

ATTACHMENT 10

Resolution to the Coastal Commission for
Case No. 16ORD-00000-000012

ATTACHMENT 10

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

IN THE MATTER OF SUBMITTING TO THE)
CALIFORNIA COASTAL COMMISSION FOR)
REVIEW AND CERTIFICATION AN)
AMENDMENT TO THE SANTA BARBARA) RESOLUTION NO.: 16 - _____
COUNTY LOCAL COASTAL PROGRAM THAT)
AMENDS ARTICLE II, THE COASTAL ZONING) CASE NO.: 16ORD-00000-00012
ORDINANCE, OF CHAPTER 35 OF THE SANTA)
BARBARA COUNTY CODE, REGARDING THE)
REGULATION OF SHORT-TERM RENTALS.)

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Plan; and
- B. On July 19, 1982, by Ordinance 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. The Board of Supervisors, having found it to be in the interest of the general community welfare, consistent with the County’s Comprehensive Plan, Coastal Land Use Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, on December 6, 2016, adopted the following amendment to the Santa Barbara County Local Coastal Program:
 - 1. An Ordinance (Case No. 16ORD-00000-00012) amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, that provides for the regulation of Short-Term Rentals in the Coastal Zone of Santa Barbara County.
- D. The Board of Supervisors held duly noticed public hearing, as required by Section 65856 of the Government Code, on the amendment referenced above, at which hearings the amendment was explained and comments invited from the persons in attendance.
- E. This amendment to the Local Coastal Program is consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, and the requirements of State planning and zoning laws as amended to this date.
- F. The Board of Supervisors now wishes to submit this amendment to the California Coastal Commission for certification.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. Pursuant to the provisions of 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes is adopted as an amendment to the Santa Barbara County Local Coastal Program.

3. The Board of Supervisors certifies that this amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act.
4. The Board of Supervisors directs the Planning and Development Department to submit this Local Coastal Program amendment to the California Coastal Commission for review and certification.
5. The Chair and Clerk of the Board of Supervisors are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this Resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 6th day of December, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PETER ADAM, 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

EXHIBITS:

1. Ordinance (Case No. 16ORD-00000-00012)

EXHIBIT 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 6, PARKING REGULATIONS, AND DIVISION 7 GENERAL REGULATIONS, TO IMPLEMENT NEW REGULATIONS REGARDING THE LAND USE OF SHORT-TERM RENTALS AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS.

Case No. 16ORD-00000-00012

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

SECTION 1:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-58 titled “Definitions”, to add the following new definitions of “Bed and Breakfast”, “Short-Term Rental”, “Local,” and “Transient” to read as follows:

Bed And Breakfast. A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable County health regulations.

Local. Belonging or relating to a particular area or neighborhood, typically within 30 miles of its center.

Short-Term Rental. A structure which is permitted to be rented for overnight lodging in compliance with this Article, in whole or in part and with or without the presence onsite of the Owner or representative of the Owner, that is rented for 30 consecutive days or less. Additionally, the following terms are defined for the purposes of Section 35-144S (Short-Term Rentals).

- 1. Hosting Platform.** A marketplace which facilitates in the consummation of Short-Term Rental agreements through advertising and from which the operator of the Hosting Platform derives compensation for maintaining and operating said Hosting Platform when said Platform displays, in whatever format, information about or relating to a Dwelling available for occupancy on a Short-Term Rental basis.
- 2. Local.** Belonging or relating to a particular area or neighborhood, typically within 30 miles of its center.
- 3. Local Contact.** A person designated by the Operator who shall be available during the term of any Short-Term Rental for the purpose of responding to complaints regarding the condition or operation of the Dwelling or portion thereof used for Short-Term Rental, or the conduct of Transient Occupants and taking remedial action to resolve such complaints.
- 4. Managing Agency.** Any person, enterprise or agency representing, directly or indirectly, the Property Owner or Operator, of a Dwelling which is the used as a Short-Term Rental.
- 5. Operator.** A person or enterprise who is Property Owner or proprietor of a Dwelling, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee or any other capacity. If the Operator performs his or her functions through a Managing Agency or Rental Agent, the agency or agent is deemed to have the same duties as its principal.
- 6. Transient Occupant.** Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a Hotel or Short-Term Rental shall be deemed to be a transient until the period of thirty days has expired

unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy.

Transient. Occupancy of a dwelling or lodging use for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days..

SECTION 2:

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, 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. Short-term rentals, in compliance with the requirements of Section 35-144S (Short-Term Rentals).
- ~~14~~2. Special Care Homes, subject to the provisions of Section 35-143.
- ~~12~~3. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 3:

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, 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. 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.
11. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
- 12. Short-Term Rentals.**
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 4:

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-78.3 Permitted Uses, of Section 35-75 C-2 - Retail Commercial, to read as follows:

Section 35-78.3 Permitted Uses.

1. Amusement enterprises if conducted wholly within a completely enclosed building, such as video arcades and pool halls.
2. Automobile service station, provided no gasoline is stored above ground.
3. New and used automobile and machinery sales, leases and rentals.
4. Automobile and machinery repair and service if conducted wholly within a completely enclosed building or within an area enclosed by a solid wall, hedge, or fence not less than six feet in height approved as to design by the Director, but not including automobile or machinery wrecking establishments or junk yards.
5. Retail stores, shops, or establishments supplying commodities for residents of the community, provided such enterprises are conducted within a completely enclosed building, such as bakeries, ice cream shops, grocery, and liquor stores, furniture, hardware, and appliance stores, department stores, sporting goods stores, pet shops, florist shops, automobile accessory stores, and the like.
6. Repair and service uses such as laundry and dry cleaning establishments, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, copy shops, radio and TV repair shops, etc.
7. Restaurants, bars, cocktail lounges, and microbreweries that are secondary and accessory to a restaurant, bar, or lounge.
8. Financial institutions such as banks and savings and loan offices, professional, administrative and general business offices.
9. Business, professional, and trade schools.
10. Hotels and motels.
11. Automobile parking lot.
12. Golf course, miniature or practice range.
13. Nursery.
14. Outdoor restaurant, cafe, or tea room.
15. Music recording studio.
16. Indoor theater.
17. Community non-profit recycling facility.
18. Residential uses existing at the time of adoption of this Article shall be considered permitted uses rather than legal nonconforming uses.
19. Any other light commercial use which the Planning Commission finds is of similar character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, vibration, danger to life or property, or other similar causes.

20. Short-Term Rentals.

- 20~~1~~. Spas or health clubs.**

~~24~~2. Non-Residential Child Care Center, pursuant to Section 35-143.3.

~~22~~3. 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, and provided further that there shall be not more than five persons engaged in any such manufacture, processing, or treatment of products.
- 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 or property, or other similar causes.

SECTION 5:

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-81 titled Permitted Uses, of Section 35-81 C-V - Resort/Visitor Serving Commercial, to read as follows:

Section 35-81.5 Permitted Uses.

1. Resort, guest ranch, hotel, motel, country club, convention and conference center.
2. Light commercial uses (i.e., barber and beauty shops, gift shops, restaurants, etc.) normally associated with the needs of visitors, provided such commercial activities are so designed and limited as to be incidental and directly oriented to the needs of visitors and do not substantially change the character of the resort/visitor-serving facility.
3. Recreational facilities, including but not limited to piers, boat docks, golf courses, parks, playgrounds, riding and hiking trails, tennis courts, swimming pools, beach clubs.
4. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-81.5, 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.
5. Accessory uses, buildings, and structures which are customarily incidental to the above uses.

6. Short-term Rentals.

SECTION 6:

DIVISION 6, Parking Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-109 titled Required Number of Spaces: Miscellaneous Non-Residential, to read as follows:

Section 35-109. Required Number of Spaces: Miscellaneous Non-Residential.

1. **Churches, school auditoriums, college auditoriums, theaters, general auditoriums, stadiums, mortuaries, lodges, halls, and other places of general assembly:**
 - a. **With fixed seats:** One space per four fixed seats.
 - b. **Without fixed seats:** One space per 30 square feet of auditorium floor space.
2. **Places of amusement without fixed seats such as dancehalls, skating rinks, etc.:** One space per 300 square feet of assembly area
3. **Schools:**

- a. **Day school or Nursery school:** One space for each two employees and one space for each 10 students.
 - b. **Elementary and Junior High:** 1.5 spaces for each teaching station.
 - c. **High School:** Six spaces for each teaching station.
 - d. **Colleges; art, craft, music or dancing schools; business, professional, or trade school:** One space for each three employees and one space for each five students.
4. **Library, museum, art gallery, or similar use:** One space for each two employees.
5. **Short-Term Rentals: One space per bedroom.**

SECTION 7:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-120 titled Guest House, Artist Studio, or Pool House/Cabaña, to read as follows:

Section 35-120. Guest House, Artist Studio, or Pool House/Cabaña.

1. Accessory structures used as guest houses, artist studios, or cabañas shall conform to criteria set forth in this section and as defined by ordinance.
2. No guest house shall be located on a lot containing less than one gross acre.
3. There shall not be more than one guest house or artist studio on any lot. There shall be not more than one cabaña on any lot.
4. The floor area of such guest house, artist studio, or pool house/cabana shall not exceed 800 square feet; however, such structures may be attached to another accessory structure so that the total area of the combined structures exceeds 800 square feet, provided no interior access exists between the guest house, artist studio, or cabaña and the other accessory structure.
5. No guest house, artist studio, or cabañas shall exceed a height of 16 feet or contain more than one story. A loft shall be counted as a story. A guest house, artist studio, or cabaña may be located above or below another accessory structure.
6. There shall be no kitchen or cooking facilities within a guest house, artist studio, or cabaña. However, a wet bar may be provided, limited to the following features:
 - a. A counter area with a maximum length of seven feet.
 - b. The counter area may include a bar sink and an under counter refrigerator.
 - c. The counter area may include an overhead cupboard area not to exceed seven feet in length.
 - d. The counter area shall be located against a wall or, if removed from the wall, it shall not create a space more than four feet in depth. The seven foot counter shall be in one unit. The intent of this provision is to avoid creation of a kitchen room.
 - e. No cooking facilities shall be included in the wet bar area.
7. Guest houses and cabañas may contain bathrooms as defined by ordinance. An artist studio may contain a restroom, however bathing facilities are not permitted.
8. Guest houses, artist studios, or cabañas shall conform to all of the setback regulations set forth in the applicable zone district for dwellings.
9. A guest house shall be used on a temporary basis only by the occupants of the main dwelling or their non-paying guests or servants and is not intended to be rented or let out, whether the compensation is paid directly or indirectly in money, goods, wares, merchandise, or services. Temporary is defined as

occupying the premises for no more than 120 days in any 12 month period.

10. Artist studios and cabañas shall not be used as temporary sleeping quarters, guest houses, or as a dwelling unit.
- ~~11.~~ 11. **Guest houses, artist studios, or cabañas shall not be permitted to be used as Short-Term Rentals.**
- ~~12.~~ 12. A Notice ~~To~~ Property Owner shall be recorded by the property owner prior to issuance of a Coastal Development Permit for any guest house, artist studio or cabaña that specifies, at a minimum, the allowable uses of the structure.
- ~~13.~~ 13. **Cabaña.** A cabaña may be approved as an accessory structure provided that its use is accessory to a sports court or swimming pool, or is located on a lot located directly adjacent to the sea.
 - a. **Definition of swimming pool.** For the purposes of this Subsection 12 (Cabaña), swimming pool is defined as any open structure containing a body of water, whether above or below the ground, having a minimum length, width and depth of 45 feet, eight feet and 42 inches, respectively, and which shall be designed for and used or intended to be used for swimming by individuals. The following shall be excluded from this definition:
 - 1) Hot tubs, spas, including swim spas, and similar facilities.
 - 2) Ornamental ponds or water features, developed as landscape design features where swimming is not intended and does not occur.
 - 3) Portable, inflatable, and wading pools.
 - b. **Restrictions on use.** The cabaña may be maintained and used as a cabaña provided that the sports court or swimming pool that the cabaña is accessory to is also maintained and used on the lot. If the sports court or swimming pool to which the cabaña is accessory to is abandoned or removed, then the use of the cabaña shall cease and the cabaña shall either be removed or lawfully converted to an allowed accessory structure within 90 days following the abandonment or removal of the sports court or swimming pool.
 - c. **Sequence of construction.** A cabaña may be approved in conjunction with a proposed pool or sports court provided that construction of the proposed pool or sports court is completed before or simultaneously with completion of the cabaña.
- ~~14.~~ 14. A home occupation permit shall be required for all artist studios.
- ~~15.~~ 15. If an Attached or a Detached Residential Second Unit exists or has current approval on a parcel, a guest house or artist studio may not also be approved (see also Section 35-142.6.i).
- ~~16.~~ 16. Additional requirements, identified in Division 15 (Montecito Community Plan Overlay District), exist for parcels identified with the MON overlay zone.
- ~~17.~~ 17. Commercial sales or transactions shall not occur either within an artist studio or on the lot containing the artist studio unless allowed pursuant to an issued Coastal Development Permit for a home occupation.

SECTION 8:

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add new Section 35-144S titled Short-Term Rentals, to read as follows:

Section 35-144S. Short-Term Rentals

A. Purpose and applicability.

1. Purpose. This Section establishes the standards for Short-Term Rentals. These standards are

intended to ensure that Short-Term Rentals are compatible with and do not adversely impact surrounding properties.

2. Applicability.

a. Short-Term Rentals existing as of [effective date of ordinance].

1) Short-Term Rentals that may be permitted.

- a) For Short-Term Rentals that may be permitted in compliance with Division 4, ZONING DISTRICTS, to continue operating, the owner and/or operator shall obtain the issuance of the required permit no later than 270 days following [effective date of this ordinance].
- b) If the required permit is not issued no later than 270 days following [effective date of this ordinance], then use of the structure as a Short-Term Rental shall cease. If the use of a structure as a Short-Term Rental does not cease, then this use shall be considered a violation of this Development Code and subject to enforcement in compliance with 35-185. Enforcement, Legal Procedures, and Penalties.

2) Short-Term Rentals that may not be permitted. The use of a structure as a Short-Term Rental in zones where Short-Term Rentals may not be permitted in compliance with Division 4, ZONING DISTRICTS shall cease no later than 270 days following [effective date of this ordinance]. If the use of a structure as a Short-Term Rental does not cease within this period, then this use shall be considered a violation of this Development Code and subject to enforcement in compliance with 35-185. Enforcement, Legal Procedures, and Penalties.

B. Permit requirement. Short-Term Rentals may only be located in the AG-II zones in compliance with the permit requirement identified in Division 4, ZONING DISTRICTS. Except as provided in Subsection A (Purpose and Applicability), above, the required permit shall be obtained and all conditions of the permit shall be satisfied prior to the commencement of the Short-Term Rental.

C. Permitted structures. Short-Term Rentals shall only be allowed in a legal dwelling unit.

D. Development standards. A Short-Term Rental shall comply with all of the following standards in addition to any other applicable standards of this Development Code.

1. Compliance with fire, building, and health codes. Any dwelling used as a Short-Term Rental shall be in compliance with the California Fire Code, California Building Code, California Health and Safety Code, the National Fire Protection Association standards and/or regulations, and other relevant laws and codes in regards to carbon monoxide detectors, smoke detectors, emergency egress window, handrails and fire extinguishers to the satisfaction of the Director.

2. Prohibited structures. Short-Term Rentals shall not be allowed in:

- a. Any dwelling subject to agreements, conditions, or covenants entered into with the County restricting their use including affordable housing units, agricultural employee housing, including farmworker housing.
- b. Any structure that is only permitted to be occupied on a temporary basis including cabañas and guest houses.
- c. Any structure or space that may not be legally used for dwelling or overnight accommodations including agricultural accessory structures, tents, trailers, vehicles, and yurts.

- 3. Limit on number of Short-Term Rentals allowed per lot.** Only one dwelling, including legally-established residential second dwelling units, shall be used as a Short-Term Rental on any lot.
- 4. Signs.** No signs shall be permitted to be located on or off the lot that contains the Short-Term Rental that indicates the presence of the Short-Term Rental.
- 5. Limitation on the number of guests, parking restrictions and requirements for Short-Term Rental:**

 - a. Maximum occupancy.** The maximum occupancy shall be no more than two persons per bedroom, excluding children under three years of age.
 - b. Parking.** All parking shall be provided on site at a ratio of one parking space for each bedroom and in compliance with Division 6, PARKING REGULATIONS of this code except as provided in below.

 - 1) Parking spaces for Short-Term Rentals may include garage(s), carport(s) and/or driveway spaces and may be provided in a tandem parking arrangement.
 - 2) No parking associated with the Short-Term Rental shall be allowed on-street.
- 6. Nuisance Response Plan.**

 - a. Call response availability.**

 - 1) The operator shall submit the name, address, and telephone number of a local contact who will respond to calls regarding the Short-Term Rental to the Department prior to the commencement of the Short-Term Rental.
 - 2) The local contact shall be available by telephone on a 24-hour basis to respond to calls regarding the Short-Term Rental.
 - 3) Failure to respond to calls in a timely and appropriate manner may result in revocation of the permit issued to allow the use of a Short-Term Rental.
 - 4) For purposes of this Subsection C.6, responding in a timely and appropriate manner means that an initial call shall be responded to within one hour of the time the initial call was made, and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of this Section.
 - b. Local contact.** The operator, property owner, or managing agency is required to immediately notify the County with any changes to the local contact.
- 7. Posted notice within unit.** Each Short-Term Rental shall have a clearly visible and legible notice posted within the unit containing the following information:

 - a. The name and phone number of the local contact available on a 24-hour basis.
 - b. The maximum number of occupants allowed to stay overnight in the unit.
 - c. The maximum number of vehicles allowed to be parked on the property.
 - d. Noise standards.
 - e. Notification that failure to conform to the above standards is a violation of the County Code and subject to penalties and enforcement.
- 8. Noise.** The volume of sound generated by the Short-Term Rental shall not exceed 65 dB or existing ambient levels, whichever is greater, at any point beyond the property boundary, except that:

a. Between the hours of 10 p.m. to 8 a.m., the volume of sound generated by the Short-Term Rental shall not exceed 45 dB or existing ambient levels, whichever is greater, at any point beyond the property boundary.

9. Internet Listing. All current internet hosting platforms for the Short-Term Rental and all listing identification numbers shall be provided to the County.

E. Renewal of permit

1. A land use permit issued for a Short-Term Rental shall only be valid for one year commencing upon the effective date of the Land Use Permit, except as provided below.

2. The operator, owner, or managing agency shall submit an application to renew the Coastal Development Permits to the Department for review and approval on an annual basis as directed below commencing upon the effective date of the permit.

a. The renewal shall be approved through a Coastal Development Permits issued by the Director in compliance with Section 35-169 (Coastal Development Permits).

b. The Coastal Development Permits application for the initial renewal and any subsequent renewal shall be submitted no later than 30 days prior to the effective date of previous the Coastal Development Permits.

3. If the approval of a Land Use Permit for the renewal of a Land Use Permit for a Short-Term Rental has been appealed, then the validity of the Land Use Permit shall be extended until processing of the appeal(s) has been completed.

F. Revocation

1. A Coastal Development Permits to allow a dwelling to be used as a Short-Term Rental may be revoked in compliance with Section 35-169.8 Revocation.

a. In addition to the basis for revocation in compliance with Subsection 35-169.8 Revocation, the Coastal Development Permits may also be revoked if:

1) The applicant, after receiving a Short-Term Rental permit and any renewal, fails or refuses to inform the County of alterations to the property that would compromise the original permit approval (e.g., removal of required parking, conversion of space), has submitted false or misleading information as part of the application, fails to comply with the permit conditions, or fails to obtain or comply with any other required County, state or local permit.

2) The Department determines that the call response availability is deemed inadequate due to the failure of the local contact to respond to calls in a timely and appropriate manner within one hour of the time the initial call was made, and commence corrective action within two hours of the initial call to address any violation of this Chapter.

SECTION 9.

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

SECTION 10.

Except as amended by this Ordinance, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, and Division 7 General Regulations, of Article II, the Santa Barbara County

Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 11.

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 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 noting 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 _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PETER ADAM, 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