

## ATTACHMENT D: COUNTY LAND USE AND DEVELOPMENT CODE AMENDMENT

### ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.1, DEVELOPMENT CODE APPLICABILITY; ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES; AND ARTICLE 35.11, GLOSSARY; TO CREATE A NEW MOBILE HOME PARK OVERLAY AND A NEW SENIOR MOBILE HOME PARK OVERLAY.

25ORD-00003

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

#### **SECTION 1:**

ARTICLE 35.1, Development Code Applicability, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Table 1-1 Zones, of Section 35.14.020, Zoning Map and Zones, of Chapter 35.14, Zoning Map, to read as follows:

Zone Symbol	Name of Zone	Applicable Code Chapter
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#### **Agricultural Zones**

AG-I	Agricultural I	35.21
AG-II	Agricultural II	

#### **Resource Protection Zones**

MT-GOL	Mountainous - Goleta	35.22
MT-TORO	Mountainous - Toro Canyon	
RMZ	Resource Management	

#### **Residential Zones**

RR	Residential Ranchette	35.23
E-1	Single Family Estate Residential	
R-1	Single Family Residential	
EX-1	One-Family Exclusive Residential	
R-2	Two-Family Residential	
DR	Design Residential	
MR-O	Multi-Family Residential - Orcutt	
PRD	Planned Residential Development	
SLP	Small-Lot Planned Development	
MHP	Mobile Home Planned Development	
MHS	Mobile Home Subdivision	

Senior Mobile Home Park Overlay Ordinance Amendments Project

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Zone Symbol	Name of Zone	Applicable Code Chapter
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**Commercial Zones**

C-1	Limited Commercial	35.24
C-2	Retail Commercial	
C-3	General Commercial	
CH	Highway Commercial	
CM-LA	Community Mixed Use - Los Alamos	
C-S	Service Commercial	
C-V	Resort/Visitor-Serving Commercial	
PI	Professional and Institutional	

**Industrial Zones**

M-RP	Industrial Research Park	35.25
M-1	Light Industry	
M-2	General Industry	
M-CR	Coastal-Related Industry	

**Special Purpose Zones**

MU	Mixed Use	35.26
NTS	Naples Townsite	
OT-R (1)	Old Town-Residential (1)	
OT-R/LC	Old Town - Residential/Light Commercial	
OT-R/GC	Old Town - Residential/General Commercial	
PU	Public Utilities	
REC	Recreation	

**Overlay Zones**

AH	Affordable Housing	35.28
CVC	Critical Viewshed Corridor	
F	Airport Approach	
D	Design Control	
ESH-GAV	Environmentally Sensitive Habitat - Gaviota Coast	
ESH-GOL	Environmentally Sensitive Habitat - Goleta	
ESH-MC	Environmentally Sensitive Habitat - Mission Canyon	
ESH-TCP	Environmentally Sensitive Habitat - Toro Canyon	
FA	Flood Hazard	
HC	Highway 101 Corridor	
HWMF	Hazardous Waste Management Facility	
LAE	Limited Agricultural Enterprise	
MHP	Mobile Home Park	

Zone Symbol	Name of Zone	Applicable Code Chapter
PA-OTO	Pedestrian Area - Old Town Orcutt	
RC-GOL	Riparian Corridor - Goleta	
SC-MC	Scenic Corridor – Mission Canyon	
SMHP	Senior Mobile Home Park	

**Community Plan Overlay Zones**

GAV	Gaviota Coast Plan	35.28.210
GOL	Goleta	
LA	Los Alamos	
ORC	Orcutt	
SYV	Santa Ynez Valley	
SUM	Summerland	
TCP	Toro Canyon Plan	

**Notes:**

- (1) Although the OT-R zone (Old Town-Residential) is included within the Special Purpose Zones table, it is still considered a residential zone as this term is applied within this Development Code

**SECTION 2:**

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Chapter 35.28, Overlay Zones, to add a new Section 35.28.157 titled “Mobile Home Park (MHP) Overlay Zone”, to read as follows:

**35.28.157 – Mobile Home Park (MHP) Overlay Zone**

**A. Purpose and intent.** The purpose of the Mobile Home Park (MHP) overlay zone is to:

1. Promote the continued use of mobile homes and manufactured homes in the unincorporated County as an accessible housing option for households of all income levels.
2. Respect the interests of tenants and owners of mobile home parks in maintaining parks of desirable character, stable operation, and economic viability.
3. Recognize mobile home parks as communities in which residents are substantially invested, and to provide for security of tenancy comparable to that of other residential communities less vulnerable to redevelopment.
4. Establish that for all land in the unincorporated County occupied by mobile home parks, and as long as this ordinance is in effect, mobile home parks shall be the primary land use allowed.
5. Promote and preserve residential development that is high density and single family in character.

- B. Applicability.** The MHP overlay zone applies to existing mobile home parks as of the effective date of this Ordinance, *[effective date of this ordinance]*, except for existing senior mobile home parks as provided for under Section 35.28.180, Senior Mobile Home Park Overlay Zone. The County may apply the MHP overlay concurrently with or subsequent to the permitting of any new all-ages mobile home parks.
- 1. Relationship to the primary zone.** Each land use and proposed development within the MHP overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this section.

### **SECTION 3:**

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Chapter 35.28, Overlay Zones, to add a new Section 35.28.180 titled “Senior Mobile Home Park (SMHP) Overlay Zone”, to read as follows:

#### **35.28.180 – Senior Mobile Home Park (SMHP) Overlay Zone**

- A. Purpose and intent.** The purpose of the Senior Mobile Home Park (SMHP) overlay zone is to:
1. Recognize that senior mobile home parks provide one of the few housing options within Santa Barbara County available to seniors that are affordable and allow for independent living in a detached dwelling.
  2. Preserve a significant source of affordable, senior housing by ensuring that senior mobile home parks within the unincorporated area remain predominantly available to seniors and are not converted to allow occupancy by persons of all ages.
  3. Recognize senior mobile home parks as walkable communities where seniors may live actively and independently among peers, the preservation of those qualities being central to residents’ continued health, welfare and financial stability.
  4. Meet the purpose of the federal Housing for Older Persons Act of 1995 (42 U.S.C. Section 3607).
  5. Ensure a sufficient supply of land for this type of use in the future.
- B. Applicability.** The SMHP overlay zone applies to all mobile home parks that meet the definition of a senior mobile home park and are rezoned to the SMHP overlay zone as of the effective date of this Ordinance, *[effective date of this ordinance]*. The County may apply the SMHP overlay concurrently with or subsequent to the permitting of any new senior mobile home parks.
- 1. Relationship to the primary zone.** Each land use and proposed development within the SMHP overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this section.

2. **Occupancy.** For the purposes of this Section, "occupied by" shall mean it is that person's primary residence.
- C. Signage, advertising, rental agreements and leases.** Signage, advertising, rental agreements and leases for properties within the SMHP overlay zone shall comply with the following:
1. Signage, advertising, park rules, regulations, rental agreements and leases for units in a mobile home park in the SMHP overlay zone must state that the park is a "Senior Mobile Home Park."
  2. Any advertisement for a rental or vacancy in the SMHP overlay zone must state that the vacancy is intended for occupancy by at least one person 55 years of age or older.
- D. Occupancy limitations and rentals.** At least 80 percent of the occupied units in a mobile home park in the SMHP overlay zone must be occupied by at least one person 55 years of age or older.
1. Mobile home parks within the SMHP overlay zone satisfy the occupancy requirements of this section even if:
    - a. There are unoccupied mobile homes, provided that at least 80 percent of the occupied mobile homes are occupied by at least one person 55 years of age or older.
    - b. To the extent permitted by applicable law, for a period of no more than two consecutive years fewer than 80 percent of the occupied units are occupied by at least one person 55 years of age or older, provided the senior mobile home park has reserved all unoccupied mobile homes for occupancy by at least one person 55 years of age or older.
- E. Age verification and compliance procedures.**
1. The County shall determine, and maintain summary documentation establishing, that at least 80 percent of the occupied mobile homes in a senior mobile home park are occupied by at least one resident who is 55 years of age or older. The occupancy verification documentation shall be made available by park owners for inspection by the County upon reasonable notice and request.
  2. At least once every two years owners and operators of senior mobile home parks shall submit documentation confirming that at least 80 percent of all occupied mobile homes are occupied by at least one resident 55 years of age or older to the County of Santa Barbara Planning and Development Department.
  3. The County shall consider government-issued identification to be reliable documentation of the age of the residents of the senior mobile home park, provided that it contains specific information about current age or date of birth (e.g., driver's license).
  4. Reliable documentation shall also include a certification in a lease, application, affidavit, or other document signed by any member of the household aged 18 or older asserting that at least one person in the unit is 55 years of age or older.

5. If the occupant(s) of a particular mobile home refuse or are unable to comply with these age verification procedures, the County may, if it has sufficient evidence, consider the unit to be occupied by at least one person 55 years of age or older. Such evidence may include:
  - a. Government records or documents;
  - b. Prior forms or applications; or
  - c. A statement from an individual who has personal knowledge of the age of the occupants. The individual's statement must set forth the basis for such knowledge and be signed under penalty of perjury.
- F. Duty of mobile home park residents to comply with age verification request.** No later than 30 days after a request for age verification by a mobile home park owner or operator or an employee or agent of the County, all owners and residents of all mobile homes located, or proposed to be located, within the SMHP overlay zone shall provide to the mobile home park operator the requested age verification documents.
- G. Duty of mobile home park owners/operators to comply with age reporting requirement and certification**
  1. Within 150 days of the effective date of this Ordinance, *[effective date of this ordinance]*, and then every two years thereafter, the owner or operator of each mobile home park within the SMHP overlay zone shall report to the County of Santa Barbara Planning and Development Department confirmation that at least 80 percent of all occupied mobile homes are occupied by at least one resident 55 years of age or older. The owners or operators of each senior mobile home park shall maintain procedures for verifying the age of park residents.
  2. The owner or operator of each senior mobile home park shall provide to the County a certification substantially in the following form:

"I [name] hereby certify that [number of such mobile homes] mobile homes out of a total of [total number] occupied mobile homes located in this mobile home park are occupied by at least one person 55 years of age or older and it is their primary residence. This certification is based on my personal knowledge of the residents, evidence provided to me in the form of official government documents containing specific information about the current age of the residents, resident affidavits, or age certifications made by residents."
- H. Enforcement.** Violations of any provisions of this Section 35.28.180 shall be enforced per enforcement standards in compliance with Chapter 35.108 (Enforcement and Penalties).

#### **SECTION 4:**

ARTICLE 35.11, Glossary of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning of the Santa Barbara County Code, is hereby amended to revise the definition of

Mobile Home Park in Section 35.110.020, Definitions of Specialized Terms and Phrases of Chapter 35.110, Definitions to read as follows:

Mobile Home Park. Any area or tract of land where two or more lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes, mobile homes, or recreational vehicles as allowed by Civil Code Section 798.3 used for human habitation. The rental paid for a manufactured home, a mobile home, or a recreational vehicle as allowed by Civil Code Section 798.3, shall be deemed to include rental for the lot it occupies.

1. Mobile Home Park, Senior. A mobile home park where at least 80 percent of the occupied spaces or lots are rented or leased to senior citizens for use as their primary residence or has at least one resident at the age of 55 years or older and the unit is their primary residence.
2. Mobile Home Park, All-ages. A mobile home park where the spaces or lots are rented or leased to the general public regardless of the ages of the residents or occupants.

#### **SECTION 5:**

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

#### **SECTION 6:**

Except as amended by this ordinance, Article 35.1, Article 35.2, and Article 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

#### **SECTION 7:**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

#### **SECTION 8:**

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in a newspaper of general

circulation published in the County of Santa Barbara. Once this Ordinance is operational, interim urgency ordinance numbers 5221 and 5225 shall automatically expire.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
LAURA CAPPS, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel