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend the following existing definition of “Accessory Agricultural Building or Structure”:

Accessory Agricultural Building or Structure: ~~An accessory building or structure containing no kitchen or cooking facilities and designed and constructed primarily for use and used in housing farm implements or supplies, hay, grain, poultry, livestock or horticultural products where such buildings or structures are located in agriculturally zoned areas as designated by County zoning ordinances~~ A structure designed and constructed primarily for storing farm implements or supplies, hay, grain, poultry, livestock or horticultural products that supports the agricultural use of the lot. Accessory agricultural structures may include confined animal facilities and fencing incidental, appropriate and subordinate to the agricultural use but shall not include residential development, equestrian facilities, packing or shipping facilities.

SECTION X:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add the following new definitions of “Agricultural and Natural Resource Educational Experience,” “Agricultural Employee Housing,” “Agricultural Product Sales,” “Agricultural Product Transportation Facility,” “Agricultural Structural Development,” “Airstrip, Temporary,” “Animal Keeping,” “Artisanal Crafts,” “Aquaponics,” “Boat Launching Facility,” “Bulk Water Importation Facility,” “Campground,” “Caretaker/Manager Dwelling,” “Charitable or Philanthropic Organization,” “Composting Operation,” “Cultivated Agriculture, Orchard, Vineyard,” “Desalination Facility,” “Drainage Channel,” “Education or Research Facility, Limited,” “Electrical Transmission Line,” “Equestrian Facility,” “Farmstand,” “Firewood Processing and Sales,” “Fishing,” “Flood Control,” “Gaviota Coast Plan Area,” “Golf

Course,” “Grazing,” “Guest Ranch/Farmstay,” “Heliport,” “Highway,” “Horseback Riding,” “Inland Extent of Beach,” “Lumber Processing, Milling,” “Medical Services - Animal Hospital,” “Meeting Facility, Public or Private,” “Meeting Facility, Religious,” “Mining,” “Office - Accessory,” “Pool House/Cabaña,” “Product Preparation,” “Public Works or Private Service Facility,” “Recycling Facility,” “Repair Service - Equipment, Large Appliances, etc.,” “Reservoir,” “Road,” “Rural Recreation,” “School,” “Sea Wall,” “Sports and Outdoor Recreation Facility,” “Trail,” “Transit Station or Terminal,” “Tree Nut Hulling,” “Truck or Freight Terminal,” “Utility Service Line,” “Visually Subordinate,” “Wastewater Treatment Facility,” “Wastewater Treatment System,” “Water Diversion Project,” “Water Extraction, Commercial,” “Water System,” and “Winery”:

Agricultural and Natural Resource Educational Experience. An instructional program that integrates academic and technical preparation and includes real-world relevant experiences in areas such as agricultural business, agricultural mechanics, agriscience, animal science, forestry and natural resources, ornamental horticulture, and plant and soil science. Program components may include classroom and laboratory instruction, and supervised agricultural experience projects.

Agricultural Employee Housing. A dwelling occupied by an agricultural employee including family members.

Agricultural Product Sales. The sale of agricultural products, including flowers, fresh fruit, herbs, plants and vegetables, grown on or off the premises or other products as allowed by [Section 35-131 \(Agricultural Sales\)](#) and Division 18 (Gaviota Coast Plan Overlay) this Article.

Agricultural Product Transportation Facility. A transportation facility required to support agriculture.

Agricultural Structural Development. Any structure that is constructed, erected, or placed with or without a foundation, the use of which requires location on the ground and is covered by a roof, the use of which is restricted to those uses that are directly accessory, ancillary and secondary to the agricultural use of the property. Dwelling units are considered agricultural structural development only if they provide housing for agricultural employees of the owner or lessee of the land.

Airstrip, Temporary. An airfield without normal airport facilities consisting of a landing strip or heliport that is not constructed of hard materials and is used for agricultural crop dusting or the personal use of the tenant or owner of the site and excluding public use and commercial operations.

Animal Keeping. The keeping, feeding or raising of animals as a commercial agricultural venture, avocation, hobby or school project, either as a primary land use or subordinate to a residential use. Includes the keeping of common farm animals, apiaries, aviaries, worm farms, household pets, etc.

Artisanal Crafts. Anything handmade and designed by a person skilled in an applied art; examples include glass blowing, jewelry making, leatherworking, metalworking, pottery, and woodworking.

Aquaponics. A closed system of aquaculture in which the waste produced by farmed fish or other aquatic creatures supplies the nutrients for plants grown hydroponically which in turn purify the water in the system.

Boat Launching Facility. A facility specifically designed to assist with the ingress/egress of boats and other aquatic vehicles.

Bulk Water Importation Facility. A facility specifically designed to import bulk amounts of water including those associated with ocean going vessels, or other similar facilities.

Campground. A site for temporary occupancy by campers which may include individual campsites. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

Caretaker/Manager Dwelling. A permanent residence that is secondary or accessory to the principal use of the property, and used for housing a caretaker employed on the site of any non-residential use where needed for security purposes or to provide 24-hour care or monitoring of people, plants, animals, equipment, or other conditions on the site.

Charitable or Philanthropic Organization. An office-type facility occupied by an organization engaged in charitable or philanthropic works serving various groups or individual persons.

Composting Operation. A commercial facility that produces compost from the organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations in California Code of Regulations, Title 14, Division 7.

Cultivated Agriculture, Orchard, Vineyard. Commercial agricultural production field and orchard uses, including the production of the following, primarily in the soil on the site and not in containers, other than for initial propagation prior to planting in the soil on the site. Examples of this land use include the following:

<u>field crops</u>	<u>fruits</u>	<u>melons</u>	<u>tree nuts</u>	<u>vegetables</u>
<u>flowers and seeds</u>	<u>grains</u>	<u>ornamental crops</u>	<u>trees and sod</u>	<u>wine and table grapes</u>

Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, and crop processing. Does not include agricultural processing or greenhouses which are separately defined. Does not include noncommercial home gardening, which is allowed as an accessory use without County approval in all zones that otherwise allow residential uses. Activities that constitute grading are separately regulated under Chapter 14 of the County Code.

- 1. Historic Legal Use.** "Cultivated Agriculture, Orchard, Vineyard - Historic Legal Use" means that there is evidence of a permitted or legal nonconforming use on the site within the previous 10-year period.
- 2. Limited Slope.** "Cultivated Agriculture, Orchard, Vineyard - Limited Slope" means new or expanded agricultural activities that occur on slopes of 30 percent or less.

Desalination Facility. A facility specifically designed to remove salts and other chemicals from sea water to render it potable.

Drainage Channel. A channel, either natural or manmade, that conveys water.

Education or Research Facility, Limited. Limited facilities or developments for educational purposes or scientific research, e.g., water quality monitoring stations, access roads, storage facilities).

Electrical Transmission Line. A line that is interconnected with other transmission lines and associated equipment for the movement or transfer of electric energy between points of supply and points at which it is transformed for delivery to customers or is delivered to other electric systems.

Equestrian Facility. A commercial facility for the boarding of horses, donkeys, and mules, and where such animals are available for hire. Examples of these facilities include:

<u>boarding stables</u>	<u>horse exhibition facilities</u>	<u>riding schools and academies</u>
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Also includes barns, stables, corrals, and paddocks accessory and incidental to the above uses. Does not include rodeos (see "Rodeo"), or polo fields (see "Sports and Outdoor Recreation Facility").

Farmstand. A stand, which may be of permanent or temporary construction, that sells farm produce and other incidental items.

Firewood Processing and Sales. The conversion of raw plant material into firewood and the sale thereof.

Fishing. The activity of catching fish, either for food or as a sport.

Flood Control. The act or technique of trying to control water with dams, berms, drainage, weirs, etc, to minimize occurrence of floods.

Gaviota Coast Plan Area. That portion of the County located within the boundaries of the Gaviota Coast Plan as shown on the Gaviota Coast Plan Land Use Map.

Golf Course. A commercial or members-only facility for playing golf, with three to 18 holes, and accessory facilities and uses which may include: a clubhouse with bar and/or restaurant, locker and shower facilities; driving ranges; "pro shops" for onsite sales of golfing equipment; and golf cart repair, storage and sales facilities. Does not include driving ranges separate from golf courses or miniature golf courses unless specifically allowed.

Grazing. To put livestock out to feed.

1. **Historic Legal Use.** "Grazing- Historic Legal Use" means that there is evidence of a permitted or nonconforming use of the site for grazing within the previous 10-year period.
2. **Limited Slope.** "Grazing - Limited Slope" means new or expanded grazing activities that occur on slopes of 30 percent or less.

Guest Ranch/Farmstay. A type of working farm or ranch operation that is partially oriented towards visitors or tourism by providing guest accommodations. Such an operation may include interactive activities where guests participate in basic farm or ranch operations such as collecting eggs and feeding animals, or a work exchange agreement where the guest works a set number of hours in exchange for free or reduced rate accommodation.

Heliport. A designated, marked area on the ground or on a structure where helicopters may land at any time.

Highway. A four-lane arterial roadway with at least partial control of access which may or may not be divided or have grade separations at intersections. As a secondary type of intercity or community roadway, highways carry much of the traffic between important centers of activity and employment.

Horseback Riding. The sport or activity of riding horses while controlling its movements and speed.

Inland Extent of Beach. For purposes of interpreting provisions of the Coastal Act of 1976, the inland extent of the beach shall be determined as follows: (1) from a distinct linear feature (e.g., a seawall, road, or bluff, etc.); (2) from the inland edge of the further inland beach berm as determined from historical surveys, aerial photographs, and other records or geological evidence; or (3) where a beach berm does not exist, from the further point separating the dynamic portion of the beach from the inland area as distinguished by vegetation, debris or other geological or historical evidence.

Lumber Processing, Milling. A facility that produces lumber including dimensional boards and specific shaped items from harvested trees.

Medical Services - Animal Hospital. A facility specifically designed for the medical or surgical treatment of animals or pets where all of the animals are taken in from off the premises and where the boarding of animals is limited to short-term care incidental to the hospital.

Meeting Facility, Public or Private. A facility for public or private meetings, including community centers, religious institutions, civic and private auditoriums, grange halls, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by onsite employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include: sports or commercial facilities (see "Theater," and "Sports and Entertainment Assembly"); or convention centers (see "Conference Center"). Related onsite facilities such as day care centers and schools are separately defined, and separately regulated.

Meeting Facility, Religious. A meeting facility for a religious institution as identified in "Meeting Facility, Public or Private," above, that is restricted to religious institutions only in response to the specific requirements of a particular zone (i.e., AG-I in the Coastal Zone allows religious meeting facilities but not clubs).

Mining. The extraction of mineral resources through surface or underground mining operations, including the following.

1. **Surface Mining.** Excavation and quarrying operations to obtain building and construction materials including diatomaceous earth.
2. **Underground Mining.** Mining operations where minerals are extracted using shafts and/or tunnels.

Office - Accessory. Office facilities for administration, and/or onsite business and operations management, that are incidental and accessory to another business, sales, and/or service activity that is the primary use.

Pool House/Cabaña. A building, the use of which is incidental and accessory to the use of the beach, a pool, or sports court (e.g., tennis, basketball, handball, and other similar facility), that may include bathrooms, but does not include sleeping quarters or cooking facilities.

Product Preparation. The preparation of agricultural and horticultural product by activities including drying.

freezing, pre-cooling, packaging, and milling of flour, feed, and grain to facilitate marketing and wholesale sales.

Public Works or Private Service Facility. A base facility from which maintenance and repair services are dispatched to utility service lines and other facilities operated by the public works or private service entity. Includes equipment and materials storage, and "corporation" yards.

Recycling Facility. A center for the collection and/or processing of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986.

1. **Small Collection Center.** A center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable zone:
 - a. Reverse vending machines.
 - b. Small collection facilities which occupy an area of 350 square feet or less and may include a mobile unit.
2. **Large Collection Center.** A collection facility that occupies more than 350 square feet, and/or includes permanent structures.
3. **Mobile Recycling Unit.** An automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.
4. **Processing Facility.** A structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, re-manufacturing and shredding. Processing facilities include the following types, both of which are included under the definition of "Scrap and Dismantling Yards," below:
 - a. Light processing facility occupies an area of under 45,000 square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and
 - b. A heavy processing facility is any processing facility other than a light processing facility.
5. **Recycling or Recyclable Material.** Reusable domestic containers and other materials which can be reconstituted, re-manufactured, or reused in an altered form, including glass, metals, paper and plastic. Recyclable material does not include refuse or hazardous materials.
6. **Reverse Vending Machine.** An automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.

A bulk reverse vending machine is a reverse vending machine that is larger than 50 square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.
7. **Scrap or Dismantling Yard.** An outdoor establishment primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. Includes light and heavy processing facilities for recycling (see the definitions above). Does not include: pawn shops, and other secondhand stores; the sale of operative used cars; or landfills or other waste disposal sites.
8. **Specialized Materials Collection Center.** A center that provides for the collection of non-ferrous metals, high-temperature alloys, exotic and precious metals, and other similar materials, in addition to household recyclable materials.

Repair Service - Equipment, Large Appliances, etc. A service and facility where various types of electrical, electronic, and mechanical equipment, and home and business appliances are repaired and/or maintained away from the site of the equipment owner. Does not include vehicle repair or maintenance, which is included under "Vehicle Services", the repair of small home appliances and electronic equipment, which is included under "Personal Services", maintenance and repair activities that occur on the client's site, which are included under "Maintenance Service - Client Site Services," or repair services provided on the site of a retail use that sells the products for which repair services are offered, which are incidental to the onsite sales.

Reservoir. A natural or artificial pond or lake used for the storage and regulation of water.

Road. See "Street."

Rural Recreation. Low intensity recreational uses including campgrounds with minimum facilities, hunting clubs, retreats, and summer camps. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

School. A public or private academic educational institution, examples include:

<u>boarding school</u>	<u>elementary, middle, junior high, and high schools</u>
<u>community college, college or university</u>	<u>military academy</u>

Sea Wall. Structures, sand or other materials placed adjacent to the sea to reduce or eliminate upland damage from wave action or flooding during storms.

Sports and Outdoor Recreation Facility. Public and private facilities for various outdoor sports and other types of recreation, where the facilities are oriented more toward participants than spectators. Examples include:

<u>athletic/sport fields (e.g., baseball, football, polo, softball, soccer)</u>	<u>swimming pools</u>
<u>health and athletic club outdoor facilities</u>	<u>tennis and other sport courts (e.g., handball)</u>
<u>skateboard parks</u>	

Trail. A marked or beaten path, as through woods or wilderness.

Transit Station or Terminal. A passenger station for vehicular, and rail mass transit systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, railway, etc.

Tree Nut Hulling. Removing the soft outer hull (also known as the husk) from the nut by manual or mechanical methods.

Truck or Freight Terminal. A transportation facility furnishing services incidental to air, motor freight, and rail transportation. Examples of these facilities include:

<u>freight forwarding services</u>	<u>packing, crating, inspection and weighing services</u>
<u>freight terminal facilities</u>	<u>postal service bulk mailing distribution centers</u>
<u>joint terminal and service facilities</u>	<u>transportation arrangement services</u>
<u>overnight mail processing facilities</u>	<u>trucking facilities, including transfer and storage</u>

Utility Service Line. A line providing electricity, gas, television, and other similar utilities.

Visually Subordinate. Development that is partially visible but not dominant or disruptive in relation to the surrounding landscape as viewed from a public viewing place.

Wastewater Treatment System. A system, not connected to a wastewater treatment facility, that treats, stabilizes, stores and disposes into the soil sewage generated onsite.

Water Diversion Project. The diversion of water from a natural channel to another location through alteration of the natural channel and/or artificial structures.

Water Extraction, Commercial. The pumping and processing of natural, carbonated or mineral water from a well for commercial purposes, including bottling, shipping, storage and trucking.

Water System. A system for the extraction and provision of water utilizing a well or wells and including any collection, treatment, storage and distribution facilities.

Winery. A bonded agricultural processing facility primarily used for the commercial processing of grapes or

other fruit products to produce wine or similar spirits or the refermenting of still wine into sparkling wine. Processing consists of controlled fermentation combined with any of the following: crushing, blending, barrel aging, and bottling. Storage of case goods shall only occur in conjunction with processing. Retail sales and tasting of wine and retail sales of related promotional items may be allowed as part of the winery operation.

SECTION X:

DIVISION 5, Overlay Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Section 35-102G titled “CVC - Critical Viewshed Corridor Overlay District,” to read as follows:

Section 35-102G. CVC - Critical Viewshed Corridor Overlay District.

A. Purpose and intent. The Critical Viewshed Corridor (CVC) overlay district is applied to property in the Gaviota Coast Plan area to provide enhanced protection to the critical coastal viewsheds of the Gaviota Coast from inappropriate development. The intent is to ensure that development is sited and/or screened in a manner that will reduce impacts to the public viewshed while allowing for reasonable development.

B. Applicability. This overlay district is applied to the visually critical near-field viewshed located to the north and south of Highway 101 as shown on the Gaviota Coast Coastal Plan Zoning Overlay map. All development within this overlay district is subject to the requirements of this overlay district except as provided below:

1. Single agricultural structures with a individual gross floor area of less than 5,000 square feet are not subject to the requirements of this overlay provided:
 - a. The existing cumulative structural development located on the lot that the structure is proposed to be located on does not exceed a footprint area of 10,000 square feet.
 - b. The structure(s) complies with the following standards:
 - 1) All exterior lighting is in compliance with the following:
 - a) The lighting is required for safety purposes only.
 - b) Light fixtures are fully shielded (full cutoff and are directed downward to minimize impacts to the rural nighttime character.
 - c) Lighting is directed away from habitat areas, nearby residences, public roads and other areas of public use to the extent feasible.
 - 2) The structure uses building materials, earth tone colors, and non-reflective paints that are compatible with the surrounding natural environment to maximize the visual compatibility of the development with surrounding areas.

C. Relationship to primary zone.

1. Any land use normally allowed on land subject to the CVC overlay district by this Article may be allowed subject to any additional requirements of this overlay district.
2. Development and land uses within the CVC overlay district shall obtain the planning permits required by this Article for the primary zone, and the overlay district, as applicable.
3. Development and land uses within the CVC overlay district shall comply with all applicable development standards of the County Code, the Local Coastal Program, the primary zone, and any other applicable overlay district. If conflicts occur between the requirements of this overlay and any other provision of the County Code, the Local Coastal Program, the primary zone, and any other applicable overlay district, the requirements that are most protective of coastal resources shall control.

D. Permit and processing requirements.

- 1. Design review required.** Any structural development proposed on a lot located within the CVC overlay district shall be subject to review and approval by the Board of Architectural Review in compliance with Section 35-184 (Board of Architectural Review) prior to approval of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35-178 (Land Use Permits), or the issuance of a Zoning Clearance in compliance with Section 35-179A (Zoning Clearances).
- 2. Application requirements.** An application for Board of Architectural Review shall be submitted in compliance with Section 35-57A (Application Preparation and Filing).
- 3. Criteria for approval.** The Board of Architectural Review may approve or conditionally approve the application only if it determines that the project conforms to the following standards:
 - a. Screening.** Development is screened to the maximum extent feasible as seen from Highway 101. Screening shall be achieved to the maximum extent feasible through adherence to the Site Design Hierarchy within the Design Guidelines for the Gaviota Coast Plan.
 - b. Landscaping.** Landscaping, not including any agricultural crop or orchard, when mature, does not obstruct public views of the mountains or the ocean.
 - c. Ocean views.** Development is sited and designed to preserve unobstructed broad views of the ocean from Highway 101, and is clustered to the maximum extent feasible.
 - d. Structure height.**
 - 1) The height of any structure located south of Highway 101 does not exceed 15 feet as measured between the existing grade and the uppermost point of the structure directly above that grade, unless an increase in height would facilitate clustering of development and result in greater view protection, or a height in excess of 15 feet would not impact public views to the ocean.**
 - 2) Visible portions of structures located on lots having unobstructed broad view of the ocean shall be designed so that any intrusions into the view, as seen from public viewing areas, is minimized to the maximum extent feasible.**
- 4. Criteria for denial.** The Board of Architectural Review shall confer with the applicant in an attempt to bring the plans into conformance with the standards in Subsection D.3 (Criteria for approval), above, if, following review of the application, the Board of Architectural Review determines that a structure:
 - a. Is not screened to the maximum extent feasible, or**
 - b. Includes landscaping that when mature will obstruct public views of the mountains or the ocean, or**
 - c. Obstructs views to the ocean, or**
 - d. Is of a height or scale that is inharmonious with the surrounding area, or**
 - e. Is of an undesirable or unsightly appearance.**
- 5. Appeal.** The action of the Board of Architectural Review may be appealed in compliance with Section 35-182 (Appeals).

E. Land use limitations. New overhead electrical transmission and distribution lines for non-agricultural development that are within the jurisdiction of the County are prohibited within the CVC overlay district.

SECTION X:

DIVISION 7, GENERAL REGULATIONS, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the Santa Barbara County Code, is amended to amend Section 35-

139, Exterior Lighting, to read as follows:

Section 35-139. Exterior Lighting.

All exterior lighting shall be hooded and no unobstructed beam of exterior lighting shall be directed toward any area zoned or developed residential. No lighting shall be so designed as to interfere with vehicular traffic at any portion of a street. Division 13 (Summerland Community Plan Overlay), Division 14 (Goleta Community Plan and Eastern Goleta Valley Community Plan Overlay District), ~~and~~ Division 15 (Montecito Community Plan Overlay District), Division 17 (East Goleta Valley Community Plan Overlay) and Division 18 (Gaviota Coast Plan Overlay) include additional requirements.

SECTION X:

DIVISION 12, Administration, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-184.2, Applicability, of Section 35-184, Board of Architectural Review, to add a new Subsection 3 to read as follows:

3. Gaviota Coast, Summerland and Toro Canyon. In addition to the items identified in Section 35-184.2.2, for sites located within the Gaviota Coast Plan, Summerland Community Plan or the Toro Canyon Area Plan areas, the provisions of this Section shall also apply to any structure, additions to a structure, or sign, except as provided below.

- a. The structure, addition to a structure, or sign is exempt from Board of Architectural Review in compliance with [Section 35-184.3 \(Exceptions\)](#).
- b. Single agricultural structures located within the Gaviota Coast Plan area that have an individual gross floor area of less than 5,000 square feet are not subject to the requirements of this Subsection 3 (Gaviota Coast, Summerland and Toro Canyon) provided:
 - 1) The existing cumulative structural development located on the lot that the structure is proposed to be located on does not exceed 10,000 square feet per lot.
 - 2) The structure(s) complies with the following standards:
 - a) All exterior lighting is in compliance with the following:
 - i) The lighting is required for safety purposes only
 - ii) Light fixtures are fully shielded (full cutoff and are directed downward to minimize impacts to the rural nighttime character.
 - iii) Lighting is directed away from habitat areas, nearby residences, public roads and other areas of public use to the extent feasible.
 - b) The structure uses building materials, earth tone colors, and non-reflective paints that are compatible with the surrounding natural environment to maximize the visual compatibility of the development with surrounding areas.

SECTION X:

ARTICLE II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Division 18 titled “Gaviota Coast Plan Overlay,” to read as follows:

DIVISION 18 **GAVIOTA COAST PLAN (GAV) OVERLAY**

Sections:

Section 35-400 - Purpose

Section 35-410 - Applicability and District Boundaries.

Section 35-420 - Allowable Development and Planning Permit Requirements

Section 35-430 - Standards for All Development and Land Uses.

Section 35-440 - Standards for Specific Land Uses

Section 35-450 - Permit Requirements and Development Standards for Specific Land Uses in the AG-II Zone

Section 35-400. **Purpose.**

The purpose of the Gaviota Coast Plan overlay is to implement the Gaviota Coast Plan by providing for specific land uses and development standards within the Gaviota Coast Plan area.

Section 35-410. **Applicability and District Boundaries.**

The provisions of this Division shall apply to all development and land uses that is located within the Gaviota Coast Plan area in addition to all other applicable requirements of this Article. If conflicts occur between the provisions and requirements of this overlay and any other provision of the County Code, the Local Coastal Program, the primary zone, and any other applicable overlay district, the provisions and requirements that are most protective of coastal resources shall control.

Section 35-420. **Allowable Development and Planning Permit Requirements.**

A. **Applicability.** This Division applies to all property located within the Gaviota Coast Plan area and describes the land uses that are allowed in the Gaviota Coast Plan area and planning permit requirements for each use. This Division supersedes and replaces the permitted uses and conditionally permitted uses that are listed in the following sections of this Article:

1. Sections 35-69.3 (Permitted Uses), 35-69.4 (Uses Permitted With a Major Conditional Use Permit) and 35-69.5 (Uses Permitted With a Minor Conditional Use Permit) of Section 35-69 (AG-II - Agriculture II) of Division 4 (Zoning Districts).
2. Sections 35-70.3 (Permitted Uses), 35-70.4 (Uses Permitted With a Major Conditional Use Permit) and 35-70.5 (Uses Permitted With a Minor Conditional Use Permit) of Section 35-70 (RR - Rural Residential) of Division 4 (Zoning Districts).
3. Sections 35-87.3 (Permitted Uses), 35-87.3a (Other Uses that are not Coastal-Dependent Industry) and 35-87.4 (Uses Permitted With a Major Conditional Use Permit) of Section 35-87 (M-CD - Coastal Dependent Industry) of Division 4 (Zoning Districts).
4. Sections 35-89.5 (Permitted Uses), 35-89.6 (Uses Permitted With a Major Conditional Use Permit) and 35-89.7 (Uses Permitted With a Minor Conditional Use Permit) of Section 35-89 (REC - Recreation District) of Division 4 (Zoning Districts).
5. Sections 35-90.3 (Permitted Uses), 35-90.4 (Uses Permitted With a Major Conditional Use Permit) and 35-90.5 (Uses Permitted With a Minor Conditional Use Permit) of Section 35-90 (RES - Resource Management) of Division 4 (Zoning Districts).
6. Sections 35-93.3 (Permitted Uses), 35-93.4 (Uses Permitted With a Major Conditional Use Permit) and 35-93.5 (Uses Permitted With a Minor Conditional Use Permit) of Section 35-93 (TC - Transportation Corridor) of Division 4 (Zoning Districts).
7. Section 35-144J (Animal Keeping) of Division 7 (General Regulations).
8. Section 35-147 (Processing) of Division 8 (Services, Utilities and Other Related Facilities).
9. Section 35-172.4 (Minor Conditional Use Permits).

10. Section 35-172.5 (Major Conditional Use Permits).

B. Allowable land uses. The land uses allowed by this Division within the Gaviota Coast Area in each zone and overlay zone are listed in Subsection E (Allowed land uses), below, together with the type of planning permit required for each use.

- 1. Establishment of an allowable use.** Any land use identified in Subsection E (Allowed land uses and permit requirements), below, as being allowable within a specific zone may be established on any lot within that zone, subject to the planning permit requirements of Subsection C (Permit requirements), below, and compliance with all applicable requirements of this Article.
- 2. Use not listed.** A land use not shown on Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) in Subsection E (Allowed land uses and permit requirements), below, is not allowed except as otherwise provided in this Division or in compliance with Subsection B.3 (Similar and compatible uses may be allowed), below.
- 3. Similar and compatible use may be allowed.** In addition to uses allowed in compliance with Subsection E (Allowed land uses and permit requirements), below, in the REC and TC zones the Commission may determine that a proposed use not listed in this Division is allowable in compliance with the following, as applicable.
 - a. REC.** Any other use which the Commission determines to be similar in nature to the uses listed as either a “P” or a “PP” use in Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) in Subsection E (Allowed land uses and permit requirements), below.
 - b. TC.** Any other use which the Commission determines to be required for the purpose of operating a highway, railroad, or trail.

C. Permit requirements. Proposed development and land uses shall comply with the following permit requirements, in addition to the requirements of a Building Permit or other permit required by the County Code. Unless exempt in compliance with Section 35-420.D (Exempt activities and structures), below, or this Division specifies that the issuance of a Zoning Clearance is required in compliance with Section 35-179A (Zoning Clearances), all development requires the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits), including development not specifically listed in Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) in Subsection E (Allowed land uses and permit requirements).

- 1. General planning permit requirements.** The land uses identified in Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) provide for land uses that are:
 - a.** Permitted subject to compliance with all applicable provisions of this Article, subject to first obtaining a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35-178 (Land Use Permits) as applicable.
 - 1) Permitted uses are shown as either “PP” which denotes a Principal Permitted Use or “P” which denotes a non-principal Permitted Use.**
 - a) Principal Permitted Use.** A Principal Permitted Use (PP) is a use that clearly carries out the designated land use and the intent and purpose of a particular zone. An action by a decision-maker to approve or conditionally approve a Coastal Development Permit application for a use listed as a Principal Permitted Use in this Division is not appealable to the Coastal Commission except as specified in Section 35-182 (Appeals).
 - b) Permitted Use.** A Permitted Use (P) is a use listed in this Division as a permitted use that may be allowed subject to obtaining the necessary permits and compliance with all applicable development standards identified in this Article. An action by a decision-maker to approve or conditionally approve a Coastal

Development Permit application for a Permitted Use may be appealed to the Coastal Commission in compliance with Section 35-182 (Appeals).

- b. Allowed subject to the approval of a Minor Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits) and shown as "MCUP" uses in the tables. An application for a Coastal Development Permit shall be processed concurrently and in conjunction with the application for the Minor Conditional Use Permit.
- c. Allowed subject to the approval of a Major Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits) and shown as "CUP" uses in the tables. An application for a Coastal Development Permit shall be processed concurrently and in conjunction with the application for the Major Conditional Use Permit.
- d. Allowed as an exempt use as listed in Section 35-420.D (Exempt activities and structures) or shown as "E" uses in the tables. The exempt use or structure is exempt only if it is in compliance with the requirements of Section 35-420.D (Exempt activities and structures).
- e. Allowed subject to the issuance of a Zoning Clearance in compliance with Section 35-179A (Zoning Clearances) and shown as "ZC" uses in the tables.
- f. Allowed subject to the type of County approval required by a specific provision of this Article and shown as "S" uses in the tables.
- f. Not allowed in particular zones and shown as "—" in the tables.
- g. Where the last column ("Specific Use Regulations") in Tables 18-2 through 18-5 (Allowable Land Uses and Permit Requirements for the Gaviota Coast Plan Area) includes a Section number, the referenced Section may affect whether the use requires a Coastal Development Permit, Development Plan, or Major or Minor Conditional Use Permit, and/or may establish other requirements and standards applicable to the use.

2. **Coastal Development Permit.** Proposed development and land uses within the Coastal Zone portion of the Gaviota Coast Plan area shall require the issuance of a Coastal Development Permit in compliance with [Section 35-169 \(Coastal Development Permits\)](#), unless otherwise indicated in this Division or if located within the original permit jurisdiction of the Coastal Commission, in which case a Land Use Permit in compliance with Section 35-178 (Land Use Permits) is required following the issuance of a Coastal Development Permit by the Coastal Commission.

D. **Exempt activities and structures.** Within the Gaviota Coast Plan area, Section 35-169.2 (Applicability) shall not apply regarding exempt activities and structures and instead the following types of development are exempt from the requirements of this Article and Division to obtain a Coastal Development Permit, except as noted below. Development that does not qualify as an exempt activity or structure in compliance with this Subsection D (Exempt activities and structures) may still be allowed in compliance with a Coastal Development Permit issued in compliance with Section 25-169 (Coastal Development Permits).

1. **Exemption does not apply.** An exemption for the types of development described in Subsections D.2 through D.8 below shall not apply, and a Coastal Development Permit shall be required in addition to any other required planning permit, where:

- a. The development or structure is located within or adjacent to a wetland, stream, beach, environmentally sensitive habitat area, or on or within 300 feet of a coastal bluff, or within areas designated in the Coastal Land Use Plan as highly scenic; or
- b. Any significant alteration of land forms, including removal or placement of vegetation, occurs on a beach, wetland, stream, or sand dune, or within 50 feet of the edge of a coastal bluff, in environmentally sensitive habitat areas; or
- c. The development or structure may result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantial evidence of prescriptive rights); or
- d. The development or structure may result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas and public roadways; or

- e. On property that is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in designated significant scenic resources areas, a development results in:
 - 1) An increase of 10 percent or more of internal floor area of an existing structure or an additional improvement of 10 percent or less where an improvement to the structure had previously been undertaken pursuant to the exemption in Subsection D.2 (Improvements to a structure, other than a public works facility), below, or the analogous exemption in Coastal Act (PRC § 30610(a) or (b)), which would result in a total increase in floor area of 10 percent or more, and/or
 - 2) An increase in height by more than 10 percent of an existing structure and/or any significant non-attached structure such as a garage.
- f. The improvement is to a non-residential structure and changes the intensity of use of the structure.
- g. The improvement is to a structure where the development permit issued for the original structure by the Coastal Commission, regional Coastal Commission, or County indicated that any future improvements would require a Coastal Development Permit.
- h. In areas which the County or Coastal Commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified water-using development not essential to residential use including swimming pools, or the construction or extension of any landscaping irrigation system.
- i. The development includes an expansion or construction of water wells or septic systems.

2. Improvements to a structure, other than a public works facility. The following development and uses may constitute improvements to a structure, other than a public works facility, that are exempt from the requirement to obtain a Coastal Development Permit except as provided in Subsection D.1 (Exemption does not apply), above. For purposes of this Subsection D (Exempt activities and uses), where there is an existing structure, other than a public works facility, (1) all fixtures and other structures directly attached to the structure; and (2) landscaping on the lot, shall be considered a part of that structure. Additionally, the following development and uses may be determined by the Director to be improvements to a structure, other than a public works facility, even when the development and use is not directly attached to the existing structure, provided that the development and use is accessory to the existing structure:

- a. **Accessory structures.** One story detached accessory structures used as tool or storage sheds, playhouses, gazebos, pergolas, and similar structures, provided that the height does not exceed 12 feet, roof area does not exceed 120 square feet, and the structure does not have electrical, gas, or plumbing facilities.
- b. **Animal keeping.** Animal keeping when shown as an "E" in Table 18-6 (Animal Keeping in the Gaviota Coast Plan Area) in compliance with Section 35-440.A (Animal Keeping), not including confined animal facilities except for confined animal facilities associated with exempt household pet animal keeping, or unless a confined animal facility is otherwise exempt in compliance with this Subsection D (Exempt activities and structures).
- c. **Antennas.** Ground or roof mounted receive-only satellite dish or wireless television antenna less than one meter in diameter used solely by the occupants of the property on which the antenna is located for the noncommercial, private reception of communication signals, see Section 35-144G (Noncommercial Telecommunications Facilities).
- d. **Decks, platforms, walk, driveways.** Decks, platforms, walks, and driveways that are not required to have a Building Permit or Grading Permit, and that are not over 30 inches above finish grade, or located over a basement or story below.

- e. **Doors, window features and skylights.** Doors, windows, and skylights, and window awnings that are supported by an exterior wall and project no more than 54 inches from an exterior wall of a building.
 - f. **Fences, gates, gateposts, and walls.** See Section 35-123 (Fences, Walls and Gate Posts).
 - g. **Grading.** Grading activities of 50 cubic yards or less that do not require the approval of a Grading Permit.
 - h. **Interior alterations.** Interior alterations that do not result in any of the following:
 - 1) A conversion from non-habitable area to habitable area.
 - 2) An increase in the gross floor area within the structure.
 - 3) An increase the required number of parking spaces.
 - 4) A change in the permitted use of the structure.
 - i. **Propane tanks.** Propane tanks located in residential or agricultural zones.
 - j. **Seismic retrofitting.** Seismic retrofits to existing structures that are limited to the addition of foundation bolts, hold-downs, lateral bracing at cripple walls and other structural elements required by County Ordinance 4062. The seismic retrofits shall not increase the gross square footage of the structure, involve exterior alterations to the structure, alter the footprint of the structure, nor increase the height of the structure.
 - k. **Signs, flags, and similar devices.**
 - 1) Signs, flags and similar devices in compliance with Section 35-138 (Signs and Advertising Structures), provided the development does not exceed a maximum height of 35 feet and is not lighted.
 - 2) Signs that may be permitted in compliance with Section 35-138 (Signs and Advertising Structures) that are proposed to be affixed to existing, lawfully constructed structures.
 - l. **Solar energy systems.** The addition of solar energy systems to the roofs of existing lawful structures.
 - m. **Spa, hot tub, pond.** A spa, hot tub, fish pond, or other water feature that does not exceed a total area of 120 square feet, including related equipment, or does not contain more than 2,000 gallons of water.
3. **Agricultural activities.** As part of existing, on-going lawfully established agricultural operations, the following development and uses are exempt from the requirement to obtain a Coastal Development Permit, except as provided in Subsection D.1 (Exemption does not apply), above. In the Coastal Zone portion of the Gaviota Coast Plan area, new or expanded areas of agricultural activities are not exempt and require the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) unless they are in compliance with Subsection D.3.e (Cultivated, agricultural, orchards and vineyards, new or expanded areas) or D.3.i (Grazing, new or expanded areas), below.
- a. **Agricultural accessory structures.**
 - 1) One story detached accessory structures used as tool or storage sheds and similar structures, provided that the height does not exceed 12 feet, roof area does not exceed 120 square feet, and the structure does not have electrical, gas or plumbing facilities.
 - 2) In the AG-II and RR zones, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and do not have plumbing or electrical facilities.
 - b. **Agricultural product sales.** See Section 35-450.E (Agricultural Product Sales).
 - c. **Animal keeping.** Animal keeping when shown as an "E" in Table X-6 (Animal Keeping in

the Gaviota Coast Plan Area) in compliance with Section 35-440.A (Animal Keeping), not including confined animal facilities except for confined animal facilities associated with exempt household pet animal keeping, or unless a confined animal facility is otherwise exempt in compliance with this Subsection D (Exempt activities and structures).

- d. Cultivated agricultural, orchards and vineyards, historic legal use.** Cultivated agriculture, orchards and vineyards where the agricultural activities occur within existing areas of cultivated agriculture, orchards, and vineyards.
- e. Cultivated agricultural, orchards and vineyards, new or expanded areas.** New cultivated agriculture, orchards and vineyards where the agricultural activities do not occur within existing areas of cultivated agriculture, orchards, and vineyards may also be exempt if the development of new cultivated agriculture, orchards or vineyards:
 - 1) Does not occur on slopes of 30 percent or greater or require any cut or fill that exceeds three feet in vertical distance or require grading over 100 cubic yards. For the purposes of this Subsection D.3.e (Cultivated agricultural, orchards and vineyards, new or expanded areas), grading includes cut and fill but does not include tilling of the soil.
 - 2) Is not located within 100 feet of the top of bank of any creek, stream or watercourse.
 - 3) Is not located within 100 feet of environmentally sensitive habitat areas, riparian areas, or wetlands.
 - 4) Does not result in the removal of native or non-native protected trees.
- f. Fences, gates, gateposts, and walls.** See Section 35-123 (Fences, Walls and Gate Posts).
- g. Grading.** Grading activities of 50 cubic yards or less that do not require the approval of a Grading Permit.
- h. Grazing, historic legal use.** Grazing when located in existing grazing areas, including the normal rotation of livestock from one pasture to another.
- i. Grazing, new or expanded areas.** New grazing located outside of existing grazing areas may also be exempt if the grazing:
 - 1) Does not occur on slopes of 30 percent or greater or require any cut or fill that exceeds three feet in vertical distance or require grading over 100 cubic yards. In this case, grading includes cut and fill but does not include tilling of the soil.
 - 2) Is not located within 100 feet of the top of bank of any creek, stream or watercourse.
 - 3) Is not located within 100 feet of environmentally sensitive habitat areas, riparian areas, or wetlands.
 - 4) Does not result in the removal of native or non-native protected trees.
- j. Irrigation lines.** The installation of irrigation lines.
- k. Propane tanks.** Propane tanks located in residential or agricultural zones.
- l. Signs, flags, and similar devices.**
 - 1) Signs, flags and similar devices in compliance with Section 35-138 (Signs and Advertising Structures), provided the development does not exceed a maximum height of 35 feet and is not lighted.
 - 2) Signs that may be permitted in compliance with Section 35-138 (Signs and Advertising Structures) that are proposed to be affixed to existing, lawfully constructed structures.

4. Utility Hook-Up Exclusion.

- a. Utility connection to approved development.** Installation, testing, placement in service, or the replacement of any necessary utility connection between an existing service facility and any development that has been granted a Coastal Development Permit.

5. Temporary Events and Filming.

- a. **Temporary Events.** See Section 35-137 (Temporary Uses).
- b. **Temporary filming structures.** Structures and related development required for temporary motion picture, television, and theater stage sets and scenery, and still photographic sessions, provided that the development does not require alterations of the natural environment such as removal of vegetation, grading, or earthwork.

6. Repair and maintenance.

- a. Repair and maintenance activities are exempt from the requirement to obtain a Coastal Development Permit, except as provided in Subsection D.6.b, below, provided the activities:
 - 1) Do not result in addition to, or enlargement or expansion of the object of the repair or maintenance activities; and
 - 2) Comply with Appendix C (County Guidelines on Repair and Maintenance, and Utility Connection to Permitted Development) of this Article herein incorporated by reference.
- b. The exemption in Subsection D.6.a above shall not apply to the extraordinary methods of repair and maintenance which require a coastal development permit because they involve a risk of adverse environmental impact as described in Section III of Appendix C (County Guidelines on Repair and Maintenance, and Utility Connection to Permitted Development) of this Article herein incorporated by reference.

7. Structure Destroyed By Natural Disaster.

- a. **Damaged or destroyed structure.** In compliance with the intent of Public Resources Code Section 30610(g) and this Development Code, the restoration or reconstruction of a conforming structure (other than a public works facility) damaged or destroyed by a disaster, as determined by the Director. For the purposes of this Section only, disaster is defined as a situation in which the force or forces that destroyed the structure to be replaced were beyond the control of the owners.
 - 1) The replaced or restored structure shall comply with all requirements of the applicable zone (including permitted uses), shall be for the same use as the destroyed structure, shall be in the same footprint location, and shall not exceed the floor area, height, or bulk of the damaged or destroyed structure by more than 10 percent. For the purposes of this Section, "structure" shall include landscaping and any erosion control structure or device; and bulk is defined as total interior cubic volume as measured from the exterior surfaces of the structure.
 - 2) If the Director determines that the exterior design or specifications are proposed to be changed, the restored or replaced structure shall require review by the Board of Architectural Review in compliance with Section 35-184 (Board of Architectural Review), if the structure is otherwise required to be reviewed by the Board of Architectural Review (for example, the site is within the Design Control (D) Overlay District).

E. Allowable land uses and permit requirements.

- 1. **General permit requirements.** Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area), below, identify the uses of land allowed within the Gaviota Coast Plan area and the planning permit required to establish each use, in compliance with Division 11 (Permit Procedures).
- 2. **Requirements for certain specific land uses.** Where the last column ("Specific Use Regulations") in Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) includes a section number, the referenced Section may affect whether the use requires a Coastal Development Permit or a Land Use Permit, Development Plan, Minor Conditional Use Permit or Major Conditional Use Permit, and/or may establish other requirements and standards

applicable to the use.

3. Accessory structures and uses. Each use allowed by Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) may include accessory uses and structures that are customarily incidental to the principal use.

a. Accessory To A Principal Permitted Use. Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use (PP), in compliance with the following:

1) Accessory to the principal permitted primary agricultural use. For the purpose of determining whether an accessory development subordinate to the principal permitted primary agricultural use can be processed as a component of the Principal Permitted Use, agricultural accessory development shall be interpreted as defined Section 35-58 (Definitions) under the term “Accessory Agricultural Structure.”

2) Accessory to the principal permitted primary residential use. Except as provided in Subsection E.3.a.3), below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use, may be permitted as a component of the Principal Permitted residential use.

3) Accessory structures and uses listed separately. Where an accessory structure or use is listed as a separate permitted use in Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area) and the required permit is not designated as “PP” then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally approve the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35-182 (Appeals). Notwithstanding this provision, artist studios, guesthouses and home occupations, which are listed separately in Tables 18-2 through 18-5 (Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area), may be permitted as a component of the Principal Permitted Use where designated in the Table.

b. Compliance with applicable standards. The development and use of accessory structures shall also comply with all applicable standards in the Comprehensive Plan, the Local Coastal Program, and this Article.

4. Development Plan approval required. Except as provided below, the approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance.

a. AG-II zone. Section 35-169.2.2 does not apply to development proposed on property zoned AG-II located within the Gaviota Coast Plan area and instead the approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for the following structural development that is not otherwise required by this Section to have discretionary permit approval:

1) Non-agricultural structural development. The proposed structure and use thereof does not qualify as agricultural structural development (see Section 35-58 (Definitions)) and is either 15,000 or more square feet in gross floor area or the structure is an attached or detached addition that, together with existing structures on the site that do not qualify as agricultural structural development, will total 15,000 square feet or more in gross floor area.

a) Floor area not included in total gross floor area. The gross floor area of structures that are exempt from planning permit requirements in compliance with Section 35-420.D (Exempt activities and structures) is not included in the total

gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection E.4.a.1), above.

2) Agricultural structural development. The proposed structure and use thereof do qualify as agricultural structural development and meets one or more of the following:

- a) The proposed structure is 15,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 15,000 or more square feet in gross floor area after completion of the addition.
- b) The proposed structure is 10,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 10,000 or more square feet in gross floor area after completion of the addition, and:
 - i) A different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area exists on the lot, or
 - ii) There is an active, unexpired planning permit that allows for the construction of a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area, or
 - iii) The application for the proposed structure is submitted either in conjunction with or subsequent to an application for a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area.
- c) The proposed structure(s) will result in a total gross floor area on a lot that exceeds the development plan threshold listed for the applicable lot area as shown in Table 18-1 (Development Plan Thresholds), below. Total gross floor area includes the gross floor area of agricultural development and non-agricultural structural development, both existing and proposed.

Table 18-1 - Development Plan Thresholds

Lot Size (acres)	Threshold (sq. ft.)
Less than 40	20,000
40 to less than 100	25,000
100 to less than 200	30,000
200 to less than 320	40,000
320 or more	50,000

d) Floor area not included in total gross floor area. The gross floor area of the following structures is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection E.4.a.2)c), above.

- i) The gross floor area of structures that are exempt from planning permit requirements in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- ii) A maximum of 10,000 square feet of gross floor area of structures that qualify as agricultural structural development where each structure does not exceed 3,000 square feet of gross floor area, has three or fewer walls, and at least one of the long sides of the structure is open and only utilizes posts to support the roof.
- e) Proposed structures that do not require the approval of a Final Development Plan in compliance with Subsection E.4.a.2)c) and Subsection E.4.a.2)d), above, shall

comply with Subsection E.6 (Standards for agricultural structural development that does not require a Development Plan), below. Proposed structures that do not comply with Subsection E.6 (Standards for agricultural structural development that does not require a Development Plan) may be allowed in compliance with an approved Final Development Plan.

- b. M-CD zone.** On property zoned M-CD:

 - 1) Oil and gas facilities.** Development related to oil and gas facilities shall be issued in compliance with the permit requirements and development standards of Division 9 (Oil and Gas Facilities).
 - 2) Other development.** For development other than that related to oil and gas facilities, the approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for a structure that is not otherwise required to have a discretionary permit and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that, when together with existing structures on the lot will total 20,000 square feet or more of gross floor area.
- c. REC zone.** The approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for all development including grading.
- d. RES and RR zones.** The approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for a structure that is not otherwise required to have a discretionary permit and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that, when together with existing structures on the lot will total 20,000 square feet or more of gross floor area.
- e. TC zone.** The approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for all development including excavation and grading.
- 5. Design Review.** Design Review may be required prior to the approval of a planning permit for a structure, or an addition to or alteration of an existing structure in compliance with [Section 35-184 \(Board of Architectural Review\)](#).
- 6. Standards for agricultural structural development that does not require a Development Plan.** In addition to other development standards required by this Article, above, all development associated with the construction of agricultural structural development on lots zoned AG-II that does not require the approval of a Final Development Plan in compliance with Subsection E.4 (Development Plan approval required), above, shall comply with all of the additional development standards listed below. If conflicts occur between these requirements and any other provisions of the County Code, the Local Coastal Program, the primary zone, and any applicable overlay district, the requirements that are most protective of coastal resources shall control.

 - a.** The development avoids or minimizes significant impacts to agriculture to the maximum extent feasible by siting structures so as to minimize impacts to productive agricultural land, prime soils, and adjacent agricultural operations.
 - b.** The development is located a minimum of 100 feet from the following environmental sensitive habitat areas that are determined by a qualified professional to be intact and of high quality. This setback may be adjusted upward or downward on a case-by-case basis depending upon site specific conditions such as slopes, biological resources and erosion potential.

 - 1) Native plant communities recognized as rare by California Department of Fish and Game (2003 or as amended). Examples include Native Grasslands, Maritime chaparral,**

Bishop Pine Forests, and Coastal Dune Scrub.

- 2) Native woodlands and forests.
 - 3) Nesting, roosting, and/or breeding areas for rare, endangered or threatened animal species.
 - a) Rare, endangered, or threatened species are defined as those listed by State or Federal wildlife agencies under the State or Federal Endangered Species Acts, candidates for listing, species of special concern, and species that meet the definition of "rare" in Section 15380 of California Environmental Quality Act.
 - b) A separation of greater than 100 feet may be required in order to fully protect formally listed Endangered Species (e.g., a 100 foot separation may not fully protect known breeding ponds for California Tiger Salamander).
 - 4) Plant communities known to contain rare, endangered, or threatened species.
 - 5) Streams, riparian areas, vernal pools, and wetlands.
 - 6) Any designated Environmental Sensitive Habitat Areas.
- c. The development preserves natural features, landforms and native vegetation such as trees to the maximum extent feasible.
- d. The development is compatible with the character of the surrounding natural environment, subordinate in appearance to natural landforms, and sited so that it does not intrude into the skyline as seen from public viewing places. At a minimum, the development shall comply with the following design standards.
- 1) Any exterior lighting is required for safety purposes only and complies with the following requirements:
 - a) Light fixtures are fully shielded (full cutoff) and directed downward to minimize impacts to the rural nighttime character.
 - b) To the extent feasible, lighting is directed away from habitat areas, nearby residences, public roads and other areas of public use.
 - 2) Building materials and colors (earth tones and non-reflective paints) that are compatible with the surrounding natural environment are used to maximize the visual compatibility of the development with surrounding areas.

<p>Table 18-2</p> <p><u>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</u></p>	<p>E <u>Allowed use, no permit required (Exempt) (2)</u></p> <p>P <u>Permitted use, appealable Coastal Permit required (3)</u></p> <p>PP <u>Principal Permitted use, Coastal Permit required (3)</u></p> <p>MCUP <u>Minor Conditional Use Permit required</u></p> <p>CUP <u>Major Conditional Use Permit required</u></p> <p>ZC <u>Allowed use, Zoning Clearance required</u></p> <p>S <u>Permit determined by Specific Use Regulations</u></p> <p>= <u>Use Not Allowed</u></p>														
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PERMIT REQUIRED BY ZONE						Specific Use Regulations									
AG-II	M-CD (4)	REC	RES	RR	TC										

AGRICULTURAL, MINING & ENERGY FACILITIES

<u>Agricultural accessory structure</u>	P (5)	=	=	P	P	=	35-119
<u>Agricultural processing facility</u>	S	=	=	=	=	=	35-450.D
<u>Animal keeping (except equestrian facilities - see RECREATION)</u>	S	S	S	S	S	=	35-440.A
<u>Aquaculture</u>	CUP	PP	=	=	CUP	=	35-450.F
<u>Aquaponics</u>	P	=	=	=	=	=	
<u>Cultivated agriculture, orchard, vineyard</u>	PP (6)	=	=	CUP (7)	E	=	
<u>Grazing</u>	PP (6)	=	=	MCUP (8)	=	=	
<u>Greenhouse, 300 sf or less</u>	PP	=	=	=	P	=	
<u>Greenhouse, more than 300 sf</u>	P (9)	=	=	=	CUP (10)	=	
<u>Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons</u>	CUP	CUP	=	=	CUP	=	35-177
<u>Mining - Surface, less than 1,000 cubic yards</u>	P	P	=	=	P	=	35-177
<u>Mining - Surface, 1,000 cubic yards or more</u>	P	CUP	=	=	CUP	=	35-177
<u>Oil and gas uses</u>	S	S	=	S	S	=	Division 9
<u>Winery</u>	CUP	=	=	=	=	=	35-450.L

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

<u>Composting operation</u>	P	=	=	=	=	=	35-450.G
<u>Firewood processing and sales</u>	P	=	=	=	=	=	35-450.E
<u>Lumber processing and milling</u>	P	=	=	=	=	=	35-450.I
<u>Recycling - Community recycling facility</u>	=	=	=	=	=	CUP	
<u>Recycling - Small collection center</u>	=	=	=	=	=	CUP	
<u>Recycling - Small collection center, non-profit</u>	=	=	=	=	=	CUP	
<u>Recycling - Specialized materials collection center</u>	=	=	=	=	=	CUP	

Key to Zone Symbols

AG-II	<u>Agriculture II</u>	REC	<u>Recreation</u>	RR	<u>Rural Residential</u>
M-CD	<u>Coastal-Dependent Industry</u>	RES	<u>Resource Management</u>	TC	<u>Transportation Corridor</u>

Notes:

- (1) See [Section 35-58 \(Definitions\)](#) for land use definitions.
- (2) Exempt only when in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- (3) Development Plan approval may also be required; see [Section 35-420.E \(Allowable land uses and permit requirements\)](#).
- (4) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (5) Agricultural accessory uses and structures that are considered a component of an agricultural use designated as PP in compliance with [Section 35-420.E \(Allowable land uses and permit requirements\)](#) are also considered a PP use.
- (6) May be exempt in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- (7) Must meet definition of "Cultivated agriculture, orchard, vineyard - Limited Slope."
- (8) Must meet definition of "Grazing - Limited Slope."
- (9) Greenhouses and greenhouse-related development that are cumulatively less than 20,000 square feet in area may be permitted as a PP use.
- (10) Greenhouses, hothouses, other plant protection structures in excess of 300 square feet and related development, e.g., packing sheds, parking, driveways, subject to the limitations provided in the AG-I District.

<p>Table 18-3</p> <p><u>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</u></p>	<p>E <u>Allowed use, no permit required (Exempt) (2)</u></p> <p>P <u>Permitted use, appealable Coastal Permit required (3)</u></p> <p>PP <u>Principal Permitted use, Coastal Permit required (3)</u></p> <p>MCUP <u>Minor Conditional Use Permit required</u></p> <p>CUP <u>Major Conditional Use Permit required</u></p> <p>ZC <u>Allowed use, Zoning Clearance required</u></p> <p>S <u>Permit determined by Specific Use Regulations</u></p> <p>— <u>Use Not Allowed</u></p>														
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PERMIT REQUIRED BY ZONE						Specific Use Regulations									
AG-II	M-CD (4)	REC	RES	RR	TC										

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

<u>Education or research facility, limited</u>	—	—	—	P	—	—	
<u>Equestrian facility</u>	CUP	—	CUP	—	CUP	—	
<u>Golf course</u>	—	—	PP	—	CUP	—	
<u>Meeting facility, religious</u>	— (5)	—	— (5)	— (5)	CUP	—	
<u>Rural recreation</u>	S	—	PP	CUP	—	—	35-440.C
<u>School</u>	CUP (6)	—	CUP	—	CUP	—	
<u>Sport and outdoor recreation facility</u>	—	—	CUP	—	CUP	—	
<u>Trail for bicycles, hiking or riding</u>	P	P	PP	P	P	PP	

RESIDENTIAL USES

<u>Agricultural employee housing, 4 or fewer employees</u>	P	—	—	—	—	—	35-450.C
<u>Agricultural employee housing, 5 or more employees</u>	CUP	—	—	—	—	—	35-450.C
<u>Artist studio</u>	P (7)	—	—	MCUP	P (7)	—	35-120
<u>Caretaker/manager dwelling</u>	—	CUP (8)	MCUP	—	—	—	
<u>Dwelling, one-family (9)</u>	PP (10)	—	—	PP (10)	PP	—	
<u>Farmworker dwelling unit (9)</u>	PP (10)	—	—	PP (10)	PP	—	
<u>Farmworker housing complex</u>	P	—	—	P	P	—	
<u>Guesthouse</u>	P (7)	—	—	P (7)	P (7)	—	35-120
<u>Home occupation</u>	P (7)	—	—	P (7)	P (7)	—	35-121
<u>Pool house/cabaña</u>	P (7)	—	—	P (7)	P (7)	—	35-120
<u>Residential accessory use or structure</u>	P (7)	—	MCUP	P (7)	P (7)	—	35-119
<u>Residential second unit - attached or detached</u>	—	—	—	—	P	—	35-142
<u>Special care home, 7 or more clients</u>	MCUP	—	—	MCUP	MCUP	—	35-143

RETAIL TRADE

<u>Agricultural product sales (11)</u>	S (12)	P (13)	—	—	S (13)	—	
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Key to Zone Symbols

AG-II	<u>Agriculture II</u>	REC	<u>Recreation</u>	RR	<u>Rural Residential</u>
M-CD	<u>Coastal-Dependent Industry</u>	RES	<u>Resource Management</u>	TC	<u>Transportation Corridor</u>

Notes:

- (1) See [Section 35-58 \(Definitions\)](#) for land use definitions.
- (2) Exempt only when in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- (3) Development Plan approval may also be required; see [Section 35-420.E \(Allowable land uses and permit requirements\)](#).
- (4) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (5) The proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for a CUP and prohibiting such use would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §2000cc.
- (6) See [Section 35-440.D \(School development\)](#) for specific use regulations.
- (7) Residential accessory uses and structures that are considered a component of a residential use designated as PP in compliance with [Section 35-420.E \(Allowable land uses and permit requirements\)](#), above, are also considered a PP use.
- (8) May also include dwellings for the employees of the owner or lessee of the land engaged in a permitted use of the land on which the dwelling is located.
- (9) One-family dwelling may be a mobile home on a permanent foundation, see Section 35-141 (Mobile Homes on Foundations).
- (10) A primary dwelling is considered a PP use only if it complies with [Section 35-440.B \(Principal permitted dwellings\)](#).
- (11) Agricultural product sales may be permitted as a PP use if the sales and storage area are no larger than 600 square feet and the agricultural products sold there from are restricted to those grown on the premises.
- (12) See [35-450. E \(Agricultural product sales\)](#) for specific use regulations.
- (13) Limited to the on-site production only; see [35-131 \(Agricultural Sales\)](#) for specific use regulations.

<p>Table 18-4</p> <p><u>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</u></p>	<p>E Allowed use, no permit required (Exempt) (2)</p> <p>P Permitted use, appealable Coastal Permit required (3)</p> <p>PP Principal Permitted use, Coastal Permit required (3)</p> <p>MCUP Minor Conditional Use Permit required</p> <p>CUP Major Conditional Use Permit required</p> <p>ZC Allowed use, Zoning Clearance required</p> <p>S Permit determined by Specific Use Regulations</p> <p>— Use Not Allowed</p>													
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PERMIT REQUIRED BY ZONE						Specific Use Regulations								
AG-II	M-CD (4)	REC	RES	RR	TC									

SERVICES

Charitable or philanthropic organization	—	—	CUP	—	CUP	—	
Large family day care home	P	—	P	P	P	—	35-143
Small family day care home	E	E	E	E	E	—	35-143
Child care center, Non-residential	MCUP	—	—	—	MCUP	—	
Child care center, Residential	MCUP	—	—	—	MCUP	—	
Medical services - Animal hospital	CUP	—	—	—	—	—	
Office - Accessory	P (5)	P (5)	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Indoor	—	CUP	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Outdoor	—	CUP	—	—	—	—	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Agricultural product transportation facility	CUP	—	—	—	—	—	
Airstrip, temporary	CUP	CUP	CUP	CUP	CUP	CUP	
Boat launching facility accessory to approved recreation use	—	—	PP	—	—	—	
Drainage channel, water course, storm drain less than 20,000 sf	P	P	P	P	P	P	Division 8
Drainage channel, water course, storm drain 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Electrical substation - Minor (6)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (7) (8)	CUP	CUP	CUP	CUP	CUP	CUP	Division 8
Flood control project less than 20,000 sf total area	P	P	P	P	P	P	Division 8
Flood control project 20,000 sf or more total area	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	
Highway and related facilities	—	—	—	—	—	PP	
Parking facility, public or private	—	—	—	—	—	PP (9)	
Pier, dock	—	P	P	—	—	—	
Pipeline - Oil or gas	P	P	—	—	—	—	Division 9
Public utility facility	—	CUP	—	—	—	—	
Public works or private service facility	—	MCUP	—	—	—	—	
Railroad	—	—	—	—	—	PP	
Road, street less than 20,000 sf total area	P	P	P	P	P	PP	Division 8
Road, street 20,000 sf or more total area	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Roadside rest area operated by a governmental agency	—	—	—	—	—	P	
Sea wall, revetment, groin, or other shoreline structure	CUP	CUP	CUP	CUP	CUP	CUP	
Telecommunications facility	S	S	S	S	S	S	35-144F 35-450.G
Transit station or terminal	—	—	—	—	—	P	
Truck and freight terminal - Permanent	—	—	—	—	—	PP	
Truck and freight terminal - Temporary	—	—	—	—	—	MCUP	
Utility service line with less than 5 connections (7, 10)	P	P	P	P	P	P	Division 8
Utility service line with 5 or more connections (7)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Wind turbine and wind energy system	—	—	—	—	—	—	

Key to Zone Symbols

AG-II	<u>Agriculture II</u>	REC	<u>Recreation</u>	RR	<u>Rural Residential</u>
M-CD	<u>Coastal-Dependent Industry</u>	RES	<u>Resource Management</u>	TC	<u>Transportation Corridor</u>

Notes:

- (1) See [Section 35-58 \(Definitions\)](#) for land use definitions.
- (2) Exempt only when in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- (3) Development Plan approval may also be required; see [Section 35-420.E \(Allowable land uses and permit requirements\)](#).
- (4) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (5) Considered a PP use when incidental, appropriate and subordinate to a use designated as a PP use.
- (6) Use is subject to the standards of the PU zone.
- (7) Does not include electrical transmission lines outside the jurisdiction of the County.
- (8) Not allowed in the CVC overlay.
- (9) May include park and ride facilities.
- (10) A single utility line may be considered a PP use when incidental, appropriate and subordinate to a use designated as a PP use.

<p>Table 18-5</p> <p><u>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</u></p>	<p>E Allowed use, no permit required (Exempt) (2) P Permitted use, appealable Coastal Permit required (3) PP Principal Permitted use, Coastal Permit required (3) MCUP Minor Conditional Use Permit required CUP Major Conditional Use Permit required ZC Allowed use, Zoning Clearance required S Permit determined by Specific Use Regulations = Use Not Allowed</p>													
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PERMIT REQUIRED BY ZONE						Specific Use Regulations								
AG-II	M-CD (4)	REC	RES	RR	TC									

WATER SUPPLY & WASTEWATER FACILITIES							
	CUP	CUP	=	CUP	CUP	=	
Bulk water importation facility	CUP	CUP	=	CUP	CUP	=	Division 8
Desalination facility, less than 15 connections	MCUP	MCUP	=	MCUP	MCUP	=	Division 8
Desalination facility, 15 to less than 200 connections	CUP	CUP	=	CUP	CUP	=	Division 8
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P	P	P	P	P	P	Division 8
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	MCUP	P	MCUP	MCUP	MCUP	MCUP	Division 8
Reservoir, less than 20,000 sf of total development	P	P	P	P	P	P	Division 8
Reservoir, 20,000 sf and more total development	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Wastewater treatment facility, less than 200 connections	CUP	=	=	CUP	CUP	=	Division 8
Wastewater treatment system, individual (5)	P	P	P	P	P	P	Division 8
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Water diversion project	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Water extraction, commercial, including storage and trucking	=	CUP	=	=	CUP	=	Division 8
Water or sewer system pump or lift station (5)	P	P	P	P	P	P	Division 8
Water system with 1 connection (5)	P	P	P	P	P	P	Division 8
Water system with 2 or more connections	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Water well, agricultural	S	P	=	P	P	=	35-450.K

Key to Zone Symbols

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- Notes:**
- (1) See [Section 35-58 \(Definitions\)](#) for land use definitions.
 - (2) Exempt only when in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
 - (3) Development Plan approval may also be required; see [Section 35-420.E \(Allowable land uses and permit requirements\)](#).
 - (4) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
 - (5) May be considered a PP use when incidental, appropriate and subordinate to a use designated as a PP use.

Section 35-430. Standards for All Development and Land Uses.

All development and land uses within the Gaviota Coast Plan area shall comply with all the following development standards in addition to all other applicable standards contained in this Article.

A. Outdoor lighting.

- 1. Purpose and intent.** The purpose of this Subsection is to create standards for outdoor lighting that minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures. These standards conserve energy and preserve the nighttime sky while maintaining nighttime safety, utility, security, and productivity.
- 2. Applicability.** All exterior lighting installed on or after *[the effective date of this ordinance]* within the Gaviota Coast Plan area shall comply with the following requirements.
- 3. Application requirements.** In addition to the permit application submittal requirements required in Section 35-57A (Application Preparation and Filing), any application for a permit that includes outdoor light fixtures shall include plans showing the location and lumen output of all outdoor light fixtures, both existing and proposed.
- 4. Approved materials and methods of installation.** The provisions of this Subsection are not intended to prevent the use of any design, material, or method of installation not specifically proscribed by this Subsection provided any such alternate has been approved by the County. The Department may approve any such alternate provided that the proposed design, material, or method:

- a. Provides approximate equivalence to the specific requirements of this Subsection.
- b. Is otherwise satisfactory and complies with the intent of this Subsection.

5. Prohibited lights and lighting.

- a. All illuminated advertising signs shall be off between 11:00 p.m. and sunrise the following day, except that on-premises signs may be illuminated while the business is open to the public.
- b. All outside illumination for aesthetic and decorative purposes that is not fully shielded (full cutoff) shall be prohibited between 9:00 p.m. and sunrise the following day.
- c. Except for fully shielded (full cut off) lights, lighting associated with an outdoor recreational facility may only be illuminated between 9:00 p.m. and sunrise the following day to complete a specific organized recreational event, in progress and under illumination in conformance with this Subsection.
- d. Search lights, laser source lights, or similar high intensity lights shall not be permitted except in emergencies by police and/or fire personnel, or for the purposes of gathering meteorological data.
- e. Mercury vapor lights.

6. Exemptions. The following are exempt from the provisions of this Subsection.

- a. All outdoor lighting fixtures lawfully installed prior to [the effective date of this ordinance] are exempt from the shielding requirements of this Subsection; however, they shall be subject to the remaining requirements of this Subsection, except that fully shielded (full cutoff) lights are not subject to a time restriction.
- b. Fossil fuel lights.
- c. Traffic control signs and devices.
- d. Street lights installed prior to [the effective date of this ordinance].
- e. Temporary emergency lighting (e.g., fire, police, public works).
- f. Moving vehicle lights.
- g. Navigation lights (e.g., airports, heliports, radio/television towers).
- h. Seasonal decorations with individual lights in place no longer than 60 days.
- i. Lighting for special events as provided by Subsection A.9 (Temporary exemption), below.
- j. Temporary lighting for agricultural activities of a limited duration, not including unshielded arena lights.
- k. Except as provided below, security lights of any wattage that are controlled by a motion-sensor switch and which do not remain on longer than 12 minutes after activation.
 - a) Security lights are required to be fully shielded in order to be exempt in compliance with this Subsection A.6.
- l. Light fixtures shown on building permits that were approved prior to [the effective date of this ordinance] are excluded from compliance with this Subsection for the initial installation only.
- m. Solar walkway lights.

7. General requirements. All non-exempt light fixtures that require a County permit prior to installation shall be subject to the following general requirements:

- a. All outdoor light fixtures installed after [the effective date of this ordinance] and thereafter maintained upon private property, public property, or within the public right-of way is fully shielded (full cutoff).

- 1) Sign illumination only illuminates the signage and does not spill into adjacent areas.
 - b. All replaced or repaired lighting fixtures requiring a permit are subject to the requirements of this Subsection.
 - c. Light trespass and glare is reduced to the maximum extent feasible through downward directional lighting methods.
 - d. Externally illuminated signs, advertising displays, and building identification use top mounted light fixtures which shine downward and are fully shielded (full cutoff).
 - e. Outdoor light fixtures used for outdoor recreational facilities are fully shielded (full cutoff) except when such shielding would cause impairment to the visibility required in the intended recreational activity. In such cases, partially shielded fixtures and downward lighting methods are utilized to limit light pollution, glare, and light trespass to a reasonable level as determined by the Director.
 - f. Illumination from recreational facility light fixtures are shielded to minimize glare extending towards roadways where impairment of motorist vision might cause a hazard.
 - g. All lighting fixtures is installed at the minimum height necessary to achieve the design purpose of the lighting fixture.
- 8. Submittal of plans and evidence of compliance.** Any application for a permit that includes outdoor light fixtures (except for exempt fixtures in compliance with this Subsection) shall include evidence that the proposed outdoor lighting will comply with this Subsection.
- a. The application shall include:
 - 1) Plans showing the locations of all outdoor lighting fixtures.
 - 2) Description of the outdoor lighting fixtures, including manufacturer's catalog cuts and drawings. Description and drawings should include lamp or bulb type, wattage, lumen output, beam angle, and shielding.
 - b. The plans and descriptions required to be submitted with the application shall be sufficiently complete to enable the plan examiner to readily determine whether compliance with the requirements of this Subsection hve been met.
- 9. Temporary exemption.**
- a. The Director may grant a temporary exemption, as defined herein, for such activities including circuses, fairs, carnivals, sporting events, and promotional activities, only if all of the following findings are first made:
 - 1) The activity for which the lighting is proposed is not intended to extend beyond 30 days.
 - 2) The proposed lighting is designed in such a manner as to minimize light pollution as much as feasible.
 - 3) The proposed lighting will comply with the general intent of this Subsection.
 - b. The application for a temporary exemption shall at a minimum include all of the following information:
 - 1) Name and address of applicant and property owner.
 - 2) Location of proposed fixtures.
 - 3) Type, wattage, and lumen output of lamp(s).
 - 4) Type and shielding of proposed fixtures.
 - 5) Intended use of lighting.
 - 6) Duration of time for requested exemption.

- 7) The nature of the exemption.
- 8) Such other information as the Department may request.

B. Prime agricultural soils. Development, including agricultural facilities, residential structures, or greenhouses that do not rely on in-ground cultivation, within the agricultural zones shall be sited to avoid prime agricultural soils to the maximum extent feasible.

C. Signs and advertising structures.

1. Signs and advertising structures that are accessory to a use allowed in the AG-II zone may be allowed in compliance with Section 35-138 (Signs and Advertising Structures).
2. Signs are development that require the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) except where exempt in compliance with Section 35-420.D (Exempt activities and structures).
 - a. A sign that is incidental, appropriate and subordinate to a use designated as a Principal Permitted Use shall be also be considered a Principal Permitted Use.
 - b. If the issuance of a Coastal Development Permit in compliance Section 35-169 (Coastal Development Permits) is required then a Sign Certificate of Conformance shall not be required in addition to the Coastal Development Permit.

Section 35-440. Standards for Specific Land Uses.

A. Animal keeping.

1. **Purpose and intent.** This Subsection identifies the locations, types, and numbers of animals that may be kept, and the methods by which animals shall be kept, raised and maintained, under the circumstances specified. The intent of this Subsection is to ensure that animal keeping does not create an adverse impact on adjacent properties (e.g., dust, fumes, insect infestations, noise, odor, pollution of streams, creeks and wetlands due to soil erosion and sedimentation, propagation of flies and other disease vectors, visual blight) by providing standards for maintaining animals.
2. **Applicability.** This Subsection applies to any keeping of animals as either an accessory and incidental use or principal use, except for animal clinics, animal hospitals and veterinarian offices. This Subsection shall not apply to animals that are less than six months in age.
3. **In general.**
 - a. Animal keeping uses shall comply with the standards in Subsection A.6 (Specific animal keeping standards), below, and other applicable standards and requirements of this Article.
 - b. Animal keeping activities are subject to the requirements of this Subsection regardless of whether a permit is required.
 - c. Additional permits may be required by other provisions of this Article for structures used to enclose or house animals.
 - d. **Confined animal facilities.** Confined animal facilities are facilities where animals are corralled, penned, or otherwise housed or caused to remain in restricted areas. Confined animal facilities include animal enclosures, corrals, fencing for pastures, barns, stables, or other development designed to house or restrict the movement of animals.
 - 1) **Considered a Principal Permitted Use.** Confined animal facilities that are incidental, appropriate and subordinate to animal keeping designated as a Principal Permitted Use are also considered a Principal Permitted Use.
 - 2) **Coastal Development Permit required.** The establishment of new or additional confined animal facilities requires the issuance of a Coastal Development Permit in compliance with Section 35-420.D (Exempt activities and structures) or as provided below.

- a) In cases where confined animal facilities have been legally established for a given animal-keeping activity, a Coastal Development Permit is not required for replacement of animals or the addition of animals provided that the total amount of animals does not exceed the maximum number allowed on the lot on which the animal keeping occurs in compliance with Table 18-6 (Animal Keeping in the Gaviota Coast Plan Area). The establishment of new or additional confined animal facilities requires a Coastal Development Permit.
- e. Certain animal keeping activities may also be subject to the permit requirements of County departments other than the Department in compliance with the County Code.
- 4. **Types of animals, permit requirements, maximum numbers, and minimum site areas for animal keeping.** Table 18-6 (Animal Keeping in the Gaviota Coast Plan Area) identifies the type of animal or animal keeping activity allowed in the AG-II zone, the permit requirements, the maximum allowable number of animals per lot, and the minimum required site area. Where the last column in a table (“Additional Regulations”) includes a Section number, the referenced Section may establish other requirements and standards applicable to the animal keeping activity.
- 5. **Use of property for animals different in species or greater in number.** A lot may be used for the keeping of animals that are of a different species than those identified, or where the number of animals is greater than that specified, in Table 18-6 (Animal Keeping in the Gaviota Coast Plan Area) in compliance with a Minor Conditional Use Permit approved in compliance with [Section 35-172 \(Conditional Use Permits\)](#).
- 6. **Specific animal keeping standards.** The following requirements apply to the keeping of animals identified in Subsection A.4 (Types of animals, permit requirements, maximum numbers, and minimum site areas for animal keeping) above, in addition to other applicable standards of this Section and this Article.
 - a. **Household pets.** Where allowed in Table 18-6 (Animal Keeping in the Gaviota Coast Plan Area), household pets shall be kept in compliance with the following standards. The restrictions contained in this Subsection A.6.a shall not apply if an animal may be kept in compliance with a different “Type of Animal or Animal Keeping Activity” listed in Table 18-6 (Animal Keeping in the Gaviota Coast Plan Area) for the applicable zone.
 - 1) The keeping of household pets shall be accessory to a residential use of a dwelling located on the lot where the animal keeping occurs.
 - 2) No more than three dogs permitted on a single lot.
 - 3) Such animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.
 - 4) The keeping of such animals shall not be injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Public Health Department.
 - 5) Enclosures for such animals are located no closer than 25 feet to any dwelling located on another lot.
 - 6. No rooster or peacock shall be kept or raised on the lot.
 - b. **Special standards and requirements for animal keeping in the RES zone.** In the RES zone, except for agricultural grazing, animal keeping shall be accessory to a residential use of a dwelling located on the lot where the animal keeping occurs and shall be limited to non-commercial uses only.
 - c. **Special standards and requirements for animal keeping in the RR zones.** In the RR zone, animal keeping shall also comply with the following:
 - 1) **Animal enclosures for large animals.**
 - a) No stable, barn or other enclosure for large animal (e.g., paddock, corral) shall be

located on a single lot having a gross area of less than 20,000 square feet.

- b) No portion of a stable, barn or other large animal enclosure shall be located closer than:
 - i) 40 feet to any dwelling located on another lot.
 - ii) 70 feet to any street centerline and 20 feet to any street right-of-way.
 - iii) 15 feet from the rear property line.
 - iv) 10 feet from the side property lines.
 - v) 10 feet from the property lines of an interior lot.
 - 2) **Limitation on dogs.** No more than three dogs shall be allowed on a lot unless a Major Conditional Use Permit for a commercial kennel, or a Minor Conditional Use Permit for a non-commercial kennel, is first obtained in compliance with [Section 35-172 \(Conditional Use Permits\)](#).
 - 3) **Small non-hoofed animals.** Small non-hoofed animals (e.g., bees, chickens, birds, ducks, rabbits) may be allowed provided that:
 - a) The keeping of such animals is not injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Public Health Department.
 - b) Enclosures for such animals are located no closer than 25 feet to any dwelling located on another lot.
 - c) No rooster or peacock shall be kept or raised in a residential zone except on a lot of one acre (gross) or more where all adjoining lots are of equivalent size or larger.
 - 4) **Odor and vector control.** Animal enclosures shall be maintained free from litter, garbage and the accumulation of manure, in order to discourage the proliferation of flies, other disease vectors, and offensive odors. Sites shall be maintained in a neat and sanitary manner.
 - 5) **Storage and disposal of animal waste.** Animal waste shall be removed and disposed of or stored in a manner that prevents unsanitary conditions and breeding of flies. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare, or safety of humans and animals, or to contaminate surface or subsurface water quality.
 - 6) **Erosion and sedimentation control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event such sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement in compliance with [Chapter 35-185 \(Enforcement, Legal Procedures, and Penalties\)](#).
 - 7) **Drainage.** Where livestock are kept in enclosed corrals or barns, provisions shall be made for proper drainage and control of runoff to prevent stagnant, standing water, or the flow of contaminated water in surface or subsurface water supplies.
 - d. **Wildlife species rehabilitation.** The rehabilitation of wildlife species that commonly occur within Santa Barbara County shall be in compliance with Section 35-144H (Wildlife Species Rehabilitation).
7. **Multiple animal types.** More than one species of animals allowed in compliance with Subsection A.4 may be kept on a single lot provided that:

- a. The requirements of Subsections A.4 (Types of animals, permit requirements, maximum numbers, and minimum site areas for animal keeping) and A.5 (Use of property for animals different in species or greater in number) and all other applicable provisions of this Subsection A (Animal keeping) are satisfied for each species.
- b. Where multiple proposed animal species have equivalent animal density requirements (maximum number of animals per lot) established by Subsection A.4 (Types of animals, permit requirements, maximum numbers, and minimum site areas for animal keeping), the total number of animals shall not exceed the density requirement (e.g., in the RR zone, cattle and horses are both limited to a density of one animal per 20,000 square feet of lot area. A lot with two acres could have as many as four horses or cows, or any combination of horses and cows, as long as the total did not exceed four.)

Table 18-6 (Continued)					
Animal Keeping in the Gaviota Coast Plan Area		<u>E</u>	<u>P</u>	<u>Allowed use, no permit required (Exempt) (1)</u>	
		<u>PP</u>	<u>MCUP</u>	<u>Permitted use, appealable Coastal Permit required</u>	
		<u>CUP</u>	<u>S</u>	<u>Principal Permitted use, Coastal Permit required</u>	
		<u>—</u>	<u>—</u>	<u>Minor Conditional Use Permit</u>	
				<u>Major Conditional Use Permit required</u>	
				<u>Permit requirement set by Specific Use Regulations</u>	
				<u>Use not allowed</u>	
<u>Type of Animal or Animal Keeping Activity</u>	<u>Permit Requirement by Zone (1)</u>	<u>Maximum Number of Animals per Lot (2)</u>		<u>Additional Regulations</u>	
<u>Household pets</u>	<u>AG-II</u>	<u>E</u>	35-440.A.6.a)		35-440.A.6.a
	<u>M-CD</u>	<u>E</u>			
	<u>REC</u>	<u>E</u>			
	<u>RES</u>	<u>E</u>			
	<u>RR</u>	<u>E</u>			
	<u>TC</u>	<u>—</u>			
<u>Kennel, commercial</u>	<u>AG-II</u>	<u>P</u>	None		
	<u>M-CD</u>	<u>—</u>			
	<u>REC</u>	<u>—</u>			
	<u>RES</u>	<u>—</u>			
	<u>RR</u>	<u>CUP</u>	None		35-440.A.6.c
	<u>TC</u>	<u>—</u>			
<u>Kennel, non commercial (3)</u>	<u>AG-II</u>	<u>P (4)</u>	None		
	<u>M-CD</u>	<u>—</u>			
	<u>REC</u>	<u>—</u>			
	<u>RES</u>	<u>E</u>	None		35-440.A.6.b
	<u>RR</u>	<u>MCUP</u>	None		35-440.A.6.c
	<u>TC</u>	<u>—</u>			
<u>Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits (3)</u>	<u>AG-II</u>	<u>PP (4)</u>	None		
	<u>M-CD</u>	<u>—</u>			
	<u>REC</u>	<u>—</u>			
	<u>RES</u>	<u>E (6)</u>	None		35-440.A.6.b
	<u>RR</u>	<u>P (4)</u>	None		35-440.A.6.c
	<u>TC</u>	<u>—</u>			
<u>Wildlife species rehabilitation</u>	<u>AG-II</u>	<u>E</u>	None		35-144H
	<u>M-CD</u>	<u>E</u>			
	<u>REC</u>	<u>E</u>			
	<u>RES</u>	<u>E</u>			
	<u>RR</u>	<u>E</u>			
	<u>TC</u>	<u>E</u>			

Notes:

- (1) Exempt only when in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- (2) See [Section 35-440.A.7 \(Multiple animal types\)](#).
- (3) Does not include commercial boarding or raising of animals where such services are offered to members of the public.
- (4) May be exempt in compliance with [Section 35-420.D \(Exempt activities and structures\)](#).
- (5) Horses kept for private use consistent with all other provisions of the LCP may be permitted as a PP use.
- (6) Exempt only if limited to reasonable family use on a non-commercial basis.

B. Principal permitted dwellings.

1. The primary dwelling on the lot may be considered a component of the principal permitted agricultural use and permitted as a Principal Permitted Use (PP) when in compliance with the following standards:
 - a. There is an existing principal permitted primary agricultural use on the lot on which the primary dwelling is located.
 - b. The occupancy of the dwelling is restricted to the operator of the principal permitted primary agricultural use including the family of the operator, or the owner of the lot including the dependent family of the owner.
 - c. The gross floor area of the primary dwelling does not exceed 5,000 square feet.

d. The primary dwelling and all accessory structures and landscaping associated with the primary dwelling shall occupy a development area of no more than 10,000 square feet.

2. Before issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35-178 (Land Use Permits) for a primary dwelling as a Principal Permitted Use (PP), a Notice to Property Owner prepared by the Department shall be recorded by the property owner in the County public records. The Notice to Property Owner shall specify, at a minimum, that the compliance with these standards is required in order for the primary dwelling to be occupied.

3. If compliance with these standards cannot be demonstrated then primary dwelling may be permitted as a non-principal permitted use and the decision of the review authority to approve or conditionally the application for the accessory use or structure may be appealed to the Coastal Commission in compliance with Section 35-182 (Appeals).

C. **Rural recreation.** The following standards shall apply to rural recreation land uses allowed in compliance with Section 35-420.E in addition to any other applicable standards contained in this Article.

1. Allowed rural recreation uses by zone.

a. Within the AG-II, REC and RES zone the following rural recreational uses may allowed in compliance with Section 35-420.E (Allowable land uses and permit requirements):

1) **AG-II.** Those uses allowed in compliance with Section 35-450.K (Rural recreation).

2) **REC.** Outdoor public and/or private recreational uses, e.g., campgrounds, parks, recreational vehicle accommodations, which may include structures and facilities that are required to support the allowed recreational uses, including:

- a) Boat launching facilities.
- b) Corrals and stables.
- c) Lifeguard and ranger stations.
- d) Limited concession facilities.
- e) Parking areas.

3) **RES.** Low intensity recreational uses that include the following provided that recreational vehicle accommodations are not provided:

- a) Campgrounds with minimum facilities including summer camps.
- b) Dude ranches.
- c) Group retreat facilities.
- d) Hunting clubs.

2. Recreational facility development. Development of recreational facilities shall:

- a. Conform with the Gaviota Coast Plan visual policies.
- b. Minimize grading, removal of vegetation, and paving.
- c. Be compatible with the rural character of the area.
- d. Preserve existing natural features in an undisturbed state to the maximum extent feasible.
- e. Incorporate landscaping that consists of drought-tolerant species.

3. Setback and location requirements.

- a. Campgrounds and ancillary facilities located south of Highway 101 shall be sited as far as feasible from the beach in order to reserve near-shore areas for day use.
- b. Where feasible, new recreational facility development, particularly campgrounds and parking

lots (except trailhead parking lots), shall be located north of Highway 101.

- 4. Protection of vegetation.** The vegetation in the small canyons at the mouths of Cañada San Onofre and Cañada del Molino shall not be disturbed by recreational development or use.
- 5. New facility priorities.** Since existing parks in the Ellwood to Gaviota area already provide extensive facilities for recreational vehicle camping, the future development of low-intensive campgrounds or day use areas shall be given a higher priority over other recreational development or uses.

D. School development in the AG-II zone.

1. Schools allowed by a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) in the AG-II zone are limited to:
 - a. The expansion of lawful, existing facilities, including the development of new facilities located on a lot that is both adjacent to and under the same ownership as the lot on which the lawful, existing facility is located.
 - b. The re-establishment of a school in facilities that were formerly occupied by the school. This may include the development of new facilities on a lot that is both adjacent to the lot on which the school facility is located and is owned by the school.
 - 1) Specific to the Vista del Mar School District, this allows the development of new school facilities on property known as Assessor's Parcel Nos. 081-130-058 and 081-130-059 that are owned by the school district prior to November 18, 2010.
2. Lawful, existing school facilities are considered to be conforming development and are not subject to the restrictions of Division 10 (Nonconforming Structures and Uses).
3. Within this Subsection D (School development), adjacent includes lots that are separated by a street that is not a freeway or highway or the frontage road of a freeway or highway.

Section 35-450 Permit Requirements and Development Standards for Specific Land Uses in the AG-II Zone.

A. Purpose and intent. This Section determines the type of planning permit required for the specific land uses listed below, and provides development standards and structure size limitations related to the intensity of the land use. The intent is to provide for flexibility in the development of uses that are individually and cumulatively accessory to, supportive of, and subordinate to the primary agricultural use of the property while promoting orderly development of these uses within the Gaviota Coast Planning Area, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, and prevent impacts to natural, cultural, and visual resources. The cumulative uses on any premises shall be incidental and subordinate to the agriculture activity located on the premises.

B. Applicability. The requirements of this Section 35-450 (Permit Requirements and Development Standards for Specific Uses in the AG-II Zone) apply to applications for development of land uses that are that are proposed to be located on property zoned Agricultural II (AG-II) within the Gaviota Coast Planning Area

C. Agricultural employee housing.

1. **Four or fewer employees.** Additional dwellings housing cumulatively up to, but not exceeding, a total of four employees, including their households, of the owner or lessee of the land may be allowed on a lot zoned AG-II subject to the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permit) and in compliance with the following.
 - a. **Location of employment.** The employees are engaged full-time in agriculture, the majority of which occurs on the farm or ranch that the dwelling is located on and the remainder occurs on a farm or ranch in the nearby vicinity.

- b. Need for additional dwellings.** The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings to support the use.
- c. Proof of employment.** The applicant provides proof of the full-time employment of the employee(s) residing in the dwelling(s). Said proof shall be to the satisfaction of the Department in the form of any one or combination of the following:

 - 1) Employer's income tax return.
 - 2) Employee's pay receipts.
 - 3) Employer's DE-3 form.
 - 4) Employee's W-2 form.
 - 5) A notarized contract between the permittee and the employee which delineates work to be performed and wages to be received.
 - 6) Other option approved by the Director.
- d. Submittal of documentation of need and employment status of occupants subsequent to issuance of permit for the agricultural employee housing.** Demonstration of the need for the agricultural employee housing and proof of full-time employment in agriculture of the employee residing in the agricultural employee housing shall also be provided every five years beginning from the issuance of the Coastal Development Permit for the agricultural employee housing or, if the occupancy of the agricultural employee housing changes, upon the change in occupancy and every five years thereafter. Failure to provide said documentation may be cause for revocation of the permit for the agricultural employee housing.
- e. Notice to property owner.** Before issuance of a Coastal Development Permit for the agricultural employee housing, a Notice to Property Owner prepared by the Department that specifies at a minimum (1) the occupancy requirements of the agricultural employee housing and (2) the requirement for provision of documentation of employment and the need for the agricultural employee housing in compliance with Subsections C.1.b (Need for additional dwellings), C.1.c (Proof of employment), and C.1.d (Submittal of documentation of need and employment status of occupants subsequent to issuance of permit for the agricultural employee housing), above, shall be recorded against the property by the property owner.
- f. In addition to the development standards listed above, all development associated with the construction of agricultural employee housing shall comply with 35-420.E.6 (Standards for agricultural structural development that does not require a Development Plan).**
- 2. Five or more employees.** Additional dwellings housing five or more employees, including their households, engaged full time in agriculture working on or off the farm or ranch upon which dwellings are located may be allowed on a lot zoned AG-II subject to the issuance of a Major Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits) and a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permit) and in compliance with the following.

 - a. Proof of employment.** The applicant provides proof of the full-time employment of the employee(s) residing in the dwelling(s). Said proof shall be to the satisfaction of the Department in the form of any one or combination of the following:

 - 1) Employer's income tax return.
 - 2) Employee's pay receipts.
 - 3) Employer's DE-3 form.
 - 4) Employee's W-2 form.
 - 5) A notarized contract between the permittee and the employee which delineates work to

be performed and wages to be received.

6) Other option approved by the Director.

b. **Submittal of documentation of employment status of occupants subsequent to issuance of permit for the agricultural employee housing.** Proof of full-time employment in agriculture of the employees residing in the agricultural employee housing shall also be provided every five years beginning from the issuance of the Coastal Development Permit for the agricultural employee housing or, if the occupancy of the agricultural employee housing changes, upon the change in occupancy and every five years thereafter. Failure to provide said documentation may be cause for revocation of the permit for the agricultural employee housing.

c. **Notice to property owner.** Before issuance of a Coastal Development Permit for the agricultural employee housing, a Notice to Property Owner prepared by the Department that specifies at a minimum (1) the occupancy requirements of the agricultural employee housing and (2) the requirement for provision of documentation of employment in compliance with Subsections C.2.a (Proof of employment) and C.2.b (Submittal of documentation of employment status of occupants subsequent to issuance of permit for the agricultural employee housing), above, shall be recorded against the property by the property owner.

D. **Agricultural processing facilities.** The processing of agricultural and horticultural products as provided below may be allowed in compliance with the following permit requirements and development standards. An action by a decision-maker to approve or conditionally approve a Coastal Development Permit application for any of the following uses may be appealed to the Coastal Commission in compliance with Section 35-182 (Appeals).

1. **Cleaning, freezing, packing, storage, and sorting facilities.** Facilities for the cleaning, freezing, packing storage, and sorting of agricultural and horticultural products (other than animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) provided the facility complies the following development standards:

- a.** The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County).
- b.** The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale.
- c.** The products are determined by the Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands.
- d.** The facility also processes products grown on the premises or on other local agricultural lands.

2. **Product preparation.** Agricultural and horticultural product preparation includes drying, freezing, pre-cooling, packaging, and milling of flour, feed, and grain.

- a.** A product preparation operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards.
 - 1)** All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.
 - 2)** Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.

- 3) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any preparation allowed in compliance with this Subsection D.2 (Product preparation).
 - 4) The preparation facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the gross area of the premises, or one acre, whichever is less.
 - 5) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.
 - 6) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
 - 7) The operation is in compliance Section 35-102G (CVC - Critical Viewshed Corridor Overlay District), if applicable.
- b. A product preparation operation that may not be allowed in compliance with Subsections D.2.a, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

3. Processing (beyond the raw state).

- a. A processing operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
- 1) The activity is incidental to agricultural operations located on the same lot.
 - 2) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.
 - 3) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.
 - 4) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any processing allowed in compliance with this Subsection D.3 (Processing (beyond the raw state)).
 - 5) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the gross lot area, or one acre, whichever is less.
 - 6) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.
 - 7) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
 - 8) The operation is in compliance Section 35-102G (CVC - Critical Viewshed Corridor Overlay District), if applicable.
- b. A processing operation that may not be allowed in compliance with Subsections D.3.a, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) provided that the decision-maker first finds, in addition to the findings required in compliance with Section 35-172 (Conditional Use Permits) that:
- 1) The operation will not result in significant adverse impacts to visual resources.
 - 2) The operation does not include a new at-grade access to Highway 101.

4. Tree nut hulling.

- a. A tree nut hulling operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
- 1) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.
 - 2) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.
 - 3) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any processing allowed in compliance with this Subsection D.4 (Tree nut hulling).
 - 4) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is less.
 - 5) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.
 - 6) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
 - 7) The operation is in compliance Section 35-102G (CVC - Critical Viewshed Corridor Overlay District), if applicable.
- b. A tree nut hulling operation that may not be allowed in compliance with Subsections D.4.a. above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

E. Agricultural product sales. Agricultural sales allowed in compliance with Section 35-131 (Agricultural Sales) are not allowed on AG-II zoned property located within the Gaviota Coast Plan area and instead the following commercial facilities for the retail sale of commodities may be allowed subject to compliance with the applicable permit requirements and development standards. An action by a decision-maker to approve or conditionally approve a Coastal Development Permit application for any of the following uses may be appealed to the Coastal Commission in compliance with Section 35-182 (Appeals).

1. Farmstands.

- a. A farmstand operation may be allowed with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation is incidental to agricultural operations located on the same premises and complies with the following development standards:
- 1) **Access.**
 - a) Ingress and egress to the agricultural sales area is clearly visible, and turning movements into the premises from adjacent road rights-of-way do not create congestion or cause unnecessary slowing at access points.
 - b) Direct access to farmstand sales area from an at-grade access with Highway 101 is prohibited.
 - 2) **Allowed retail sales.** Retail sales of the following products directly to members of the public are allowed provided the applicable development standards are complied with.
 - a) **Agricultural products.** The sale of agricultural products, including facilities where have access to the growing areas and pick the product themselves (e.g., Christmas tree farms, pumpkin patches, apple or fruit picking farms) provided:

masonry paving units or equivalent surface including pervious materials.

- ii) The use of any non-permeable surface materials (e.g., as asphalt, concrete, or chip seal) is restricted to the minimum necessary to comply with the disabled access requirements of Title 24 of the California Code of Regulations as applicable.
- b) Parking areas associated with short-term, seasonal sales may be unimproved; however, dust generation shall not be allowed to become a nuisance and shall be kept to a minimum through the periodic wetting of the surface.
- c) Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.
- d) Parking is not located within any adjacent road rights-of-way or trail easements.

5) Structures.

- a) If a structure is proposed as part of the operation, then the operation shall be conducted either within:
 - i) An existing agricultural structure, or
 - ii) A separate stand that is less than or equal to 800 square feet of gross floor area and located no closer than 20 feet to the right-of-way line of any street.
- b) A structure that is not used as part of the farmstand operation for a period of 12 months shall be removed within the three month period immediately following the 12 months of non-use unless the use of the structure is accessory to another allowed use of the lot on which the structure is located.
- b. A Development Plan approved by the Director in compliance with Section 35-174 (Development Plans) is required for the sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.

F. Aquaculture.

- 1. **Purpose and applicability.** This Section provides standards for aquaculture facilities located in the Gaviota Coast Plan area.
- 2. **Development and operating standards.**
 - a. Aquaculture facilities shall be sited and designed to be compatible with the natural surroundings.
 - b. Structures shall be well screened and depressed below grade when feasible to minimize impacts on coastal visual resources.
 - c. Intake and outfall lines for ocean water shall be located underground unless determined by the decision-maker to be infeasible for a particular operation.
 - d. Adequate provisions for lateral beach access shall be required if above ground channels or pipes are necessary.

G. Composting.

- 1. A composting operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards.
 - a. All of the feedstock for the operation originates from within Santa Barbara County.
 - b. No new structure(s) that would require a planning permit or new water or wastewater permit issued by the County are proposed.

- c. There is no more than 500 cubic yards of compost on-site at any one time.
- d. No more than 1,000 cubic yards of compost sold or given away annually.
- e. The feedstock material may also include up to 10 percent food matter.
- f. Compost piles do not exceed 12 feet in height.
- g. The operator of the operation shall maintain and follow an odor abatement plan in compliance with Santa Barbara County Air Pollution Control District recommendations.
- h. The operation is in compliance Section 35-102G. (CVC - Critical Viewshed Corridor Overlay District), if applicable.
- i. The location of the operation is at least 200 feet from any adjacent lots.

2. A composting operation that may not be allowed in compliance with Subsection H.1, above, may be allowed in compliance with a Minor Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) provided the operation complies with the following development standards:

- a. **Applicable State law.** The facility shall at all times comply with the applicable requirements of California Code of Regulations, Title 14, Division 7.
- b. **Structure for sale of composting product.** If a structure is required for the sale of a product, the sale is conducted either within an existing accessory structure or from a single, separate stand not to exceed 600 square feet of sales and storage area.
- c. **Parking.** A minimum of two permanently maintained parking spaces are:
 - 1) Located on the lot where the composting operation occurs.
 - 2) Not located within 20 feet of the right-of-way line of any street.
- d. **Permit requirements.** All other permits required by County Departments for a facility, except those permits required by the Division of Building and Safety, shall be obtained before issuance of a Land Use Permit in compliance with Section 35-178 (Land Use Permits) or issuance of a Zoning Clearance in compliance with Section 35-179A (Zoning Clearances) as applicable.
- e. **Reporting requirements.** Tonnage reports showing the amount of materials used in the composting operation shall be provided to the Department of Public Works, Solid Waste Division, and the Public Health Department, Environmental Health Services Division, on a quarterly basis.

H. Firewood processing and sales.

1. A Firewood processing and sales operation may be allowed with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards.

- a. A minimum of 51 percent of the total volume of firewood processed in the operation originates from the premises.
- b. The premises where the operation occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Subsection I (Firewood processing and sales).
- c. The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
- d. The operation does not include the removal of any tree which is located in a County street right-of-way, or located within 50 feet of any major or minor stream except when such trees are removed in order to prepare the area for an agricultural use, or any oak trees, or any trees

which are used as a habitat by the Monarch Butterflies unless the Department determines that:

- 1) The trees are dead.
 - 2) The trees prevent the construction of a project for which a Coastal Development Permit has been issued and project redesign is not feasible.
 - 3) The trees are diseased and pose a danger to healthy trees in the immediate vicinity, providing a certificate attesting to such fact is filed with the Planning and Development Department by a licensed tree surgeon.
 - 4) The trees are so weakened by age, disease, storm, fire, excavation, removal of adjacent trees, or any injury so as to cause imminent danger to persons or property.
- e. No new structure(s) that would require a planning permit or new water or wastewater permit issued by the County are proposed.
- f. The operation shall be in compliance with the Agricultural Commissioner's Guidelines for import and export of plant material.
- g. The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
2. A firewood processing and sales operation that may not be allowed in compliance with Subsection I.1, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

I. Lumber processing and milling.

1. A lumber processing and milling operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
 - a. All of the material used in the operation originates within Santa Barbara County.
 - b. A minimum of 51 percent of the total volume of lumber processed in the operation originates from the premises on which the operation is located.
 - c. The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Subsection J (Lumber processing and milling).
 - d. The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
 - e. No new structure(s) that would require a planning permit or new water or wastewater permit issued by the County are proposed.
 - f. The operation shall be in compliance with the Agricultural Commissioner's Guidelines for import and export of plant material.
2. A lumber processing and milling operation that may not be allowed in compliance with Subsection J.1, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

J. Rural recreation. The following allowable uses, permit requirement and development standards shall apply to projects located in the Gaviota Coast Plan Area on property zoned AG-II. See Subsection 35-440.C (Rural Recreational) for additional development standards that apply to the following uses. An action by a decision-maker to approve or conditionally approve a Coastal Development Permit application for any of the following uses may be appealed to the Coastal Commission in compliance with Section 35-182 (Appeals).

1. Campgrounds.

- a. A Campground operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
 - 1) The project does not include any of the following:
 - a) New grading or structures that would require a grading or planning permit.
 - b) Electrical hookups.
 - c) New impervious surfaces.
 - 2) The project is not located on property zoned with the Critical Viewshed Corridor Overlay.
 - 3) There are 15 or fewer campsites, and each campsite can accommodate no more than two motorized or recreational vehicles per site.
 - 4) Stays are limited to a maximum of 14 days per person per year.
 - 5) The use will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
- b. A Campground operation that may not be allowed in compliance with Subsection K.1.a, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

2. Fishing.

- a. A fishing operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
 - 1) The operation is limited to 20 participants daily.
 - 2) The floor area (gross) of any new structure is less than 600 square feet.
 - 3) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
- b. A fishing operation that may not be allowed in compliance with Subsections K.2.a, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

3. Guest ranch/Farmstay.

- a. A guest ranch/farmstay operation may be allowed with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
 - 1) The operation is located on a single lot of 40 acres or greater and the entire lot is located in the AG-II zone. Only one guest ranch/farmstay operation may be allowed on a lot.
 - 2) The operation is housed in a single existing permitted or nonconforming habitable residential structure.
 - 3) The maximum number of guests that can be accommodated shall be 15 per night and they shall be accommodated in no more than six bedrooms.
 - 4) The operation shall be consistent with the compatibility guidelines set forth in Uniform Rule Two (Compatible Uses within Agricultural Preserves) of the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.
 - 5) Food service is only available to registered guests of the operation, and the cost of any food service is included in the total price for accommodation and not be charged separately.

- 6) The operation is located on, and be part of, a farm or ranch operation that produces agricultural products, and the operation does not constitute the principal land use of the premises.
- 7) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot or adjacent lot(s).
- b. A guest ranch/farmstay operation that may not be allowed in compliance with Subsection K.3.a, above, above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

4. Horseback riding.

- a. A horseback riding operation may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:
 - 1) The operation is limited to 20 participants daily.
 - 2) The floor area (gross) of any new structure associated with the operation is less than 1,200 square feet.
 - 3) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).
- b. A horseback riding operation that may not be allowed in compliance with Subsections K.4.a. or K.4.b., above, may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

5. Other-low intensity recreational development. In addition to recreation uses allowed in compliance with Subsections K.1 through K.4, above, low-intensity recreational development such as hiking trails, public riding stables, recreational camps, and retreats may be allowed in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) if the activity complies with the following development standards:

- a. The activity is in character with the rural setting.
- b. The activity does not interfere with agricultural production on or adjacent to the lot on which it is located.
- c. The activity does not include commercial facilities open to the general public who are not using the recreational facility.
- d. The activity does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.

L. Water well, agricultural.

1. A water well, including any ancillary facilities, that serves only agricultural uses, may be allowed in compliance with a Zoning Clearance issued in compliance with Section 35-179A (Zoning Clearances) provided the development complies with the following development standards.
 - a. The construction and use of the water well and any ancillary facilities will not:
 - 1) Result in a significant adverse effect on environmentally sensitive habitat areas, plant species, biological resources or cultural resources.
 - 2) Require the removal of vegetation:
 - a) From an area greater than 5,000 square feet, or
 - b) Within 100 feet of a riparian corridor.
 - 4) Require the placement of facilities associated with the water well within 50 feet of a riparian corridor or creek bank.

- 5) Require grading in excess of 50 cubic yards of cut or fill.
 - 6) Require the removal of any native or protected trees greater than six inches in diameter measured four feet above existing grade, or more than six feet in height, or non-native trees that are used as habitat by raptors or Monarch Butterflies.
 - 7) Entail the discharge, disposal or dispersal of test water that causes erosion, sedimentation, runoff, siltation, or an identified significant adverse impact to downstream water courses or water bodies.
 - 8) Entail a testing time duration that exceeds that necessary to gather hydrological data to determine safe yield for water extraction for the agricultural use of the water.
 - 9) Require issuance of permits by other agencies which require the County to review the project in compliance with the California Environmental Quality Act unless the development is exempt from CEQA.
2. A water well, including any ancillary facilities, that serves only agricultural uses, that may not be allowed in compliance with Subsection L.1, above, may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits).
- M. Wineries.** Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises that comply with all of the following standards may be allowed subject to the approval of a Major Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits).
- a. The winery is located on premises used for vineyard purposes.
 - b. The winery is operated in connection with the processing of wine grapes grown on the premises.
 - c. Retail sales of wine grape products shall be limited to those processed on the premises.

SECTION X:

All zoning maps and zoning designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing Gaviota Coast Rural Region Zoning Map, are hereby repealed as they relate to Assessor's Parcel Numbers _____ which are shown on the map attached hereto as Exhibit 1 and incorporated by reference.

SECTION X:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, the Board of Supervisors hereby amends the Gaviota Coast Rural Region Zoning Map by redesignating Assessor's Parcel Numbers _____ from _____ to _____ as shown on Exhibit 1 attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit 1, and which is made part of said action by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION X:

All zoning maps and zoning designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing North Gaviota Coast Rural Region Zoning Map, are hereby repealed as they relate to Assessor's Parcel Numbers _____ which are shown on the map attached hereto as Exhibit 2 and incorporated by reference.

SECTION X:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, the Board of Supervisors hereby amends the North Gaviota Coast Rural Region Zoning Map by redesignating Assessor's Parcel Numbers _____ from _____ to _____ as shown on Exhibit 2 attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit 2, and which is made part of said action by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION X:

All zoning maps and zoning designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing Gaviota Coast Coastal Plan Zoning Overlay Map, are hereby repealed as they relate to Assessor's Parcel Numbers _____ which are shown on the map attached hereto as Exhibit 3 and incorporated by reference.

SECTION X:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, the Board of Supervisors hereby amends the Gaviota Coast Coastal Plan Zoning Overlay Map by redesignating Assessor's Parcel Numbers _____ from _____ to _____ as shown on Exhibit 3 attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit 3, and which is made part of said action by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION X:

All zoning maps and zoning designations previously adopted under the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, as shown on the existing Point Conception Coastal Plan Zoning Overlay Map, are hereby repealed as they relate to Assessor's Parcel Numbers _____ which are shown on the map attached hereto as Exhibit 4 and incorporated by reference.

SECTION X:

Pursuant to the provisions of Section 35-54, Adopting Zoning Ordinances and Maps and Uncertainties in District Boundaries, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, the Board of Supervisors hereby amends the Point Conception Coastal Plan Zoning Overlay Map by redesignating Assessor's Parcel Numbers _____ from _____ to _____ as shown on Exhibit 4 attached hereto and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit 4, and which is made part of said action by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION X:

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit 1 to show that said exhibit map has been adopted by this Board.

SECTION X:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35. Zoning, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION X:

Except as amended by this Ordinance, Article 35.1, Article 35.2, Article 35.3, Article 35.4 and Article 35.8 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION X:

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

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

AYES:

NOES:

ABSTAINED:

ABSENT:

JANET WOLF, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel

Exhibits:

1. Gaviota Coast Rural Region Zoning Map
2. North Gaviota Coast Rural Region Zoning Map
3. Gaviota Coast Coastal Plan Zoning Overlay Map
4. Point Conception Coastal Plan Zoning Overlay Map