



COUNTY OF SANTA BARBARA  
CALIFORNIA

MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU STREET  
SANTA BARBARA, CALIFORNIA 93101-2058  
PHONE: (805) 568-2000  
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April 18, 2017

TO THE HONORABLE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, CALIFORNIA

MONTECITO PLANNING COMMISSION  
SPECIAL HEARING OF APRIL 12, 2017

**RE: *Transitional and Supportive Housing Ordinance Amendments; 17ORD-00000-00001 and 17ORD-00000-00003***

Hearing on the request of the Planning and Development Department that the Montecito Planning Commission:

- a) **17ORD-00000-00001.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00001) amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.4, Montecito Standards for Specific Land Uses, and Division 35.10, Glossary, of Section 35-2, the Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the Santa Barbara County Code;
- b) **17ORD-00000-00003.** Recommend that the County Planning Commission recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00003) amending Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code; and

The proposed ordinance amendments add definitions of transitional and supportive housing and allow transitional and supportive housing as residential uses, subject only to those permits and regulations that apply to other dwellings of the same type in the same zone, pursuant to Government Code Sections 65582 and 65583(a)(5).

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Dear Honorable Members of the Board of Supervisors:

At the Montecito Planning Commission hearing of April 12, 2017, Commissioner Brown moved, seconded by Commissioner Senauer and carried by a vote of 4 to 0 (Commissioner Overall absent) to:

**17ORD-00000-00001**

1. Make the required findings for approval of the project specified in Attachment A of the staff report dated April 4, 2017, including California Environmental Quality Act (CEQA) findings;

2. Recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), included as Attachment B of the staff report dated April 4, 2017; and
3. Adopt a resolution recommending that the Board of Supervisors approve Case No. 17ORD-00000-00001, an ordinance amending Section 35-2, the Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, as set forth in Attachment C of the staff report dated April 4, 2017, and as revised in Attachment C, Exhibit 1 of the staff memorandum dated April 10, 2017 and the hearing of April 12, 2017.

### 17ORD-00000-00003

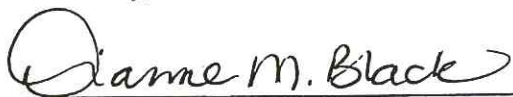
1. Make the required findings for approval of the project specified in Attachment D of the staff report dated April 4, 2017, including CEQA findings;
2. Recommend that the County Planning Commission recommend that the Board of Supervisors determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265, included as Attachment B of the staff report dated April 4, 2017;
3. Adopt a resolution recommending that the County Planning Commission adopt a resolution recommending that the Board of Supervisors approve Case No. 17ORD-00000-00003, an ordinance amending Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the permitting of transitional and supportive housing, included as Attachment E of the staff report dated April 4, 2017, and as revised in Attachment E, Exhibit 1 of the staff memorandum dated April 10, 2017.

### REVISIONS TO ORDINANCES

During the hearing on April 12, 2017, the Montecito Planning Commission made the following revisions to Case No. 17ORD-00000-00001:

1. Ordinance amendment to DIVISION 35.4, Montecito Standards for Specific Land Uses, Subsection 35.442.070.E.2, to read as follows:
2. Dwelling types. For the purposes of this Subsection E (Transitional and supportive housing), the term dwelling includes one-family dwellings, two-family dwellings, multiple dwellings, accessory dwelling units, single room occupancy facilities, special care homes, agricultural employee housing, farmworker housing, caretaker units, modular homes, mobilehomes, including mobilehomes located in mobilehome parks, and including units in stock cooperatives, community apartments, condominiums, townhouses, and planned unit developments.

Sincerely,



Dianne M. Black  
Secretary to the Montecito Planning Commission

cc: Case File: 17ORD-00000-00001, 17ORD-00000-00003  
Planning Commission File  
Dianne M. Black, Assistant Director  
Johannah Hartley, Deputy County Counsel  
Dan Klemann, Deputy Director

Allen Bell, Supervising Planner  
Jessica Steele, Planner

- Attachments:**
- Attachment A – 17ORD-00000-00001, MLUDC Findings (April 4, 2017)**
  - Attachment C – 17ORD-00000-00001, MLUDC Resolution (April 4, 2017)  
and Revised Proposed Ordinance (April 10, 2017)**
  - Attachment D – 17ORD-00000-00003, CZO Findings (April 4, 2017)**
  - Attachment E – 17ORD-00000-00003, CZO Resolution (April 4, 2017) and  
Revised Proposed Ordinance (April 10, 2017)**

DMB/dmv

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## ATTACHMENT A: FINDINGS

CASE NO. 17ORD-00000-00001

### 1.0 CEQA FINDINGS

#### 1.1 CEQA EXEMPTION

- 1.1.1 The Montecito Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments to the Montecito Land Use and Development Code (MLUDC), Case No. 17ORD-00000-00001, are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Please see Attachment B, Notice of Exemption

### 2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35.494.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the MLUDC, the Montecito Planning Commission shall make the following findings in order to recommend approval of a text amendment to the MLUDC, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the MLUDC:

#### 2.1 **The request is in the interest of the general community welfare.**

The 2015-2023 Housing Element Update contains policies and programs to develop and preserve an adequate housing supply, as well as promote, encourage, and facilitate housing for low income and special needs groups. The proposed ordinance amendments are in the interest of the general community welfare since they will effectuate Program 2.8 of the 2015-2023 Housing Element Update. Program 2.8 directs the County to amend its zoning ordinances to include definitions of transitional and supportive housing and allow transitional and supportive housing as residential uses, subject only to those restrictions that apply to other dwellings of the same type in the same zone. Transitional and supportive housing provides affordable rental housing and supportive services to individuals with low incomes and one or more disabilities. This may include, among other populations, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Accordingly, the proposed amendments will serve to implement the 2015-2023 Housing Element Update and remove regulatory barriers to the development of affordable and special needs housing.

#### 2.2 **The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code (the MLUDC).**

The proposed ordinance amendments, as analyzed in the Montecito Planning Commission staff report, dated April 4, 2017, which is hereby incorporated by reference, will effectuate Program 2.8 of the 2015-2023 Housing Element Update. The 2015-2023 Housing Element Update is one of seven mandatory elements of the County Comprehensive Plan. The Board of Supervisors adopted the 2015-2023 Housing Element Update after making a finding that the element was in conformity with other mandatory and optional elements of the Comprehensive Plan. The 2015-2023 Housing Element Update contains Program 2.8 and 36 other programs to carry out the County's housing goals and policies. Therefore, the

proposed amendments implement and are in conformity with the Comprehensive Plan, including the 2015-2023 Housing Element Update.

The proposed ordinance amendments will not alter the purpose and intent of any policies or other provisions of the Comprehensive Plan, including the Montecito Community Plan, and they will not result in any inconsistencies with adopted policies or other provisions. The proposed amendments would not allow new uses or physical development, or change zoning regulations (e.g., development standards) in any zone. Rather, the proposed amendments would clarify that transitional and supportive housing are allowable uses that may occupy dwelling types already allowed in each zone. These uses would be permitted and regulated identically to other dwellings of the same type in the same zone. Therefore, the proposed amendments may be found consistent with the Comprehensive Plan, including the Montecito Community Plan.

Similarly, the purpose and intent of the MLUDC would not be altered because the proposed ordinance amendments would only clarify that the MLUDC already allows transitional and supportive housing in dwelling types already allowed in certain zones. Thus, the proposed amendments are also consistent with the remaining portions of the MLUDC that would not be revised by these amendments.

As discussed in the Montecito Planning Commission staff report, Program 2.8 directs the County to explicitly acknowledge in the zoning ordinances uses that the zoning ordinance already allow, in compliance with state law. The proposed ordinance amendments include definitions from Government Code Section 65582. Additionally, the proposed amendments comply with Government Code Section 65583(a)(5) because they allow transitional and supportive housing as residential uses subject only to those restrictions that apply to other dwellings of the same type in the same zone. Therefore, the proposed amendments may be found to be consistent with the requirements of state planning laws.

Accordingly, this ordinance may be found to be consistent with the Comprehensive Plan, including the Montecito Community Plan, the requirements of state planning and zoning laws, and the MLUDC.

### **2.3 The request is consistent with good zoning and planning practice.**

The proposed ordinance amendments, as analyzed in the Montecito Planning Commission staff report dated April 4, 2017, which is hereby incorporated by reference, are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values, since the proposed uses will occupy dwelling types already allowed in each zone, and the intent, restrictions, and development standards of all zones will not be altered. Additionally, the proposed amendments will serve to implement the 2015-2023 Housing Element Update and remove barriers to the development of transitional and supportive housing. As discussed in Finding 2.2, above, the amendments are consistent with the Comprehensive Plan, including the Montecito Community Plan, and the MLUDC.

**ATTACHMENT C: RESOLUTION OF THE MONTECITO PLANNING COMMISSION**  
**COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE )  
BOARD OF SUPERVISORS ADOPT AN ORDINANCE )  
AMENDING DIVISION 35.2, MONTECITO ZONES )  
AND ALLOWABLE LAND USES, DIVISION 35.4, )  
MONTECITO STANDARDS FOR SPECIFIC LAND )  
USES, AND DIVISION 35.10, GLOSSARY OF THE )  
MONTECITO LAND USE AND DEVELOPMENT )  
CODE, OF CHAPTER 35, ZONING, OF THE SANTA )  
BARBARA COUNTY CODE, TO IMPLEMENT NEW )  
REGULATIONS REGARDING THE PERMITTING OF )  
TRANSITIONAL AND SUPPORTIVE HOUSING. )

RESOLUTION NO. 17 - 01

Case No.:  
17ORD-00000-00001

WITH REFERENCE TO THE FOLLOWING:

- A. On October 13, 2007, the State Senate adopted Senate Bill 2 (Government Code 65583) to clarify that transitional and supportive housing shall be allowed as residential uses subject only to those restrictions that apply to other dwellings of the same type in the same zone.
- B. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Montecito Land Use and Development Code (MLUDC), Section 35-2 of Chapter 35 of the Santa Barbara County Code.
- C. On August 27, 2013, the State Senate adopted Senate Bill 745 (Government Code Section 65582) to add definitions of “supportive housing,” target population,” and “transitional housing” to the Government Code.
- D. The Board of Supervisors adopted the 2015-2023 Housing Element Update on February 3, 2015, and the California Department of Housing and Community Development found the Housing Element Update in conformity with state housing element law on April 29, 2015.
- E. Staff consulted with the California Department of Housing and Community Development while drafting the proposed ordinance amendments and used a website and display advertisements printed in regional newspapers to inform the community about how the implementation of state law will affect County zoning regulations regarding the permitting of transitional and supportive housing.
- F. The Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00001) amending Section 35-2 of Chapter 35 of the Santa

Barbara County Code, the MLUDC, to implement new regulations regarding the permitting of transitional and supportive housing in compliance with Government Code Section 65583(a)(5).

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- G. The proposed ordinance amendments are consistent with the Comprehensive Plan including the Montecito Community Plan, and the requirements of the state planning, zoning, and development laws.
- H. The proposed ordinance amendments are in the interest of the general community welfare since the amendments will effectuate Program 2.8 of the Comprehensive Plan's 2015-2023 Housing Element. Program 2.8 requires the County to adopt zoning ordinance amendments defining transitional and supportive housing and allowing such housing types as residential uses, subject only to those restrictions that apply to other dwellings of the same type in the same zone. Accordingly, the proposed ordinance amendments will implement the County's 2015-2023 Housing Element Update by addressing the housing needs of homeless populations and persons with disabilities.
- I. This Montecito Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed ordinance amendments at which hearing the proposed ordinance amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of Section 65855 of the Government Code, this Montecito Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the Montecito Planning Commission Staff report dated April 4, 2017.
- 3. A certified copy of this Resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65855.
- 4. The Chair of this Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above described action by the Montecito Planning Commission.

PASSED, APPROVED AND ADOPTED by the Montecito Planning Commission of the County of Santa Barbara, State of California, this 12th day of April 2017, by the following vote:

AYES: Keller, Newman, Brown, Senauer



NOES:

ABSTAIN:

ABSENT: Overall



SUSAN KELLER, CHAIR  
Santa Barbara Montecito Planning Commission

ATTEST:



DIANNE BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

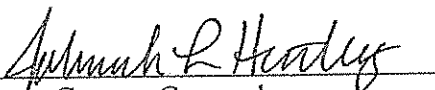
By   
Deputy County Counsel

Exhibit 1 - Transitional and Supportive Housing Ordinance Amendments

(Case No. 17ORD-00000-00001)



**EXHIBIT 1: MONTECITO LAND USE AND DEVELOPMENT CODE ORDINANCE  
AMENDMENT (REVISED APRIL 10, 2017)**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING SECTION 35-2, THE MONTECITO LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 35.2, MONTECITO ZONES AND ALLOWABLE LAND USES, DIVISION 35.4, MONTECITO STANDARDS FOR SPECIFIC LAND USES, AND DIVISION 35.10, GLOSSARY, TO IMPLEMENT NEW REGULATIONS REGARDING THE PERMITTING OF TRANSITIONAL AND SUPPORTIVE HOUSING.

Case No. 17ORD-00000-00001

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

**SECTION 1:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the Montecito Land Use and Development Code (MLUDC), of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Residential section of Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zone, of Section 35.422.030, Resource Protection Zone Allowable Land Uses, of Chapter 35.422, Resource Protection Zone, to read as follows:

<b>Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zone</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>RMZ</b>	<b>Specific Use Regulations</b>

<b>RESIDENTIAL</b>		
Guesthouse	P	35.442.120
Home occupation	P	35.442.130
Dwelling, one-family	P	
Farmworker dwelling unit	P	35.442.105
Farmworker dwelling complex	CUP	35.442.105
Residential accessory uses and structures	P	35.422.030.E
Special care home, 7 or more clients	CUP	35.442.070
<del>Transitional and supportive housing, dwelling, one-family</del>	<del>P</del>	<del>35.442.070</del>
Transitional and supportive housing	S	35.442.070

**Key to Zone Symbols**

<b>RMZ</b>	Resource Management
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**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.422.030.C (Development Plan approval required).

**SECTION 2:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Residential section of Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.423.030, Residential Zones Allowable Land Uses, of Chapter 35.423, Residential Zones, to read as follows:

<b>Table 2-7</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>R-1/E-1</b>	<b>R-2</b>	

<b>RESIDENTIAL</b>			
<b>LAND USE (1)</b>	<b>R-1/E-1</b>	<b>R-2</b>	<b>Specific Use Regulations</b>
Accessory dwelling unit	P	—	35.442.015
Artist studio	P	—	35.442.120
Dwelling, one-family (3)	P	P	35.442.140
Dwelling, two-family	—	P	
Dwelling, multiple	—	—	
Farmworker dwelling unit	P (3)	P (3)	35.442.105
Farmworker housing complex	CUP	CUP	35.442.105
Guesthouse	P	—	35.442.120
Home occupation	P	P	35.442.130
Mobile home park	CUP	CUP	
Organizational house (fraternity, sorority, etc.)	—	—	
Residential accessory use or structure	P	P	35.442.020
Residential project convenience facilities	—	—	
Residential second unit	P	—	35.442.160
Special care home, 7 or more clients	CUP	CUP	35.442.070
<del>Transitional and supportive housing, dwelling, one family (3)</del>	<del>P</del>	<del>P</del>	<del>35.442.070</del>
<del>Transitional and supportive housing, dwelling, two family</del>	<del>—</del>	<del>P</del>	<del>35.442.070</del>
Transitional and supportive housing	S	S	35.442.070

**Key to Zone Symbols**

<b>R-1/E-1</b>	Single-Family Residential
<b>R-2</b>	Two-Family Residential

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).
- (3) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.442.140 (Mobile Homes on Foundations).

**SECTION 3:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Residential section of Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.423.030, Residential Zones Allowable Land Uses, of Chapter 35.423, Residential Zones, to read as follows:

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>DR</b>	<b>PRD</b>	

**RESIDENTIAL**

Accessory dwelling unit	—	—	
Artist studio	—	—	
Dwelling, one-family	P	P	
Dwelling, two-family	P	P	
Dwelling, multiple	P	P	
Farmworker dwelling unit	P	P	35.442.105
Farmworker housing complex	P	—	35.442.105
Guesthouse	—	—	
Home occupation	P	P	35.442.130
Mobile home parks	CUP	CUP	
Organizational house (fraternity, sorority, etc.) (3)	CUP	—	
Residential accessory use or structure	P	P	35.442.020
Residential project convenience facilities	P	P	
Special care home, 7 or more clients	CUP	CUP	35.442.070
<del>Transitional and supportive housing, dwelling, one-family</del>	<del>P</del>	<del>P</del>	<del>35.442.070</del>
<del>Transitional and supportive housing, dwelling, two-family</del>	<del>P</del>	<del>P</del>	<del>35.442.070</del>
<del>Transitional and supportive housing, dwelling, multiple</del>	<del>P</del>	<del>P</del>	<del>35.442.070</del>
Transitional and supportive housing	S	S	35.442.070

**Key to Zone Symbols**

<b>DR</b>	Design Residential
<b>PRD</b>	Planned Residential Development

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.423.030.C (Development Plan approval required).
- (3) Limited to student housing facilities located in an area where such facilities are to be used by students of a permitted educational facility.

**SECTION 4:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Residential Uses section of Table 2-12 Allowed Land Uses and Permit Requirements for Commercial Zones, of Section 35.424.030, Commercial Zones Allowable Land Uses, of Chapter 35.424, Commercial Zones, to read as follows:

<b>Table 2-12</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>CN</b>	<b>CV</b>	

**RESIDENTIAL USES**

Caretaker/Manager dwelling	—	CUP	35.442.060
Farmworker dwelling unit	CUP	—	35.442.105
Farmworker housing complex	—	—	35.442.105
Home occupation	P	P	35.442.130
Mixed use project residential component - market rate	CUP	—	35.424.050
Mixed use project residential component - 1 unit (3)	P	P	35.424.050
Mixed use project residential component 2 to 4 units (3)	CUP	CUP	35.424.050
Special care home, 7 or more clients	CUP	CUP	35.442.070
<del>Transitional and supportive housing, mixed use residential component - market rate</del>	<del>CUP</del>	<del>—</del>	<del>35.442.070</del>
<del>Transitional and supportive housing, mixed use residential component - 1 unit (3)</del>	<del>P</del>	<del>P</del>	<del>35.442.070</del>
<del>Transitional and supportive housing, mixed use residential component - 2 to 4 units (3)</del>	<del>CUP</del>	<del>CUP</del>	<del>35.442.070</del>
Transitional and supportive housing	S	S	35.442.070

**Key to Zone Symbols**

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Must comply with standards of Section 35.424.050.A (Mixed use affordable residential unit standards) or 35.424.060.D (Mixed use affordable residential unit standards) as applicable to the specific zone.

**SECTION 5:**

DIVISION 35.2, Montecito Zones and Allowable Land Uses, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Residential Uses section of Table 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zones, of Section 35.425.030, Special Purpose Zones Allowable Land Uses, of Chapter 35.425, Special Purpose Zones, to read as follows:

Table 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zones	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	REC	PU	
	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)			
<b>RESIDENTIAL USES</b>			
Caretaker/Manager dwelling	CUP	—	35.442.060
Transitional and supportive housing	CUP	—	35.442.070

Key to Zone Symbols

REC	Recreation
PU	Public Utilities

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.425.030.C (Development Plan approval required).

**SECTION 56:**

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35.442.070, Community Care Facilities, of Chapter 35.442, Standards for Specific Land Uses, to add a new Subsection E titled “Transitional and supportive housing” and to read as follows:

**E. Transitional and supportive housing.**

1. Considered a residential use. In compliance with Government Code Section 65583(a)(5), transitional and supportive housing shall be considered residential uses pursuant to this Development Code of property, and the residents and operators of the housing shall be considered a family as this term is used in this Development Code in relation to the residential use of property.
2. Dwelling types. For the purposes of this Subsection E (Transitional and supportive housing), the term dwelling includes one-family dwellings, two-family dwellings, multiple dwellings, accessory dwelling units, single room occupancy facilities, special care homes, agricultural employee housing, farmworker housing, caretaker units, modular homes, mobilehomes, including mobilehomes located in mobilehome parks, and including units in stock cooperatives, community apartments, condominiums, townhouses, and planned unit developments.
3. Subject to same permit requirements and development standards. Transitional housing and supportive housing shall be allowed in any dwelling (residential use) allowed in a specific zone.

subject to the same permit requirements (e.g., Land Use Permit or Conditional Use Permit) and the same development standards and occupancy restrictions as other dwellings of the same type in the same zone.

**4. Reasonable accommodation.** The requirements of this Development Code may be modified in compliance with Chapter 35.437 (Reasonable Accommodation) if necessary to comply with the Federal Fair Housing Act and the California Fair Employment and Housing Act relating to accommodations for persons with disabilities including allowances for structural installations that are necessary to accommodate disabled residents (e.g., handrails, lifts, and ramps).

**5. Allowable restrictions.**

a. Transitional and supportive housing shall comply with County ordinances, including restrictions on structure height, setbacks, lot dimensions, and placement of signs, as long as such restrictions are identical to those applied to other dwellings of the same type in the same zone.

b. Supportive services provided onsite shall only serve residents of that particular housing project who are members of the target population.

c. Pursuant to Government Code Section 65589.5(d), the County shall not disapprove a transitional or supportive housing project for very low, low-, or moderate-income households, or condition approval in a manner that renders the project infeasible for development for the use of very low, low-, or moderate-income households, including through the use of design review standards, unless it makes written findings, based upon substantial evidence in the record, as to one of the findings in Government Code Sections 65589.5(d)(1) through (5).

**6. Fees.** Transitional and supportive housing shall not be subject to any local business taxes, local registration fees, use permit fees, or other fees to which other dwellings of the same type in the same zone are not likewise subject.

**7. Not a change in occupancy.** The use of a dwelling for purposes of transitional or supportive housing shall not constitute a change of occupancy for purposes of local building codes.

**8. Processing.**

a. Transitional and supportive housing shall be considered residential uses and may be allowed in compliance with Division 35.2 (Montecito Zones and Allowable Land Uses) and Government Code Section 65583(a)(5). No Conditional Use Permit, Variance, or other planning permit shall be required of transitional or supportive housing that is not required of a dwelling of the same type in the same zone.

b. If required, notice of the application and pending decision on a permit for transitional or supportive housing shall be given in compliance with Chapter 35.496 (Noticing and Public Hearings).

c. When transitional or supportive housing is proposed to be located in a zone where the residential use requires a Conditional Use Permit, an additional Conditional Use Permit is not required for the housing if the residential use has obtained the necessary Conditional Use Permit in compliance with Section 35.472.060 (Conditional Use Permits).



**SECTION 67:**

DIVISION 35.10, Glossary, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend Section 35.500.020, Definitions of Specialized Terms and Phrases, of Chapter 35.500, Definitions, to revise the definition of “Special Care Home” and add the following new definitions of “Supportive Housing,” “Target Population,” and “Transitional Housing” to read as follows:

**Special Care Home.** A residential home providing 24-hour non-medical care and supervision that is eligible for a license for a capacity of seven or more clients from the State Department of Social Services, Community Care Licensing Division or a licensing agency authorized by the Department as a "Group Home-Children," "Supportive Housing." "Transitional Housing Home, including substance abuse recovery," "Adult Residential Home," "Residential Care Facility for the Elderly or Handicapped," or "Foster Home."

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (See Government Code Section 65582(g).)

Target Population. Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. (See Government Code Section 65582(i).)

Transitional Housing. Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. (See Government Code Section 65582(j).)

**SECTION 78:**

All existing indices, section references, and figure and table numbers contained in Section 35-2, the MLUDC, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

**SECTION 89:**

Except as amended by this Ordinance, Division 35.2 Montecito Zones and Allowable Land Uses, Division 35.4, Montecito Standards for Specific Land Uses and Division, and Division 35.10, Glossary, of Section 35-2, the MLUDC, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

**SECTION 910:**

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 the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
JOAN HARTMANN, 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:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

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

## ATTACHMENT D: FINDINGS

CASE NO. 17ORD-00000-00003

### 1.0 CEQA FINDINGS

#### 1.1 CEQA EXEMPTION

- 1.1.1 The Montecito Planning Commission finds, and recommends that the County Planning Commission find and recommend that the Board of Supervisors find, that the proposed amendments to the Coastal Zoning Ordinance (CZO), Case No. 17ORD-00000-00003, are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265. Please see Attachment B, Notice of Exemption.

### 2.0 ADMINISTRATIVE FINDINGS

In compliance with Section 35-180.6 of the CZO, the Montecito Planning Commission shall make the following findings in order to recommend approval of a text amendment to the CZO to the County Planning Commission, and the County Planning Commission and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the CZO:

#### 2.1 **The request is in the interest of the general community welfare.**

The 2015-2023 Housing Element Update contains policies and programs to develop and preserve an adequate housing supply, as well as promote, encourage, and facilitate housing for low income and special needs groups. The proposed ordinance amendments are in the interest of the general community welfare since they will effectuate Program 2.8 of the 2015-2023 Housing Element Update. Program 2.8 directs the County to amend its zoning ordinances to include definitions of transitional and supportive housing and allow transitional and supportive housing as residential uses, subject only to those restrictions that apply to other dwellings of the same type in the same zone. Transitional and supportive housing provides affordable rental housing and supportive services to individuals with low incomes and one or more disabilities. This may include, among other populations, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Accordingly, the proposed amendments will serve to implement the County's 2015-2023 Housing Element Update and remove regulatory barriers to the development of affordable and special needs housing.

#### 2.2 **The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Article (the CZO).**

The proposed ordinance amendments, as analyzed in the Montecito Planning Commission staff report, dated April 4, 2017, which is hereby incorporated by reference, will effectuate Program 2.8 of the 2015-2023 Housing Element Update. The 2015-2023 Housing Element Update is one of seven mandatory elements of the County Comprehensive Plan. The Board of Supervisors adopted the 2015-2023 Housing Element Update after making a finding that the element was in conformity with other mandatory and optional elements of the Comprehensive Plan. The 2015-2023 Housing Element Update contains Program 2.8 and

36 other programs to carry out the County’s housing goals and policies. Therefore, the proposed amendments implement and are in conformity with the Comprehensive Plan, including the 2015-2023 Housing Element Update.

The proposed ordinance amendments will not alter the purpose and intent of any policies or other provisions of the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and they will not result in any inconsistencies with adopted policies or other provisions. The proposed amendments would not allow new uses or physical development, or change zoning regulations (e.g., development standards) in any zone. Rather, the proposed amendments would clarify that transitional and supportive housing are allowable uses that may occupy dwelling types already allowed in each zone. These uses would be permitted and regulated identically to other dwellings of the same type in the same zone. Therefore, the proposed amendments may be found consistent with the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan.

Similarly, the purpose and intent of the CZO would not be altered because the proposed ordinance amendments would only clarify that the CZO already allows transitional and supportive housing in dwelling types already allowed in certain zones. Thus, the proposed amendments are also consistent with the remaining portions of the CZO that would not be revised by these amendments.

As discussed in the Montecito Planning Commission staff report, Program 2.8 directs the County to explicitly acknowledge in the zoning ordinances uses that the zoning ordinance already allow, in compliance with state law. The proposed ordinance amendments include definitions from Government Code Section 65582. Additionally, the proposed amendments comply with Government Code Section 65583(a)(5) because they allow transitional and supportive housing as residential uses subject only to those restrictions that apply to other dwellings of the same type in the same zone. Therefore, the proposed amendments may be found to be consistent with the requirements of state planning laws.

Accordingly, this ordinance may be found to be consistent with the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, the requirements of state planning and zoning laws, and the CZO.

**2.3 The request is consistent with good zoning and planning practice.**

The proposed ordinance amendments, as analyzed in the Montecito Planning Commission staff report dated April 4, 2017, which are hereby incorporated by reference, are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since the proposed uses will occupy dwelling types already allowed in each zone, and the intent, restrictions, and development standards of all zones will not be altered. Additionally, the proposed amendments will serve to implement the County’s 2015-2023 Housing Element Update and remove barriers to the development of transitional and supportive housing. As discussed in Finding 2.2, above, the amendments are consistent with the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan, and the CZO.

**ATTACHMENT E: RESOLUTION OF THE MONTECITO PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE )  
COUNTY PLANNING COMMISSION RECOMMEND ) RESOLUTION NO. 17 - 02  
THAT THE BOARD OF SUPERVISORS ADOPT AN )  
ORDINANCE AMENDING DIVISION 2, ) Case No.:  
DEFINITIONS, DIVISION 4, ZONING DISTRICTS, ) 17ORD-00000-00003  
AND DIVISION 7, GENERAL REGULATIONS, OF )  
ARTICLE II, THE COASTAL ZONING ORDINANCE, )  
OF CHAPTER 35, ZONING, OF THE SANTA )  
BARBARA COUNTY CODE, TO IMPLEMENT NEW )  
REGULATIONS REGARDING THE PERMITTING OF )  
TRANSITIONAL AND SUPPORTIVE HOUSING. )

WITH REFERENCE TO THE FOLLOWING:

- J. On July 19, 1982, by Ordinance 3312, the Board of Supervisors adopted Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35 of the Santa Barbara County Code.
- K. On October 13, 2007, the State Senate adopted Senate Bill 2 (Government Code Section 65583) to clarify that transitional and supportive housing shall be permitted as residential uses subject only to those restrictions that apply to other dwellings of the same type in the same zone.
- L. On August 27, 2013, the State Senate adopted Senate Bill 745 (Government Code Section 65582) to add definitions of “supportive housing,” target population,” and “transitional housing” to the Government Code.
- M. The Board of Supervisors adopted the 2015-2023 Housing Element Update on February 3, 2015, and the California Department of Housing and Community Development found the Housing Element Update in conformity with state housing element law on April 29, 2015.
- N. Staff consulted with the California Department of Housing and Community Development while drafting the proposed ordinance amendments and used a website and display advertisements printed in regional newspapers to inform the community about how the implementation of state law will affect County zoning regulations regarding the permitting of transitional and supportive housing.
- O. The Montecito Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the County Planning Commission recommend that the Board of Supervisors adopt an ordinance (Case No. 17ORD-00000-00003) amending Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the permitting of transitional and supportive housing in compliance with Government Code Section 65583(a)(5).

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- P. The proposed ordinance amendments are consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, the Comprehensive Plan including the Montecito Community Plan, and the requirements of the state planning, zoning, and development laws.
- Q. The proposed ordinance amendments are in the interest of the general community welfare since the amendments will effectuate Program 2.8 of the Comprehensive Plan’s 2015-2023 Housing Element. Program 2.8 requires the County to adopt zoning ordinance amendments defining transitional and supportive housing and allowing such housing types as residential uses, subject only to those restrictions that apply to other dwellings of the same type in the same zone. Accordingly, the proposed ordinance amendments will implement the County’s 2015-2023 Housing Element Update by addressing the housing needs of homeless populations and persons with disabilities.
- R. This Montecito Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed ordinance amendments at which hearing the proposed ordinance amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of Section 65855 of the Government Code, this Montecito Planning Commission recommends that the County Planning Commission recommend that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Montecito Planning Commission, based on the findings included as Attachment D of the Montecito Planning Commission staff report dated April 4, 2017.
- 3. A certified copy of this Resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65855.
- 4. The Chair of this Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above described action by the Montecito Planning Commission.

PASSED, APPROVED AND ADOPTED by the Montecito Planning Commission of the County of Santa Barbara, State of California, this 12 day of April 2017, by the following vote:

AYES: Keller, Newman, Brown, Senauer

NOES:


ABSTAIN:

ABSENT: Overall



SUSAN KELLER, CHAIR  
Santa Barbara Montecito Planning Commission

ATTEST:



DIANNE BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

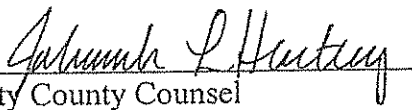
By   
Deputy County Counsel

Exhibit 1 - Transitional and Supportive Housing Ordinance Amendments

(Case No. 17ORD-00000-00003)





EXHIBIT 1: COASTAL ZONING ORDINANCE AMENDMENT (REVISED APRIL 10, 2017)

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

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, AND DIVISION 7, GENERAL REGULATIONS, TO IMPLEMENT NEW REGULATIONS REGARDING THE PERMITTING OF TRANSITIONAL AND SUPPORTIVE HOUSING.

Case No. 17ORD-00000-00003

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

**SECTION 1:**

DIVISION 2, Definitions, of Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-58, Definitions, to revise the definition of "Special Care Home" and add the following definitions of "Supportive Housing," "Target Population," and "Transitional Housing" to read as follows:

**Special Care Home:** A residential home providing non-medical care and supervision (also known as a "Group Home-Children," "Transitional Home-Housing, including substance abuse recovery," "Adult Residential Home," "Supportive Housing," "Residential Care Facility for the Elderly or Handicapped," or "Foster Home." Note: Homes which serve six or fewer persons shall be considered a residential use, subject to the regulations for any other residential dwelling in the applicable zone, and the residents and operators of the home shall be considered a family.

**Supportive Housing:** Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (See Government Code Section 65582(g).)

**Target Population:** Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. (See Government Code Section 65582(i).)

**Transitional Housing:** Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. (See Government Code Section 65582(j).)

**SECTION 2:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara

County Code, is amended to amend Section 35-68.3, Permitted Uses, of Section 35-68, AG-I – Agriculture I, to read as follows:

***Section 35-68.3 Permitted Uses.***

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
8. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.
9. One Attached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10 or AG-I-20, subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. ~~Transitional and Supportive Housing, limited to one single family dwelling unit per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).~~
- 14~~2~~. Uses, buildings and structures accessory and customarily incidental to the above uses.

**SECTION 3:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-69.3, Permitted Uses, of Section 35-69, AG-II – Agriculture II, to read as follows:

***Section 35-69.3 Permitted Uses.***

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations

hereinafter provided in this Section 35-69.

2. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
3. Commercial boarding of animals.
4. Private and/or commercial kennels.
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
6. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use located on the same lot.
7. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).
8. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
9. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
10. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot.
11. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
12. Transitional and Supportive Housing, limited to one single family dwelling unit per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
123. Uses, buildings and structures accessory and customarily incidental to the above uses.

#### **SECTION 4:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-70.3, Permitted Uses, of Section 35-70, RR – Rural Residential, to read as follows:

##### ***Section 35-70.3 Permitted Uses.***

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-70.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich, or other livestock not specifically enumerated herein; or three goats, hogs; shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no event shall more than three hogs be kept on any such lot.
3. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
4. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the

National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).

5. One guest house or artist studio per legal lot, subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
6. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.
7. Greenhouses, hothouses, or other plant protection structures not exceeding 300 square feet.
8. The keeping of animals and poultry subject to the R-1/E-1 provisions of Section 35-71.12, Subsections 3. through 9., only (Animals).
9. One Attached or Detached Residential Second Unit per legal lot subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. ~~Transitional and Supportive Housing, limited to one single family dwelling unit per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).~~
- 1+2. Uses, buildings and structures which are customarily incidental to the above uses.

## **SECTION 5:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-71.3, Permitted Uses, of Section 35-71, R-1/E-1 – Single-Family Residential, to read as follows:

### ***Section 35-71.3 Permitted Uses***

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141.
2. One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
3. Home occupations subject to the provisions of Section 35-121. (General Regulations) and accessory to a residential use of the same lot.
4. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
5. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
  - a. The structure is accessory to either a residential or agricultural use of the same lot.
  - b. The structure shall not exceed a gross floor area of 300 square feet.
  - c. The structure is used only for the propagation and cultivation of plants.
  - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.

6. The keeping of animals and poultry accessory to the primary residential use located on the same lot and subject to the provisions of Section 35-71.12.
7. Public parks, public playgrounds, and community centers operated by a public agency.
8. One Attached or Detached Residential Second Unit subject to the provisions of Section 35-142 (Residential Second Units).
9. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
10. ~~Transitional and Supportive Housing, limited to one single family dwelling unit per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141.~~
101. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

## SECTION 6:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-72.3, Permitted Uses, of Section 35-72, R-2 – Two Family Residential, to read as follows:

### *Section 35-72.3 Permitted Uses*

1. One single family dwelling or one two family dwelling, i.e., duplex, per legal lot.
2. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
3. ~~Transitional and Supportive Housing, limited to one single family dwelling or one two family dwelling, i.e., duplex, per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).~~
34. Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.
45. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
56. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
  - a. The structure is accessory to either a residential or agricultural use of the same lot.
  - b. The structure shall not exceed a gross floor area of 300 square feet.
  - c. The structure is used only for the propagation and cultivation of plants.
  - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
67. The keeping of animals and poultry accessory to a residential use located on the same lot and subject to the provisions of Section 35-71.12 (R-1/E-1, Animals).
78. Public parks, public playgrounds, and community centers operated by public agencies.
89. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the

premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

## **SECTION 7:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-73.3, Permitted Uses, of Section 35-73, EX-1 – One-Family Exclusive Residential, to read as follows:

### ***Section 35-73.3 Permitted Uses.***

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141 (General Regulations). Except as provided herein, trailers in any condition shall not be used for any purpose.
2. One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
3. Golf courses and facilities incidental and subordinate to such use (e.g., restaurant, pro shop) but not including commercial driving tees, ranges, putting courses or miniature golf courses.
4. Parks, playgrounds, and community facilities operated by a non-profit homeowners association.
5. Orchards, truck and flower gardens, and the raising of field crops.
6. Greenhouses, hothouses, and other plant protection subject to all of the following:
  - a. The structure is accessory to either a residential or agricultural use of the same lot.
  - b. The structure shall not exceed a gross floor area of 300 square feet.
  - c. The structure is used only for the propagation and cultivation of plants.
  - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
7. The keeping of animals and poultry subject to the provisions of Section 35-71.12 and accessory to the primary residential use of the same lot.
8. Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.
9. One Attached or Detached Residential Second Unit subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. ~~Transitional and Supportive Housing, limited to one single family dwelling unit per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141 (General Regulations). Except as provided herein, trailers in any condition shall not be used for any purpose.~~

142. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

## SECTION 8:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-74.4, Permitted Uses, of Section 35-74, DR – Design Residential, to read as follows:

### *Section 35-74.4 Permitted Uses.*

1. Single family, duplex, triplex, and multi-family dwelling units, including developments commonly known as row houses, town houses, condominiums, cluster, and community apartment projects.
2. Parking lots, carports, and garages designed and used for individual units within the district and either adjacent to such units or centrally located to serve a group of units.
3. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-74.4, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
4. Golf courses.
5. Public parks, public playgrounds, and community centers.
6. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.)
7. The keeping of animals accessory to a residential use located on the same lot and subject to the provisions of Section 35-419.12 (R-1/E-1, Animals).
8. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
  - a. The structure is accessory to either a residential or agricultural use of the same lot.
  - b. The structure shall not exceed a gross floor area of 300 square feet.
  - c. The structure is used only for the propagation and cultivation of plants.
  - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
9. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
10. Transitional and Supportive Housing, limited to single family, duplex, triplex, and multi-family dwelling units, including row houses, town houses, apartments, and condominiums, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
101. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

## SECTION 9:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-75.7, Permitted Uses, of Section 35-75, PRD – Planned

Residential Development, to read as follows:

***Section 35-75.7 Permitted Uses.***

1. Residential units, either attached or detached, including single family dwellings, duplexes, row houses, town houses, apartments, and condominiums.
2. Recreational facilities, including but not limited to tennis courts, swimming pools, playgrounds, and parks for the private use of the residents of the development, provided such facilities are not operated for remuneration.
3. Laundromat, meeting rooms, for use by residents of the development.
4. Where required by the Coastal Land Use Plan, resort visitor-serving facilities.
5. Home Occupations, subject to the provisions of Section 35-121 (General Regulations).
6. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-75.7, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
7. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
- ~~8. Transitional and Supportive Housing, limited to residential units, either attached or detached, including single family dwellings, duplexes, row houses, town houses, apartments, and condominiums, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).~~
89. The keeping of household pets accessory to a residential use of a dwelling located on the lot on which the animal keeping occurs provided that:
  - a. There shall not be more than three dogs permitted on any one lot.
  - b. Such animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.
  - c. The keeping of such animals is not injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Animal Services Division of the County Public Health Department.
  - d. Enclosures for such small animals shall be no closer than 25 feet to any dwelling located on another lot.
  - e. No rooster or peacock shall be kept or raised on the lot.
910. Uses, buildings, and structures accessory and customarily incidental to the above uses.

**SECTION 10:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-76.4, Permitted Uses, of Section 35-76, SR-M – Medium Density Student Residential, to read as follows:

***Section 35-76.4 Permitted Uses.***

1. One single family dwelling unit, one two-family dwelling or multi-unit dwellings.
- ~~2. Transitional and Supportive Housing, limited to one single family dwelling unit, one two family dwelling, or multi-unit dwellings, including row houses, town houses, apartments, and condominiums, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).~~
23. Parking lots, carports, and garages designed and used for individual units within the development and



either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.

34. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
45. Public parks, public playgrounds, and community centers.
56. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
67. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
78. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
89. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-76.4, for use by on-site residents and/or employees of the development; when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.

## **SECTION 11:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-77.4, Permitted Uses, of Section 35-77, SR-H – High Density Student Residential, to read as follows:

### ***Section 35-77.4 Permitted Uses.***

1. One single family dwelling unit, one two-family dwelling or multi unit dwellings.
2. ~~Transitional and Supportive Housing, limited to one single family dwelling unit, one two family dwelling, or multi unit dwellings, including row houses, town houses, apartments, and condominiums, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).~~
23. Dormitories, student housing facilities, residence halls, sororities and fraternities located in an area where such facilities are to be used by students of an educational institution.
34. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
45. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
56. Public parks, public playgrounds, and community centers.
67. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
78. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
89. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
910. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section

35-77.4, for use by on-site employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.

101. Emergency Shelter.

## **SECTION 12:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-77A.3, Permitted Uses, of Section 35-77A, C-1 – Limited Commercial, to read as follows:

### ***Section 35-77A.3 Permitted Uses.***

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Child Care Facilities.
8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, and Section 35-71 (R-1/E-1).
9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
10. ~~Transitional and Supportive Housing, limited to one single family residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, Section 35-71 (R-1/E-1), and subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).~~
101. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration.
112. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
123. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
  - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.

- b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

### SECTION 13:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-78.5, Uses Permitted With a Minor Conditional Use Permit, of Section 35-78, C-2 – Retail Commercial, to read as follows:

#### *Section 35-78.5 Uses Permitted With a Minor Conditional Use Permit.*

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Automobile and machinery repair and service conducted partially or wholly outdoors.
3. Boat sales yard and boat repair and services, but not including painting or junk yards for boats.
4. Cabinet shop.
5. Cleaning and dyeing establishment.
6. Electrical shop.
7. Frozen food locker as part of a retail store.
8. Furniture repair and upholstery.
9. Handicraft-type industries subject to the provisions of Section 35-172.11 (Conditional Use Permits).
10. Lumber and building materials sales yard.
11. Mechanical car wash.
12. Plumbing, heating, and ventilating shop.
13. Pump sales and service.
14. Outdoor sale of pool supplies, patio furniture, and spas.
15. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
16. Sales or storage lot for trailers, including trailers used for carrying property, and recreational vehicles.
17. Sign painting shop.
18. Trailer rentals, including trailers used for carrying property, and truck rentals.
19. Welding and small tool machine shop.
20. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
21. Transitional and Supportive Housing, limited to residences in which the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
242. Certified Farmer's Market.
223. Emergency Shelter.
234. Single Room Occupancy Facility.

**SECTION 14:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-80.5, Uses Permitted With a Minor Conditional Use Permit, of Section 35-80, CH – Highway Commercial, to read as follows:

***Section 35-80.5 Uses Permitted With a Minor Conditional Use Permit.***

1. Commercial driving tees, putting ranges, and golf courses.
2. Truck service station (defined as a place of business primarily engaged in providing service station facilities for cargo vehicles.).
3. Mechanical car washes, except where the property abuts a residential district, subject to the construction of masonry walls, fencing, installation of landscaping, and other methods of reducing noise effects on abutting property, and subject to such controls over access, parking, and landscaping as will make such use compatible with adjacent uses.
4. Residences provided the residential use is secondary to a primary commercial use on the same lot.
5. Transitional and Supportive Housing, limited to residences in which the residential use is secondary to a primary commercial use on the same lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 15:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-81.7, Uses Permitted With a Minor Conditional Use Permit, of Section 35-81, C-V – Resort/Visitor Serving Commercial, to read as follows:

***Section 35-81.7 Uses Permitted With a Minor Conditional Use Permit.***

1. Residences, provided the residential use is secondary to a primary commercial use on the same lot.
2. Transitional and Supportive Housing, limited to residences in which the residential use is secondary to a primary commercial use on the same lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 16:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-83.6, Uses Permitted With a Minor Conditional Use Permit, of Section 35-83 titled, PI – Professional and Institutional, to read as follows:

***Section 35-83.6 Uses Permitted With a Minor Conditional Use Permit.***

1. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
2. Transitional and Supportive Housing, limited to residences in which the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
23. Certified Farmer's Market.

**SECTION 17:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-87.4, Uses Permitted With a Major Conditional Use Permit, of Section 35-87 titled, M-CD – Coastal Dependent Industry, to read as follows:

*Section 35-87.4 Uses Permitted With a Major Conditional Use Permit.*

1. Dwellings for employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is to be located.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 18:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-89.7, Uses Permitted With a Minor Conditional Use Permit, of Section 35-89 titled, REC – Recreation District, to read as follows:

*Section 35-89.7 Uses Permitted With a Minor Conditional Use Permit.*

1. Residential structures for a caretaker.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 179:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-90.3, Permitted Uses, of Section 35-90, RES – Resource Management, to read as follows:

*Section 35-90.3 Permitted Uses.*

1. One single family dwelling per legal lot.
2. One guest house subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
3. Transitional and Supportive Housing, limited to one single family dwelling per legal lot, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
34. The non-commercial keeping of animals and poultry accessory to the primary residential use located on the same lot.
45. Agricultural grazing.
56. Uses, buildings and structures accessory and customarily incidental to the above uses.

**SECTION 1820:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-91.4, Permitted Uses, of Section 35-91, MHP – Mobile Home Park, to read as follows:

***Section 35-91.4 Permitted Uses.***

1. Mobile Home Park.
2. Recreational facilities for the use of the residents of the park.
3. Accessory uses, structures, and buildings which are customarily incidental and subordinate to the uses permitted in this district.
4. Transitional and Supportive Housing, ~~located within a mobile home,~~ subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 21:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-92.4, Uses Permitted With a Major Conditional Use Permit, of Section 35-92, M-CR – Coastal Related Industry, to read as follows:

***Section 35-92.4 Uses Permitted With a Major Conditional Use Permit.***

1. Dwellings for employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is to be located.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 1922:**

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-93A.3, Permitted Uses, of Section 35-93A, MT-TORO – Mountainous Area – Toro Canyon Planning Area, to read as follows:

***Section 35-93A.3 Permitted Uses.***

1. One single-family dwelling per legal lot.
2. One guest house subject to the provisions of Section 35-120 (General Regulations).
3. The non-commercial keeping of animals and poultry.
4. Cultivated agriculture, vineyard, or orchard when there is evidence of permitted or legal non-conforming use within the previous ten-year period.
5. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
6. Accessory uses, buildings and structures that are customarily incidental to the above uses.
7. Transitional and Supportive Housing, ~~limited to one single family dwelling per legal lot,~~ subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

**SECTION 203:**

DIVISION 7, General Regulations, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-143, Community Care Facilities, to add a new Subsection 35-143.5 titled “Transitional and Supportive Housing” and to read as follows:

**Section 35-143.5 Transitional and Supportive Housing.**

1. Considered a residential use. In compliance with Government Code Section 65583(a)(5), transitional and supportive housing shall be considered residential uses pursuant to this Article of property, and the residents and operators of the housing shall be considered a family as this term is used in this Article in relation to the residential use of property.
2. Dwelling types. For the purposes of this Subsection 34-143.5 (Transitional and Supportive Housing), the term dwelling includes one-family dwellings, two-family dwellings, multiple dwellings, accessory dwelling units, single-room occupancy facilities, special care homes, agricultural employee housing, farmworker housing, caretaker units, modular homes, mobilehomes, including mobilehomes located in mobilehome parks, and including units in stock cooperatives, community apartments, condominiums, townhouses, and planned unit developments.
3. Subject to same permit requirements and development standards. Transitional housing and supportive housing shall be allowed in any dwelling (residential use) allowed in a specific zone, subject to the same permit requirements (e.g., Coastal Development Permit or Conditional Use Permit) and the same development standards and occupancy restrictions as other dwellings of the same type in the same zone.
4. Reasonable accommodation. The requirements of this Article may be modified in compliance with Section 35-144Q (Reasonable Accommodation) if necessary to comply with the Federal Fair Housing Act and the California Fair Employment and Housing Act relating to accommodations for persons with disabilities including allowances for structural installations that are necessary to accommodate disabled residents (e.g., handrails, lifts, and ramps).
5. Allowable restrictions.

  - a. Transitional and supportive housing shall comply with County ordinances, including restrictions on structure height, setbacks, lot dimensions, and placement of signs, as long as such restrictions are identical to those applied to other dwellings of the same type in the same zone.
  - b. Supportive services provided onsite shall only serve residents of that particular housing project who are members of the target population.
  - c. Pursuant to Government Code Section 65589.5(d), the County shall not disapprove a transitional or supportive housing project for very low, low-, or moderate-income households, or condition approval in a manner that renders the project infeasible for development for the use of very low, low-, or moderate-income households, including through the use of design review standards, unless it makes written findings, based upon substantial evidence in the record, as to one of the findings in Government Code Sections 65589.5(d)(1) through (5).
6. Fees. Transitional and supportive housing shall not be subject to any local business taxes, local registration fees, use permit fees, or other fees to which other dwellings of the same type in the same zone are not likewise subject.
7. Not a change in occupancy. The use of a dwelling for purposes of transitional or supportive housing shall not constitute a change of occupancy for purposes of local building codes.
8. Processing.

  - a. Transitional and supportive housing shall be considered residential uses and may be allowed in compliance with Division 4 (Zoning Districts) and Government Code Section 65583(a)(5). No Conditional Use Permit, Variance, or other planning permit shall be required of transitional or supportive housing that is not required of a dwelling of the same type in the same zone.
  - b. If required, notice of the application and pending decision on a permit for transitional or supportive housing shall be given in compliance with Section 35-181 (Noticing).
  - c. When transitional or supportive housing is proposed to be located in a zone where the residential use requires a Conditional Use Permit, an additional Conditional Use Permit is not required for the

housing if the residential use has obtained the necessary Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits).

**SECTION 214:**

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

**SECTION 225:**

Except as amended by this Ordinance, Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

**SECTION 236:**

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or 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 the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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JOAN HARTMANN, 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:

MICHAEL C. GHIZZONI  
COUNTY COUNSEL

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

