

ATTACHMENT 2

APPLICABLE LAND USE DEVELOPMENT CODE (LUDC) SECTIONS & HEIGHT METHODOLOGY

The following excerpts are from the Land Use Development Code and provided for your information and consideration when reviewing the existing design guidelines. The code section and language has been provided below. In addition, if similar LUDC language is available, then it has been included for reference.

Definitions (35.11; Glossary)

Basement - Summerland. Any usable or unused under floor space where the finished floor directly above is not more than four feet above grade (as defined by the latest addition of the Uniform Building Code).

County Wide

Basement. A story partly or wholly underground. A basement shall be counted as a story if its floor-to-ceiling height is 6.5 feet or more, and more than one-half of its height is above the average level of the adjoining ground surface.

Floor Area, Net - Summerland. The total floor area of all floors of a building included within the exterior surfaces of the surrounding exterior walls, excluding unenclosed porches, balconies and decks. Interior stairs shall be counted on only one floor.

County Wide

Floor Area, Net. The gross floor area excluding shafts, stairways, corridors and halls, unusable attics, and unenclosed porches and balconies.

Floor Area Ratio - Summerland. The net floor area of the structure divided by the net lot area.

Montecito Coastal

Floor Area Ratio - Montecito Coastal. A measurement of development intensity represented by the quotient of net floor area, excluding basements used exclusively for storage and residential units that meet the County's definition of affordable housing, divided by net lot area. Where there is an approved Final Development Plan, the floor area ratio shall be the quotient of net floor area, excluding basements used exclusively for storage and residential units that meet the County's definition of affordable housing, divided by the sum of the net lot area of all lots included in the Development Plan.

Lot Area, Net - Summerland. The gross lot area minus any area lying within a public street, such street being defined as a permanently reserved right-of-way which has been dedicated to the County of Santa Barbara. For the purpose of calculating the Floor Area Ratio, the net lot area shall also be reduced by any area that may not be utilized for structural development due to easements or encroachments that may include roads, well sites, utility installations, and portion of the property that in effect are used by other properties.

County Wide

Lot Area, Net. The gross lot area excluding any area lying within a public street, public street being defined as a permanently reserved right-of-way which has been dedicated to the County.

Mixed Use Development - Summerland. Development in which 49% or less of the usable square footage (excluding garages) is for residential purposes.

Plate Heights - Summerland. The distance between the finished floor and where the wall intersects with the lower portion of the floor joists of the story above, or if there is no intervening story, the lower portion of the structural roof members.

Understory - Summerland. The portion of the structure between the exposed finished floor and the finished grade.

C-1 Development Standards (35.24.040)

- A. General standards. Development within the Commercial zones shall be designed, constructed, and established in compliance with the requirements in Table 2-17, and all applicable standards in Article 35.3 through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.
- B. Community Plan overlay requirements. Section 35.28.210 (Community Plan Overlays) establishes additional requirements and standards that apply to development and uses located in an applicable community or area plan as specified in Section 35.28.210 (Community Plan Overlays).

Table 2-17 - Commercial Zones Development Standards

Development Feature	Requirement by Zone		
	CN Neighborhood Commercial	C-1 & C-1 (CZ) Limited Commercial	C-2 & C-2 (CZ) Retail Commercial
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>		
Area	None	None; except 5,000 sf in Summerland and 7,000 sf elsewhere for a lot with only a residential use	None
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	None allowed	1 unit per existing lot	35.42.201 (Mixed Use)
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	50 ft from road centerline; 20 ft from right-of-way	30 ft from road centerline; 15 ft from right-of-way; An open canopy, porch, or similar structure may extend to within 5 ft of the right-of-way	30 ft from road centerline; 10 ft from right-of-way; 42 ft from centerline of 2- lane expressway, or street with 4 or more lanes; An open canopy, porch or similar structure may encroach up to 12 ft into the setback, but not into a right-of-way
Front - Secondary	Same as front	Lot less than 100 ft wide - 20% of lot width, 10 ft min. Lot 100 ft or more wide - Same as primary front setback	
Side	5 ft	10% of lot width, with 5 ft minimum required, 10 ft maximum required	3 ft minimum when provided; none required

Development Feature	Requirement by Zone		
	CN Neighborhood Commercial	C-1 & C-1 (CZ) Limited Commercial	C-2 & C-2 (CZ) Retail Commercial
Rear	10% of lot depth, with 10 ft maximum required; 25 ft where rear lot line abuts a residential zone		
	See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.		
Building separation	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.		
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>		
Maximum coverage	30%	No maximum	No maximum
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft	35 ft; 25 ft in the Coastal Zone; 25 ft for a residential structure within the Toro Canyon Plan area.	35 ft
Landscaping	See Chapter 35.34 (Landscaping Standards)		
Parking	See Chapter 35.36 (Parking and Loading Standards)		
Signs	See Chapter 35.38 (Sign Standards)		

Note: Summerland Community Plan limits height to 22 feet for the Coastal Area

Landscaping Requirements (35.34.070 - Commercial Zones Landscaping Requirements)

- A. Limited Commercial (C-1) zone. A landscape plan shall be approved for all development within the C-1 zone except a one-family dwelling and its accessory structures and uses on an existing lot of record. The landscape plan shall include, at a minimum, the following:
1. A landscape area with a minimum width of five feet shall be provided adjacent to any lot line that abuts a residential zone.
 2. A landscape area with a minimum width of 15 feet shall be provided adjacent to any street right-of-way line.
 3. Parking areas shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas) below.

Parking Requirements (35.36 Parking and Loading Standards)

The LUDC requirements are the same in Summerland as the rest of the County.

Signs (35.38.140; Special Sign Standards for Summerland)

- A. Applicability. Signs within the Commercial, Industrial, and Public Utility Zones within the Summerland Plan Area shall comply with the regulations of the other

Sections of this Chapter, as well as the regulations of this Section. If there is a conflict, the regulations of this Section shall apply.

B. Allowed signs. Only those signs of each type listed below shall be allowed to be erected or maintained on any structure, or lot located in the Commercial, Industrial, and Public Utility Zones.

1. Wall signs. One or more wall signs on each street frontage unlighted or indirectly lighted. These signs shall not exceed the lesser of the following areas:
 - a. One-tenth of the square footage of the structure façade of that portion of a single floor occupied by a business and upon which façade the wall sign is to be located; or
 - b. 0 square feet.

If more than one business occupies the same structure, the businesses may have separate signs or they may share the sign space, so long as the combined sign area does not exceed the allowed sign area.

2. Identification signs. One identification sign, unlighted or indirectly lighted, not to exceed 10 square feet in area, and not more than five feet in height measured from the ground to the top of the sign, that identifies the business primarily being conducted on the premises.
3. Banner signs. One banner sign, unlighted, not to exceed 16 square feet on the façade having street frontage of the structure occupied by the business. The banner sign may be displayed up to 45 days.

C. Sign standards.

1. Construction. The exposed face of signs shall be either of wood (painted and/or carved) or of painted non-gloss material. Signs of other material shall be deemed to be banner signs.
2. Illumination. Illuminated signs shall be externally lit and the lighting source shall be shielded or situated so as not to cast stray light beyond the property line on which they are installed. The source of illumination shall be extinguishable at closing time of the business.
3. Neon signs. Neon signs that comply with the following criteria may be approved by the Board of Architectural Review in compliance with Section 35.82.070 (Design Review):
 - a. The sign is not within 100 feet of residentially zoned areas.
 - b. The sign does not face directly towards or is visible from residentially zoned areas.
 - c. The sign is compatible with other uses on the property and in the immediate vicinity.
 - d. The sign is appropriate for the type of structure.
 - e. The sign is appropriate for the type of business.
 - f. The sign is artistic and subtle in the design and execution.
 - g. The sign is secondary in size and purpose to the primary signage of the business.

D. Prohibited signs. It shall be unlawful to erect or maintain:

1. Internally illuminated signs. (e.g., fluorescent tube behind plastic panel).
2. Pole signs. Freestanding pole signs higher than five feet measured from the ground at the base of the supporting structure to the top of the sign.

Board of Architectural Review (35.82.070)

The following are the BAR findings for projects within the County, Coastal Area and Summerland Community Plan Area.

1. Findings required for all Design Review applications. A Design Review application shall be approved or conditionally approved only if the Board of Architectural Review first makes all of the following findings:
 - a. Overall structure shapes, as well as parts of any structure (buildings, fences, screens, signs, towers, or walls) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the subject property.
 - b. Electrical and mechanical equipment will be well integrated into the total design concept.
 - c. There will be harmony of color, composition, and material on all sides of a structure.
 - d. There are a limited number of materials will be on the exterior face of the structure.
 - e. There will be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.
 - f. Site layout, orientation, and location of structures and signs will be in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site.
 - g. Adequate landscaping will be provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of plantings that are appropriate to the project, and that adequate provisions have been made for maintenance of all landscaping.
 - h. Signs, including associated lighting, are well designed and will be appropriate in size and location.
 - i. The proposed development is consistent with any additional design standards as expressly adopted by the Board for a specific local area, community, or zone in compliance with Subsection G. (Local design standards) below.
2. Additional findings required for Design Review applications within the Coastal Zone.
 - a. In areas designated as rural on the Comprehensive Plan maps, the design, height, and scale of structures is be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures are subordinate in appearance to natural landforms; are designed to follow the natural contours of the landscape; and are sited so as not to intrude into the skyline as seen from public viewing places.
 - b. In areas designated as urban on the Comprehensive Plan maps and in designated rural neighborhoods, new structures are compatible with the character and scale of the existing community. Clustered development,

varied circulation patterns, and diverse housing types shall be encouraged.

4. Additional finding required for Design Review applications within the Summerland Community Plan Area
 - a. Plans for new or altered structures will be in compliance with the Summerland Board of Architectural Review Guidelines.

Height Calculation Methodology in Summerland

The height of a structure shall be the vertical distance between the average finished grade of the lot covered by the structure to the highest points of the coping of a flat roof or to the mean height of the highest gable of a pitch or hip roof. The mean height of a gambrel roof is the average height of the height of the ridge and the height of the first break in slope of the roof.

The height of any structure shall not exceed the applicable height limit except for certain exceptions discussed below.

EXCEPTIONS

1. Chimneys, church spires, elevator, mechanical and stair housings, flag poles, oil and gas derricks, noncommercial antennas, towers, vents, and similar structures which are not used for human activity may be up to 50 feet in height in all zones. The use of towers or similar structures to provide higher ceiling heights for habitable space shall be deemed a use intended for human activity.
2. Special exemptions for commercial and noncommercial telecommunication antennas (see Article II Section 35-127.C).

DEFINITIONS

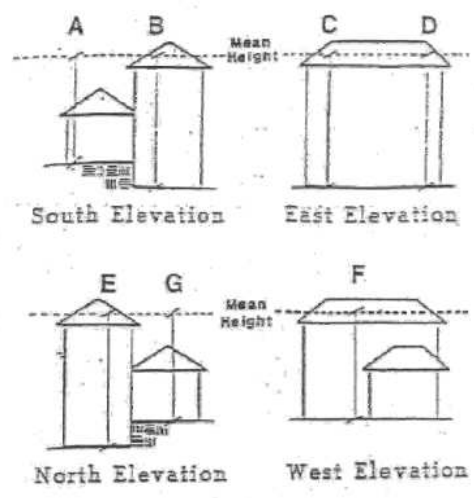
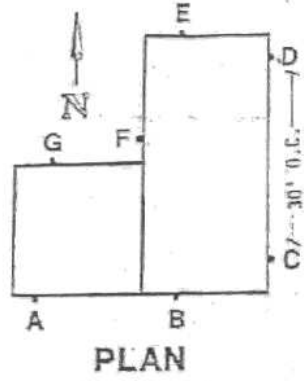
1. **Finished Grade, Average:** The average height of the manufactured grade of that portion of the lot covered by the structure following the completion of an approved grading operation.

For buildings constructed on stepped pads (with various finished grades and multiple roof heights), structure height may be determined by taking measurements from the finished grade at equal intervals around the entire footprint of the structure to the highest mean roof height. This methodology is demonstrated on the following page.

In the example below, measurements taken from the finish grade to the mean height of the highest gable, using an interval of 30 feet, gives the following height:

A= 20'
B= 26'
C= 26'
D= 26'
E= 26'
F= 20'
G= 20

Total of height measurements = 164; 164 divided by 7 (the number of measurements) equals a calculated height of 23.5'



Height Calculation Methodology in Montecito

METHODOLOGY FOR COASTAL ZONE PROPERTIES

The height of a structure (not including fences and walls) located in the Coastal Zone is determined by the vertical distance between the existing grade and the uppermost point of the structure directly above that grade unless (1) the structure is located on property zoned with the VC View Corridor Overlay or (2) any portion of the structure is located above an area of the site where the finished grade is 10 feet or more above existing grade and the structure is not subject to the Ridgeline/Hillside Development Guidelines.

1. VC View Corridor Overlay. If the structure is located on property zoned with the VC View Corridor Overlay, then the height of a structure is determined by the vertical distance between the average finished grade and the uppermost point of the structure directly above that grade.
2. Location over 10 feet or more of fill. If the structure is not subject to the Ridgeline and Hillside Development Guidelines and any portion of the structure is located above an area of the lot where the finished grade is 10 feet or more above the existing grade, then the height of the structure is determined by the vertical distance between the finished grade and the uppermost point of the structure directly above that grade.

The height of the structure shall not exceed the applicable height limit (see Diagram 1 below) except for certain limited exceptions discussed below.

In addition to the height limit applicable to a structure as described above, a structure subject to the Ridgeline and Hillside Development Guidelines shall not exceed a maximum height of 32 feet as measured from the highest part of the structure, excluding chimneys, vents and noncommercial antennas, to the lowest point of the structure where an exterior wall intersects the finished grade or the existing grade, whichever is lower (see Diagram 2 below).

In the case where the lowest point of the structure is cantilevered over the ground surface, then the calculated maximum height shall include the vertical distance below the lowest point of the structure to the finished grade or the existing grade, whichever is lower.

METHODOLOGY FOR NON-COASTAL ZONE PROPERTIES

The height of a structure is determined by the vertical distance between the existing grade and the uppermost point of the structure directly above that grade. For lots zoned AG-I, R-1/E-1, R-2, DR or PRD, if portions of a structure are located above an area of the site where the finished grade is 10 feet or more above the existing grade, then the height of that portion of the structure is determined by the vertical distance between the finished grade and the uppermost point of the structure directly above that grade.

The height of the structure shall not exceed the applicable height limit (see Diagram 1 below) except for certain limited exceptions discussed below.

In addition to the height limit applicable to a structure as described above, a structure subject to the Ridgeline and Hillside Development Guidelines or the H-MON Montecito Hillside Overlay shall not exceed a maximum height of 32 feet as measured from the highest part of the structure, excluding chimneys, vents and noncommercial antennas, to the lowest point of the structure where an exterior wall intersects the finished grade or the existing grade, whichever is lower (see Diagram 2 below).

In the case where the lowest point of the structure is cantilevered over the ground surface, then the calculated maximum height shall include the vertical distance below the lowest point of the structure to the finished grade or the existing grade, whichever is lower.

EXCEPTIONS

1. Chimneys, church spires, elevator, mechanical and stair housings, flag poles, noncommercial antennas, towers, vents, and similar structures which are not used for human activity may be up to 50 feet in height in all zones. The use of towers or similar structures to provide higher ceiling heights for habitable space shall be deemed a use intended for human activity.
2. Portions of a structure may exceed the applicable height limit by no more than three feet where the roof exhibits a pitch of 4 in 12 (rise to run) or greater.
3. Architectural elements (portions of a building that exceeds the height limit and extends beyond the roof of the building) with an aggregate area less than or equal to 10 percent of the roof area or 400 square feet, whichever is less, may exceed the height limit by no more than eight feet when approved by the Montecito Board of Architectural Review.

DEFINITIONS

Existing Grade: The existing condition of the ground elevation of the surface of a building site at the time of permit application, including Montecito Board of Architectural Review applications, that represents either (1) the natural grade prior to the placement of any fill on the site or the excavation or removal of earth from the site, or (2) the manufactured grade following the completion of an approved grading operation including grading approved in conjunction with the subdivision of the site.

Finished Grade: The height of the manufactured grade of that portion of the lot covered by the structure following the completion of an approved grading operation.

Finished Grade, Average. The average height of the manufactured grade of that portion of the lot covered by the structure following the completion of an approved grading operation.

Height Limit: The maximum allowed height of a structure as established by an imaginary surface located at the allowed number of feet above and parallel to the existing grade. See following diagram.

Diagram 1

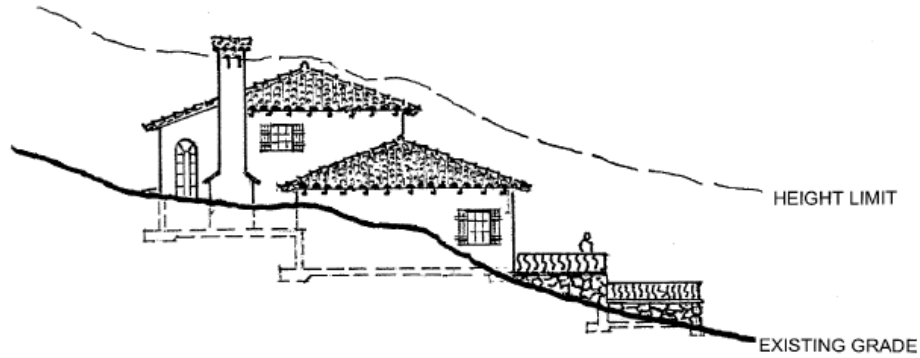
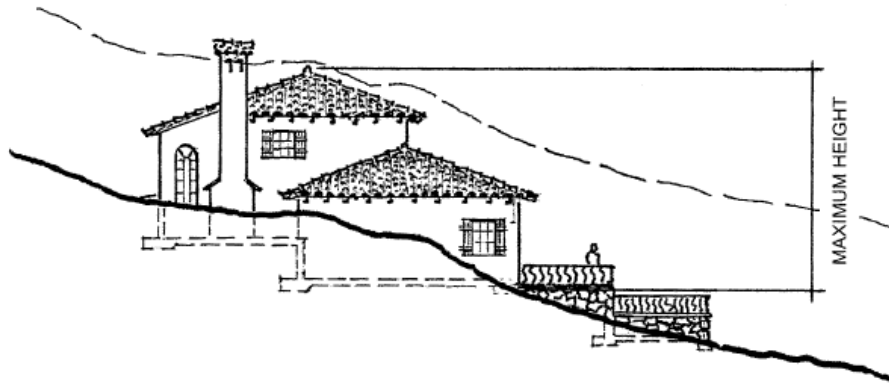


Diagram 2



LUDC & Height Methodology Summary

As you can see there are numerous requirements that influence where the structure sits on the project site, what setbacks are required, what type of signage is appropriate, the required findings needed to approve a project and how height is calculated. In addition, code sections that apply to other areas of the County have been included for your reference and consideration.

When considering design guidelines, the items noted above should be taken into account since they determine the location of the building and the potential envelope. The design guidelines should compliment the LUDC through clarification of community expectations with the end result being a quality design that enhances the community.