

TITLE 29 Airport Zoning

This title was most recently updated by the following ordinances:

Ordinance No.	Subject	Effective Date	Code Site
<u>5609XXXX</u>	Nonresidential Growth Management Program (clerical corrections only) <u>New Zoning Ordinance (clerical corrections only)</u>	<u>April 11, 2013</u> <u>TBD</u>	Various

TITLE 29
AIRPORT ZONING

Chapter: 29.01 Title	Chapter: 29.30 Airport Industrial Area
Chapter: 29.04 Definitions	Specific Plan (SP-6-<u>AI</u>) Zone
Chapter: 29.10 Zones Established	Chapter: 29.87 General Provisions
Chapter: 29.11 Airport Zoning Map	Chapter: 29.90 Automobile Parking
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Chapter 29.01

TITLE

Section:
29.01.001 Generally.

29.01.001 Generally.

An official Land Use Zoning Ordinance for the Santa Barbara Municipal Airport including the Goleta Slough is hereby adopted and established to:

- A. Serve the public health, safety, comfort, convenience and general welfare;
- B. Provide the economic and social advantages resulting from an orderly planned use of land resources;
- C. Encourage, guide and provide a definite plan for the future growth and development of said Airport;
- D. Provide for the protection, maintenance and, where feasible, enhancement of the Goleta Slough and other sensitive habitats, consistent with the intent and purpose of the Local Coastal Plan and California Coastal Act;
- E. Provide the community with direct access to the National Air Transportation System;
- F. Ensure that the Airport continues to be a vital economic contributor to the region by maintaining the Airport's economic self-sufficiency through effective use of its existing resources; and
- G. Coordinate planning for the Airport and related facilities with the surrounding community.

This Title shall be known as "The Airport Zoning Ordinance". (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986; Ord. 3690, 1974.)

Chapter 29.04

DEFINITIONS

Sections:

29.04.010	Generally.	29.04.140	Hangar.
29.04.020	Aircraft Operations and Approach Area.	29.04.150	Hangar Height.
29.04.030	Airport.	29.04.160	Landing Area.
29.04.040	Airport Commission.	29.04.170	Maintenance.
29.04.050	Airport Elevation.	29.04.180	Oil.
29.04.060	Airport Functions.	29.04.190	Repair.
29.04.070	Airport Hazard.	29.04.200	Runway.
29.04.080	Airport Reference Point.	29.04.210	Runway Protection Zone.
29.04.090	Airport Zoning Commission.	29.04.220	Runway Safety Area.
29.04.100	Commercial Recreation.	29.04.230	Surface.
29.04.110	Development.	29.04.240	Taxiway.
29.04.120	Environmentally Sensitive Area.	29.04.250	Taxiway Safety Area.
29.04.130	Goleta Slough.	29.04.270	Wetland.

29.04.010 Generally.

For the purpose of this ordinance certain words and terms are defined.

Words used in the present tense include the future, except where the natural construction of the ordinance otherwise indicates; words in the singular number include the plural and words in the plural include the singular; the word "building" includes the word "structure", and the word "Council", when used herein shall mean the Council of the City of Santa Barbara. Words not defined herein but defined in the Municipal Code or the Zoning Ordinance of the City of Santa Barbara shall have the meanings set forth in said Code or Ordinance unless the context requires a different meaning. (Ord. 3690, 1974.)

29.04.020 Aircraft Operations and Approach Area.

Areas beneath the Approach Surface of runways and areas designated for the operation of air-craft, including runways and taxiways, runway protection zones, runway and taxiway safety areas, and other areas adjacent to the runways and taxiways. (Ord. 5025, 1997.)

29.04.030 Airport.

Santa Barbara Municipal Airport. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.040 Airport Commission.

A board consisting of seven (7) members appointed by the Council, as provided in Section 812 of the Charter of the City of Santa Barbara. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.050 Airport Elevation.

The established elevation of the highest point on the usable landing area. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.060 Airport Functions.

Any area of land or water designed and set aside for the landing and taking off of aircraft, including all necessary facilities for the housing and maintenance of aircraft and related uses. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.070 Airport Hazard.

Any structure, tree or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the Airport. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.080 Airport Reference Point.

The point established as the approximate geographic center of the airport landing area, and so designated. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.090 Airport Zoning Commission.

The Planning Commission of the City of Santa Barbara. (Ord. 5025, 1997.)

29.04.100 Commercial Recreation.

Any use or development, either public or private, providing amusement, pleasure, sport, exercise or other resource affording relaxation or enjoyment, which is operated primarily for financial gain. Typical uses may include, but are not limited to, batting cages, cinemas, theaters, skating rinks, gymnasiums, athletic clubs, miniature golf course, bumper cars and go-cart tracks. (Ord. 5025, 1997.)

29.04.110 Development.

On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with California Public Resources Code Section 4511). (See Chapter 28.4416.) (Ord. 5417, 2007; Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

29.04.120 Environmentally Sensitive Area.

Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

29.04.130 Goleta Slough.

The area of wetland and adjacent upland habitats generally located between the Santa Barbara Municipal Airport, the University of California, at Santa Barbara, and extending toward the fresh water outlet at Goleta Beach, including but not limited to, the area designated as recreational open space on the City of Santa Barbara's Local Coastal Plan Land Use Map. (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

29.04.140 Hangar.

A covered and usually enclosed building designed and primarily used for the purpose of parking and/or repairing aircraft. Hangars may include offices and other uses related to aircraft usage. (Ord. 5025, 1997.)

29.04.150 Hangar Height.

The intent of a hangar height definition is to allow for the security, storage and maintenance of aircraft. The calculation of the height of a hangar shall be as provided in Section 28.04.140-090(A) of the Santa Barbara Municipal Code provided that those portions of a hangar utilized exclusively for the purposes of enclosing portions of an aircraft in accordance with federal regulations shall be considered an architectural element. (Ord. 5459, Section 3, 2008; Ord. 5025, 1997.)

29.04.160 Landing Area.

The area of the Airport used for the landing, taking off or taxiing of aircraft. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.170 Maintenance.

Activities of upkeep that do not result in an addition to, or enlargement or expansion of the object of such maintenance activity. (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

29.04.180 Oil.

Where used in this ordinance, the word "oil" shall include gas and other hydrocarbon substances. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.190 Repair.

Activities that restore something to a previous state of efficiency, but do not result in an addition to or enlargement of the object of such repair. (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

29.04.200 Runway.

The paved surface of an airport landing strip. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.04.210 Runway Protection Zone.

Area defined by Federal Aviation Administration regulations beginning two hundred feet (200') from each end of the runway, the function of which is to enhance the protection of people and property on the ground by clearing the zone of incompatible objects and activities. The length and width of the Runway Protection Zone vary depending on the use of the runway. (Ord. 5025, 1997.)

29.04.220 Runway Safety Area.

A compacted smooth surface adjacent to a runway which is defined by Federal Aviation Administration regulations and is prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway. (Ord. 5025, 1997.)

29.04.230 Surface.

A. APPROACH SURFACE. A longitudinal surface defined by Federal Aviation Administration regulations as extending upward and outward from the ends of the runway.

B. HORIZONTAL SURFACE. A horizontal plane defined by Federal Aviation Administration regulations as being one hundred-fifty feet (150') above and parallel to the airport elevation.

C. TRANSITIONAL SURFACE. A surface defined by Federal Aviation Administration regulations as extending outward and upward at right angles to the runway centerline. (Ord. 5025, 1997.)

29.04.240 Taxiway.

A defined path established for the taxiing of aircraft from one part of an airport to another. (Ord. 5025, 1997.)

29.04.250 Taxiway Safety Area.

A compacted smooth surface which is defined by Federal Aviation Administration regulations as an area alongside the taxiway prepared or suitable for reducing the risk of damage to an airplane unintentionally departing from the taxiway. (Ord. 5025, 1997.)

29.04.270 Wetland.

Lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens. (See Chapter 28.4416.) (Ord. 5417, 2007; Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

Chapter 29.10

ZONES ESTABLISHED

Sections:

29.10.001 Establishing and Naming Zones.

29.10.030 Uses Permitted in Zones.

29.10.010 Boundaries of Zones.

29.10.001 Establishing and Naming Zones.

In order to classify, regulate, restrict and segregate the uses of land, buildings and structures; to regulate and restrict the height and bulk of buildings; to regulate the area of setbacks, yards and other open spaces about buildings; the territory of the Santa Barbara Municipal Airport is hereby divided into the following zone classifications:

A-A-O	Aircraft Approach and Operation Zone
A-F	Airport Facilities Zone
A-C	Airport Commercial Zone
A-I-1	Airport Industrial-1 Zone
A-I-2	Airport Industrial-2 Zone
G-S-R	Goleta Slough Reserve Zone
<u>A-C-R</u>	<u>Airport</u> Commercial Recreation Zone
P-R	Park and Recreation Zone
<u>SP-6-AI</u>	Airport Industrial Area Specific Plan Zone
S-D-3	Coastal Overlay Zone
<u>CZ</u>	

(Ord. 5459, 2008; Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4169, 1982; Ord. 3690, 1974.)

29.10.010 Boundaries of Zones.

The boundaries of zones and the zone symbol are designated on the Zoning Map adopted as Chapter 29.11 of this ordinance. Combining zones are also designated on the Zoning Map. (Ord. 3690, 1974.)

29.10.030 Uses Permitted in Zones.

Except as hereinafter provided:

A. No building or structure shall be erected, moved, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose or any manner, other than is permitted in the zone in which such land, building, structure or premises are located.

B. No building or structure shall be erected, moved, reconstructed or structurally altered to exceed in height the limit established for the zone in which such building or structure is located.

C. No building or structure shall be erected nor shall any existing building or structure be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the lot area and setback regulations established for the zone in which such building or structure is located.

D. No setback or other open space provided about any building or structure for the purpose of complying with these regulations shall, by reason of change in ownership or otherwise, be considered as providing a setback or open space for any other building or structure. (Ord. 5459, 2008; Ord. 5025, 1997; Ord. 3690, 1974.)

Chapter 29.11

AIRPORT ZONING MAP

(Shown ~~on page 561-18~~ in Section 28.02.020 of this Code)

Chapter 29.12

A-A-O AIRCRAFT APPROACH AND OPERATIONS ZONE

Sections:

29.12.001 Aircraft Approach and Operation Zone.

29.12.005 Legislative Intent.

29.12.030 Uses Permitted.

29.12.001 Aircraft Approach and Operation Zone.

The following regulations shall apply in the A-A-O Aircraft Approach and Operation Zone unless otherwise provided in this ordinance. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.12.005 Legislative Intent.

It is the intent of this Section to provide for suitable land uses in the areas beneath the approach surfaces, and the areas of aircraft operations adjacent to runways and taxiways, including Runway Protection Zones, and Runway and Taxiway Safety Areas. These are areas where it is desirable to enhance safety by restricting incompatible objects and activities, where construction of buildings or structures is precluded by the necessity to preserve most of the air space for low flying aircraft, and where noise levels are not compatible with most land uses. (Ord. 5025, 1997; Ord. 3745, 1975; Ord. 3690, 1974.)

29.12.030 Uses Permitted.

The following uses are expressly permitted in the A-A-O Zone:

- A. Runways and runway safety areas.
- B. Taxiways and taxiway safety areas.
- C. Lights and other aircraft control and guidance systems, but not including hangars, tie-down areas, buildings or other actively used facilities.
- D. Open space, including vegetation, is also allowed provided that it does not conflict with Federal Aviation Regulations Part 77 and Part 139 and with FAA Advisory Circulars in the 150 series, or their successors.

The above-stated uses are permitted, providing they comply with allowed uses pursuant to the FAA Advisory Circulars in the 150 series, or their successors, for Runway Protection Zones and Runway and Taxiway Safety Areas. (Ord. 5025, 1997; Ord. 3745, 1975; Ord. 3690, 1974.)

Chapter 29.15

A-F AIRPORT FACILITIES ZONE

Sections:

29.15.001	Airport Facilities Zone.	29.15.060	Front Setback.
29.15.005	Legislative Intent.	29.15.100	Off-street Parking.
29.15.030	Uses Permitted.	29.15.131	Development Potential.
29.15.050	Building Heights.		

29.15.001 Airport Facilities Zone.

The following regulations shall apply in the Airport Facilities Zone (A-F) unless otherwise provided in this ordinance. (Ord. 3690, 1974.)

29.15.005 Legislative Intent.

It is the intent of this zone classification to establish an area in the immediate vicinity of the flight facilities at the Airport for aircraft and airport related uses and activities and to exclude from this area activities that do not use the flight facilities as an integral and necessary part of their function. (Ord. 3690, 1974.)

29.15.030 Uses Permitted.

The following uses are expressly permitted in the A-F Zone:

- A. Aircraft chartering and leasing.
- B. Aircraft parking, tie-down and aircraft hangars and shelters.
- C. Aircraft rescue and firefighting station.
- D. Aircraft sales, manufacture, service and related administrative offices.
- E. Air freight terminal.
- F. Auto rentals.
- G. Aviation equipment and accessories sales and/or repair.
- H. Aviation storage.
- I. Executive/General aviation terminal facilities with related offices and food service uses.
- J. Federal Aviation Administration flight service facilities.
- K. Fixed base operations.
- L. Flying schools.
- M. Fly-in offices.
- N. Fueling facilities.
- O. Museums and other cultural displays relating to aviation.
- P. Passenger terminals with accessory uses such as restaurants and gift shops.
- Q. Private parking lot, subject to the issuance of a Conditional Use Permit under Chapter 29.92 of this Title.
- R. Public parking facilities.
- S. Other aviation-related uses determined to be appropriate by the Planning Commission.
- T. Non-aviation related uses consistent with the applicable regulations of the Federal Aviation Administration

and determined to not be in conflict with the use of the adjacent Airport buildings as may be determined by the Community Development Director and the Airport Director. (Ord. 5025, 1997; Ord. 3965, 1978; Ord. 3690, 1974.)

29.15.050 Building Heights.

Building height shall be established as defined in Section 29.87.050 of this Title. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.15.060 Front Setback.

The front setback shall be established as defined in Section 29.87.055 of this Title. (Ord. 5459, 2008; Ord. 5025, 1997; Ord. 3690, 1974.)

29.15.100 Off-street Parking.

Off-street parking and loading space shall be provided as set forth in Chapter 29.90 of this ordinance. (Ord. 3690, 1974.)

29.15.131 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in Development Plan Approval, Chapter 28.~~8563~~. (Ord. 5609, 2013; Ord. 4670, 1991.)

Chapter 29.18

A-C AIRPORT COMMERCIAL ZONE

Sections:

29.18.001	Airport Commercial Zone.	29.18.050	Building Height.
29.18.005	Legislative Intent.	29.18.060	Front Setback.
29.18.030	Uses Permitted.	29.18.100	Off-street Parking.
29.18.040	Performance Standards.	29.18.131	Development Potential.

29.18.001 Airport Commercial Zone.

The following regulations shall apply in the A-C Zone unless otherwise provided in this ordinance. (Ord. 3690, 1974.)

29.18.005 Legislative Intent.

This zone classification is designed to provide for recreational uses, general offices, automotive related commerce, certain other retail uses, and other similar places of employment characterized by a low intensity of operations. General retail commerce is excluded because these uses are adequately provided for in Old Town Goleta. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.18.030 Uses Permitted.

The following uses are expressly permitted in the A-C Zone:

- A. Auto diagnostic center.
- B. Automobile tire installation and repair conducted entirely within a building.
- C. Branch bank or savings and loan, subject to the issuance of a Conditional Use Permit under Chapter 29.92 of this Title.
- D. Commercial recreation.
- E. Indoor theater.
- F. Motorcycles and bicycles and accessories sales and repair.
- G. Photographic shop including photographic developing.
- H. Printing, lithographing, photocopying or publishing establishment.
- I. Restaurant.
- J. Other uses determined to be appropriate by the Planning Commission. (Ord. 5025, 1997; Ord. 4269, 1984; Ord. 3690, 1974.)

29.18.040 Performance Standards.

A. **VIBRATION.** No equipment, machinery or facility in such establishment shall be operated so as to produce or generate vibration which is perceptible without the aid of instruments, to a person of ordinary, normal sensibilities, at or beyond the boundary or leasehold line of the premises.

B. **ODOR.** No establishment shall be operated in a manner resulting in the emission of odors to an extent or degree permitting such odor to be detectable at or beyond the boundary or leasehold line of the premises.

C. **ACCESSORY OUTDOOR STORAGE.** There shall be no outdoor storage permitted, whether permanent or temporary. For the purpose of this Section, a storage tank, bin or other container placed outside shall be construed as constituting outside storage of the contents of such container. Trash containers may be stored outside if screened from public view. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.18.050 Building Height.

Building height shall be established as defined in Section 29.87.050 of this Title. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.18.060 Front Setback.

The front setback shall be established as defined in Section 29.87.055 of this Title. (Ord. 5459, 2008; Ord. 5025, 1997; Ord. 3690, 1974.)

29.18.100 Off-street Parking.

Off-street parking and loading space shall be provided as set forth in Chapter 29.90. (Ord. 3690, 1974.)

29.18.131 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in Development Plan Approval, Chapter 28.~~8563~~. (Ord. 5609, 2013; Ord. 4670, 1991.)

Chapter 29.21

A-I-1 AND A-I-2 AIRPORT INDUSTRIAL ZONES

Sections:

29.21.001 In General.	29.21.050 Building Height.
29.21.005 Legislative Intent.	29.21.060 Front Setback.
29.21.030 Uses Permitted.	29.21.100 Off-street Parking.
29.21.040 Performance Standards.	29.21.131 Development Potential.

29.21.001 In General.

The following regulations shall apply in the A-I-1 and A-I-2 Airport Industrial Zones unless otherwise provided in this ordinance. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.21.005 Legislative Intent.

It is the intent of the Airport Industrial Zones to provide area for light industrial and manufacturing uses, such as research and development, electronic products manufacture and similar uses, subject to performance and development standards, consistent with the policies contained in the Airport Industrial Area Specific Plan, also known as Specific Plan #6. Specific Plan #6 provides for a graduated change in intensity with more intense development closer to Hollister Avenue in the A-I-2 Zone, including commercial services, such as branch bank, printing and photographic shop, convenience store, secretarial service and restaurant, and light industrial uses. Intensity decreases in the A-I-1 Zone toward the railroad tracks where open yard uses, such as outdoor storage, and contractor's, lumber, sand and brick yards, are allowed. The A-I-1 and A-I-2 Zones define where different intensities of use are allowed in accordance with the Specific Plan. Establishment of commercial services to serve employees of businesses within the Airport Specific Plan area will help reduce traffic. The City of Santa Barbara believes that it is important to minimize direct conflicts between the Airport and Goleta commercial areas; therefore, general commercial retail uses are not allowed because these uses are available in Old Town Goleta and other nearby areas. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.21.030 Uses Permitted.

Any of the following uses, provided that such operations are not obnoxious or offensive by reason of emission or odor, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, disturbances or other similar causes which may impose hazard to life or property. Whether such obnoxious or offensive qualities exist or are likely to result from a particular operation or use shall be determined from the point of view of all immediately adjoining land and uses and considering the performance and development standards to which they are subject.

A. In the A-I-1 Zone:

The following uses are expressly permitted in the A-I-1 Zone:

1. Appliance and equipment service and repair.
2. Automobile tire installation and repair performed entirely in an enclosed building.
3. Cabinet making or refinishing.
4. Electronic products manufacturing and sales.
5. Freight terminal.
6. Household hazardous waste facility, subject to issuance of a Conditional Use Permit.
7. Laboratory.
8. Manufacture, assembly, processing and distribution of products.
9. Office or retail sales incidental and accessory to any allowed use.
10. Public and quasi-public utility or maintenance facilities, including pump plant, transformer yard, switching station, service and equipment yard and similar uses.
11. Recycling business, subject to the issuance of a Conditional Use Permit.
12. Research and development establishment and related administrative operations.
13. Storage and distribution warehouse.

14. Any use allowed in the A-F Zone.
 15. The following open yard uses are allowed north of Francis Botello Road only:
 - a. Automobile repair and body shop.
 - b. Brick yard.
 - c. Concrete and asphalt products storage and manufacture.
 - d. Contractor's yard.
 - e. Lumber yard, including retail sales of lumber only.
 - f. Metal products storage, manufacture and distribution.
 - g. Open storage and rental of vehicles, trailers, recreational vehicles, mobilehomes, equipment and/or materials.
 - h. Rock, sand and gravel yard.
 16. The following additional uses are allowed in buildings designated as a Structure of Merit under the provisions of Chapter 22.22 of this Code or determined to be eligible for such designation:
 - a. Any use allowed in the Airport Commercial (A-C) Zone.
 - b. Any use allowed in the Airport Commercial Recreation (A-C-R) Zone.
 17. Other uses determined to be appropriate by the Planning Commission.
- B. In the A-I-2 Zone:**
 The following uses are expressly permitted in the A-I-2 Zone:
1. Any use allowed in the A-I-1 Zone, except household hazardous waste facility, recycling business and open yard uses.
 2. Auto diagnostic center.
 3. Bookkeeping, accounting and/or tax service.
 4. Branch bank, branch savings and loan office, credit union or automatic teller machine, subject to the following provisions:
 - a. No similar facility is located within three hundred feet (300') of the subject facility.
 - b. There shall be no drive-up window or drive-up automatic teller machine.
 - c. Services are limited to deposits, check cashing, cashier and travelers checks issuance, acceptance of loan applications and night deposits. Loan applications processing is excluded.
 5. Convenience store not exceeding 2,500 square feet in size.
 6. Copying and duplicating service.
 7. Courier and small package delivery service.
 8. Dry cleaning establishment.
 9. Mailing service and supply.
 10. Motorcycle or bicycle and related accessories sales and repair.
 11. New car agency, including accessory repair conducted entirely within a building or enclosed area.
 12. Office supply sales.
 13. Photographic shop including photographic developing.
 14. Printing, lithographing, photocopying or publishing establishment.
 15. Restaurant.
 16. Secretarial service.
 17. Temporary employment service.
 18. Used car sales.
 19. Any use allowed in the A-C-R Zone on property immediately west of Frederic Lopez Road (adjacent to the A-C-R Zone) when developed in conjunction with a use in the area zoned A-C-R, immediately east of Frederic Lopez Road, as shown in the Airport Industrial Area Specific Plan.
 20. Other uses determined to be appropriate by the Planning Commission. (Ord. 5025, 1997; Ord. 4269, 1984; Ord. 3690, 1974.)

29.21.040 Performance Standards.

- A. **VIBRATION.** No equipment, machinery or facility in such establishment shall be operated so as to produce or generate vibration which is perceptible without the aid of instruments, to a person of ordinary, normal sensibilities, at or beyond the boundary or leasehold line of the premises.
- B. **ODOR.** No establishment shall be operated in a manner resulting in the emission of odors to an extent or degree permitting such odor to be detectable at or beyond the boundary or leasehold line of the premises.
- C. **ACCESSORY OUTDOOR STORAGE.** There shall be no outdoor storage permitted, whether permanent or temporary, in the A-I-2 Zone. For the purpose of this Section, a storage tank, bin or other container placed outside shall be construed as constituting outside storage of the contents of such container. Trash containers may be stored outside if screened from public view. (Ord. 5025, 1997.)

29.21.050 Building Height.

Building height shall be established as defined in Section 29.87.050 of this Title. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.21.060 Front Setback.

The front setback shall be established as defined in Section 29.87.055 of this Title. (Ord. 5459, 2008; Ord. 5025, 1997; Ord. 3690, 1974.)

29.21.100 Off-street Parking.

Off-street parking and loading space shall be provided as set forth in Chapter 29.90 of this ordinance. (Ord. 3690, 1974.)

29.21.131 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in Development Plan Approval, Chapter 28.~~8563~~. (Ord. 5609, 2013; Ord. 4670, 1991.)

Chapter 29.23

A-C-R AIRPORT COMMERCIAL RECREATION ZONE

Sections:

29.23.001	In General.	29.23.060	Front Setback.
29.23.005	Legislative Intent.	29.23.100	Off-street Parking.
29.23.030	Uses Permitted.	29.23.131	Development Potential.
29.23.050	Building Height.		

29.23.001 In General.

The following regulations shall apply in the A-C-R Airport Commercial Recreation Zone unless otherwise provided in this ordinance. (Ord. 5025, 1997.)

29.23.005 Legislative Intent.

It is the intent of this zone classification to provide areas for any use or development, either public or private, providing pleasure, sport, amusement, exercise or other resources affording relaxation or enjoyment, which is operated primarily for financial gain. Because much of the area in the A-C-R Zone is in the floodway, many of the uses allowed are uses that would be compatible with allowed development in the floodway. These include golf, miniature golf and other uses which involve minimal changes to the floodway. (Ord. 5025, 1997.)

29.23.030 Uses Permitted.

The following uses are expressly permitted in the A-C-R Zone:

- A. Commercial Recreation, as defined in this Title.
- B. Game Arcade, subject to issuance of a Conditional Use Permit as outlined in Chapter 29.92.
- C. Golf course or driving range and related facilities.
- D. Health club.
- E. Miniature golf course.
- F. Outdoor vendor, in association with a commercial recreation use.
- G. Pushcart, in association with a commercial recreation use.
- H. Restaurant.
- I. Restaurant, fast food.
- J. Reverse vending machine.
- K. Skating rink.
- L. As shown in the Airport Industrial Area Specific Plan, any use allowed in the A-I-2 Zone on property immediately east of Frederic Lopez Road (adjacent to the A-I-2 Zone) when developed in conjunction with a use in the area zoned A-I-2, immediately west of Frederic Lopez Road.
- M. Other uses determined to be appropriate by the Planning Commission. (Ord. 5025, 1997.)

29.23.050 Building Height.

Building height shall be established as defined in Section 29.87.050 of this Title. (Ord. 5025, 1997.)

29.23.060 Front Setback.

The front setback shall be established as defined in Section 29.87.055 of this Title. (Ord. 5459, 2008; Ord. 5025, 1997.)

29.23.100 Off-street Parking.

Off-street parking and loading space shall be provided as set forth in Chapter 29.90 of this ordinance. (Ord. 5025, 1997.)

29.23.131 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989, unless the project complies with the provisions outlined in Development Plan Approval, Chapter 28.~~563~~. (Ord. 5609, 2013; Ord. 5025, 1997.)

Chapter 29.25

GOLETA SLOUGH RESERVE ZONE

Sections:

29.25.010	In General.	29.25.050	Findings.
29.25.020	Requirements and Procedures.	29.25.060	Memorandum of Understanding
29.25.030	Uses Permitted with a Goleta Slough Coastal Development Permit.		Relating to the Goleta Slough Management Plan.
29.25.040	Uses Permitted Without a Goleta Slough Coastal Development Permit.		

29.25.010 In General.

The Goleta Slough Reserve Zone is established in order to protect, preserve and maintain the environmentally sensitive habitat areas of the Goleta Slough for the benefit and enjoyment of future generations. The intent of this Chapter is to ensure that any development in or adjacent to any wetland area is designed to preserve the wetland as it exists or improve the habitat values of the Goleta Slough Reserve Zone.

Land classified in the G-S-R Zone may also be classified in another zone. Where a conflict occurs between the provisions in this chapter and other laws or other regulations effective within the City, the more restrictive of such laws or regulations shall apply. (Ord. 4674, 1991; Ord. 4375, 1986.)

29.25.020 Requirements and Procedures.

A. COASTAL DEVELOPMENT PERMIT REQUIRED. In addition to any other permits or approvals required by the City hereafter, a Goleta Slough Coastal Development Permit shall be required prior to commencement of any development within the Goleta Slough Reserve Zone, unless specifically excluded. A Coastal Development Permit under the provisions of Chapter 28.4416, shall not be required if the proposed project is only in the G-S-R and S-D-3 Zones; however, a Goleta Slough Reserve Coastal Development Permit shall be required, unless specifically excluded. If a development is in another zone in addition to the G-S-R and S-D-3 zones, both a Coastal Development Permit under this Chapter and under Chapter 28.4416 shall be required, unless specifically excluded. If a development is excluded from a Goleta Slough Coastal Development Permit, as stated in Section 29.25.040 of this Chapter, it shall also be excluded from a Coastal Development Permit under Chapter 28.4416 of the Municipal Code.

B. PERMIT PROCESS. The regulations set forth in Chapter 28.4416 of the Municipal Code, except as they pertain to the application for a separate Coastal Development Permit, shall apply to the processing of a Goleta Slough Coastal Development Permit application.

C. SUBMITTAL REQUIREMENTS. In addition to the information required to be submitted with an application for a Coastal Development Permit, or any other application requirements of the Community Development Department, the following information must be submitted with an application for a Goleta Slough Coastal Development Permit:

1. Development Plan: A development plan, clearly and legibly drawn, the scale of which shall be large enough to show clearly all details thereof and shall contain the following information:
 - (a) Contour lines of existing grade with a minimum of two (2) foot intervals;
 - (b) Dimensions of proposed development and location of proposed use with scale, date and north arrow;
 - (c) Finished grade contours after completion of development or use clearly showing the location of all proposed grading, cut and fill;
 - (d) The location of proposed access to the development site during construction and after the project is completed;
 - (e) The location for the stockpiling of any dredged materials or storage of supplies and equipment during or after construction;
 - (f) Habitat mapping and impact assessment by a qualified wetland biologist identifying all upland and wetland habitat locations within at least 100 feet from any development, access way, storage site or disturbed area and discussion of any impacts to the wetland or the 100 foot buffer along the periphery of the wetland. Wetland delineations shall be prepared in accordance with the definitions of Section 13577(b) of Title 14 of the California Code of Regulations;
 - (g) An identification of habitat area that supports rare, threatened, or endangered species that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern," and plants designated as rare by the California Native Plant Society;
 - (h) Water Quality Mitigation Plan (WQMP) and Stormwater Pollution Prevention Plan (WQMP) and Stormwater Pollution Prevention Plan (SWPP) details consistent with the criteria of LUP Policies C-12 and C-13.
2. Written description of the project including the purpose of the project and an anticipated schedule for

construction and completion.

3. Elevations of the proposed structure from all sides.

4. Written comment on the proposed use or development from the State of California Department of Fish and Game. Review by the Department of Fish and Game shall be coordinated through the City of Santa Barbara Community Development Department Staff.

5. An identification and description of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, and identification of "fully protected" species and/or "species of special concern," and plants designated as rare by the California Native Plants Society, and avoidance, mitigation, restoration and monitoring measures/plan details consistent with the criteria of LUP Policies C-14 and C-15; and

6. Written description and impact assessment of sensitive archaeological or other culturally sensitive resources and details of avoidance, mitigation and monitoring measures necessary to avoid potential impacts.

7. Other information reasonably required by the Community Development Department.

D. NOTICING. Refer to Chapter 28.44-16 for noticing requirements. (Ord. 5417, 2007; Ord. 5267, 2003; Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

29.25.030 Uses Permitted with a Goleta Slough Coastal Development Permit.

The following uses are permitted in the Goleta Slough Reserve Zone upon the issuance of a Goleta Slough Coastal Development Permit unless specifically exempted.

A. Restoration projects in which restoration and enhancement are the sole purposes of the project.

B. Incidental public service purposes, including but not limited to, installation, burying cables and pipes or inspection of piers, and maintenance of existing intake and outfall lines, where the project is necessary to maintain an existing public service and where it has been demonstrated that there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

C. Nature study, bird watching, aquaculture, or other similar resource dependent activities.

D. Alteration of rivers or streams only for the following purposes:

1. Necessary water supply projects; or

2. Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or

3. Developments where the primary function is the improvement of fish and wildlife habitat.

E. Repair or maintenance activities of existing areas or facilities which do not result in an addition to or enlargement or expansion of the object of such repair or maintenance, unless exempted under Municipal Code Subsection 29.25.040.A.

F. Other uses deemed consistent with the intent and purposes of this Chapter and allowed under Public Resources Code Section 30233. (Ord. 5267, 2003; Ord.4674, 1991; Ord. 4375, 1986.)

29.25.040 Uses Permitted Without a Goleta Slough Coastal Development Permit.

A Goleta Slough Coastal Development Permit is not required for the following activities and uses:

A. Maintenance Activities:

1. Trimming of vegetative growth within the extended runway safety area and flight control area in accordance with FAA regulations, as required.

2. Mowing of grass and maintenance in accordance with FAA requirements of areas directly adjacent to and parallel to the runways and taxiways within 135 feet of the existing paved surface.

3. Maintaining the existing approach lighting system and access road, the existing glide slope, the existing Airport Surveillance Radar and access road, the existing Airport patrol road running along the perimeter of the Slough, and safety related facilities and uses necessary to maintain existing airport capacity and operations.

4. On-going mosquito abatement and related maintenance activities such as monitoring of adult and larval mosquito activity including weekly surveillance and collections at likely breeding locations and control measures which consist primarily of hand spraying of larvicidal oil.

5. Utilities existing at the time of the initial adoption of this Section.

B. Public access to the Slough for educational purposes or bird watching when the individual or group has complied with the following Slough Public Access procedures. Any person wishing to enter the Goleta Slough who is not an employee of the City of Santa Barbara, the Goleta Valley Mosquito Abatement District, the Santa Barbara Flood Control District or the California Department of Fish and Game shall complete a "Santa Barbara Municipal Airport/Goleta Slough Access Release, Indemnity and Assumption of Risk Agreement" and have said form approved by the Santa Barbara Municipal Airport Director prior to entering the Goleta Slough.

C. Activities In Areas Designated as ~~SBa~~SBA-52:

1. Maintenance of the Indian burial site as specified in Agreement #11,256 between the City of Santa Barbara and the Indian Center of Santa Barbara, Inc.; and

2. Re-interment of Native American human burial remains found during archaeological work or from archaeological sites as specified in Agreement #11,256 between the City of Santa Barbara and the Indian Center of Santa Barbara, Inc.

Additional activities such as the clearing of channels, digging of ditches, desilting, and dredging activities shall require a Goleta Slough Coastal Development Permit. (Ord. 5267, 2003; Ord. 4723, 1991; Ord. 4674, 1991; Ord. 4375, 1986.)

29.25.050 Findings.

Prior to the approval of a Goleta Slough Coastal Development Permit by the Planning Commission, or City Council upon appeal, all of the following must be found:

- A. The project is consistent with the City's Coastal Land Use Plan and all applicable provisions of the Code.
- B. The project is consistent with the policies of the California Coastal Act.
- C. The proposed use is dependent upon the resources of the environmentally sensitive area or the proposed use is found to be consistent with Section 30233 of the Coastal Act.
- D. Development in areas adjacent to an environmentally sensitive area shall be designed to prevent impacts which would significantly degrade such area and shall be compatible with the continuance of such habitat.
- E. A natural buffer area of 100 feet will be maintained in an undeveloped condition along the periphery of all wetland areas. Where development of the Airfield Safety Projects renders maintenance of a 100 foot buffer area between new development and delineated wetlands infeasible, the maximum amount of buffer area is provided and all impacts to wetland habitat will be mitigated to the maximum extent feasible such that no net loss of wetland habitat occurs.
- F. The proposed use shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes.
- G. The proposed project includes adequate impact avoidance and mitigation measures to ensure protection of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern," and plants designated as rare by the California Native Plant Society.
- H. There is no less environmentally damaging alternative to the proposed development, all feasible mitigation measures have been provided to minimize adverse environmental effects and, if applicable:
 1. All dredged spoils shall be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation.
 2. Diking, filling or dredging in the Goleta Slough shall maintain or enhance the functional capacity of the wetland or estuary.
- I. Channelizations or other substantial alteration of rivers and streams shall incorporate the best mitigation measures feasible.
- J. Archaeological or other culturally sensitive resources within the Goleta Slough are protected from impacts of the proposed development.
- K. The proposed use shall minimize any adverse effects of wastewater discharges, run-off and interference with surface water flow.
- L. Sedimentation from the proposed development has been reduced to a minimum and is compatible with the maintenance of the wetland area.
- M. The proposed project enhances public educational or recreational opportunities at the Goleta Slough including, but not limited to:
 1. Providing area(s) and facilities on the periphery of the wetland for recreational and educational use of the Slough; or,
 2. Developing educational tour routes and procedures for such tours in dry land areas of the Slough.Educational/explanatory signs shall be included as part of any walking tour or viewing facilities project. (Ord. 5267, 2003; Ord. 4674, 1991; 4375, 1986.)

29.25.060 Memorandum of Understanding Relating to the Goleta Slough Ecological Reserve and the Goleta Slough Management Plan.

The City shall enter into a binding agreement with the State Department of Fish and Game, or successor agency, to establish the Slough as a part of an ecological preserve system for the purpose of management, preservation, enhancement, and where feasible restoration of the Goleta Slough.

The City shall participate in a management plan for the ecological management of the Slough. The plan should provide for management, preservation, enhancement, and where feasible, restoration of the Goleta Slough. (Ord. 4674, 1991.)

Chapter 29.30

AIRPORT INDUSTRIAL AREA SPECIFIC PLAN (SP-6-~~AI~~) ZONE

Sections:

29.30.005 Legislative Intent.

29.30.030 Uses Permitted.

29.30.090 Other Regulations.

29.30.005 Legislative Intent.

It is the purpose of the Airport Industrial Area Specific Plan (SP-6-~~AI~~) Zone to establish the boundaries of a Specific Plan area on the northern portion of the Santa Barbara Municipal Airport property. The boundaries are included in the Specific Plan, which is a separate document and is incorporated herein by reference. This Specific Plan sets out development policies and actions for this area. (Ord. 5025, 1997.)

29.30.030 Uses Permitted.

The uses permitted in the SP-6-~~AI~~ Zone are outlined in the various zones established at the Air-port. (Ord. 5025, 1997.)

29.30.090 Other Regulations.

A. The portion of the Specific Plan that is located north of Hollister Avenue shall be effective upon adoption of the Airport Industrial Area Specific Plan and the establishment of the SP-6-~~AI~~ Zone. The portion of the Specific Plan that is located south of Hollister Avenue and, therefore, in the Coastal Zone, shall be effective upon certification by the California Coastal Commission.

B. For vacant parcels at the Santa Barbara Municipal Airport, development allowed on such vacant parcels under the provisions of Chapter 28-~~8563~~ of this Code may be relocated to other City-owned parcels at the Airport if it can be found that the vacant parcel from which the potential square footage is being relocated shall be used for: 1) parking; 2) required open space; 3) Airport operations such as those allowed in the A-A-O Zone described in Chapter 29.12; 4) open space; or 5) wetland protection or mitigation in the G-S-R Zone described in Chapter 29.25 of this Code or other similar non-habitable uses. Otherwise, vacant land square footage is subject to all other provisions of Chapter 28-~~85 of Title 2863 of this Code~~.

C. Small additions allowed at the Airport under Chapter 28-~~85-63~~ may be relocated to other City-owned parcels at the Airport even though such relocation may result in more than one small addition on a given parcel. Otherwise, small additions are subject to all other provisions of Chapter 28-~~85 of Title 2863 of this Code~~. (Ord. 5609, 2013; Ord. 5025, 1997.)

Chapter 29.87

GENERAL PROVISIONS

Sections:

29.87.001	General Provisions.	29.87.050	Building Height.
29.87.003	Conflicting Regulations.	29.87.055	Required Front Setbacks.
29.87.010	Construction and Maintenance of Site and Buildings.	29.87.060	Setback Encroachments.
29.87.031	Less Restrictive Uses Prohibited.	29.87.068	Landscaping in Front Setback.
29.87.032	Additional Permitted Uses.	29.87.150	Utilities.
29.87.033	Exclusion of Permitted Use.	29.87.170	Fences, Walls and Hedges.
29.87.035	Nonconforming Buildings and Uses.	29.87.180	Mobilehomes and Recreational Vehicles - Prohibited Uses.
29.87.038	Reconstruction of Damaged Nonconforming Buildings.	29.87.190	Storage.
29.87.040	Building Under Construction.	29.87.195	Landscaping Requirements.
29.87.046	Location of Building.	29.87.200	Landscape or Planting Plan Approvals - Standards.

29.87.001 General Provisions.

The regulations specified in this ordinance shall be subject to the following interpretations and exceptions. (Ord. 3690, 1974.)

29.87.003 Conflicting Regulations.

Where any provisions of this ordinance impose more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provision of this ordinance shall govern. (Ord. 3690, 1974.)

29.87.010 Construction and Maintenance of Site and Buildings.

Following approval of the required plot plan and landscaping plan, the lessee of such site shall construct said buildings and install such landscaping in accordance with said plans and without material or substantial deviation therefrom. In addition, said buildings and landscaping shall be thereafter maintained in a clean and orderly condition in order that said leasehold or establishment, or any part thereof, shall not become offensive or obnoxious to persons occupying properties in sight or view thereof, or traveling on the adjacent streets. (Ord. 5025, 1997.)

29.87.031 Less Restrictive Uses Prohibited.

The express enumeration and authorization in this ordinance of a particular class of building, structure, premises or use in a designated zone shall be deemed a prohibition of such building, structure, premises or use in all zones of more restrictive classification, except as otherwise specified. (Ord. 3690, 1974.)

29.87.032 Additional Permitted Uses.

Uses other than those specifically mentioned in this ordinance as uses permitted in each of the zones may be permitted therein, provided such uses are similar to those mentioned and are in the opinion of the City Council not more obnoxious or detrimental to the welfare of the community than the permitted uses in the respective zones. The City Council may approve such uses by ordinance amendment after a recommendation has been received from the Airport Zoning Commission. (Ord. 3690, 1974.)

29.87.033 Exclusion of Permitted Use.

The City Council after a recommendation has been received from the Airport Zoning Commission may, by ordinance amendment, exclude any permitted use from any zone if in the opinion of the City Council it is obnoxious or detrimental to the welfare of the community. (Ord. 3690, 1974.)

29.87.035 Nonconforming Buildings and Uses.

The following regulations shall apply to all nonconforming buildings and structures or parts thereof and uses legally existing at the effective date of this ordinance:

A. Any such nonconforming building or structure may be continued and maintained provided there is no physical change other than necessary maintenance and repair in such building or structure, except as permitted in other sections of this Chapter.

B. Any such nonconforming use of a conforming building may be maintained and continued provided there is no increase or enlargement of the area, space or volume occupied or devoted to such nonconforming use, except as otherwise provided in this Chapter.

C. Any part of a building, structure or land occupied by such a nonconforming use which is changed to or replaced by a use conforming to the provisions of this Chapter shall not thereafter be used or occupied by a nonconforming use.

D. Any part of a building, structure or land occupied by such a nonconforming use, which use is abandoned, shall not again be used or occupied for a nonconforming use. Any part of a building structure or land occupied by such a nonconforming use, which use is discontinued or ceases for a period of one (1) year or more, shall not again be used or occupied for a nonconforming use.

E. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or a more restrictive classification.

F. The foregoing provisions of this Section shall also apply to building, structures, land or uses which hereafter become nonconforming due to any reclassifications of zones under this Title or any subsequent change in the regulations of this Title; provided, however, that where a period of years is specified in this Section for the removal of nonconforming uses, said period shall be computed from the date of such reclassification or change.

G. The provisions of this Chapter concerning the physical change, abandonment, structural alteration, removal, discontinuance, reconstruction, repairing or rebuilding of nonconforming buildings, structures and uses shall not apply to public utility buildings, structures and uses. Nothing in this Chapter shall be construed or applied so as to prevent the expansion, modernization or replacement of public utility buildings, structures, equipment and facilities where there is no change of use or increase in area of the property so used.

H. Nothing in the above provisions shall be construed to prohibit any additions or alterations to a nonconforming structure as may be reasonably necessary to comply with any lawful order of any public authority made in the interest of the public health, welfare, safety or morals.

I. Nonconforming uses resulting from amendments. The provisions of this Chapter shall apply to uses which become nonconforming by reason of any amendment to this Title, as of the effective date of such amendment. (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986; Ord. 3690, 1974.)

29.87.038 Reconstruction of Damaged Nonconforming Buildings.

A nonconforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake or other calamity or act of God or the public enemy, to the extent of not more than seventy-five percent (75%) of its occupancy or use of such building, structure or part thereof which existed at the time of such partial destruction may be continued or resumed, provided the total cost of such restoration as determined by the Chief of Building and Zoning does not exceed seventy-five percent (75%) of the current market value according to the Assessor's records of the County of Santa Barbara of the building or structure at the time of such damage, and that such restoration is started within a period of one (1) year and is diligently prosecuted to completion. In the event such damage or destruction exceeds seventy-five percent (75%) of the current market value of such nonconforming building or structure, no repairs or reconstruction shall be made unless every portion of such building is made to conform to all the regulations for new buildings in the zone in which it is located. (Ord. 3690, 1974.)

29.87.040 Building Under Construction.

Any building or structure for which a building permit has been issued, and actual construction has begun, prior to the effective date of this ordinance, may be completed and used in accordance with the plans, specifications and permits on which said building permit was granted, if construction is diligently pursued to completion, and provided further that such building or structure shall be completed within two (2) years from the effective date of this ordinance. (Ord. 3690, 1974.)

29.87.046 Location of Building.

Except where otherwise provided for in this ordinance, every main building shall face or have frontage upon a public street or permanent means of access to a public street. (Ord. 3690, 1974.)

29.87.050 Building Height.

A. No building or structure shall contain more than three (3) stories nor exceed a height of forty-five feet (45'), as ~~defined in Chapter 28.04 of Title 28 of this Code~~calculated according to Section 28.04.080. In any case, if the height limit in Subsection C. below is more restrictive, it shall supersede the height limit stated in this Sub-section A.

B. Aircraft hangars may not exceed sixty feet (60') in height, as defined by Section 29.04.150 (Hangar Height) of this Title. In any case, if the height limit in Subsection C. below is more restrictive, it shall supersede the height limit stated in this Subsection B.

C. The height limits are modified by the approach, transitional and horizontal surfaces, the dimensions of which are determined by the FAA in the Federal Aviation Regulations Part 77, or their successors. No structure shall be erected, moved, altered or reconstructed, nor shall any plant or tree be allowed to grow in such a manner that the height thereof, including all superstructures and appurtenances, will exceed the height limits imposed in this Section. The Airport Director shall verify compliance with this requirement. These height limits are declared necessary in order to reduce to a minimum the hazard to safe landing and take-off of aircraft using the Airport. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.87.055 Required Front Setbacks.

A. Measurement of all front setbacks shall be taken from the face of the curb. If there is no existing curb, the measurement shall be as listed below plus one-half of the width of the adjacent street, measured from the center of the travelled way.

B. A front setback shall be required for all buildings, as follows:

1. The minimum front setback on Hollister Avenue, Fairview Avenue, Los Carneros Road and the first 200 feet north of Hollister Avenue on David Love Place and Frederic Lopez Road shall be twenty feet (20').

2. The minimum front setback on all other roads shall be ten feet (10') for the first story of any structure and twenty feet (20') for the second and third stories of all buildings. (Ord. 5459, 2008; Ord. 5025, 1997.)

29.87.060 Setback Encroachments.

Where setbacks are required in this ordinance, they shall not be less in depth or width than the minimum dimensions specified for any part, and they shall be at every point unobstructed by structures from the ground upward, except as follows:

A. Cornices, canopies, chimneys, eaves or other similar architectural features not providing additional floor space within the building may extend into any required setback not to exceed two feet (2').

B. Porches, terraces and outside stairways, unroofed, unenclosed above and below floor or steps, and not extending above the level of the first floor, may project not more than three feet (3') into any required interior setback. (Ord. 5459, 2008; Ord. 3690, 1974.)

29.87.068 Landscaping in Front Setback.

The front setback shall be used only for landscaping, except that such area may contain pedestrian walkways and reasonable vehicular ways of ingress and egress to and from abutting streets. (Ord. 5459, 2008; Ord. 5025, 1997; Ord. 3690, 1974.)

29.87.150 Utilities.

A. All utility, transmission and communication lines, wires, cables, pipes and conduits, together with all related equipment, shall be installed underground or within a building unless outside exposure is necessary to the proper functioning of such equipment (e.g., telephone utility lines and gas meters must be inside a building or underground, whereas antennae and fireplugs may be outside).

B. Antennas shall be subject to all applicable provisions of Title 28 of this Code. (Ord. 5025, 1997.)

29.87.170 Fences, Walls and Hedges.

A. In the A-C, A-F and A-A-~~P~~Q Zones, no fence, screen, wall or hedge located in a setback shall exceed a height of six feet (6').

B. In the A-C, A-F and A-A-~~P~~Q Zones, no fence, screen, wall or hedge exceeding a height of three and one-half feet (3-1/2') shall be located:

1. Within ten feet (10') of a front lot line.

2. Within ten feet (10') of either side of a driveway for a distance of twenty feet (20') back from the front lot line.

C. In the A-C and A-F Zones, no fence, screen, wall or hedge located within fifty feet (50') of a street corner and within the front setback shall exceed a height of three and one-half feet (3-1/2') measured from the edge of the vehicular travelled way as determined by the Traffic Engineer; provided that where any fence, screen, wall or hedge within fifty feet (50') of any corner impairs the visions of drivers of vehicles approaching on the intersecting street, the Community Development Director may further limit the height of construction by the terms of the permit issued to the applicant so as to prevent such impairment of vision.

D. In any zone, no barbed wire shall be used or maintained in or about the construction of a fence, screen, wall or hedge along any lines of any lot, or within three feet (3') of said lines, and no sharp wire or points shall project at the top of any fence or wall six feet (6') or less in height. (Ord. 5459, 2008; Ord. 3690, 1974.)

29.87.180 Mobilehomes and Recreational Vehicles - Prohibited Uses.

A. No recreational vehicle or mobilehome shall be used or occupied for living or sleeping purposes.

B. No recreational vehicle or mobilehome shall be used for office, retail or any other commercial purpose except in the following situations:

1. A mobilehome or commercial coach may be used as a sales office for a new or used mobile-home or recreational vehicle sales business if such mobilehome or commercial coach is on the same lot or parcel of land where the business is located and if, on such same lot or parcel of land, new or used mobilehomes or recreational vehicles, other than the mobilehome or commercial coach used for a sales office, are normally kept for display to the public.

2. A mobilehome, recreational vehicle or commercial coach may be used as a construction shack at the site of a construction project for the duration of such project.

C. The conforming use of a mobilehome, recreational vehicle or commercial coach which is made non-conforming by the provisions of this ordinance shall be terminated and discontinued by the owner or possessor of such mobilehome, recreational vehicle or commercial coach within six (6) months of the effective date of this ordinance.

D. For the purposes of this Section, commercial coach has the definition set forth in Section 18001.8 of the California Health and Safety Code, as same may be amended from time to time. (Ord. 4269, 1984; Ord. 3690, 1974.)

29.87.190 Storage.

A. No portion of any front yard shall be used for the permanent storage of motor vehicles, trailers, airplanes, boats, parts of any of the foregoing, loose rubbish or garbage, junk, tents, garbage or rubbish receptacles, or building materials except as hereinafter provided. Permanent storage, as used in this section, shall mean storage for a period of forty-eight (48) or more consecutive hours. No portion of any vacant or undeveloped lot shall be used for permanent storage.

B. Building materials for use on the same premises may be stored thereon during the time that a valid permit is in effect for construction on the premises. (Ord. 3690, 1974.)

29.87.195 Landscaping Requirements.

A. The landscape development plan shall include a landscaped area equal to not less than fifteen percent (15%) of the area of the leasehold or parcel, including landscaping, within required setbacks, walkways and bikeways, but excluding paved areas for vehicular use. At least one (1) shade tree for each two thousand (2,000) square feet of such paved area shall be provided. Paved areas used for movement and storage of aircraft shall not be included in the area of the leasehold or parcel for purposes of calculating required landscaped area.

B. All planting areas shall be maintained in a manner that will sustain normal growth. (Ord. 5459, 2008; Ord. 5025, 1997; Ord. 3690, 1974.)

29.87.200 Landscape or Planting Plan Approvals - Standards.

Whenever in the Airport Zoning Ordinance, as amended, the administrative duty of reviewing and approving landscaping or planting plans is placed upon any officer, board, commission or employee of the City, such officer, board, commission or employee may disapprove such plans, or any part of them if:

A. Any or all of the proposed plant materials are of the type having root structures which, in their natural and anticipated extension and growth, and in relation to their location as shown on the plans, may damage or interfere with the normal use and enjoyment of:

1. Clear Zones and aircraft traffic areas.
2. Public or private lines, cables, conduits, pipes or other underground structures.
3. Public or private sidewalks, curbs, gutters or hard surfaced roads, streets, driveways, parking and turnaround areas, easements or like things designed and constructed to accommodate vehicles.
4. Adjacent structures, foundations or landscape materials;

B. Any or all of the proposed plant materials:

1. Are noxious or dangerous to persons or domestic animals.
2. Exude or emit substances or things which, because of proposed location, will probably injure or damage

real or personal property in the area of their effect.

3. Are weeds which bear seeds of a downy or wingy nature.

C. Any or all of the proposed plant materials, because of proposed locations and type, will contribute to the spread of or make more hazardous the possibility of a brush fire;

D. Any or all of the proposed materials which are designed for relatively permanent emplacement will probably die because of proposed locations poorly related to their ecological requirements;

E. Any or all of the proposed plant materials, as affected by normal growth, will probably block the view, sunlight or fresh air flow otherwise available at a window or other opening in the walls of a building on the property or of a building on adjacent property;

F. Any or all of the proposed plant materials are so arranged or placed so as not to produce the aesthetic result desired by the property owner or lessee;

G. Any or all of the proposed plant materials are in such combinations as to promote a natural competition for the elements necessary to their healthy growth and thus seriously affect their stability or permanence;

H. Any or all of the proposed plant materials, as affected by normal growth, will tend to become a nuisance to or otherwise interfere with the free use and enjoyment of neighboring property;

I. Any or all of the proposed plant materials, as affected by normal growth, and with reference to their proposed location, will probably become obstructions to the vision of vehicle operators or to other uses of public streets and places, as such obstructions are defined and regulated under the provisions contained in Chapter 12.08 of the Code of the City of Santa Barbara. (Ord. 3690, 1974.)

Chapter 29.90

AUTOMOBILE PARKING REQUIREMENTS

Sections:

29.90.001 General.

29.90.012 Parking Requirements.

29.90.001 General.

The standards and regulations for parking as set forth in ~~Title 28, Chapter 28.90 of the Zoning Ordinance of the City of Santa Barbara~~ Section 28.17.100, shall apply to the Santa Barbara Municipal Airport. (Ord. 5025, 1997; Ord. 3690, 1974.)

29.90.012 Parking Requirements.

A. PARKING REQUIREMENTS FOR SPECIFIC USES: In any zone, parking space requirements for new or expanded uses shall be provided in the following ratios for specific types of use:

PARKING REQUIREMENTS FOR SPECIFIC USES		
USE	PARKING REQUIREMENT¹	BICYCLE PARKING REQUIRED²
Automobile Repair	3	No
Aviation Facilities	1 space/250 sf for office and retail square footage only	Yes
Commercial Recreation	Case by Case	
Convenience Store	1 space/250 sf	Yes
Heavy Equipment, Including Large Truck, Repair	1 space/5,000 sf of land area	No
Industrial, Manufacturing and Research and Development	1 space/500 sf	Yes
Landscape Nursery	1 space/2,000 sf of land area	Yes
Movie Theater	1 space/4 seats	Yes
New and Used Automobile Sales	Case by Case ⁴	No
Office	1 space/250 sf	No
Open Storage Yard Uses	1 space/250 sf of office and retail plus 1 space/5,000 sf of land area	Yes
Restaurant, Fast Food	1 space/100 sf	Yes
Restaurant, Sit Down	1 space/250 sf or 1 space/3 seats, whichever is greater	Yes
Retail	1 space/250 sf	Yes
Warehouse	1 space/250 sf of office and retail plus 1 space/2,000 sf	Yes
1	Parking space requirements are for building square footage unless otherwise indicated.	
2	Bicycle parking requirement is one (1) space for every seven (7) automobile parking spaces.	
3	As much paved area for outside storage and parking of vehicles as there is area used for servicing of vehicles.	
4	Parking requirements shall be determined on a case by case basis by the City Transportation and Parking Manager in consultation with the Community Development Director.	

B. PARKING REQUIREMENTS FOR SPECIFIC ZONES:

1. A-A-O Zone: Parking is not allowed in this zone.
2. G-S-R Zone: Parking is not allowed in this zone, except in association with an allowed use which requires parking.

C. BUILDINGS IN EXCESS OF 10,000 SQUARE FEET. For industrial, manufacturing, research and development and office uses, a reduction of the required parking will be allowed for those buildings or building complexes containing in excess of 10,000 square feet of floor area at the following rate:

1. Buildings or building complexes containing 10,000 to 30,000 square feet shall provide ninety percent (90%) of the required parking.
2. Buildings or building complexes containing 30,001 to 50,000 square feet shall provide eighty percent (80%) of the required parking.
3. Buildings or building complexes containing in excess of 50,000 square feet shall provide seventy percent (70%) of the required parking.

If a project is developed in phases, parking shall be provided to meet the full demand of the initial phase or phases. The reduction will occur as later phases are built. (Ord. 5025, 1997; Ord. 3690, 1974.)

Chapter 29.92

**VARIANCES, MODIFICATIONS, CONDITIONAL
USE PERMITS AND ZONE CHANGES**

Section:

**29.92.001 Variances, Modifications,
Conditional Use Permits and Zone
Changes.**

29.92.001 Variances, Modifications, Conditional Use Permits and Zone Changes.

The regulations set forth in Chapters 28.~~92-60, 28.64, 28.66,~~ and 28.~~9467~~ of ~~Title 28, the Zoning Ordinance,~~ shall apply to the granting of variances, modifications, conditional use permits and zone changes. (Ord. 5025, 1997; Ord. 3690, 1974.)

Chapter 29.96

ZONING UPON ANNEXATION

Section:

29.96.001 Zoning Upon Annexation.

29.96.001 Zoning Upon Annexation.

The regulations set forth in Chapter 28.~~96-75~~ of ~~Title 28, the Zoning Ordinance,~~ shall govern zoning upon annexation. (Ord. 5025, 1997; Ord. 3690, 1974.)

Chapter 29.97

OCCUPANCY

Section:

29.97.001 Certificate of Occupancy.

29.97.001 Certificate of Occupancy.

Certificates of Occupancy shall be required as set forth in ~~Chapter 28.97 of Title 28, the Zoning Ordinance 22.04.010 (Part 27 of Ordinance No. 2585).~~ (Ord. 3690, 1974.)

Chapter 29.98

ENFORCEMENT

Section:

29.98.001 Enforcement.

29.98.001 Enforcement.

The duties and procedures for enforcement shall be as set forth in ~~Chapter 28.98 of Title 28, the Zoning Ordinance Section 28.58.160 and the California Building Code.~~ (Ord. 5025, 1997; Ord. 3690, 1974.)

Chapter 29.99

VALIDITY

Sections:

29.99.002 Validity.

29.99.002 Validity.

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional. (Ord. 3690, 1974.)