



City of Santa Barbara

Community Development Department

SantaBarbaraCA.gov

March 27, 2025

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Ben Eilenberg
Grand Santa Barbara LLC
1519 East Chapman Avenue, #101
Fullerton, CA 92831

Electronic Mail Delivery Only

RE: 1609 & 1615 Grand Avenue (PLN2024-00181) – Consistency Review

Dear Ben Eilenberg,

The formal development application for the project at 1609 & 1615 Grand Avenue (PLN2024-00181) has been reviewed for consistency with objective development standards and policies that were adopted and in effect at the time the preliminary application was accepted on November 6, 2023. See Exhibit A.

On October 30, 2023, you submitted a preliminary application to the City of Santa Barbara (City) for a proposed housing development project at 1609 & 1615 Grand Avenue (Project) in Santa Barbara (APNs 027-270-037 and -038).

On November 6, 2023, the City accepted the preliminary application because the submittal included all items required pursuant to Government Code section 65941.1(a), including fees paid.

On May 2, 2024, you submitted to the City a formal development application related to the preliminary application.

On May 31, 2024, the City provided a letter deeming the application incomplete, because required items from the City's SB 330 Housing Project Application Checklist were missing from the formal development application.

On August 28, 2024, you resubmitted the formal development application to the City.

On September 27, 2024, the City provided a letter deeming the application resubmittal incomplete, because required items from the City's SB 330 Housing Project Application Checklist identified in the City's May 31, 2024, incompleteness determination letter were still missing from the formal development application.

On December 13, 2024, you resubmitted the formal development application to the City.

On January 10, 2025, the City provided a letter deeming the application resubmittal incomplete, because required items from the City's SB 330 Housing Project Application Checklist identified in the City's May 31, 2024, and September 27, 2024, incompleteness determination letters were still missing from the formal development application.

On January 29, 2025, you resubmitted the formal development application.

On February 27, 2025, the City deemed the formal development application complete, meaning that the application provided the items from the City's SB 330 Housing Project Application Checklist for the City to begin evaluating the Project for consistency with applicable development standards and policies

that were adopted and in effect at the time of the preliminary application's acceptance on November 6, 2023.

PROJECT DESCRIPTION:

As currently proposed, the project consists of a new 6-story, 53-unit, multi-family residential development, with a two-level partially subterranean parking garage¹. The project includes 11 low-income units, 8,675 cubic yards of cut and 35 cubic yards of fill, and a lot tie of APNs 027-270-037 & -038.

ENVIRONMENTAL REVIEW

Based on the information provided and reviewed to date, the project does not qualify for an exemption under CEQA Guidelines, and an Initial Study will be required to determine the appropriate level of environmental review. The anticipated fees are as follows²:

(Mitigated) Negative Declaration (if applicable) \$4,950.00³

Environmental Impact Report (if applicable) TBD⁴

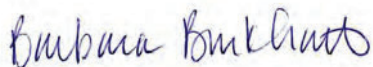
CONSISTENCY REVIEW:

Please be advised that the formal development application for the Project has been reviewed for consistency with objective development standards and policies that were adopted and in effect at the time the preliminary application was accepted on November 6, 2023. The project has been found to be inconsistent for multiple items, which are detailed in the attachments and exhibits to this letter. This consistency review is performed based on application materials submitted to date and objective City standards; no determination has been made regarding the Project's relationship to other City standards and policies. As the Project application materials are revised and new information is provided, updates to the City's consistency review determinations may be made.

Please be advised that prior to building permit issuance, the applicant shall comply with all City Water, Wastewater, Fire Protection, utility companies', and other relevant local/ State/ federal agencies' regulations that are directly applicable to the project.

Should you have any questions, please contact me at BBurkhart@SantaBarbaraCA.gov

Thank you,



Barbara Burkhardt
Project Planner

¹ Note that the project as originally proposed in the November 6, 2023, preliminary application included 45 units. The applicant proposed 54 units in its revised Planning Application submitted on August 28, 2024. The revised Planning Applications, as submitted on December 13, 2024 and January 29, 2025, propose 53 units.

² Reflects full initial study fee of \$14,747, minus \$14,442 already deposited from the applicant (for a Development Plan) and credited towards the review of this application.

³ If prepared by staff. Additional costs if consultant is required (as determined by staff).

⁴ Requires contract with outside consultant. \$8,000 initial cash deposit with actual contract costs plus staff time charged at the fully allocated hourly rates of all personnel involved.

Exhibits

- A. Consistency Review Comments
 - A1. Title 30 zoning ordinance
 - A2. Charter of the City of Santa Barbara Article XV
 - A3. General Plan policies
 - A4. Access and Parking Design Standards
 - A5. Community Wildfire Protection Plan
 - A6. California Building Code 1027.5
- B. Open Yard Annotations

EXHIBIT A

CONSISTENCY REVIEW COMMENTS

Table 1.1 below evaluates the Project for consistency with objective standards of the Santa Barbara Municipal Code (SMBC), City of Santa Barbara General Plan policies, and the City Charter that were in effect at the time the November 6, 2023 preliminary application was accepted, and includes additional consideration factors and notes for context. The Table also evaluates the project for consistency with objective standards of the City’s Access and Parking Design Standards, the City’s Community Wildfire Protection Plan, and the California Building Code.

Please refer to Exhibits A1 through A6, for zoning regulations and policy that were in effect at the time of the November 6, 2023 preliminary application acceptance. This consistency review is conducted in accordance with the objective zoning regulations and other plans and policies that were in effect on November 6, 2023.

Table 1.1	
1. Land Use: Multi-Unit Residential is allowed; however, no more than two residential units may be allowed in any one building. (SBMC TABLE 30.20.020)	
Consistency Review	Consideration Factors and Notes
The Project is not consistent with this development regulation.	The project proposes 53 units in one building.
2. Lot Size and Street Frontage: 10,500 square feet (sf) and 60 feet, for lots with an average slope between 10% and 20% (SBMC TABLE 30.20.030.A)	
Consistency Review	Consideration Factors and Notes
The Project is <u>consistent</u> with this development regulation.	The combined lots would have an average slope of 17.5%. The proposed lot size is 20,929 sf (0.48 acres). The proposed street frontage along Grand Avenue is 131.38 feet.
3. Maximum Base Residential Density: 1 unit/5,250 sf of net lot area, for lots of 7,000 sf or more, with an average slope between 10% and 20% (SBMC TABLE 30.20.030.A)	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	$20,929 \text{ sf} / 5,250 \text{ sf} = 3.98 \text{ units (round up)} = 4 \text{ units allowed}$ The project proposes 53 units which exceeds the 4 units allowed.

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4. Minimum Residential Unit Size: studios 220 sf; all others 400 sf (SBMC TABLE 30.20.030.A)	
Consistency Review	Consideration Factors and Notes
The Project is consistent with this development regulation.	All studio units are 361 sf or larger All other units are 827 sf or larger
5. Maximum Height (ft.): 30 feet (SBMC TABLE 30.20.030.A)	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The proposed height of 92 feet, 10 inches exceeds zoning limitation of 30 feet.
6. Minimum Setbacks (ft.), Residential Structures: Front, 15 feet for portions of structures 15 feet or less in height and 20 feet for portions more than 15 feet in height; Interior, 3 feet for covered parking and 6 feet for other structures (SBMC TABLE 30.20.030.A)	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The proposed building encroaches into the front setback and the westerly interior setback. <ul style="list-style-type: none"> • Portions of the building less than, or equal to, 15 feet in height encroach approximately 1.25 feet into the front setback, and 4 feet into the westerly interior setback, at their closest points. • Portions of the building more than 15 feet in height encroach approximately 8.25 feet into the front setback, and 4 feet into the westerly interior setback, at their closest points.
7. Open Yards: multi-unit residential (SBMC §30.140.140)	
<ul style="list-style-type: none"> • Common Open Yard 15% of the lot area for common areas, minimum dimensions of 10 long and 10 wide; and • Private Open Yard <ul style="list-style-type: none"> ○ Located on the First Story: <ul style="list-style-type: none"> (1) Minimum Area: <ul style="list-style-type: none"> (a) Studio unit: 100 square feet (b) 1 Bedroom unit: 120 square feet (c) 2 Bedroom unit: 140 square feet (d) 3 or more Bedroom unit: 160 square feet (2) Minimum Dimensions: 10 feet long and 10 feet wide. ○ Located on a Second or Higher Story: <ul style="list-style-type: none"> (1) Minimum Area: <ul style="list-style-type: none"> (a) Studio unit: 60 square feet (b) 1 Bedroom unit: 72 square feet 	

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(c) 2 Bedroom unit: 84 square feet (d) 3 or more Bedroom unit: 96 square feet (2) Minimum Dimensions: Six feet long and six feet wide.	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	<u>Common Open Yard</u> : The proposed area(s) of common open yard are not identified on the site plan. It appears that 15% of the lot area has been dedicated to common open yard; however, there does not appear to be area(s) that would meet the minimum 10' x 10' dimension requirement.
The project is <u>not consistent</u> with this development Regulation	<u>Private Open Yards</u> : Not all private open yards meet the minimum area and/or the minimum dimensions requirements. Please see Exhibit B for individual discrepancies.
8. Parking: 98 automobile spaces, including 4 accessible and 14 guest; 53 long-term bicycle parking spaces, meaning covered and secured (SBMC §30.175.040)	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	<u>Automobile</u> : The proposed 62 automobile parking spaces do not meet the 98 space requirement. The access aisle serving accessible stalls #13, 14, 18 & 19 does not meet the clear space required as defined by CBC Ch. 2 definition of "Accessible Route"; the columns cannot be placed in the access aisle.
The project is <u>not consistent</u> with this development regulation.	<u>Bike</u> : Although the project proposes 70 long-term spaces, the spaces are not adequate to meet the 53 space requirement because the project as proposed does not meet the long-term secure requirement (e.g., access-controlled), minimum stall dimensions, maneuvering, accessibility, or rack specifications as provided in the City's Access and Parking Design Standards, page 17-21.

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9. Parking Stall Dimensions	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The plans show bollards throughout the proposed parking configuration that appear to encroach into the required minimum parking stall dimensions as specified by SBMC 30.175.030 and the City's Access and Parking Design Standards. Further information is required for the plans to demonstrate consistency with the parking stall dimensions.
10. On-site Turnaround of Proposed Parking Stalls	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The plans do not indicate whether a vehicle can complete an onsite turnaround in one maneuver (one maneuver is one back up and one forward movement) from the parking stalls as proposed as required by SBMC 30.175.090. and the City's Access and Parking Design Standards (5E page 8). Further information is required for the plans to demonstrate consistency with the on-site turnaround standards.
11. Tandem Parking	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The plans do not indicate whether the proposed tandem automobile parking spaces are assigned to the same residential unit as required by SBMC 30.175.090. and the City Access and Parking Design Standards (6 page 8). Further information is required for the plans to demonstrate consistency with the tandem parking standards.
12. Parallel Parking Stalls	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The proposed parking stalls require multiple maneuvers and cannot complete ingress/egress in one forward movement as required by SBMC 30.175.090 and the City's Access and Parking Design Standards (5E page 8).
13. Driveway Slope: 16%	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The proposed 17.43% driveway slope exceeds the maximum allowed slope of 16% specified in SBMC 30.175.030 and the City's Access and Parking Design Standards.

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14. Loading/ Unloading for anticipated servicing vehicles/trucks.	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	<p>The plans do not indicate whether the loading zone can accommodate the anticipated vehicles servicing the site (e.g. a 26'-0" and 20'-0" delivery/moving truck and 32'-0" Marborg trash truck) without backing out, making other dangerous or hazardous turning movements, and meeting the appropriate clearances specified in SBMC 30.175.090, SBMC 30.175.030, and the City's Access and Parking Design Standards. Further information is required for the plans to demonstrate consistency with the service vehicle and truck standards.</p> <p>Furthermore, the plans do not indicate whether the dumpsters would be serviced in the parking garage, or rolled out for service; therefore, it cannot be determined whether the project is consistent with associated turnaround standards.</p>
15. Driveway Apron.	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	<p>The proposed 16'-0" driveway apron conflicts with the existing power pole, because there is less than 5' of clearance between the driveway and the power pole. Driveway aprons may be between 10' and 16' wide, and shall be as narrow as possible with consideration of maneuvering and circulation safety pursuant to SBMC 30.175.030 and the City's Access and Parking Design Standards (C3 page 15).</p>
16. Vehicle Ramps	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	<p>The plans do not provide ramp transitions, slopes, overhead, and adjacent wall clearances as provided by SBMC 30.175.030 and the City's Access and Parking Design Standards (12D page 15).</p>

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17. Vertical Curves	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The plans do not provide a profile of the minimum vertical curve lengths for gradual transitions between a street/sidewalk and driveway and between a driveway and parking area based on the proposed slope as specified on page 16 of City's Access and Parking Design Standards. More information is needed to assess compliance with SBMC 30.175.030 and the City's Access and Parking Design Standards (12E page 16).
18. Means of Egress: CBC 1027.5	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this Building Code Regulation	At westerly stair providing ingress/egress form the underground parking: Exit stairs must be a minimum of 10 feet measured at right angles from the exterior edge of the stair (including landing) to adjacent property line. [CBC 1027.5]
19. Enclosure Design, Trash Truck Access Point (TAP) SBMC §30.140.240	
Consistency Review	Consideration Factors and Notes
The Project is <u>not consistent</u> with this development regulation.	<p>The waste hauler does not have sufficient height clearance (16 feet at entrance/exit points, 20 feet at location of bin) to enter the parking garage where the dumpsters are located. The proposed dumpsters will need to be pulled to the street by hand and are subject to the 2% slope limit and 50 foot path distance limit for path of travel from the enclosure to Truck Access Point (TAP). The site plan does not indicate where the TAP will be or the path of travel of the containers to the TAP.</p> <ul style="list-style-type: none"> • Maximum distance from the TAP: The enclosure should be located no more than 50 feet from the TAP. • Maximum slope: Slope from enclosure to the TAP must not exceed 2% when dumpsters are used. • Overhead clearance: Allow for overhead clearance of 20' where bin is serviced. • Hauler truck access must not conflict with parked cars or delivery trucks. • Hauler truck access cannot require the truck to back around curves.

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20. Outdoor Lighting: Chapter 22.75	
Consistency Review	Consideration Factors and Notes
The Project is <u>consistent</u> with this development regulation.	The Outdoor Lighting Compliance Statement has been signed by the project’s Principal Lighting Designer, and has been reproduced on all lighting design plan sheets. Compliance with the Outdoor Lighting & Streetlight Design Guidelines will need to be shown for Final Approval consideration before the Architectural Board of Review.
21. Mechanical Equipment Noise: the noise limitation for mechanical equipment is 53 dB(A) at each property line of adjacent parcels used or zoned for residential, public, or semi-public uses. (SBMC Chapter 9.16)	
Consistency Review	Consideration Factors and Notes
The Project is <u>not consistent</u> with this development regulation.	The decibel calculation in the Sound Calculations table on Sheet PD_M.1 does not show the cumulative sound/noise of all proposed equipment at each property line adjacent to parcels used or zoned for residential, public, or semi-public uses. Additional information is needed to assess compliance with the 53 dB(A) noise standard.
22. Sewer Connection to the City Sewer Main: Connection to Public Sewer – Required When Public Sewer is Available per Santa Barbara Municipal Code §14.44.010	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this development regulation.	The municipal code requires the project to connect to the City Sewer Main (public), but the project proposes to connect to a private sewer system originally constructed by the condo development to the south and currently “owned” by the owners of each lot per recorded document 2010-0052011. In addition to conflicting with the City’s requirement to connect to the public sewer main, the applicant has not provided any evidence of their right to connect to any private sewer system, even if such a connection were allowed by the City.

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23. Utility Map with all proposed services and uses: SBMC §14.08.030	
Consistency Review	Consideration Factors and Notes
The plans do not provide sufficient information to determine consistency.	<p>The application does not include the following items required to run a water model; therefore, staff cannot determine whether the project can be adequately served with water.</p> <ul style="list-style-type: none"> • Water calcs for total domestic flow needs. • Water calcs for total fire flow needs. • Equipment list with product specs: backflow assemblies, pumps, etc. (Pumps would likely be required for domestic and fire water to reach the upper floors based on the proposed building height.)
24. Tree Removal: §15.24.020; No setback tree, parking lot tree, tree on an approved plan, or tree designated as an historic or specimen tree by City Council, may be removed without a permit.	
Consistency Review	Consideration Factors and Notes
The project is <u>consistent</u> with this development regulation.	<p>None of the eight trees proposed for removal are setback trees, parking lot trees, trees on an approved plan, or trees designated as an historic or specimen tree by City Council. Therefore, no permit is required for their removal.</p> <p>Twelve replacement trees are proposed to mitigate the removals.</p>
25. Storm Water Management Program (SWMP)	
Consistency Review	Consideration Factors and Notes
The Project is <u>not consistent</u> with this development regulation.	The project proposes more than 2,000 sf of new and redeveloped impervious area and must demonstrate compliance with Tier 3 requirements under the City’s Storm Water Management Program.
26. Maximum Height (ft.): 30 feet (City Charter Section 1506)	
Consistency Review	Consideration Factors and Notes
The Project is <u>not consistent</u> with this development regulation.	The proposed height of 92 feet, 10 inches exceeds the Charter height limit of 30 feet for areas zoned for two family residences.
27. General Plan Land Use Designation: Medium Density Residential (12 du/ac)	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with the General Plan land use designation.	The project proposes a density of 106 dwelling units per acre.

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<p>28. General Plan Land Use Element LG11. Healthy Urban Environment. Consider health in land use, circulation, and park and recreation decisions.</p> <p>General Plan Circulation Element: Development C8. Emergency Routes. It shall be a high priority to keep all emergency evacuation, response and truck routes free of physical restrictions that may reduce evacuation/response times.</p>	
Consistency Review	Consideration Factors and Notes
<p>The project is <u>not consistent</u> with this General Plan policy.</p>	<p>The General Plan Land Use Element seeks to promote healthy living by encouraging compact, vibrant, walkable places; encouraging the use of bicycles; and reducing the need for parking, among other things.</p> <p>The project site is located within the Lower Riviera Neighborhood, on the southern portion of Grand Avenue that is bordered by East Valerio Street to the west and California Street to the east. The Grand Avenue area is specifically characterized by the General Plan as having smaller lots on steep topography and narrow roads.</p>
<p>29. General Plan Conservation Element Visual Resources Policy 2.0: Development on hillsides shall not significantly modify the natural topography and vegetation.</p> <ul style="list-style-type: none"> - 2.4: All development on hillsides should be required to landscape the downslope side so as to hide or break up large surface area views of structures facing down slope. 	
Consistency Review	Consideration Factors and Notes

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<p>The project is <u>not consistent</u> with this General Plan policy.</p>	<p>The project proposes 8,675 cubic yards of excavation to a maximum depth of 30 feet, with 8,640 cubic yards being exported off the site.</p> <p>The south-facing elevation is proposed at 92'-10" in height. New screening trees are proposed; however, the landscape plan does not call out the species nor indicate their anticipated height, and no rendering is provided to show that they would hide or break up large surface area views of the proposed building.</p>
<p>30. General Plan Conservation Element</p> <p>Visual Resources</p> <p>Policy 3.0: New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City.</p> <p>Environmental Resources Element</p> <p>Aesthetics and Visual Resources</p> <p>ER29: Visual Resources Protection. New development or redevelopment shall preserve or enhance important public views and viewpoints for public enjoyment, where such protection would not preclude reasonable development of a property.</p>	
<p>Consistency Review</p>	<p>Consideration Factors and Notes</p>
<p>The plans do not provide sufficient information to determine consistency.</p>	<p>The application does not include visual aids that show the project's size, bulk, and scale as it relates to public scenic views and therefore does not address the issue of protection of scenic view corridors of the ocean and lower elevations of the City as viewed from the upper foothills.</p>

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<p>31. General Plan Conservation Element Water Resources Policy 2.0: Develop plans for implementation of water conservation regulations. - 2.1. Require all new development to incorporate water conservation features and devices into project design in order to minimize future increases in water demand.</p>	
Consistency Review	Consideration Factors and Notes
The project is <u>consistent</u> with this General Plan policy.	Preliminary landscape plans were submitted that include water wise plantings and irrigation components that align with the City's Water Efficient Landscape Standards. Water conservation features, including drip irrigation, a rain sensor, and water wise plants are included in the preliminary landscape plans. SBMC 14.23.
<p>32. General Plan Safety Element S7. Hazard Reduction. Identify, evaluate, and implement risk reduction measures during the development review and permitting process to reduce the effects of hazards to an acceptable level of risk. Project design measures shall be implemented as applicable to avoid or reduce hazards and comply with associated regulations.</p>	
Consistency Review	Consideration Factors and Notes
The project is <u>not consistent</u> with this General Plan policy.	<p>The subject site is located directly adjacent to designated evacuation routes along Grand Avenue and California Street, associated with the Foothill Zone High Fire Hazard Area located directly north across Grand Avenue and directly east across California Street. Furthermore, a designated Engine Primary Response Route is located 300 feet northwest of the site at the intersection of Grand Avenue and Valerio Street; this route extends up Moreno Avenue where it turns north, and down Valerio Street where it turns south. This portion of Grand Avenue is also a designated evacuation route.</p> <p>The entire length of Grand Avenue is considered existing non-conforming, in that street parking is allowed on both sides, which reduces its width to less than the required 20 feet, constraining the evacuation and emergency access routes that run along it.</p> <p>The application materials give no indication whether design measures have been implemented to avoid or</p>

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	<p>reduce hazards associated with an emergency evacuation of, or access to, the development. The project is proposed on a vacant site within an established residential neighborhood; however, the site is not listed on the Housing Element’s Suitable Sites Inventory and is not intended for high density development.</p>
<p>33. General Plan Safety Element</p> <p>S9. Risk Evaluation. Proposals for new development may be required to provide an evaluation of how natural and human-caused hazards may adversely affect the project, whether the project may create or exacerbate hazards, and to identify feasible measures to reduce hazard-related risk to an acceptable level. Required hazard evaluation reports are to be prepared and signed by a qualified individual acceptable to the City. At its discretion, the City may require peer review of submitted reports. Factors to be considered in determining whether a risk evaluation is required include but are not limited to:</p> <ul style="list-style-type: none"> a. Location of the project in relation to City hazard maps and other hazards information. b. Potential for the project to exacerbate natural or human-caused hazards c. Potential for the project to be impacted by natural and human-caused hazards d. Potential severity of hazard-related impacts e. Intended use of the site or proposed structures f. Potential consequences should the project be affected by one or more hazards g. Federal, state hazard regulations, building code requirements, and recommendations of the <i>Geology and Geohazards Master Environmental Assessment, Technical Report and Evaluation Guidelines</i> and other similar regulations and guidelines. 	
<p>Consistency Review</p>	<p>Consideration Factors and Notes</p>
<p>The application does not provide sufficient information to determine consistency.</p>	<p>No evaluation of the potential for the project to exacerbate, or be impacted by, natural or human-caused hazards has been presented, particularly in regard to the adjacent fire evacuation routes along Grand Avenue and California Street.</p>

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<p>34. General Plan Safety Element</p> <p>S37. Fire Hazard Reduction Design Requirements. Project designs shall adequately address fire hazard, providing for appropriate site layout; building design and materials; fire detection and suppression equipment; landscaping and maintenance; road access and fire vehicle turnaround; road capacity for evacuation; and water supply.</p>	
Consistency Review	Consideration Factors and Notes
<p>The application does not provide sufficient information to determine consistency.</p>	<p>The application materials do not adequately address fire hazard reduction design requirements in terms of road capacity for evacuation of citizens, or emergency access for the Fire Department.</p> <p>The project proposes a high density residential development that would add considerable congestion to an already constrained evacuation route, in the event of an emergency, presenting potentially significant fire life safety hazards.</p>
<p>35. Community Wildfire Protection Plan</p> <p>Policy 7. Increase evacuation safety for residents and the general public in the High Fire Hazard Area</p>	
Consistency Review	Consideration Factors and Notes
<p>The proposed project is <u>not consistent</u> with this Community Wildfire Protection Plan policy.</p>	<p>The project proposes a high density residential development that would add considerable congestion to an already constrained evacuation route, in the event of an emergency, presenting significant fire life safety hazards.</p> <p>Furthermore, an Intersection Control Plan (Caltrans Policy 13-02) has not been provided to determine traffic control at intersections in relation to safety and emergency access.</p> <p>Traffic Engineering and the Fire Department will also make a determination if the Project will or will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</p>

TITLE 30

ZONING—INLAND

Sections:

- 30.20.010 Purpose.**
30.20.020 Land Use Regulations.
30.20.030 Development Standards.

30.20.010 Purpose.

The specific purposes of the Residential Zones are to:

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

Additional purposes of each Residential Zone follow:

1. ***RS Residential Single Unit.*** This zone is intended to provide areas for single-unit housing on individual lots at appropriate low densities of one unit per legal lot with allowances for an Accessory Dwelling Unit or Two-Unit Residential Development when certain standards are met. Designators (e.g. -25, -15) refer to minimum lot size in thousands of square feet or, in the case of RS-1A, acres. The regulations for the RS Zone are intended to limit activities which would be inharmonious with or injurious to the preservation and character of a residential environment. Nonresidential uses are limited to those that support daily life of neighborhoods and complement surrounding residential development. Nonresidential uses are strictly limited in order to mitigate impacts associated with nonresidential uses such as: traffic, increased parking demand, light, glare, and noise.
2. ***R-2 Two-Unit Residential.*** This zone is intended to provide areas for medium-density residential where the principal use of land is for two-unit residences. Single-unit residence and garden apartment developments are also allowed. The regulations for this zone are intended to limit activities which would be inharmonious with or injurious to the preservation and character of a residential environment. Nonresidential uses are limited to those that support daily life of neighborhoods, complement surrounding residential development, and mitigate impacts to traffic, parking demand, light, glare, and noise.
3. ***R-M Residential Multi-Unit.*** This zone is intended to provide areas for a variety of multi-unit housing types. The regulations for this zone are intended to limit activities which would be inharmonious with

or injurious to the preservation and character of a residential environment. Nonresidential uses are limited to those that support daily life of neighborhoods, complement surrounding residential development, and mitigate impacts to traffic, parking demand, light, glare, and noise.

4. **R-MH Residential Multi-Unit and Hotel.** This zone is intended to provide areas for a variety of multi-unit housing types. It is also the intent of this zone to allow hotels and similar establishments, including related restaurant, recreational, conference center, and other auxiliary uses primarily for use by hotel guests, while protecting the existing housing stock, and preserving the residential character of those neighborhoods that are still primarily residential. Regulations for this zone are designed to control activities of a retail nonresidential nature and those which would tend to be inharmonious with housing. (Ord. 6047 § 1, 2021)

30.20.020 Land Use Regulations.

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

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

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

TABLE 30.20.020: LAND USE REGULATIONS-RESIDENTIAL ZONES					
<i>"A" Allowed Use</i>			<i>"-" Use Not Allowed</i>		
<i>"PSP" Performance Standard Permit Required</i>			<i>"(#)" Specific Limitations at the end of the table</i>		
<i>"CUP" Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
Residential Uses					
Residential Housing Types					
<i>Single-Unit Residential</i>	A	A	A	A	
<i>Two-Unit Residential</i>	A(8)	A	A	A	§30.185.440, Two-Unit Residential Development
<i>Multi-Unit Residential</i>	-	A(1)	A	A	
Special Residential Unit Types					
<i>Accessory Dwelling Unit</i>	A	A	A	A	§30.185.040, Accessory Dwelling Units
<i>Additional Residential Unit</i>	PSP	-	-	-	§30.185.050, Additional Residential Unit
<i>Caretaker Unit</i>	-	-	A	A	§30.185.120, Caretaker Unit
<i>Garden Apartment</i>	-	CUP	-	-	§30.185.180, Garden Apartment Developments
<i>Planned Residential Development</i>	CUP	-	-	-	§30.185.330, Planned Residential Development
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
<i>6 or fewer individuals</i>	A	A	A	A	§30.185.140, Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
<i>7 to 12 individuals</i>	PSP	PSP	PSP	PSP	
<i>More than 12 individuals</i>	CUP	CUP	CUP	CUP	

TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES					
<i>“A” Allowed Use</i>			<i>“–” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>			<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>					
<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
Family Day Care Home					
<i>Small</i>	A	A	A	A	
<i>Large</i>	PSP	PSP	PSP	PSP	§30.185.230, Large Family Day Care Homes
Group Residential	CUP(2)	CUP	CUP	CUP	§30.185.190, Group Residential
Home Occupation	A	A	A	A	§30.185.200, Home Occupation
Live-Work Unit	Allowed subject to the highest permit level required for any individual use or component of the project.				§30.185.240, Live-Work Units
Mobilehome Park	CUP(3)	CUP(3)	CUP(3)	CUP(3)	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§30.185.430, Transitional and Supportive Housing				
Transitional Housing	§30.185.430, Transitional and Supportive Housing				
Public and Semi-Public Uses (4)					
Cemetery	CUP	CUP	CUP	CUP	
Community Assembly	CUP	CUP	CUP	CUP	
Community Garden	A	A	A	A	§30.185.130, Community and Market Gardens
Cultural Institution	CUP	CUP	CUP	CUP	
Day Care Center	CUP	CUP	CUP	CUP	§30.185.150, Day Care Centers
Emergency Shelter	CUP	CUP	CUP	CUP	§30.185.170, Emergency Shelter
Hospitals and Clinics	–	–	–	CUP	
Park and Recreation Facility	CUP	CUP	CUP	CUP	§30.185.350, Recreation Facilities
Public Facility	CUP	CUP	CUP	CUP	
Recreational Vehicle Park					
Recreational Vehicle and Camping Parks, Overnight	–	–	–	CUP	§30.185.320, Overnight Recreational Vehicle or Camping Parks
Recreational Vehicle Parks, Permanent	CUP(3)	CUP(3)	CUP(3)	CUP(3)	§30.185.280, Mobilehome and Permanent Recreational Vehicle Parks
Schools	CUP	CUP	CUP	CUP	
Skilled Nursing Facility	–	–	–	CUP	
Social Service Facilities	CUP(5)	CUP(5)	CUP(5)	CUP(5)	
Commercial Uses					
Agriculture	A	A	A	A	§30.185.070, Agriculture
Commercial Entertainment and Recreation					
<i>Large-scale</i>	CUP(6)	CUP(6)	CUP(6)	CUP(6)	§30.185.350, Recreation Facilities
Eating and Drinking Establishments	–	–	–	CUP(7)	
Hotels and Similar Uses	–	–	CUP	A	§30.185.220, Hotels and Similar Uses
Market Garden	CUP	PSP	PSP	PSP	§30.185.130, Community and Market Gardens

TABLE 30.20.020: LAND USE REGULATIONS—RESIDENTIAL ZONES

<i>Use Classification</i>	<i>RS</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>	<i>Additional Regulations</i>
Parking, Public or Private (Nonresidential)	CUP	CUP	CUP	CUP	
Retail Sales, Neighborhood Market	-	PSP	PSP	PSP	§30.185.370, Retail Sales, Neighborhood Market
Transportation, Communication, and Utilities Uses					
Telecommunications Facilities	§30.185.410, Telecommunications Facilities				
Public Works and Utilities	§30.185.340, Public Works and Utilities				
Other Applicable Types					
Accessory Uses and Buildings	A	A	A	A	§30.185.030, Accessory Uses and §30.140.020, Accessory Buildings
Alcoholic Beverage Retail Establishments	CUP(9)	CUP(9)	CUP(9)	CUP(9)	§30.185.075, Alcoholic Beverage Retail Establishments
Animal Keeping	A	A	A	A	§30.185.210, Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Cannabis Cultivation, Personal	§30.185.110, Cannabis Cultivation for Personal Use				
Mixed-Use Development	Mixed-Use Development is allowed subject to the regulations of the specific uses and applicable zone and permit requirements for any individual use or component of the project.				
Mobilehome	§30.185.270, Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use; and §30.185.420 Temporary Uses				
Nonconforming Use	Chapter 30.165, Nonconforming Uses, Site Development, and Uses				
Solar Energy Systems	§30.140.090.D.8, Solar Energy Systems, and §30.185.400, Solar Energy Systems				
Temporary Use	§30.185.420, Temporary Uses				
Specific Limitations					
<ol style="list-style-type: none"> 1. No more than two residential units may be located in any one building. 2. Limited to convents and monasteries. 3. Not allowed in a Historic or Landmark District. Allowed within a High Fire Hazard Area if designed to meet high fire construction standards adopted or enforced by the City, as determined by the Chief Building Official or the Fire Code Official. 4. Other public or semi-public facilities not specifically permitted may be allowed in any zone pursuant to Conditional Use Permit approval. 5. Must be located a minimum 300 feet from any other social service facility or emergency shelter. 6. Limited to outdoor tennis clubs, lawn bowling clubs, golf courses and driving ranges. Miniature golf is not allowed. 7. There shall be a minimum of 100 established hotel-motel guestrooms closer than 500 feet of the boundary of the restaurant site or as allowed pursuant to §30.185.220, Hotels and Similar Uses. The 100 guestrooms may be used to support any number of restaurants. 8. Limited to specific standards in §30.185.440, Two-Unit Residential Development. 9. Limited to uses permitted in the zone. 					

(Ord. 6047 § 2, 2021; Ord. 6027 § 1, 2021; Ord. 5834, 2018; Ord. 5815, 2017)

30.20.030 Development Standards.

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

TABLE 30.20.030.A: DEVELOPMENT STANDARDS—RESIDENTIAL SINGLE UNIT ZONES						
<i>Zone</i>	<i>RS-1A</i>	<i>RS-25</i>	<i>RS-15</i>	<i>RS-10</i>	<i>RS-7.5</i>	<i>RS-6</i>
Lot Size and Street Frontage						
Minimum Net Lot Area for Newly Created Lots (sq. ft. unless noted)	See also Chapter 27.60, Parcel Maps for Urban Lot Splits					
<i>Average Slope less than 10%, and all lots with frontage on the Pacific Ocean regardless of slope</i>	1 acre	25,000	15,000	10,000	7,500	6,000
<i>Average Slope 10% to 20%</i>	1.5 acre	37,500	22,500	15,000	11,250	9,000
<i>Average Slope over 20% to 30%</i>	2 acres	50,000	30,000	20,000	15,000	12,000
<i>Average Slope over 30%</i>	3 acres	75,000	45,000	30,000	22,500	18,000
Minimum Public Street Frontage (ft.)	100	100	90	75	60	60
	See also §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines					
Maximum Base Residential Density						
Maximum Density (per lot)	1 unit	1 unit	1 unit	1 unit	1 unit	1 unit
Additional Residential Density Allowances						
All lots, in compliance with the applicable section	See §30.185.050, Additional Residential Unit See §30.185.040, Accessory Dwelling Units See Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives					
Maximum Floor Area						
Maximum Floor Area (Floor to Lot Area Ratio) (sq. ft.)	Applicable only to lots developed, or proposed to be developed, with a building with two or more stories or 17 feet or more in height.					
<i>Less than 4,000 sq. ft. Net Lot Area</i>	2,200. See also A, Maximum Floor Area (Floor to Lot Area Ratio)					
<i>4,000 to 9,999 sq. ft. Net Lot Area</i>	1,200 + (0.25 multiplied by the net lot area) = Maximum Floor Area. See also (A), Maximum Floor Area (Floor to Lot Area Ratio)					
<i>10,000 to 14,999 sq. ft. Net Lot Area</i>	2,500 + (0.125 multiplied by the net lot area) = Maximum Floor Area. See also A, Maximum Floor Area (Floor to Lot Area Ratio)					
<i>15,000 and more sq. ft. Net Lot Area</i>	Not Applicable					
Structure Form and Location						
Minimum Residential Unit Size	Studio: 220 square feet; All other units: 400 square feet See §30.140.150, Residential Unit					
Maximum Height (ft.)	30, except as further limited in accordance with §30.140.170, Solar Access Height Limitations					
Minimum Setbacks (ft.), Residential Structures	See also §30.140.090, Encroachments into Setbacks and Open Yards					
<i>Front</i>	35	30	30	25	20	Portions of structures 15 feet or less in height: 15; Portions of structures more than 15 feet in height: 20; Street facing covered parking: 20
	See also B, Setback Reduction for Sloping Lots					

TABLE 30.20.030.A: DEVELOPMENT STANDARDS—RESIDENTIAL SINGLE UNIT ZONES						
<i>Zone</i>	<i>RS-1A</i>	<i>RS-25</i>	<i>RS-15</i>	<i>RS-10</i>	<i>RS-7.5</i>	<i>RS-6</i>
<i>Interior</i>	15	10	10	8	6	5
Minimum Setbacks (ft.), Nonresidential Structures	See also §30.140.090, Encroachments into Setbacks and Open Yards					
<i>Front</i>	Same as for Residential Structures					
<i>Interior (Conversion and Alterations)</i>	Conversions of existing residential structures to nonresidential structures, or alterations of existing structures that contain nonresidential uses, are subject to the setback requirements for residential structures.					
<i>Interior (New or Additions)</i>	30	20	20	12	12	10
	Exception: Community Gardens are subject to the setback requirements for residential structures.					
Minimum Setbacks, Mixed-Use	Portions of structures that contain residential uses are subject to the setback for residential structures, and portions of structures used for nonresidential uses are subject to the setback requirement for nonresidential structures. Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.					
Minimum Setbacks, Uncovered Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking					
Materials	Roofing and siding materials shall be nonreflective. Shiny, mirror like, or glossy metallic finishes are prohibited.					
Open Yard						
Open Yards	See §30.140.140, Open Yards					

TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES			
<i>Zone</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>
Lot Size and Street Frontage			
Minimum Net Lot Area for Newly Created Lots (sq. ft.)			
<i>Average Slope less than 10%</i>	7,000	14,000	14,000
<i>Average Slope 10% to 20%</i>	10,500		
<i>Average Slope over 20% to 30%</i>	14,000		
<i>Average Slope over 30%</i>	21,000		
Minimum Public Street Frontage (ft.)	60	60	60
	See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines		
Maximum Base Residential Density			
Less than 5,000 sq. ft. Net Lot Area	1 unit	1 unit	
5,000 to 5,999 sq. ft. Net Lot Area	1 unit	2 units	
6,000 to 6,999 sq. ft. Net Lot Area	2 units if average slope less than 10%, 1 unit otherwise	2 units	
7,000 and more sq. ft. Net Lot Area			
<i>Average Slope less than 10%</i>	1 unit/3,500 sq. ft. of net lot area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater	
<i>Average Slope 10% to 20%</i>	1 unit/5,250 sq. ft. of net lot area		
<i>Average Slope over 20% to 30%</i>	1 unit/7,000 sq. ft. of net lot area		

TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES			
<i>Zone</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>
<i>Average Slope over 30%</i>	1 unit/10,500 sq. ft. of net lot area		
Additional Residential Density Allowances			
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See §30.140.220, Variable Density in Certain Zones See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives		
Structure Form and Location			
Minimum Residential Unit Size	See §30.140.150, Residential Unit		
Maximum Height (ft.)	30	45	45
	Except as further limited in accordance with §30.140.170, Solar Access Height Limitations		
Minimum Setbacks (ft.), Residential Structures	See also §30.140.090, Encroachments into Setbacks and Open Yards See Chapter 30.150, Average Unit-Size Density Incentive Program		
<i>Front</i>	Portions of structures 15 feet or less in height: 15; Portions of structures more than 15 feet in height: 20; Street facing covered parking: 20 See also (B), Setback Reduction for Sloping Lots	1st and 2nd Stories: 10 Portions of structures above 2nd story: 20	
		Covered parking: 10 Covered parking, street-facing: 20	
<i>Interior</i>	Covered parking: 3 Other structures: 6	1st and 2 nd Stories: 6 Portions of structures above 2nd story: 10	
		Covered parking: <ul style="list-style-type: none"> • Single-Unit Residential and Two-Unit Residential: 3 • Multi-Unit Residential: 6 except as provided in C, Interior Setback Reduction for Covered Parking on Lots 55 Feet or Less and D, Interior Setback for Covered Parking Opposite the Primary Front Lot Line 	
Minimum Setbacks (ft.), Nonresidential Structures	See also §30.140.090, Encroachments into Setbacks and Open Yards		
<i>Front</i>	Same as for Residential Structures		
<i>Interior (Conversions and Alterations)</i>	Conversions of existing residential structures to nonresidential structures, or alterations of existing structures that contain nonresidential uses, are subject to the setback requirements for residential structures.		
<i>Interior (New or Additions)</i>	12	New nonresidential structures or additions to existing nonresidential structures are subject to the following interior setback: <ul style="list-style-type: none"> • 1st and 2nd Stories: 12 • Portions of structures above 2nd story: 20 • Exception: Neighborhood Markets and Community Gardens are subject to the setback 	

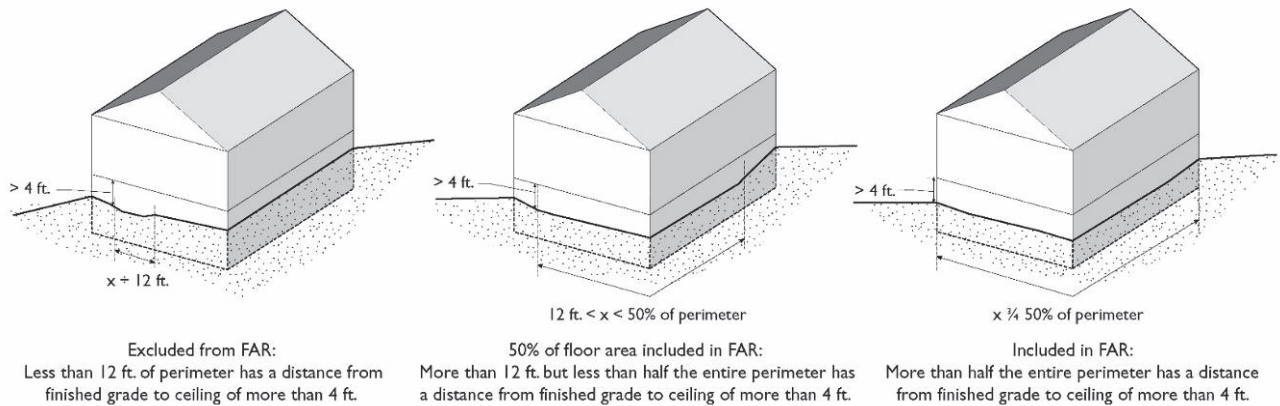
TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES			
Zone	R-2	R-M	R-MH
		requirements for residential structures.	
Minimum Setbacks, Mixed-Use	Portions of structures that contain residential uses are subject to the setback for residential structures, and portions of structures used for nonresidential uses are subject to the setback requirement for nonresidential structures.		
	Portions of structures used by both the residential and nonresidential uses are subject to the setback requirement for nonresidential structures.		
Minimum Setbacks, Uncovered Parking	See §30.175.060, Location of Required Automobile and Bicycle Parking		
Open Yard			
Open Yards	See §30.140.140, Open Yards See Chapter 30.150, Average Unit-Size Density Incentive Program		

Additional Residential Zone Development Regulations

A. Maximum Floor Area (Floor to Lot Area Ratio).

1. **Floor Area, Precluded Development-RS Zones.** No application for a Building Permit may be approved for a project in an RS Zone that will: (1) result in an increase of the floor area on the lot; (2) change the location of any floor area on the second or higher story of any structure on the lot; or (3) increase the height of any portion of a structure on the lot to 17 feet or higher if any of the following will occur:
 - a. The floor area will exceed the allowable maximum floor area for the lot; or
 - b. The floor area will exceed 85% of the allowable maximum floor area and any of the following apply:
 - i. The average slope of the lot or the building site is 30% or greater,
 - ii. The height of any structure on the lot is more than 25 feet, or
 - iii. The lot is located in the Hillside Design District and 500 or more cubic yards of grading is proposed to occur outside the footprint of the main or accessory buildings. Soil located within five feet of an exterior wall of a main or accessory building that is excavated and re-compacted shall not be included in the calculation of the volume of grading outside the building footprint.
2. **Measuring Floor Area Pursuant to this Section.** In determining floor area pursuant to this section see Section 30.15.070, Measuring Floor Area, and the following:
 - a. *Below Grade Excluded.* On any floor which is partly below and partly above grade, such as a basement, cellar, or understory, the total floor area of that floor may be excluded from the floor to lot area ratio (FAR) if no more than a cumulative total width of 12 feet per elevation has a distance from finished grade to ceiling greater than four feet.
 - b. *Partially Below Grade Reduced.* On any floor which is partly below and partly above grade, such as a basement, cellar or understory, the total floor area of that floor may be reduced by 50% from the floor to lot area ratio (FAR) if more than 12 feet, but less than one half the entire length of the perimeter has a distance from grade to ceiling greater than four feet.
 - c. *All Other Floor Area Included.* If more than one half the entire length of the perimeter of any floor has a distance from grade to ceiling greater than four feet, it is included in the floor to lot area ratio (FAR).
 - d. *Accessory Dwelling Unit and Junior Accessory Dwelling Unit Included.* Floor area within a portion of a structure designed and permitted as an accessory dwelling unit or junior accessory dwelling unit is included.

FIGURE 30.20.030.A.2: MEASURING FLOOR AREA



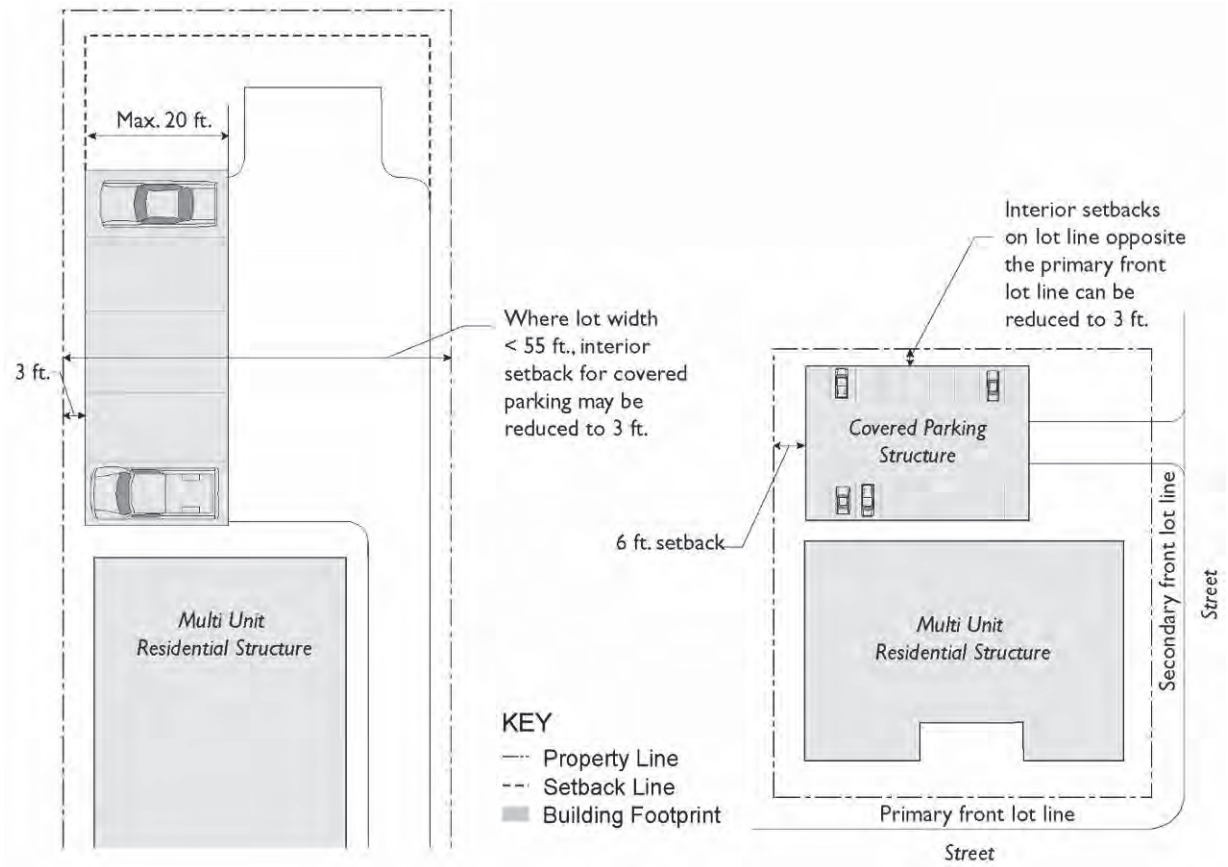
B. Setback Reduction for Sloping Lots.

1. **Residential Single Unit Zones.** In Residential Single Unit zones, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback for all stories is reduced by five feet.
2. **R-2 Zone.** In the R-2 Zone, where the average natural slope of the area within 50 feet of the front lot line is more than 20%, the required front setback for all stories is reduced to 10 feet.

C. Interior Setback Reduction for Covered Parking on Lots 55 Feet or Less. The required interior setback for covered parking on lots in the R-M or R-MH zone less than 55 feet in width, measured at the location of the covered parking structure, and developed with multi-unit residential may be reduced to three feet by the appropriate Design Review body provided the covered parking opening does not face a street or alley and the interior depth of the covered parking structure does not exceed 20 feet.

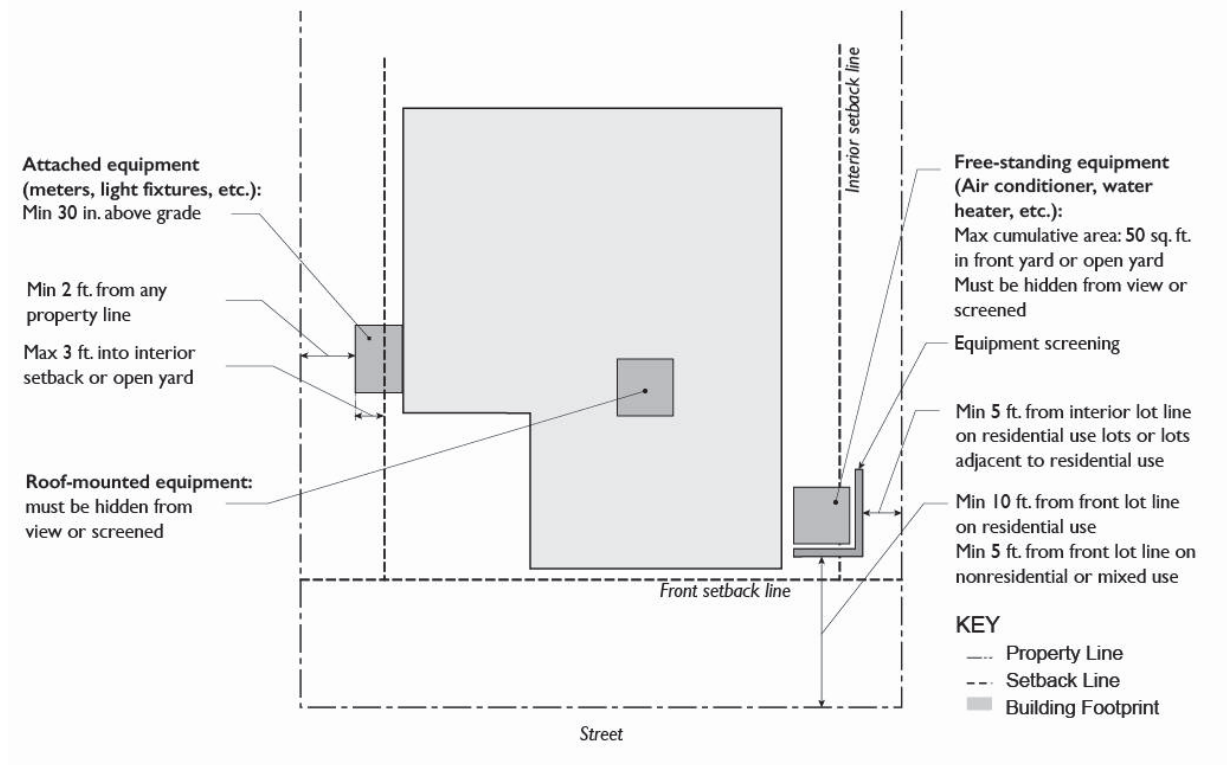
D. Interior Setback Reduction for Covered Parking Opposite the Primary Front Lot Line. The required interior setback for covered parking on lots in the R-M or R-MH zone developed with multi-unit residential may be reduced to three feet on the lot line opposite the primary front lot line. In the event of two or more front lot lines, the setback of only one opposite lot line may be reduced to three feet.

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



(Ord. 6047 § 3, 2021; Ord. 5834, 2018)

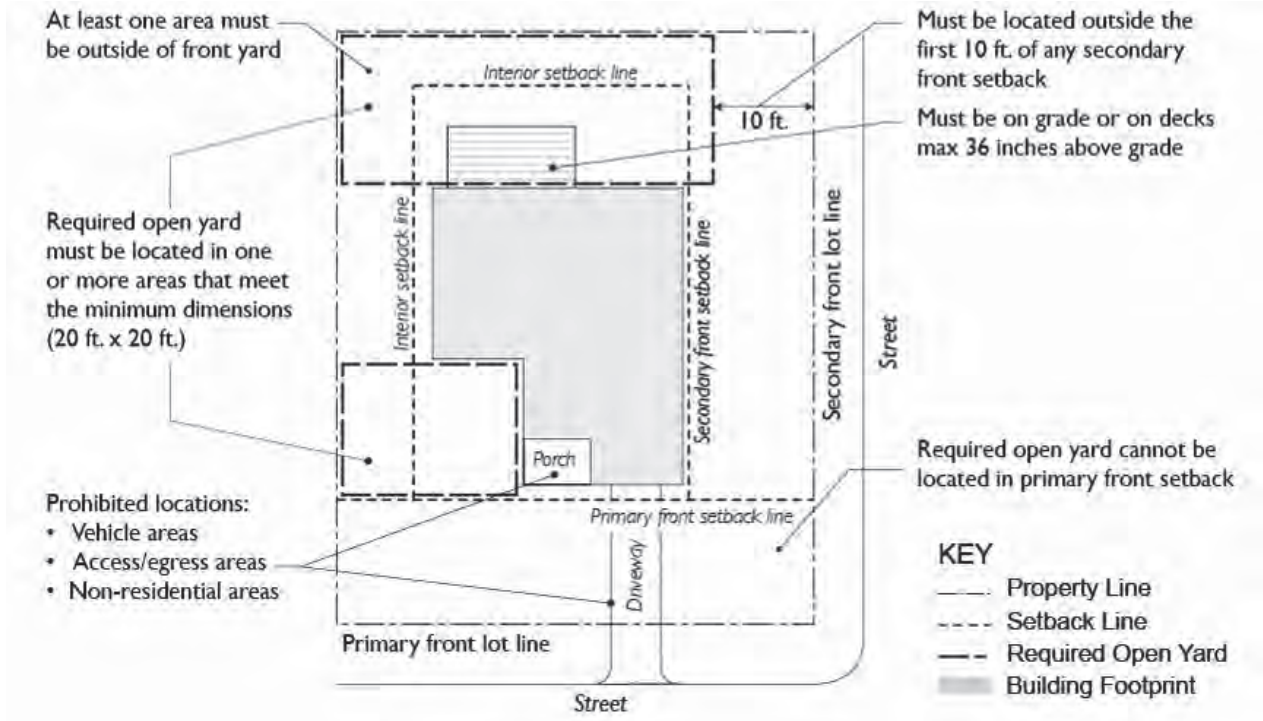
FIGURE 30.140.130: MECHANICAL AND OTHER EQUIPMENT



30.140.140 Open Yards.

- A. **Purpose.** Open yard areas are intended to promote desirable living conditions, a sense of openness on residential development, and to provide minimum useful space for outdoor living and enjoyment.
- B. **Applicability.** Open yards as described in this section shall be required in all zones for all residential uses, unless otherwise provided in Chapter 30.185, Standards for Specific Uses and Activities.
- C. **Minimum Area and Dimensions.** The minimum area and dimensions of required open yards shall be provided as follows:
 1. **Lots Developed with Single-Unit and Two-Unit Residential:**
 - a. **Minimum Area:**
 - i. 800 square feet on lots less than 5,000 square feet.
 - ii. 1,250 square feet on lots 5,000 square feet or greater.
 - b. **Minimum Dimensions:** 20 feet long and 20 feet wide.

FIGURE 30.140.140.C.1: OPEN YARDS—SINGLE-UNIT AND TWO-UNIT RESIDENTIAL



2. Lots Developed with Multi-Unit Residential or Mixed-Use:
 - a. *Minimum Area*: 15% of the net lot area.
 - b. *Minimum Dimensions*: 10 feet long and 10 feet wide.
 - c. *Private Open Yard*. In addition to open yard area meeting the minimum area and minimum dimension requirements in subparagraphs a. and b. above, private open yard is required for each residential unit. private open yards located on grade, or on decks no more than 36 inches in height above the ground, may overlap with required open yard areas in subparagraphs a. and b. above.
 - i. Private Open Yard Located on the First Story:
 - (1) Minimum Area:
 - (a) Studio unit: 100 square feet
 - (b) 1 Bedroom unit: 120 square feet
 - (c) 2 Bedroom unit: 140 square feet
 - (d) 3 or more Bedroom unit: 160 square feet
 - (2) Minimum Dimensions: 10 feet long and 10 feet wide.
 - ii. Private Open Yard Located on a Second or Higher Story:
 - (1) Minimum Area:
 - (a) Studio unit: 60 square feet
 - (b) 1 Bedroom unit: 72 square feet
 - (c) 2 Bedroom unit: 84 square feet
 - (d) 3 or more Bedroom unit: 96 square feet
 - (2) Minimum Dimensions: Six feet long and six feet wide.

30.140.240 Waste, Recycling, and Outdoor Storage.

All new and existing waste, recycling, and outdoor storage areas shall comply with the requirements of this section.

- A. **Waste and Recycling Storage.** Appropriately screened and located storage areas for solid waste and recycling receptacles that provide sufficient capacity for the development or use shall be provided, as follows:
1. **Compliance with the City Trash and Recycling Enclosure Design Guide.** Waste and recycling storage areas shall comply with the City Trash and Recycling Enclosure Design Guide.
 2. **Screening.** Waste and recycling receptacle storage areas shall be hidden from view by a fence or enclosure, compatible with adjacent architecture, with a minimum height of five feet for carts/cans, and seven feet for dumpsters, from any parking lot, right-of-way, or adjoining residential property. This requirement may be reduced or waived by the appropriate Design Review body if the waste and recycling receptacle storage area is determined to be adequately screened pursuant to Section 30.15.120, Screening.
 3. **Access.** Adequate access to and from the waste and recycling receptacle storage areas shall be provided including to the waste hauler access point.
 4. **Visibility.** Waste and recycling receptacle storage areas shall comply with all height limitations pursuant to Section 30.140.230, Visibility and Driveways and Intersections.
 5. **Maintenance.** Waste and recycling receptacle storage areas shall be maintained in good condition, free of visible debris, and shall not be used for anything other than storing waste and recycling receptacles. Waste and recycling receptacle storage areas shall not create a nuisance, hazard, or other objectionable condition, pursuant to Chapter 30.180, Performance Standards.
 6. **Location.** No portion of any front yard, setback, open yard, or front porch shall be used to store waste, recycling or similar receptacles. However, waste, recycling, or similar receptacles provided by the City's contracted local waste hauler may encroach into an interior setback, front yard, or front setback, if located in an enclosure, and located no closer than 10 feet to the front lot line; under the following conditions:
 - a. A Minor Zoning Exception pursuant to Chapter 30.245, Minor Zoning Exceptions, is approved by the appropriate Design Review body, with the following findings:
 - i. In addition to the findings required by Chapter 30.245, Minor Zoning Exceptions, the Minor Zoning Exception may only be granted where the Design Review body finds that the waste and recycling enclosure is not anticipated to create a nuisance, hazard, or other objectionable condition, pursuant to Chapter 30.180, Performance Standards.
 - b. The setback encroachments is for existing development only. The encroachment is not available for new structures, additions, or substantial redevelopment to existing structures where the proposed project can provide a conforming location.
 - c. When located within a setback or front yard, the waste and recycling enclosure shall be unroofed and shall not exceed the size required to store the receptacles, as determined by the City's Environmental Services Division.
- B. **Outdoor Storage.** No portion of any front yard or any setback, required open yard, or front porch shall be used for the storage or parking of motor vehicles, trailers, airplanes, boats, parts of any of the foregoing, appliances, loose rubbish or garbage, junk, tents, building materials, compost pile, or any similar item, for a period of 48 or more consecutive hours, except as provided below.
1. Storage established as a permitted use with a permit or approval, as provided in this Title.
 2. Construction materials for use on the same premises may be stored during the time that a valid permit is in effect for construction on the premises.

a reduction of automobile parking spaces, an alternative landscape design may be approved by the applicable Design Review body, pursuant to Subsection 30.175.080.E, Alternative Landscape Designs.

30.175.030 General Provisions.

- A. **Permit Required.** A permit is required to establish any new driveway, parking area, or vehicle maneuvering area or for any change to an existing driveway, parking area, or vehicle maneuvering area.
- B. **Off-Street Parking Required.** Whenever automobile or bicycle parking spaces are required pursuant to this chapter, they shall be located off-street.
- C. **Conversion or Demolition of Parking.** Any permit to allow the conversion, demolition, or substantial redevelopment of any required automobile or bicycle parking space shall not be approved unless replacement parking is included under the same permit.
- D. **New and Existing Parking Areas.** All new, reconstructed or altered driveways, parking areas, or vehicle maneuvering areas shall be designed and developed consistent with the standards of this chapter and the City Standards for Parking Design. All paved areas and structures accessible to vehicles shall be reviewed as potential parking areas. No vehicle shall be stored or parked on a lot in a manner inconsistent with the requirements of this chapter.
- E. **Minimum Size of Nonconforming Two Car Garage or Carport.** If an existing garage or carport legally constructed with a Building Permit has an exterior dimension less than 16 feet wide, it is considered physically unsuitable for two cars and shall be considered a single car garage or carport.
- F. **Timing of Construction.** All parking facilities required by this chapter shall be constructed or installed prior to passing final inspection or the issuance of a Certificate of Occupancy for the uses that they serve.
- G. **Parking and Loading to be Maintained.** All required parking and loading spaces shall be maintained in amount, design, and location, unless equivalent substitute facilities are approved and provided.
- H. **Availability.** All parking required by this chapter must be available for its intended purpose during business hours for all nonresidential uses and at all times for residential uses, and shall remain accessible and available to all occupants and patrons of uses and structures. In no event shall parking facilities that are required for a structure or use be considered as providing any of the required parking spaces for any other structure or use.
- I. **Accessible Parking.** Each lot where automobile parking is provided for the public as clients, guests, or employees shall include automobile parking accessible to disabled persons, in compliance with the Building Code.
 - 1. **New Residential Units.** If one or fewer automobile parking spaces are required per residential unit for any new development and if signed, accessible automobile parking spaces are required by the Building Code, then the signed, accessible automobile parking spaces must be provided in addition to the minimum number of automobile parking spaces required per residential unit by this chapter.
 - 2. **Existing Structures.** The conversion of one or more existing automobile parking spaces to accessible uncovered automobile parking spaces, associated access aisles, and components of an accessible route (sloped walk ways and ramps/landings/guard rails), is allowed, even if the conversion results in fewer automobile parking spaces on the lot than required, pursuant to the following:
 - a. **Configuration.** The accessibility improvement is designed and provided for persons with disabilities as required by the Building Code, on existing multi-unit residential, mixed-use, or nonresidential development.
 - b. **Existing Development.** This allowance is applicable to existing automobile parking spaces on existing development only, and shall not be used to provide fewer automobile parking spaces than are required for a project consisting of new or reconstructed structures, additions, or a change of use.

- c. *Minimum Size.* The accessibility improvement is the minimum size required by the Building Code.
 - d. *Modifications.* If the accessibility improvement does not meet these criteria, a Modification for reasonable accommodations will be made, if found to be consistent with the Americans with Disabilities Act; see Chapter 30.250, Modifications.
- J. **Assigned Parking.** Lots developed with multiple uses and a shared parking area shall not assign automobile and bicycle parking spaces to individual tenant spaces or uses, with the following exceptions: required residential automobile and bicycle parking spaces in any mixed-use development shall be assigned to residential occupants; and designated off-site automobile parking spaces, approved pursuant to paragraph 30.175.060.A.1, Allowance for Off-Site Parking, shall be assigned.
- K. **Recorded Agreement.** A Recorded Agreement, pursuant to Chapter 30.260, Recorded Agreements, shall be required by the Community Development Director whenever there is a special circumstance which requires a written agreement between one or more landowners and the City is required to guarantee permanent access to, or use of, any parking facility, loading area, driveway, or maneuvering area. Examples include, but are not limited to, offsite parking and maneuvering areas, or parking and maneuvering areas that overlap multiple property lines.
- L. **Commercial Vehicles.** Parking of commercial vehicles on any lot developed with solely residential uses is limited to the time necessary to transact business or provide a service at a residence.
- M. **Inoperable and Unregistered Vehicles.** All vehicles incapable of movement under their own power or vehicles not currently registered for use on the street shall be stored in an entirely enclosed space. This provision does not apply to Automobile and Vehicle Repair, Major, Salvage and Wrecking, and Towing and Impound establishments.
- N. **Covered Parking.** Covered automobile parking shall be provided as follows. Covered automobile parking shall also comply with the limitations in Section 30.140.020, Accessory Buildings.
 - 1. **Single-Unit Residential.** All required automobile parking spaces must be covered.
 - a. *Exception.* On lots less than 15,000 square feet, uncovered automobile parking may be substituted for covered automobile parking as follows, provided that the uncovered automobile parking complies with Section 30.175.060, Location of Required Parking, and permeable pavers are used on any new paved areas, as feasible.
 - i. One Covered and One Uncovered Space. Any lot developed with less than 85% of the maximum net floor area for the lot, pursuant to Section 30.20.030.A, Maximum Floor Area (Floor to Lot Area Ratio), may provide one covered automobile parking space and one uncovered automobile parking space.
 - ii. Two Uncovered Spaces. Any lot developed with less than 80% of the maximum net floor area for the lot, pursuant to Section 30.20.030.A, Maximum Floor Area (Floor to Lot Area Ratio), may provide two uncovered automobile spaces, subject to approval by the appropriate Design Review Body, provided a minimum 200 cubic feet of enclosed exterior storage space is provided on-site.
 - 2. **Two-Unit Residential, Condominium, Community Apartment, or Stock Cooperative.** A minimum of one automobile parking space allocated to each unit shall be covered.
 - 3. **Designated Historic Resources.** On any lot developed with a designated historic resource, uncovered automobile parking may be substituted for covered automobile parking, provided that the uncovered automobile parking complies with Section 30.175.060, Location of Required Parking and subject to approval by the appropriate Design Review body, and permeable pavers are used on any new paved areas, unless reduced or waived by the appropriate Design Review body.
 - 4. **All Other Uses.** For all other uses, automobile parking spaces may be provided as either covered or uncovered. However, required automobile parking spaces for any nonresidential use shall not be al-

lowed in individual garages or carports, unless the location and design are approved by the Public Works Director.

- O. **Guest Parking.** Except for residential development located in the Central Business District, guest automobile parking is required for all multi-unit residential development and for residential units in a mixed-use development, as follows:
 - 1. **1-5 Units:** None required.
 - 2. **6-7 Units:** One parking space.
 - 3. **8 or More Units:** One space per four units.
- P. **Maintenance.** Parking lots, including all landscaped areas, parking spaces, driveways, and loading areas, shall be maintained free of refuse, debris, weeds, or other accumulated matter and shall be kept in good repair at all times.

30.175.040 Required Automobile and Bicycle Parking Spaces.

- A. **Required Off-Street Parking Spaces.** Each lot shall provide the minimum number of automobile and bicycle parking spaces stated in Table 30.175.040, Required Off-Street Parking Spaces, except as provided below.
 - 1. **Minimum Number of Spaces.** Fractions shall be rounded pursuant to Section 30.15.050, Fractions.
 - a. **Automobile Parking.** If the result of rounding is less than one automobile parking space, a minimum of one automobile parking space shall be required for every new use established and new main building constructed.
 - b. **Bicycle Parking.** When bicycle parking is required pursuant to this chapter, and the result of rounding is less than one space, a minimum of one bicycle parking space shall be provided. Rounding for bicycle parking shall take place prior to the determination of the numbers of short term and long term bicycle parking, as described below.
 - c. **Short Term and Long Term Bicycle Parking.** When the numbers of short and long term bicycle parking spaces required per Table 30.175.040, Required Off-Street Parking Spaces, result in fractions of a space, the one remaining required bicycle parking space represented by the sum of the fractions may be provided as either short term or long term.
 - 2. **Central Business District.** Lots within the Central Business District shown on Figure 30.175.050.B, Central Business District and Parking Zones of Benefit, are subject to the parking requirements of Subsection 30.175.050.B, Central Business District (CBD).
 - 3. **Exceptions and Reductions.** The required number of automobile and bicycle parking spaces may be reduced if an exception applies or a reduction is approved pursuant to Section 30.175.050, Parking Exceptions and Reductions.

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

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Public and Semi-Public Uses		
Cemetery	None beyond what is required for any Community Assembly or Office, if applicable	1 per 1,750 square feet (0%/100%)
College and Trade School	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Community Assembly	1 per 100 square feet of net floor area Outdoor areas: as determined by the Community Development Director in consultation with the Public Works Director	1 per 1,000 square feet (0%/100%)
Community Garden	None	None
Cultural Institution	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Day Care Center	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Emergency Shelter	1 per 8 beds, or as determined by the Community Development Director in consultation with the Public Works Director	1 per 4 beds (100%/0%)
Harbor, Port, and Marina Facilities	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Hospitals and Clinics		
<i>Hospital</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
<i>Clinic</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
<i>Birth Center</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Instructional Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Park and Recreation Facility	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Public Facility	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Recreational Vehicle and Camping Parks, Overnight	Guest Parking only: 1 per 4 recreational vehicle spaces	None
Recreational Vehicle Parks, Permanent	Consistent with Multi-Unit Residential	None
Schools	High School: 5 per classroom Elementary and Junior High School: 2 per classroom	5 per classroom (50%/50%)
Skilled Nursing Facility	1 per 2 beds	1 per 15 beds (25%/75%)
Social Service Facilities	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Commercial Uses		
Adult Entertainment Facilities	1 per 250 square feet of net floor area	1 per 1,750 square feet

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES

<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
		(25%/75%)
Agriculture	Outdoor Uses: none Indoor Uses: 1 per 250 square feet of net floor area	None
Animal Care, Sales and Services		
<i>Animal Daycare</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
<i>Animal Shelter and Boarding</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
<i>Grooming and Pet Stores</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
<i>Veterinary Services</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (100%/0%)
Aquaculture Facilities	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
Artist Studio	1 per 250 square feet of net floor area	1 per 1,750 square feet (0%/100%)
Automated Teller Machine (ATM)	1 per 250 square feet of net floor area	1 per 1,750 square feet (0%/100%)
Automobile/Vehicle Sales and Services		
<i>Automobile/Vehicle Rentals</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
<i>Automobile/Vehicle Sales and Leasing</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
<i>Car Washing Facilities</i>	1 space per 250 net square feet, excluding the car wash bays. Minimum 2 spaces for automatic and self-service car washes and 5 spaces for full-service car washes.	1 per 1,750 square feet (25%/75%)
<i>Fueling Station</i>	1 per 250 square feet of net floor area, including vehicle repair bays. Minimum 2 spaces. No additional spaces are needed for an automatic (drive-through) car wash. Other types of car washes require parking as specified in this table.	1 per 1,750 square feet (25%/75%)
<i>Service and Repair, Minor</i>	1 per 250 square feet, including vehicle repair bay area.	1 per 1,750 square feet (25%/75%)
Banks and Financial Institutions	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Business Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Cannabis Storefront-Retailer	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Commercial Entertainment and Recreation		
<i>Cinema/Theaters</i>	1 per 100 square feet of net floor area	1 per 1,000 square feet (0%/100%)
<i>Large Scale</i>	As determined by the Community Development Director in consultation with the Public Works Director	As determined by the Public Works Director
<i>Small Scale</i>	1 per 250 square feet of net floor area, plus 2 spaces	1 per 1,750 square feet

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

TABLE 30.175.040: REQUIRED OFF-STREET PARKING SPACES		
<i>Use Classification or Development Type</i>	<i>Required Automobile Parking Spaces</i>	<i>Required Bicycle Parking Spaces (long term%/short term%)</i>
Parking, Public or Private	None	None
Personal Services	1 per 250 square feet of net floor area	1 per 1,750 square feet (50%/50%)
Retail Sales		
<i>Food and Beverage Sales</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
<i>General Retail</i>	1 per 250 square feet of net floor area	1 per 1,750 square feet (25%/75%)
<i>Neighborhood Market</i>	None	4 short term spaces
Industrial Uses		
Automobile and Vehicle Repair, Major	1 per 500 square feet, including the vehicle repair bay area.	1 per 1,750 square feet (75%/25%)
Building Materials and Services	1 per 250 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site.	1 per 1,750 square feet (75%/25%)
Commercial Cannabis Business	Except for Cannabis Storefront- Retailer, 1 per 500 square feet of net floor area	1 per 1,750 square feet (25%/75%)
Commercial Vehicle and Equipment Sales and Rental	1 per 500 square feet; plus, Fueling and Car Washing per this table, if applicable	1 per 3,500 square feet (75%/25%)
Construction and Material Yards	1 per 500 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site.	1 per 1,750 square feet of General Retail (75%/25%)
Custom Manufacturing	1 per 500 square feet of net floor area;	1 per 3,500 square feet (100%/0%)
Food and Beverage Manufacturing		
<i>Limited/Small Scale</i>	1 per 500 square feet of net floor area;	1 per 3,500 square feet (100%/0%)
<i>General/Large Scale</i>	1 per 500 square feet of net floor area;	1 per 3,500 square feet (100%/0%)
Hazardous Waste Management Facility	As determined by the Community Development Director in consultation with the Public Works Director	1 per 3,500 square feet (100%/0%)
Household Hazardous Waste Collection Facility	1 per 500 square feet	As determined by the Public Works Director
Industry, General	1 per 500 square feet of net floor area;	1 per 3,500 square feet (100%/0%)
Industry, Limited	1 per 500 square feet of net floor area;	1 per 3,500 square feet (100%/0%)
Recycling Collection Facility	1 per 500 square feet of net floor area;	1 per 3,500 square feet (100%/0%)
Research and Development	1 per 500 square feet of net floor area;	1 per 3,500 square feet (75%/25%)
Salvage and Wrecking	1 per 500 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site.	None
Towing and Impound	1 per 500 net square feet of floor area or 1 per 2,000 square feet of lot area, whichever is greater; minimum 2 spaces shall be provided per site.	None

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

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

1. **Parking for Multiple Uses.** For uses other than shopping centers and accessory uses, if more than one use is proposed on a lot, the number of required automobile and bicycle parking spaces shall be equal to the sum of the parking requirement calculated separately for each use as described below.
 - a. *Separation.* Multiple uses with different automobile and bicycle parking requirements located in the same building must be physically separated with a fixed barrier, of a sufficient height and material to adequately separate uses, or the automobile and bicycle parking requirement shall be calculated at the highest rate for all uses.
 - b. *Common Areas.* Common areas, such as hallways or shared bathrooms, for multiple uses shall be calculated using the highest automobile and bicycle parking rate for all proposed uses.
2. **Parking for Shopping Centers.** Shopping centers may provide required automobile parking spaces at a rate of one space per 250 square feet of net floor area, and bicycle parking at a rate of one space per 1,750 square feet of net floor area, of all buildings occupied with a commercial use, even if a higher minimum parking requirement is indicated in Table 30.175.040, Required Off-Street Parking Spaces, for individual uses. This provision does not apply if the shopping center includes any of the following uses: Hotels and Similar Uses, Residential, Public and Semi-Public, Industrial, or Transportation, Communication and Utilities.
3. **Parking for Accessory Uses.** If the floor area of any accessory use does not exceed the maximum size, as described in Section 30.185.030, Accessory Uses, additional automobile and bicycle parking spaces

shall not be required for any accessory use, even if a higher minimum parking requirement is indicated in Table 30.175.040, Required Off-Street Parking Spaces. However, manufacturing, warehouse, or storage use that is incidental, or accessory to, a primary use shall not be parked at a lower rate than that required for the primary use.

4. ***Parking for Outdoor Uses.*** The area of any outdoor use that requires automobile or bicycle parking spaces per Table 30.175.040, Required Off-Street Parking Spaces, shall be identified on an approved plan and shall be demarcated on the site with a fixed barrier which may include, but is not limited to, bollards, railings, posts, walls, fences, patios, planters, or any similar visual or physical border.
5. ***Parking for Fleet Vehicles.*** Any use that operates more than three fleet vehicles shall provide off-street parking spaces for all fleet vehicles in addition to the automobile and bicycle parking spaces required by Table 30.175.040, Required Off-Street Parking Spaces, for employee and customer parking.
6. ***Vehicles as Inventory.*** Any use that retains an inventory of vehicles for sale, repair, or rental shall provide off-street storage space for those vehicles, and shall not utilize the automobile or bicycle parking spaces required by Table 30.175.040, Required Off-Street Parking Spaces, for vehicle storage or vehicle inventory.
7. ***Parking for Group Residential, Hotels and Similar Uses.*** Required automobile parking for Group Residential, Hotels and Similar Uses, is as follows:
 - a. *Guestrooms without kitchens provided in the unit* shall provide one automobile parking space per guestroom, plus one automobile parking space per caretaker's unit in a Hotel and Extended Stay Hotel, if applicable.
 - b. *Guestrooms with kitchens provided in the unit* shall provide either one automobile parking space per guestroom, or per the automobile parking requirements for the Residential Housing Type in Table 30.175.040, Required Off-Street Parking Spaces, whichever is greater.
 - c. If individual beds are provided for rent, rather than rooms (e.g., youth hostel or dormitory), the automobile parking requirement is one automobile parking space per two beds. A "bed" for the purposes of this section shall mean 70 square feet in any guestroom.
 - d. Auxiliary uses, including restaurants, spas, fitness centers, retail or similar uses, which are restricted to hotel occupants and their guests, shall require no additional automobile or bicycle parking spaces.
 - e. Auxiliary uses, including restaurants, spas, fitness centers, retail or similar uses, which are available to members of the public and hotel occupants and their guests, shall require additional automobile and bicycle parking spaces pursuant to Table 30.175.040, Required Off-Street Parking Spaces. However, no conference centers in a hotel shall require additional automobile or bicycle parking spaces.
 - f. For automobile and bicycle parking required for Hotels and Similar Uses in the Central Business District, see 30.175.050.B.1.a.ii.
8. ***Vehicle Repair Bays.*** Vehicle repair bays for any use shall not be counted as parking spaces.
9. ***Parking for Warehousing and Storage.*** Warehousing and storage uses that meet the following standards may use the automobile and bicycle parking requirement for Warehousing and Storage uses in Table 30.175.040, Required Off-Street Parking Spaces. Other warehousing and storage uses shall use the required automobile and bicycle parking rate for the most similar industrial or commercial use.
 - a. Warehousing and Storage is an allowed use in the Zone.
 - b. With the exception of Personal Storage, a minimum of 1,000 net square feet of contiguous, undivided warehouse or storage area is provided.
 - c. The warehouse or storage use is not accessory to a primary use.
10. ***Uses Not Specified.*** If automobile and bicycle parking requirements for a use are not specified in Table 30.175.040, Required Off-Street Parking Spaces, automobile and bicycle parking spaces shall be required in an amount adequate to meet the purpose of this chapter, as determined by the Community Development Director, in consultation with the Public Works Director taking into consideration factors such as parking demand and similar uses listed in Table 30.175.040, Required Off-Street Parking Spaces. (Ord. 5815, 2017)

30.175.090 Parking Area Design and Development Standards.

All parking areas and new or reconstructed garages and carports shall be designed and developed consistent with the City Standard for Parking Design and the following standards as determined by the Public Works Director.

A. Circulation and Safety.

1. Visibility shall be assured for pedestrians, bicyclists, and motorists entering, circulating within and leaving a parking facility.
2. Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing unreasonable distances or making other dangerous or hazardous turning movements.
3. Backing out onto a public street or sidewalk from a parking space shall be permitted only for Single-Unit and Two-Unit Residential, and where not more than four parking spaces are provided.
4. All turnaround movements shall be accomplished in one maneuver. One maneuver is considered to be one back up and one forward movement.
5. All automobile parking spaces shall be clearly marked with paint or other similar distinguishable material, except spaces established in a garage or carport having not more than three spaces, or for Single-Unit Residential.

B. Pedestrian Access. Safe, accessible, direct and convenient off-street pedestrian circulation consistent with the City Access and Parking Design Guidelines shall be provided for all developments other than single-unit and two-unit residential.

C. Driveways. Driveway access to automobile parking areas shall be consistent with the City Access and Parking Design Guidelines and the California Fire Code as amended and adopted by ordinance of this City.

1. Driveways, fire lanes, or other required vehicular maneuvering areas in any parking lot shall not be used for parking of vehicles or other storage that prohibits access.
2. Circular driveways, multiple driveways, or motor courts in any setback are prohibited, unless determined necessary for safety or necessary to serve permitted parking spaces.
3. All driveways and turnarounds shall serve approved parking areas or loading areas only, and shall not exceed the minimum dimensions necessary for vehicular maneuvering. If a driveway or driveway approach is no longer necessary to serve an approved parking area or loading area, all paving shall be removed, and the curb, gutter, and sidewalk shall be replaced to meet City Construction Standard Details.

D. Gates. In order to prevent vehicle obstructions of the street, sidewalk, or right-of-way, all driveway gates shall be setback a minimum of 20 feet from the front lot line for any use. Driveway gates for nonresidential uses may be located closer than 20 feet if the gates remain open during business hours.

E. Loading. In order to avoid undue interference with the public use of streets and alleys, off-street loading and unloading areas shall be provided for any use that employs valet parking and any other use where loading interferes with short-term or visitor parking, as determined by the Public Works Director.

F. Tandem Parking. Tandem parking may be approved by the Public Works Director to satisfy the automobile parking required by this chapter in accordance with the following.

1. Residential Uses.

- a. *Accessory Dwelling Unit, Multi-Unit, and Mixed-Use Development.* Tandem automobile parking for accessory dwelling units, multi-unit residential, or for residential uses in a mixed-use development, shall meet the following:
 - i. No more than two automobiles shall be placed one behind the other;
 - ii. Both automobile parking spaces parked in tandem shall be assigned to the same residential unit;

- iii. Automobile movements necessary to move cars parked in a tandem arrangement shall not take place on any street or alley;
 - iv. Tandem parking shall not be used to satisfy the guest parking requirement; and
 - v. Vertical or stackable tandem parking, provided by means of mechanical lifts, is subject to approval by the Public Works Director. Mechanical lifts shall be fully enclosed within a structure and shall require a recorded maintenance agreement, pursuant to Chapter 30.260, Recorded Agreements.
 - b. *Other Residential Uses.* For all other residential uses, tandem automobile parking shall only be approved for existing development if the Public Works Director finds that the tandem parking is needed for flexibility on a constrained lot, and where tandem parking does not create a safety hazard or traffic impacts. If approved, no more than two automobile spaces shall be placed one behind the other, and both automobile spaces parked in tandem shall be assigned to the same residential unit. Tandem parking shall not be used to provide for the conversion of garage or carport spaces.
 - 2. **Nonresidential Uses.** Tandem automobile parking for nonresidential uses shall meet the following:
 - a. *Allowed Uses.* Limited to Hospitals and Clinics, Medical and Dental Offices, and Hotels and Similar Uses.
 - b. *Minimum Number of Spaces.* Parking lots used for tandem automobile parking shall contain a minimum of 20 automobile parking spaces;
 - c. *Design and Operation.* Shall be designed and operated as valet parking in compliance with all standards in Subsection 30.175.090.G, Valet Parking; and
 - d. *Recorded Agreement Required.* A recorded agreement shall be executed establishing the valet parking will be maintained and reserved for the uses served for as long as such uses are in operation.
- G. **Valet Parking.** Valet parking shall comply with all of the following:
- 1. Sites utilizing valet parking shall not use any street, alley, or City-owned parking facilities for automobile storage, pickup, drop-off, or interfere with any right-of-way without approval of the Public Works Director;
 - 2. Vehicle movements in a tandem arrangement shall not take place on any street or alley;
 - 3. The valet drop-off lanes, and any associated kiosks or other similar items, shall be located to allow for the safe and efficient function of the valet operation, in that it will neither adversely impact the parking and internal circulation of the parking lot or any adjacent right-of-way, nor encroach into any required fire lane access area;
 - 4. Valet parking shall not interfere with, reduce, remove, or utilize any automobile or bicycle parking spaces required for any other use; and
 - 5. Sites utilizing valet parking shall ensure a parking attendant will be on duty at all times that the facility is in use, and sufficient staff and facilities to ensure that automobiles are moved for parking promptly. No automobile queuing or parking is allowed in travel lanes at any time. If the site is unable to satisfy the valet parking demand and queuing or double-parking occurs, the operation shall be temporarily closed, until the demand can be properly handled, and shall display a sign with the word "FULL" that is clearly visible to approaching traffic.
- H. **Materials.** All required automobile parking areas and driveways shall be fully hard surfaced with asphaltic concrete of minimum thickness of two inches, with four inches compacted base, or other techniques or materials providing equivalent service. Gravel, dirt, and other similar loose materials are prohibited in the driveway closer than 100 feet of any right-of-way.
- I. **Waiver.** Any variation from the requirements of this section must be approved pursuant to a waiver by the Public Works Director.

CHAPTER 9.16
NOISE

§ 9.16.010. Generally.

- A. Causing annoyance, discomfort or disturbing the peace. It is unlawful for any person to make, cause or suffer or permit to be made or caused, upon any premises owned, occupied or controlled by said person in the City, any noises or sounds which cause annoyance or discomfort to persons of ordinary sensitivity or which disturb the peace and quiet of any neighborhood.
- B. Factors used in determining whether a violation has occurred. The factors which shall be considered by the City in determining whether to issue a citation for a violation and whether a violation of this section has occurred shall include, but not be limited to, the following:
1. The volume of the noise, music, or related sound;
 2. The intensity of the noise, music, or related sound;
 3. The duration, continuousness or repetitive nature of the noise, music, or related sound;
 4. Whether the origin of the noise, music, or related sound is natural or unnatural to the area in which it occurs;
 5. The volume and intensity of the background noise or sound, if any;
 6. The proximity of the noise, music, or related sound to residential sleeping facilities or to overnight accommodations, such as hotels and motels;
 7. The proximity to offices, places of business or other areas where work is known to be carried on, of the noise, music, or related sound;
 8. The nature and zoning of the area within which the noise, music, or related sound emanates;
 9. The time of day or night the noise, music, or related sound occurs and the relationship of this time to the normal activities of the area in which it occurs and in relation to the other factors listed in this subsection;
 10. Whether the noise, music, or related sound is recurrent, intermittent, or constant;
 11. Whether the noise, music, or related sound is produced by a commercial or a noncommercial activity;
 12. Whether the person or business responsible for the noise, music, or related sound has been previously recently warned that complaints have been received about the noise, music, or related sound and such person or business has failed to reduce it to an appropriate level.

(Prior code §32.28; Ord. 5145, 2000; Ord. 5740, 2016)

§ 9.16.020. Noise Disturbance Prohibited.

No person shall make, continue or cause to be made or continued, or permit or allow to be made or continued, any noise disturbance in such a manner as to be plainly audible by a person of ordinary sensitivity at a distance of 50 feet from the noise source; provided, nothing in this section shall be construed to prohibit any noise which does not penetrate beyond the boundaries of the noise source's own premises or does not constitute an unreasonable disturbance to people lawfully on those premises.

(Ord. 5740, 2016)

§ 9.16.030. Specific Conduct Prohibited.

A. The following subsections set forth specific conduct which shall be unlawful:

1. Radios, Television Sets, Musical Instruments and Similar Devices. Operating, playing or permitting the operation or playing of any radio, television set, music player, drum, musical instrument, or similar device which produces or reproduces sound between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to create a noise disturbance audible by a person of ordinary sensitivity across a residential or commercial real property line.
2. Loudspeakers and Amplified Sound. Using or operating for any purpose any loudspeaker, loudspeaker system or similar device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner that the sound creates a noise disturbance audible by a person of ordinary sensitivity across a residential real property line. The applicable hours shall be extended to 1:30 a.m. on the night before New Year's Day.
3. Animals and Birds. Keeping, maintaining or possessing or harboring any animal or bird which frequently or for long duration, howls, barks, meows, squawks or makes other sounds which create a noise disturbance audible by a person of ordinary sensitivity across a residential or commercial real property line.

B. Exclusions.

1. Amplification of sound by a person as part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased to the county, provided the county has adopted or approved a sound control plan for the property which is applicable to the event or activity.
2. Amplification of sound by a person as a part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased to the County of Santa Barbara and for which property the county has not developed a sound control plan.
3. Amplification of sound by a person as part of an activity or event sponsored or approved by the City of Santa Barbara on property owned by or leased to the City of Santa Barbara.
4. Amplification of sound by a person as part of an activity or event sponsored by or approved by a nursery school or day care, elementary school, secondary school or

college or university on property owned by or leased to the educational institution.

5. Amplification of sound by a person as part of an activity or event sponsored by or approved by a public entity on property owned by or leased to the public entity.
(Ord. 5740, 2016; Ord. 6120, 2023)

§ 9.16.040. Construction Work at Night Prohibited.

It is unlawful for any person, between the hours of 8:00 p.m. of any day and 7:00 a.m. of the following day to erect, construct, demolish, excavate for, alter or repair any building or structure unless a special permit has been applied for and granted by the Chief Building Official. In granting such special permit, the Chief Building Official shall consider if construction noise in the vicinity of the proposed work site would be less objectionable at night than during daytime because of different population levels or different neighboring activities, if obstruction and interference with traffic, particularly on streets of major importance, would be less objectionable at night than during daytime, if the kind of work to be performed emits noises at such a low level as to not cause significant disturbance in the vicinity of the work site, if the neighborhood of the proposed work site is primarily residential in character wherein sleep could be disturbed, if great economic hardship would occur if the work were spread over a longer time, if the work will abate or prevent hazard to life or property, if the proposed night work is in the general public interest; and he or she shall prescribe such conditions, working times, types of construction equipment to be used, and permissible noise emissions, as he or she deems to be required in the public interest. This section shall not be applicable to activities of public or private utilities when restoring utility service following a public calamity or when doing work required to protect persons or property from an imminent exposure to danger.

(Ord. 4039, 1980; Ord. 5740, 2016)

§ 9.16.050. Leaf Blowers - Restriction on Use.

A. Definitions.

Leaf Blower. Any device used, designed or operated to produce a current of air by fuel, electricity or other means to push, propel or blow cuttings, refuse or debris.

Noise Level Standards. Measured in accordance with those standards developed under the supervision of the American National Standards Institute's (ANSI) "Committee for Sound Level Labeling Standard for Hand Held and Back Pack Gasoline Engine Powered Blowers" presently adopted as ANSI B-175.2-1990 with the maximum noise level of 65 decibels.

- B. **Prohibition in residential zones.** It is unlawful for any person to operate a leaf blower within 250 feet of any residential zone, as that term is defined in Title 28 of this code, before 9:00 a.m. or after 5:00 p.m. Monday through Saturday, or at any time on Sundays or national holidays, provided that the City Parks and Recreation Department employees shall be allowed to use leaf blowers between the hours of 7:00 a.m. and 9:00 a.m. Monday through Saturday when cleaning parking lots adjacent to the City's Beachfront parks.
- C. **Cleanup of debris.** It is unlawful for any person operating any type of leaf blower to blow cuttings, refuse or debris onto a neighboring property or into a street or gutter. It is also unlawful for any person operating any leaf blower to fail to properly dispose of accumulated

debris, leaves, or refuse in a sealed trash or refuse container.

D. Phase-out of certain leaf blowers.

1. Existing Leaf Blowers. The use of leaf blowers which are not manufactured to meet or exceed the Noise Level Standards is prohibited in all areas of the City, under all circumstances, after October 9, 1997.
2. Sale of New Leaf Blowers. It is unlawful to sell or offer for sale within the City of Santa Barbara leaf blowers which are not manufactured to meet or exceed the Noise Level Standards of 65 decibels.

E. Certification. Owners and operators will present equipment to the City Parks and Recreation Director or designee, with an application and reasonable fee, for noise testing according to ANSI testing criteria in the Noise Level Standards. Leaf blowers which generate 65 decibels or less according to the test will be issued a certification sticker, which is valid for one year following the date of testing. The use of a leaf blower, without a current and valid certification sticker affixed to it, within the City after July 1, 1998, is an infraction. All sound level measurements described in this section shall be taken with a Sound Level Meter.

F. Guidelines for the proper use of leaf blowers. The City Parks and Recreation Director is hereby authorized and directed to adopt guidelines for the proper use of leaf blowers, which guidelines shall promote the safe and efficient use of leaf blowers, while also mitigating, to the extent possible, the noise and nuisance effects of leaf blowers. The Finance Department is hereby directed to provide a copy of this chapter and the leaf blower guidelines to each person obtaining a City business license for the operating of a gardening or landscaping maintenance service or business within the City. The operator of every business establishment selling leaf blowers within the City of Santa Barbara shall post in a conspicuous location and shall distribute to all purchasers a copy of this chapter and the guidelines.

(Ord. 4452, 1987; Ord. 4718, 1991; Ord. 4720, 1991; Ord. 5024, 1997; Ord. 5037, 1997; Ord. 5740, 2016)

§ 9.16.060. Use of Gasoline-Powered Leaf Blowers Prohibited.

- A. Measure D97, adopted November 4, 1997, provides: In order to secure and promote the public health, comfort, safety and welfare, and to protect the rights of its citizens to privacy and freedom from nuisance, it is the purpose of this chapter to prohibit unnecessary, excessive and annoying noises at levels which are detrimental to the health and welfare of the community, and to minimize airborne dust and pollen.
- B. It is unlawful for any person within the City to use or operate any portable machine powered with a gasoline engine, or gasoline-powered generator, to blow leaves, dirt, and other debris off sidewalks, driveways, lawns, or other surfaces.

(Ord. 5036, 1997)

§ 9.16.070. Regulation of Noise Affecting Parcels Zoned or Used for Residential Purposes.

- A. Hours of operation. Hours of operation on property zoned for agricultural use and used for

planting, grading, vegetation removal, harvesting, sorting, cleaning, packing, shipping, and pesticide application shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Hours of operation for the above-stated activities shall be limited to 8:00 a.m. to 7:00 p.m. on Sunday and holidays.

- B. Motor vehicle horns and signaling devices. The following acts and the causing thereof are declared to be in violation of this chapter:
1. The sounding of any horn or other auditory signaling device on or in any motor vehicle on any public right-of-way or public space, except as a warning of danger as provided in Section 27000 of the California Vehicle Code.
 2. The sounding of any horn or other auditory signaling device which produces a sound level in excess of 60 dB(A) at a distance of 200 feet.
 3. Exception. Emergency vehicles may be equipped with and use auditory signaling devices that do not comply with the requirements of this section.
- C. Mechanical equipment. Mechanical equipment other than vehicles and equipment which are operated by electricity obtained from an electricity utility company shall not be used outside before 8:00 a.m. or after 7:00 p.m. on Saturday, Sunday or holidays, or before 7:00 a.m. or after 7:00 p.m. Monday through Friday.
- D. Noise limitations. All mechanical equipment other than vehicles (including heating, ventilation, and air conditioning systems) shall be insulated. Sound at the property line of any adjacent parcel used or zoned for residential, public, or semi-public uses shall not exceed 53 A-weighted decibels 53dB(A). All wind machines are prohibited in the City. (Ord. 4878, 1994; Ord. 5740, 2016; Ord. 5798, 2017)

§ 9.16.080. Sound Amplification.

No person shall amplify sound using sound amplifying equipment contrary to any of the following:

- A. The only amplified sound permitted shall be either music or the human voice or both.
- B. Sound emanating from any public park or place shall not be amplified above the ambient noise level so as to be audible within any hospital, rest home, convalescent hospital, or church while services therein are being conducted.
- C. The volume of amplified sound shall not exceed 60dB(A) when measured outdoors at or beyond the property line of the property from which the sound emanates.
- D. The volume of amplified sound inside a structure shall not exceed 45dB(A) when measured inside a building used for residential purposes. This maximum noise level shall not apply to the dwelling unit from which the sound is emanating.
- E. The limits set forth above shall not apply to the following:
 1. Amplification of sound by a person as part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased to the county, provided

the county has adopted or approved a sound control plan for the property which is applicable to the event or activity;

2. Amplification of sound by a person as a part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased to the County of Santa Barbara and for which property the county has not developed a sound control plan;
3. Amplification of sound by a person as part of an activity or event sponsored or approved by the City of Santa Barbara on property owned by or leased to the City of Santa Barbara;
4. Amplification of sound by a person as part of an activity or event sponsored by or approved by a nursery school, elementary school, secondary school or college or university on property owned by or leased to said educational institution;
5. Amplification of sound by a person as part of an activity or event sponsored by or approved by a public entity on property owned by or leased to said public entity;

6. Up to 1:30 a.m. on the night before New Year's Day.

(Ord. 4039, 1980; Ord. 5740, 2016; Ord. 6120, 2023)

§ 9.16.090. Definitions.

Unless the context otherwise clearly requires, technical words and phrases used in this chapter are defined as follows:

Ambient Noise. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually composed of sounds from many sources near and far. For the purpose of this chapter, ambient noise level is the level obtained when the noise level is averaged over a period of five minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made.

Decibel. "Decibel" (dB) shall mean an intensity unit which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio is 10 times the common logarithm of this ratio.

Noise Disturbance. "Noise disturbance" shall mean any sound which (a) endangers or injures the safety or health of human beings or animals, or (b) annoys or disturbs reasonable persons of normal sensitivities, or (c) endangers or injures personal or real property, or (d) violates the factors set forth in Section 9.16.010 of this chapter. Compliance with the quantitative standards as listed in this chapter shall constitute elimination of a noise disturbance.

Person. "Person" shall mean a person, firm, association, co-partnership, joint venture, corporation, or any entity, public or private in nature.

Sound Amplifying Equipment. "Sound amplifying equipment" shall mean any machine or device for the amplification of the human voice, music, or any other sound. "Sound amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. "Sound amplifying equipment" as used in this chapter shall not include warning devices on authorized emergency vehicles or

horns or other warning devices on any vehicle used only for traffic safety purposes, and shall not include communication equipment used by public or private utilities when restoring utility service following a public calamity or when doing work required to protect persons or property from an imminent exposure to danger.

Sound Level. "Sound level" (noise level) in decibels is the value of a sound measurement using the "A" weighting network of a sound level meter. Slow response of the sound level meter needle shall be used except where the sound is impulsive or rapidly varying in nature, in which case fast response shall be used.

Sound Level Meter. "Sound level meter" shall mean an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American National Standards Institute's specification S1.4 2014 or the most recent revision thereof for type S-2A general purpose sound level meters.

Supplementary Definitions of Technical Terms. Definitions of technical terms not defined herein shall be obtained from the American National Standards Institute's Acoustical Terminology S11 1994 or the most recent revision thereof.

(Ord. 4039, 1980; Ord. 5740, 2016)

§ 9.16.100. Measurement Methods.

- A. Any decibel measurement made pursuant to the provisions of this chapter shall be based on a reference sound pressure of 20 micronewtons per square meter (0.0002 microbar) as measured with a sound level meter using the "A" weighting, and using the slow meter response.
- B. Unless otherwise provided, outdoor measurements shall be taken with the microphone located at any point on the property line of the noise source, but no closer than five feet from any wall or vertical obstruction and three to five feet above ground level whenever possible.
- C. Unless otherwise provided, indoor measurements shall be taken inside the structure with the microphone located at any point as follows: (1) no less than three feet above floor level; (2) no less than five feet from any wall or vertical obstruction; and (3) not under common possession and control with the building or portion of the building from which the sound is emanating.

(Ord. 4039, 1980)

§ 9.16.110. Enforcement.

- A. Prima facie violation. Any noise exceeding the noise level limits in Section 9.16.080, or the prohibited actions as provided in Sections 9.16.010, 9.16.020 and 9.16.030, shall be deemed to be prima facie evidence of a violation of the provisions of this chapter.
- B. Violations. Any violation of the provisions of this chapter shall be an infraction or be subject to administrative code enforcement pursuant to Chapter 1.25 of this code. Each hour such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

C. Abatement orders.

1. In lieu of issuing a notice of violation as provided for in subsection B of this section, the zoning enforcement or police department staff responsible for enforcement of any provision of this chapter may issue an order requiring abatement of a sound source alleged to be in violation, within a reasonable time period and according to guidelines which the police department may prescribe.
2. No complaint or further action shall be taken in the event that the cause of the violation has been removed, the condition abated or fully corrected within the time period specified in the written notice.

D. Continued violations. Once a violation of any provision of this chapter has been verified by zoning enforcement or police department staff, the owner(s) of the property where the violation occurred may be subject to administrative action or infraction citation for allowing a subsequent violation of this chapter to occur on the property within nine months after the date of a previous violation, provided the property owner has received notification from the City of the previous violation and at least 14 days have passed since the date the notification was mailed to the property owner(s).

(Ord. 5740, 2016)

§ 9.16.120. Violations - Additional Remedies - Injunctions.

As an additional remedy, the operation or maintenance of any sound amplifying equipment, device, instrument, vehicle, or machinery in violation of any provision of this chapter, which operation or maintenance causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed and is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

(Ord. 4039, 1980)

Title 14. Water and Sewers

Chapter 14.08. CONNECTIONS, RATES AND CHARGES

§ 14.08.030. New Connections to Mains - Fee to Accompany Application.

The application referred to in Sections **14.08.010** and **14.08.020** shall be accompanied by a fee as provided for in Section **14.08.050**.
(Ord. 3610 §1, 1973)

Title 14. Water and Sewers

Chapter 14.44. SEWER CONNECTIONS AND USE

§ 14.44.010. Connection to Public Sewer - Required When Public Sewer Available.

- A. When a public sewer is available, all plumbing that receives the waste discharge from any building, structure or place of business, shall be connected to a public sewer.
- B. A premises served by a private sewage disposal system shall be connected to an available public sewer when required under Chapter **22.04** of this Code or when the private sewage disposal system fails.

(Prior code §37.17; Ord. 6002, 2021)

Title 15. Recreation, Beaches and Parks

Chapter 15.24. PRESERVATION OF TREES

§ 15.24.020. Prohibition.

Except as provided in Sections **15.24.030** and **15.24.035**, it is unlawful for any person to remove or significantly alter or to authorize or allow the removal or significant alteration of any of the following trees without a permit:

- A. A setback tree;
- B. A parking lot tree;
- C. A tree on an approved plan; or
- D. A tree designated as an historic or specimen tree by the City Council.

(Ord. 3360, 1969; Ord. 3863, 1976; Ord. 4154, 1982; Ord. 5312, 2004; Ord. 5459, 2008; Ord. 5505, 2009)

CHAPTER 22.75
OUTDOOR LIGHTING

§ 22.75.010. Purpose.

- A. In order to preserve and enhance the unique qualities of Santa Barbara's residential neighborhoods and its visual environment, it is essential to encourage the highest quality of outdoor night-time lighting through the adoption of lighting standards.
- B. This chapter is intended to reduce problems created by improperly designed and incorrectly installed outdoor lighting, particularly in the City's residential zones. It is intended to provide for safety and security concerns, without contributing to the problems associated with glare, light trespass, or skyglow, and to promote the efficient use of energy.
- C. This chapter establishes certain regulations and design review requirements intended to limit the uses of outdoor lighting to certain appropriate land uses and to prohibit the use of certain lighting fixtures.
- D. This chapter recognizes the benefits of outdoor night-time lighting and provides clear guidelines for its design and installation to help maintain and complement Santa Barbara's character.

§ 22.75.020. Definitions.

For the purposes of this title, the following words and phrases shall have the meanings set forth herein:

Adjacent. Immediately next to.

Ambient Lighting. The general character and overall level of illumination in a particular area.

Direct Upward Light Emission. Light rays that are emitted from a fixture that are above a horizontal plane intersecting that light source or fixture.

Glare. Brightness in the field of view that is sufficiently greater than the amount to which the eye is adapted, causing annoyance, discomfort, or loss of visual performance and visibility.

Laser Lights. A laser source light, or any similar high intensity light, used for outdoor advertising or entertainment, when projected above the horizontal.

Light Source. Any man-made light source, or collection of light sources that produce light by any means.

Light Trespass. Light produced by a Lighting Fixture that illuminates a surface beyond the boundaries of the property on which it is located.

Lighting Fixture. A complete unit consisting of a Light Source together with a housing and parts designed to distribute and aim the light, located outside a building, including, but not limited to, fixtures attached to any part of a structure, located on the surface of the ground, or located on free standing poles.

Low Voltage. Operating at 24 volts or less or as defined by Section 551-2 of the National Electrical Code (1993 edition) or as such Code is subsequently amended from time to time.

Nuisance Lighting. Includes, but is not limited to, Glare, Light Trespass, and Skyglow.

Outdoor Lighting. The night time illumination of an outside area or object, or any man-made light emitting object located outdoors.

Outdoor Recreational Court. Includes, but is not limited to, a field, court, or other area, whether permanent or temporary, designed or used for playing any sport or game, such as tennis, volleyball, basketball, or badminton, or similar outdoor game or sport, but not including lighting for a swimming pool which is located beneath the surface of the water.

Searchlight. A mobile or fixed projector designed to produce an approximately parallel beam of light which is aimed above the horizontal plane, the use of which includes, but is not limited to, advertising for special events.

Shielded. A Lighting Fixture having a configuration of the housing or optics that prevents a direct view to the light source from normal viewing angles (i.e., less than 20° above the horizontal plane).

Skyglow. The adverse effect of brightening of the night sky due to man-made lighting.

§ 22.75.030. Certain Lighting Prohibited.

- A. General prohibitions. The use of the following Lighting Fixtures shall be prohibited in all zones of the City:
1. Mercury vapor and low-pressure sodium fixtures and lamps except when used for landscape lighting accent purposes.
 2. Searchlights, Laser Lights, or similar high intensity outdoor lights except pursuant to a special lighting event permit granted pursuant to subsection C of this section.
 3. Lighting Fixtures mounted in such a way as to illuminate a roof or an awning.
 4. Lighting Fixtures mounted to aim light only towards a property line.
 5. Lighting Fixtures mounted in a way that is distracting to motorists or in a way that interferes with the safe operation of a motor vehicle, as may be determined by the City Engineer.
 6. Lighting that is blinking, moving, or which changes in intensity except small temporary lighting fixtures installed and used only during the period between the last week of November and first week of January of the following year.
- B. Outdoor recreational court lighting in residential areas. The lighting of an Outdoor Recreational Court is prohibited in all residential zones of the City except where such a Court is located on a property used for nonresidential purposes in accordance with the applicable provisions of Title 28 for nonresidential uses in residential zones.
- C. Special lighting events. Upon the application of a property owner or a business within the City, the Community Development Director may grant a temporary permit for the use of a searchlight, laser light or other similar lighting fixture for a period not to exceed eight consecutive hours, provided that no such permit shall be granted for any one property (or

business location) within the City more often than five times during any 180 day period and provided further that in no case shall a searchlight, laser light, or other similar lighting fixture be operated pursuant to such a permit between midnight and sunrise.

§ 22.75.040. Certain Lighting Exempted.

The use of the following Lighting Fixtures and Light Sources are exempted from regulation pursuant to this chapter:

- A. Low voltage fixtures. Low Voltage lighting except for those Fixtures regulated pursuant to Section 22.75.030.A.6 of this chapter.
- B. Controlled fixtures. A Lighting Fixture controlled by a motion detector in a residential zone provided the motion detector is predominantly in the off mode and it is installed to minimize Nuisance Lighting.

§ 22.75.050. Outdoor Lighting Review by the Architectural Board of Review, the Single Family Design Board, and the Historic Landmarks Commission.

Those projects for which design review is required by the Architectural Board of Review pursuant to Chapter 22.68, the Single Family Design Board pursuant to Chapter 22.69, or the Historic Landmarks Commission pursuant to Chapter 22.22, shall also be reviewed for consistency with the City Outdoor Lighting Design Guidelines approved by resolution of the City Council. (Ord. 5035, 1997; Ord. 5416, 2007)

§ 22.75.060. Control of Nuisance Lighting In and Adjacent to Residential Zones.

- A. Generally. Outdoor lighting in residential zones and outdoor lighting on real properties adjacent to residential zones shall be designed, installed, and operated so that it is compatible with the ambient lighting of the neighborhood in which it is located. Such lighting shall be designed, installed, and operated to control glare, prevent light trespass onto adjacent areas, minimize direct upward light emission, promote effective security, avoid interference with safe operation of motor vehicles. The minimum intensity needed for the intended purpose shall be used.
- B. Enforcement. The staff of the Community Development Department shall be responsible for the enforcement of this section provided, however, that enforcement shall occur only upon a written complaint and upon a determination by City enforcement staff that the light or lights constitutes Nuisance Lighting which is unreasonably and negatively affecting a neighboring resident. Upon such a determination, the light or lights shall constitute a public nuisance which may be abated by the City and which, if necessary, may be enjoined by a court of competent jurisdiction.
- C. Enforcement measures. Prior to the initiation of legal measures for the enforcement of this section, the staff of the Community Development Department shall attempt to remedy a reasonable complaint concerning Nuisance Lighting by recommending or, if necessary, by requiring the property owner of the property from which the light emanates to take appropriate steps to eliminate the Nuisance Lighting. Such steps may include, but are not limited to, each of the following (or any combination thereof) in the priority listed herein:

1. The use and application of appropriate lighting equipment, fixture locations, shielding, light sources and illumination intensities, and through the elimination of unnecessary lighting.
 2. Nuisance Lighting control through the use of vegetation, landscaping, fences or similar screening methods and fixture aiming adjustments.
 3. Restrictions on the hours of operation or by requiring the use of motion detector switches or timers to trigger the lights only on an as needed basis.
 4. The preparation and implementation of a professional lighting plan designed to avoid Nuisance Lighting which plan is reviewed by and acceptable to the Architectural Board of Review or the Historic Landmarks Commission, as applicable.
- D. Private right of action. Any aggrieved person may enforce the provisions of this section by means of a civil action seeking injunctive relief in a court of competent jurisdiction.
(Ord. 5035, 1997)

Title CHA. Charter of the City of Santa Barbara

Article XV. Miscellaneous

Section 1506. Building Heights. Limitations.

It is hereby declared the policy of the City that high buildings are inimical to the basic residential and historical character of the City. Building heights are limited to 30 feet in areas zoned for single family and two family residences; are limited to 45 feet in areas zoned for residences for three or more families, for hotel, motel and office use; are limited to 60 feet in areas zoned for industrial, manufacturing and other commercial uses; and 30 feet for all other zones. The Council may, by ordinance, set limits of heights less than these maximums. The Council may, by ordinance, set up reasonable methods of measuring the heights set forth in this section.

(Approved by election held November 7, 1972)

GENERAL PLAN POLICIES

LAND USE ELEMENT (2011)

COMMUNITY DESIGN

- LG11 Healthy Urban Environment. Consider health in land use, circulation and park and recreation decisions.

ENVIRONMENTAL RESOURCES ELEMENT (2011, 1994, 1983, 1979)

ENVIRONMENTAL RESOURCES (2011)

AESTHETICS AND VISUAL RESOURCES

- ER29 Visual Resources Protection. New development or redevelopment shall preserve or enhance important public views and viewpoints for public enjoyment, where such protection would not preclude reasonable development of a property.

CONSERVATION (1979, 1994)

VISUAL RESOURCES (“V”)

- V2.0 Development on hillsides shall not significantly modify the natural topography and vegetation.
- V2.4 All development on hillsides should be required to landscape the downslope side so as to hide or break up large surface area views of structures facing down slope.
- V3.0 New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City.

WATER RESOURCES (“W”)

- W2.0 Develop plans for implementation of water conservation regulations.
- W2.1 Require all new development to incorporate water conservation features and devices into project design in order to minimize future increases in water demand.

CIRCULATION ELEMENT (2011, 1997, 1974, 1964)

CIRCULATION (2011)

DEVELOPMENT

- C8 Emergency Routes. It shall be a high priority to keep all emergency evacuation, response and truck routes free of physical restrictions that may reduce evacuation/response times.

SAFETY ELEMENT (2013)

DEVELOPMENT REVIEW

S7 Hazard Reduction. Identify, evaluate and implement risk reduction measures during the development review and permitting process to reduce the effects of hazards to an acceptable level of risk. Project design measures shall be implemented as applicable to avoid or reduce hazards and comply with associated regulations.

S9 Risk Evaluation. Proposals for new development may be required to provide an evaluation of how natural and human-caused hazards may adversely affect the project, whether the project may create or exacerbate hazards, and to identify feasible measures to reduce hazard-related risk to an acceptable level. Required hazard evaluation reports are to be prepared and signed by a qualified individual acceptable to the City. At its discretion, the City may require peer review of submitted reports.

Factors to be considered in determining whether a risk evaluation is required include but are not limited to:

- a. Location of the project in relation to City hazard maps and other hazards information
- b. Potential for the project to exacerbate natural or human-caused hazards
- c. Potential for the project to be impacted by natural and human-caused hazards
- d. Potential severity of hazard-related impacts
- e. Intended use of the site or proposed structures
- f. Potential consequences should the project be affected by one or more hazards
- g. Federal, state hazard regulations, building code requirements, and recommendations of the Geology and Geohazards Master Environmental Assessment, Technical Report and Evaluation Guidelines and other similar regulations and guidelines.

S37 Fire Hazard Reduction Design Requirements. Project designs shall adequately address fire hazard, providing for appropriate site layout; building design and materials; fire detection and suppression equipment; landscaping and maintenance; road access and fire vehicle turnaround; road capacity for evacuation; and water supply.