

**ATTACHMENT 7: SANTA BARBARA COUNTY UNIFORM RULES FOR AGRICULTURAL PRESERVES AND FARMLAND SECURITY ZONES
RESOLUTION AND AMENDMENT**

RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING AN AMENDMENT) RESOLUTION NO. 23 - 253
TO THE SANTA BARBARA COUNTY UNIFORM)
RULES FOR AGRICULTURAL PRESERVES AND)
FARMLAND SECURITY ZONES (UNIFORM RULES))
TO REVISE THE EXISTING ATTACHED)
ACCESSORY DWELLING UNIT (ADU) DEFINITION)
FOR CONSISTENCY WITH OTHER COUNTY CODES.)

WITH REFERENCE TO THE FOLLOWING:

- A. The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary for the maintenance of the agricultural economy of the state and the assurance of adequate, healthful, and nutritious food for residents of the state and the nation.
- B. The California legislature enacted the California Land Conservation Act of 1965 (Government Code [GC] Section 51200 et seq.), which authorizes counties to establish agricultural preserves and to enter into voluntary contracts with owners of qualifying land within the preserves to restrict the use of land to agricultural use, open space use, and uses compatible with agricultural or open space uses, in exchange for property tax savings.
- C. On October 8, 1994, by Resolution 07-193, the County of Santa Barbara (County) Board of Supervisors (Board) adopted the Uniform Rules for the administration of agricultural preserves pursuant to the California Land Conservation Act of 1965 and GC Section 51231.
- D. On September 27, 2016, the State Legislature adopted Assembly Bill (AB) 2299 and Senate Bill (SB) 1069 (GC Section 65852.2) requiring ministerial approval of planning and building permit applications for ADUs that are located within single-family residential zones and comply with applicable parking, setback, and size restrictions.
- E. On October 8, 2017, the State Legislature adopted SB 229 and Assembly Bill 494 (GC Section 65852.2) to allow ADUs on all lots zoned for single- or multi-family uses, reduce maximum parking requirements, and make clarifying edits to GC Section 65852.2.
- F. On October 9, 2019, the State Legislature adopted AB 68, AB 881, and SB 13 (GC Sections 65852.2 and 65852.22) to further streamline the permit process for, and reduce the development standards applicable to, ADUs and JADUs.
- G. On September 28, 2020, the State Legislature adopted AB 3182 to clean-up and clarify provisions of GC Section 65852.2.

- H. On September 28, 2022, the State Legislature adopted AB 2221 and SB 897 to clarify regulations related to the review and permitting of ADU and JADUs subject to GC Sections 65852.2 and 65852.22.
- H. The Board recognizes the importance of providing housing opportunities on agricultural land enrolled in the Agricultural Preserve Program.
- I. The proposed Uniform Rules amendment is in the interest of orderly planning and development, preservation of agriculture and the integrity of the County's Agricultural Preserve Program, and the preservation of health, safety, and general welfare of the residents of Santa Barbara County to adopt the current amendment as an update to the Uniform Rules.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The Board hereby amends Definitions of the Uniform Rules to read as attached in Exhibit 1.
3. The Clerk of the Board is hereby authorized and directed to send copies of this resolution to all voting members of the County Agricultural Preserve Advisory Committee.

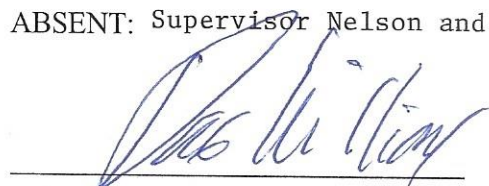
PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 7th day of November, 2023, by the following vote:

AYES: Supervisors Williams, Capps and Hartmann

NOES: None

ABSTAIN: None

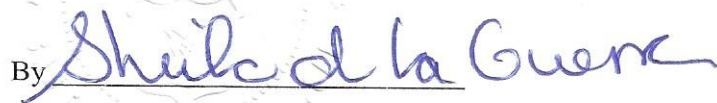
ABSENT: Supervisor Nelson and Lavgnino



DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By 

Deputy Clerk

ADU and JADU Ordinance Amendments
Board of Supervisors
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APPROVED AS TO FORM:
RACHEL VAN MULLEN
COUNTY COUNSEL

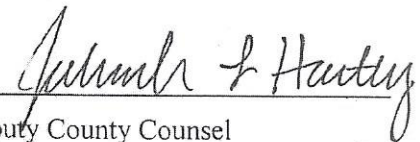
By 
Deputy County Counsel

Exhibit 7-1: 2023 Amendment to the Uniform Rules

DEFINITIONS

Some of the terms defined below are taken directly from the Williamson Act. The definitions in the Williamson Act (WA) may be amended from time to time by the state legislature. Any changes made to the Act's definitions will supersede the definitions included in these Rules. Other terms are taken directly from County zoning ordinance (Santa Barbara County Code Chapter 35, Zoning). Those definitions are also subject to change in response to future zoning ordinance amendments. In some cases, definitions are derived from County zoning ordinances or the Williamson Act but have been tailored to the requirements of the County's Agricultural Preserve Program and may be more restrictive than the zoning ordinances or the Williamson Act. Lastly, there are those definitions which have been developed specifically for the purposes of these Rules.

Accessory dwelling unit: An attached or a detached residential dwelling unit that is located on the same parcel as a single-family or multiple-family dwelling to which the accessory dwelling unit is accessory and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, and (2) provides interior access between all habitable rooms. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

1. **Attached accessory dwelling unit.** An accessory dwelling unit that shares at least five feet of common wall, or is stacked above or below, with the principal dwelling or an attached accessory structure.
2. **Detached accessory dwelling unit.** An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling. A detached accessory dwelling unit may be attached to a detached accessory structure (derived from the Santa Barbara County Code, Chapter 35, Zoning).

Agricultural commodity: Any and all plant and animal products produced within the County for commercial purposes.

Agricultural employee: A person who primarily works or is engaged in agriculture.

Agricultural preserve: An area of contracted land devoted to either agricultural use, recreational use, or open space use, as herein defined, or any combination of those uses and which is established in accordance with the provisions of the Williamson Act and these Rules (derived from WA).

Agricultural use: The use of land for the purpose of producing an agricultural commodity for commercial purposes (WA). For the purposes of these Uniform Rules, commercial cannabis cultivation is considered an agricultural use.

Cannabis: All parts of the plant *Cannabis sativa Linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof, the resin whether crude or purified, extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means marijuana. For the purpose of these Rules, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.



COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT

MEMORANDUM

TO: County Agricultural Preserve Advisory Committee

FROM: Alex Tuttle, Deputy Director
Long Range Planning Division

DATE: August 29, 2023

RE: Draft Accessory Dwelling Unit (ADU) Amendment to the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones*

County Agricultural Preserve Advisory Committee Meeting Date: September 14, 2023

The Planning and Development Department has prepared a draft amendment to the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules) to update the definition of attached ADU. The proposed amendment provides clarity and describes how an ADU may be consider attached.

The proposed amendment (Attachment 1) clarifies that an attached ADU shares at least five feet of common wall, or can be stacked above or below, with the primary dwelling or an attached accessory structure. Further, the proposed amendment ensures consistency between definitions in the Uniform Rules and County Zoning Ordinances.

Staff recommends that the Agricultural Preserve Advisory Committee consider the proposed amendment and recommend adoption by the Board of Supervisors.

Attachments:

1. Draft Accessory Dwelling Unit Amendment to the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Page 5)