



Planning Commission

Meeting Agenda

Monday, March 4, 2024 at 5:30 pm

City of Carpinteria, Council Chamber

5775 Carpinteria Avenue

Carpinteria, CA 93013

In-Person

Attendance/Viewing Options:

- Attend the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.)
- View the meeting live through the City's website (<https://carpinteriaca.gov/city-hall/agendas-meetings>) on your computer, tablet or smartphone.
- View the meeting on Government Access Television Channel 21 (broadcast live and rebroadcast on the Wednesday and the Saturday following the meeting at 8:00 p.m. and 5:00 p.m., respectively).

Public Comments:

- Provide a live public comment during the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.). Please note the City has the discretion to limit the speaker's time for any meeting or agenda matter. Typically, the practice has been three minutes per speaker on each item.
- Submit a written comment (as either a general public comment or on a specific agenda item) to be distributed to Planning Commissioners by **12:00 P.M. on the day of the meeting** by either submitting your comment via (1) email to PublicComment@carpinteriaca.gov, (PLEASE NOTE NEW PUBLIC COMMENT EMAIL ADDRESS) or (2) the **eComment** link on the City's agenda website (<https://carpinteriaca.gov/city-hall/agendas-meetings>). Please reference the agenda item to which your comment pertains. Note that written comments will not be read into the record during the meeting.

Please note that the City will make every effort to make the meeting accessible; however, if one of the above attendance/viewing or public comment options is

unavailable due to technological issues, you are invited to take advantage of one of the other participation options outlined above (including attending and providing public comment in-person in the City Council Chambers). Additional options may be made available at the meeting.

THE PLANNING COMMISSION RESERVES THE RIGHT TO CHANGE THE ORDER IN WHICH ITEMS ARE HEARD. APPLICANTS NOT IN ATTENDANCE WHEN THEIR ITEM IS CALLED MAY HAVE THEIR ITEM CONTINUED TO THE NEXT REGULAR MEETING.

Any information presented to the Planning Commission by the public on any agenda item and during Public Comment using electronic materials must be arranged with staff. Electronic materials must be provided to staff a minimum of two business days prior to the meeting.

Any written, printed or electronic material and/or exhibit presented at this meeting becomes the property of the City, and a copy must be provided to City staff.

Planning Commissioners

Glenn La Fevers, Chair
David Allen, Vice- Chair
Jane L. Benefield
John Moyer
Katherine Salant

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

INTRODUCTIONS, PRESENTATIONS, ANNOUNCEMENTS

PUBLIC COMMENT

This time on the agenda provides an opportunity for the public to address the Planning Commission on items within the jurisdiction of the Commission and not listed on other sections of the agenda. Please limit comments to no more than five minutes. Depending on the number of speakers wishing to make comments, the Chair may further limit the time available to each speaker to control the amount of time spent on this part of the agenda. If you wish to speak on a CONSENT CALENDAR item, please do so during this part of the meeting.

Please be advised that California law does not allow the Planning Commission to discuss or take action on any issue presented by the public during this portion of the

meeting. The Commission may ask a question for clarification, provide a brief response to public comment, refer the matter to staff for review and a later report or direct staff to place an item on a future agenda.

The City is not responsible for the content of statements made during the public comment period or the factual accuracy of any such statements.

CONSENT CALENDAR

- 1) Minutes of the regular Planning Commission meeting held February 5, 2024

NEW PUBLIC HEARING

If you have questions regarding any project listed below, please contact the Community Development Department at (805) 755-4410.

Review Procedure:

- Disclosure of Ex Parte Communications
- Staff Presentation
- Public Hearing
- Planning Commission Action

2) Sanchez Residence Rebuild

Project # 23-2263-CUP/CDP

Address: 5091 Foothill Road

Applicant: Shawn Godkin, architect, for Laura Sanchez

Planner: Brian Banks

Hearing on the request of Shawn Godkin, architect, for Laura Sanchez to consider Project 23-2263-CUP/CDP (application filed November 21, 2023) for approval of a Conditional Use Permit and a Coastal Development Permit to allow demolition and reconstruction of an existing legal-nonconforming single-family residence under the provisions of Carpinteria Municipal Code (CMC) §14.12 – Single-Family Residence Zone District, §14.62 – Conditional Use Permit, and §14.82 – Nonconforming Uses; and to approve an Exemption pursuant to §15302 and §15303 of the California Environmental Quality Act (CEQA) Guidelines. The application involves APN 004-006-013, addressed as 5091 Foothill Road.

3) **Amendments to the City's Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations**

Project # 23-2231-ORD/LCPA

Address: Citywide

Applicant: City of Carpinteria

Planner: Mindy Fogg

Hearing at the request of the City of Carpinteria for the Planning Commission to receive a staff report on proposed amendments to Carpinteria Municipal Code Chapter 14.72- ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS, and to provide recommendations to the City Council regarding adoption of the changes, as determined appropriate.

OTHER BUSINESS

MATTERS PRESENTED BY COMMISSIONERS

DIRECTOR'S REPORT

- 4) City calendar for the month of March, 2024
- 5) Planning Activity Report as of February 29, 2024
- 6) Building Permit Report as of February 29, 2024

ATTENDANCE OF PLANNING COMMISSIONERS FOR THE NEXT MEETING OF MONDAY APRIL 1, 2024

ADJOURNMENT

NOTES

All actions of the Planning Commission may be appealed to the City Council. Appeals must be filed with the City Clerk within 10 calendar days of the Commission's action.

If you challenge any of the Planning Commission's decisions related to the agenda items above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence to the Planning Commission prior to the public hearing.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact Lorena Esparza in the Community Development Department at (805) 755-4410 (Lorenae@carpinteriaca.gov) or the California Relay Service at (866) 735-2929. Notification 2 business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

This agenda was posted on Thursday, February 29, 2024 in the Community Development Department, on the City Hall Public Notices Board, and on the City website.

CALL TO ORDER and ROLL CALL The meeting was called to order at 5:30 p.m. by Chair Benefield. Commissioners Present: Jane L. Benefield, Chair Glenn La Fevers, Vice-Chair David Allen John Moyer Katherine Salant Others Present: Nick Bobroff, Community Development Director Brian Banks, Principal Planner Mack Carlson, Legal Counsel, Brownstein, Hyatt, Farber & Schreck	CALL TO ORDER & ROLL CALL
PLEDGE OF ALLEGIANCE - Chair Benefield led the flag salute.	PLEDGE
INTRODUCTIONS, PRESENTATIONS, ANNOUNCEMENTS - None	ANNOUNCEMENTS
PUBLIC COMMENT - None	PUBLIC COMMENT
CONSENT CALENDAR 1) Minutes of the regular Planning Commission meeting held November 6, 2023 MOTION Upon a motion by Commissioner La Fevers, seconded by Commissioner Moyer, the Planning Commission voted 4-0-1 (Benefield, La Fevers, Moyers and Salant in favor; Allen abstained) to approve the regular Planning Commission meeting minutes of November 6, 2023, as presented.	CONSENT CALENDAR
NEW PUBLIC HEARING 2) 4745 Carpinteria Avenue Mixed-Use Project Project #: 23-2221-DP/CDP Address: 4745 Carpinteria Avenue Applicant: Edward DeVicente, DMHA Architecture Planner: Brian Banks Hearing on the request of Edward DeVicente, DMHA Architecture, to consider Project 23-2221-DP/CDP (application filed April 14, 2023) for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently	NEW PUBLIC HEARING

occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building; and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act (CEQA) Guidelines. The application involves APN 003-251-021, addressed as 4745 Carpinteria Avenue.

DISCLOSURE OF EX-PARTE COMMUNICATIONS

Commissioner La Fevers visited the site and saw story poles, and Commissioner Allen said he did the same. Chair Benefield visited the site and spoke with John Nicoli, Carlena McKnerney and Catherine Decker. Commissioner Salant visited the site and spoke with one neighbor from the trailer park, as well as the Sun Coast Rentals manager. Commissioner Moyer visited the site.

Principal Planner Brian Banks presented the staff report. He said staff was recommending approval of the project and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act ("CEQA").

Commissioner Salant gave a presentation where she pointed out her concerns about the project. She analyzed the character of the neighborhood's eating establishments and said the project's commercial area that could accommodate a café has a patio with very limited outdoor seating. She also analyzed the space between apartment buildings, pointing out that they are too close together in some areas, resulting in bedrooms with very little privacy and corridors with no sunlight. She made suggestions for how the buildings could be re-designed to offer more space between them and allow sunlight. One of her ideas for creating more space included converting apartments from two bathrooms to one. She also suggested that a wall in front be broken up or replaced by a hedge.

Principal Planner Brian Banks proceeded to answer commissioners' questions about the project. Topics included plate heights, Flood Zone requirements impacting the potential to lower grading of the parking garage, trash enclosures in the garage, providing Wi-Fi for all residents, conditions restricting rooftop structures such as satellite dishes, details about green elements and soils testing, whether there will be an onsite manager, and whether diagonal parking can continue on Ninth Street.

Legal Counsel Mack Carlson provided information on restricting satellite dishes or over-the-air reception devices. He clarified there is ability to regulate but private properties have certain rights they retain. He explained

projects with 16 units or more require an on-site manager, and the devices are something the landlord or manager can regulate, with limits established regarding reasonable locations for them (for example, allowing devices on a balcony vs. a roof).

Commissioner Salant questioned why flat roofs were not considered and said it would be an easy way to reduce building heights. She said a good designer can make anything look good.

Mr. Banks continued with project details in response to questions on deck sizes, the feasibility of adding ADUs, and the rooftop deck.

Commissioner Allen expressed support for Commissioner Salant's ideas to explore converting two-bathroom units to one-bathroom ones, as well as using a different roof pitch.

BREAK – Chair Benefield called for a 5-minute break.

PUBLIC HEARING OPENED - Chair Benefield opened the public hearing. Eleven people came forth to speak and the following are highlights:

Project applicant Ed DeVicente, on behalf of Justin Klentner, owner, stated that they have been working to address project comments and have met with the Ninth Street neighbors. He said Michael Stroh and Katie Klein would answer questions.

Michael Stroh, architect, explained that the floor heights were a result of the project being in a Flood Zone, and the garage cannot be lowered further. Regarding the roof heights, he said they had originally proposed to use flat roofs, but Richard Johnson of the ARB suggested a pitched roof design. Stroh said he believes they have made the roofs look great, and there is not a significant part of the building that exceeds height limits. He detailed changes that had been made to the facades on Ninth Street, including the addition of porches. Regarding the paseos being narrow, he explained they do solar and shadow studies, and layouts within the units can be changed to allow the bedrooms more privacy. About the commercial footage, it was reduced to allow more parking and amenities to fit in the parking garage. With respect to fire safety on Ninth Street, he explained that they created an area (a fire truck hammerhead) where the fire truck can back in and out using the garage entrance, which results in not having to pave over a large area at the end of Ninth Street.

Katie Klein, landscape architect, provided specifics about the landscaping plan. She said they created as much green space as possible, with mature

trees being protected in the riparian area. She said they did a circulation analysis and added planters wherever there are windows to enhance privacy. They also planted trees wherever there is sky. In response to questions about the depth of the planters, she explained they vary between 3 and 5 feet deep.

Project owner Justin Klentner described himself as a local resident and builder, emphasizing that he is not here to rush in and rush out. He said they listened to the concerns of Ninth Street residents and worked with them, noting that as a result, telephone poles on the Ninth Street frontage are now proposed to be undergrounded. He added that he is happy to provide free Wi-Fi and not allow antennas. Regarding rumors that he overpaid for the lot, he said he did so it would not go to an outsider who would build and leave. He clarified that he wanted the project to contain more two-bedroom apartments, but several one-bedroom units were provided at the request of the City. He said there will be low-income units and a manager on-site. He said he doesn't know at this point if the commercial space will be a café, but if there needs to be more room for one they could re-design it.

Amrita Salm expressed that the project is not consistent with the General Plan/Coastal Plan. She pointed out what she felt were inconsistencies in the Staff Report with respect to protecting mountain views, compatibility with surrounding neighborhood structures in size and scale, and traffic and safety on Carpinteria Avenue and Ninth Street. She said you can hardly turn around on Ninth Street, and parking spaces are being eliminated. She said the units are too big and we should accommodate as many people as we can. She also expressed concern about roof heights.

Patrick O'Connor expressed that he believes unbuildable space should not be part of lot coverage. He explained the project has mixed zoning (split zoning), with the Ninth Street side PRD, not commercial. As a result, the setback on Ninth Street has adopted a commercial setback of 5 feet when it should be 15 feet. He said there is the opportunity to challenge these things as a council and staff, and we should.

Jim Campos said the project will loom over his cottages located on the west side of Ninth Street. He spoke about the concrete flood channel built after the 1969 Flood and how it impacted the west side of Ninth Street, with property owners losing their yards. He said this project impacts the same property owners. He noted they have experienced issues obtaining home insurance due to the proximity of the flood channel, and the developer might also face insurance issues.

Carol Kernahan, owner of a trailer next door, lamented that because of the

project, she will open her blinds and not see the sunrise. She asked, among other things, for details about the 50-foot Flood Control channel setback on Ninth Street. It was explained that half of the setback is under Flood Control and half is owned by the applicant.

John Gonzalez, the property owner on Carpinteria Avenue adjacent to the project, pointed out that he and his neighbors are set back 16 and 17 feet, respectively, while the project will be set back 5 feet. He expressed the difficulty he will experience when exiting his property, describing it as a safety concern. In addition to blocked visibility, the road curves at Franklin Creek which impacts the view of oncoming traffic. He thinks the project is too big, noting people will lose views from Ninth Street. He said although he feels for the developer, he does not live in the neighborhood.

John Nicoli, manager of Arbor Trailer Park, explained how its residents park on Ninth Street and the proposed parallel parking will eliminate spaces. He said Holly Ave is very crowded too, and parking issues are much worse in the evening than at noon. He said the city must be diligent in taking care of Ninth Street residents and reconfigure the street, with the project dovetailing its rehabilitation. He expressed that Ninth Street property owners have paid taxes for a long time and have been promised its rehabilitation for 25 years, but it has never happened.

O'Hara Haggerty has lived at the end of Ninth Street for 27 years in front of the bridge. She spoke about the congestion that already exists and how with more congestion, it's going to be very tough.

Commissioner Salant commented that Carpinteria Avenue does indeed curve and expressed concern about the safety of the parking garage entrance.

Mr. Gonzalez said not only will he be impacted, but so will his neighbor and the development. He described it as a mess that will be compounded.

Commissioner Salant suggested that there be entering only from Carpinteria Avenue and exiting only from Ninth Street.

PUBLIC HEARING CLOSED

Chair Benefield closed the public hearing.

Commissioner Moyer expressed support for the project. He said with state mandates easing parking regulations, this project is at its peak right now, and we don't want it to come back with less parking. He said street safety will be an issue we have to deal with, noting that we all must give up something to continue living here. He suggested cutting out the back and

forth and getting the project off the table.

Commissioner Allen noted the constraints the city has due to the state mandates. He believes it's an appropriate location for housing, with its mixed use. He said that parking issues are going to get worse and worse due to state laws. He understands how the unit numbers are generated and is okay with it. He's happy with setting back the third story elements from Carpinteria Avenue and Ninth Street. He'd also like to see setting it back on the second floor with the units on the west. He wants support for Wi-Fi and no rooftop structures on the third story, and he would like this in the Conditions of Approval. He said they cannot do anything about Ninth Street parking, but he would like to signal to the City Council to improve it.

Commissioner Salant reiterated that a good designer can make anything work. She said most of the discussion is focused on outside in and we need to address inside out due to privacy issues and bedroom windows. Density bonus is good but shouldn't compromise privacy. She expressed concern about the bend in the road on Carpinteria Avenue and said as a pedestrian you cannot even see the traffic. Regarding Ninth Street improvements, they should be spelled out and incorporated into the project so it will really happen. If the city said they will do it, then they should.

Commissioner La Fevers said he likes the project, and it is an appropriate place for mixed use that is heavily focused on housing. He likes rental housing as opposed to condominium or ownership options and feels it is needed. He appreciates the developer trying to make it a better project for the community. He agrees with most, if not all, of Commissioner Allen's comments. The two-story elements on Carpinteria Ave and Ninth Street softened the three-story project, but if there is additional opportunity to reduce the third story units, he would support that. He's somewhat inclined to push for more one-bedrooms, but it's not a necessity if the developer feels he has the best mix. He would support additional conditions regarding rooftop structures and would like staff's opinions on extending affordability covenants from 55 years to 100 years. He asked for information on the traffic report about safety on Carpinteria Avenue. He would be leery of tying this project into Ninth Street improvements and feels the primary focus should be the project.

Chair Benefield said she agrees with most of Commissioner La Fevers' comments. She feels the hammer that came down from the state works for Los Angeles but doesn't work well in a small town. She believes any housing is good housing and this project has a lot of good things, but she'd like a reduction in the two-bedroom units to create a better layout. She wants to see more detail and traffic reports. She says she is capitulating to the legal action the city cannot afford, so despite the project not adhering to

the General Plan, she is adhering to the Density Bonus Law, the Housing Accountability Act and chipping away at RHNA numbers. Regarding Ninth Street, she feels it shouldn't be tied to the project, but we need to become proactive in getting that project completed. She noted it has been in the Work Program for years. She said she would like this project to return with the details worked out.

Principal Planner Brian Banks addressed concerns about the traffic on Carpinteria Avenue. He said Public Works reviewed the traffic study and it underwent a peer review with our traffic engineer. However, he did not know if the study included the driveway issues.

Community Development Director Nick Bobroff added the study did include line of sight issues, and the consulting traffic engineer agreed with the findings of the study. He said Public Works can be involved in refinement that includes red lining curbs as the project gets developed further.

Commissioner Allen stated that he understands the issues expressed by Mr. Gonzalez, but he does not feel the project should be redesigned. He spoke about how commercial areas often have buildings close to sidewalks and are often unsafe. He acknowledged it will likely be less safe and will require more care.

City Attorney Mack Carlson brought up the ability to extend the affordability covenants. He explained State law allows a longer covenant if there is a city ordinance addressing it, but we do not have one extending it for more than the state-mandated 55-year term. He does not feel it is feasible to craft a condition when we do not know the parameters of future projects.

Regarding Ninth Street, Mr. Bobroff explained the applicant met with the residents and Public Works Department, and offered to take on a larger part of its improvements at his expense in exchange for a reduction on Development Impact Fees. However, it was decided he should focus on his portion for improvements, while the city should pursue the portions of its responsibility on its own timeline.

Mr. Klentner said he is happy to sign a covenant agreeing for the low-income units to be deed restricted for 100 years, and he wants the project to move forward so he can work out details in the next phase.

City Attorney Mack Carlson clarified that his comments related to imposing conditions unilaterally on the applicant, but the applicant can voluntarily agree to restrict the units for a longer term. He also clarified that

the maximum duration of such a covenant is limited to 99 years.

Mr. Klentner reiterated that he wants to move into the next phase. He will do what he can do to save inches, reduce height, and explore the possibility of shaving square footage from the west side units (2 or 3 feet). He has been doing all he can do for two years now, and he wants to feel safe moving forward.

Principal Planner Brian Banks commented there is a balancing act we can do. He explained Staff would be comfortable with requirements that are worked out with the ARB or Public Works for their expert opinion, but things that aren't under their purview would result back in Mr. Klentner's hands.

Commissioner Salant said she is not persuaded that the paseo is not going to be a tunnel, and she is not comfortable giving approval.

Community Development Director Nick Bobroff explained the Planning Commission can add conditions, or the applicant can agree to certain details. It can also go back to the ARB for a post-Planning Commission approval.

Mr. Klentner and Mr. Stroh explained they could move the west side units back three feet over the second story units. About the interior units, he said pending further study, they can try to further address privacy concerns.

MOTION

Commissioner Moyer moved to approve Project 23-2221-DP/CDP to allow a new three-story mixed use (commercial/residential) development totaling approximately 64,053 square feet including a 24-unit apartment complex built around and atop a ground-level concrete parking podium and two-story commercial building fronting Carpinteria Avenue; accept a categorical exemption pursuant to 15332 of the California Environmental Quality ("CEQA"); and adopt the Findings in Exhibit 1, Attachment A and Conditions of Approval as proposed in Exhibit 3, (staff's recommendation).

Commissioner Allen seconded the motion for discussion. He requested inclusion of the following conditions: 1) that Wi-Fi be provided to the tenants, 2) that structures not be placed on roofs that are over 30 feet high, 3) that a manager be on-site, 4) the affordability covenant be extended to 99 years, and 5) that the third-floor west-side units be moved three feet eastward.

City Attorney Mack Carlson requested that the city attorney's staff work with staff to draft the Conditions of Approval.

Commissioner Salant asked for a condition that the interior units provide more privacy for the bedrooms. Commissioner Moyer said that as explained by the applicant, he believes they plan to address privacy issues through changes in the layout of the units. Community Development Director Nick Bobroff suggested one option is to amend the motion to direct the applicant to solve the layout riddle of creating privacy for the bedrooms. The motion passed 4-0-1 by the following roll call vote: Commissioner Moyer voted yes, Commissioner La Fevers voted yes, Commissioner Salant abstained, Commissioner Allen voted yes, and Chair Benefield voted yes.	
OTHER BUSINESS 3) Election of Planning Commission Chair and Vice-Chair Upon a motion by Commissioner Allen, seconded by Commissioner Moyer, the Planning Commission voted 5-0 to appoint Commissioner La Fevers as Chair. Upon a motion by Commissioner La Fevers, seconded by Commissioner Moyer, the Planning Commission voted 5-0 to appoint Commissioner Allen as Vice-Chair. 4) Appointment of Planning Commissioner to City's General Plan Update Committee Commissioner Allen expressed his desire to resign from the committee, and Chair Benefield volunteered to serve. The Planning Commission voted 5-0 to appoint her. Upon a motion by Commissioner Moyer, seconded by Commissioner La Fevers, the Planning Commission voted 5-0 to appoint Commissioner Salant to the committee.	OTHER BUSINESS
MATTERS PRESENTED BY COMMISSIONERS Commissioner Allen said that he and the Open Space Advisory Board urge the City Council to prioritize funding for reinstating an additional Code Compliance officer position.	MATTERS PRESENTED
DIRECTOR'S REPORT 5) Architectural Review Board Meeting Minutes of October 26, 2023	DIRECTOR'S REPORT

and December 14, 2023 6) City Calendar for the month of February 2024 7) Planning Activity Report as of January 31, 2024 8) Building Permit Report as of January 31, 2024 Community Development Director Nick Bobroff reviewed the materials.	
ATTENDANCE OF PLANNING COMMISSIONERS FOR THE NEXT MEETING OF MONDAY, March 4, 2024 – All present indicated they could attend.	ATTENDANCE FOR NEXT MEETING
ADJOURNMENT – Chair Benefield adjourned the meeting at 8:45 p.m. ATTEST: _____ Chair, Planning Commission	ADJOURNMENT

PLANNING COMMISSION STAFF REPORT

MEETING DATE: March 4, 2024

ITEM FOR CONSIDERATION

Sanchez Residence Demolition & Reconstruction 23-2263-CUP/CDP

Request for a Conditional Use Permit and Coastal Development Permit to allow demolition and reconstruction of an existing legal-nonconforming single-family residence located at 5091 Foothill Road; and to accept a categorical exemption pursuant to §15302 and §15303 of the California Environmental Quality Act (“CEQA”).

Report prepared by: Brian Banks, Principal Planner
Community Development Department


SIGNATURE

Reviewed by: Nick Bobroff, Director
Community Development Department


SIGNATURE

Owner: Laura Sanchez

Project Location: 5091 Foothill Road

APN: 004-006-013

Zoning: Single Family Residential (“7-R-1”)

General Plan Designation: Low Density Residential (“LDR”)



I. RECOMMENDATION

Adopt the attached Resolution No. PC-24-003, thereby approving Project 23-2263-CUP/CDP to allow demolition and reconstruction of an existing legal-nonconforming single-family residence located at 5091 Foothill Road; and to accept a categorical exemption pursuant to §15302 and §15303 of the California Environmental Quality Act (“CEQA”).

II. PROPOSED PROJECT DESCRIPTION

The proposed project is a request to allow demolition and reconstruction of an existing legal-nonconforming single-family residence partially located within the required front and side setbacks. The total square footage of the residence would remain at 744 square feet and the maximum height of the residence would remain unchanged at approximately 14 feet. The project includes foundation and related structural upgrades to meet current building codes, and the installation of an 8 ft. x 8 ft. spa. The residence would be reconstructed to match its current exterior appearance as viewed from Foothill Road; the interior floor plan would be updated to better suit the needs of the occupants.

Conditional Use Permit: The existing residence is considered legal-nonconforming with respect to the front and side setbacks. The proposed demolition and reconstruction project includes structural alterations to portions of the residence located within the required setbacks and would extend the life of the nonconforming structure. Therefore, a Conditional Use Permit is required.

Coastal Development Permit: A Coastal Development Permit is required to allow the proposed development as described above.

Project Plans are attached as Attachment A, Exhibit 2.

III. BACKGROUND

Site Characteristics and Background

The project site is located along Foothill Road between Linden Avenue and Seacoast Way. The property is a 6,534 square foot parcel presently developed with the subject residence's remaining foundation, a 495 square foot detached two-car garage, and a 205 square foot accessory structure. Limited records are on file for the property; however, based on a review of assessor records, research conducted as part of the Phase I Historic Resources report prepared for the project, and from information obtained from the owner, the subject residence was constructed in approximately 1931. Until recently, the only permit on file was for a reroof in 2010 (Building Permit #10128).

In February 2023, the City issued Building Permit no. 13788 for the enclosure of the rear entry porch (a 31 square foot addition), an interior remodel, new doors and windows, and minor upgrades to the foundation and structural framing for the portions of the structure not located within the setbacks. As construction commenced, the contractor exceeded the permitted scope of work which resulted in the complete demolition of the structure except for the existing foundation. After learning of the scope exceedance by the contractor, further work was halted and the owner and project architect met with City staff to discuss how to proceed. Following review by Planning staff, it was determined that the expanded scope of work would require approval of a Conditional Use Permit due to the residence's legal-nonconforming status with respect to the Single Family Residential zone district development standards, specifically to allow rebuilding the portion of the

structure located within the required side setback along the east side of the property, and to allow reconstruction of the covered front entry porch located within the required front setback.

The project site is located in the Santa Monica, Canalino, and El Carro Neighborhoods (“Subarea 3”), an area which is primarily comprised of single-family residential subdivisions located north of U.S. Highway 101. The surrounding neighborhood is developed with similar cottage and ranch-style single-family residences.

The site is zoned Single-Family Residential (“7-R-1”) and has a Low-Density Residential land use designation (“LDR”). The site is not subject to any overlay districts.

Architectural Review Board

Although the proposed project involves the complete reconstruction of a residence, the project was not referred to the Architectural Review Board (“ARB”) due to the fact that the proposed reconstruction would match the appearance and detailing of the existing residence. Overall, there would be no change in the scale, mass, height, placement, or architecture of the residence compared to the existing structure.

IV. ENVIRONMENTAL

This project can be found to be categorically exempt from environmental review pursuant to Sections 15302 (Replacement or Reconstruction) and 15303 (New Construction or Conversion of Small Structures) of the Guidelines for the implementation of the California Environmental Quality Act (“CEQA”). Class 2 Exemptions allow for replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced, and will have substantially the same purpose and capacity as the structure replaced. Class 3 Exemptions allow for construction of a limited number of small structures such as construction of a single family residence in a residential zone.

The proposed project involves demolition and reconstruction of a single-family residence in the same location within a residential zone. The project would not result in an increase in square footage and the replacement structure would be of the same use. With approval of the requested Conditional Use Permit the project would be consistent with the City’s General/Coastal Plan and Zoning Code. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services. As the project is consistent with these standards, the use of the Class 2 and Class 3 Exemptions are appropriate.

The proposed CEQA Notice of Exemption is included as Attachment B.

V. ANALYSIS

The proposed project would allow demolition and reconstruction of an existing legal-nonconforming single-family residence on a residentially-zoned property. As such, staff has reviewed the project in terms of its compliance with the development standards of Title 14, Zoning, of the Carpinteria Municipal Code (“CMC”), and with the policies and objectives of the General Plan/Coastal Land Use Plan.

CMC 14.12 – R-1 Single-Family Residential Zone District Requirements

Uses permitted within the 7-R-1 zone district subject to approval of a Coastal Development Permit include single-family residences and residential accessory structures. As such, use of the property for a single-family residential development is consistent with the 7-R-1 zone district. The following table lists the project’s conformance with the applicable 7-R-1 zone district development standards.

The following table identifies the project’s conformance with Municipal Code requirements:

Standard	Requirement/Allowance	Proposal
Setbacks		
Front*	50 feet from centerline of street or 20 feet from property line, whichever is greater.	Existing: 46 from centerline of street 21 feet from property line Proposed: 46 from centerline of street, 21 feet from property line
Side (west)	5.5 feet (10% of the lot width, no less than 5 feet)	Existing: 34 feet Proposed: No Change.
Side* (east)	5.5 feet (10% of the lot width, no less than 5 feet)	Existing: 2 feet* Proposed: No Change
Rear	15 feet	Existing: 50 feet Proposed: No Change
Height	30 feet	Existing: 13 feet 3 inches Proposed: No Change
Building Coverage	35% max. (2,287 square feet)	Existing: 22% (1,444 square feet) Proposed: No Change

Parking	2 parking spaces within a garage	Existing: 2 parking spaces within a garage Proposed: No Change
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**See legal-nonconforming structures discussion below.*

CMC 14.82 – Legal-nonconforming Structures

The existing residence does not comply with the required front setback as the existing covered entry porch extends 4 feet into the required 50-foot front setback from street centerline. Additionally, the existing residence extends 3.5 feet into the required 5.5-foot eastern side setback. These existing structural encroachments are considered legal-nonconforming because the structure was built prior to enactment of the city’s municipal code.

The proposed project entails demolition and reconstruction of the residence in the same location, including the front entry porch within the front setback and the portion of the existing structure that extends into the eastern side setback. Given the legal-nonconforming status of the residence and the request to structurally alter and extend the life of the residence, the project must obtain approval of a Conditional Use Permit in addition to a Coastal Development Permit.

Conditional Use Permit

Chapter 14.82 of the CMC outlines the review process for projects involving a legal-nonconforming use or structure. Section 14.82.060 states, in part, that if a building or structure is conforming as to use but nonconforming as to yards or height, said building may be permitted by the Planning Commission to be enlarged, extended, moved or *structurally altered* (emphasis added); provided that any addition or enlargement complies with the yard and height requirements of the zone district. Section 14.82.061 (Nonconformance of residential uses as to yards, height or parking) goes on to stipulate that improvements can be made to nonconforming residential structures that would prolong the life of the structure subject to the approval of a Conditional Use Permit. The relevant section from Chapter 14.82 is provided below:

§14.82.061 Nonconformance of Residential Uses as to Yards, Height or Parking states:

1. *Notwithstanding any other provision of this code, if a residential use of four or fewer dwelling units is conforming as to use but nonconforming as to yards, height or parking, improvements which may result in prolonging the life of such nonconforming use may be authorized by the Planning Commission subject to a Conditional Use Permit.*
2. *In considering and issuing such a Conditional Use Permit, the Commission must find, at a minimum, the following:*
 - a. *Continuation or upgrading the residential unit or units will not have an adverse effect on the surrounding neighborhood;*
 - b. *The habitable capacity of the unit or units will not be increased beyond that previously existing; and*

- c. The shortage of adequate housing within the City justifies the continuation of the nonconforming use and authorization to make improvements necessary to upgrade the living conditions in the unit or units.*

The Conditional Use Permit (“CUP”), as a planning tool, allows the Planning Commission to exercise broad discretion over a proposed use or project, and whether to approve or deny a project. Through the use of the CUP, the Commission can allow improvements which prolong the life of a nonconforming residence including structural repairs, remodels, additions and similar new construction to a residential unit or units (such as the proposed demolition and rebuild project).

In order to grant a CUP, the Commission must make three required special findings. A discussion of the proposed development’s consistency with these findings is provided for the Commission’s consideration.

- a. Continuation or upgrading the residential unit or units will not have an adverse effect on the surrounding neighborhood;*

The rebuilt residence would maintain the existing footprint, and the overall size, scale, mass and building height of the residence would remain as-is. No changes to the appearance of the residence’s exterior are proposed as the rebuilt residence would use the same style of horizontal wood siding and composition roof material as the original structure. Replacement (new) doors and windows would predominantly be in the same location as the existing structure, however a new patio door with landing, and three new windows would be located on the west (side) elevation (conforming as to setbacks). These doors and windows were previously approved as part of the previously-issued remodel Building Permit no.13788, and therefore would not by themselves have required a CUP. Overall, the proposed replacement residence would result in the preservation of a residence that has existed in the neighborhood for over ninety years, and given the presence of other existing structures on the property that are proposed to remain, the to-be-reconstructed residence cannot simply be relocated onsite without interfering with vehicle access to the garage. Thus, the Commission could find that the project would not have an adverse impact on the surrounding neighborhood.

- b. The habitable capacity of the unit or units will not be increased beyond that previously existing;*

The term “habitable capacity” is not defined in Chapter 14.82. However, reading that chapter in context, the Planning Commission has interpreted the restriction in CMC 14.82.061 on increasing habitable capacity to refer to a restriction on adding additional dwelling units. (See CMC 14.82.010(3).) The project would not result in an increase in the number of bedrooms or result in an increase in the number of units maintained on the property. In fact, in this case, the proposed project would result in a net reduction of one bedroom due to the proposed reconfiguration of the interior floor plan. Therefore, staff believes that the Commission could make this finding.

- c. *The shortage of adequate housing within the City justifies the continuation of the nonconforming use and authorization to make improvements necessary to upgrade the living conditions in the unit or units.*

This finding requires the Commission to make a policy decision that the beneficial purpose driving the continued existence of a nonconforming use or structure outweighs the purpose behind uniform application of the City's zoning regulations. CMC 14.82.061 authorizes structural alteration/repair/reconstruction of a nonconforming use if the improvement(s) will address the shortage of adequate housing in the City. Approval of the CUP would allow the rebuilt residence to remain in its current location, and with the same size, height and architectural design. The Commission could find that the policy of promoting adequate housing is advanced by allowing the preservation of the existing single-family residence with improved safety and energy efficiency due to the required building code upgrades, without imposing significant impacts on the community or environment.

Given the analysis provided herein, staff believes that the Commission could make the required findings to grant a Conditional Use Permit to rebuild the existing residence.

General Plan/Coastal Land Use Plan Policies

An analysis of the project's consistency with applicable objectives and policies of the City's General Plan/Coastal Land Use Plan is provided below.

Land Use Element

Objective LU-3: *Preserve the small beach town character of the built environment of Carpinteria, encouraging compatible revitalization and avoiding sprawl development at the City's edge.*

The proposed project is located within an urbanized part of the City on a lot that was previously developed with a single-family residence and residential accessory structures. The project involves the demolition of the remaining residence foundation and reconstruction of the residence in the same building footprint and with the same overall size, height, scale, and appearance. The rebuilt residence would continue to exhibit the same historical style of modest cottages built in the early 1900's that help to define the "small beach town" character of the City. Therefore, the project can be found to be consistent with the above objective.

Policy LU-3f: *Encourage the remodeling and revitalization of neighborhoods and commercial areas in accordance with the principles established in the Community Design Element.*

The existing residence on the subject property is representative of the types of small, older homes that define the City's "small beach town" charm. The project would simply rebuild the residence with the same size, placement, mass, height and appearance. The proposed project would result in the revitalization of the subject property and the surrounding neighborhood, consistent with the above Policy.

Community Design Element

Objective CD-1: *The size, scale and form of buildings, and their placement on a parcel should be compatible with adjacent and nearby properties, and with the dominant neighborhood or district development pattern.*

Objective CD-2: *Architectural designs based on historic regional building types should be encouraged to preserve and enhance the unique character of the city.*

Consistent with the above Objectives, the proposed rebuild project would preserve the existing residence's appearance and character, while preserving the modest scale of development that has existed on the property and in the immediately surrounding neighborhood. Given the limited scope of exterior changes, staff did not require review of the project by the City's Architectural Review Board.

Objective CD-3: *The design of the community should be consistent with the desire to protect views of the mountains and the sea (California Coastal Act of 1976 §30251).*

The proposed rebuild of the existing residence would not change the height or size of the structure. As such, the project would not alter existing mountain views. Views of the Pacific Ocean are not available from the site.

Objective CD-5: *The streets of neighborhood interiors should be designed to be the "living rooms" of the neighborhood, where children and adults can safely play or walk. The design and details of streets, frontages and buildings should support this objective.*

Policy CD-5a: *Main entrances to homes should be oriented to the street. Entry elements such as porches, stoops, patios and forecourts are encouraged. Such entry elements should be selected for their compatibility with the adjacent houses and the general neighborhood pattern.*

Policy CD-5b: *Garages should not dominate views from any public street.*

Policy CD-5c: *Low walls, low fences and hedges should be encouraged along the frontages to define the edge of the private yard area, where appropriate.*

Policy CD-5d: *Houses within a neighborhood may vary in materials and style, but strong contrasts in scale, color and roof forms should generally be avoided.*

Objective CD-10: *Areas with attractive frontage designs should be maintained. New development should be carefully planned with frontage areas which maintain and enhance the quality of Carpinteria's streetscape.*

The proposed project would be consistent with the above Objective and Policies. The reconstructed residence, including its attached covered front porch would remain oriented to Foothill Road. The existing two car detached garage would remain in its existing location which is set back to the rear

third of the lot and remain subservient to the residence. As stated earlier, the proposal would have no effect on the size, bulk or scale of the existing structure. Due to the expanded scope of the project, the applicant is required to complete frontage improvements along Foothill Road. Specifically, the project is conditioned to require the installation of a sidewalk to join the sidewalk to the east and help fill the gap where no sidewalk exists along this short stretch of Foothill Road. Overall, staff believes these changes would result in a positive improvement to the residence without detracting from its small beach town charm.

Policy CD-10a: *Minor variations in front yard building alignments within a block are encouraged. Relatively steady setback patterns clearly define the public space of the street and reinforce small town character.*

As previously noted, the existing residence is legal-nonconforming with respect to the required front and eastern side setbacks. The existing front porch extends 4 feet into the required 50-foot front setback from street centerline. However, the subject residence's nonconforming front porch appears to be generally consistent with the established development pattern found along Foothill Road. No change to the established setback is proposed as part of this project. The requested Conditional Use Permit, if approved, would allow the nonconforming front porch within the setback to be preserved.

Policy CD-13b: *Lighting shall be low intensity and located and designed so as to minimize direct view of light sources and diffusers and to minimize halo and spillover effects.*

As depicted on the project plans, the proposed exterior light fixtures are completely hooded and night sky friendly, consistent with the City's applicable night sky friendly lighting requirements.

Subarea 3 Objectives & Policies

Objective CDS3-2: *Preserve and enhance the existing residential neighborhood and ensure that new development enhances the neighborhood character.*

Objective CDS3-3: *Ensure that new development is sensitive to the scale and character of the existing neighborhoods, and consistent with the City's "small beach town" image.*

The proposed rebuild project would preserve the existing residence's appearance and character, while preserving the modest scale of development that has existed on the property and in the immediately surrounding neighborhood. The existing and rebuilt residence is representative of the types of small, older homes that define the City's "small beach town" charm. Consistent with the above Objectives, the resulting residence's exterior material treatments, including new windows, doors and roof, would retain the same overall appearance of the existing structure while also resulting in an overall enhancement of the subject property and surrounding neighborhood.

Subarea 3 Residential Design Guidelines

DG-3: *Exterior architectural treatment and detail should be carried around all sides of the building.*

DG-4: *Elements such as windows and doors should be consistent in design with the existing theme of a house and when appropriate should draw from elements in the existing neighborhood.*

DG-5: *The use of bay windows, dormers, balconies, covered porches and other decorative elements are encouraged when appropriate to the architecture of a building, particularly when these elements would be oriented toward a public street or public space.*

DG-9: *Materials should be high quality and durable (taking into consideration its use and climate) and authentic to the chosen architectural style.*

Consistent with these guidelines, the proposed rebuilt residence would utilize new materials drawing from the original residence's architectural style. These materials would include replicating the painted wood horizontal lap siding, painted wood fascia and eaves, black composition roofing, and farm style black exterior light fixtures. These architectural features would be consistent with the early 1900's cottage architectural style of many of the homes in the surrounding neighborhood and throughout the City. In addition, the previously existing covered front entry porch would be rebuilt to replicate the decorative front elevation and create an inviting appearance from Foothill Road.

Circulation Element

Policy C-7b: *Develop safe and direct pedestrian accessibility between residential areas, schools, parks, and shopping areas in both new and existing urban areas.*

Policy C-7c: *Provide safe mobility for the physically handicapped through the design of street improvements and public facilities.*

Policy C-7e: *Provide continuous sidewalks, where appropriate, for safe pedestrian circulation and consider creative alternatives for such issues.*

Consistent with these policies, the project is conditioned to require the installation of a sidewalk to join the sidewalk to the east and help fill the gap where no sidewalk exists along this short stretch of Foothill Road.

Open Space, Recreation & Conservation Element

OSC-6-Implementation Policy 32: *In order to protect watersheds in the City, all construction-related activities shall minimize water quality impacts, particularly due to sediments that are eroded from project sites and are conveyed to receiving waters, by implementing the following measures:*

a. Proposed erosion and sediment prevention and control BMPs, both structural and non-structural, such as:

- *Stabilize disturbed areas with vegetation, mulch, geotextiles, or similar method;*
- *Trap sediment on site using fiber rolls, silt fencing, sediment basin, or similar method;*
- *Ensure vehicles on site are parked on areas free from mud; monitor site entrance for mud tracked off-site; and*
- *Prevent blowing dust from exposed soils.*

b. Proposed BMPs to provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials, such as:

- *Control the storage, application and disposal of pesticides, petroleum and other construction and chemical materials;*
- *Site washout areas more than fifty feet from a storm drain, open ditch or surface water and ensure that runoff flows from such activities do not enter receiving water bodies;*
- *Provide sanitary facilities for construction workers; and*
- *Provide adequate disposal facilities for solid waste produced during construction and recycle where possible.*

Consistent with this policy, the project plans include a designated construction washout area where paint brushes, concrete tools and related construction materials can be safely cleaned, and where polluted water and materials can be contained for subsequent removal from the site. Additionally, the project plans include a designated construction material storage area in a location which limits the potential for runoff to nearby surface waters or storm drains. The project is conditioned to ensure these designated areas are depicted on the subsequent building permit plans.

Safety Element

Objective S-1: *Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from fault surface rupture in the planning area, from ground shaking due to an earthquake along a fault in the planning area or in the region, from seismically-induced liquefaction in the planning area, and from seismically-induced tsunamis.*

According to Figure S-2 of the City's General Plan/Coastal Land Use Plan, the project site is located in an area that is potentially vulnerable to a high risk of liquefaction. As such, a site-specific geotechnical study was prepared for the project which provides recommendations for foundation design and construction techniques. These recommendations and techniques, along with the application of current building and seismic codes as part of the building permit review process, would ensure that the proposed development is safe from a geologic perspective.

Noise Element

Policy N-5b: *The City will require that construction activities adjacent to sensitive noise receptors be limited as necessary to prevent adverse noise impacts.*

Policy N-5c: *The City will require that construction activities employ techniques that minimize the noise impacts on adjacent uses.*

To ensure consistency with these Policies, the City's standard conditions relating to construction timing and noise attenuation have been included in the attached recommended project Conditions of Approval.

VI. DEVELOPMENT IMPACT FEES

As the project involves demolition and reconstruction of an existing residence and would not result in a net increase of dwelling units, the project is exempt from payment of the City's Development Impact Fees. However, the project may still be subject to fees from other Special Districts including the Carpinteria-Summerland Fire Protection District.

VII. ACTION OPTIONS

1. Adopt Resolution PC-24-003, thereby approving Project 23-2263-CUP/CDP to allow demolition and reconstruction of an existing legal-nonconforming single-family residence located at 5091 Foothill Road; adopt the Notice of Exemption for the project pursuant to the Guidelines for the Implementation of CEQA; and adopt the findings in Attachment A, Exhibit 1 and recommended project Conditions of Approval in Attachment A, Exhibit 3 (staff's recommendation).
2. Direct the applicant to prepare project revisions and return to a future Commission meeting.
3. Conceptually deny the project as proposed. Direct staff to return with findings for denial to the Planning Commission's next meeting.

VIII. ATTACHMENTS

- Attachment A- Resolution PC-24-003
Exhibit 1 – Findings for Approval
Exhibit 2 – Plan Set
Exhibit 3 – Recommended Conditions of Approval
- Attachment B- CEQA Notice of Exemption

Attachment A
Resolution PC-24-003

5091 Foothill Road Residence Demo/Reconstruction
23-2263-CUP/CDP

March 4, 2024

RESOLUTION NO. PC-24-003

**A RESOLUTION OF THE CITY OF CARPINTERIA PLANNING COMMISSION
APPROVING CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT
PERMIT 23-2263-CUP/CDP TO ALLOW DEMOLITION AND
RECONSTRUCTION OF AN EXISTING LEGAL-NONCONFORMING SINGLE-
FAMILY RESIDENCE LOCATED AT
5091 FOOTHILL ROAD (APN 004-006-013).**

REQUESTED BY LAURA SANCHEZ, OWNER

WHEREAS, the City of Carpinteria Planning Commission has considered an application for a Conditional Use Permit and Coastal Development Permit filed by Laura Sanchez on November 21, 2023 to allow demolition and reconstruction of an existing legal non-conforming residence; and

WHEREAS, the application was subsequently deemed complete and accepted by the City as being consistent with the applicable submittal requirements on January 26, 2024; and

WHEREAS, the Planning Commission has conducted a public hearing and received evidence regarding the application for the Conditional Use Permit and Coastal Development Permit; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to Sections 15302 (Replacement or Reconstruction) and 15303(New Construction or Conversion of Small Structures) of the CEQA Guidelines as the project includes only demolition and reconstruction of an existing residence; and

WHEREAS, the Planning Commission has reviewed the policies of the General Plan/Coastal Plan and the Zoning Code standards that are relevant to the project.

NOW THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The Conditional Use Permit and Coastal Development Permit are approved, making the Findings outlined in Exhibit 1.
2. The Conditional Use Permit and Coastal Development Permit for the project shown in Exhibit 2 are approved subject to the project conditions of approval set forth in Exhibit 3.

PASSED, APPROVED, AND ADOPTED this 4th day of March 2024, by the following called vote:

AYES: Commissioners:

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Glenn La Fevers, Chair

ATTEST:

Nick Bobroff, Secretary

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Planning Commission of the City of Carpinteria held the 4th day of March 2024.

Attachment A
Exhibit 1:
Findings for Approval

5091 Foothill Road Residence Demo/Reconstruction
23-2263-CUP/CDP

March 4, 2024

ATTACHMENT A
EXHIBIT 1: FINDINGS FOR APPROVAL

PLANNING COMMISSION HEARING
PROJECT 23-2263-CUP/CDP
MARCH 4, 2024

SANCHEZ RESIDENCE DEMOLITION AND RECONSTRUCTION
REQUESTED BY LAURA SANCHEZ

FINDINGS PURSUANT TO GOVERNMENT CODE, LOCAL COASTAL PLAN,
GENERAL PLAN, AND TITLE 14 OF THE CARPINTERIA MUNICIPAL CODE

1.0 Administrative Findings

The Planning Commission hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments thereto presented to the Planning Commission and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Conditional Use Permit and Local Coastal Development Permit has been properly conducted as follows:

- a. An application for a Conditional Use Permit and Coastal Development Permit was submitted on November 21, 2023, and deemed complete and accepted by the City as being consistent with the applicable submittal requirements on January 26, 2024. Said application and all related materials have been available for public review at City offices since the date of submittal.
- b. The application has been evaluated and found to conform to the applicable zone district and to be consistent with the City's General Plan/Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.
- c. The project has been reviewed by the City's Planning Commission at a duly noticed public hearing which included, but is not limited to, mailed notice to all property owners within 300 feet of the subject property and residents within 100 feet of the property, and publication in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act Findings

This project can be found to be categorically exempt from environmental review pursuant to Sections 15302 (Replacement or Reconstruction) and 15303 (New Construction or Conversion of Small Structures) of the Guidelines for the implementation of the California Environmental Quality Act ("CEQA"). Class 2 Exemptions allow for replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced, and will have substantially the same purpose and capacity as the structure replaced. Class 3 Exemptions allow for construction of a limited number of small structures such as construction of a single family residence in a residential zone.

The proposed project involves demolition and reconstruction of a single-family residence in the same location within a residential zone. The project would not result in an increase in square footage and the replacement structure would be of the same use. With approval of the requested Conditional Use Permit the project would be consistent with the City's General/Coastal Plan and Zoning Code. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services. As the project is consistent with these standards, the use of the Class 2 and Class 3 Exemptions are appropriate.

1.3 Conditional Use Permit Findings

Pursuant to Carpinteria Municipal Code §14.62.040(8), the Planning Commission may approve a Conditional Use Permit upon a determination that all of the following findings have been met:

- a. *The site for the proposed use is adequate in size and shape to accommodate the use.*

As discussed in the Planning Commission staff report dated March 4, 2024 and hereby incorporated into these Findings by reference, the project includes the demolition and reconstruction of an existing legal-nonconforming single-family residence. The residence is legal-nonconforming as to the front and side setbacks. The proposed demolition and reconstruction project includes structural alterations to portions of the residence located within the required setbacks and would extend the life of the non-conforming structure. Therefore, approval of a Conditional Use Permit is required.

The existing site layout with the subject residence, detached garage and detached accessory structure arrangement is typical of residential development in the City built in the early to mid-1900's, and is adequate to accommodate the continued residential use of the property. The reconstructed residence would be in the same building footprint and with the same overall size, height, scale, and appearance. Allowing the reconstruction to occur while maintaining the legal-nonconforming setback condition is consistent with the types of projects permissible in the R-1 zone district with the approval of a Conditional Use Permit and Coastal Development Permit pursuant to CMC §14.82.061.

- b. *The site for the proposed use is served by streets and highways that are properly designed to carry the type and quantity of traffic generated by the subject use.*

The project site is located along Foothill Road between Linden Avenue and Seacoast Way, and is adequately served by the existing street network in the area. The proposed residence demolition and reconstruction will not generate any new traffic or parking demands as no new dwelling units or bedrooms are proposed. Additionally, the project is conditioned to require the installation of a sidewalk to join the sidewalk to the east and help fill the gap where no sidewalk exists along this short stretch of Foothill Road. The project would therefore be adequately served by existing streets and highways.

- c. *The granting of the permit will not materially adversely affect such necessary community services as sewage disposal, fire protection, water supply, and police protection.*

Local service providers were notified of the project and provided with information regarding the proposed repairs and remodel. The service providers did not specify any concerns regarding the project. The project would not change the intensity of the existing use, nor would it negatively impact such services as sewage disposal, fire protection, water supply or police protection. Condition letters, as applicable, for the Special Districts that serve the subject property are included with the project conditions of approval.

- d. *The granting of the permit will not be detrimental to the health, safety and general welfare of the neighborhood.*

The proposed project consists of demolition and reconstruction of an existing single-family residence, including structural alterations to portions of the residence located within the required setbacks. The resulting project would not alter the location, size or height of the original residence, and the project would not increase the habitable capacity of the residence nor increase the number of dwelling units. With the approval of the Conditional Use Permit and Coastal Development Permit, the existing legal-nonconforming condition would be allowed to remain, however the reconstructed residence would be built to current building and safety requirements. As the existing intensity of use of the property would not change, the project would not impact the health, safety and general welfare of the neighborhood and this finding can be made.

- e. *The proposed use is consistent with the Coastal Plan, General Plan, and applicable specific plan.*

The proposed project consists of demolition and reconstruction of an existing single-family residence on a residentially-zoned lot. The residence is legal-nonconforming as to setbacks, and therefore requires that a Conditional Use Permit be approved to allow its reconstructed elements within the required setbacks to remain. As discussed in the Planning Commission staff report dated March 4, 2024 and hereby incorporated into these Findings by reference, the project is consistent with the General Plan/Coastal Plan's applicable Land Use,

Community Design, Circulation, Open Space, Recreation & Conservation, Safety, and Noise Element Objectives and Policies in that the project involves demolition and reconstruction of an existing residence in its present location and site configuration. The rebuilt residence would continue to exhibit the same historical style of modest cottages built in the early to mid-1900's that help to define the "small beach town" character of the City and would not conflict with any General Plan/Coastal Plan policies.

- f. The proposed use will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The proposed project involves the demolition and reconstruction of a single-family residence in a developed urban area and would not impact natural environments, habitat areas, or wildlife. The construction activities have been conditioned to avoid water runoff, dust, noise, and other impacts to the surrounding neighborhood. Conditions of Approval are included as Exhibit 3 of the Planning Commission Resolution. Therefore, the project would not cause a substantial impact to the environment and this finding can be made.

- g. The proposed development will not conflict with recorded easements acquired by the public-at-large for access through or use of the property within the proposed development or any easements granted to any public agency or required as a condition of approval.*

There are no recorded easements on the property for public access or to any public agency, nor are any such easements required as a project condition of approval. Therefore, this finding can be made.

1.4 Nonconforming Structure Findings

Pursuant to Carpinteria Municipal Code §14.82.061(2), the Planning Commission may authorize improvements which may result in prolonging the life of a nonconforming structure subject to a Conditional Use Permit if all of the following findings can be met:

- a. Continuation or upgrading the residential unit or units will not have an adverse effect on the surrounding neighborhood.*

As discussed in the Planning Commission staff report dated March 4, 2024 and hereby incorporated into these Findings by reference, the subject existing residence is legal-nonconforming with respect to its location partially within the front and side setbacks. The rebuilt residence would maintain the existing footprint, size, and height. No changes to the architectural appearance of the rebuilt residence is proposed as the rebuilt residence would use the same style of horizontal wood siding and composition roof material as the original structure. The proposed replacement residence would result in the preservation of a residence that has existed in the neighborhood for over ninety years and thus would not have an adverse effect on the surrounding neighborhood. Therefore, this finding can be made.

- b. *The habitable capacity of the unit or units will not be increased beyond that previously existing.*

The project would not result in an increase in the number of bedrooms nor result in an increase in the number of units maintained on the property. Therefore, this finding can be made.

- c. *The shortage of adequate housing within the City justifies the continuation of the nonconforming use and authorization to make improvements necessary to upgrade the living conditions in the unit or units.*

The Planning Commission finds that the continued existence of a nonconforming residence outweighs the purpose behind the uniform application of the City's zoning regulations. CMC 14.82.061 authorizes structural alterations to a nonconforming structure if the improvement(s) will address the shortage of adequate housing in the City. Approval of the CUP would allow the rebuilt residence to remain in its current location, and with the same size, height and architectural design, consistent with the City's "small beach town character". The Commission finds that the policy of promoting adequate housing is advanced by allowing the preservation of the existing single-family residence with improved safety and energy efficiency due to the required building code upgrades, without imposing significant impacts on the community or environment.

1.5 Coastal Development Permit Finding

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the permit requested may be issued based on the following findings:

- a. *The proposed development is in conformity with the City's certified Local Coastal Program.*

The proposed project consists of demolition and reconstruction of an existing single-family residence in its current location. The residence is legal-nonconforming as to setbacks, and therefore requires that a Conditional Use Permit be approved, in addition to a Coastal Development Permit, to allow its reconstructed elements within the required setbacks to remain. As discussed in the Planning Commission staff report dated March 4, 2024 and hereby incorporated by reference, the project is consistent with all applicable Land Use, Community Design, Circulation, Open Space/Recreation/Conservation, Safety, and Noise Element Objectives and Policies. The project would not result in any changes to the type, intensity, or character of the existing residential use of the property, and the rebuilt residence would continue to exhibit the same historical style of modest cottages built in the early to mid-1900's that help to define the City's "small beach town" character. Therefore, the project is consistent with the City's certified Local Coastal Program and this finding can be made.

**Attachment A
Exhibit 2:
Reduced Plan Set**

**5091 Foothill Road Residence Demo/Reconstruction
23-2263-CUP/CDP**

March 4, 2024

5091 FOOTHILL RD RESIDENCE

SHEET INDEX

ARCHITECTURAL INDEX	SCALE	NOTES
A-1.1	AS SHOWN	GENERAL NOTES
A-1.2	AS SHOWN	GENERAL NOTES
A-1.3	AS SHOWN	GENERAL NOTES
A-1.4	AS SHOWN	GENERAL NOTES
A-1.5	AS SHOWN	GENERAL NOTES
A-1.6	AS SHOWN	GENERAL NOTES
A-1.7	AS SHOWN	GENERAL NOTES
A-1.8	AS SHOWN	GENERAL NOTES
A-1.9	AS SHOWN	GENERAL NOTES
A-1.10	AS SHOWN	GENERAL NOTES

PROJECT DATA

PROJECT NAME	5091 FOOTHILL RD RESIDENCE
OWNER	5091 FOOTHILL RD RESIDENCE
ARCHITECT	GODKIN DESIGN BUILD, INC.
DATE	04/06/2023
PROJECT LOCATION	5091 FOOTHILL RD, CARPINTERIA, CA 93013
PROJECT TYPE	RESIDENTIAL
PROJECT PHASE	PRELIMINARY
PROJECT STATUS	IN PROGRESS
PROJECT BUDGET	\$1,500,000
PROJECT RISK	LOW
PROJECT SCHEDULE	12 MONTHS
PROJECT TEAM	GODKIN DESIGN BUILD, INC.
PROJECT CONTACT	5091 FOOTHILL RD RESIDENCE

PROJECT DATA	PROJECT DATA
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VICINITY PLAN



SCOPE OF WORK

1. DESIGN AND CONSTRUCTION OF THE PROPOSED RESIDENCE, INCLUDING THE EXISTING ACCESSORY BUILDING AND THE PROPOSED ADDITION.
2. THE DESIGN SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, THE CALIFORNIA ELECTRICAL CODE, AND THE CALIFORNIA MECHANICAL CODE.
3. THE DESIGN SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE SAFETY CODE, THE CALIFORNIA FIRE ALARM CODE, AND THE CALIFORNIA FIRE SPRINKLER CODE.
4. THE DESIGN SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA GAS CODE, AND THE CALIFORNIA WATER SUPPLY CODE.
5. THE DESIGN SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND DEVELOPMENT CODE, THE CALIFORNIA ZONING CODE, AND THE CALIFORNIA ENVIRONMENTAL CODE.

EXISTING SQUARE FOOTAGES

EXISTING SQUARE FOOTAGES	EXISTING SQUARE FOOTAGES
EXISTING SQUARE FOOTAGES	EXISTING SQUARE FOOTAGES
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PROPOSED SQUARE FOOTAGES

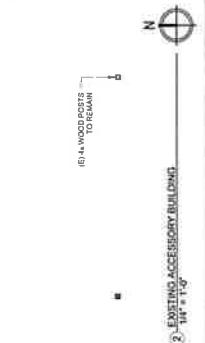
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PROPOSED SQUARE FOOTAGES	PROPOSED SQUARE FOOTAGES

FIRE SPRINKLERS

1. AN AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE PROVIDED FOR THE ENTIRE RESIDENCE, INCLUDING THE EXISTING ACCESSORY BUILDING AND THE PROPOSED ADDITION.
2. THE AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE SAFETY CODE, THE CALIFORNIA FIRE ALARM CODE, AND THE CALIFORNIA FIRE SPRINKLER CODE.



EXISTING ACCESSORY BUILDING



5091 FOOTHILL RD RESIDENCE

ADJACENT RESIDENCES
5077 ALVARADO ROAD
CARPINTERIA, CA 93013
APN: 004-008-012

ADJACENT RESIDENCES
5071 FOOTHILL ROAD
CARPINTERIA, CA 93013
APN: 004-008-012

1. THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

REVISION	DATE
1	04/06/2023

Project Name	5091 Foothill Rd
Client	5091 Foothill Rd
Architect	GODKIN DESIGN BUILD, INC.
Engineer	GODKIN DESIGN BUILD, INC.
Scale	AS SHOWN

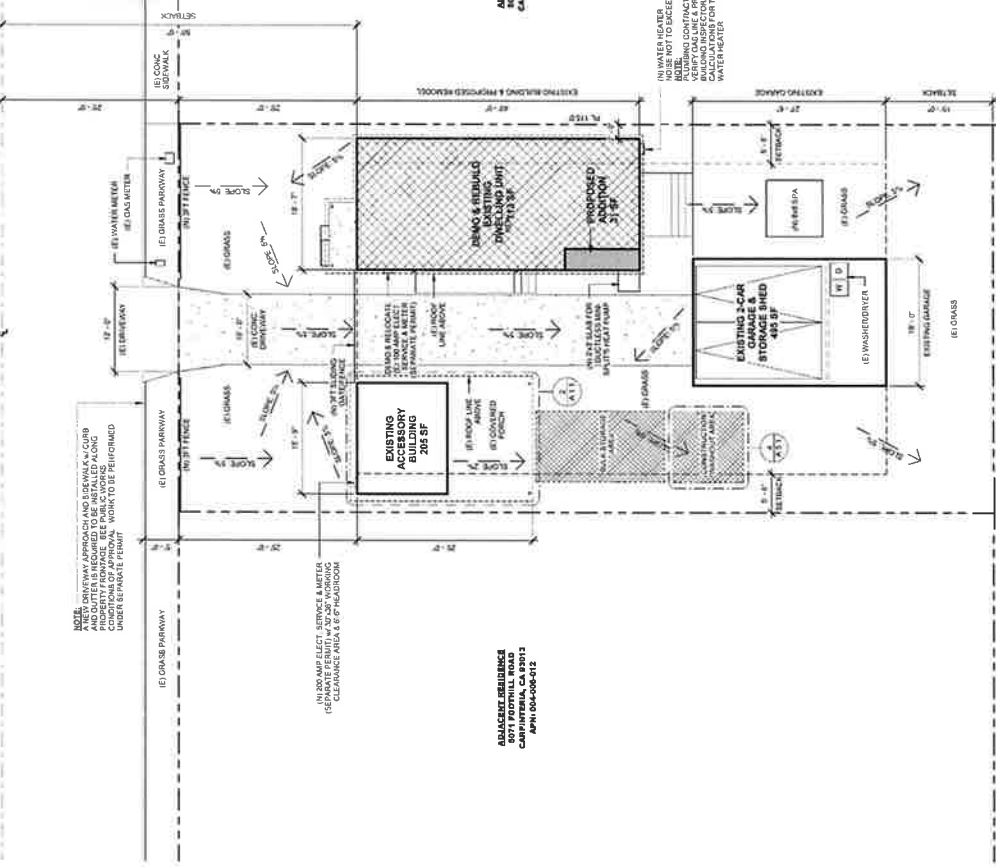
REVISIONS

- 1. AREA OF PROPOSED REMODEL
- 2. AREA OF PROPOSED ADDITION
- 3. AREA OF EXISTING BUILDING
- 4. EXISTING LOT LINE
- 5. EXISTING LOT LINE
- 6. EXISTING LOT LINE
- 7. EXISTING LOT LINE
- 8. EXISTING LOT LINE
- 9. EXISTING LOT LINE
- 10. EXISTING LOT LINE

NOTE

SURFACE DRAINAGE SHALL BE DIVERGED TO A STORM DRAIN OR TO A NEARBY WATER BODY. THE GRADE SHALL NOT BE CHANGED TO A POINT WHERE THE GRADE SHALL FALL BELOW THE FINISHED GRADE OF THE ADJACENT LOT. THE GRADE SHALL NOT BE CHANGED TO A POINT WHERE THE GRADE SHALL FALL BELOW THE FINISHED GRADE OF THE ADJACENT LOT. THE GRADE SHALL NOT BE CHANGED TO A POINT WHERE THE GRADE SHALL FALL BELOW THE FINISHED GRADE OF THE ADJACENT LOT.

FOOTHILL ROAD



1. SITE PLAN
1/8" = 1'-0"



2. EXISTING ACCESSORY BUILDING
1/8" = 1'-0"

5091 FOOTHILL RD RESIDENCE

ITS, THESE QUANTITIES ARE BASED ON THE BEST AVAILABLE INFORMATION AVAILABLE AT THE TIME THAT ESTIMATION DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE ABOVE INFORMATION. WE HAVE BEEN ADVISED BY THE BUREAU OF REVENUE THAT A REASONABLE NUMBER OF AMT PAYMENTS, INCLUDING EXEMPTIONS, ARE FOUND ON THESE RETURNS. THIS DOLLAR IS BEING OFFERED AS AN INDICATION OF THE

Division	Date

Leanne Samuels
5091 Foothill Road
Carpenters CA 92013
APN 004-006-013

DEMOLITION &
PROPOSED FLOOR
PLANS

Project number	134
Date	December 7, 2023
Investigator	BJP
Project title	N/A

A 2.1

ON FOOT ON PAVES

EXISTING 2nd WALL	EXISTING 2nd WALL TO BE RECONSTRUCTED
NEW 2nd WALL	NEW 2nd WALL
WALL OR ELEMENT TO BE DEMOLISHED	WALL OR ELEMENT TO BE DEMOLISHED
WALL OR ELEMENT ABOVE	WALL OR ELEMENT ABOVE

GENERAL PLUMBING & HVAC NOTES

- [illegible]

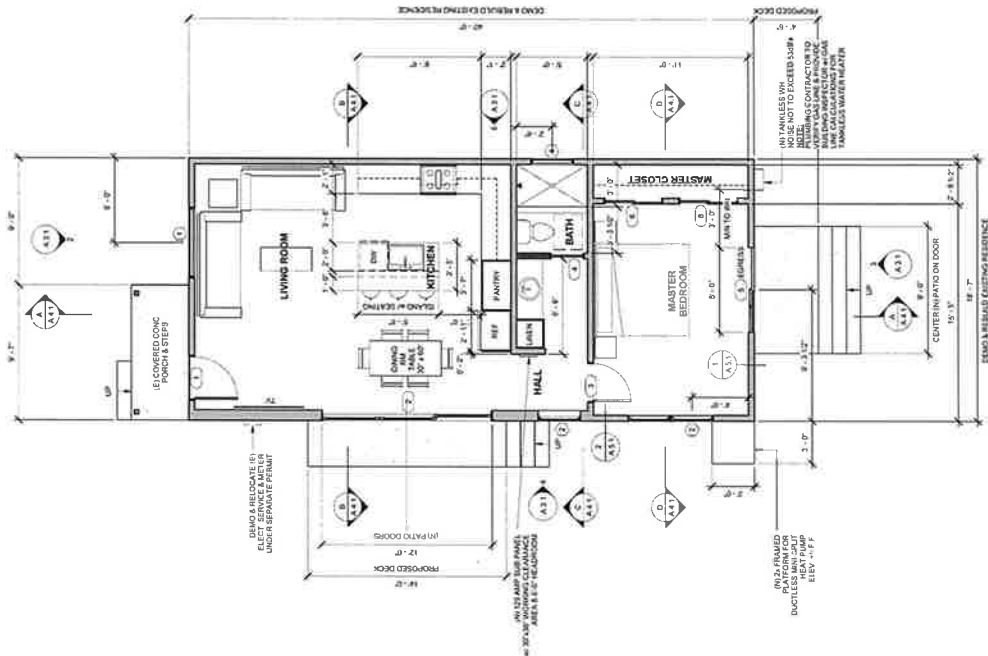
DOOR SCHEDULE				GLASSING	
No.	W x H	THK	OPERATION	GLASSING	GLASSING
1	6' 0" x 8' 0"	1 1/2"	EXTERIOR SLIDING DOOR, NO. 6 CORNER	DUAL CLEAR, TINTED	DUAL CLEAR, TINTED
2	12' 0" x 6' 0"	1 1/2"	EXTERIOR SLIDING DOOR, NO. 6 CORNER	DUAL CLEAR, TINTED	DUAL CLEAR, TINTED
3	2' 0" x 4' 0"	1 1/2"	INTERIOR SINGLE FLOOR DOOR - SOLID CORE		
4	2' 0" x 4' 0"	1 1/2"	INTERIOR SINGLE FLOOR DOOR		
5	8' 0" x 8' 0"	1 1/2"	EXTERIOR MULTI-LEAF DOOR TO DOOR - SOLID CORE		
6	4' 0" x 6' 0"	1 1/2"	INTERIOR SLIDING CLOSET DOOR		

Notes:

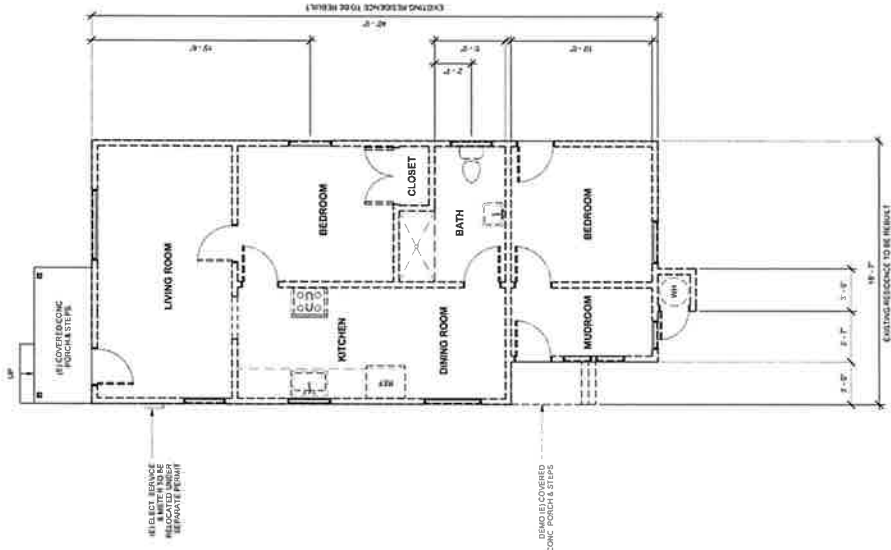
1. All floor windows & solid core untempered glass.
2. All new glazing and frame materials to be in accordance with Section 05 52 and FINISH, #12.

[illegible]

1. Location of occupancy, entrance, entrance vestibule or glass wall to the outside; total distance to the entrance vestibule. Maximum total glass occupancy area shall be 9.5 m² (103 ft²) but by glass floor openings. Current height shall be 24 inches maximum clear height and shall be 20 inches maximum clear. Maximum opening of height shall be 44 inches in actual window opening. Call for 10 ft x 10 ft.



1 PROPOSED FLOOR PLAN
1/4" = 1'-0"



DEMOLITION FLOOR PLAN
1/4" = 1'-0"



5091 FOOTHILL RD RESIDENCE

[illegible][illegible]

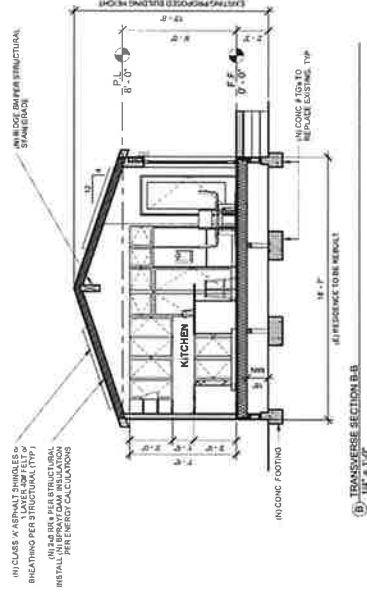
Laurel Spachner
5091 Federal Road
Carlsbad, CA 92013
APN: 001-006-013

BUILDING SECTIONS

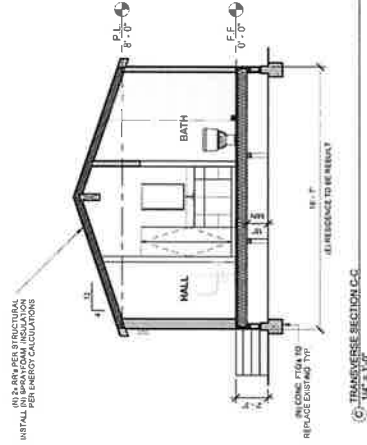
Project number	134
Date	September 7, 2023
Drawn by	Author
Checked by	Checker

A4.1

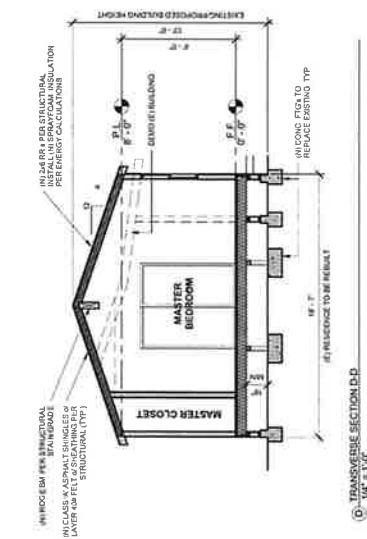
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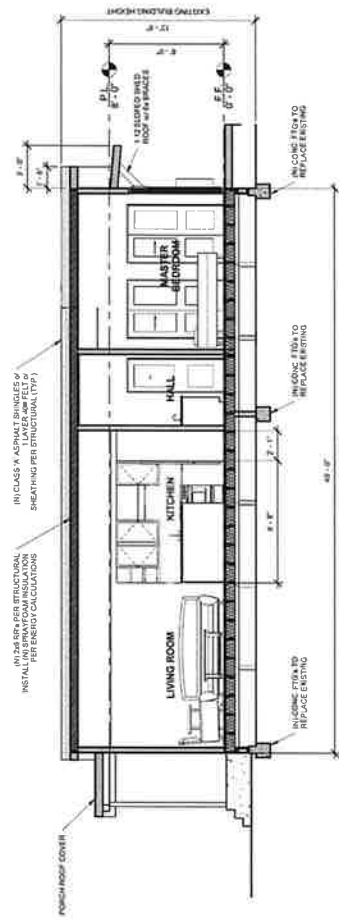
⑧ TRANSVERSE SECTION B-B
1:1



(C) TRANSVERSE SECTION C-C
1:10" = 1'-0"



① TRANSVERSE SECTION D-D
 $\frac{1}{4} \text{ in.} = 1 \text{ cm.}$



(A) LONGITUDINAL SECTION A-A



5091 FOOTHILL RD RESIDENCE

NOT FOR CONSTRUCTION
 THIS DOCUMENT IS THE PROPERTY OF A GODKIN DESIGNBUILD INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF A GODKIN DESIGNBUILD INC.

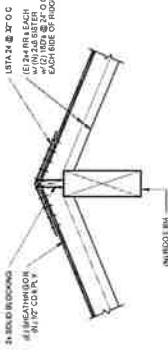
REVISION	DATE

Project Number: 5091
 Date: September 7, 2022
 Drawn By: [Name]
 Checked By: [Name]

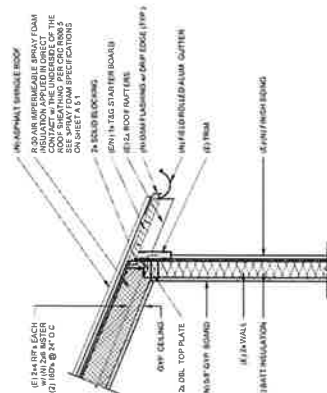
1/2" = 1'-0"

ARCHITECTURAL
 DETAILS

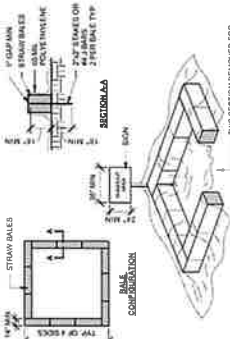
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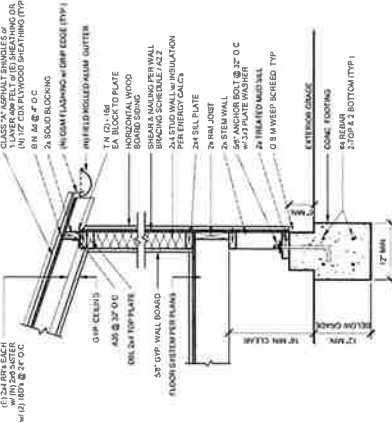
6. ROOF TIE DETAIL, TYP
 1/2" = 1'-0"



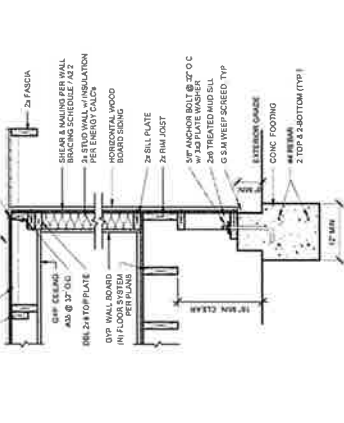
5. UNVENTED EAVE DETAIL
 1/2" = 1'-0"



4. WASHOUT AREA
 1/2" = 1'-0"



2. OVERHANG DETAIL
 1/2" = 1'-0"



1. RIDGE DETAIL
 1/2" = 1'-0"

Attachment A
Exhibit 3:
Recommended Conditions of Approval

5091 Foothill Road Residence Demo/Reconstruction
23-2263-CUP/CDP

March 4, 2024

**PLANNING COMMISSION HEARING
PROJECT 23-2263-CUP/CDP
5091 FOOTHILL ROAD (APN 003-324-004)
March 4, 2024**



**ATTACHMENT A, EXHIBIT 3: CONDITIONS OF APPROVAL
SANCHEZ RESIDENCE DEMOLITION & RECONSTRUCTION**

The Conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

PROJECT DESCRIPTION

1. This Conditional Use Permit and Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits (Attachment A, Exhibit 2 to the staff report dated March 4, 2024), and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

Request for a Conditional Use Permit and Coastal Development Permit to allow demolition and reconstruction of an existing legal-nonconforming single-family residence partially located within the required front and side setbacks. The total square footage of the residence would remain at 744 square feet and the maximum height of the residence would remain unchanged at approximately 14 feet. The project includes foundation and related structural upgrades to meet current building codes, and the installation of an 8 ft. x 8 ft. spa.

The existing residence is considered legal-nonconforming with respect to the front and side setback. The proposed demolition and reconstruction project includes structural alterations to portions of the residence located within the required setbacks and would extend the life of the nonconforming structure. A Conditional Use Permit is required to allow reconstruction of the existing nonconforming residence.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the City.

COMMUNITY DEVELOPMENT DEPARTMENT PROJECT SPECIFIC CONDITIONS

2. Any exterior night lighting installed on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. **Plan Requirements:** The locations of all exterior lighting fixtures shall be depicted on a Lighting Plan to be reviewed and approved by CDD. **Monitoring:** CDD shall review plans prior to the Building Permit approval. CDD shall site inspect prior to occupancy clearance.
3. All materials and colors used in construction shall be as represented to the City and any deviation will require the express review of the Community Development Department.
4. In the event archaeological remains are encountered during construction, work shall be stopped immediately or redirected until a CDD-qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the City Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall check plans prior to issuance of a Building Permit and shall spot check in the field.
5. Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits. **Monitoring:** Building Inspector shall spot check and respond to complaints.

6. Construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. shall be stored, handled, and disposed of in a manner which minimizes the potential for storm water contamination. **Plan Requirements and Timing:** Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the plans submitted to the Community Development Department for review prior to issuance of a Building Permit. **Monitoring:** CDD staff shall site inspect prior to the commencement and as needed during all grading and construction activities.
7. During construction, washing of concrete trucks, paint, equipment or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks or wetlands. The location of the washout area shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to CDD, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to issuance of a Grading or Building Permit. The washout area shall be in place and maintained throughout construction. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area.
8. All construction equipment shall be maintained in proper operating condition and fitted with standard noise reduction features (e.g., mufflers). **Timing:** During all construction activities. **Monitoring:** CDD staff shall notify the contractor of this requirement prior to construction and spot check in the field.
9. Sixty-five percent (65%) or more of all construction and demolition debris generated shall be diverted from the landfill, as mandated by Carpinteria Municipal Code. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During demolition and grading, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on demolition plans. Applicant shall submit a Waste Management Plan (WMP) prior to demolition and provide Public Works with a completed WMP, including receipts for recycled materials to demonstrate compliance with the City's Construction and Demolition Program's 65% mandatory diversion rates. **Timing:** Materials shall be recycled as necessary throughout demolition and grading activities. **Monitoring:** Public Works shall review and approve a completed WMP prior to issuance of a Building Permit.

CITY RULES & REGULATIONS/LEGAL REQUIREMENTS

10. This Conditional Use Permit and Coastal Development Permit are not valid until a Building Permit for the development has been obtained. Failure to obtain said

Building Permit shall render this Conditional Use Permit and Coastal Development Permit null and void. Prior to the approval of the Building Permit, all of the conditions listed in this Conditional Use Permit and Coastal Development Permit that are required to be satisfied prior to approval of a Building Permit must be satisfied. Upon issuance of the Building Permit, the Conditional Use Permit and Coastal Development Permit shall be valid. The effective date of this Permit shall be the date of expiration of the appeal period, or if appealed, the date of action by the City Council.

11. If the Planning Commission determines at a noticed public hearing that the permittee is not in compliance with any permit condition(s), pursuant to the provisions of Section 14.62.060 of the Carpinteria Municipal Code, the Planning Commission is empowered, in addition to revoking the permit pursuant to said section, to amend, alter, delete or add conditions to this permit.
12. Any use authorized by this Conditional Use Permit and Coastal Development Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit and Coastal Development Permit. Any Building Permit issued pursuant to this Conditional Use Permit and Coastal Development Permit shall expire upon expiration or revocation of the Conditional Use Permit and Coastal Development Permit. Conditional Use Permit and Coastal Development Permit renewals must be applied for prior to expiration of the Conditional Use Permit and Coastal Development Permit.
13. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the permittee.
14. Within one year after the effective date of this permit, construction shall commence. Construction cannot commence until a Building Permit has been issued. Failure to commence the construction pursuant to a valid Building Permit shall render the Conditional Use Permit and Coastal Development Permit null and void.
15. All time limits may be extended by the Planning Commission for good cause shown, provided a written request, including a statement of reasons for the time limit extension request is filed with Community Development prior to the expiration date.
16. If the applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of issuance of a Building Permit.

17. All applicable conditions of approval and mitigation measures shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to CDD. The approved set of plans shall be retained at the construction site for review by the Building Inspector during the course of construction.
18. Prior to issuance of a Building Permit, the applicant shall provide a signed copy of the Conditions of Approval.
19. Any minor changes may be approved by the City Manager and/or Community Development Director. Any major changes will require the filing of a modification application to be considered by the Planning Commission.
20. Prior to issuance of a Building Permit, the applicant shall pay all applicable CDD permit processing fees in full.
21. No building permits shall be issued for this project prior to meeting all required terms and conditions listed herein. When not specified herein, all conditions shall be satisfied prior to issuance of a building permit or prior to occupancy when allowed by the Community Development Director.
22. Any and all damage or injury to public property resulting from this development, including without limitation, City streets, shall be corrected or result in being repaired and restored to its original or better condition.
23. The owner/applicant ("Owner") hereby agrees to defend, indemnify and hold harmless the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any claim, action or proceeding ("Claims") against the City and the City's Agents to attack, review, set aside, void or annul, in whole or in part, the City's approval of the Conditional Use Permit and Coastal Development Permit (the "Project"), or any condition attached thereto, or any proceedings, acts or determinations taken, done or made prior to the approval that were part of the approval process. Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorneys' fees or court costs made in connection with any Claim. Owner further agrees to pay any and all City costs, permits, attorneys' fees, engineering fees, license fees and taxes arising out of or concerning the Project, whether incurred prior to or subsequent to the date of approval and that the City's costs shall be reimbursed prior to this approval becoming valid. These commitments of defense and indemnification are material conditions of the approval of the Project. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorneys' fees, expenses and costs of that independent defense.
24. In the event that any Condition of Approval imposing a fee, exaction, dedication or other mitigation measure is challenged by Applicant/Owner/Permittee in an action

filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any Condition of Approval is invalidated by a court of law, the entire project shall be reviewed by the City and substitute Conditions of Approval may be imposed.

SPECIAL DISTRICT CONDITION LETTERS

25. Compliance with the attached Departmental and District letters is required as follows:
- a) City of Carpinteria Public Works Department, dated December 4, 2023,
 - b) Carpinteria-Summerland Fire Protection District, dated December 26, 2023, and,
 - c) Carpinteria Valley Water District Intent to Serve letter dated January 25, 2024.

Approved by the Planning Commission on March 4, 2024

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY
WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT

Applicant/Property Owner

Date

CITY OF CARPINTERIA, CALIFORNIA



Public Works Department Memorandum

To: Brian Banks, Principal Planner
Community Development Department

From: Josefina Arechiga, Assistant Engineer /s/

Via: John L. Ilasin, Public Works Director/City Engineer

Date: December 4, 2023

Subject: 5091 Foothill Road, Project No. 23-2263-CUP/CDP

The Public Works Department has reviewed the project submittal dated November 21, 2023, and has the following conditions of approval:

CONDITIONS OF APPROVAL

1. An Engineering Permit shall be obtained from the City Engineer for any improvements or other encroachment work within the public right-of-way.
2. Any person obtaining a permit to erect, construct, place or replace or relocate a building, structure or dwelling, or to enlarge or make additions thereto in excess of six hundred fifty square feet shall, at his expense, provide for the plans and construction of curbs, gutters, sidewalks, driveway approaches, base paving, barricades, catch basins and drainpipes along all street and alley frontages in accordance with the green book standard plans and specifications for public works construction, in accordance with Chapter 15.16 of the Carpinteria Municipal Code.
3. Record drawings or as-built plans shall be submitted to the City Engineer at time of final inspection for all work covered by an Engineering Permit. The record drawings or as-built plans shall be the original construction tracings or permanent mylar copies of a quality acceptable by the City Engineer.
4. A Transportation Permit shall be obtained from the City Engineer for operating or moving any vehicle or combination of vehicles or special mobile equipment in any of the acts as listed in Carpinteria Municipal Code Section 12.12.010.
5. Improvements shall include driveway approach upgrade for conformance with current Americans with Disabilities Act (ADA) standards.
6. Improvements shall include placement of concrete sidewalk along the property frontage on Foothill Road.

7. Improvements shall include the removal and replacement of any lifted or damaged sidewalks, curbs, and gutters along the property frontage on Foothill Road.
8. To ensure compliance with regulations, obtain a Caltrans encroachment permit for proposed improvements within their right-of-way.
9. Construction and demolition debris generated shall be reported in conformance with the Construction and Demolition Debris Recycling Program. Sixty-five percent (65%) or more of all construction and demolition debris shall be diverted from the landfill. The Construction and Demolition Debris Recycling Program forms shall be completed and submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.
10. Construction and demolition debris shall be separated on-site into reuse, recycling, or disposal. Separate bins or containers for recycling of construction and demolition debris shall be provided on site.
11. Self-hauled disposal receipts from transfer stations shall be submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.
12. Any self-hauled construction and demolition debris shall be reported in writing to the City Engineer. A contract waste hauler may be allowed for disposal of construction and demolition debris subject to the approval of the City Engineer.

End of Comments



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

5091 Foothill Road Carpinteria CA 93013, December 7, 2023

Location	34.407415, -119.513642
Status	 Planning Complete
Submittal Date:	December 7, 2023
Project Address/Location:	5091 Foothill Road Carpinteria CA 93013
APN:	004-006-013
Project Description:	Demo/rebuild 713sf structure
Applicant:	Shawn Godkin
Applicant Address:	510 W Los Olivos Street Santa Barbara CA 93105
Applicant Phone Number:	805-259-2920
Applicant Email:	shawn@godkin-db.com
Submittal Type:	Planning

Planning/Conceptual Design

Date Review Completed:	December 26, 2023
Permit Number:	23-2263-CUP/CDP
Planner:	Syndi Souter
Plan Checker:	Michael LoMonaco
Actions Taken:	Letter sent

PROJECT CONDITIONS:

Access Requirements:

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. The Fire Marshal may extend this length for sprinklered structures.

Building address numbers shall be visible from the street. Numbers shall be a minimum 4" high 1" stroke on a contrasting background for residential structures. 8" high 2" stroke minimum on commercial structures.

Application for address changes or additional addresses shall be submitted to CSFPD Fire Prevention Bureau.

Water Requirements:

"Community First"

1140 Eugenia Place, Suite A • Carpinteria, California 93013 • (805) 684-4591



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

A current fire flow form shall be submitted to Carpinteria-Summerland Fire Protection District. Contact the Carpinteria Valley Water District to schedule having the test performed.

Fire Protection Systems Requirements:

All new buildings and structures shall be protected by an approved automatic fire sprinkler system.

Smoke detectors and carbon monoxide alarms must be installed in all residences in accordance with the current National Electric Code Per the provisions of the California Building and Fire Codes.

Additional Requirements:

Any future changes including further division, intensification of use, or increase in hazard classification may require additional conditions in order to comply with applicable fire district development standards.

Fees:

PURSUANT to CSFPD Ordinance 2019-01 imposition of fire protection fees for service: The applicant may be required to pay fees for additional plans reviews and/ or additional field inspections. The amount of the fee is as follows: A. Two Hundred Twenty-Four (\$224.00) Dollars for Additional Plan Review Fees will be assessed as additional plan reviews are completed. B. Two Hundred Ten (\$210.00) Dollars per hour for Field Inspections will be assessed for additional inspections.

Checks shall be made payable to: Carpinteria-Summerland Fire Protection District (CSFPD) and delivered to Fire District Headquarters at 1140 Eugenia Place, Suite A Carpinteria, California 93013. Money orders and cashiers' checks will be accepted. Cash payment will not be accepted. Credit and debit cards can be used online. The link can be found at Carpfire.com

"Community First"

1140 Eugenia Place, Suite A • Carpinteria, California 93013 • (805) 684-4591



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

Inspector's Signature

A handwritten signature in black ink, consisting of stylized, overlapping loops and curves, likely representing the initials "ML".

Signed 12/26/2023, 5:09:50 PM PST

The above conditions apply to this project as submitted. Future changes including, but not limited, to further division, intensification of use, or increase in hazard classification, may require additional conditions in order to comply with applicable development standards in effect at the time of the change. If you have questions please do not hesitate to contact this office at (805) 684-4591

"Community First"

1140 Eugenia Place, Suite A • Carpinteria, California 93013 • (805) 684-4591



Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

January 25th, 2024

Shawn Godkin
510 W. Los Olivos St
Santa Barbara, CA 93105

SUBJECT: Request for Intent to Serve Letter regarding proposed project at 5091 Foothill Road (the "Project")

Dear Applicant,

In response to your request, this letter will serve as confirmation that Carpinteria Valley Water District (the "District") currently has sufficient water supply to serve the Project, subject to qualifications indicated below.

The Project proposes to demolish and rebuild the existing 713 square foot single family home and enclose the existing 31 square foot exterior patio. No new water meters nor change of use are proposed.

Permit #: 23-2263-CUP/CDP

While the District currently has sufficient water to supply the Project's proposed use, it is important to note that the District has declared a Stage 1 Drought Emergency (see Ordinance 22-1, www.cvwd.net), which remains in effect. As a result, while there are currently meters available to service the Project, the District will continue to monitor its water supply, and may be forced to consider declaring more severe stages of drought or imposing further water restrictions or a moratorium on new and/or expanded connections.

Accordingly, the confirmation conveyed by this letter is subject to the following conditions and caveats:

1. If the intensity of the proposed use increases, this letter is void and you will need to file a new request for an "Intent to Serve" letter. Subsequent issuance of a new Intent to Serve letter is not assured.
2. This letter is only valid for the Subject Project.
3. You must obtain all permits and approvals for the Project as required by local, state and federal law.
4. This "Intent to Serve" letter is conditional upon, and shall not be in force or effect until, the Project receives final approval from the applicable land use agency.
5. Upon the expiration of any land use and or building permits for the Project, this "Intent to Serve" confirmation shall be void and you shall be required to submit a new request for confirmation of

the District's intent to serve the Project, which shall be subject to any drought conditions, restrictions and/or moratoriums then in effect.

6. If new meters are required for the Project, issuance of said meters shall be subject to applicable fees, including, but not limited to, Capital Cost Recovery fees, Construction costs and other related costs, and Water Supply Impact fees.
7. The District reserves the right to participate in or comment on any analysis or review of the Project performed by any agency under the California Environmental Quality Act (CEQA), even if said participation or comment may detrimentally impact the resulting CEQA review or analysis. This letter does not constitute analysis or approval under CEQA.
8. You must renew this letter annually after the date of this letter to keep the District apprised of Project status and developments.
9. This letter has a Project specific Conditions Letter attached that will be considered to be included in the conditions above.

Should you have any questions please do not hesitate to contact the District at 805-684-2816.

Very truly yours,
Carpinteria Valley Water District



Spencer Seale
Field Engineering Technician

cc: TCM to account
Brian King, District Engineer



Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

January 25th, 2024

Shawn Godkin
510 W. Los Olivos St
Santa Barbara, CA 93105

**SUBJECT: 5091 FOOTHILL ROAD; APN 004-006-013; ACCOUNT NUMBER 01-010172-03;
PROJECT NUMBER 23-2263-CUP/CDP; DEMOLISH & REBUILD;
INTENT TO SERVE WITH CONDITIONS**

To Whom It May Concern,

Please be advised, this parcel is within the jurisdiction of Carpinteria Valley Water District and therefore is entitled to District water service in accordance with District Rules and Regulations. Currently the District is in a Stage 1 Drought Emergency; for more information on Ordinance 22-1, please visit the District website www.cvwd.net.

This letter is good for one year from the date of the letter.

The subject property is currently served by a 0.75" residential water meter (Account #01-010172-03). Based on the plans dated December 7th, 2023, the District has the following conditions:

- Include the District on the City's building permit issuance and final sign off.
- The 3/4" water meter currently serving the subject parcel is in the driveway apron and the meter box does not meet the current District standards. Should the driveway be reconstructed, the meter box shall be replaced to meet the current District standards, as outlined in the CVWD Standard Detail W-101.
- If fire sprinklers are required, the owner is responsible for installing a reduced-pressure principle backflow assembly (RP) at the water meter per District standard detail W-115-01. Any deviations from the standard detail must be approved by the District prior to installation. Fire sprinkler demand calculations would need to consider the pressure loss across the backflow assembly. The backflow assembly must have a passing test performed by a certified backflow tester and submitted to the District prior to final sign off. Backflow device installation and testing fees are the responsibility of the owner and the backflow assembly would be added to the District's Cross-Connection Control Program and require annual testing.
- If other fire improvements are required for the project, the owner is responsible for all fees, deposits, and development costs associated with these improvements, including, but not limited to, fire hydrants, independent fire services, water meter upgrades, backflow assembly installations, plans, facility upgrades, and main extensions.

Should changes to the plans, including landscaping, irrigation, or water fixtures occur we require an additional opportunity to review revised plans.

If you have any questions, please feel free to contact me at spencer@cvwd.net or 805-684-2816x124.

Very truly yours,
Carpinteria Valley Water District

A handwritten signature in black ink, appearing to read "Spencer Seale".

Spencer Seale
Field Engineering Technician

Attachment B
CEQA Notice of Exemption

5091 Foothill Road Residence Demo/Reconstruction
23-2263-CUP/CDP

March 4, 2024

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Barbara

105 East Anapamu Street

Santa Barbara, CA 93101

From: (Public Agency): City of Carpinteria

5775 Carpinteria Avenue

Carpinteria, CA 93013

(Address)

Project Title: Sanchez Residence Demolition & Reconstruction

Project Applicant: Laura Sanchez

Project Location - Specific:

5091 Foothill Road, Carpinteria, CA 93013 (APN 004-006-013)

Project Location - City: Carpinteria

Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would allow demolition and reconstruction of an existing legal-nonconforming single-family residence within a residential zone. The total square footage of the rebuilt residence would remain at 744 square feet in size.

Name of Public Agency Approving Project: City of Carpinteria

Name of Person or Agency Carrying Out Project: Laura Sanchez

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: §15302 & §15303
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed project involves demolition and reconstruction of a single-family residence in the same location within a residential zone. The project would not result in an increase in square footage and the replacement structure would be of the same use. With approval of the requested Conditional Use Permit the project would be consistent with the City's General/Coastal Plan and Zoning Code. Approval of the project would not result in any significant effects.

Lead Agency

Contact Person: Brian Banks

Area Code/Telephone/Extension: (805) 755-4414

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: Principal Planner

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

PLANNING COMMISSION
STAFF REPORT

MEETING DATE: March 4, 2024

ITEM FOR CONSIDERATION

**Proposed Amendments to Accessory Dwelling Unit (ADU) and Junior
Accessory Dwelling Unit (JADU) Ordinance**

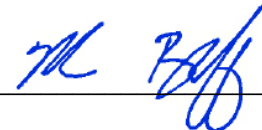
PROJECT 23-2231-ORD/LCPA

A report on proposed amendments to the City's Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Ordinance, codified as Carpinteria Municipal Code, Title 14, Chapter 14.72, to implement recent State of California (State) enactment of housing laws to promote development of ADUs and JADUs. The presentation will provide an overview of changes imposed by recent State legislation, proposed new ordinance language, and components that involve General Plan and Coastal Land Use Plan policy consistency. City Staff is seeking Planning Commission review of proposed ordinance language, and a recommendation to City Council regarding adoption.

Report prepared by: Megan Musolf, Assistant Planner
Community Development Department


SIGNATURE

Reviewed by: Nick Bobroff, Director
Community Development Department


SIGNATURE

I. RECOMMENDATION

1. That the Planning Commission recommend that the City Council adopt the proposed Ordinance (Attachment A), amending Title 14 – Zoning, Chapter 14.72 of the Carpinteria Municipal Code to implement changes reflecting State ADU and JADU law.
2. That the Planning Commission recommend that the City Council determine that the proposed Ordinance is statutorily exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.17, which states that CEQA does not apply to adoption of an Accessory Dwelling Unit ordinance to implement the provisions of State Government Code Section 65852.2.
3. That the Planning Commission recommend that the City Council determine that the proposed Ordinance is categorically exempt from review under CEQA pursuant to CEQA Guidelines (Cal. Code Regs., tit. 14) Section 15303, New Construction or Conversion of Small Structures, which includes “a second dwelling unit in a residential zone.”

II. EXECUTIVE SUMMARY

This report provides an overview to the Planning Commission on proposed amendments to the Carpinteria Municipal Code (“CMC”), Title 14 - Zoning, Chapter 14.72 - Accessory Dwelling Units and Junior Accessory Dwelling Units, that would implement recent state housing laws which promote development of Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”), as well as clarify some existing language, fix errors, and implement Program 2 from the City’s 2023-2031 Housing Element. The presentation will provide an overview of changes imposed by Senate Bill (“SB”) 897, Assembly Bill (“AB”) 2221, AB 976, AB 1033, and AB 1332; propose new Ordinance language; evaluate Coastal Act consistency; and provide Staff’s recommendations. City Staff is seeking Planning Commission review of proposed ordinance language.

III. DISCUSSION

Background

State ADU law allows¹ local jurisdictions to apply local development standards to ADUs and JADUs when (1) those standards are adopted by local ordinance, and (2) the ADUs/JADUs do not conform to the requirements of Government Code section 65852.2(e).² ADUs and JADUs are allowed in zone districts where residential and multifamily units are allowed, and may be subject to zoning regulations of the base zone district that are objective and consistent with State law.

In January 2023, City Council approved Ordinance No. 758, which rescinded and replaced in its entirety Chapter 14.72 of the Carpinteria Municipal Code (CMC), and minorly amended other chapters, in compliance with State laws regarding ADUs and JADUs. A copy of CMC Chapter 14.72, which reflects the City’s current ADU and JADU regulations, is included with this report as Attachment B. Since adoption of Ordinance No. 758, a total of 25 ADUs and 5 JADUs have been applied for, with 11 of those as of February 28, 2024 having completed all necessary reviews and obtained their respective building permits.

The State legislature continues to identify the production of ADUs and JADUs as an important tool to increase infill housing production, and continues to make further refinements to ADU and JADU law in an effort to support broader production of ADUs and JADUs statewide. Accordingly, in September 2022, the State legislature passed and the Governor signed into law SB 897 and AB 2221, which further amended state requirements for local government regulation of ADUs and JADUs. Again, in September 2023, the State legislature passed and the Governor signed into law AB 1033, AB 976, and AB 1332, further amending State laws relating to ADUs.

Over the past several years, the state legislature has passed a flurry of housing laws with the goal of increasing housing affordability and availability, an objective shared by the City. In an effort to do so, however, the state has increasingly eroded local agencies’ ability to regulate residential development, including ADUs. For example, the recently adopted SB 897 and AB 2221 increase the size and scope of ADUs that local agencies must allow under certain conditions, further streamline the permitting process for certain types of ADUs or JADUs, and further limit the circumstances under which an

¹ Gov. Code, § 65852.2 (a)–(d).

² ADUs that conform to Government Code section 65852.2(e) are categorized as “Special ADUs” under CMC Chapter 14.72.

application for an ADU or JADU may be denied. These laws also require that local agency ordinances apply objective standards to ADUs and JADUs. Charts detailing how recent changes to state ADU/JADU law affect the City’s current ADU/JADU regulations are included below.

Approach and Steps to Amend the ADU/JADU Ordinance

Staff have completed a draft of the proposed Ordinance that would amend Chapter 14.72 to incorporate recent changes to State law as identified in Tables 1 and 2, below. The draft Ordinance is provided as Attachment A. The draft Ordinance has been shared with California Coastal Commission (“CCC”) staff for their review and input to ensure consistency with the California Coastal Act (“Coastal Act”). Early review by CCC staff can help to streamline the Local Coastal Plan Amendment (“LCPA”) process, with the goal of seeking a “de minimis” waiver for final CCC certification. After Planning Commission’s review and initial CCC feedback, Staff will make any changes needed, and then bring the draft Ordinance to the City Council for consideration upon a first reading. Pending City Council adoption at first reading, the ordinance will be sent to CCC and the Department of Housing and Community Development (“HCD”) for their respective review and certification. Barring any major changes by CCC and/or HCD, the ordinance would then return to City Council for second reading and final adoption.

Summary of Changes to State Law and Proposed Changes to City Ordinance

Table 1: Changes Implemented by SB 897 and AB 2221			
	New State Law	Government Code	Change Proposed ³
1	Requires that the standards imposed on ADUs and JADUs be objective. Such standards include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. Excludes imposing requirements on minimum lot size. Defines “objective standards” as “standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	§ 65852.2(a)(1)(B)(i) and 65852.2(j)(7).	Language in CMC § 14.72 currently meets the requirement to impose objective standards on ADUs/JADUs. All language added to or revised in CMC § 14.72 must also adhere to this requirement.
2	Prohibits denial of ADU permit applications due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to	§ 65852.2(d)(2).	Proposed language added to CMC § 14.72.035(D) to specify that existing nonconforming or unpermitted structures

³ CMC citations in this column refer to Chapter 14.72 as proposed in Attachment A.

	public health and safety and are not affected by the construction of the ADU.		unrelated to ADU construction shall not be used as a reason to deny an ADU application.
3	If a detached garage is being demolished and replaced by an ADU, requires local agency to review and issue a demolition permit for the garage at the same time as it reviews and issues the permit for the ADU (within 60 days).	§ 65852.2 (a)(4)	Language in CMC § 14.72.100(D) was added to include a concurrent garage demolition permit as specified.
4	Increases the maximum height limitation to 18 feet if the ADU is located within 0.5 mile walking distance of a major transit stop or a high-quality transit corridor, or if the ADU is detached and on a lot that has an existing multifamily, multistory dwelling.	§ 65852.2(c)(2)(D)(ii-iii).	Height requirements throughout CMC Chapter 14.72 must be changed from 16 feet to 18 feet for ADUs within 0.5 mile walking distance of a major transit stop or a high-quality transit corridor, and for ADUs detached and on a lot that has an existing multifamily, multistory dwelling. Staff recommends height limits be increased from 16 feet to 18 feet citywide. See discussion on height, below, for further details.
5	Increases the maximum height limitation to 25 feet if the ADU is attached to a primary dwelling. ADUs exceeding two stories are not required to be permitted.	§ 65852.2(c)(2)(D) (iv).	See discussion on height below. Height requirements throughout CMC Chapter 14.72 must be changed from 16 to 25 feet for ADUs attached to a primary dwelling.
6	Provides that the construction of an ADU does not constitute a Group R occupancy change under the local building code, except as found by an enforcement agency.	§ 65852.2(a)(1)(D)(viii).	Language in CMC § 14.72.050(M) was added to ensure the construction of an ADU does not constitute a Group R occupancy change under the local building code, except as found by an enforcement agency.

7	Prohibits the construction of an ADU from triggering a requirement that fire sprinklers be installed in the existing primary dwelling.	§ 65852.2(a)(1)(D)(xii).	Language in CMC § 14.72.050(E) was amended to clarify that ADU construction will not trigger a requirement for fire sprinklers in the main residence.
8	Prohibits a local agency from rejecting an application for an ADU because the existing multifamily dwelling exceeds applicable height requirements or has a rear or side setback of less than 4 feet. If the existing multifamily dwelling exceeds applicable height requirements or has a rear or side setback of less than 4 feet, a local agency is prohibited from requiring any modification to the existing multifamily dwelling to satisfy these requirements.	§ 65852.2(e)(1)(D)(ii).	Language in CMC § 14.72.090(C)(6) was added to clarify that an existing multifamily dwelling that exceeds applicable height limits or that does not meet minimum setbacks is not grounds for rejection of an application for an ADU, and that modifications to the existing multifamily dwelling cannot be required to satisfy these requirements.
9	Prohibits a local agency from imposing any parking standards on an ADU that is included in an application to create a new single-family dwelling unit or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit meets other specified requirements.	§ 65852.2(d)(1)(F).	Language in CMC § 14.72.080(D)(2)(f) was added to ensure no parking standards will be required on an ADU that is part of an application for a new primary residence that meets at least one other requirement in § 14.72.080(D)(2).
10	If the permitting agency denies an application for an ADU or JADU, requires the agency to return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.	§ 65852.2(a)(3)(B).	Language in CMC § 14.72.100(C)(1) was added to ensure these written comments are provided to the applicant upon denial of an ADU/JADU application.

11	If a JADU does not include its own bathroom, requires a JADU to include a separate entrance from the main entrance to the structure, and an interior entry to the main living area.	§ 65852.22(a)(5)(B).	Language in CMC § 14.72.050(D) was added to ensure an interior entry to the main living area is included in JADUs without a separate bathroom.
12	Prohibits a local agency from denying an application for a permit to create a JADU due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the junior accessory dwelling unit.	§ 65852.22(d).	Language in CMC § 14.72.035(D) was added to specify that existing nonconforming or unpermitted structures unrelated to JADU construction shall not be used as a reason to deny a JADU application.
13	Prohibits a local agency from denying a permit for an unpermitted ADU that was constructed before January 1, 2018, because, among other things, the unit is in violation of building standards or state or local standards applicable to ADUs, unless the local agency makes a finding that correcting the violation is necessary to protect the health and safety of the public or occupants.	§ 65852.23(a).	Language in CMC § 14.72.050(M)(3) was added to reflect this new date and allowance for permitting unpermitted ADUs.
14	Prohibits limits on front setbacks that do not permit the construction of at least an 800 square foot ADU, as specified.	§ 65852.2(c)(2)(C).	Language in CMC § 14.72.055(A)(4) was added to include front setback exceptions to allow for ADUs of at least 800 square feet.

Table 2: Changes Implemented by AB 976, AB 1033, and AB 1332

	New State Law	Government Code	Change Proposed
1	AB 976 Prohibits owner occupancy requirements on ADUs.	§ 65852.2(a)(8)	Current language in CMC § 14.72.040 states that an owner occupancy requirement applies to ADUs permitted after 1/1/2025 “unless otherwise prohibited by state law.” Language in CMC § 14.72.040 was removed and edited to clarify that there is no owner occupancy requirement for ADUs. An owner occupancy requirement for JADUs remains.

2	AB 1033 Allows local agencies to adopt an ordinance that would allow ADUs to be conveyed separately as condominiums, as specified.	§ 65852.2(a)(10)	At the discretion of City decision makers, language in CMC § 14.72.040(A) could be added to allow the separate sale of ADUs (not JADUs) and the primary residence as condominiums. Staff is not recommending adoption of this change. See separate conveyance discussion, below, for more details.
3	AB 1332 Requires local agencies to create a program for preapproval of ADU plans. Preapproved plans must be posted on the agency’s website. Agencies must approve or deny ADU applications that utilize preapproved plans within 30 days of receiving a complete application.	§ 65852.27	Language was added to CMC § 14.72.100(E) to include the directive that the City maintain an ADU plan preapproval program and a 30-day review period for qualifying applications.

Minor “clean-up” edits are also included in the draft ordinance ([Attachment A](#)) to increase the clarity of ordinance language or to correct minor errors in the existing ordinance, including but not limited to the following:

- The capitalization of “Accessory Dwelling Unit” and “Junior Accessory Dwelling Unit” was made consistent throughout Chapter 14.72.
- The definition of “Special Accessory Dwelling Unit” was amended in Section 14.72.020(A) to clarify that Special ADUs are allowed on any property with an existing or proposed multi-family dwelling.
- Section 14.72.090(A) was amended to clarify that a JADU shall always be allowed in addition to one Special ADU on a single-family lot.
- Text in section 14.72.090(C) was added to clarify the minimum allowed square footage of a Special ADU.
- Text in Section 14.72.110(F) was added to clarify a Coastal Development Permit is not required for a JADU— only a building permit.

IV. ENVIRONMENTAL

The proposed Ordinance is statutorily exempt from review under CEQA pursuant to Public Resources Code Section 21080.17, which states that CEQA does not apply to adoption of an Accessory Dwelling Unit ordinance to implement the provisions of State Government Code Section 65852.2. The proposed Ordinance can also be found categorically exempt from review under CEQA pursuant to CEQA guidelines Section 15303, New Construction or Conversion of Small Structures, which includes “a second dwelling unit in a residential zone.” The draft Notice of Exemption is provided as [Attachment D](#).

Although the ADU and JADU Ordinance is exempt from CEQA, the Ordinance contains provisions that may require discretionary review for individual ADU projects, which could subject projects to CEQA analysis on a case-by-case basis. This limited application of discretionary review includes ADU and JADU applications in the Beach Neighborhood Overlay District (as noted in Section 14.72.030 and 14.72.110) and/or in the Coastal Appeals Overlay District (Chapter 14.48).

V. ANALYSIS

Consistency with the California Coastal Act.

The City's ADU/JADU regulations require compliance with both State ADU/JADU laws and the Coastal Act, given that the City is located entirely within the Coastal Zone. While many public planning agencies outside of the Coastal Zone are implementing State ADU laws by updating their housing programs or defaulting to the State's requirements, local jurisdictions located wholly or partially within the Coastal Zone must also ensure compliance with state and locally certified coastal policies. The proposed amendments to the City's ADU/JADU regulations aim to implement recently passed State housing laws that address acceleration of ADU and JADU housing production. Where actions may result in conflict with coastal resource policies, those that are most protective of significant coastal resources shall be prioritized (Pub. Res. Code § 30007.5).

Much of the effort to harmonize coastal resource policies and state ADU/JADU law was accomplished during the last round of updates to the City's ADU/JADU ordinance, which went into effect in February 2023. The City's current ADU/JADU regulations create a discretionary review process for ADUs/JADUs proposed in the Beach Neighborhood Overlay District (map provided as Attachment C), at the determination of the Community Development Director or his/her designee. This allows for more careful consideration of coastal resources and related issues such as flood hazards, sea level rise, and public coastal access. The contemplated changes summarized in Tables 1 and 2, above, do not result in significant changes to the City's current ADU/JADU policies that would negatively impact coastal resources. Considering that the prior round of updates to the City's ADU/JADU ordinance included much more intensive changes to City regulations and was certified by the CCC as a de minimis LCPA, the current proposed changes to the ordinance are unlikely to be found at odds with state or local coastal resource protection policies, and CCC staff has indicated that the proposed subject amendments would likely thus qualify for a "de minimis" waiver.

Consistency with the 2023-2031 Housing Element

A key program in the City's recently adopted 2023-2031 Housing Element is to support and facilitate the development of ADUs—more specifically, the City's objective is to facilitate the construction of at least 112 ADUs citywide during the Housing Element's planning period. Production of ADUs aligns with the Housing Element's goals of providing affordable units in already-developed areas, as ADUs are generally more affordable due to their size and location. ADUs create "gentle density," where the character of a neighborhood remains similar but additional housing units are added. For the 2023-2031 Regional Housing Needs Assessment ("RHNA") allocation, the City must plan for 901 additional housing units from 2023 to 2031. Increasing ADU production by broadening the circumstances under which an ADU can be accommodated can help satisfy a larger amount of the City's RHNA allocation and would thereby reduce the number of units that would otherwise need to be accommodated elsewhere in the City. Housing Element Program 2, Accessory Dwelling Units,

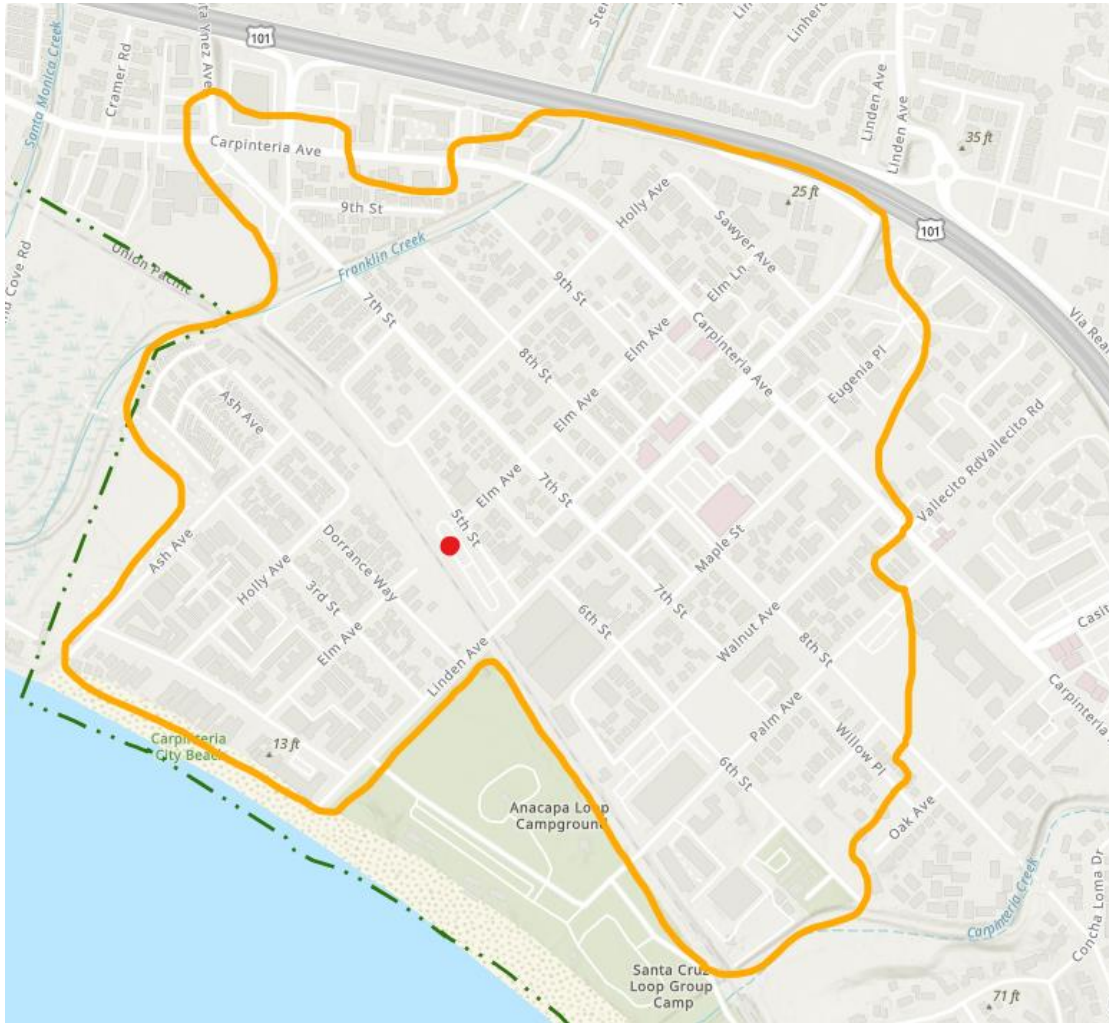
describes how the City will encourage and facilitate ADU development to add housing units to these areas. It notes that the City will review its ADU policies throughout the planning period, and take action when changes in State law prompt local ordinance revisions. Keeping the City's ADU/JADU ordinance up to date with State law will help ensure current incentives and allowances are available to property owners to promote ADU development.

Program 2 also states that the City will “offer incentives such as fast-track processing and reduced processing fees when ADUs are voluntarily deed-restricted for low- or moderate-income persons.” To make progress toward implementing Program 2, staff intends to introduce a Resolution to the City Council for consideration that would grant such incentives to qualified ADU applicants. Staff is seeking the Commission's input on potential incentives, and the Commission may wish to consider the following items:

- Resolution No. 5238, adopted by the City Council in 2010, reduced Development Impact Fees by 50% for housing projects providing 100% affordable units. Similarly, the City could offer a 50% reduction of building permit fees for deed-restricted affordable ADUs and/or JADUs. The discount could be set on a sliding scale, where, for example, very low-income units are given a larger discount than low- or moderate-income units.
- JADUs have an owner occupancy requirement and may provide less space and fewer amenities than an ADU, and the Commission may decide to suggest incentives accordingly.
- Deed-restricting an ADU to lower-income rental rates limits the owner's return on investment for the duration of the restriction. A shorter minimum qualifying duration of an affordability deed restriction may strengthen the incentive.
- ADUs receiving incentives during the permitting process could be subject to vacancy requirements, ensuring the affordable ADU is consistently occupied by lower-income residents.
- The City could offer a more streamlined application process, such as 30 days instead of the current 60, for deed-restricted ADUs.
- The Commission may wish to consider whether ADUs on single- versus multi-family lots should be incentivized differently and how incentives might differ.

Implementing Height Limitations

The adoption of SB 897 added two additional regulations concerning the allowed height of ADUs, as noted in Table 1, above, increasing the maximum allowed height to 18 or 25 feet if certain criteria apply. Notably, if an ADU is located within ½ mile walking distance of a major transit stop, State law requires a height limit of up to 18 feet. Staff recommends raising the citywide “baseline” ADU height limit from 16 to 18 feet, considering that a significant portion of the City is located within ½ mile walking distance of a major transit stop—the Amtrak station (see Figure 1 below). This would simplify language in Chapter 14.72.060, and a new provision for the 25-foot height limit for attached ADUs would still be added to comply with State law. Under Chapter 14.72 currently, ADUs can exceed 18 feet in height if the height of the primary residential unit is over 18 feet. In all zone districts which allow ADUs, the height limit is 30 feet. The Commission may provide feedback to Staff regarding the implementation of height regulations.



*Figure 1: Approximate area within ½ mile walking distance of Amtrak station.
(Excludes the Salt Marsh and State Park, which do not allow ADUs)*

Separate Conveyance as Condominiums

Previously, State law did not allow for ADUs to be sold separately from the primary residence, except for a narrow range of circumstances. AB 1033 ([Attachment E](#)) amends Gov. Code § 65852.2 and 65852.26 such that local agencies may adopt an ordinance to allow the separate conveyance of primary dwellings and ADUs, pursuant to certain requirements. These requirements include, but are not limited to:

- Condominiums (“condos”) must be created in accordance with the Subdivision Map Act and any local subdivision ordinance.
- A homeowner’s association must be created to ensure shared responsibility of common spaces and amenities.
- Each lienholder on the property must provide written consent to the condominium plan.
- Local agencies must provide specified information on the separate conveyance of ADUs within any project submittal checklist or public information issued.
- All utility providers for the property must be notified of the condo creation.

AB 1033 does not require the City to adopt such an ordinance, and based on current ADU applications and ADU use, Staff believes that such a provision is not necessary at this time. Instead, staff recommends a “wait and see” approach that monitors ADU trends, surveys the participation of other local jurisdictions in adopting such an ordinance, and gauges community interest prior to moving forward with provisions for separate conveyance of ADUs. However, the Commission retains the option to recommend separate conveyance of ADUs to the City Council.

VI. ACTION OPTIONS

1. The Planning Commission may recommend that the City Council adopt the proposed Ordinance (Attachment A), amending Title 14 – Zoning, Chapter 14.72 of the Carpinteria Municipal Code to implement changes reflecting State ADU and JADU law; and recommend that the City Council determine that the proposed Ordinance is statutorily exempt from review under CEQA pursuant to Public Resources Code Section 21080.17, and categorically exempt from review under CEQA pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.
2. The Commission may recommend building the permit fee reduction amount and minimum qualifying affordability deed restriction time limit for ADUs that are voluntarily deed restricted for low- or moderate-income households.
3. The Commission may choose not to provide specific recommendations to the City Council at this time. Staff would bring the proposed ordinance to the City Council, who would receive a staff report and may then provide staff with direction on proposed amendments and/or approve a first reading.
4. The Commission may recommend revisions to the proposed Ordinance and/or proposed Notice of Exemption, and request that the item be brought back to the Commission for further consideration at a future hearing.

VII. ATTACHMENTS

Attachment A: Proposed Ordinance

Attachment B: CMC Chapter 14.72 (Current ADU/JADU Regulations)

Attachment C: ADU Beach Neighborhood Overlay District Map

Attachment D: Draft CEQA Notice of Exemption

Attachment E: Assembly Bill 1033 (2023)

Attachment A

Proposed Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA,
CALIFORNIA, AMENDING CHAPTER 14.72 OF TITLE 14 (ZONING) OF THE
CARPINTERIA MUNICIPAL CODE IN RESPONSE TO STATE LEGISLATION
REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY
DWELLING UNITS**

RECITALS

WHEREAS, the State of California (State) finds that Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) are an innovative and effective option for adding housing in California at a time when the State faces a housing crisis of availability and affordability; and

WHEREAS, the City is required to plan to meet the housing needs of the community, reflected in the City's Regional Housing Needs Allocation (RHNA), and to adopt an updated Housing Element each RHNA cycle describing how the City will accommodate those units; and

WHEREAS, there is a housing shortage in the City and the greater South Coast of Santa Barbara County, particularly for middle-, moderate-, low-, and very low-income households, with vacancy rates of less than 3%;¹ and

WHEREAS, production of ADUs and JADUs is identified in Program 2 of the City's 2023-2031 Housing Element as an important strategy in providing affordable rental housing units in already developed areas of the City and in helping to meet the City's RHNA number of 901 units during this Housing Element planning period; and

WHEREAS, on January 23, 2023, the City Council approved and adopted Ordinance No. 758, which rescinded and replaced in its entirety Chapter 14.72 - ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS of the Carpinteria Municipal Code (CMC), and minorly amended other chapters, in compliance with State ADU and JADU law as of 2021, and to harmonize the requirements of the California Coastal Act with the requirements of State ADU and JADU law; and

¹ Source: 2022 census data that reports 148 rental housing units were vacant, which equates ~2.6% of the City's estimated housing units in the City. See also Santa Barbara South Coast Chamber of Commerce (Dashboard April 2023) at <https://sbscchamber.com/wp-content/uploads/2023/05/Data-Dashboard-April-2023.pdf>

WHEREAS, in September 2022, Senate Bill (SB) 897 and Assembly Bill (AB) 2221 were signed by the governor, amending State regulations for ADUs and JADUs to, among other things, be more permissive of such units and to limit local jurisdictions' ability to deny an ADU or JADU application; and

WHEREAS, on August 28, 2023, the City Council adopted Resolution No. 6265, initiating amendments to CMC Chapter 14.72 to incorporate new provisions of State ADU and JADU law that came into effect in 2023, and any additional ADU and JADU pending bills at that time that were anticipated to become law in the near future; and

WHEREAS, in September 2023, the State legislature passed AB 1033, AB 976, and AB 1332, further amending State law regulating ADUs and JADUs; and

WHEREAS, on January 22, 2024, the City Council re-adopted the City's 2023-2031 Housing Element, in which the City commits to promote and facilitate the development of ADUs as a form of affordable infill housing development, with the objective of facilitating the development of 112 ADUs during the planning period, and to review City ADU regulations throughout the planning period to ensure current incentives and allowances are available to property owners to promote ADU development; and

WHEREAS, the proposed amendment to CMC Chapter 14.72 is in the interest of the general community welfare since it will serve to implement the requirements of State law that promote the development of ADUs and JADUs that will increase the supply of housing in the City while protecting coastal resources consistent with the Coastal Act and the City's certified Local Coastal Program; and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 4, 2024, as required by Government Code Section 65854, on the proposed CMC Chapter 14.72 amendment at which hearing the proposed amendment was explained and comments invited from people in attendance; and

WHEREAS, on March 4, 2024, the Planning Commission recommended on a ____ vote that the City Council adopt Ordinance No. ____ to implement changes to CMC Chapter 14.72 based on its determination of consistency with the City's Local Coastal Program, General Plan, and Housing Element; and

WHEREAS, on March 4, 2024, the Planning Commission recommended on a ____ vote that the City Council determine that Ordinance No. ____ is statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17, and categorically exempt from review under CEQA in accordance with CEQA Guidelines (Cal. Code Regs., tit. 14) Section 15303; and

WHEREAS, the City Council has held a duly noticed public hearing on [HEARING DATE], as required by Government Code Section 65854, on the proposed CMC Chapter 14.72 amendment at which hearing the proposed amendment was explained and comments invited from people in attendance; and

WHEREAS, the City adoption of the proposed CMC Chapter 14.72 amendment reflects the Council's commitment to promote development of ADUs and JADUs in accordance with State housing laws, to increase the City's affordable and market rate housing supplies and contribute to the City's RHNA, and to protect coastal resources in accordance with the Coastal Act and the City's Coastal Land Use Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. AMENDMENT OF CHAPTER 14.72 OF CARPINTERIA MUNICIPAL CODE

Chapter amendments to the Carpinteria Municipal Code made by this ordinance are delineated below as underlined text.

Chapter 14.72, of Title 14 of the Carpinteria Municipal Code is hereby amended (in part) to read as follows:

Chapter 14.72 - ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

14.72.010 Purpose and intent.

The purpose of this chapter is to provide for processing requests for ~~a~~Accessory dDwelling uUnits (ADU) and ~~j~~Junior aAccessory dDwelling uUnits (JADU) within zone districts that permit residential uses, as defined in this chapter and chapters governing zone districts of Title 14. The need for these provisions is based on the following findings:

1. The adopted policy of the city is to encourage a range of housing types, designs, and costs to suit the varying needs and desires of the community in terms of income, family size, and physical ability within existing neighborhoods.
2. Opportunities for affordable housing for persons of low and moderate income are becoming increasingly scarce.
3. The shortage of low-and moderate-income housing opportunities is exacerbated by the lack of available rental units at a time when few rental units are being constructed. Thus, the existing rental stock needs to be preserved and new rental opportunities provided.

4. Accessory dDwelling uUnits have been a part of the city's housing stock and provide a valuable source of rental housing for persons of low and moderate income, particularly the elderly, students, and single-parent family households.
5. The establishment of clear, objective development standards, consistent with applicable state law, including, but not limited to, Government Code Section 65852.2 or 65852.22 and the California Coastal Act, is required to reduce the time necessary to secure permits for aAccessory dDwelling uUnit and jJunior aAccessory dDwelling uUnit construction and to ensure that there will be no adverse effect on the public health, safety and welfare.
6. Expand opportunities to create additional housing to suit the spectrum of individual lifestyles and space needs, allow more efficient use of existing housing stock and public infrastructure, and provide a range of housing opportunities.
7. Allow aAccessory dDwelling uUnits and/or jJunior aAccessory dDwelling uUnits as an accessory use to a Pprimary residential unit, consistent with California Government Code Section 65852.2 or 65852.22 and the California Coastal Act, as applicable.
8. Promote aAccessory dDwelling uUnits and/or jJunior aAccessory dDwelling uUnits that are compatible with the surrounding neighborhood, cultural and historic resources, and historic districts; preserve the city's coastal resources including, but not limited to, environmentally sensitive habitats, public coastal access, and visual resources; promote long-term sustainability; contribute to a desirable living environment; and avoid risks to public safety associated with loss of life, property, and social dislocations resulting from identified coastal hazards, including flooding.

14.72.020 Definitions.

Chapter 14.08 (Definitions) apply to Chapter 14.72, unless they conflict with the definitions below. Where a conflict may occur, the definitions below shall apply and have the following meaning:

- A. **aAccessory dDwelling uUnit.** An attached or a detached residential unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residential unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and be located on the same parcel that the primary residential unit is or will be situated. An Accessory Dwelling Unit also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code. The following categories of aAccessory dDwelling uUnits are subject to specific development standards:

aAccessory dDwelling uUnit. aAccessory dDwelling uUnits connected with an existing or proposed primary residential unit, with size, height, and setback standards as described in Section 14.72.055, (Development standards for aAccessory dDwelling uUnits). ~~Up to one accessory dwelling unit and one junior~~

~~accessory dwelling unit may be allowed on property where residential uses are permitted and has been developed, or will be developed concurrently with the accessory dwelling unit(s), subject to the provisions of this Chapter 14.72.~~

Special aAccessory dDwelling uUnit. Specific types of aAccessory dDwelling uUnits, meeting specific criteria identified in Government Code Section 65852.2(e) that may be combined with a jJunior aAccessory dDwelling uUnit with certain size, height, and setback standards described in Section 14.72.090, (Development standards for sSpecial aAccessory dDwelling uUnits). Further, sSpecial aAccessory dDwelling uUnits allow for more than one aAccessory dDwelling uUnit on a property with an existing or proposed multiple family dwelling structure zoned for multiple family use. Such units are not subject to local zoning and development standards, but must meet building code and health and safety requirements.

~~An accessory dwelling unit also includes the following:~~

- ~~1. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.~~
- ~~2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.~~

B. **Carshare vehicle.** A motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization which provides hourly or daily car sharing service to its members.

C. **Efficiency kitchen.** A kitchen that includes at a minimum:

1. Appliances for cooking food and refrigeration, either built-in or countertop.
2. A sink for food preparation greater than ~~twelve~~ 12 inches by ~~twelve~~ 12 inches, excluding the sink located in the bathroom.
3. A food preparation counter.

D. **Existing floor area.** A legally permitted building constructed on the site with a final inspection or certificate of occupancy as of the date of application submittal, that conforms to current zoning standards or is legal nonconforming as to current zoning standards, in accordance with Section 14.08.270 (Floor Area, Gross) and Section 14.08.275 (Floor Area, Net).

E. **Junior aAccessory dDwelling uUnit.** A unit that is no more than five hundred square feet in size and contained entirely within an existing or proposed single residential unit. A jJunior aAccessory dDwelling uUnit may include separate sanitation facilities or may share sanitation facilities with the existing or proposed single residential unit and includes an efficiency kitchen.

F. **Passageway.** A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the aAccessory dDwelling uUnit.

G. **Primary residential unit.** The existing or proposed residential unit on a lot on which an aAccessory dDwelling uUnit and jJunior aAccessory dDwelling uUnit is permitted.

The primary residential unit shall comprise one unit in either a dwelling, one family; dwelling, two family; dwelling, multiple; or mixed-use development (as those terms are defined in Section 14.08 (Definitions) of this title).

- H. **Principal place of residence.** The residence where a property owner actually lives for the greater part of time, or the place where the property owner remains when not called elsewhere for some special or temporary purpose and to which the property owner returns frequently and periodically, as from work or vacation.

If multiple persons own the property as tenants in common or some other form of common ownership, a person or persons representing at least ~~fifty~~ 50 percent of the ownership interest in the property shall reside on the property a majority of their time as their principal place of residence. Any person or persons who qualify for the homeowner's tax exemption under the California State Board of Equalization rules, may qualify as an owner occupant.

The burden shall be on the property owner to show that the primary residential unit, ~~a~~A~~ccessory d~~D~~welling u~~Unit, or ~~j~~J~~unior a~~A~~ccessory d~~D~~welling u~~Unit is the property owner's principal place of residence as evidenced by qualifying for the homeowner's tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner-occupancy as their principal place of residence.

14.72.030 Where permitted.

- A. **~~a~~A~~ccessory d~~D~~welling u~~Unit.** An ~~a~~A~~ccessory d~~D~~welling u~~Unit that conforms to the development standards of this section shall be permitted in any zone that allows residential use, located on a lot developed or proposed to be developed with one or more residential units, except as prohibited or restricted in subsection C below. An ~~a~~A~~ccessory d~~D~~welling u~~Unit that does not conform to the development standards of this section, may nonetheless be approved in accordance with the requirements of Section 14.72.060.H.2.
- B. **~~j~~J~~unior a~~A~~ccessory d~~D~~welling u~~Unit.** A ~~j~~J~~unior a~~A~~ccessory d~~D~~welling u~~Unit may be permitted in any zone that allows residential use, and shall be located on a lot developed with an existing or proposed single residential unit, except as prohibited or restricted in subsection C below.
- C. **Prohibited or restricted locations.**
1. Based on the final sea level rise vulnerability assessment and adaption plan identification of flooding hazards in the ADU beach neighborhood overlay district and city local coastal plan objective S-4, proposed ~~a~~A~~ccessory d~~D~~welling u~~Units in the ADU beach neighborhood overlay district, as defined in the ADU beach overlay district zoning map shown as Exhibit 1 in Ordinance No. 758, shall be subject to discretionary review, as determined necessary by the community development director, or a director-appointed designee, to address and mitigate identified coastal hazards, including flooding, and coastal resource policy issues that address coastal access, in order to avoid risks to public safety associated with loss of life, property, and social dislocations.

2. Accessory ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall be permitted in locations that are consistent with coastal resource protection policies of the city's coastal land use plan, including, but not limited to, environmentally sensitive habitats; coastal access; and visual, recreational, and cultural resources.
3. No ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall be permitted in a formally designated area where water or sewer service is found to be inadequate by the Carpinteria Sanitary District or Carpinteria Valley Water District, as appropriate, or in a formally designated area where traffic flow and public safety would be adversely impacted, as determined by the Carpinteria-Summerland Fire Protection District.
4. Unless prohibited or restricted by C.1 - C.4 of this subsection, applications for an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and/or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit in the California Coastal Commission's appeals jurisdiction shall be permitted in accordance with Section 14.72.110.

14.72.035 Unit configuration.

- A. ~~One~~ ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and/or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall be permitted on a lot in addition to the primary residential unit, pursuant to this chapter. However, multiple accessory dwelling units on multi-family lots may be permitted in accordance with all the configuration requirements, development standards, and special procedures outlined in Section 14.72.090, Development standards for special accessory dwelling units.
- B. An accessory dwelling unit may be permitted in the following configurations:
 1. Incorporated entirely within an existing or proposed primary residential unit.
 2. Incorporated entirely within an existing accessory building, including garages, located on the same lot as the primary residential unit.
 3. Through conversion of a garage, carport, ~~or~~ covered parking structure, or other accessory structure.
 4. Attached to or increasing the size of an existing primary residential unit or attached accessory building located on the same lot as the primary residential unit.
 5. Detached from and located on the same lot as the existing or proposed primary residential unit. An accessory dwelling unit that is attached to another detached accessory building, but not the primary residential unit, or is attached by a breezeway or porch, is considered detached.
- C. Except as provided in Health and Safety Code Section 17981.12, Accessory Dwelling Units shall not be permitted within an existing nonconforming structure if the structure is nonconforming as to the coastal resource protection policies of the LCP city's local coastal program.
- D. Existing nonconforming, unpermitted structures and building code violations that are unrelated to and unaffected by Accessory Dwelling Unit or Junior Accessory

Dwelling Unit construction shall not be used as a reason to deny Accessory Dwelling Unit or Junior Accessory Dwelling Unit permit application, unless the structures and violations present a threat to public health and safety.

14.72.040 Sale, rental, and occupancy terms.

All ~~a~~Accessory ~~d~~Dwelling ~~u~~Units and ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall be subject to the following sale, rental, and occupancy terms:

- A. **Not to be sold separately.** An ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall not be sold separately from the primary residential unit, subject to the provisions of Government Code Section 65852.26 and/or other provisions of state law that govern ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit sales.
- B. **Deed restriction.** Prior to issuance of a permit for ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, the owner shall record a deed restriction with the county recorder and file the recorded deed restriction with the city, acknowledging the applicable use limitations consistent with this Section 14.72.040 or other applicable limitations in the Title 14 of the Carpinteria Municipal Code and city administrative policies applying to the applicable base zone district that shall run with the land.
- C. **Rental terms.** The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit may be rented as a residential unit. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall not be rented as a short-term rental, as defined in Section 14.08.562 or for less than ~~thirty-one~~ 31 consecutive days, whichever is more restrictive. Rental terms shall not allow termination of the tenancy prior to the expiration of at least one ~~thirty~~ 30-day period occupancy by the same tenant.
- D. **Junior Accessory Dwelling Unit Owner occupancy.** ~~The following types of projects are subject to an owner occupancy requirement:~~ Where a Junior Accessory Dwelling Unit is located on a property, the burden shall be on the property owner to show that the primary residential unit, or Junior Accessory Dwelling Unit is the property owner's principal place of residence as evidenced by qualifying for the homeowner's tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner-occupancy. A property owner shall have only one principal place of residence for the purposes of this Chapter 14.72. Notwithstanding, owner occupancy shall not be required if the property owner is another governmental agency, land trust, or housing organization.
 - 1. An Accessory Dwelling Unit shall not be subject to an owner occupancy requirement. The property owner's principal place of residence requirement, upon the property where an accessory dwelling unit is permitted, shall not apply to accessory dwelling units approved between adoption of this Chapter 14.72 and January 1, 2025. The property owner's principal place of residency requirement shall apply to, an accessory dwelling unit permit issued after January 1, 2025, unless otherwise prohibited under state law, or upon repeal of Government Code Section 65852.2(a)(6)(B) removing the state imposed prohibition of an owner occupancy requirement, whichever occurs first.

~~2. Where a junior accessory dwelling unit is located on a property, the burden shall be on the property owner to show that the primary residential unit, or junior accessory dwelling unit is the property owner's principal place of residence as evidenced by qualifying for the homeowner's tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner occupancy. A property owner shall have only one principal place of residence for the purposes of this Chapter 14.72. Notwithstanding, owner occupancy shall not be required if the property owner is another governmental agency, land trust, or housing organization.~~

- E. **Hardship waiver.** If owner occupancy is required in accordance with subsection D, Owner occupancy, the property owner may apply for a temporary waiver in the event of a hardship. For the purposes of this section, an event of a hardship includes, but is not limited to, the death or disability of the property owner, job transfer, or similar significant personal situation which prevents the property owner from occupying the owner's unit. A property owner or estate representative may apply for a temporary waiver of the owner-occupation requirement for a specific time period to allow the owner's unit to be occupied by a non-property owner until the cessation of the circumstances preventing the property owner from occupying the owner's unit on the property. The community development director shall review applications for an event of hardship waiver. Any such temporary waiver shall specify the period of time for which it is granted, provided that no such waiver may be granted for a period longer than three years.
- F. **Removal of owner occupancy requirement.** With the exception of owner occupancy covenants, restrictions or conditions required to permit a ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, the community development director will, in a form acceptable to the city attorney, release an owner occupancy requirement recorded against the property prior to adoption of this chapter January 1, 2024 upon the request of the property owner. No other covenants, restrictions or conditions required pursuant to this Title 14, and contained in the agreement recorded against the property shall be released, unless the community development director determines that the covenant, restriction or condition conflicts with California Civil Code section 714.3.

14.72.050 Required features.

Each ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall contain, at a minimum, the following features:

- A. **Residential elements.** Permanent provisions for separate residential occupancy must be provided as follows within the contiguous livable floor space of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and must be independent from the primary residential unit, unless otherwise noted:
1. Provisions for cooking, including storage, countertop, sink, and electric outlets as required per Carpinteria Municipal Code, Title 15, Buildings and construction. A ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit may contain an efficiency kitchen.

2. A bathroom consisting of a toilet, sink, and bathtub or shower. A ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit may share these sanitation facilities with the existing or proposed primary residential unit.
 3. A separate sleeping room, except in studio residential units, where a living room is considered a sleeping room.
- B. **Minimum floor area.** The minimum floor area for a new ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is as follows:
1. Efficiency unit: ~~One hundred fifty~~ 150 square feet.
 2. Studio unit: ~~Two hundred twenty~~ 220 square feet.
- Such usable floor area shall be exclusive of open porches, garages, basements, cellars and unfinished attics. The minimum floor area for ~~a~~Accessory ~~d~~Dwelling ~~u~~Units that are created by converting existing structures is ~~one hundred fifty~~ 150 square feet.
- C. **Exterior access.** Exterior access to the unit, that is independent from the primary residential unit must be provided. ~~An accessory dwelling unit or junior accessory dwelling unit may provide an interior connection consisting of one fire-rated lockable door between the primary residential unit, but one is not required.~~
- D. **Interior Connection.** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit may provide an interior connection consisting of one fire-rated lockable door to access the primary residential unit. Junior Accessory Dwelling Units that share sanitation facilities as defined in Section 14.72.050(A)(2) with the primary residential unit are required to have an interior connection to the primary residential unit.
- E. **Fire sprinklers.** Fire sprinklers are required only if they are required for the primary residential unit. Construction of an Accessory Dwelling Unit shall not trigger a requirement for fire sprinklers in the primary residential unit.
- F. **Permanent foundation.** Attached and detached units shall be constructed with a city-approved permanent foundation in accordance with Chapter 15, Buildings and construction, of the Carpinteria Municipal Code.
- G. **Property addresses.** Addresses identifying all residential units on the lot, with minimum three-and one-half-inch numbers plainly visible from the street or road fronting the property shall be provided.
- H. **Utility fees.** An ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit was constructed with a new single-family dwelling.
- I. **Public sewer service.** ~~a~~Accessory ~~d~~Dwelling ~~u~~Units and ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall comply with the sewer service requirements of the Carpinteria Sanitary District, including, but not limited to, advanced procurement of a sewer construction permit for exterior plumbing modifications or sewer lateral installation.

- J. **Public water service.** Accessory ~~d~~Dwelling ~~u~~Units shall comply with the water service requirements of the Carpinteria Valley Water District, consistent with state law, including, but not limited to, Government Code Section 65852.2(f)(2)(A).
- K. **Direct utility connection.** No direct new or separate utility connection, or related fees, shall be required between a public sewer or water service district and an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit that is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure (including an expansion of not more than ~~one hundred fifty~~ 150 square feet beyond the same physical dimensions as the existing structure.
- L. **Passageway.** No passageway is required in conjunction with the construction of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.
- M. **Enforcement of building standards.** Accessory Dwelling Units and Junior Accessory Dwelling Units shall adhere to the following regulations:
 - 1. In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code, a local agency, upon request of an owner of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code providing the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit was built prior to January 1, 2020.
 - 2. The construction of an Accessory Dwelling Unit shall not constitute a Group R occupancy change under the California Building Code, except pursuant to the findings in Government Code section 65852.2(a)(1)(D)(viii).
 - 3. The city shall not deny an Accessory Dwelling Unit permit for an unpermitted unit that was constructed before January 1, 2018 because the unpermitted unit is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code, or is not in compliance with Chapter 14.72, unless the city makes the finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure. This paragraph shall not apply to buildings deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

14.72.055 Development standards for accessory dwelling units and junior accessory dwelling units.

- A. **Development standards generally.** The development standards listed in this section apply to ~~a~~Accessory ~~d~~Dwelling ~~u~~Units and ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units, except for ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units permitted in accordance with all the configuration requirements, development standards, and special procedures outlined in Section 14.72.090, Standards for ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units.

1. The reductions and exceptions to the development standards normally applicable to residential development allowed in this section are for the express purpose of promoting the development and maintenance of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and/or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit on the lot. If for any reason the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is not maintained on the lot in conformance with this section, the lot shall be brought into compliance with all of the requirements for the residential development, or with the legal nonconforming condition of the lot prior to the development of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, including, but not limited to, the requirements for open yard, setbacks, and covered parking.
2. Except as otherwise specified in this section, projects developed in accordance with this chapter shall otherwise comply with objective development standards applicable to an attached or detached accessory building or structure for the housing type and base zone in which the lot is located.
3. One primary residential unit shall be designated on a lot on which an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and/or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is permitted.
4. Notwithstanding this section ~~Subsection B below~~ or other local development standards for the base zone district that are not expressly prohibited by state law or reduced due to provisions in Section 14.72.030, any other minimum or maximum size for an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit based upon a percentage of the proposed floor area or existing floor area, or limits on building coverage, floor area ratio, open space, front setbacks, or minimum lot size, for either attached or detached dwellings shall permit at a minimum: an 800 ~~eight hundred~~ square foot ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit that ~~is up to sixteen feet in height~~ conforms to the height requirements in Section 14.72.060(C), with four-foot side and rear yard setbacks, constructed in compliance with all other local development standards.

B. Maximum floor area. The maximum floor area(s) for a standard ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit are as follows:

1. Attached ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit. An ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit that is attached to, and increasing the size of, the primary residential unit shall not exceed ~~fifty~~ 50 percent of the existing floor area of the existing primary residential unit, and shall not exceed a maximum floor area of ~~eight hundred~~ 850 square feet.
2. Converted ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit. An ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit that is incorporated entirely within an existing primary residential unit, or within an existing accessory building, is not limited in size, except by the minimum floor area requirements in Section 14.72.050(B).
3. Detached ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, new construction. An ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit that is detached from the primary residential unit and may or may not be attached to another detached accessory building, including detached

garages, shall not exceed the following maximum floor area based on lot size and number of bedrooms:

- i. ~~Lots up to fourteen thousand nine hundred ninety-nine square feet:~~
- ii. One-bedroom or studio units: ~~Eight hundred fifty~~ 850 square feet.
- iii. Two or more-bedroom units: ~~One thousand~~ 1,000 square feet.

- 4. Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit. The maximum floor area of a ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall not exceed ~~five hundred~~ 500 square feet.

C. **Relationship to other floor area limitations.** The floor area of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is included in any other floor area limitation in this Title that is applicable to an attached or detached accessory building for the housing type and in the base zone in which the lot is located.

- 1. Exception. The floor area of a detached ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall be excluded from the aggregate maximum lot coverage allowed for other detached accessory buildings, such as work or storage sheds.

D. **Building separation.** The minimum separation between the primary residential unit and a detached ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall be five feet.

E. **Front, side, and rear setbacks.** The following setbacks shall apply to ~~new and converted standard~~ ~~a~~Accessory ~~d~~Dwelling ~~u~~Units approved pursuant to this section:

- 1. New construction. Newly constructed ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall comply with the following setback standards:
 - a. Front setback: Meet the minimum front setback for residential structures of the base zone district.
 - b. Side and rear setback: Four feet in all zones except 4-R-1, which must maintain a minimum three feet of distance in the side yards.
- 2. Converted. No setback is required to convert the existing floor area of a principal or accessory building to an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.
- 3. Demolished or substantially redeveloped. No setback is required when an existing principal or accessory building is demolished or substantially redeveloped and converted to an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, provided that the new building is reconstructed in the same location and with the same dimensions and floor area as the existing building.
 - a. Exception for small conforming additions. One small ~~one hundred fifty~~ 150-square-foot conforming first floor addition may be permitted on a substantially redeveloped and converted accessory building that is nonconforming as to the front, side, or rear setbacks for accommodation of unit ingress and egress.
- 4. New construction combined with replacement of a nonconforming accessory structure. The construction of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit may be combined with the demolition and replacement of a detached accessory structure that is

nonconforming as to the front, side, or rear setbacks if all of the following requirements are met:

- a. The new accessory structure is reconstructed in the same location and with the same dimensions as the existing accessory structure; or
- b. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and any additions to the accessory structure shall conform with setbacks of this section; and
- c. The new accessory structure shall comply with all applicable height and all other development standards of this section.

14.72.060 Design review.

All ~~a~~Accessory ~~d~~Dwelling ~~u~~Units or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall be subject to the following architectural design criteria as applicable to either new construction or exterior alterations, which shall be reviewed ministerially by the community development director or the director's designee. Design standards in the base zone district shall apply where they do not conflict with this section or state law. For purposes of this section, portions of a building or site considered to be the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall include all of the contiguous interior livable floor area of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit and any exterior alterations directly attached to, and integral to, the livable floor area of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.

- A. **Prohibition of shiny roofing and siding.** New roofing and siding materials that are shiny, mirror-like, or of a glossy metallic finish are prohibited.
- B. **Grading.** No more than ~~thirty~~ 30 cubic yards of grading on slopes of less than fifteen percent.
- C. **Height.** An accessory dwelling unit shall not exceed the following, whichever is greater:
 1. Height of the primary residential unit;
 2. Number of stories of the primary residential unit; ~~or~~
 3. 25 feet for Accessory Dwelling Units attached to the primary dwelling; or
 4. ~~Sixteen~~ 18 feet.

~~This height limitation is not applicable to an accessory dwelling unit constructed above a garage; however, in no event shall the resulting building exceed the maximum height or number of stories allowed for a detached or attached accessory building in the zone.~~

5. Notwithstanding Sections 14.72.060(C)(1)-(4) above, for Accessory Dwelling Units constructed as a second story or over a garage, the resulting building shall not exceed two stories and the maximum height allowed in the zone. Unless constructed over a garage, the new unit located in the front yard shall be:
 - ~~a. No more than one story and sixteen feet in height; and~~
 - ~~b. Screened from the street by location or landscape, as viewed from the street.~~

- D. **Design.** New detached or attached ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall utilize the design of the primary residential unit regarding style, fenestration, materials, colors, and details if the accessory dwelling unit meets any of the following:
1. Attached to, or if any portion of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is located within ~~twenty~~ 20 feet of, the primary residential unit;
 2. Two stories tall, or ~~twelve~~ 12 feet or taller in building height;
 3. Located in the front yard or visible from a public street or public place.
 4. Located on a site on which there is a historical resource as follows:
 - a. Listed on the National Register of Historic Places or the California Register of Historic Resources; or
 - b. Designated as a city of Carpinteria Landmark or Structure of Merit.
- E. **Front yard location.** The construction of a new detached ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit located in the front yard shall be subject to all of the following: The new ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit must be located a minimum of twenty feet back from all front lot lines, or meet the minimum front setback for the zone in which the lot is located, whichever is greater, providing setbacks do not preclude construction of a ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.
1. Accessory Dwelling Units located in the front yard shall be screened from the street by location or landscape, as viewed from the street.
- F. **Privacy standards.** The construction of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit where any portion of the proposed construction is either: two or more stories tall or ~~sixteen~~ 16 feet or taller in building height, shall comply with the following:
1. Upper story unenclosed landings, decks, and balconies greater than twenty square feet, shall face the primary residential unit or the public right-of-way.
 2. Upper story unenclosed landings, decks and balconies, that do not overlook the adjoining property due to orientation or topography, may be located at the minimum interior setback line if an architectural screening element such as enclosing walls, trellises, awnings or perimeter planters with an eight-foot minimum height is incorporated into the unenclosed landing, deck or balcony.
 3. Upper story windows that face or overlook the adjoining property, located within fifteen feet of the interior lot lines, shall be installed with a minimum of seventy-two inches above finish floor.
- G. **~~Solar access~~ Rooftop Solar.** Newly constructed detached ~~a~~Accessory ~~d~~Dwelling ~~u~~Units are subject to the energy code requirement to provide solar panels. The panels may be installed on the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or the primary residential unit. Accessory ~~d~~Dwelling ~~u~~Units that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing detached building is converted from non-residential to residential space, are not subject to this requirement.

14.72.070 Protection for historic resources.

No ~~a~~Accessory d~~D~~welling u~~U~~nit or ~~j~~Junior a~~A~~ccessory d~~D~~welling u~~U~~nit shall be permitted if the proposal would cause a substantial adverse change in the significance of a historical resource that is listed or eligible for listing on the National Register of Historic Places, the California Register of Historical Resources, located in the downtown and Old Town District, or designated as a city of Carpinteria Landmark or Structure of Merit. The community development director shall make this determination by requiring additional information that the director determines is necessary, including, but not limited to, a historic resources report, to ensure that the proposal is consistent with city cultural and historic resource policies and as appropriate, the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

14.~~73~~72.080 Parking standards.

Consistent with the requirements of the city's coastal land use plan policies, sufficient off-street parking must be provided for any new development and substantial redevelopment so as to avoid significant adverse impacts to public access to the shoreline and coastal recreation areas. Automobile parking, therefore, must be provided consistent with this section for lots developed with ~~a~~Accessory d~~D~~welling u~~U~~nits or ~~j~~Junior a~~A~~ccessory d~~D~~welling u~~U~~nits, as follows:

A. **ADU Beach neighborhood overlay district.** All required parking in the ADU beach neighborhood overlay district shall be located based on:

1. The city's local coastal plan objective OSC-14 and policy OSC-14a, the city's final sea level rise vulnerability assessment and adaption plan identification of increasing coastal flood hazards in the ADU beach neighborhood overlay district and given existing identified impeded traffic flow during flood events at neighborhood and Carpinteria State Beach parking lots.
2. The need to preserve coastal public access in this area, where specific vacation rental provisions are implemented under the LCP and high demand exists for coastal visitor-serving recreational opportunities, including coastal access parking.

~~Parking may be located and designed consistent with D.3 of this section.~~

B. **Primary residential units.** Automobile parking for the primary residential unit shall be provided in compliance with Chapter 14.54, except as provided below.

1. Special procedures for conversion or demolition of existing covered parking to an accessory dwelling unit. When an existing garage, carport, or other covered parking structure is converted to an ~~a~~Accessory d~~D~~welling u~~U~~nit or ~~j~~Junior a~~A~~ccessory d~~D~~welling u~~U~~nit or demolished in conjunction with the construction of the unit, the required covered parking spaces that are displaced by the conversion or demolition shall not be required to be replaced.
2. Nonconforming conditions. ~~If a Special Accessory Dwelling Unit the accessory dwelling unit and/or junior accessory dwelling unit is developed in accordance~~

with all the requirements of this chapter, ~~and is a special accessory dwelling unit eligible for approval~~, nonconforming parking shall not be required to conform to current parking standards for new floor area associated with the unit(s).

- C. **Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units.** No automobile parking is required for ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units.
- D. **No parking required for certain dwelling units.** The following types of ~~a~~Accessory ~~d~~Dwelling ~~u~~Units are not required to provide parking if it meets all of the following criteria:
1. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is located outside of the ADU beach neighborhood overlay district based on the final sea level rise vulnerability assessment and adaption plan science-based identification of coastal hazards in the ADU beach neighborhood overlay district, that presently occur along the seaward side of Sandyland Road, and with increasing hazards that are projected to occur in the district due to estimated sea level rise of one to five feet, between the present and through 2100.
 2. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit meets at least one of the following measures that will sufficiently reduce the demand for off-street parking:
 - a. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is located within a walking distance of one-half mile of an operational public transit stop, which shall include various means of transportation that charge set fees, run on fixed routes, and are available to the public; or
 - b. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is located within the downtown old town district as identified in the general plan; or
 - c. The ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit is contained entirely within the permitted floor area of the existing primary residential unit or an existing accessory building; or
 - d. When on-street parking permits are required but not offered to the occupants of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit; or
 - e. When there is a carshare vehicle located within five hundred feet of the ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.
 - f. When a permit application for an Accessory Dwelling Unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the Accessory Dwelling Unit or the lot satisfies any other criteria listed in above subparagraphs 2.a through 2.e, inclusive.
 3. All other ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall provide parking as below:
 - a. A minimum of one uncovered automobile parking space per unit or bedroom, whichever is less. Guest parking shall not be required for ~~a~~Accessory ~~d~~Dwelling ~~u~~Units in any circumstance.
 - b. The space may be provided as tandem parking on a driveway.

- c. Uncovered parking spaces may be located four feet from any interior lot line, provided a minimum of three feet in width of planting area is provided for the length of the paved parking area along the interior lot line.

14.72.090 Development standards for ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units.

Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units, as defined in Section 14.72.020(a), shall be allowed, consistent with ~~s~~State law, in accordance with either subsection A or B, below, and shall conform to the development standards of subsection C, below. Design standards of the base zone district shall apply where they do not conflict with this section or state law.

A. **Configuration—Dwelling, single family lots.** A lot developed with only one existing or proposed single residential unit, may permit up to one Junior Accessory Dwelling Unit contained entirely within to fully enclosed existing or proposed primary residential unit, and one of the following types of Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units:

1. Converted portion of main building. ~~Only one aAccessory dDwelling uUnit and/or junior accessory dwelling unit~~ contained entirely within the fully enclosed existing floor area of the existing or proposed primary residential unit; or
2. Converted accessory building. ~~Only one aAccessory dDwelling uUnit~~ contained entirely within the fully enclosed existing floor area of a garage or other accessory building on the same lot as the primary residential unit, plus one hundred fifty-square-foot conforming first floor addition, if the addition is limited to accommodating ingress and egress; or
3. One unit—New construction. One newly constructed ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, detached from any other main or accessory building. ~~;~~ ~~or~~
4. ~~Two units—Combination. One junior accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed livable floor area of the existing or proposed primary residential unit, plus one newly constructed, accessory dwelling unit, detached from any other main or accessory building.~~

B. **Configuration—Dwelling, multiple family lots.** A lot developed with two or more residential units may permit one of the following types of Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units:

1. Converted non-livable space. At least one ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, and up to twenty-five percent of the existing number of multifamily units structures ~~(structure containing multiple dwelling units)~~ on a lot, ~~may shall~~ be converted into allowed as a Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units on the lot, if contained entirely within portions of fully enclosed existing floor area of a residential structure that is not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. In mixed-use buildings, commercial floor area shall not be converted to a Special Accessory Dwelling Unit. ; ~~or~~

2. Two units—New construction. No more than one newly constructed accessory dwelling unit, detached from any other main or accessory building, shall be allowed for lots with four or fewer units. For lots with greater than four units, no more than two newly constructed accessory dwelling units, detached from any other main or accessory building shall be allowed.

C. **Development standards generally.** The development standards listed in this section apply to specific types of ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units with certain size, height, and setback standards that, if followed, allow for a permit issued by the director of the community development department. Further, no lot coverage, floor area ratio, open space, front setbacks, or minimum lot size shall preclude the construction of a ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.

1. Maximum unit size. The maximum unit size of a ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall be ~~eight hundred~~ 800 square feet.
2. Minimum unit size. The minimum unit size of a Special Accessory Dwelling Unit shall be as specified in 14.72.050(B)
3. Height. The maximum height of a ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit shall be ~~sixteen feet~~ as specified in 14.72.060(C).
4. Setbacks. Rear yard and side yard setbacks shall be a minimum of four feet.
5. Parking. Except for ~~a~~Accessory ~~d~~Dwelling ~~u~~Units or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units located in the ADU beach neighborhood overlay district, which is subject to Section 14.72.080, Parking standards, no replacement or additional parking shall be required.
6. Nonconformity. Correction of any existing or created nonconformity shall not be required, except that ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Units shall not be allowed in buildings or structures that are nonconforming as to coastal resource protection policies or development standards of the LCP. Existing multifamily dwellings that are nonconforming as to height, rear setbacks, and side setbacks shall not be used as a reason to deny an Accessory Dwelling Unit permit application.
7. Rental term. No unit shall be rented for ~~thirty~~ 30 days or less.
8. Fire sprinklers. Fire sprinklers are required in units where required for the primary residence. Construction of a Special Accessory Dwelling Unit shall not trigger a requirement for fire sprinklers in the primary residential unit.
9. Density. Units shall not be calculated as part of general plan/coastal land use plan density calculations.
10. ~~Ownership occupancy. Special accessory dwelling units and junior accessory dwelling units shall conform to owner occupancy terms as defined in Section 14.72.040(D).~~

D. **Development standards for conversion of existing or proposed primary single-family residence or accessory structure into a ~~s~~Special ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.** Except for ~~a~~Accessory ~~d~~Dwelling ~~u~~Units located in the ADU beach

neighborhood overlay district, which is subject to Section 14.72.080, Parking standards, no size limitation, height, setback, lot coverage, design review, landscape, or other development standard shall be required. The proposed unit shall be required to obtain an administrative coastal development permit and building permit.

- E. Any reductions and exceptions in this section are for the express purpose of promoting the development and maintenance of a sSpecial aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit on the lot. If for any reason the Special aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit is no longer maintained on the lot, the lot shall be brought into compliance with all of the requirements for the remaining residential development, or with the legal nonconforming condition of the lot prior to the development of the Special aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit.
- F. Applications utilizing the sSpecial aAccessory dDwelling uUnit standards described in this section may not utilize the less restrictive configuration, size, and height standards allowed under another section to achieve a larger unit or more than one unit.
- G. Except as otherwise specified in this section, sSpecial aAccessory dDwelling uUnits developed in accordance with this chapter shall otherwise comply with the development standards applicable to the housing type and base zone district in which the lot is located and all applicable state and local building codes.

14.72.100 Processing requirements.

All aAccessory dDwelling uUnits and jJunior aAccessory dDwelling uUnits shall comply with applicable state and local building codes and shall require approval of either a coastal development permit without public hearing and a building permit, or an appealable coastal development permit and a building permit for units located within the zones governed by the California Coastal Commission Appeals Jurisdiction.

- A. **Residential density.** An aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit is a residential use that is consistent with the existing coastal land use plan designation and zoning for lots within the allowable residential zones. Any aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit permitted pursuant to this section does not exceed the allowable density for the lot upon which the aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit is located.
- B. **Combined permits.** If a permit application for an aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit is submitted at the same time as a permit application for a new single-unit dwelling, review of the permit for aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit application shall be delayed until the permit for the single-unit dwelling has been approved.
- C. **Permit approval.** Except for applications to create an aAccessory dDwelling uUnit or jJunior aAccessory dDwelling uUnit in the ADU beach neighborhood overlay district, where the city determines that discretionary review is required, the city shall act on the application to create an aAccessory dDwelling uUnit or jJunior

~~a~~Accessory ~~d~~Dwelling ~~u~~Unit within sixty days from the date a complete application is submitted, if an existing primary residence or multifamily dwelling exists on the lot and the proposed ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit conforms to all applicable objective development standards of this chapter. If ~~an applicant requests a delay,~~ ~~t~~The complete application shall be deemed approved unless the city provides the applicant with notice within the sixty-day period that the application implicates Coastal Act/LCP policies such that it requires further review.

1. If the city denies an application for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit pursuant to subsection C, the permitting agency shall, within the time period described in subsection C, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.
- D. **Building permit approval.** The city shall ministerially approve or disapprove a complete building permit application for an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit in compliance with time periods established by ~~s~~State law, following any applicable coastal development permit approvals. When an Accessory Dwelling Unit application proposes to demolish a detached garage and replace it with an Accessory Dwelling Unit, a demolition permit will be reviewed and issued at the same time as the Accessory Dwelling Unit permit, in accordance with Section 14.72.100(C).
- E. **Preapproval of Plan Sets.** Pursuant to Government Code section 65852.27, or as it may be amended, the city shall accept Accessory Dwelling Unit plans for preapproval. Applications for a detached new construction Accessory Dwelling Unit that utilize plans preapproved by the city within the current triennial California Building Standards Code rulemaking cycle shall be approved or denied within 30 days of complete application submittal.
- F. **Exemption for public improvements.** No public improvements shall be required for the creation or conversion of an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit.
- G. **Impact fees.** Accessory ~~d~~Dwelling ~~u~~Units up to ~~seven hundred fifty~~ 750 square feet are exempt from impact fees. Accessory ~~d~~Dwelling ~~u~~Units that are ~~seven hundred fifty~~ 750 square feet or larger may be charged impact fees but only such fees that are proportional in size (by square foot) to those for the primary dwelling. In no event shall ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units be charged impact fees.
- H. **School impact fees.** School districts may levy impact fees for ~~a~~Accessory ~~d~~Dwelling ~~u~~Units greater than ~~five hundred~~ 500 square feet. Such fees should be based on city and school district coordination and evaluation, and findings of a district prepared nexus study to determine any appropriate fees necessary to ensure the adequacy of school facilities.
- I. **Recorded agreement.** Before obtaining a building permit for an ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit or ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Unit, the property owner shall execute an agreement, containing a reference to the deed under which the property was acquired by the present owner which outlines the requirements regarding the

sale, rental, and owner occupancy of lots developed with ~~a~~Accessory ~~d~~Dwelling ~~u~~Units and ~~j~~Junior ~~a~~Accessory ~~d~~Dwelling ~~u~~Units as specified in Section 14.72.040 of this chapter and other applicable limitations in the Title 14 of the Carpinteria Municipal Code and city administrative policies applying to the applicable base zone district that shall run with the land.

- J. **Recorded deed restriction.** As a condition of coastal permit approval for new development in the ADU beach neighborhood overlay district, and as required by the city zoning code and other applicable laws, ordinances, policies, practice and/or procedures, the city may require that an applicant record a deed restriction on the property to acknowledge and agree to certain conditions, including, but not limited to: 1) that the development is located in a hazardous area, or an area that may become hazardous in the future; 2) to assume the risks of injury and damage from such hazards in connection with the permitted development; 3) to unconditionally waive any claim of damage or liability against the city of Carpinteria and coastal commission, if the property is appealed, its officers, agents, and employees with respect to approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; 5) that they have no rights under Coastal Act Section 30235 and related ~~LCP~~ local coastal plan policies to shoreline armoring in the future; 6) that sea level rise could render it difficult or impossible to provide services to the site (e.g., maintenance of roadways, utilities, sewage or water systems), thereby constraining allowed uses of the site or rendering it uninhabitable; 7) that the boundary between public land (tidelands) and private land may shift with rising seas, the structure may eventually be located on public trust lands, and the development approval does not permit encroachment onto public trust land; 8) any future encroachment must be removed unless the coastal commission determines that the encroachment is legally permissible pursuant to the Coastal Act and authorizes it to remain, and any future encroachment would also be subject to the state lands commission's (or other trustee agency's) leasing approval; and 9) that the structure may be required to be removed or relocated and the site restored if it becomes unsafe or if removal is required.

14.72.110 Authority to review.

- A. **Coastal commission permit jurisdiction.** Notwithstanding other permit and appeal provisions of this chapter, development proposals which are located on lands identified as tidelands, submerged lands or public trust lands as identified on the Post-LCP Certification Permit and Appeal Jurisdiction Map, city of Carpinteria, adopted by the coastal commission, shall require a coastal development permit from the coastal commission pursuant to California Public Resources Code Section 30519(b). Upon submittal to the city of an application for a coastal development permit, the community development director shall notify the applicant and the coastal commission of the determination that the project is within the retained permit jurisdiction of the coastal commission, and therefore, a state coastal development permit issued by the coastal commission is required for the development. In

conjunction with the city's review and decision on the development in accordance with the requirements of this chapter and other city codes, the city shall also make a recommendation to the coastal commission regarding the development's conformance with the certified local coastal program, including this chapter. The city's determination of development conformance with the objectives and requirements of the local coastal program shall be advisory only and not a final action under this chapter. Development shall not proceed until the coastal commission grants a coastal permit for such a development.

- B. **Coastal commission appeals jurisdiction.** Where an appealable coastal development permit is required pursuant to Section 14.48 of this title, the authority to review an application for a coastal development permit is designated to the community development director or the director's designee. In the appealable area, decisions of the director or the director's designee may be appealed to the coastal commission in accordance with Section 14.48. Actions on applications to construct a Accessory Dwelling Unit within these areas shall be consistent with the provisions of the applicable zone and the policies and development standards of the city of Carpinteria's certified local coastal program and Chapter 3 of the California Coastal Act.
- C. **Discretionary review with appeals (ESHA and beach neighborhood overlay district.)** Applications to create an Accessory Dwelling Unit or a Junior Accessory Dwelling Unit in the ADU beach neighborhood overlay district, where the community development director or the director's designee determines that discretionary review is required, shall be processed with a coastal development permit, that may be appealed in accordance with section 14.78 of this chapter.
- D. **Coastal development permits without discretionary review.** When a proposed Accessory Dwelling Unit or a Junior Accessory Dwelling Unit is not a Special Accessory Dwelling Unit and is located outside the coastal commission appeals jurisdiction, the ADU beach neighborhood overlay district, and/or an environmentally sensitive habitat area, a coastal development permit application shall be required and the application shall be reviewed and approved by the community development director, or the director's designee, without a public hearing in accordance with Government Code Section 65852.2. The decision of the community development director, or the director's designee shall not be appealable and constitute the final action of the city.
- E. **Administrative coastal development permit for Special Accessory Dwelling Units.** When a Special Accessory Dwelling Unit is proposed in conformance with 14.72.090 of this section and is located outside the coastal commission appeals jurisdiction, the ADU beach neighborhood overlay district, and/or an environmentally sensitive habitat area, such unit shall be issued an administrative coastal development permit by the community development director or the director's designee without a public hearing in accordance with Government Code Section 65852.2 and not be appealable and constitute the final action of the city.
- F. **Building permits for Junior Accessory Dwelling Units.** When a Junior Accessory Dwelling Unit is completely within the footprint of a single-family

residence and is located outside the coastal commission appeals jurisdiction and/or the ADU beach neighborhood overlay district, such unit shall be required to obtain a building permit to ensure compliance with building code and health and safety standards. No Coastal Development Permit shall be required.

End.

PASSED, APPROVED, AND ADOPTED this ___ day of ___, 2024, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held this ___ day of ___, 2024.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP, acting as
City Attorney of the City of Carpinteria

Attachment B

Carpinteria Municipal Code

Chapter 14.72

(Current ADU/JADU
Regulations)

Chapter 14.72 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS¹

14.72.010 Purpose and intent.

The purpose of this chapter is to provide for processing requests for accessory dwelling units (ADU) and junior accessory dwelling units (JADU) within zone districts that permit residential uses, as defined in this chapter and chapters governing zone districts of Title 14. The need for these provisions is based on the following findings:

1. The adopted policy of the city is to encourage a range of housing types, designs, and costs to suit the varying needs and desires of the community in terms of income, family size, and physical ability within existing neighborhoods.
2. Opportunities for affordable housing for persons of low and moderate income are becoming increasingly scarce.
3. The shortage of low-and moderate-income housing opportunities is exacerbated by the lack of available rental units at a time when few rental units are being constructed. Thus, the existing rental stock needs to be preserved and new rental opportunities provided.
4. Accessory dwelling units have been a part of the city's housing stock and provide a valuable source of rental housing for persons of low and moderate income, particularly the elderly, students, and single-parent family households.
5. The establishment of clear objective development standards, consistent with applicable state law, including, but not limited to, Government Code Section 65852.2 or 65852.22 and the California Coastal Act, is required to reduce the time necessary to secure permits for accessory dwelling unit and junior accessory dwelling unit construction and to ensure that there will be no adverse effect on the public health, safety and welfare.
6. Expand opportunities to create additional housing to suit the spectrum of individual lifestyles and space needs, allow more efficient use of existing housing stock and public infrastructure, and provide a range of housing opportunities.
7. Allow accessory dwelling units and/or junior accessory dwelling units as an accessory use to a Primary residential unit, consistent with California Government Code Section 65852.2 or 65852.22 and the California Coastal Act, as applicable.
8. Promote accessory dwelling units and/or junior accessory dwelling units that are compatible with the surrounding neighborhood, cultural and historic resources, and historic districts; preserve the city's coastal resources including, but not limited to, environmentally sensitive habitats, public coastal access, and visual resources; promote long-term sustainability; contribute to a desirable living environment; and avoid risks to public safety associated with loss of life, property, and social dislocations resulting from identified coastal hazards, including flooding.

¹Editor's note(s)—Ord. No. 758 , §§ 3, 4, adopted Jan. 23, 2023, repealed the former Ch. 14-72, §§ 14.72.010—14.72.110, and enacted a new Ch. 14-72 as set out herein. The former Ch. 14-72 pertained to secondary dwelling units and derived from Ord. 593 § 3 (part), 2003.

14.72.020 Definitions.

Chapter 14.08 (Definitions) apply to Chapter 14.72, unless they conflict with the definitions below. Where a conflict may occur, the definitions below shall apply and have the following meaning:

- A. *Accessory dwelling unit.* An attached or a detached residential unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residential unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and be located on the same parcel that the primary residential unit is or will be situated. The following categories of accessory dwelling units are subject to specific development standards:

Accessory dwelling unit. Accessory dwelling units connected with an existing or proposed primary residential unit, with size, height, and setback standards as described in Section 14.72.055, (Development standards for accessory dwelling units). Up to one accessory dwelling unit and one junior accessory dwelling unit may be allowed on property where residential uses are permitted and has been developed, or will be developed concurrently with the accessory dwelling unit(s), subject to the provisions of this Chapter (14.72).

Special accessory dwelling unit. Specific types of accessory dwelling units, meeting specific criteria identified in Government Code Section 65852.2(e) that may be combined with a junior accessory dwelling unit with certain size, height, and setback standards described in Section 14.72.090, (Development standards for special accessory dwelling units). Further, special accessory dwelling units allow for more than one accessory dwelling unit on a property zoned for multiple family use. Such units are not subject to local zoning and development standards, but must meet building code and health and safety requirements.

An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.
 2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.
- B. *Carshare vehicle.* A motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization which provides hourly or daily car sharing service to its members.
- C. *Efficiency kitchen.* A kitchen that includes at a minimum:
1. Appliances for cooking food and refrigeration, either built-in or countertop.
 2. A sink for food preparation greater than twelve inches by twelve inches, excluding the sink located in the bathroom.
 3. A food preparation counter.
- D. *Existing floor area.* A legally permitted building constructed on the site with a final inspection or certificate of occupancy as of the date of application submittal, that conforms to current zoning standards or is legal nonconforming as to current zoning standards, in accordance with Section 14.08.270 (Floor Area, Gross) and Section 14.08.275 (Floor Area, Net).
- E. *Junior accessory dwelling unit.* A unit that is no more than five hundred square feet in size and contained entirely within an existing or proposed single residential unit. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing or proposed single residential unit and includes an efficiency kitchen.

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- F. *Passageway*. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
 - G. *Primary residential unit*. The existing or proposed residential unit on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted. The primary residential unit shall comprise one unit in either a dwelling, one family; dwelling, two family; dwelling, multiple; or mixed-use development (as those terms are defined in Section 14.08 (Definitions') of this title).
 - H. *Principal place of residence*. The residence where a property owner actually lives for the greater part of time, or the place where the property owner remains when not called elsewhere for some special or temporary purpose and to which the property owner returns frequently and periodically, as from work or vacation.

If multiple persons own the property as tenants in common or some other form of common ownership, a person or persons representing at least fifty percent of the ownership interest in the property shall reside on the property a majority of their time as their principal place of residence. Any person or persons who qualify for the homeowner's tax exemption under the California State Board of Equalization rules, may qualify as an owner occupant.

The burden shall be on the property owner to show that the primary residential unit, accessory dwelling unit, or junior accessory dwelling unit is the property owner's principal place of residence as evidenced by qualifying for the homeowner's tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner-occupancy as their principal place of residence.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.030 Where permitted.

- A. *Accessory dwelling unit*. An accessory dwelling unit that conforms to the development standards of this section shall be permitted in any zone that allows residential use, located on a lot developed or proposed to be developed with one or more residential units, except as prohibited or restricted in subsection C below. An accessory dwelling unit that does not conform to the development standards of this section, may nonetheless be approved in accordance with the requirements of Section 14.72.060.H.2.
- B. *Junior accessory dwelling unit*. A junior accessory dwelling unit may be permitted in any zone that allows residential use, and shall be located on a lot developed with an existing or proposed single residential unit, except as prohibited or restricted in subsection C below.
- C. *Prohibited or restricted locations*.
 - 1. Based on the final sea level rise vulnerability assessment and adaption plan identification of flooding hazards in the beach neighborhood overlay district and city local coastal plan objective S-4, proposed accessory dwelling units in the beach neighborhood overlay district, as defined in the ADU beach overlay district zoning map, shall be subject to discretionary review, as determined necessary by the community development director, or a director-appointed designee, to address and mitigate identified coastal hazards, including flooding, and coastal resource policy issues that address coastal access, in order to avoid risks to public safety associated with loss of life, property, and social dislocations.
 - 2. Accessory dwelling units shall be permitted in locations that are consistent with coastal resource protection policies of the city's coastal land use plan, including, but not limited to, environmentally sensitive habitats; coastal access; and visual, recreational, and cultural resources.
 - 3. No accessory dwelling unit or junior accessory dwelling unit shall be permitted in a formally designated area where water or sewer service is found to be inadequate by the Carpinteria Sanitary District or Carpinteria Valley Water District, as appropriate, or in a formally designated area where traffic flow

and public safety would be adverse impacted, as determined by the Carpinteria-Summerland Fire Protection District.

4. Unless prohibited or restricted by C.1 - C.4 of this subsection, applications for an accessory dwelling unit and/or junior accessory dwelling unit in the California Coastal Commission's appeals jurisdiction shall be permitted in accordance with Section 14.72.110.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.035 Unit configuration.

- A. One accessory dwelling unit and/or one junior accessory dwelling unit shall be permitted on a lot in addition to the primary residential unit, pursuant to this chapter. However, multiple accessory dwelling units may be permitted in accordance with all the configuration requirements, development standards, and special procedures outlined in Section 14.72.090, Development standards for special accessory dwelling units.
- B. An accessory dwelling unit may be permitted in the following configurations:
 1. Incorporated entirely within an existing or proposed primary residential unit.
 2. Incorporated entirely within an existing accessory building, including garages, located on the same lot as the primary residential unit.
 3. Through conversion of a garage, carport or covered parking structure.
 4. Attached to or increasing the size of an existing primary residential unit or attached accessory building located on the same lot as the primary residential unit.
 5. Detached from and located on the same lot as the existing or proposed primary residential unit. An accessory dwelling unit that is attached to another detached accessory building, but not the primary residential unit, or is attached by a breezeway or porch, is considered detached.
- C. Except as provided in Health and Safety Code Section 17981.12, Accessory Dwelling Units shall not be permitted within an existing nonconforming structure if the structure is nonconforming as to the coastal resource protection policies of the LCP.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.040 Sale, rental, and occupancy terms.

All accessory dwelling units and junior accessory dwelling units shall be subject to the following sale, rental, and occupancy terms:

- A. *Not to be sold separately.* An accessory dwelling unit or junior accessory dwelling unit shall not be sold separately from the primary residential unit, subject to the provisions of Government Code Section 65852.26 and/or other provisions of state law that govern accessory dwelling unit and/or junior accessory dwelling unit sales.
- B. *Deed restriction.* Prior to issuance of a permit for an accessory dwelling unit or junior accessory dwelling unit, the owner shall record a deed restriction with the county recorder and file the recorded deed restriction with the city, acknowledging the applicable use limitations consistent with this Section 14.72.040 or other applicable limitations in the Title 14 of the Carpinteria Municipal Code and city administrative policies applying to the applicable base zone district that shall run with the land.
- C. *Rental terms.* The accessory dwelling unit or junior accessory dwelling unit may be rented as a residential unit. The accessory dwelling unit or junior accessory dwelling unit shall not be rented as a

(Supp. No. 49)

short-term rental, as defined in Section 14.08.562 or for less than thirty-one consecutive days, whichever is more restrictive. Rental terms shall not allow termination of the tenancy prior to the expiration of at least one thirty-day period occupancy by the same tenant.

- D. *Owner occupancy.* The following types of projects are subject to an owner occupancy requirement:
1. The property owner's principal place of residence requirement, upon the property where an accessory dwelling unit is permitted, shall not apply to accessory dwelling units approved between adoption of this Chapter 14.72 and January 1, 2025. The property owner's principal place of residency requirement shall apply to, an accessory dwelling unit permit issued after January 1, 2025, unless otherwise prohibited under state law, or upon repeal of Government Code Section 65852.2(a)(6)(B) removing the state-imposed prohibition of an owner occupancy requirement, whichever occurs first.
 2. Where a junior accessory dwelling unit is located on a property, the burden shall be on the property owner to show that the primary residential unit, or junior accessory dwelling unit is the property owner's principal place of residence as evidenced by qualifying for the homeowner's tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner-occupancy. A property owner shall have only one principal place of residence for the purposes of this Chapter 14.72. Notwithstanding, owner occupancy shall not be required if the property owner is another governmental agency, land trust, or housing organization.
- E. *Hardship waiver.* If owner occupancy is required in accordance with subsection D, Owner occupancy, the property owner may apply for a temporary waiver in the event of a hardship. For the purposes of this section, an event of a hardship includes, but is not limited to, the death or disability of the property owner, job transfer, or similar significant personal situation which prevents the property owner from occupying the owner's unit. A property owner or estate representative may apply for a temporary waiver of the owner-occupation requirement for a specific time period to allow the owner's unit to be occupied by a non-property owner until the cessation of the circumstances preventing the property owner from occupying the owner's unit on the property. The community development director shall review applications for an event of hardship waiver. Any such temporary waiver shall specify the period of time for which it is granted, provided that no such waiver may be granted for a period longer than three years.
- F. *Removal of owner occupancy requirement.* With the exception of owner occupancy covenants, restrictions or conditions required to permit a junior accessory dwelling unit, the community development director will, in a form acceptable to the city attorney, release an owner occupancy requirement recorded against the property prior to adoption of this chapter upon the request of the property owner. No other covenants, restrictions or conditions required pursuant to this Title 14, and contained in the agreement recorded against the property shall be released, unless the community development director determines that the covenant, restriction or condition conflicts with California Civil Code section 714.3.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.050 Required features.

Each accessory dwelling unit or junior accessory dwelling unit shall contain, at a minimum, the following features:

- A. *Residential elements.* Permanent provisions for separate residential occupancy must be provided as follows within the contiguous livable floor space of the accessory dwelling unit or junior accessory dwelling unit and must be independent from the primary residential unit, unless otherwise noted:

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1. Provisions for cooking, including storage, countertop, sink, and electric outlets as required per Carpinteria Municipal Code, Title 15, Buildings and construction. A junior accessory dwelling unit may contain an efficiency kitchen.
 2. A bathroom consisting of a toilet, sink, and bathtub or shower. A junior accessory dwelling unit may share sanitation facilities with the existing or proposed primary residential unit.
 3. A separate sleeping room, except in studio residential units, where a living room is considered a sleeping room.
- B. *Minimum floor area.* The minimum floor area for a new accessory dwelling unit is as follows:
1. Efficiency unit: One hundred fifty square feet.
 2. Studio unit: Two hundred twenty square feet.
- Such usable floor area shall be exclusive of open porches, garages, basements, cellars and unfinished attics. The minimum floor area for accessory dwelling units that are created by converting existing structures is one hundred fifty square feet.
- C. *Exterior access.* Exterior access to the unit, that is independent from the primary residential unit must be provided. An accessory dwelling unit or junior accessory dwelling unit may provide an interior connection consisting of one fire-rated lockable door between the primary residential unit, but one is not required.
- D. *Fire sprinklers.* Fire sprinklers are required only if they are required for the primary residential unit.
- E. *Permanent foundation.* Attached and detached units shall be constructed with a city-approved permanent foundation in accordance with Chapter 15, Buildings and construction, of the Carpinteria Municipal Code.
- F. *Property addresses.* Addresses identifying all residential units on the lot, with minimum three-and one-half-inch numbers plainly visible from the street or road fronting the property shall be provided.
- G. *Utility fees.* An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- H. *Public sewer service.* Accessory dwelling units and junior accessory dwelling units shall comply with the sewer service requirements of the Carpinteria Sanitary District, including, but not limited to, advanced procurement of a sewer construction permit for exterior plumbing modifications or sewer lateral installation.
- I. *Public water service.* Accessory dwelling units shall comply with the water service requirements of the Carpinteria Valley Water District, consistent with state law, including, but not limited to, Government Code Section 65852.2(f)(2)(A).
- J. *Direct utility connection.* No direct new or separate utility connection, or related fees, shall be required between a public sewer or water service district and an accessory dwelling unit or junior accessory dwelling unit that is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure (including an expansion of not more than one hundred fifty square feet beyond the same physical dimensions as the existing structure).
- K. *Passageway.* No passageway is required in conjunction with the construction of an accessory dwelling unit or junior accessory dwelling unit.
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- L. *Enforcement of building standards.* In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code providing the accessory dwelling unit was built prior to January 1, 2020.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.055 Development standards for accessory dwelling units and junior accessory dwelling units.

- A. *Development standards generally.* The development standards listed in this section apply to accessory dwelling units and junior accessory dwelling units, except for special accessory dwelling units permitted in accordance with all the configuration requirements, development standards, and special procedures outlined in Section 14.72.090, Standards for special accessory dwelling units.
1. The reductions and exceptions to the development standards normally applicable to residential development allowed in this section are for the express purpose of promoting the development and maintenance of an accessory dwelling unit and/or junior accessory dwelling unit on the lot. If for any reason the accessory dwelling unit is not maintained on the lot in conformance with this section, the lot shall be brought into compliance with all of the requirements for the residential development, or with the legal nonconforming condition of the lot prior to the development of the accessory dwelling unit, including, but not limited to, the requirements for open yard, setbacks, and covered parking.
 2. Except as otherwise specified in this section, projects developed in accordance with this chapter shall otherwise comply with objective development standards applicable to an attached or detached accessory building or structure for the housing type and base zone in which the lot is located.
 3. One primary residential unit shall be designated on a lot on which an accessory dwelling unit and/or junior accessory dwelling unit is permitted.
 4. Notwithstanding Subsection B below or other local development standards for the base zone district that are not expressly prohibited by state law or reduced due to provisions in Section 14.72.030, any other minimum or maximum size for an accessory dwelling unit based upon a percentage of the proposed floor area or existing floor area, or limits on building coverage, floor area ratio, open space, or minimum lot size, for either attached or detached dwellings shall permit at a minimum: an eight hundred square foot accessory dwelling unit that is up to sixteen feet in height, with four-foot side and rear yard setbacks, constructed in compliance with all other local development standards.
- B. *Maximum floor area.* The maximum floor area(s) for a standard accessory dwelling unit and junior accessory dwelling unit are as follows:
1. Attached accessory dwelling unit. An accessory dwelling unit that is attached to, and increasing the size of, the primary residential unit shall not exceed fifty percent of the existing floor area of the existing primary residential unit, and shall not exceed a maximum floor area of eight hundred square feet.
 2. Converted accessory dwelling unit. An accessory dwelling unit that is incorporated entirely within an existing primary residential unit, or within an existing accessory building, is not limited in size.
 3. Detached accessory dwelling unit. An accessory dwelling unit that is detached from the primary residential unit and may or may not be attached to another detached accessory building, including detached garages, shall not exceed the following maximum floor area based on lot size and number of bedrooms:

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- a. Lots up to fourteen thousand nine hundred ninety-nine square feet:
 - i. One-bedroom or studio units: Eight hundred fifty square feet.
 - ii. Two or more-bedroom units: One thousand square feet.
 - 4. Junior accessory dwelling unit. The maximum floor area of a junior accessory dwelling unit shall not exceed five hundred square feet.
 - C. *Relationship to other floor area limitations.* The floor area of an accessory dwelling unit or junior accessory dwelling unit is included in any other floor area limitation in this Title that is applicable to an attached or detached accessory building for the housing type and in the base zone in which the lot is located.
 - 1. Exception. The floor area of a detached accessory dwelling unit shall be excluded from the aggregate maximum lot coverage allowed for other detached accessory buildings, such as work or storage sheds.
 - D. *Building separation.* The minimum separation between the primary residential unit and a detached accessory dwelling unit shall be five feet.
 - E. *Front, side, and rear setbacks.* The following setbacks shall apply to new and converted standard accessory dwelling units approved pursuant to this section:
 - 1. New construction. Newly constructed accessory dwelling units shall comply with the following setback standards:
 - a. Front setback: Meet the minimum front setback for residential structures of the base zone district.
 - b. Side and rear setback: Four feet in all zones except 4-R-1, which must maintain a minimum three feet of distance in the side yards.
 - 2. Converted. No setback is required to convert the existing floor area of a principal or accessory building to an accessory dwelling unit.
 - 3. Demolished or substantially redeveloped. No setback is required when an existing principal or accessory building is demolished or substantially redeveloped and converted to an accessory dwelling unit, provided that the new building is reconstructed in the same location and with the same dimensions and floor area as the existing building.
 - a. Exception for small conforming additions. One small one hundred fifty-square-foot conforming first floor addition may be permitted on a substantially redeveloped and converted accessory building that is nonconforming as to the front, side, or rear setbacks for accommodation of unit ingress and egress.
 - 4. New construction combined with replacement of a nonconforming accessory structure. The construction of an accessory dwelling unit may be combined with the demolition and replacement of a detached accessory structure that is nonconforming as to the front, side, or rear setbacks if all of the following requirements are met:
 - a. The new accessory structure is reconstructed in the same location and with the same dimensions as the existing accessory structure; or
 - b. The accessory dwelling unit and any additions to the accessory structure shall conform with setbacks of this section; and
 - c. The new accessory structure shall comply with all applicable height and all other development standards of this section.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.060 Design review.

All accessory dwelling units or junior accessory dwelling units shall be subject to the following architectural design criteria as applicable to either new construction or exterior alterations, which shall be reviewed ministerially by the community development director or the director's designee. Design standards in the base zone district shall apply where they do not conflict with this section or state law. For purposes of this section, portions of a building or site considered to be the accessory dwelling unit shall include all of the contiguous interior livable floor area of the accessory dwelling unit and any exterior alterations directly attached to, and integral to, the livable floor area of the accessory dwelling unit.

- A. *Prohibition of shiny roofing and siding.* New roofing and siding materials that are shiny, mirror-like, or of a glossy metallic finish are prohibited.
- B. *Grading.* No more than thirty cubic yards of grading on slopes of less than fifteen percent.
- C. *Height.* An accessory dwelling unit shall not exceed the following, whichever is greater:
 - 1. Height of the primary residential unit;
 - 2. Number of stories of the primary residential unit; or
 - 3. Sixteen feet.

This height limitation is not applicable to an accessory dwelling unit constructed above a garage; however, in no event shall the resulting building exceed the maximum height or number of stories allowed for a detached or attached accessory building in the zone.
 - 4. Unless constructed over a garage, the new unit located in the front yard shall be:
 - a. No more than one-story and sixteen feet in height; and
 - b. Screened from the street by location or landscape, as viewed from the street.
- D. *Design.* New detached or attached accessory dwelling units shall utilize the design of the primary residential unit regarding style, fenestration, materials, colors, and details if the accessory dwelling unit meets any of the following:
 - 1. Attached to, or if any portion of the accessory dwelling unit is located within twenty feet of, the primary residential unit;
 - 2. Two stories tall, or twelve feet or taller in building height;
 - 3. Located in the front yard or visible from a public street or public place.
 - 4. Located on a site on which there is a historical resource as follows:
 - a. Listed on the National Register of Historic Places or the California Register of Historic Resources; or
 - b. Designated as a city of Carpinteria Landmark or Structure of Merit.
- E. *Front yard location.* The construction of a new detached accessory dwelling unit located in the front yard shall be subject to all of the following: The new accessory dwelling unit must be located a minimum of twenty feet back from all front lot lines, or meet the minimum front setback for the zone in which the lot is located, whichever is greater, providing setbacks do not preclude construction of a special accessory dwelling unit.

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- F. *Privacy standards.* The construction of an accessory dwelling unit where any portion of the proposed construction is either: two or more stories tall or sixteen feet or taller in building height, shall comply with the following:
1. Upper story unenclosed landings, decks, and balconies greater than twenty square feet, shall face the primary residential unit or the public right-of-way.
 2. Upper story unenclosed landings, decks and balconies, that do not overlook the adjoining property due to orientation or topography, may be located at the minimum interior setback line if an architectural screening element such as enclosing walls, trellises, awnings or perimeter planters with an eight-foot minimum height is incorporated into the unenclosed landing, deck or balcony.
 3. Upper story windows that face or overlook the adjoining property, located within fifteen feet of the interior lot lines, shall be installed with a minimum of seventy-two inches above finish floor.
- G. *Solar access.* Newly constructed detached accessory dwelling units are subject to the energy code requirement to provide solar panels. The panels may be installed on the accessory dwelling unit or the primary residential unit. Accessory dwelling units that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing detached building is converted from non-residential to residential space, are not subject to this requirement.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.070 Protection for historic resources.

No accessory dwelling unit or junior accessory dwelling unit shall be permitted if the proposal would cause a substantial adverse change in the significance of a historical resource that is listed or eligible for listing on the National Register of Historic Places, the California Register of Historical Resources, located in the downtown and Old Town District, or designated as a city of Carpinteria Landmark or Structure of Merit. The community development director shall make this determination by requiring additional information that the director determines is necessary, including, but not limited to, a historic resources report, to ensure that the proposal is consistent with city cultural and historic resource policies and as appropriate, the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.73.080 Parking standards.

Consistent with the requirements of the city's coastal land use plan policies, sufficient off-street parking must be provided for any new development and substantial redevelopment so as to avoid significant adverse impacts to public access to the shoreline and coastal recreation areas. Automobile parking, therefore, must be provided consistent with this section for lots developed with accessory dwelling units or junior accessory dwelling units, as follows:

- A. *Beach neighborhood overlay district.* All required parking in the beach neighborhood overlay district shall be located based on:
1. The city's local coastal plan objective OSC-14 and policy OSC-14a, the city's final sea level rise vulnerability assessment and adaption plan identification of increasing coastal flood hazards in the beach neighborhood overlay district and given existing identified impeded traffic flow during flood events at neighborhood and Carpinteria State Beach parking lots.

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2. The need to preserve coastal public access in this area, where specific vacation rental provisions are implemented under the LCP and high demand exists for coastal visitor-serving recreational opportunities, including coastal access parking.

Parking may be located and designed consistent with D.3 of this section.
- B. *Primary residential units.* Automobile parking for the primary residential unit shall be provided in compliance with Chapter 14.54, except as provided below.
 1. Special procedures for conversion or demolition of existing covered parking to an accessory dwelling unit. When an existing garage, carport, or other covered parking structure is converted to an accessory dwelling unit or a junior accessory dwelling unit or demolished in conjunction with the construction of the unit, the required covered parking spaces that are displaced by the conversion or demolition shall not be required to be replaced.
 2. Nonconforming conditions. If the accessory dwelling unit and/or junior accessory dwelling unit is developed in accordance with all the requirements of this chapter, and is a special accessory dwelling unit eligible for approval, nonconforming parking shall not be required to conform to current parking standards for new floor area associated with the unit(s).
 - C. *Junior accessory dwelling units.* No automobile parking is required for junior accessory dwelling units.
 - D. *No parking required for certain dwelling units.* The following types of accessory dwelling units are not required to provide parking if it meets all of the following criteria:
 1. The accessory dwelling unit is located outside of ADU beach neighborhood overlay district based on the final sea level rise vulnerability assessment and adaption plan science-based identification of coastal hazards in the beach neighborhood overlay district, that presently occur along the seaward side of Sandyland Road, and with increasing hazards that are projected to occur in the district due to estimated sea level rise of one to five feet, between the present and through 2100.
 2. The accessory dwelling unit meets at least one of the following measures that will sufficiently reduce the demand for off-street parking:
 - a. The accessory dwelling unit is located within a walking distance of one-half mile of an operational public transit stop, which shall include various means of transportation that charge set fees, run on fixed routes, and are available to the public; or
 - b. The accessory dwelling unit is located within the downtown old town district; or
 - c. The accessory dwelling unit is contained entirely within the permitted floor area of the existing primary residential unit or an existing accessory building; or
 - d. When on-street parking permits are required but not offered to the occupants of the accessory dwelling unit; or
 - e. When there is a carshare vehicle located within five hundred feet of the accessory dwelling unit.
 3. All other accessory dwelling units shall provide parking as below:
 - a. A minimum of one uncovered automobile parking space per unit or bedroom, whichever is less. Guest parking shall not be required for accessory dwelling units in any circumstance.
 - b. The space may be provided as tandem parking on a driveway.
 - c. Uncovered parking spaces may be located four feet from any interior lot line, provided a minimum of three feet in width of planting area is provided for the length of the paved parking area along the interior lot line.

14.72.090 Development standards for special accessory dwelling units.

Special accessory dwelling units, as defined in Section 14.72.020(a), shall be allowed, consistent with state law, in accordance with either subsection A or B, below, and shall conform to the development standards of subsection C, below. Design standards of the base zone district shall apply where they do not conflict with this section or state law.

- A. *Configuration—Dwelling, single family lots.* A lot developed with only one existing or proposed single residential unit, may permit one of the following types of special accessory dwelling units:
 - 1. Converted portion of main building. Only one accessory dwelling unit and/or junior accessory dwelling unit contained entirely within the fully enclosed existing floor area of the existing or proposed primary residential unit; or
 - 2. Converted accessory building. Only one accessory dwelling unit contained entirely within the fully enclosed existing floor area of a garage or other accessory building on the same lot as the primary residential unit, plus one hundred fifty-square-foot conforming first floor addition, if the addition is limited to accommodating ingress and egress; or
 - 3. One unit—New construction. One newly constructed accessory dwelling unit, detached from any other main or accessory building; or
 - 4. Two units—Combination. One junior accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed livable floor area of the existing or proposed primary residential unit, plus one newly constructed, accessory dwelling unit, detached from any other main or accessory building.
- B. *Configuration—Dwelling, multiple family lots.* A lot developed with two or more residential units may permit one of the following types of special accessory dwelling units:
 - 1. Converted non-livable space. At least one accessory dwelling unit, and up to twenty-five percent of the existing number of multifamily structures (structure containing multiple dwelling units) on a lot, may be converted into a special accessory dwelling unit on the lot, if contained entirely within portions of fully enclosed existing floor area of a residential structure that is not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; or
 - 2. Two units—New construction. No more than one newly constructed accessory dwelling unit, detached from any other main or accessory building, shall be allowed for lots with four or fewer units. For lots with greater than four units, no more than two newly constructed accessory dwelling units, detached from any other main or accessory building shall be allowed.
- C. *Development standards generally.* The development standards listed in this section apply to specific types of special accessory dwelling units with certain size, height, and setback standards that, if followed, allow for a permit issued by the director of the community development department. Further, no lot coverage, floor area ratio, open space, or minimum lot size shall preclude the construction of a special accessory dwelling unit.
 - 1. Maximum unit size. The maximum unit size of a special accessory dwelling unit shall be eight hundred square feet.
 - 2. Height. The maximum height of a special accessory dwelling unit shall be sixteen feet.
 - 3. Setbacks. Rear yard and side yard setbacks shall be a minimum of four feet.

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4. Parking. Except for accessory dwelling units or junior accessory dwelling units located in beach neighborhood overlay district, which is subject to Section 14.72.080, Parking standards, no replacement or additional parking shall be required.
 5. Nonconformity. Correction of any existing or created nonconformity shall not be required, except that special accessory dwelling units shall not be allowed in buildings or structures that are nonconforming as to coastal resource protection policies or development standards of the LCP.
 6. Rental term. No unit shall be rented for thirty days or less.
 7. Fire sprinklers. Fire sprinklers are required in units where required for the primary residence.
 8. Density. Units shall not be calculated as part of general plan/coastal land use plan density calculations.
 9. Ownership occupancy. Special accessory dwelling units and junior accessory dwelling units shall conform to owner occupancy terms as defined in Section 14.72.040(D).
- D. *Development standards for conversion of existing or proposed primary single-family residence or accessory structure into a special accessory dwelling unit.*
- Except for accessory dwelling units located in beach neighborhood overlay district, which is subject to Section 14.72.080, Parking standards, no size limitation, height, setback, lot coverage, design review, landscape, or other development standard shall be required. The proposed unit shall be required to obtain a building permit.
- E. Any reductions and exceptions in this section are for the express purpose of promoting the development and maintenance of a special accessory dwelling unit or junior accessory dwelling unit on the lot. If for any reason the accessory dwelling unit or junior accessory dwelling unit is no longer maintained on the lot, the lot shall be brought into compliance with all of the requirements for the remaining residential development, or with the legal nonconforming condition of the lot prior to the development of the accessory dwelling unit or junior accessory dwelling unit.
- F. Applications utilizing the special accessory dwelling unit standards described in this section may not utilize the less restrictive configuration, size, and height standards allowed under another section to achieve a larger unit or more than one unit.
- G. Except as otherwise specified in this section, special accessory dwelling units developed in accordance with this chapter shall otherwise comply with the development standards applicable to the housing type and base zone district in which the lot is located and all applicable state and local building codes.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.100 Processing requirements.

All accessory dwelling units and junior accessory dwelling units shall comply with applicable state and local building codes and shall require approval of either a coastal development permit without public hearing and a building permit, or an appealable coastal development permit and a building permit for units located within the zones governed by the California Coastal Commission Appeals Jurisdiction.

- A. *Residential density.* An accessory dwelling unit or junior accessory dwelling unit is a residential use that is consistent with the existing coastal land use plan designation and zoning for lots within the allowable residential zones. Any accessory dwelling unit or junior accessory dwelling unit permitted pursuant to this section does not exceed the allowable density for the lot upon which the accessory dwelling unit or junior accessory dwelling unit is located.

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- B. *Combined permits.* If a permit application for an accessory dwelling unit or junior accessory dwelling unit is submitted at the same time as a permit application for a new single-unit dwelling, review of the permit for the accessory dwelling unit or junior accessory dwelling Unit application shall be delayed until the permit for the single-unit dwelling has been approved.
 - C. *Permit approval.* Except for applications to create an accessory dwelling unit or a junior accessory dwelling unit in the beach neighborhood overlay district, where the city determines that discretionary review is required, the city shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within sixty days from the date a complete application is submitted, if an existing primary residence or multifamily dwelling exists on the lot and the proposed accessory dwelling unit or junior accessory dwelling unit conforms to all applicable objective development standards of this chapter. If an applicant requests a delay, the application shall be deemed approved unless the city provides the applicant with notice within the sixty-day period that the application implicates Coastal Act/LCP policies such that it requires further review.
 - D. *Building permit approval.* The city shall ministerially approve or disapprove a complete building permit application for an accessory dwelling unit or junior accessory dwelling unit in compliance with time periods established by state law, following any applicable coastal development permit approvals.
 - E. *Exemption for public improvements.* No public improvements shall be required for the creation or conversion of an accessory dwelling unit or junior accessory dwelling unit.
 - F. *Impact fees.* Accessory dwelling units up to seven hundred fifty square feet are exempt from impact fees. Accessory dwelling units that are seven hundred fifty square feet or larger may be charged impact fees but only such fees that are proportional in size (by square foot) to those for the primary dwelling. In no event shall junior accessory dwelling units be charged impact fees.
 - G. *School impact fees.* School districts may levy impact fees for accessory dwelling units greater than five hundred square feet. Such fees should be based on city and school district coordination and evaluation, and findings of a district prepared nexus study to determine any appropriate fees necessary to ensure the adequacy of school facilities.
 - H. *Recorded agreement.* Before obtaining a building permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner shall execute an agreement, containing a reference to the deed under which the property was acquired by the present owner which outlines the requirements regarding the sale, rental, and owner occupancy of lots developed with accessory dwelling units and junior accessory dwelling units as specified in Section 14.72.040 of this chapter and other applicable limitations in the Title 14 of the Carpinteria Municipal Code and city administrative policies applying to the applicable base zone district that shall run with the land.
 - I. *Recorded deed restriction.* As a condition of coastal permit approval for new development in the ADU beach neighborhood overlay district, and as required by the city zoning code and other applicable laws, ordinances, policies, practice and/or procedures, the city may require that an applicant record a deed restriction on the property to acknowledge and agree to certain conditions, including, but not limited to: 1) that the development is located in a hazardous area, or an area that may become hazardous in the future; 2) to assume the risks of injury and damage from such hazards in connection with the permitted development; 3) to unconditionally waive any claim of damage or liability against the city of Carpinteria and coastal commission, if the property is appealed, its officers, agents, and employees with respect to approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; 5) that they have no rights under Coastal Act Section 30235 and related LCP policies to shoreline armoring in the future; 6) that sea level rise could render it difficult or impossible to provide services to the site (e.g., maintenance of roadways, utilities, sewage or water systems), thereby constraining allowed uses of the site or rendering it uninhabitable;
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7) that the boundary between public land (tidelands) and private land may shift with rising seas, the structure may eventually be located on public trust lands, and the development approval does not permit encroachment onto public trust land; 8) any future encroachment must be removed unless the coastal commission determines that the encroachment is legally permissible pursuant to the Coastal Act and authorizes it to remain, and any future encroachment would also be subject to the state lands commission's (or other trustee agency's) leasing approval; and 9) that the structure may be required to be removed or relocated and the site restored if it becomes unsafe or if removal is required.

(Ord. 758 , §§ 3, 4, 1-23-2023)

14.72.110 Authority to review.

- A. *Coastal commission permit jurisdiction.* Notwithstanding other permit and appeal provisions of this chapter, development proposals which are located on lands identified as tidelands, submerged lands or public trust lands as identified on the Post-LCP Certification Permit and Appeal Jurisdiction Map, City of Carpinteria, adopted by the coastal commission, shall require a coastal development permit from the coastal commission pursuant to California Public Resources Code Section 30519(b). Upon submittal to the city of an application for a coastal development permit, the community development director shall notify the applicant and the coastal commission of the determination that the project is within the retained permit jurisdiction of the coastal commission, and therefore, a state coastal development permit issued by the coastal commission is required for the development. In conjunction with the city's review and decision on the development in accordance with the requirements of this chapter and other city codes, the city shall also make a recommendation to the coastal commission regarding the development's conformance with the certified local coastal program, including this chapter. The city's determination of development conformance with the objectives and requirements of the local coastal program shall be advisory only and not a final action under this chapter. Development shall not proceed until the coastal commission grants a coastal permit for such a development.
- B. *Coastal commission appeals jurisdiction.* Where an appealable coastal development permit is required pursuant to Section 14.48 of this title, the authority to review an application for a coastal development permit is designated to the community development director or the director's designee. In the appealable area, decisions of the director or the director's designee may be appealed to the coastal commission in accordance with Section 14.48. Actions on applications to construct accessory dwelling units within these areas shall be consistent with the provisions of the applicable zone and the policies and development standards of the city of Carpinteria's certified local coastal program and Chapter 3 of the California Coastal Act.
- C. Discretionary review with appeals (ESHA and beach neighborhood overlay district.) Applications to create an accessory dwelling unit or a junior accessory dwelling unit in beach neighborhood overlay district, where the community development director or the director's designee determines that discretionary review is required, shall be processed with a coastal development permit, that may be appealed in accordance with section 14.78 of this chapter.
- D. *Coastal development permits without discretionary review.* When a proposed accessory dwelling unit or junior accessory dwelling unit is not a special accessory dwelling unit and is located outside the coastal commission appeals jurisdiction, the beach neighborhood overlay district, and/or an environmentally sensitive habitat area, a coastal development permit application shall be required and the application shall be reviewed and approved by the community development director, or the director's designee, without a public hearing in accordance with Government Code Section 65852.2. The decision of the community development director, or the director's designee shall not be appealable and constitute the final action of the city.

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- E. Administrative coastal development permit for special accessory dwelling units. When a special accessory dwelling unit is proposed in conformance with 14.72.090 of this section and is located outside the coastal commission appeals jurisdiction, the beach neighborhood overlay district, and/or an environmentally sensitive habitat area, such unit shall be issued an administrative coastal development permit by the community development director or the director's designee without a public hearing in accordance with Government Code Section 65852.2 and not be appealable and constitute the final action of the city.
- F. *Building permits for junior accessory dwelling units.* When a junior accessory dwelling unit is completely within the footprint of a single-family residence and is located outside the coastal commission appeals jurisdiction and/or the beach neighborhood overlay district, such unit shall be required to obtain a building permit to ensure compliance with building code and health and safety standards.

(Ord. 758 , §§ 3, 4, 1-23-2023)

Attachment C

ADU Beach Neighborhood
Overlay District Map

ADU Beach Neighborhood Overlay District



Legend

-  ADU Beach Neighborhood Overlay Boundary
-  Parcels in Beach Neighborhood ADU Overlay
-  Public Beach Access
-  Carpinteria City Boundary
-  City of Carpinteria
-  Unincorporated



Attachment D

Draft CEQA Notice of Exemption

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment E

Assembly Bill 1033 (2023)

**AB-1033 Accessory dwelling units: local ordinances: separate sale or conveyance.** (2023-2024)

Date Published: 10/12/2023 09:00 PM

Assembly Bill No. 1033**CHAPTER 752**

An act to amend Sections 65852.2 and 65852.26 of the Government Code, relating to housing.

[Approved by Governor October 11, 2023. Filed with Secretary of State
October 11, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1033, Ting. Accessory dwelling units: local ordinances: separate sale or conveyance.

Existing law, the Planning and Zoning Law, authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Existing law requires the ordinance to include specified standards, including prohibiting the accessory dwelling unit from being sold or otherwise conveyed separate from the primary residence, except as provided by a specified law.

Existing law, notwithstanding the prohibition described above, requires a local agency to allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met, including that the property was built or developed by a qualified nonprofit corporation and that the property is held pursuant to a recorded tenancy in common agreement that meets specified requirements.

This bill would, in addition, authorize a local agency to adopt a local ordinance to allow the separate conveyance of the primary dwelling unit and accessory dwelling unit or units as condominiums, as specified, and would make conforming changes.

By imposing new duties on local governments with respect to the approval of accessory dwelling units, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would also make a related statement of legislative findings and declarations.

This bill would incorporate additional changes to Section 65852.2 of the Government Code proposed by AB 976 to be operative only if this bill and AB 976 are enacted and this bill is enacted last.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) This act's provisions relating to the ability of local governments to limit short-term rentals within their jurisdiction is declaratory of existing law.

(b) This act's provisions relating to the ability of the associations created under the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code) to develop community covenants and regulations that govern separate interests within a common interest development is declaratory of existing law.

SEC. 2. Section 65852.2 of the Government Code is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26 and paragraph (10) of this subdivision, an accessory dwelling unit may be rented separate from the primary residence, but shall not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of

Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this clause shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) The ordinance shall require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(5) The ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(6) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(7) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(8) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, except that, subject to subparagraphs (B) and (C), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(B) (i) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit before January 1, 2025.

(ii) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit that was permitted between January 1, 2020, and January 1, 2025.

(C) Notwithstanding subparagraphs (A) and (B), a local agency may require that an accessory dwelling unit be used for rentals of terms longer than 30 days.

(9) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(10) In addition to the requirement that a local agency allow the separate sale or conveyance of an accessory dwelling unit pursuant to Section 65852.26, a local agency may also adopt a local ordinance to allow the separate conveyance of the primary dwelling unit and accessory dwelling unit or units as condominiums. Any such ordinance shall include all of the following requirements:

(A) The condominiums shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

(B) The condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all objective requirements of a local subdivision ordinance.

(C) Before recordation of the condominium plan, a safety inspection of the accessory dwelling unit shall be conducted as evidenced either through a certificate of occupancy from the local agency or a housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.

(D) (i) Neither a subdivision map nor a condominium plan shall be recorded with the county recorder in the county where the real property is located without each lienholder's consent. The following shall apply to the consent of a lienholder:

(I) A lienholder may refuse to give consent.

(II) A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.

(ii) Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

(iii) The lienholder's consent shall be included on the condominium plan or a separate form attached to the condominium plan that includes the following information:

(I) The lienholder's signature.

(II) The name of the record owner or ground lessee.

(III) The legal description of the real property.

(IV) The identities of all parties with an interest in the real property as reflected in the real property records.

(iv) The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.

(E) The local agency shall include the following notice to consumers on any accessory dwelling or junior accessory dwelling unit submittal checklist or public information issued describing requirements and permitting for accessory dwelling units, including as standard condition of any accessory dwelling unit building permit or condominium plan approval:

"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.

In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:

(a) Paying off your current lender.

You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.

(b) Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.

(c) Securing your lender's consent to the details of any construction loan or ground lease.

This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct."

(F) If an accessory dwelling unit is established as a condominium, the local government shall require the homeowner to notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

(G) (i) The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

(ii) For purposes of this subparagraph, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.

(H) An accessory dwelling unit shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this paragraph or pursuant to Section 65852.26.

(11) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(D) Any height limitation that does not allow at least the following, as applicable:

(i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(iv) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(d) Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), all of the following shall apply:

(1) The local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(A) Where the accessory dwelling unit is located within one-half mile walking distance of public transit.

(B) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(C) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(D) When onstreet parking permits are required but not offered to the occupant of the accessory dwelling unit.

(E) When there is a car share vehicle located within one block of the accessory dwelling unit.

(F) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

(2) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) (i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of no more than four feet.

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (8) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling, or upon separate conveyance of the accessory dwelling unit pursuant to paragraph (10) of subdivision (a).

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of

Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section shall supersede a conflicting local ordinance. This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.

(7) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(10) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(11) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

SEC. 2.5. Section 65852.2 of the Government Code is amended to read:

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26 and paragraph (10) of this subdivision, an accessory dwelling unit may be rented separate from the primary residence, but shall not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this clause shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The

permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) The ordinance shall require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(5) The ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(6) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(7) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(8) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, including an owner-occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer.

(9) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(10) In addition to the requirement that a local agency allow the separate sale or conveyance of an accessory dwelling unit pursuant to Section 65852.26, a local agency may also adopt a local ordinance to allow the separate conveyance of the primary dwelling unit and accessory dwelling unit or units as condominiums. Any such ordinance shall include all of the following requirements:

(A) The condominiums shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

(B) The condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all objective requirements of a local subdivision ordinance.

(C) Before recordation of the condominium plan, a safety inspection of the accessory dwelling unit shall be conducted as evidenced either through a certificate of occupancy from the local agency or a housing quality

standards report from a building inspector certified by the United States Department of Housing and Urban Development.

(D) (i) Neither a subdivision map nor a condominium plan shall be recorded with the county recorder in the county where the real property is located without each lienholder's consent. The following shall apply to the consent of a lienholder:

(I) A lienholder may refuse to give consent.

(II) A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.

(ii) Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

(iii) The lienholder's consent shall be included on the condominium plan or a separate form attached to the condominium plan that includes the following information:

(I) The lienholder's signature.

(II) The name of the record owner or ground lessee.

(III) The legal description of the real property.

(IV) The identities of all parties with an interest in the real property as reflected in the real property records.

(iv) The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.

(E) The local agency shall include the following notice to consumers on any accessory dwelling or junior accessory dwelling unit submittal checklist or public information issued describing requirements and permitting for accessory dwelling units, including as standard condition of any accessory dwelling unit building permit or condominium plan approval:

"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.

In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:

(a) Paying off your current lender.

You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.

(b) Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.

(c) Securing your lender's consent to the details of any construction loan or ground lease.

This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct.”

(F) If an accessory dwelling unit is established as a condominium, the local government shall require the homeowner to notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

(G) (i) The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

(ii) For purposes of this subparagraph, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association’s governing documents, membership approval of the existing association.

(H) An accessory dwelling unit shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this paragraph or pursuant to Section 65852.26.

(11) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(D) Any height limitation that does not allow at least the following, as applicable:

(i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(iv) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(d) Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), all of the following shall apply:

(1) The local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(A) Where the accessory dwelling unit is located within one-half mile walking distance of public transit.

(B) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(C) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(D) When onstreet parking permits are required but not offered to the occupant of the accessory dwelling unit.

(E) When there is a car share vehicle located within one block of the accessory dwelling unit.

(F) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

(2) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) (i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of no more than four feet.

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory

dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling, or upon separate conveyance of the accessory dwelling unit pursuant to paragraph (10) of subdivision (a).

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section shall supersede a conflicting local ordinance. This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the

same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.

(7) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(10) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(11) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

SEC. 3. Section 65852.26 of the Government Code is amended to read:

65852.26. (a) A local agency shall allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:

(1) The accessory dwelling unit or the primary dwelling was built or developed by a qualified nonprofit corporation.

(2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

(3) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:

(A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling that each qualified buyer occupies.

(B) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the accessory dwelling unit or primary dwelling if the buyer desires to sell or convey the property.

(C) A requirement that the qualified buyer occupy the accessory dwelling unit or primary dwelling as the buyer's principal residence.

(D) Affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary dwelling that ensure the accessory dwelling unit and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

(E) If the tenancy in common agreement is recorded after December 31, 2021, it shall also include all of the following:

(i) Delineation of all areas of the property that are for the exclusive use of a cotenant. Each cotenant shall agree not to claim a right of occupancy to an area delineated for the exclusive use of another cotenant, provided that the latter cotenant's obligations to each of the other cotenants have been satisfied.

(ii) Delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, improvements, and any other costs, obligations, or liabilities associated with the property. This delineation shall only be binding on the parties to the agreement, and shall not supersede or obviate the liability, whether joint and several or otherwise, of the parties for any cost, obligation, or liability associated with the property where such liability is otherwise established by law or by agreement with a third party.

(iii) Procedures for dispute resolution among the parties before resorting to legal action.

(4) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

(5) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(6) Nothing in this subdivision limits the ability of an accessory dwelling unit to be sold or otherwise conveyed separate from the primary residence as a condominium pursuant to an ordinance adopted under Section 65852.2.

(b) For purposes of this section, the following definitions apply:

(1) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(2) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

SEC. 4. Section 2.5 of this bill incorporates amendments to Section 65852.2 of the Government Code proposed by both this bill and Assembly Bill 976. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 65852.2 of the Government Code, and (3) this bill is enacted after Assembly Bill 976, in which case Section 2 of this bill shall not become operative.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

MARCH

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1	2
3	4 11am Winter Berm Regulatory CC 3pm Bluffs Resort Meeting CM 5pm HOPE NET SR 5:30pm Planning Commission CCTV	5 10am Supervisor's meeting CM 1pm Social Media Outreach LR 2pm Social Media Outreach LR	6 1pm Social Media Policy Rev LR 1pm HR Meeting CM 2:30pm COE Check-In LR 5:30pm Fire District Meeting CCTV	7 8:30am DTBAB SR 9:30am Core Equity Committee CC 2pm PW Staff Meeting CC 2:30pm All CDD Staff Mtg. CM 4pm C-Dog LR	8 10am City Leadership SB CC	9 9am Carp Beautiful 9am -1pm ABOP – PW Yard
10	11 3pm City Council Closed Sess. CM 5:30pm City Council Mtg. CCTV	12 10am Supervisor's meeting CM 1pm Admin Services Mtg. CM 1:30 Budget Payroll Allocations CM 2pm Admin EP Meeting LR 2:30pm CDD Staff Mtg. CM 4pm Bi-Weekly HR Meeting CM 4:30pm School Dist. Closed Sess. SR 5:30pm School Dist. Mtg. CCTV	13 11am Secure Drive/Service Proposals LR 1:30 Budget Payroll Allocations CM 4:30pm Water District Closed Sess. SR 5:30pm Water District. Mtg. CCTV	14 10:30am IDAG Mtg. CC 11am Interdepartmental Mtg. CC 2pm PW Staff Meeting CC 2:30pm Code Compliance Mtg. CM 3:30pm Review Final Draft CM 5:30pm ARB CC	15 8am BEACON CC	16
17	18 5:30pm General Plan Update CCTV	19 10am Supervisor's meeting CM 1pm Admin Services Mtg. CM 2:30pm CDD Staff Mtg. CM 4pm H/R Admin. meeting LR 5pm Special City Council Mtg. CCTV	20	21 2pm PW Staff Meeting CC 2:30pm Code Comp Mtg. CM 3pm COSMAD CC 5:30pm Tree Advisory Board SR	22	23 9am -1pm ABOP – PW Yard
24	25 1pm Rotary Peace Pole LR 3pm City Council Closed Sess. CM 5:30pm City Council Mtg. CCTV	26 10am Supervisor's meeting CM 1pm Admin Services Mtg. CM 2:30pm CDD Staff Mtg. CM 4pm Bi-Weekly HR Meeting CM 4:30pm School Dist. Closed Sess. SR 5:30pm School Dist. Mtg. CCTV	27 2pm PW Staff Meeting CC 3pm Harbor Seal Advisory Board CC 4:30pm Water District Closed Sess. SR 5:30pm Water District. Mtg. CCTV	28 2pm PW Staff Meeting CC 2:30pm Code Comp Mtg. CM 3:30pm Monthly Finance Budget CM 5:30pm ARB CC	29	30 
31				LR: Lobby Meeting Room SR: Side Conference Room CC: Council Chamber CCTV: Council Chamber Televised CM: Council Meeting Room		

City of Carpinteria
Planning Activity Summary

February 2024

- | | | | |
|-----------------------------|--------------------|---------------------------|------------------------|
| 1. In 30-day review process | 5. Schedule for PC | 9. Schedule for final ARB | 13. BP issued |
| 2. Incomplete | 6. PC approved | 10. Final ARB Approval | 14. Under construction |
| 3. Schedule for ARB | 7. Schedule for CC | 11. Schedule for CCC | 15. C of O issued |
| 4. Director's Decision | 8. CC Approved | 12. In plan check | |

Last Edited 2/29/2024

Project #	Owner / Applicant	Address	Street	Project Description	Activity	Planner	Status	Code Violation
24-2284-CDP/ADU	Carolyn Friedman	5291	Cambridge Lane	New 400sf detached ADU	Submitted 2/28/2024. Under review.	Syndi	1	
24-2282-CDP/ADU	Mark Rolph	4715	Aragon Drive	New 749sf ADU attached above (e) garage.	Submitted 2/26/2024. Under review.	Syndi	1	
24-2281-DP/CDP/ARB	City of Carpinteria	Franklin	Creek Trail	Landscaping & hardscape improvements to trail b/t Carpinteria Avenue & Seventh Street	Submitted 2/26/2024. Under review.	Syndi	1	
24-2278-CDP/ADU	Saticoy Development, LLC	4253	Carpinteria Avenue	New 609sf detached ADU	Submitted 2/7/2024. Under review.	Syndi	1	
24-2277-CDP/ADU	Alec & Amber Hardy	5378	Dariesa Street	New 536sf attached ADU	Submitted 2/7/2024. Under review.	Syndi	1	
24-2275-CDP/ADU	Mauricio & Angelina Rosales	4585	El Carro Lane	Convert (e) 634sf attached garage/workshop to an ADU	Submitted 2/6/2024. Under review.	Syndi	1	
24-2274-CDP/ARB	Cooper-Smith Family Trust	1314	Sterling Avenue	198 sq ft entry addition, new doors/windows, interior remodel	Submitted 02/08/24, in review.	Brian	1	
24-2273-CDP/ADU	Rafael Hernandez	4954	Fifth Street	Convert (e) 496sf detached garage with a 110sf add'n to a	Submitted 1/9/2024. Incomplete 2/5/2024. Resubmittal 2/20/2024. Under review.	Syndi	1	
22-2175-DP/CDP	Saticoy Development LLC	4253	Carpinteria Ave	Construct 1 new unit	Submitted 8/8/22. Incomplete 9/7/22. Resubmittal 10/11/2023. 2nd Incomplete 11/6/2023. Resubmitted 2/7/2024. Under review.	Syndi	1	
23-2269-CDP/ARB	George & Marijo De Mattos	413	Calle Dia	290sf bedroom & kitchen addition and 900sf remodel, & new driveway	Submitted 12/7/2023. Incomplete 1/5/2024.	Syndi	2	
23-2264-TPM/CDP	Eberling-VanDerKar TPM/CDP	435	Concha Loma Drive	Two Way Lot Split	Submitted 11/30/23. Incomplete 12/27/23	Brian	2	
23-2254-DP/CUP/CDP/ARB	499 Linden Managers LLC	499 & 399	Linden Avenue	New 36-room two-story hotel with roof deck and new 83-space parking lot	Submitted 9/13/2023. Incomplete 10/13/2023.	Brian	2	
23-2251-CUP	Jeffrey and Lori Runnfeldt / Ray Ames	1025	Cindy Lane	Automobile storage.	Submitted 9/08/2023. Incomplete 10/05/2023.0	Brian	2	Yes
23-2234-DP/CDP/ARB	Peter Coeler	4934	Dorrance Way	New 2-story duplex, demo existing SFD	Submitted 7/13/2023. Incomplete 8/11/2023. Resubmitted 12/1/23. Incomplete 12/27/23.	Brian	2	
23-2233-DP/CDP/ARB	Peter Coeler	4949	Dorrance Way	New 2-story duplex, demo existing SFD	Submitted 7/13/2023. Incomplete 8/11/2023. Resubmitted 12/1/23. Incomplete 12/27/23.	Brian	2	
23-2232-DP/CDP/ARB	Peter Coeler	333	Linden Avenue	New 2-story duplex on a vacant lot	Submitted 7/13/2023. Incomplete 8/10/2023.	Brian	2	
23-2223-CUP	Marco Diez	1031	Cindy Lane	Car storage and personal storage	Submitted 5/19/2023. Incomplete 6/15/2023. Resubmittal incomplete 10/5/2023. Resubmittal 10/25/2023. Incomplete 11/21/2023.	Brian	2	Yes
23-2215-SIGN	Neon Plus Signs / Fancy Floors	1015	Casitas Pass Road	1 wall electric channel letter sign and 1 hanging sign	Submitted 3/23/2023. Incomplete. Resubmittal 4/26/2022. Incomplete. 7/31/2023. Incomplete 8/2/2023.	Marysol	2	
23-2200-CUP/CDP	Patrick O'Connor	5395	Eighth Street	New driveway & garage remodel.	Submitted 1/18/23. Incomplete 2/17/23.	Brian	2	

22-2145-ARB/CDP	Heather & Sean Findley	864	Arbol Verde Street	Garage conversion to living space and 567sf addition with new garage and foyer.	Submitted 3/15/2022. Incomplete 4/14/2022. On hold pending ADU ordinance.	Syndi	2	
21-2099-CUP	Family Baptist Church	5026	Foothill Road	New portable classrooms for elementary school	Submitted 3/15/2021. Incomplete 4/13/2021. Resubmitted 5/26/2021. Incomplete 6/24/2021. Prelim ARB 6/17/2021, continued to 7/1/2021 with comments. Project on hold per applicants.	Marysol	2	
20-2073-SIGN	Ramiro Vega	830	Maple Avenue	New illuminated sign (as-built)	Submitted 11/6/2020. Incomplete 12/3/2020. Pending resubmittal.	Marysol	2	yes
20-2047-DP/CDP	Chevron	5663	Carpinteria Ave	Seal rookery overlook improvements	Submitted 3/26/2020. Under review. Incomplete 4/23/2020. Awaiting resubmittal.	Syndi	2	
20-2033-SIGN	Yummy Yogurt	1005	Casitas Pass Road	New sign	Submitted 2/7/2020. Incomplete 3/6/2020. Resubmitted 4/10/2020. Under review. Pending resubmittal.	Marysol	2	Yes
20-2030-CUP	Procore	6395 B&C	Cindy Lane	Convert 2 warehouse buildings to a business training center. Total square footage is 60,522 sf, and includes a new kitchen and mezzanine	Submitted 1/8/2020. Incomplete 2/7/2020. Awaiting resubmittal.	Syndi	2	
19-2018-FENCE	Ernesto Verburgt	4516	El Carro Lane	7 foot side yard fence (resulting from grade difference)	Submitted 10/25/2019. Incomplete. Partial resubmittal 12/10/2019. Building Permit in plan check. Awaiting solution for last incompleteness item.	Marysol	2	
18-1954-DPR/CDP	Winfred Van Wingerden	4180	Via Real	New gazebo, paint colors, and landscaping	Submitted 12/27/18. Incomplete 1/25/19. Resubmitted 2/11/19; under review. Revised scope; complete 3/7/19. Revised scope, resubmitted materials 4/19/19. Roy H. advised applicant that new gazebo triggers ADA issues.	Syndi	2	Yes
15-1783-SIGN/FENCE	Arbor Trailer Park	4677	Carpinteria Avenue (Ninth Street)	New frontage fences and signage	Submitted 08/05/15. Need survey from PW. Incomplete 08/17/15. See Matt M for PW status.	Marysol	2	Yes
23-2267-SIGN	Holiday Inn	5606	Carpinteria Ave	Replace freeway sign	Submitted 11/7/23, requires Modification, awaiting add'l information. Resubmittal 1/25/24, scheduled for 2/29/24 ARB.	Brian	3	
23-2246-ARB/CDP	Carrie Kirchner	1505	Casitas Pass Road	Remodel/addition	Submitted 8/18/2023. Incomplete 9/14/2023. Resubmitted 10/19/2023. Complete 11/17/2023. Schedule for Prelim ARB 02/29/2024.	Marysol	3	
23-2243-DP/CUP/TPM/CDP/ARB	RPG Carpinteria, LLC	6380	Via Real	New mixed-use with 159 apartments, 6,718sf of office space, and a 2,224sf café/deli	Submitted 8/2/2023. Incomplete 9/1/2023. Resubmittal 11/22/2023. 2nd Incomplete 12/22/2023. Resubmittal 1/11/2024. Complete 2/8/2024. Tentatively scheduled for ARB on 4/11/2024.	Syndi	3	

23-2209-CDP/ARB	Mark & Megan Pfaff	5559	Calle Arena	New 2,631 sf 2-story SFD with a 401sf attached 2-car garage.	Submitted 2/8/2023. Incomplete 3/10/2023. Resubmittal 4/13/2023. Incomplete #2 5/12/2023. Resubmittal 5/24/2023. Complete 6/22/2023. To ARB on 8/17/2023 for prelim review-continued with comments. Awaiting revised plans.	Syndi	3	
23-2207-DP/LCPA/TPM/CDP	Carp Bluff, LLC	5669 & 5885	Carpinteria Avenue	New 99-room resort and 41-unit apartment building.	Submitted 2/3/2023. Incomplete 3/3/2023. Resubmitted 7/19/2023. 2nd Incomplete 8/18/2023. Resubmittal 10/12/2023. 3rd Incomplete 11/8/2023. Resubmittal 11/16/2023. Complete 11/21/2023. To ARB on 1/25/2024 for prelim review-continued with comments.	Syndi	3	
22-2183-ARB/CDP	Tyler Mayer	5557	Calle Arena	Addition to SFD	Submitted 9/12/2022. On hold pending project redesign. Resubmittal 12/14/2022. Incomplete 1/11/2023. Resubmittal 5/26/2023. 2nd Incomplete 6/23/2023. Resubmittal 7/27/2023. 3rd Incomplete 8/15/2023. Resubmittal 8/25/2023. Complete 8/28/2023. To ARB on 9/14/2023 for prelim review-continued with comments. Resubmittal 2/26/2024. Tentatively scheduled for ARB on 4/25/2024.	Syndi	3	
21-2128-DP/CDP	Chevron	5675	Carpinteria Avenue	Decommissioning and Remediation of the Carpinteria Oil and Gas Processing Facilities	Submitted 10/25/2021. Labels Submitted 11/10/21. Complete 3/8/22. NOP Issued 8/1/2022. IS comment period extended to 9/30/2022. Draft EIR comment period underway until 1/31/24. ERC meeting held 12/18/23. Proposed Final EIR underway.	Nick/Luis	3	
23-2270-CDP/ADU	Joe & Kimberlee Franken	4745	Dorrance Way	Convert (e) 600sf detached 2nd unit to an ADU	Submitted 12/20/2023. Director approval 1/24/2024.	Syndi	4	
23-2262-CDP/ADU	Jonathan Paola	730	Olive Avenue	Convert (e) 957sf acc. bldg. to a 744sf ADU and 213sf craft room.	Submitted 11/6/2023. Incomplete 12/6/2023. Resubmittal 12/18/2023. Director approval 1/24/2024.	Syndi	4	
23-2259-CDP/ADU	Robert Burlison	5035	Seventh Street	New 325sf detached ADU	Submitted 10/11/2023. Incomplete 10/31/2023. Resubmittal 12/12/2023. Director approval 1/11/2024.	Syndi	4	Yes
23-2258-CDP	Robert Burlison	5035	Seventh Street	New storage shed with electrical	Submitted 10/11/2023. Incomplete 10/31/2023. Resubmittal 12/12/2023. Complete 12/22/2023. Director approval 1/30/2024.	Syndi	4	Yes
23-2249-CDP/ADU	Duana Dickman	1397	Vallecito Place	Convert (e) 554sf detached garage/studio to an ADU	Submitted 8/30/2023. Incomplete 9/29/2023. Resubmitted 10/11/2023. Director approval 10/19/2023.	Syndi	4	Yes
23-2247-CDP	Laurie Stout	5556	Calle Arena	288 sf accessory building	Submitted 8/30/2022. Incomplete 9/25/2023. Resubmitted. Complete.	Marysol	4	
23-2236-ARB/CDP	Schlobohm	5030	Carpinteria Avenue	Facade improvements to the building	Submitted 7/18/2023. Incomplete 8/17/2023. Prelim/Final ARB 8/31/2023. Resubmittal 11/28/2023. Complete.	Marysol	4	

23-2228-CDP/ARB	Emma Davis	5459	Shemara Street	New covered porch, new trellis over garage, garden wall, fence	Submitted 6/20/2023. Incomplete 7/20/2023. Resubmitted 8/31/2023. Complete 9/28/2023. P/F ARB 10/26/2023. Pending resubmittal.	Marysol	4	
23-2217-CUPR	AT&T Wireless	850	Linden (adj)	AT&T small cell wireless facility co-located on an SCE streetlight pole within the public right-of-way.	Submitted 3/24/2023. Complete 5/31/23.	Brian	4	
23-2216-CUPR	AT&T Wireless	323	Elm Avenue (adj)	AT&T small cell wireless facility co-located on an SCE streetlight pole within the public right-of-way.	Submitted 3/24/2023. Complete 5/31/23.	Brian	4	
22-2185-CDP	City of Carpinteria		Poplar Street & 5800 block Via Real	Via Real Stormwater Project	Submitted 9/16/22. Incomplete 10/7/22. Complete 12/1/22. Director Approved 3/03/23.	Brian	4	
22-2182-ARB/CDP	Mark Rolph	4715	Aragon Drive	1,375sf two-story addition to (e) SFD	Submitted 9/6/2022. Incomplete 10/6/2022. Resubmittal 11/6/2022. 2nd Incomplete 12/7/2022. Resubmittal 12/12/2022. Complete 1/3/2023. Prelim review at ARB on 2/16/2023. Continued prelim review at ARB on 5/25/2023. Director approval 6/20/2023.	Syndi	4	
21-2116-ARB	Motel 6	5550	Carpinteria Avenue	Lighting and landscaping	Submitted 7/14/2021. Incomplete 8/12/2021. Resubmitted 11/10/2021. Incomplete 12/9/2021. Resubmittal 12/20/2021. Incomplete 1/19/2022. Pending Resubmittal. ARB 4/28/2022. Director approved 7/5/22. Coastal Commission Appeal period ends 8/4/2022. Property ownership has changed. New property owner has been informed on next steps to clear violation 04/25/2023. New project team preparing resubmittal starting 5/2023.	Marysol	4	
21-2112-LCPA	City of Carpinteria		Citywide	Downtown Design Overlay Program	RRM Drafting DDO amendments. Edits and comments to Ch 14 resubmitted to RRM.	Nick/RRM	4	Yes
21-2111-LCPA	City of Carpinteria		Citywide	Density Bonus Program	In progress. Public Draft in preparation.	Nick/Mindy	4	
19-1986-LCPA	City of Carpinteria		Citywide	Development Design and Housing Regulation Changes	See 21-2112 for Downtown Overlay.	Nick/Mindy	4	
23-2263-CUP	Sanchez Rebuild CUP	5091	Foothill Road	Rebuild Residence	Submitted 11/20/2023, under review. Incomplete 12/18/23. Complete 1/25/24. Scheduled for PC on 3/4/24.	Brian	5	
23-2248-CUPR	St. Joseph Catholic Church	1532	Linden Avenue	CUP revision to allow for an elementary school	Submitted 8/30/2022. Incomplete 9/28/2023. Resubmitted 11/2/2023. Complete.	Marysol	5	

23-2237-CUP/CDP/ARB	Brandon Bono & Lorraine Pulido	4788 & 4792	Dorrance Way	New 371sf 2nd-story addition to duplex & remodel	Submitted 7/21/2023. Incomplete 8/17/2023. Resubmittal 9/22/2023. Complete 10/17/2023. To ARB for prelim on 12/14/2023. Tentatively scheduled for PC on 4/1/2024.	Syndi	5	
23-2231-ORD/LCPA	City of Carpinteria		Citywide	ADU Ordinance amendments to address changes to state law.	Initiated by CC 08/28/23. Ordinance amendments scheduled for PC 3/4/24.	Nick/Megan	5	
21-2131-DP/CDP/ARB	Tim Finnigan	4775	Seventh Street	New SFD with 4-car garage below	Submitted 11/8/2021. Incomplete 12/8/2021. Resubmittal 3/18/2022. Incomplete #2 4/14/2022. Resubmittal 4/25/2022. Incomplete #3 5/24/2022. Resubmittal 6/7/2022. Complete 7/6/2022. To ARB for Preliminary review on 9/15/2022. Awaiting revised plans.	Syndi	5	
16-1810-LCPA	City of Carpinteria		Citywide	General Plan/Coastal Land Use Plan Update	kick off meeting April 27, 2016. Ongoing through 2024.	Nick/WSP	5	
05-1210-ZTA/LCPA	City of Carpinteria		Citywide	Zoning Code Update	Kick-off meeting 4/20/05. Joint Study Session 5/16/05. All administrative draft chapters delivered 5/12/06. Ongoing through 2024.	Nick	5	
23-2261-TUP	City of Carpinteria		Monte Vista Park	Off Leash dog park pilot program	Submitted 10/13/23. To PC for TUP approval 11/6/2023. CC approved standardized design on 2/12/24	Megan	6	
22-2194-DP/CDP	City of Carpinteria	5775	Carpinteria Avenue	New 1,500sf storage building	Submitted 10/12/2022. Incomplete 11/9/2022. Resubmittal 11/29/2022. Complete 12/28/2022. To ARB for prelim/final on 1/26/2023. Approved by PC on 5/1/2023.	Syndi	6	
20-2072-CUP/CDP	Ben Paul	4652	Fourth Street	Exterior and interior remodel of two existing detached dwelling (as-built).	Submitted 10/20/2020. Incomplete 11/19/2020. Resubmittal 01/08/2021. Prelim/Final ARB 01/14/2021. Incomplete 2/4/2021. Resubmittal 3/8/2021. Complete 3/25/2021. Planning Commission 6/7/2021. Approved. Pending Building Permit submittal.	Marysol	6	yes
18-1926-DP/CDP	Steadfast Grand Vida II	5464	Carpinteria Ave	Phase II Assisted Living Facility expansion	Submitted 7/12/18. Incomplete 8/10/18. Resubmitted 1/28/19; incomplete 3/7/19. Resubmitted 3/21/19; incomplete 4/18/19. Resubmitted 6/11/19; complete 7/11/19. To prelim ARB 10/17/19; continued to ARB 12/12/19. Prelim ARB approval 12/12/19. To PC 1/6/2020-approved. To ARB for in-progress review 1/30/2020. TEX requested 5/26/2020. TEX approved by PC on 8/3/2020. Approval expires 1/16/2024. 2nd COVID-19 TEX extends expiration date to 1/16/2025.	Syndi	6	

16-1822-DP/CDP	Via Real Hotel	4110	Via Real	New 110-room hotel	Submitted 4-19-16. Incomplete 5-18-16. Resubmittal 7/14/16. Incomplete 8/11/16. Resubmittal 9-12-16. Incomplete 10/11/16. Resubmitted 10/31/16. Complete 11/30/16. Prelim ARB 12/15/16, cont'd to future meeting. In-progress ARB review 2/16/17. Prelim ARB approval 3/30/17. Env. review underway. Reviewed updated biological/wetland reports; CCC determined creek regulations apply. Site visit w/ CCC 6/8. Revised project submitted 7/24/19; under review. Revised preliminary ARB review 8/29/19; continued to 11/21/19 ARB meeting. Revised prelim ARB approval 11/21/19. Draft MND released for 30-day public comment period 10/15/22. ERC recommended approval of MND 11/1/22 to PC. Proposed Final MND underway. PC approved 4/3/23. CCC appeal period ends 5/2/23.	Brian	6	
14-1722-TPM/CDP	Godfrey	1056	Eugenia Place	Subdivide (e) mixed use building into three condominiums	Submitted 6/19/14. Incomplete 7/17/14. Resubmitted 10/20/14. Complete 10/29/14. PC approved 11/3/14. FLAN sent 11/18/14.	Nick	6	
23-2271-ORD	City of Carpinteria	Citywide		Multifamily Housing Smoking No-Smoking regulations	Scheduled for CC 3/11/24	Megan/David	7	
23-2221-DP/CDP	Justin Klentner	4745	Carpinteria Ave	Mixed Use development: 24 apartments & 4,304 sq. ft. commercial space. Applying State Density Bonus provisions.	Submitted 4/14/23. Incomplete 5/12/23. Conceptual ARB Review 5/25/23. Resubmittal 6/22/23. Incomplete 7/21/23. To Prelim ARB 8/31/23. Cont'd to Prelim ARB 10/26/23. Prelim ARB Approval 10/26/23. Awaiting submittal of final incomplete item. Complete 11/28/23. PC approved 2/5/24. CC appealed, schedule for CC.	Brian	7	

19-2015-CUP/CDP	City of Carpinteria		Carpinteria Ave	Construct Carpinteria Rincon Trail	Submitted 10/17/19. AB52 Notification 10/29/19. Release of public draft MND 11/1/19. To ERC 11/14/19. PC acceptance & certification of MND 1/6/20. Appeal of PC filed 1/15/20. Appeal set aside. NOP Released for EIR 10/30/20. NOP Scoping Hearing 11/17/20. NOP Scoping Period closed 11/30/20. Draft EIR released for 45-day review period 3/12/21. To ERC 4/13/21. DEIR commented period ended 4/26/21. ARB Prelim Approval 10/28/21. Proposed Final EIR published 1/3/22. PC approved 1/18/22. Appeals filed 1/28/22. City Council conceptually upheld appeals 3/28/22. Stakeholder outreach underway. CC selected Alt 3 to proceed 5/15/23. Back to CC Summer 2024.	Nick	7	
19-1982-MCA	City of Carpinteria		Citywide	Seismic Retrofitting of Soft-Story Buildings	Initiated by the City Council on 5/13/19. To City Council for first read on 1/13/2020. Public Workshop held 2/22/2020. Revised first read to CC 1/8/24. Staff to hold public workshop & then return to CC.	Dan / Nick	7	
22-2171-ORD	City of Carpinteria		Downtown T	Parklet Permit Program	Reviewed by ARB 7/28/22. PC approved 12/5/22. To CC 4/24/23. ARB reviewed 7/27/23. To CC 10/09/23.	Nick/John	8	
22-2157-GPA	City of Carpinteria		Citywide	Housing Element Update	Kick off Meeting June 6, 2022. Discussion of strategies at PC 8/1/2022. Adopted by City Council on 4/10/23. Sent to HCD for Certification on 4/12/23. HCD deadline to respond is 6/11/2023. 6/30/2023 working on first revision since Adopted Element was submitted to HCD. Revised draft submitted to HCD 11/14/22; under review. CC re-adoption 1/22/24. Resubmitted to HCD for final certification 1/23/24.	Nick/Patsy	8	
23-2266-SIGN	Jaeger Partners	888-892	Linden Ave	Overall Sign Plan	Submitted 10/30/23, Incomplete. Resubmitted 1/23/24. Preliminary ARB 2/15/24, scheduled for Final ARB 02/29/24.	Brian	9	
23-2257-DPR	Carp Business Park	4185 & 4195	Carpinteria Avenue	Landscape Improvements	Submitted 10/09/2023. Incomplete 11/3/2023. Resubmittal 11/13/2023. Complete 11/21/2023. Prelim ARB complete. Director approved 1/9/24. scheduled for Final ARB 02/29/24.	Brian	9	

22-2164-DPR/CDP	Parga Construction for The Spot	389	Linden Avenue	Patio Cover over steel structure and canvas shades	Submitted 6/23/2022. Incomplete 7/21/22. Resubmittal 12/22/2022. Incomplete 1/19/2023. ARB 3/16/2023. Pending resubmittal in response to comments. Resubmittal 7/17/2023. Director Approval 01/16/2024. Schedule for Final ARB 02/29/2024.	Marysol	9	
22-2162-DP/CDP/ARB	John Howard	4818	Dorrance Way	New 1,895sf 2-story SFD and a detached 471sf garage with a 408sf workshop above.	Submitted 6/9/2022. Incomplete 7/8/2022. Resubmitted 9/8/2022. 2nd Incomplete 10/3/2022. Resubmittal 12/7/2022. Complete 12/28/2022. To ARB on 3/16/2023. Resubmittal 6/8/2023. To PC on 8/7/2023- continued due to lack of a quorum. Approved by PC on 9/5/2023. Tentatively scheduled for Final ARB on 4/25/2024.	Syndi	9	
17-1883-DP/CDP/TPM	Michael Haber	4716	Seventh St	remodel (E) SFD, construct carport, construct 2 (N) 2-story residential units, subdivide property for condominium purposes.	Submitted 6/22/17. Incomplete 7/20. Resubmitted 10/2/17. Incomplete 11/1/17. Resubmitted 1/11/18, under review. Prelim ARB approval 3/15/18. PC approved 6/4/18. FLAN sent to CCC 06/21/18. Submitted for Final ARB 11/20/20. Awaiting revised drawings. Final Parcel Map submitted for review 2/1/21. In BP plan check. 24-mo. time extension approved by PC 12/5/22.	Brian	9	
15-1781-DP/CDP	Bernardo Cruz	4675	Carpinteria Ave	Construct (N) 2-story mixed use building	Submitted 07/09/2015. Incomplete 8/06/15. Concept ARB review 03/29/20. Resubmittal 07/22/20. Incomplete 8/21/20. Resubmitted 2/8/21. Incomplete 3/8/21. Resubmitted 5/17/21. Prelim ARB Approved 9/16/21. PC approved 2/6/23. In-Progress ARB 6/29/23.	Brian	9	
19-1980-ARB	Stengel	5420	Cameo	Remodel SFD & 1st floor addition	Submitted 4/19/19. Comments back to applicant 5/13/19. Complete 5/22/19. Prelim ARB approval 6/13/19. Director approved 7/30/19. Final ARB approval 9/26/19. Applicant submitted Time Extension Request granted 12/11/20.	Nick	10	

14-1719-CUP/CDP	City of Carpinteria		Carpinteria Ave Bridge	Replace Carpinteria Ave Bridge over Carpinteria Creek	NOP & Scoping Document released 7/3/14. Scoping Hearing 7/22/14. Project overview to PC 9/2/14. Project update to CC 11/10/14. ARB CON 2/12/15. EIR released for public comment 3/25/16. ERC 4-26-16. Public Comment Period closed 5-9-16. Prelim ARB approval 9/15/16. PC approved 11/7/16. Sent to CCC 11/18/16. PW completing 65% drawings 3/17. Utility relocation coordination underway 3/17. Construction easement acquisition underway Spring 2018. Entitlements expired, need CEQA Addendum to address CSD Siphon relocation. Final ARB 11/21/19. PC approval for reauthorization of CUP/CDP and acceptance of CEQA Addendum 6/01/20.	Nick	10	
17-1896-LCPA/ORD	City of Carpinteria			Citywide commercial cannabis regulations	12/11/17 briefing to CC. 1/22/18 briefing to CC. 4/23/18 CC initiates Ord development. PC 10/1/18 cont'd. 11/5/18 PC recommended approval to CC. CC approved 1st reading 11/26/18. CCC Approved LCPA 2/7/19. Ordinance 2nd reading approved by CC 3/25/19. Consultant contract for licensing program awarded by CC 4/08/19. CCC acceptance of LCPA 5/9/19. Drafting of Licensing program underway.	Nick	11	
24-2276-FENCE	Amber & Jenny Scouras	1493	Trenora Street	New 6' wooden fence on top of 2.5' retaining wall	Submitted 2/6/2024. Director approval 2/13/2024. BP#14172 in plan check.	Syndi	12	
23-2268-CDP/ADU	Paul Zeoli	5159	Ogan Road	Convert (e) 662sf detached guest house to an ADU	Submitted 12/6/2023. Director approval 1/5/2024. BP#14229 submitted 1/31/2024.	Syndi	12	Yes
23-2265-SIGN	Key 2 Fitness	4138	Carpinteria Ave	Wall Sign	Submitted 11/30/23. In plan check.	Brian	12	
23-2260-CDP/ADU	Sohil Karimy	5491	El Carro Lane	Convert existing 2-car garage to an ADU.	Submitted 10/11/2023. Complete & Director Approved 11/8/2023. Building Permit in plan check 11/16/2023. Building Permit final processing.	Marysol	12	
23-2256-CDP/ADU	Todd Mathers	5353	Eighth Street	Convert (e) 615sf rec room to an attached ADU	Submitted 10/3/2023. Incomplete 10/27/2023. Resubmittal 10/31/2023. Director approval 11/15/2023. BP#14191 submitted 12/8/2023.	Syndi	12	
23-2250-CDP/ADU	Brandon & Julia Wheatley	1150	Vallecito Road	Convert (e) 556sf master suite to an attached ADU	Submitted 9/6/2023. Director approval 10/4/2023. BP#14204 submitted 12/20/2023.	Syndi	12	
23-2242-CDP/ADU	Forrest Carter	842	Walnut Avenue	New 686sf detached ADU	Submitted 8/2/2023. Incomplete 8/30/2023. Resubmittal 9/12/2023. Director approval 9/25/2023. BP#14221 submitted 1/22/2024.	Syndi	12	

23-2241-SIGN	Mollie's Italian Deli	1039	Casitas Pass Road	Acrylic wall mounted sign and a hanging blade sign	Submitted 8/1/2023. Corrections. Resubmittal under review. Approved 9/14/2023. Building Permit for one sign issued. Deferred building permit for second sign in plan check 01/22/2024.	Marysol	12	
23-2238-SIGN	SuperSprings International	5251	6th Street	New signage	Submitted 7/21/2023. Incomplete. Resubmitted 8/22/2023. Under review. Approved 9/21/2023. Building Permit in plan check, new tenant business license pending.	Marysol	12	
23-2230-CUP/CDP	Randy Pura & Aly Morita	761	Olive Avenue	Reconstruction of (e) legal non-conforming SFD.	Submitted 6/29/2023. Incomplete 7/27/2023. Resubmittal 8/23/2023. 2nd Incomplete 9/19/2023. Resubmittal 9/28/2023. Complete 9/29/2023. Approved by the PC on 11/6/2023. BP#13790-R1 submitted 1/2/2024.	Syndi	12	
23-2229-CDP/ADU	Robert & Gail Miller	5307	Willow Place	Convert attached two-car garage and powder room to a 412sf ADU.	Submitted 6/20/2023. Incomplete 7/20/2023. Complete & Director Approval 8/14/2023. BP#14097 submitted 8/14/2023.	Syndi	12	
23-2225-CDP/ADU	Scott Carrington	1551	Myra Street	New detached 450sf ADU.	Submitted 6/8/2023. Director approval 6/29/2023. BP#14063 ready to issue 11/10/2023-awaiting applicant to pull permit.	Syndi	12	
23-2220-CDP/ADU	Richard Heimberg	4854	Eighth Street	Convert attached 1-car garage and game room to a 627sf ADU	Submitted 4/12/2023. Incomplete 5/10/2023. Resubmittal 8/28/2023. Approved 9/20/2023. BP#14143 submitted 9/27/2023.	Syndi	12	
23-2218-ARB/CDP	Joseph Cardenas	5401	Cameo Road	New 587 sf 2nd story addition, 460 sf garage conversion, new 587 sf garage.	Submitted 4/4/2023. Incomplete 5/3/2023. Complete 6/21/2023. ARB P/F 7/27/2023. Director approved 10/24/2023. Building Permit application submitted to plan check 10/26/2023.	Marysol	12	
22-2192-CUPR/CDP	Dish Wireless	4558	Carpinteria Ave	(N) wireless communications facility collocation	Submitted 10/24/22. Incomplete 11/17/22. Resubmitted 12/16/22. Complete 1/04/23. Director Approved 1/09/23. BP submitted 1/20/23.	Brian	12	
22-2191-CDP/ARB	Richard and Lisa Shattuck	5631	Canalino Drive	Remodel and 429 square foot addition.	Submitted 10/31/2022. Incomplete 11/29/2022. Resubmittal 12/21/2022. Incomplete 01/18/2023. Resubmittal 3/21/2023. Complete 04/17/2023. Scheduled for preliminary ARB review 04/27/2023. Director Approval 06/27/2023. Building Permit Application submitted to plan check. Building permit application withdrawn by applicant 11/29/2023. Pending resubmittal at a later date.	Marysol	12	

22-2184-DP/CDP/ARB	Gregg & Beth Scerni	4610	Fourth Street	New 2,257sf 2-story SFD with 504sf detached 2-car garage	Submitted 9/13/2022. Incomplete 10/13/2022. Resubmittal 3/6/2023. Complete 3/21/2023. To ARB on 4/27/2023. Approved by PC on 9/5/2023. VM recorded 9/15/2023. Final ARB on 12/14/2023. BP#14198 submitted 12/18/2023.	Syndi	12	
22-2159-ARB/CDP	Greg Lee	501	Concha Loma Drive	New 497sf garage, 97sf addition, interior remodel, and demo (e) 323sf carport.	Submitted 5/26/2022. Incomplete 6/23/2022. Resubmittal 7/8/2022. Complete 7/27/2022. To ARB for Preliminary review on 9/15/2022. Resubmittal 12/19/2022. Final ARB review on 3/16/2023. Revised plans received 3/20/2023. Approved 4/17/2023. BP#13859 submitted 3/20/2023-in plan check-pending applicant action.	Syndi	12	
21-2129-DPR/CDP	The Storage Place	6250	Via Real	New storage units (modular)	Submitted 10/27/2021. Incomplete 11/24/2021. Resubmitted 12/10/2021. Complete 1/4/2022. PC 3/7/2022. Building Permit in plan check. Plan check on hold at applicant's request.	Marysol	12	
21-2083-DP/TPM/CDP/ARB	Jerry & Lisa Zins	4905	Eighth Street	New condominium triplex	Submitted 1/13/2021. Incomplete 2/12/2021. Owners have decided to do condos instead of apts. Resubmitted 9/17/2021. 2nd Incomplete 10/11/2021. Revised duplex apt. project submitted 2/4/2022. Complete 3/7/2022. To ARB for prelim 4/28/2022. Revised plans for 3 condos submitted 6/27/2022. Revised plans submitted 8/30/2022. To ARB for cont'd prelim review on 9/15/2022. Revised plans submitted 11/15/2022. Approved by PC on 2/6/2023. PM to City Surveyor for review 10/12/2023. BP#14159 submitted 10/19/2023. Final ARB on 12/14/2023.	Syndi	12	
20-2057-DP/CUP/CDP	Martha Marquez	4684	Seventh Street	Construct a 258 SF addition and new entry porch to Unit A on the existing duplex.	Submitted 7/22/2020. Incomplete 8/21/2020. Resubmittal 3/23/2021. Incomplete 4/21/2021. Resubmittal 3/16/2022. Complete 4/15/2022. To ARB for preliminary review on 5/26/2022. Approved by PC on 12/5/2022. Final ARB on 4/27/2023. BP#14153 submitted 10/16/2023.	Syndi	12	

18-1903-DP/CDP	Procore	6303	Carpinteria Ave	Renovation of exterior building facade, landscape and driveway/parking lot	Submitted 1/16/18. Incomplete 02/14/2018. Resubmitted 08/15/2018. Incomplete 9/14/2018. Concept ARB review 10/11/18. Continued Conceptual ARB review 11/15/2018. Complete 01/11/2018. Prelim ARB 02/13/2019. PC 07/01/2019. Final ARB 9/12/2019. In plan check, pending resubmittal. Proposal to proceed with partial relandscaping only under review. Project on hold at applicant's request.	Marysol	12	
15-1788-CDP	Gobbell	5398	Star Pine Road	Convert (E) accessory building into a second dwelling unit	Submitted 8/19/15. Incomplete 9/4/15. Resubmittal 9/11/15. Complete 9/28/15. Prelim/Final ARB 10/15/15. CDD Director approved 10/29/15. 1-year time extension approved 10/11/16. Submitted for Building Permits 10/4/17. In Plan Check.	Nick	12	
22-2150-SIGN	US Bank	5420	Carpinteria Avenue	New signs	Submitted 4/27/2022. Incomplete. Resubmittal 09/30/2022. Complete 1/24/2023. Director Approved 1/26/2023. Building Permit in plan check. BP issued 2/1/2023.	Marysol	13	
22-2142-SIGN	John Crispis for Albertsons	1018	Casitas Pass Road	New illuminated wall sign and parking lot signs	Submitted 1/20/2022. Incomplete. Resubmittal 12/1/2022. Complete. Director approved 1/2023. Building Permit issued 1/23/2023.	Marysol	13	
21-2094-DPR/CDP	Carpinteria Valley Historical Society	956	Maple Avenue	Construct new storage shed	Submitted 3/2/2021. Incomplete 4/1/21. Resubmitted 6/4/21. Complete 7/26/21. Director approved 7/29/21. FLAN sent 8/31/21. BP submitted 9/17/21. BP issued 12/16/21.	Nick	13	
19-1985-ARB	Brian Pera, HLW for Procore	6303	Carpinteria Ave	Renovation of exterior facade of an existing 1,315 accessory structure	Submitted 5/15/2019. Complete 6/12/2019. Substantial Conformity Determination 8/1/2019. Building Permit Application submitted 9/4/2019. BP issued.	Marysol	13	
23-2255-CDP/ADU	Jason Jacquet	4917	Sawyer Avenue	New 480sf detached ADU	Submitted 9/15/2023. Director approval 10/13/2023. BP#14180 issued 12/21/2023.	Syndi	14	
23-2245-CDP/ADU	Donna & Fred Lemere	1359	La Mesa Plaza	New 480sf detached ADU	Submitted 8/18/2023. Incomplete 9/15/2023. Resubmittal 9/20/2023. Director approved 9/25/2023. BP#14145 issued 11/29/2023.	Syndi	14	
23-2227-CDP/ADU	Burt Short	1126	Vallecito Road	Convert (e) detached garage/office/storage to a 573sf ADU and 183sf storage room.	Submitted 6/14/2023. Director Approval 7/13/2023. BP#14108 issued 12/11/2023.	Syndi	14	Yes
23-2226-CDP/ADU	Doug Norton	5294	El Carro Lane	Convert (e) attached living space to a 709 square-foot ADU.	Submitted 6/9/2023. Director approval 6/29/2023. BP#14038 issued 9/12/2023.	Syndi	14	

23-2224-SIGN	Seek Health/ Mckenzie Cervini	1110	Eugenia Place, Suite 200	new sign for chiropractic office	Submitted 5/30/2023. Incomplete. Approved 9/27/2023.	Marysol	14	
23-2219-CDP/ADU	Dario Pini	990	Concha Loma Drive	Convert 457sf attached storage room to an ADU	Submitted 4/7/2023. Incomplete 4/28/2023. Resubmitted 5/9/2023. Director approval 5/11/2023. BP#13986 issued 8/4/2023. Final planning inspection 10/12/2023.	Syndi	14	Yes
23-2214-CDP/ADU	David Pinkernell	5556	Calle Ocho	Convert 580sf detached garage to a 390sf ADU and a 190 sf garage	Submitted 3/20/2023. Director approval 4/18/2023. BP#13970 issued 5/26/2023.	Syndi	14	
22-2195-ARB/CDP	Laura Mickelson	5518	Calle Arena	New 344sf addition to SFD & 300sf accessory structure	Submitted 12/27/2022. Incomplete 1/26/2023. Resubmittal 2/15/2023. Complete 3/17/2023. To ARB for preliminary review on 5/25/2023. To ARB for final review on 6/29/2023. Director approval 7/24/2023. BP#14062 issued 9/29/2023.	Syndi	14	
22-2187-SIGN	West Coast Signs for Channel Islands Center	4994	Carpinteria Ave	(2) non-illuminated wall signs, individual letters	Submitted 10/06/2022. Approved 10/13/2022. Building Permit 10/27/2022. Pending inspection.	Marysol	14	
22-2180-SIGN	Goleta Signs for Lao Thai Restaurant	1017	Casitas Pass Road	Wall sign and hanging sign	Submitted 8/30/2022. Approved 9/13/2022. Building Permit submitted and approved 9/26/2022. Under construction, pending inspection.	Marysol	14	
22-2172-ARB/CDP	Flourish Trust	5637	Calle Pacific	New swimming pool & shade trellis.	Submitted 7/20/2022. Incomplete 8/19/2022. Resubmitted 8/24/2022. Complete 9/8/2022. To ARB for Preliminary review 9/29/2022. Resubmittal 11/9/2022. Final ARB review on 12/15/2022. Resubmittal 2/8/2023. Director approval 3/21/2023. BP#13895 issued 6/2/2023.	Syndi	14	
22-2170-SIGN	City of Carpinteria	5781	Carpinteria Avenue	New ground sign for the skate park	Submitted 7/1/2022. Director approval 8/2/2022.	Marysol	14	
22-2169-SIGN	Carp Moon Café	4991	Carpinteria Avenue	New signs	Under review. Incomplete. Approved 8/25/2022. Building Permit issued 9/13/2022. Under construction, pending inspections.	Marysol	14	
22-2163-SIGN	City of Carpinteria	5141	Carpinteria Ave	New ground sign for the Carpinteria Community Library	Submitted 6/10/2022. Approved. Building Permit issued	Marysol	14	
22-2161-SIGN	Ben Mascari / Carpinteria	873	Linden Avenue	Redesign and reinstall previous hanging sign	Submitted 6/1/2022. Approved. Pending inspection.	Marysol	14	
22-2152-SIGN	Reese Corp Signs / Carp Physio	5432-34	Carpinteria Avenue	New signage	Under review. Complete. Director approved 6/28/2022. Building permit issued, pending inspections. Building Permit expired.	Marysol	14	
22-2143-DPR	Bega	1000	Bega Way	Energy storage system & sound wall	Submitted 2/7/2022. Complete 3/8/2022. Approved 4/5/2022. Building Permits issued 7/2022 (Phase 1 and 2). Phase 1 signed off. Pending Phase 2.	Marysol	14	

22-2140-CUP	Carpinteria Valley Water District	5300	El Carro (El Carro Park)	New groundwater wells	Submitted 1/18/2022. Incomplete 2/9/22. CC granted City Manager authorization to sign application 6/27/22. Resubmittal 8/2/22. GC 65402 Determination to PC 9/6/22. PC approved 1/3/23. Easement recorded 6/15/23. Construction to begin 7/23. Construction completed; demobilization underway 9/29/23.	Nick	14	
21-2138-DPR/CDP	Santa Cruz Island Foundation	4994	Carpinteria Ave	Exterior site & building improvements for new Channel Islands Center	Submitted 12/22/21. Routed 1/7/22. Under review. Incomplete 1/21/22. Resubmitted 3/17/22, under review. Preliminary ARB approval 5/26/22. PC approved 8/1/22. FLAN sent 8/15/22. Final ARB approved 8/25/22. Building Permit issued for re-painting & signage. Exterior Improvements building permit issued 5/24/23.	Nick	14	
21-2132-TUP	Gigavac	6382	Rose Lane	TUP for portable offices during remodel	Submitted 11/9/21. Approved 12/16/21. BP submitted 1/31/22. BP issued.	Nick	14	
21-2127-ARB/CDP	Eva Sobesky & Todd Mathers	5353	Eighth Street	Exterior alterations to existing residence.	Submitted 10/25/2021. Incomplete 11/24/2021. Stop Work posted 11/30/2021. Complete 12/6/2021. Prelim ARB 12/16/2021. Final ARB 3/3/2022. Director approval 3/10/2022. BP#13557 issued 6/3/2022.	Syndi	14	
21-2126-FENCE/ARB	Jaime & Ericka Lopez	5458	Granada Way	As-built walls in front and side yards	Submitted 9/27/2021. Incomplete 10/20/2021. Resubmittal 2/8/2022. Incomplete #2 3/10/2022. Resubmittal 5/11/2022. Complete 6/10/2022. ARB approved 6/30/2022. Director approved 12/20/2022. BP#13845 issued 3/3/2023.	Syndi	14	Yes
21-2119-SIGN	Jaime Leaf, Signature Signs	957	Maple #2	Monument sign reface	Submitted 7/19/2021. Approved 8/17/2021. Pending inspection.	Marysol	14	
21-2107-CUP/CDP/ARB	City of Carpinteria/S&S Seeds	6155	Carpinteria Avenue	Coastal Vista Trail Segment	Submitted 4/28/2021. Incomplete 5/27/2021. Resubmitted 12/28/2021. Complete 1/13/2022. Prelim/Final review at ARB on 3/31/2022. Approved by PC 5/2/2022. CCC appeal period ended 5/31/2022. Demo permit BP#13860 issued 1/9/2023.	Syndi	14	
21-2101-SIGN	Nhan Nguyen, Lavish Nails	991	Linden Ave	1 non-illuminated wall sign	Submitted 4/9/2021. Incomplete 5/5/2021. Resubmittals, pending corrections. Approved 8/17/2021. Building Permit issued. Pending inspection.	Marysol	14	
21-2093-SIGN	Ben Mascari	879	Linden Ave	New sign	Submitted 2/26/2021. Approved 3/8/2021. Pending inspection.	Marysol	14	
21-2092-SDU/CDP	J. Bradley Stein	1315	Casitas Pass Road	Validate (E) guest house as SDU & permit remodel of SDU & attached accessory structures	Submitted 2/26/2021. Complete 3/19/21. Prelim ARB approved 3/25/21. Director approved 6/1/21. BP issued 6/23/21. Under construction. BP extension granted. Revision under review 09/29/23.	Nick	14	

21-2090-DP/CDP	CHT, LLC	700	Linden Ave	Rehabilitate & Remodel (E) buildings; new 2nd floor addition	Submitted 2/17/21. Incomplete 3/19/21. Resubmitted 4/15/21. Prelim ARB approval 4/29/21. Resubmittal 5/21/21. Complete 6/11/21. PC approved 7/6/21. To ARB In-Progress Review 9/30/21. Hardware/Butler Buildings BP submitted 10/12/21. Butterfly Building BP submitted 11/23/21. Site Improvements BP submitted 12/14/21. Final ARB Review 6/30/22. Demolition permit issued and underway. Building Permit issued; under construction. Sign Program approved by ARB 5/25/23 & by Director 6/1/23.	Nick	14	
21-2087-ARB	Paul & Michelle Sanchez	1481	Sterling Avenue	SFD remodel, 391sf of add'ns, new front porch, & full re-roof	Submitted 2/9/2021. Incomplete 3/5/2021. Resubmitted 3/26/2021. Complete 4/1/2021. Prelim & final at ARB 4/15/2021. Director approval 5/4/2021. BP#13369 issued 9/21/2021.	Syndi	14	
21-2086-ARB	Frank & Christine Isaac	5410	Cameo Road	SFD remodel, 70sf add'n., and new deck/trellis	Submitted 2/8/2021. Incomplete 3/5/2021. Resubmitted 6/29/2021. Complete 6/30/2021. To ARB for prelim/final review 7/29/2021. Director approved 10/20/2021. BP#13206 issued 2/8/2022.	Syndi	14	
21-2085-ARB/CDP	Forrest Carter	5251	Sixth Street	6' fence & gates	Submitted 2/4/21. Incomplete 2/25/21. Resubmitted 6/8/21. Complete 6/9/21. Prelim ARB approved 7/15/21. Director approved 8/26/21. BP submitted 9/22/21. BP issued 12/16/21. Construction underway; fence & landscape completed.	Nick	14	
21-2082-SIGN	Procore Technologies	6303	Carpinteria Ave	Reface existing monument sign and new illuminated wall sign	Submitted 01/13/2021. Approved 1/26/2021. BP issued 2/24/2021. Pending inspection.	Marysol	14	
21-2079-ARB	Lynette & Jason Fernandes	1330	Vallecito Place	New entry porch, exterior updates, & interior remodel	Submitted 1/8/2021. Incomplete 2/5/2021. Resubmittal 2/19/2021. Complete 3/18/2021. To ARB for prelim/final 3/25/2021. Director approval 11/10/2021. 1-year TEX approved 7/28/2022; now expires 11/10/2023. BP#13946 issued 7/18/2023.	Syndi	14	
20-2066-SIGN	Singing Springs	5455	Eighth Street	New monument sign	Submitted 8/17/2020. Director approval 9/15/2020. Building Permit issued 1/2021. Under construction, pending landscaping re-installation.	Marysol	14	
20-2061-ARB/CDP	Brandon and Julia Wheatley	1150	Vallecito Road	Master bedroom addition	Submitted 7/31/2020. Under review. Incomplete 8/25/2020. Incomplete 10/9/2020. Prelim/Final 10/29/2020 ARB. Incomplete 11/16/2020. Complete 01/14/2021. Director Approval 2/2/2021. BP issued. Under construction. Revision 1 issued.	Marysol	14	

20-2056-ARB	Rod Herman	1423	Camino Trillado	Exterior updates, new porch overhang, new curbs and 3' garden wall, new hardscape and landscaping.	Submitted 7/2/2020. Complete 7/30/2020. To ARB for prelim/final 9/17/2020. Director approved 9/23/2020. BP#13204 issued 4/26/2021. Under construction.	Syndi	14	
19-2029-DPR/CDP	Carpinteria Arts Center	855	Linden Avenue	Courtyard improvements: new hardscape, landscaping, a living wall, storage, utility sink, fencing, and trash enclosures	Submitted 12/20/2019. Complete 01/16/2020. Prelim ARB 2/27/2020. Approvals pending. BP submitted 10/23/2020. BP issued.	Marysol	14	
19-2021-ARB	Marsha Ota	5273	Cambridge Lane	Remodel and addition of 460 sq. ft.	Submitted 11/7/2019. Complete 12/18/19. To CDD Director for action. Approved by CDD 2/24/2020. BP#12889 issued 8/3/2020. Under construction.	Syndi	14	
19-2016-DP/CDP	City of Carpinteria	5775	Carpinteria Avenue	New skate park and amenities	Submitted 10/22/2019. Complete 11/20/2019. Prelim review at ARB on 1/30/2020. Approved at PC on 6/1/2020. Final ARB on 3/31/2022. BP#13622 submitted 4/27/2022, in plan-check. Demo permit issued 5/17/2022. PW Grading permit issued 5/25/2022. BP #13622 issued 9/26/2022. Under construction. Awaiting items to complete final inspection.	Syndi	14	
19-2012-DPR	Mac Partners / Jeremy Rogers	6384	Via real	Building facade renovation, addition of new patio areas, new permeable area for future parking area.	Submitted 10/7/2019. Incomplete 11/6/19. Partial resubmittal 12/4/19; under review. Incomplete 12/16/2019. Resubmitted 01/14/2020. Incomplete 02/13/2020. Complete 06/03/2020. Prelim ARB 06/25/2020. In Progress ARB 10/29/2020. PC 12/7/2020. Final ARB 5/13/2021. Building Issued. Under construction. Exterior light demonstration under review ARB matters by staff 3/3/2022. Minor revision pending.	Marysol	14	
19-1965-DPR/CDP	Carpinteria Business Park	4185-4195	Carpinteria Ave	Exterior architectural façade improvements to five of the buildings within the Flood Hazard and Coastal Appeals Overlay.	Submitted 2/5/2018. Incomplete 3/19/2019. Resubmitted 3/28/2019. Incomplete 4/25/2019. Prelim ARB 06/13/2019. Complete 6/21/2019. Resubmittal 8/23/2019. Director Approval 9/26/2019. Final ARB 10/31/2019. Building Permit application submitted 12/17/2019. Building Permit issued. Under construction. Revision to lights approved by ARB 1/14/2021. Minor awning revision 8/2021. Monument sign revision 11/2021. Final Building Permit revisions submitted for review 04/2023.	Marysol	14	
18-1938-CDP	CA State Parks	205	Palm Avenue	Sewer replacement, Santa Rosa Campground	Submitted 9/25/2018. Complete 10/23/2018. NOE submitted. Approved 3/1/2019. Conditions of Approval and final plans received. Under construction.	Marysol	14	

18-1909-ARB/CDP	Able, John	477	Concha Loma Dr	Addition & remodel to SFD, new pool, new ADU	Submitted 3/13/18. Incomplete 4/11/18. Resubmitted 6/11/18. Incomplete 7/11/18. Resubmitted 10/01/18. Incomplete 10/31/18. ARB conceptual review 11/15/18. Resubmitted 6/7/19; incomplete 7/5/19. Resubmitted 7/12/19. Incomplete 8/8/19. Resubmitted 9/12/19. Complete 10/10/19. Prelim ARB approval 11/21/19. Scheduled for In-progress ARB Review 4/30/20. CDD Director approval 6/23/20. Final ARB 6/25/20. CCC appeal period ended. BP issued 6/24/21; under construction.	Nick	14	
17-1850-CDP	CA Dept. of Parks and Recreation	205	Palm Avenue	State Beach Phase II ADA Improvements	Submitted 1/3/2017. Incomplete 1/31/2017. Resubmittal 5/22/2017. Complete 6/15/2107. Director Approval 9/13/2017. Pending resubmittal of minor modifications and signed Conditions of Approval. Received 9/6/2018. Time Extension approved 7/31/2019. Under construction.	Marysol	14	
16-1839-CDP	Thom Vernon	500	Maple Avenue	Install new windows & replacement roll-up doors	Submitted 8/12/16. Incomplete 9/8/16. Complete 9/14/16. To ARB 9/15/16, continued to 10/13/16. ARB approved 10/13/16. Director Approved 10/21/16. FLAN sent to CCC 11/1/16. BP application submitted 10/20/16. BP issued 2/2/17, under construction.	Nick	14	
15-1804-CDP	Hawkins	5567	Calle Arena	Construct (N) SFD w/ attached two-car garage	Submitted 12/29/15. Incomplete 1/28/16. Meeting w/ new agent 6/26/17. Concept ARB 8/17/17. Revised submittal 12/13/17. Incomplete 1/12/18. Concept ARB 2/15/18. Resubmitted 4/13/18. Incomplete 5/3/18. Resubmitted 5/9/18. Scheduled for Prelim ARB Review 5/31/18. Cont'd to Prelim 7/12/18. Cont'd to Prelim 7/26/18. ARB Prelim Approval 7/26/18. Complete 9/27/18. Revised ARB Prelim Approval 11/15/18. Director approval issued 12/18/18. Appeal filed 12/28/18. PC denied appeals 3/4/19. Appeal of PC decision filed 3/14/19. CC denied acceptance of appeal 4/22/19. FLAN sent to CCC 4/24/19. Appeal filed with CCC 5/9/19. CCC Appeal hearing 7/10/19, CCC found no substantial issue. City approvals stand. Final ARB approval 8/29/19. BP submitted 4/2/19. BP issued 12/19/19, under construction.	Brian	14	

15-1767-CDP	Wood	650	Concha Loma Drive	New Single Family Residence	Submitted 4/28/15. Incomplete 5/27/15. Resubmitted 7/13/15. Complete 8/10/15. CEQA Initial Study underway. ARB concept review 10/15/15. Draft MND public review period 7/15- 8/15/16. To ERC 8/4/16. Prelim ARB 8/11/16, continued with revisions. Revised plans submitted; Prelim ARB approved 9/14/17. PC Approved 8/5/19. FLAN sent to CCC 8/23/19. BP application submitted 12/24/19. Final ARB approved 5/28/20. In BP review. BP issued; under construction.	Brian	14	
08-1483-CDP	Salzgeber	447	Concha Loma Drive	Install water well and storage tank for agricultural purposes	Submitted 12/18/08. Incomplete 1/16/09. Resubmitted 3/20/09. Incomplete. Resubmitted 9/1/09. Director approved 5/7/10. Permit issued 10/19/10. Well constructed and sealed 11/10. Awaiting installation of pump and storage tank.	Nick	14	
04-1172-DP/CDP	Franssen	750	Palm Avenue	Construct one new SFD and create two condominiums	Revised plans submitted 9/15/06. Incomplete 10/9/06. Resubmitted 10/30/06. Prelim ARB 11/30/06. Complete 12/21/06. To PC 1/2/07. Revised Prelim ARB 1/25/07. PC approved 2/5/07. CC approved map clearance 12/10/07. PC approved one year TEX 2/4/08. Grading Permit issued 2/4/09. Final ARB for Unit 2 10/1/09. BP issued, under construction. CofO issued on rear unit.	Nick	14	
23-2239-SIGN	Carpinteria-Summerland Fire Protection District	1140	Eugenia Place, Suite A	Two non-illuminated signs	Submitted 7/25/2023. Approved 7/26/2023.	Marysol	15	
23-2213-CDP/ADU	John & Koreen Pagano	1286	Casitas Pass Road	Convert 489sf detached family room to an ADU	Submitted 3/15/2023. Director approval 3/31/2023. BP#14021 issued 9/1/2023. Final inspections 1/30/2024. CofO #965 issued 2/6/2024.	Syndi	15	
23-2211-SIGN	Pro Deo Foundation / Coastland	5036	Carpinteria Avenue	New retail signs	Submitted 3/3/2023. Approved 3/30/2023.	Marysol	15	
21-2134-SIGN	Carpinteria Business Park	4185, -88, -93	Carpinteria Avenue	Update existing signage of 4 tenants to meet the new sign program	Submitted 11/16/2021. Resubmittal under review for approval and building permit. Resubmittal pending. Resubmitted. Approved 4/19/2022. Building permit in plan check. Incomplete. Building Permit issued 6/23/2022. Extension request. Planning signed off. Pending Building & Safety sign off.	Marysol	15	

20-2042-ARB	Scouras Family Trust	1493	Trenora Street	SFD remodel, 89.5 sf addition to 1st floor, 451 sf addition to 2nd floor	Submitted 3/5/2020. Incomplete 3/31/2020. Resubmitted 5/21/2020. Complete 6/18/2020. Prelim ARB on 7/16/2020. Resubmittal 8/27/2020. In-progress ARB on 10/29/2020. Approval letters sent 11/25/2020. Final ARB on 7/1/2021. BP#13339 issued 11/3/21. Final inspection 2/8/2024.	Syndi	15	
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Last updated 2/28/2024 15:27

BUILDING PERMIT REPORT

2/1/2024 - 2/28/2024

Permit #	Issued Date	Parcel #	Site Address	Owner Name	Project Description	Valuation	Status	Permit Date	Code Compliance Violation	Fire Permit Required
14247	2/27/2024	001-251-002	1276 Casitas Pass Road	HOLDEN DAVID/RITA	Tear off existing roof and install double layer of composition shingle and torch. 30 squares. Color like for like	16,350	Issued	2/27/2024		
14239	2/20/2024	004-026-002	4970 Malibu Drive	SAINDON MARILYN A TRUSTEE (for) SAINDON MARILYN FAM TR	Re-roof over existing shingles with Landmark, Certainteed, Solaris Mist White. 19 Squares	17,760	Issued	2/20/2024		
14238	2/21/2024	003-352-011	5618 Calle Pacific	MASSE FAMILY DECEDENTS TRUST B 3/18/11	Installation of a solar PV system with 5,600 KW, 14 panels, 1 inverter and 1 battery.	20,000	Issued	2/16/2024		
14230	2/2/2024	003-353-003	560 Arbol Verde	SHERMAN, CINDY	Remove the existing roofing to the plywood substrate. Install a new dimensional Class A roofing system (CRRC Approved) per manufacturer specifications. Color like for like.	20,000	Issued	2/2/2024		
14227	2/16/2024	003-542-004	1418 Sterling Avenue	GUTIERREZ, ESTHER M	Re-waste of (2) bathrooms and Laundry. Trenchless replacement of layfall to property edge.	40,000	Issued	1/29/2024		
14210	2/16/2024	003-780-045	4417 Catlin Circle #A	BOSLEY, RYAN M	Water damage repair in the kitchen, replace cabinets, floor, sink, no new electrical or plumbing. Kitchen only.	18,000	Issued	1/4/2024		
14209	2/16/2024	003-552-001	1375 Chaney Avenue	DOIRON DAVID/MARY ODELL	Repipe of hot and cold water system in home.	22,000	Issued	1/3/2024		
14193	2/21/2024	003-340-008	650 Concha Loma	FRIEDMAN, CAROLYN M	Install 6 Sunpower roof mounted 440 watt Solar Panels with microinverters.	10,000	Issued	12/8/2023		

14154	2/21/2024	001-400-056	5412 Granada Way	BAZZANI FAMILY TRUST 9/26/14	Add air condition to existing furnace in attic. Will install Bryant 3-ton Horizontal Indoor coil. Run copper feon line set with communication wire from indoor unit to Bryant 17 SEER 3-ton Slimline Air Conditioner. Properly secure outdoor unit to to prefabricated equipment pad. Install lined supply and return plemuns. Install secondary drain pan. Run PVC drainpipe to condensate pump. Install secondary drain pan safety switch. Replace the existing thermostat with Ecobee Smart Thermostat. Sttach existing flexible ductwork to plenums. Install line set cover.	9,968	Issued	10/16/2023		
14125	2/15/2024	003-263-015	892 Linden Avenue	890 Linden Partners LP c/o Jason Jaeger	Change of use from restaurant to retail and minor interior alterations for a bookstore use.	15,000	Issued	9/11/2023	Yes	Yes
14124	2/15/2024	003-263-015	890 Linden Avenue	890 Linden Partners LP c/o Jason Jaeger	Convert Existing tap room into a restaurant, connect kitchen to dining space with a pass-thru window, remodel deck for ADA access.	30,000	Issued	9/11/2023	Yes	Yes
14105	2/16/2024	004-027-012	1309 Linden Avenue	KUNKEL, ERIC B	Convert 1/2 of an existing laundry room into a new 1/2 bathroom. Existing home is 3 bedroom 1 bath.	23,000	Issued	8/24/2023		

Total Records: 12

2/28/2024