

**ATTACHMENT 3: COUNTY LAND USE AND DEVELOPMENT CODE ORDINANCE
AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE COUNTY LAND USE AND DEVELOPMENT CODE (LUDC), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.1, DEVELOPMENT CODE APPLICABILITY; ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES; ARTICLE 35.3, SITE PLANNING AND OTHER PROJECT STANDARDS; ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES ARTICLE 35.8, PLANNING PERMIT PROCEDURES; ARTICLE 35.10, LAND USE AND DEVELOPMENT CODE ADMINISTRATION; AND ARTICLE 35.11, GLOSSARY; TO IMPLEMENT NEW REGULATIONS AND DEVELOPMENT STANDARDS REGARDING ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS), AND MINOR ORDINANCE AMENDMENTS.

23ORD-00007

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

SECTION 1:

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

Table 1-1 - Zones

Zone Symbol	Name of Zone	Applicable Code Chapter
Agricultural Zones		
AG-I	Agricultural I	35.21
AG-II	Agricultural II	
Resource Protection Zones		
MT-GOL	Mountainous - Goleta	35.22
MT-TORO	Mountainous - Toro Canyon	
RMZ	Resource Management	
Residential Zones		
RR	Residential Ranchette	35.23
E-1	Single Family Estate Residential	
R-1	Single Family Residential	
EX-1	One-Family Exclusive Residential	
R-2	Two-Family Residential	
DR	Design Residential	
MR-O	Multi-Family Residential - Orcutt	

Zone Symbol	Name of Zone	Applicable Code Chapter
PRD	Planned Residential Development	
SLP	Small-Lot Planned Development	
MHP	Mobile Home Planned Development	
MHS	Mobile Home Subdivision	

Commercial Zones

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

Industrial Zones

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

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SECTION 2:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection A, Allowable Land Uses, of Section 35.20.030, Allowable Development and Planning Permit Requirements, of Chapter 35.20, Development and Land Use Approval Requirements, to read as follows:

35.20.030 - Allowable Development and Planning Permit Requirements

- A. Allowable land uses.** The land uses allowed by this Development Code in each zone and overlay zone are listed in Chapters 35.21 through 35.28, together with the type of planning permit required for each use. Each listed land use type is defined in [Article 35.11 \(Glossary\)](#).
 - 1. Establishment of an allowable use.** Any land use identified by Chapters 35.21 through 35.28 as being allowable within a specific zone may be established on any lot within that zone, subject to the planning permit requirements of Subsection B. (Permit requirements) below, and compliance with all applicable requirements of this Development Code, unless the approval and/or issuance of a planning permit is not required in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#).
 - 2. Use not listed.** A land use not listed in Chapters 35.21 through 35.28 or not shown in the table of allowable land uses and permit requirements for a particular zone is not allowed, except as otherwise provided in Subsection A.3 (Similar and compatible use may be allowed) below.

3. Similar and compatible use may be allowed. In the following zones the Commission may determine that a proposed use not listed in this Chapter is allowable in compliance with [Section 35.82.190 \(Use Determinations\)](#).

a. Applicable zones:

- (1) C-1 (Limited Commercial);
- (2) C-2 (Retail Commercial);
- (3) C-3 (General Commercial);
- (4) CH (Highway Commercial);
- (5) CM-LA (Community Mixed Use - Los Alamos)
- (6) CN (Neighborhood Commercial);
- (7) CS (Service Commercial);
- (8) M-1 (Light Industry);
- (9) MRP (Industrial Research Park);
- (10) OT-R/GC (Old Town Residential/General Commercial);
- (11) OT-R/LC (Old Town Residential/Light Commercial);
- (12) PI (Professional and Institutional);
- (13) PU (Public Utilities); and
- (14) REC (Recreation).

b. Applicable standards and permit requirements. When the review authority determines that a proposed but unlisted use is similar to a listed allowable use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Development Code apply.

SECTION 3:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add Subsection D, Process, of Section 35.20.040, Exemptions from Planning Permit Requirements, of Chapter 35.20, Development and Land Use Approval Requirements, to read as follows:

D. Process. Any determination made by the Director that a use, activity, or structure is exempt from the planning permit requirements of this Development Code in accordance with this Section is final and not subject to appeal.

SECTION 4:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete Subsection J, SC (Shopping Center) zone, of Section 35.24.020, Purpose of Commercial Zones, of Chapter 35.24, Commercial Zones, in its entirety.

SECTION 5:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection C, Development Plan approval required, of Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

...

- C. Development Plan approval required.** Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#) or the issuance of a Zoning Clearance in compliance with [Section 35.82.210 \(Zoning Clearances\)](#) as follows.
1. **CN and C-1 zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit or the issuance of a Zoning Clearance for structures that exceed 5,000 square feet in gross floor area.
 2. **C-2 and C-3 zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit or Zoning Clearance for buildings and structures that total 5,000 or more square feet in gross floor area or where onsite buildings and structures and outdoor areas designated for sales or storage total 20,000 square feet or more.
 3. **CH zone.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading.
 4. **CM-LA zone.** Final Development Plan approval is required for buildings and structures that total 15,000 or more square feet in gross floor area.
 5. **C-S, C-V, and PI zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading.

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SECTION 6:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Retail Trade section of Table 2-12, Allowed Land Uses and Permit Requirements for Commercial Zones, of Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-12 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E Allowed use, no permit required (Exempt) P Permitted use, Land Use Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed					
	LAND USE (1)	PERMIT REQUIRED BY ZONE				
	CN	C-1	C-2	C-3	C-S	

RETAIL TRADE

Auto and vehicle sales and rental	—	—	P	P	—	
Bar, tavern	—	—	P (3)	P (4)	—	
Building and landscape materials sales - Indoor	—	—	MCUP	P (5)	P (5)	
Building and landscape materials sales - Outdoor	—	—	MCUP	P	P	
Cannabis – Retail	—	S	S	S	S	35.42.075
Convenience store, 3,000 sf or less net floor area	P (6)	P (7)	P	P	—	
Convenience store, 3,000 sf or more net floor area	P (6)	P (7)	P	P	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	P	P (5)	
Fuel dealer	—	—	—	P (8)	P (5)	
General retail	P (6)	P (7)	P	P	—	
Grocery/food store, 3,000 sf or less	P (6)	P (7)	P	P	—	
Grocery/food store, 5,000 sf or less	—	P (7)	P	P	—	
Grocery/food store, more than 5,000 sf	—	P (7)	P	P	—	
Mobile home, boat, and RV sales and repair	—	—	MCUP	—	—	
Office supporting retail	P (6)	P (7)	P	P	—	
Plant nursery	—	P	P	P	—	
Restaurant, café, coffee shop - Indoor and outdoor	P	P	P (3)	P (9)	—	
Restaurant, café, coffee shop,- Within an office building	—	—	—	—	—	
Service station	MCUP	MCUP	P	P	—	
Swap meet	—	—	CUP	CUP	—	
Truck stop	—	—	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	MCUP	P	—	
Visitor-serving commercial	—	—	P	P	—	

Key to Zone Symbols

CN	Neighborhood Commercial	C-2	Retail Commercial	C-S	Service Commercial
C-1	Limited Commercial	C-3	General Commercial		

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) May include beer brewing and wine making provided (a) the area devoted to beer brewing and wine making, including the area devoted to equipment and storage of materials and supplies, does not exceed 50 percent of the interior floor area of the primary business, and (b) the product is primarily sold for on-site consumption.
- (4) Includes microbreweries that are necessary and secondary to a bar or restaurant.
- (5) Shall be conducted within a completely enclosed building except for material storage which may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (6) Limited to establishments that supply commodities to meet the day-to-day needs of residents in the neighborhood.
- (7) Limited to establishments that supply commodities to the residences in the neighborhood.
- (8) Limited to the sale of fuel for agricultural equipment.
- (9) No off-premise alcoholic beverage sales allowed; no alcoholic beverage sales in restaurant except when food also served.

SECTION 7:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete the “SC” zone from Table 2-13, Allowed Land Uses and Permit Requirements for Commercial Zones, of Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-13	E	Allowed use, no permit required (Exempt)
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Allowed Land Uses and Permit Requirements for Commercial Zones	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CH	CM-LA	C-V	PI	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	—	—	—	35.42.020
Agricultural processing	P (3)	—	—	—	35.42.040
Agricultural use as permitted on adjacent lot zoned AG or residential	P	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Cannabis – Cultivation and nursery	—	—	—	—	
Cannabis –Microbusiness	—	—	—	—	
Cultivated agriculture, orchard, vineyard	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	—	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (4)	—	P (4)	P (4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	—	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	
Cannabis - Manufacturing	—	S	—	—	35.42.075
Cannabis - Testing	—	—	—	S	35.42.075
Furniture/fixtures manufacturing, cabinet shops	—	MCUP	—	—	
Handcraft industry, small scale manufacturing	—	MCUP	—	—	35.42.160
Laundry, dry cleaning plant	—	—	—	—	
Media production	—	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	—	
Printing and publishing	—	—	—	—	
Recycling - Small collection center	—	—	—	—	
Recycling - Small collection center, non-profit	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	
Sign fabrication and painting shop	—	MCUP	—	—	
Sign painting shop	—	MCUP	—	—	
Storage - Contractor equipment storage yard	—	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	—	—	
Wholesaling and distribution	—	—	—	—	
Wholesaling and distribution - Essential to agriculture, except	CUP	—	—	—	

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Restricted to the processing of on-premise products.
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CH	CM-LA	C-V	PI	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground	—	—	—	—	
Commercial entertainment - Indoor	—	MCUP	—	—	
Commercial entertainment - Outdoor	—	—	—	—	
Community center	—	P	—	P	
Conference center	CUP	—	P (3)	CUP	
Country club	CUP	—	P (3)	P	
Equestrian facility - Public or commercial	CUP	—	CUP	CUP	
Fairgrounds	CUP	—	CUP	CUP	
Fitness/health club or facility	—	P	—	P	
Golf course	MCUP	—	P	P	
Golf driving range	MCUP	—	CUP	CUP	
Library	CUP	CUP	CUP	P	
Meeting facility, public or private	CUP	CUP	CUP	P	
Meeting facility, religious	CUP	CUP	CUP	P	
Museum	CUP	CUP	CUP	P	
Park, playground	—	—	P	—	
Recreational vehicle (RV) park	CUP	—	CUP	—	
School	CUP	CUP	CUP	P	
School - Business, Professional, or Trade	CUP	P	CUP	P(4)	
Sports and outdoor recreation facility	CUP	—	P	CUP	
Sports or entertainment assembly facility	CUP	—	—	—	
Studio - Art, dance, martial arts, music, etc.	—	P	—	P	
Theater - Indoor	—	P	—	—	
Theater - Outdoor	CUP	—	—	—	
Trail for hiking or riding	—	P	P	—	

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Destination-type facility required; see [Section 35.24.060 \(C-V Zone Additional Standards\)](#).
- (4) Not including trade schools using heavy equipment.

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			

LAND USE (1)	— Use Not Allowed					Specific Use Regulations
	PERMIT REQUIRED BY ZONE					
	CH	CM-LA	C-V	PI		

RESIDENTIAL USES

Accessory Dwelling Unit	—	S	—	S	35.42.015
Caretaker/Manager dwelling	P	—	MCUP	—	35.42.080
Dwelling, one-family	—	P	—	—	
Dwelling, two-family	—	P	—	—	
Dwelling, multiple	—	P	—	—	
Emergency shelter	—	MCUP	—	—	
Farmworker dwelling unit	—	P	MCUP	MCUP	35.42.135
Farmworker housing complex	(3)	—	—	—	35.42.135
Home occupation	—	P	—	—	35.42.190
Junior accessory dwelling unit	—	S	—	—	35.42.015
Mixed use project residential component	—	P	—	MCUP	35.42.200
Monastery	CUP	—	CUP	CUP	
Residential accessory use or structure	P(4)	P(4)	MCUP	MCUP	
Residential use existing as of July 19, 1982	—	—	—	—	
Single room occupancy facility (SRO)	P	—	—	—	
Special care home, 6 or fewer clients	MCUP	P	MCUP	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	MCUP	MCUP	35.42.090

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.
- (4) See [Section 35.42.020 \(Accessory Structures and Uses\)](#).

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CH	CM-LA	C-V	PI		

RETAIL TRADE

Auto and vehicle sales and rental	—	—	—	—	
Bar, tavern	—	P	—	—	
Building and landscape materials - Indoor	—	—	—	—	
Building and landscape materials - Outdoor	—	—	—	—	
Cannabis - Retail	—	S	—	—	35.42.075
Convenience store, less than 3,000 sf net floor area	P (3)	P	—	—	
Convenience store, 3,000 sf or more net floor area	—	P	—	—	
Drive-through facility	CUP	—	CUP	CUP	35.42.130

Farm supply and feed store	—	—	—	—	
Fuel dealer	—	—	—	—	
General retail	—	P	—	—	
Grocery/food store, 3,000 sf or less	CUP (3)	P	—	—	
Grocery/food store, 5,000 sf or less	CUP (3)	P	—	—	
Grocery/food store, more than 5,000 sf	—	P	—	—	
Mobile home, boat, and RV sales and repair	—	—	—	—	
Office supporting retail	—	P	—	P	
Plant nursery	—	P	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	P (3)	P	—	—	
Restaurant, café, coffee shop - Within an office building	—	—	—	CUP	
Service station	P	— (4)	—	—	
Swap meet	—	CUP	—	—	
Truck stop	MCUP	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	—	
Visitor-serving commercial	P (3)	P	P(5)	—	

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) No off-premise alcoholic beverage sales allowed; no alcoholic beverage sales in restaurant except when food also served.
- (4) A service station existing at the time of the adoption of the CM-LA zone shall be considered a permitted use rather than a nonconforming use.
- (5) Use only allowed accessory and incidental to an approved resort/visitor-serving facility.

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CH	CM-LA	C-V	PI	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	—	P	—	P	
Bank, financial services - Complete facility	—	P	—	P	
Business support service	—	P	—	P	
Drive-through facility	CUP	—	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	—	CUP	—	CUP	35.42.250
Medical services - Clinic	CUP	CUP	CUP	P	
Medical services - Doctor office	—	P	—	P	
Medical services - Extended care	CUP	CUP	CUP	P	
Medical services - Hospital	CUP	—	CUP	P	
Office - Business/service	—	P	—	P	
Office - Professional/administrative	—	P	—	P	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	—	CUP	P	
Charitable or philanthropic organization	CUP	CUP	CUP	P	
Large family day care home, serving adults	P	P	P	P	35.42.090
Large family day care home, serving children	E (5)	E (5)	E (5)	E (5)	35.42.090
Small family day care home, serving adults	E	E	E	E	35.42.090
Small family day care home, serving children	E (5)	E (5)	E (5)	E (5)	35.42.090

Daycare center, principal use	MCUP (6)	P	MCUP (6)	MCUP (6)	35.42.090
Day care center, accessory to non-dwelling	P	P	P	P	35.42.090
Day care center, accessory to dwelling	MCUP (6)	MCUP (6)	MCUP (6)	MCUP (6)	35.42.090
Drive-through facility	CUP	—	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	P	—	—	
Lodging - Guest ranch	—	—	P	—	
Lodging - Homestay	—	P	—	—	35.42.193
Lodging - Hostel	CUP	P	CUP	CUP	
Lodging - Hotel or motel	P	P	P	—	
Lodging - Resort	—	P	P	—	
Lodging - Short-term rental	P	P	P	—	35.42.245
Mortuary	—	—	—	—	35.42.120
Mortuary, accessory to cemetery	CUP	—	CUP	CUP	35.42.120
Music recording studio	CUP	CUP	CUP	CUP	
Personal services	—	P	—	P	
Repair service - Equipment, appliances, etc. - Indoor	—	P (3)	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	
Repair service - Farm implements and equipment	—	—	—	—	
Vehicle services - Carwash, mechanical	MCUP (4)	—	—	—	
Vehicle services - Major repair, bodywork	—	—	—	—	
Vehicle services - Minor maintenance/repair	P	P	—	—	
Vehicle services - With outdoor work areas	—	—	—	—	

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Shall be conducted within a completely enclosed building except that within the C-3 and CS zones exterior material storage may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (4) Use not allowed on a lot abutting a residential zone; see [Section 35.42.270 \(Vehicle Services\)](#).
- (5) A change of use to a large or small family day care home, serving children, is exempt from zoning permits. An application to construct a new structure to be used as a large or small family day care home, serving children, is subject to the same standards and permit requirements as a proposal to construct a residential structure in the same zone.
- (6) Day care centers serving up to and including fifty (50) children may be permitted with a Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#).

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CH	CM-LA	C-V	PI	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	CUP	
Airstrip, private and temporary	CUP	—	CUP	CUP	
Airstrip, temporary	—	—	—	—	
Cannabis - Distribution	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	

Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (5)	P	P	P	—	
Flood control project, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	—	
Heliport	CUP	—	CUP	CUP	
Parking facility, public or private	—	MCUP	—	—	
Pier, dock	—	—	P	—	
Pipeline - Oil and gas	P	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Transit station or terminal	P	—	—	—	
Utility service line with less than 5 connections (4)	—	P	—	—	
Utility service line with 5 or more connections (4)	—	P	—	—	
Vehicle dispatch facility	—	—	—	—	
Vehicle storage	—	—	—	—	
Wind turbines and wind energy systems	S	—	S	S	35.57

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CH	CM-LA	C-V	PI	

WATER SUPPLY & WASTEWATER FACILITIES

Onsite wastewater treatment system, individual, alternative	MCUP	—	MCUP	MCUP	
Onsite wastewater treatment system, individual, conventional	E	—	E	E	
Onsite wastewater treatment system, individual, supplemental	E	—	E	E	
Pipeline - Water, reclaimed water, wastewater	P	P	P	P	
Reservoir, less than 20,000 sf total development	P	—	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	—	P	P	
Reservoir, 50,000 sf or more total development	MCUP	—	MCUP	MCUP	
Wastewater treatment facility, less than 200 connections	CUP	—	CUP	CUP	
Water diversion project	P	—	P	P	
Water extraction, commercial	CUP	CUP	CUP	CUP	
Water system with 1 connection	E	—	E	E	

Water system with 2 to less than 5 connections	P	—	P	P	
Water system with 5 or more connections	MCUP	—	MCUP	MCUP	
Water well, agricultural	E	—	—	—	

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.24.030.C](#) (Commercial Zone Allowable Land Uses).

SECTION 8:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete the “SC Shopping Center” section from Table 2-14, Commercial Zones Development Standards, of Section 35.24.050, Commercial Zones Development Standards, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-14 - Commercial Zones Development Standards (continued)

Development Feature	Requirement by Zone	
	PI Professional and Institutional	
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i>	
	None required; minimum lot size shall be determined by the review authority through the subdivision approval process.	
Residential density Maximum density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>	
	See Table 2-13 - RESIDENTIAL USES ; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	
Setbacks Front - Primary	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>	
Front - Secondary	45 ft from road centerline and 15 ft from right-of-way; 20 ft for a garage or carport that opens directly on the street.	
Side	Lot width less than 100 ft - 20% of lot width, 10 ft minimum.	
Rear	Lot width 100 ft or more - Same as primary front setback.	
Building separation	15 ft.	
	Same as side	
	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.	
Site coverage Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>	
	40% (for buildings only).	
Open space Minimum open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>	
	No minimum.	
Height limit Maximum height	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>	
	35 ft.	
Landscaping	See Chapter 35.34 (Landscaping Standards) .	
Parking	See Chapter 35.36 (Parking and Loading Standards) .	
Signs	See Chapter 35.38 (Sign Standards) .	

SECTION 9:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete Section 35.24.080, SC Zone Additional Standards, of Chapter 35.24, Commercial Zones, in its entirety.

SECTION 10:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Transitional and Supportive Housing permit type on Table 2-22, Allowed Land Uses and Permit Requirements for the Special Purpose Zones, of Section 35.26.030, Special Purpose Zones Allowable Land Uses, of Chapter 35.26, Special Purpose Zones, to read as follows:

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	PU	REC	

RESIDENTIAL USES

Accessory dwelling unit	—	—	35.42.015
Caretaker/manager dwelling	—	MCUP	
Dwelling, one-family	—	—	
Dwelling, two-family	—	—	
Dwelling, multiple	—	—	
Emergency shelter	—	—	
Farmworker dwelling unit	—	—	35.42.135
Farmworker housing complex	—	—	35.42.135
Home occupation	—	—	
Junior accessory dwelling unit	—	—	35.42.015
Mobile home park	—	—	
Monastery	—	—	
Residential accessory use or structure	—	—	
Residential project convenience facility	—	—	
Single room occupancy facility (SRO)	—	—	
Special care home, 7 or more clients	—	—	35.42.090
Transitional and supportive housing	—	S	35.42.090

RETAIL TRADE

Agricultural product sales, on-site production only	MCUP	—	35.42.050
Auto and vehicle sales and rental	—	—	
Bar, tavern	—	—	
Building and landscape materials sales - Outdoor	—	—	
Cannabis – Retail	—	—	
Clothing store	—	—	
Convenience store	—	—	
Convenience store, in mixed use project	—	—	
Drive-through facility	CUP	CUP	35.42.130
General retail	—	—	

Grocery/food store	—	—	
Office supporting retail	—	—	
Plant nursery	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	—	CUP	
Service station	—	—	
Visitor-serving commercial	—	—	

Key to Zone symbols

PU	Public Works Facilities
REC	Recreation

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.26.030.C](#).

SECTION 11:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35.34.070, Commercial Zones Landscaping Requirements, of Chapter 35.34, Landscaping Standards, to delete Subsection G, Shopping Center (SC) zone, in its entirety and renumber existing Subsections.

35.34.070 - Commercial Zones Landscaping Requirements

- A. Limited Commercial (C-1) zone.** A landscape plan shall be approved for all development within the C-1 zone except a one-family dwelling and its accessory structures and uses on an existing lot of record. The landscape plan shall include, at a minimum, the following:
 - 1. A landscape area with a minimum width of five feet shall be provided adjacent to any lot line that abuts a residential zone.
 - 2. A landscape area with a minimum width of 15 feet shall be provided adjacent to any street right-of-way line.
 - 3. Parking areas shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#) below.
- B. Retail Commercial (C-2) zone and General Commercial (C-3) zone.** A landscape plan shall be approved for all development within the C-2 and C-3 zones. The landscape plan shall include, at a minimum, the following:
 - 1. Parking areas shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#) below.
- C. Highway Commercial (CH) zone.** A landscape plan shall be approved for all development within the CH zone. The landscape plan shall include, at a minimum, the following:
 - 1. A minimum of five percent of the net lot area shall be landscaped.
 - 2. An ornamental masonry wall not less than six feet in height extending to within 20 feet of the street right-of-way line of existing or proposed streets shall be provided adjacent to any portion of a lot line that abuts a residential zone. In addition, a row of trees that provide continuous screening to an approximate height of not less than 20 feet nor more than 40 feet when mature shall be provided.
 - 3. An ornamental masonry wall not less than three feet in height shall be provided along and located a

minimum of three feet from any street right-of-way line that abuts the project site where the property on the opposite site of the street has a residential zone.

- a. The area between the wall and the street right-of-way line shall be landscaped.
- b. This requirement may be modified by the review authority when it is determined that strict compliance with this requirement is not required to protect residential values due to the street width or other conditions.
- c. This requirement shall not apply to areas provided for site access and where a service station abuts a street right-of-way.

4. Parking areas shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#) below.

D. Community Mixed Use - Los Alamos (CM-LA) zone.

1. **Parking lots.** Parking lots shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#).
2. **Forecourt Building Front type.** Landscaping shall be provided for buildings with a forecourt (Subsection 35.24.070.I) that exceeds a gross floor area of 500 square feet.
3. **Through lots.** For parking setback exceptions approved according to Subsection 35.24.070.G.e.1, the setback area along the rear or secondary street property line shall be maintained in landscaping subject to review and approval by the applicable Board of Architectural Review.

E. Neighborhood Commercial (CN) zone. A landscape plan shall be approved for all development within the CN zone. The landscape plan shall include, at a minimum, the following:

1. A landscape area with a minimum width of five feet and an ornamental wall not less than five feet in height extending to within 20 feet of the street right-of-way line of existing or proposed streets shall be provided adjacent to any portion of a lot line that abuts a residential zone. The wall shall be reduced to three feet in height when located within a front setback area.
2. Parking areas shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#) below.

F. Resort/Visitor Serving Commercial (C-V) zone. A landscape plan shall be approved for all development within the C-V zone. The landscape plan shall include, at a minimum, the following:

1. An adequate buffer comprised of fencing, walls, plant materials, or any combination thereof shall be provided adjacent to any portion of a lot line that abuts a residential zone to protect adjacent properties from impacts of noise or lighting and to provide separation between residential and commercial uses. The buffer area shall be depicted on any Preliminary or Final Development Plan associated with the development project.
2. Parking areas shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#) below.

G. Professional and Institutional (PI) zone. A landscape plan shall be approved for all development within the PI zone. The landscape plan shall include, at a minimum, the following:

1. A minimum of 10 percent of the net lot area of the property shall be devoted to landscaping.
2. Parking areas shall be landscaped in compliance with [Section 35.34.100 \(Landscaping Requirements for Parking Areas\)](#) below.

SECTION 12:

Article 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 3-6, Nonresidential Parking Standards, of Section 35.36.060, Required Number of Spaces: Nonresidential Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

35.36.060 - Required Number of Spaces: Nonresidential Uses

Nonresidential parking requirements shall be in compliance with the provisions in this Section, and in [Section 35.36.080 \(Standards for All Zones and Uses\)](#) and in [Section 35.36.110 \(Standards for Nonresidential Zones and Uses\)](#) below.

- A. **CM-LA zone.** Table 3-6 shall not apply to development on lots zoned CM-LA (Community Mixed Use-Los Alamos). Development located in the CM-LA (Community Mixed Use - Los Alamos) zone shall be in compliance with the parking standards of Subsection 35.36.110.G (Community Mixed Use - Los Alamos (CM-LA) zone) as applicable.

Table 3-6 - Nonresidential Parking Standards

Recreation, Education & Public Assembly Uses:	Parking Spaces Required
Bowling alley	8 spaces per lane
Day care center (accessory or principal use) (2)	1 space per 10 children and; 1 drop-off/loading space
Library, museum, art gallery, or similar use	1 space per 2 employees and; 1 space per 300 square feet of gross floor area
Religious institutions, school auditoriums, college auditoriums, theaters, general auditoriums, stadiums, mortuaries, lodges, halls, and other places of general assembly	With fixed seats - 1 space per 4 fixed seats Without fixed seats - 1 space per 30 square feet of auditorium floor space
Places of amusement without fixed seats (e.g., dancehalls, skating rinks, etc.)	1 space per 300 square feet of assembly area
Racquetball facility & tennis facility	1.5 spaces per court
School - Colleges: art, craft, music, or dancing schools; business, professional, or trade school	1 space per 5 students and 1 space per 3 employees
School - Day school or Nursery school	1 space per 10 students and 1 space per 2 employees
School - Elementary and Middle School	1.5 spaces per teaching station
School - High School	6 spaces per teaching station
Spas, health clubs, etc.	1 space per 300 square feet of gross floor area
Spectator seating	1 space per 5 seats or 1 space per 35 square feet of seating area
Swimming pool, public	1 space per 200 square feet of pool area and 1 space per 500 square feet of area related to the pool and facilities
Retail Trade	Parking Spaces Required
Furniture and appliance stores; heating, ventilating, and hardware stores; motor vehicle and machinery sales and service	1 space per 1,000 square feet of gross floor area
Restaurants, cafes, taverns, etc.	1 space per 300 square feet of space devoted to patrons 1 space per 2 employees
Retail business and general commercial	1 space per 500 square feet of gross floor area
Services and Offices– Business, Financial, Professional	Parking Spaces Required

Business and professional offices e.g. banks, lawyers' offices, etc.	1 space for each 300 square feet of gross floor area (1)
Hotels/motels	1 space per guest room and 1 space per 5 employees
Medical services - extended care	1 space per 3 beds and 1 space per 3 employees
Medical services - hospitals	1 space per 2 beds and 1 space per 3 employees
Medical Services - medical clinics, medical and dental offices	1 space per 200 square feet of gross floor area
Short-Term Rentals	1 space per bedroom

Notes:

- (1) See [Subsection 35.36.110.I](#) (Professional and Institutional (PI) zone).
- (2) A reduction in required parking may be allowed (1) with the submittal of a parking study that sets forth substantial evidence to support a reduction in the required parking (e.g., the daycare center involves clients that do not have access to automobiles, the daycare center is located in proximity to a major transit stop, and/or sufficient parking already exists on or near the project site); and (2) subject to a Minor Conditional Use Permit granted at the discretion of the County decision-makers in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#).

SECTION 13:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35.36.110, Standards for Nonresidential Zones and Uses, of Chapter 35.36, Parking and Loading Standards, to delete Subsection I, Nonresidential Parking Standards, in its entirety and renumber existing Subsections.

35.36.110 - Standards for Nonresidential Zones and Uses

- A. Compact spaces.** Thirty percent of the required parking for nonresidential uses may be provided as compact car spaces.
- B. Location.** For nonresidential structures or uses, the required parking spaces shall be provided within 500 feet of the principal structure, or site if there is no principal structure, as measured along streets excluding alleys, except as provided in Subsection D. (Limited Commercial (C-1) zone) below.
- C. Off-street loading facilities.** Off-street loading facilities shall be in compliance with the following standards:
 - 1. Number of loading spaces.** For every newly constructed structure to be occupied by commercial or industrial uses requiring the receipt or distribution by vehicles of materials and merchandise (e.g., manufacturing, storage, warehouse, retail store, wholesale store, market, restaurant, hotel, hospital, mortuary, laundry, dry cleaning), off-street loading spaces shall be provided as follows:
 - a. Commercial Uses:**
3,000 or more square feet gross floor area - 1 loading space
 - b. Industrial Uses:**
10,000 to 24,999 square feet gross floor area - 1 loading space
25,000 to 49,000 square feet gross floor area - 2 loading spaces
For each additional 50,000 square feet or major fraction thereof - 1 loading space
 - 2. Dimensions.** Each loading space shall not be less than 10 feet in width, 30 feet in length, and with an overhead clearance of 14 feet.

3. **Setback restrictions.** The space may not be located in any part of any required front or side setback.
 4. **Safety.** The space shall be designed to ensure that it will not interfere with vehicular circulation, parking, or with pedestrian circulation.
- D. Limited Commercial (C-1) zone.** Required parking spaces may be provided in publicly owned parking lots of legally constituted Parking Districts as long as the spaces provided are within a distance of no greater than 500 feet as measured along streets, not alleys, from the property line, subject to approval of the availability of the parking spaces by the Parking District Governing Board and the Director.
- E. Retail Commercial (C-2) zone.** Required parking spaces may be provided in publicly owned parking lots of legally constituted Parking Districts subject to approval of the availability of the parking spaces by the Parking District Governing Board and Director.
- F. Highway Commercial (CH) - Agricultural product sales.** A minimum of two parking spaces shall be provided. Parking spaces shall be located no closer than 20 feet to the right of way of any street.
- G. Community Mixed Use - Los Alamos (CM-LA) zone.**
1. **Design.** Parking areas on adjacent lots should be designed to allow shared use of parking and through traffic to adjacent lots.
 2. **Location.** Required onsite parking for residential uses shall be located behind buildings and be visually screened as viewed from the street. Parking in garages shall be designed so vehicle storage area entrances are not visible from the public right-of-way.
 3. **Required number of spaces - residential.**
 - a. **Projects with three or more dwelling units.** Minimum of one space per dwelling unit.
 - b. **Projects with two or fewer dwelling units.** Onsite parking is not required for projects containing two or fewer residential units. However, on-street parking shall be demonstrated to be available within 200 feet of the lot as measured along the streets not alleys, from the property line, subject to approval of the Director.
 4. **Required number of spaces - nonresidential.** The provision of onsite parking for commercial use is not required, however, it may be provided.
 5. **Parking Space Size.** Onsite parking shall be in compliance with Section 35.36.080.
 6. **Driveways.** All driveways shall comply with the following:
 - a. Driveways shall be a minimum width as required by the Fire Department.
 - b. Driveways shall not access Bell Street. An exception shall only be granted to key lots in existence as of March 18, 2011 with no other access to the street.
 - c. If feasible, driveways shall not be located within 40 feet of a street intersection.
- H. Resort/Visitor Serving Commercial (C-V) zone.** The Commission may require additional parking for projects that provide for public access to and use of recreational facilities or open space.
- I. Professional and Institutional (PI) zone.** The required spaces for offices shall be one parking space for each 200 square feet of floor space.
- J. Public Works and Utilities and Private Service Facilities (PU) zone.** Roads shall be paved with asphaltic concrete and parking areas may be surfaced with gravel.

SECTION 14:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection D, Application and Processing Requirements, of Section 35.42.015, Accessory Dwelling Units and Junior Accessory Dwelling Units, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

D. Application and processing requirements.

1. **Building Permit and other approvals.** Accessory dwelling units and junior accessory dwelling units shall be allowed with a Building Permit and any other necessary approvals when in compliance with the provisions of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), as applicable.
2. **Ministerial review and permit processing deadline.** The Building Official shall consider a Building Permit application for an accessory dwelling unit or junior accessory dwelling unit ministerially without discretionary review or hearing within 60 days from the date a complete application is submitted to the Department. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.
 - a. **New one-family dwelling, multiple-family dwelling, or accessory structure.** If an application for an accessory dwelling unit or junior accessory dwelling unit is submitted concurrently with an application for a new one-family dwelling, multiple-family dwelling, or accessory structure on the lot, the Department may delay acting on the application for the accessory dwelling unit or junior accessory dwelling unit until the Department acts upon the application for the one-family dwelling, multiple-family dwelling, or accessory structure.
 - b. **Final building permit inspection.** Final building permit inspection for the proposed principal dwelling shall be approved prior to final building permit inspection approval for the accessory dwelling unit.
3. **Conflicts with other Sections of this Development Code.** Where there are conflicts between the standards in this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), the standards of [Section 35.42.020 \(Accessory Structures and Uses\)](#), and the specific zone or overlay regulations of [Article 35.2 \(Zones and Allowable Land Uses\)](#), the standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#) shall prevail.
4. **Development impact mitigation fees.** Except as provided in Subsection 4.a, below, the applicant shall pay development impact mitigation fees in compliance with ordinances and/or resolutions in effect at the time the fees are paid. The amount of the required fee shall be determined by adopted fee resolutions and ordinances and applicable law in effect when paid, provided that the fee is charged proportionately in relation to the square footage of the principal dwelling.
 - a. The applicant shall not be required to pay development impact mitigation fees for an accessory dwelling unit of less than 750 square feet or a junior accessory dwelling unit.
5. **Gross floor area.** As used in this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), “gross floor area” means the floor area within the inside perimeter of the exterior walls of the building under consideration without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features.
 - a. **Architectural Feature.** An attached, un-inhabitable architectural feature (e.g., covered entry, covered patio, deck, balcony, etc.) may be allowed in addition to the floor area of the accessory dwelling unit. The architectural feature(s) shall be subordinate to the accessory dwelling unit and limited to a cumulative square footage total of 20% of the floor area of the accessory dwelling unit. The square footage calculation shall be measured as the roof area (covered) or the footprint

(uncovered). The square footage shall be capped at a maximum of 240 square feet for existing structures converted to an accessory dwelling unit that exceed 1,200 square feet in floor area. The height of the feature(s) shall not exceed the roofline of the accessory dwelling unit. Architectural feature(s) do not include attached garages, storage rooms, laundry rooms, and other enclosed spaces or unenclosed amenities. Architectural feature(s) shall comply with the setback requirements applicable to the accessory dwelling unit on the lot, provided that upper story unenclosed landings, decks, and balconies greater than 20 square feet shall be located a minimum of 10 feet from side, rear, and interior lot lines unless landscape screening with a six-foot minimum height is provided along the perimeter.

6. **Modifications.** An accessory dwelling unit or junior accessory dwelling unit that does not comply with the requirements of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#) may be allowed with the approval of a Modification in compliance with [Section 35.82.130 \(Modifications\)](#), provided that the applicant requests a delay and tolls the 60-day processing time period specified in Subsection D.2, above, until final action is taken on the Modification.
7. **Nonconforming zoning conditions.** The correction of nonconforming conditions shall not be required as a condition of approval of an accessory dwelling unit or junior accessory dwelling unit. As used in [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), “nonconforming zoning condition” means a physical improvement on a property that does not conform to the zoning standards of this Development Code.
8. **Variances.** Variances shall not be granted for accessory dwelling units or junior accessory dwelling units.
9. **Residential second units.** For purposes of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), a residential second unit previously permitted in compliance with this Development Code shall be considered the same as an accessory dwelling unit.
10. **Unpermitted existing development.** For purposes of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), improvements to unpermitted existing development to accommodate an accessory dwelling unit or junior accessory dwelling unit shall be considered new development.
11. **Must Yield Provisions.** Where the application of front setbacks stipulate that the standard must be complied with unless it would preclude development of an accessory dwelling unit of up to 800 square feet with side and rear setbacks of at least four feet, this standard must yield when there are no other physical locations to place an accessory dwelling unit on the lot without conflicting with other applicable provisions of this Section, such as height, setbacks, tree protection, grading, environmentally sensitive habitat areas, historic resources, and archaeological resources. A property owner’s preference for a specific location on the lot does not constitute a reason to vary from objective standards. Nothing in this subsection shall be interpreted to apply new standards to an accessory dwelling unit developed in accordance with Subsection E, below that do not already apply. If encroachment into the front setback is required, it shall be the minimum necessary to accommodate the project.

SECTION 15:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection E, of Section 35.42.015, Accessory Dwelling Units and Junior Accessory Dwelling Units, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

E. Accessory dwelling units located within residential or mixed-use zones. This Subsection E provides standards for certain accessory dwelling units in accordance with Government Code Section 65852.2(e)(1). An accessory dwelling unit that complies with all of the following standards, as applicable, shall be allowed with a Building Permit and any other necessary approvals and shall not be subject to any other standards of this Development Code. An accessory dwelling unit that does not comply with this Subsection E may be allowed in compliance with Subsection F, below.

1. General standards. The following development standards shall apply to all accessory dwelling units allowed in compliance with this Subsection E:

a. Zoning. The accessory dwelling unit shall be located within one of the following residential or mixed-use zones. For purposes of this Subsection E, a two-family dwelling (i.e., “dwelling, two-family,” as defined in [Section 35.110.020 \(Definitions of Specialized Terms and Phrases\)](#)), shall be considered a multiple-family dwelling residential use.

Residential Zones	Mixed-Use Zones
RR (Rural Ranchette)	MU (Mixed Use)
R-1/E-1 (Single Family Residential)	OT-R/GC (Old Town – Residential/General Commercial)
EX-1 (One-Family Exclusive Residential)	OT-R/LC (Old Town – Residential/Light Commercial)
R-2 (Two-Family Residential)	CM-LA (Community Mixed Use – Los Alamos)
DR (Design Residential)	
PRD (Planned Residential Development)	
SLP (Small Lot Planned Development)	
MHP (Mobile Home Planned Development)	
MHS (Mobile Home Subdivision)	
MR-O (Multi-Family Residential – Orcutt)	
OT-R (Old Town Residential)	

b. Parking spaces not required. Parking spaces, including replacement parking spaces to satisfy the parking requirements for the principal dwelling, shall not be required for an accessory dwelling unit allowed in compliance with this Subsection E.

c. Additional standards. The accessory dwelling unit shall comply with the standards of Subsection H, below.

2. One accessory dwelling unit per lot located within a one-family dwelling or accessory structure. One accessory dwelling unit per lot located entirely (except as noted in 2.c.(1) below) within an existing or proposed one-family dwelling or an existing accessory structure shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:

a. Exterior access. The accessory dwelling unit shall have exterior access separate from the one-family dwelling.

b. Lot requirements. The lot shall contain an existing or proposed one-family dwelling.

c. Location. The accessory dwelling unit shall be located entirely within the existing or proposed one-family dwelling or existing accessory structure, except as provided below.

(1) The accessory dwelling unit may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure and shall be limited to accommodating ingress and egress.

d. Setbacks. The side and rear setbacks shall be sufficient for fire and safety purposes in compliance with the current, adopted edition of the California Fire Code and the California Building Code.

The accessory dwelling unit shall also comply with the front setback requirements of the applicable zone, provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.

- e. **Junior accessory dwelling unit.** An accessory dwelling unit that complies with the standards of this Subsection E.2 may be located on the same lot as a junior accessory dwelling unit that complies with the standards of Subsection G, below.
3. **One detached, new construction accessory dwelling unit per lot with a one-family dwelling.** One detached, new construction accessory dwelling unit per lot with an existing or proposed one-family dwelling shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:
 - a. **Lot requirements.** The lot shall contain an existing or proposed one-family dwelling.
 - b. **Location.** The accessory dwelling unit shall be located within a detached, new construction accessory building that is not attached to another accessory structure.
 - c. **Maximum floor area.** The gross floor area of the accessory dwelling unit shall not exceed 800 square feet.
 - d. **Maximum height.** The height of the accessory dwelling unit shall not exceed 16 feet as measured in compliance with [Section 35.30.090 \(Height Measurement, Exceptions and Limitations\)](#). For lots with an existing or proposed one-family dwelling that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet.
 - e. **Setbacks.** The accessory dwelling unit shall have side and rear setbacks of at least four feet and shall comply with the front setback requirements of the applicable zone, provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.
 - f. **Junior accessory dwelling unit.** An accessory dwelling unit that complies with the standards of this Subsection E.3 may be located on the same lot as a junior accessory dwelling unit that complies with the standards of Subsection G, below.
 4. **One or more accessory dwelling units per lot located entirely within an existing multiple-family dwelling or accessory structure.** One or more accessory dwelling units located within an existing multiple-family dwelling or existing accessory structure shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:
 - a. **Lot requirements.**
 - (1) The lot may contain at least one accessory dwelling unit and shall contain no more accessory dwelling units than 25 percent of the existing multiple-family dwelling units. For example, a lot containing eight multiple-family dwelling units may contain up to two accessory dwelling units.
 - (a) **Fractional units.** If the number of allowed accessory dwelling units includes a fraction of a unit, any decimal fraction less than 0.5 shall be rounded down to the

nearest whole unit and any decimal fraction of 0.5 or more shall be rounded up to the nearest whole unit.

- (2) The lot shall contain an existing multiple-family dwelling.
 - b. Location.** Each accessory dwelling unit shall be located entirely within the existing multiple-family dwelling or accessory structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, attics, basements, or garages.
- 5. Up to two detached accessory dwelling units per lot with an existing multiple-family dwelling.** Up to two detached accessory dwelling units per lot with an existing multiple-family dwelling shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:
- a. Lot requirements.**
 - (1) The lot shall contain no more than two accessory dwelling units.
 - (2) The lot shall contain an existing multiple-family dwelling.
 - b. Location.** Each accessory dwelling unit shall be located entirely within an existing detached accessory structure or a detached, new construction accessory building.
 - c. Maximum height.** The height of each accessory dwelling unit shall not exceed 16 feet as measured in compliance with [Section 35.30.090 \(Height Measurement, Exceptions and Limitations\)](#). For lots with an existing or proposed multiple-family dwelling that is multi-story or within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet.
 - d. Setbacks.** The accessory dwelling unit(s) shall have side and rear setbacks of at least four feet and shall comply with the front setback requirements of the applicable zone, provided that this standard allow up to two accessory dwelling units of up to 800 square feet to be constructed on the lot. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allows an accessory dwelling unit(s) of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit(s), including eaves and roof overhangs, shall comply with these requirements.

SECTION 16:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection F, of Section 35.42.015, Accessory Dwelling Units and Junior Accessory Dwelling Units, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- F. Accessory dwelling units located within zones that allow one-family or multiple-family residential use.** This Subsection F provides standards for accessory dwelling units that do not comply with Subsection E above. An accessory dwelling unit that complies with all of the following standards, as applicable, shall be allowed with a Building Permit and any other necessary approvals.
- 1. General standards.** The following development standards shall apply to all accessory dwelling units allowed in compliance with this Subsection F:
 - a. Zoning.** The accessory dwelling unit shall be located within one of the following zones that allow one-family or multiple-family dwelling residential use. For purposes of this Subsection F, a two-

family dwelling (i.e., “dwelling, two-family,” as defined in [Section 35.110.020 \(Definitions of Specialized Terms and Phrases\)](#)), shall be considered a multiple-family dwelling residential use.

Zones that Allow One-Family Residential Use	Zones that Allow Multiple-Family Residential Use	Zones that Allow One-Family and Multiple-Family Residential Use
AG-I (Agriculture I) AG-II (Agriculture II) RR (Rural Ranchette) R-1/E-1 (Single Family Residential) EX-1 (One-Family Exclusive Residential) SLP (Small Lot Planned Development) MHP (Mobile Home Planned Development) MHS (Mobile Home Subdivision) NTS (Naples Townsite) MT-GAV (Mountainous – Gaviota) MT-GOL (Mountainous – Goleta) MT-TORO (Mountainous – Toro Canyon) RMZ (Resource Management)	MR-O (Multi-Family Residential – Orcutt) CN (Neighborhood Commercial) C-2 (Retail Commercial) C-3 (General Commercial) PI (Professional and Institutional) MU (Mixed Use)	R-2 (Two-Family Residential) DR (Design Residential) PRD (Planned Residential Development) C-1 (Limited Commercial) CM-LA (Community Mixed Use – Los Alamos) OT-R (Old Town Residential) OT-R/GC (Old Town – Residential/General Commercial) OT-R/LC (Old Town – Residential/Light Commercial)

b. Lot requirements.

- (1) The lot shall contain no more than one accessory dwelling unit.
- (2) The lot shall contain an existing or proposed one-family dwelling or multiple-family dwelling.

2. Appearance and style. The exterior appearance and architectural style of an accessory dwelling unit shall comply with the following:

a. Conversion. Any exterior alterations to an existing building that result from the conversion of all or a portion of an existing building to an accessory dwelling unit shall be limited to minor alterations such as the addition of doors and windows.

b. New construction.

- (1) The design of an accessory dwelling unit that will be attached to an existing building shall reflect the exterior appearance and architectural style of the existing building to which it is attached and use the same or comparable exterior materials, roof covering, colors, and design for trim, windows, roof pitch, and other exterior physical features.
- (2) Exterior lighting shall comply with all of the following standards:
 - (a) All exterior lighting shall be hooded and fully shielded.
 - (b) Each exterior lighting fixture shall not exceed 800 lumens if located within the Rural Area and 1,600 lumens if located within the Urban Area.
 - (c) Each exterior lighting fixture shall not exceed 3,000 Kelvin.
 - (d) Landscape and pathway lighting fixtures shall not exceed four feet in height.
 - (e) Security lighting shall be controlled by a motion sensor switch or timer between dusk and dawn.

- (3) Proposed landscaping shall be comparable to existing landscaping on the lot in terms of plant species and density of planting.
3. **Environmentally sensitive habitat areas.** The development of an accessory dwelling unit shall comply with the objective requirements of [Section 35.28.100 \(Environmentally Sensitive Habitat Area Overlay Zone\)](#), provided that these standards allow an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#).
4. **Grading.** Grading directly associated with an accessory dwelling unit, inclusive of any grading required to establish access, shall be limited to 250 cubic yards and the accessory dwelling unit shall be located on existing slopes of 20 percent or less under the footprint of the accessory dwelling unit, provided that this standard permits an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#).
5. **Height limit.**
 - a. **Conversion.** An accessory dwelling unit located entirely within an existing one-family dwelling, multiple-family dwelling, or accessory structure shall not be subject to a height limit.
 - b. **New construction.**
 - (1) **Attached accessory dwelling units.** The height of an attached accessory dwelling unit that is proposed to be located above another floor or on grade where there is no floor above shall be limited to 25 feet and two stories and shall not exceed the maximum allowable height limit for the principal dwelling in the applicable zone.
 - (2) **Detached accessory dwelling units.**
 - (a) **One-story accessory dwelling units.** The height of a detached, one-story accessory dwelling unit shall not exceed a vertical distance of 16 feet as measured in compliance with [Section 35.30.090 \(Height Measurement, Exceptions and Limitations\)](#). For lots with an existing or proposed one-family dwelling that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet. If located above or below the floor of another accessory structure, the combined height shall not exceed a vertical distance of 25 feet.
 - (b) **Two-story accessory dwelling units.** The height of a detached, two-story accessory dwelling unit shall not exceed a vertical distance of 25 feet as measured in compliance with [Section 35.30.090 \(Height Measurement, Exceptions and Limitations\)](#).
6. **Historic resources.** An accessory dwelling unit shall not be located within, attached to, or located on the same lot as a structure listed in, or determined to be eligible for listing in the California Register of Historical Resources or the National Register of Historic Places, or a structure designated, or determined to be eligible for designation as a County Historic Landmark or County Place of Historic Merit unless the proposed accessory dwelling unit follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (U.S. Department of the Interior, National Park Service, 2017) or the Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67, 1990) and Guidelines for Rehabilitating Historic Buildings (Weeks and Grimmer, 1995), as may be amended. If a detached accessory dwelling unit is proposed to be located on the same lot as a historic or potentially historic structure described above, the

applicant shall provide a written assessment from a Department-approved historian confirming that the proposed accessory dwelling unit shall be in conformance with this requirement.

7. **Archaeological resources and tribal cultural resources.** A new construction attached or detached accessory dwelling shall be located at least 50 feet from the site boundaries of any archaeological resources or tribal cultural resources, unless a written assessment or a California Native American tribe recommends a greater buffer distance. Applicants shall submit a written assessment of any (1) archaeological resources that may qualify as “historical resources” as defined in CEQA Guidelines Section 15064.5(a), or (2) sites, features, cultural landscapes, sacred places, objects, or resources that may qualify as “tribal cultural resources” as defined in Public Resources Code Section 21074 that are located within 100 feet of the proposed accessory dwelling unit. The written assessment shall be prepared by a Department-approved archaeologist or other qualified professional and shall define the characteristics and site boundaries of the archaeological resources or tribal cultural resources.
8. **Location.** The accessory dwelling unit shall comply with the following:
 - a. **Conversion.** The accessory dwelling unit shall be located entirely within an existing one-family dwelling, multiple-family dwelling, or accessory structure.
 - b. **Attached accessory dwelling unit.** An attached accessory dwelling unit shall be located entirely or partially within an addition to a one-family dwelling, multiple-family dwelling, or an attached accessory structure.
 - c. **Detached accessory dwelling unit.** A detached accessory dwelling unit shall be located entirely or partially within a proposed detached accessory structure or an addition to an existing detached accessory structure.
 - d. **Development envelope.** If a development envelope has been recorded through a subdivision and the record demonstrates that the development envelope was established for the protection of public health and safety, then the accessory dwelling unit shall be located within the development envelope.
 - e. **Location on lot.** A detached accessory dwelling unit shall comply with the following standards, provided that these standards allow an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#):
 - (1) **Lots .5 acres or larger but less than two acres.** For lots that are .5 acres or larger but less than two acres, a detached accessory dwelling unit shall not be located closer to the principal abutting street than the principal dwelling unless other zoning provisions such as setback requirements would prohibit compliance with this requirement.
 - (2) **Lots two acres or larger but less than 20 acres.** For lots that are two acres or larger but not larger than 20 acres, a detached accessory dwelling unit shall not be located closer to any property line than the lesser of 100 feet or the distance from the principal dwelling to that property line unless other zoning provisions such as setback requirements, or the location of existing development on the lot including agricultural operations, would prohibit compliance with this requirement.
 - (3) **Lots larger than 20 acres.** For lots that are larger than 20 acres, the location of a detached accessory dwelling unit is not restricted provided the location complies with zoning requirements such as applicable setback requirements or development envelopes.
9. **Maximum floor area.** The gross floor area of the accessory dwelling unit shall not exceed the following standards, provided that these standards allow an accessory dwelling unit of up to 800 square feet with

four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#):

- a. **Conversion.** The gross floor area of an accessory dwelling unit located entirely within an existing structure shall not exceed 1,200 square feet.
- b. **New construction.**
 - (1) **Lots of 15,000 net square feet or less.** 850 square feet for an accessory dwelling unit that provides one bedroom or less and 1,000 square feet for an accessory dwelling unit that provides two or more bedrooms.
 - (2) **Lots greater than 15,000 net square feet.** 1,200 square feet.
 - (3) **Attached accessory dwelling units.** In addition to the gross floor area limits of Subsections F.9.b.(1) and (2), above, the gross floor area of an attached accessory dwelling unit shall not exceed 50 percent of the gross floor area of the principal dwelling that exists at the time of application for the accessory dwelling unit.

10. Parking.

- a. **Replacement parking spaces not required.** Replacement parking spaces to satisfy the parking requirements of the principal dwelling shall not be required for an accessory dwelling unit allowed in compliance with this Subsection F.
- b. **New construction.** A new construction detached accessory dwelling unit shall comply with the following parking requirements:
 - (1) Except as provided in Subsection F.10.b.(2), below, one parking space per accessory dwelling unit shall be required for a new construction detached accessory dwelling unit. The space may be provided in any of the following configurations:
 - (a) Tandem parking on a driveway or in a location outside of the required setback areas.
 - (b) On a driveway located within the front, side, or rear setback area.
 - (2) A parking space shall not be required for a new construction detached accessory dwelling unit that complies with any of the following criteria:
 - (a) The accessory dwelling unit is located within one-half mile walking distance of public transit (e.g., a bus stop).
 - (b) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - (c) On-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (d) A car share vehicle is located within one block of the accessory dwelling unit.

11. Setbacks. The setbacks for an accessory dwelling unit shall not exceed the following standards, provided that these standards permit an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#):

- a. **Conversion.** No setbacks shall be required for an existing living area or accessory structure converted to an accessory dwelling unit or a portion thereof. For purposes of this Subsection F.11, “living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

b. New construction.

- (1) Except as provided in Subsections F.11.b.(2), below, the accessory dwelling unit shall comply with the front, side, and rear setback requirements that apply to accessory structures, provided that the accessory dwelling unit has side and rear setbacks of at least four feet. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allow an accessory dwelling unit(s) of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall meet these requirements.
- (2) No setbacks shall be required for a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit.

12. Tree protection. A new construction attached or detached accessory dwelling unit shall comply with the following standards, provided that these standards allow an accessory dwelling unit of 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#):

- a. All development associated with the accessory dwelling unit shall avoid the removal of or damage to all protected trees. For the purposes of this Subsection F.12, protected trees are defined as (1) mature and/or (2) roosting/nesting trees that do not pose a threat to public health and safety. Non-native, invasive species are not protected if they are not roosting/nesting trees. Trees that are removed or damaged in order to accommodate an accessory dwelling unit up to 800 square feet shall be replaced onsite at a ratio of at least 5:1 with 15-gallon plantings or equivalent.
- b. No grading, paving, or other site disturbance shall occur within the area six feet outside of the dripline of the tree(s), unless the conclusion of a report submitted by the applicant and prepared by a licensed arborist states that the proposed grading, paving, or other site disturbance will not damage or harm the tree(s).

13. Riparian corridor. The development of an accessory dwelling unit shall comply with the objective requirements of [Section 35.28.170 \(Riparian Corridor – Goleta \(RC-GOL\) Overlay Zone\)](#), provided that these standards allow an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#).

SECTION 17:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection G, Junior accessory dwelling units, of Section 35.42.015, Accessory Dwelling Units and Junior Accessory Dwelling Units, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

G. Junior accessory dwelling units. One junior accessory dwelling unit per lot located within an existing or proposed one-family dwelling shall be allowed with a Building Permit and other necessary approvals when in compliance with all of the following development standards:

1. General standards.

- a. **Zoning.** The junior accessory dwelling unit shall be located within one of the following one-family zones or zones that allow one-family dwelling residential use:

One-Family Residential Zones	Zones that Allow One-Family Residential Use
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RR (Rural Ranchette) R-1/E-1 (Single Family Residential) EX-1 (One-Family Exclusive Residential)	AG-I (Agriculture I) AG-II (Agriculture II) MT-GAV (Mountainous – Gaviota) MT-GOL (Mountainous – Goleta) MT-TORO (Mountainous – Toro Canyon) RMZ (Resource Management) R-2 (Two-Family Residential) DR (Design Residential) PRD (Planned Residential Development) SLP (Small Lot Planned Development) MHP (Mobile Home Planned Development) MHS (Mobile Home Subdivision) C-1 (Limited Commercial) CM-LA (Community Mixed Use – Los Alamos) NTS (Naples Townsite) OT-R (Old Town Residential) OT-R/GC (Old Town – Residential/General Commercial) OT-R/LC (Old Town – Residential/Light Commercial)
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- b. Lot requirements.**
 - (1) The lot shall contain no more than one junior accessory dwelling unit.
 - (2) The lot shall contain an existing or proposed one-family dwelling.
 - c. Additional standards.** The junior accessory dwelling unit shall comply with the standards of Subsection H, below.
- 2. Declaration of Restrictions.** Prior to the issuance of a Building Permit for a junior accessory dwelling unit, the owner shall record a Declaration of Restrictions, which shall run with the land, in compliance with [Section 35.82.050 \(Recordable Documents\)](#). The owner shall record the Declaration of Restrictions with the County of Santa Barbara Clerk-Recorder and file the Declaration of Restrictions with the Planning and Development Department. The Declaration of Restrictions shall include both of the following:
 - a. A prohibition on the sale of the junior accessory dwelling unit separate from the one-family dwelling, including a statement that the deed restriction shall be enforced against future purchasers; and
 - b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with the standards of this Subsection G.
 - 3. Efficiency kitchen.** The junior accessory dwelling unit shall have an efficiency kitchen that includes the following:
 - a. A cooking facility with appliances, including at least a two-burner stove, sink, and freestanding refrigerator; and
 - b. Food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit and not less than four feet in length.
 - 4. Exterior access.** The junior accessory dwelling unit shall have separate exterior access from the one-family dwelling.

5. **Location.** The junior accessory dwelling unit shall be located entirely within an existing or proposed one-family dwelling or attached garage. The junior accessory dwelling unit shall not be located within any other attached or detached accessory structure.
6. **Maximum floor area.** The gross floor area of the junior accessory dwelling unit shall not exceed 500 square feet.
7. **Owner-occupancy.** Except as provided below in Subsection G.7.a, owner-occupancy shall be required for the junior accessory dwelling unit or the one-family dwelling in which the junior accessory dwelling unit is located.
 - a. Owner-occupancy shall not be required if the owner of the junior accessory dwelling unit is a governmental agency, land trust, or housing organization.
8. **Parking.**
 - a. **New parking spaces.** No new parking spaces shall be required for a junior accessory dwelling unit allowed in compliance with this Subsection G.
 - b. **Replacement parking.** Replacement parking spaces to satisfy the parking requirements of the principal dwelling shall be required for a junior accessory dwelling unit located within an attached garage in compliance with [Section 35.36.050 \(Required Number of Spaces: Residential Uses\)](#) and [Section 35.36.080 \(Standards for All Zones and Uses\)](#).
9. **Sanitation facilities.** The junior accessory dwelling unit shall include separate sanitation facilities or share sanitation facilities with the one-family dwelling. If shared, interior access to the main living area of the principal dwelling shall be required.
10. **Setbacks.** The side and rear setbacks shall be sufficient for fire and safety purposes in compliance with the current, adopted edition of the California Fire Code and the California Building Code. The junior accessory dwelling unit shall comply with the front setback requirements of the applicable zone. All portions of the junior accessory dwelling unit, including eaves and roof overhangs, shall meet these requirements.
11. **Accessory dwelling unit.** A junior accessory dwelling unit that complies with the standards of this Subsection G may be located on the same lot as an accessory dwelling unit that complies with the standards of Subsection E.2 or E.3, above.

SECTION 18:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection H, Additional standards that apply to all accessory dwelling units and junior accessory dwelling units, of Section 35.42.015, Accessory Dwelling Units and Junior Accessory Dwelling Units, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- H. **Additional standards that apply to all accessory dwelling units and junior accessory dwelling units.** The following development standards shall apply to all accessory dwelling units and junior accessory dwelling units in addition to the development standards contained in Subsection E (Accessory dwelling units and junior accessory dwelling units located within residential or mixed-use zones), Subsection F (Accessory dwelling units located within zones that allow one-family or multiple-family uses), or Subsection G (Junior accessory dwelling units), as applicable.

1. **Minimum floor area.** At a minimum, the gross floor area of an accessory dwelling unit or junior accessory dwelling unit shall be sufficient to allow for an Efficiency Unit in compliance with Health and Safety Code Section 17958.1 and California Building Code Section 1207.4 or successor statute.
2. **Passageway not required.** A passageway, defined for the purposes of this section as a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit, shall not be required in conjunction with the construction of an accessory dwelling unit or junior accessory dwelling unit.
3. **Building Separation.** No building separation between accessory dwelling unit(s) and other structures shall be required as long as all the structures meet minimum Building Code safety standards and allow for separate access.
4. **Kitchen.** Except as provided in Subsection 35.420.015.G.3 above, an accessory dwelling unit shall provide complete independent living facilities for one or more persons, including permanent provisions for eating and cooking inclusive of the following.
 - a. A cooking facility with appliances, including at least a range, sink, and freestanding refrigerator; and
 - b. Food preparation counter and storage cabinets that are of reasonable size in relation to the size of the accessory dwelling unit and not less than four feet in length.
5. **Rental restrictions.**
 - a. An accessory dwelling unit or junior accessory dwelling unit may be used for rentals provided that the length of any rental is longer than 30 consecutive days.
 - b. The use of an accessory dwelling unit or junior accessory dwelling unit as a Farmstay, Homestay, or Short-Term Rental shall be prohibited in all zones.
6. **Sale restriction.** Except as provided in Government Code Section 65852.26, an accessory dwelling unit or junior accessory dwelling unit shall not be sold or otherwise conveyed separate from principal dwelling(s).

SECTION 19:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection B, Development Standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

B. Development standards.

1. **Sequence of construction.** Accessory structures shall not be constructed on a lot until construction of the principal structure has begun or a principal use has been established and commenced, and an accessory structure shall not be used unless the principal structure on a lot is also being used or a principal use has been established and commenced.
2. **Standards for attached structures.** An accessory structure attached to the principal structure shall comply with the use, setback, and height requirements applicable to the principal structure.
3. **Height restrictions.** Accessory structures shall comply with the height restrictions of the applicable zones except as specified below:
 - a. **Fences and walls.** See [Section 35.30.070 \(Fences and Walls\)](#) for height limits for fences and walls.

- b. **Guesthouses, artist studios and cabañas.** See [Section 35.42.150 \(Guesthouses, Artist Studios, and Cabañas\)](#) for height limits for guesthouses, artist studios and cabañas.
 - c. **Located in the rear setback.** The height limit for accessory structures located in the rear setback is 12 feet.
 - d. **Telecommunication facilities.** See [Chapter 35.44 \(Telecommunications Facilities\)](#) height limits and exception for commercial and noncommercial telecommunication facilities.
4. **Setback requirements.** Detached accessory structures, including swimming pools, spas, and appurtenant equipment, shall comply with the front and side setback requirements of the applicable zone unless otherwise specifically allowed in compliance with this Development Code.
- a. **Location in rear setback.**
 - (1) **Other accessory structures.** Except as provided in Subsection B.4.a.(1), above, a detached accessory structure, other than guesthouses, artist studios and cabañas ([Section 35.42.150](#)) may be located in the required rear setback provided that:
 - (a) It is not attached to the principal structure.
 - (b) It is located no closer than five feet to the principal structure.
 - (c) It does not exceed 40 percent of the required rear setback.
 - (d) It does not exceed a height of 12 feet.
 - (e) If located on a corner lot backing on a key lot, the accessory structure shall be set back from the rear property line by a distance equal to the side setback requirement applicable to the key lot.
 - (f) A swimming pool, spa, and appurtenant equipment shall not be located closer than five feet to any property line.
 - (g) An accessory structure may otherwise be located adjacent to the rear property line provided that all other provisions (e.g., building code or fire code requirements for separation between structures) are complied with.
 - b. **Corner lot setbacks.** Accessory structures located on a corner lot having a width of less than 100 feet shall not be located closer to the front line of the lot than the principal structure on that lot.
 - c. **Swimming pools and spas in setback area.**
 - (1) **Location outside of the EX-1 zone.** Swimming pools, spas, and appurtenant equipment shall not be located:
 - (a) **Lots other than interior lots.** In the required front or side setback areas and, if located within the rear setback, shall not be located closer than five feet to any property line.
 - (b) **Interior lots.** Closer than 10 feet to any property line.
 - (2) **Location within the EX-1 zone.** Swimming pools, spas, and appurtenant equipment shall not be located:
 - (a) **Lots other than interior lots.** In the required front, side or rear setback areas; however, the required setbacks may be decreased by 15 feet for the purpose of locating a swimming pool, spa, and appurtenant equipment.
 - (b) **Interior lots.** Closer than 10 feet to any property line.

5. **Kitchen or cooking facilities/amenities prohibited.** Accessory structures, including artist studios, cabañas and guesthouses, shall not contain kitchen or cooking facilities unless the accessory structure is specifically permitted as a dwelling (e.g., agricultural employee dwellings or accessory dwelling units, and junior accessory dwelling units). Artist studios, cabañas and guesthouses are not dwellings.
6. **Gross floor area and footprint limitations.** Detached accessory structures, excluding barns, garages and stables, shall not exceed a gross floor area 800 square feet if located on a lot of one acre or less.
 - a. **Summerland Community Plan area.** See [Subsection 35.28.210.G](#) (Summerland Community Plan area) for additional standards regarding the allowable floor area of detached accessory structures.

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SECTION 20:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 4-11, Permit Requirements for Cannabis in Commercial Zones, of Section 35.42.075, Cannabis Regulations, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

Table 4-11 – Continued Permit Requirements for Cannabis in Commercial Zones	P	Permitted use, Land Use Permit required (2)
	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	—	Use Not Allowed
LAND USE (1)	PERMIT REQUIRED BY ZONE	
	C-V	PI

CANNABIS CULTIVATION AND MICROBUSINESS

Cultivation – Outdoor	—	—
Cultivation - Mixed-light	—	—
Cultivation – Indoor	—	—
Nursery	—	—
Microbusiness	—	—

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

Distribution	—	—
Non-volatile Manufacturing	—	—
Volatile Manufacturing	—	—
Testing	—	P(2)(3)

CANNABIS RETAIL

Retail	—	—
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Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Professional and Institutional
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Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) The cannabis operation shall not be located within 750 feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the premise, without regard to intervening structures.
- (3) Commercial cannabis activities are prohibited within Existing Developed Rural Neighborhoods.

SECTION 21:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 4-17, Allowed Temporary Uses and Permit Requirements for Commercial Zones, of Section 35.42.260, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

Table 4-17 - Continued Allowed Temporary Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	ZC	Permitted use, Zoning Clearance required			
	P	Permitted use, Land Use Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CH	CM-LA	C-V	PI	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	—	P	P	35.42.260.F.1
Car washes	S	S	S	S	35.42.260.F.2
Certified farmers market	—	MCUP	—	MCUP	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions	S	S	S	S	35.42.260.F.4
Mobile vendors	—	MCUP	—	—	35.42.260.F.5
Parking lot sale	—	—	—	—	35.42.260.F.6
Public assembly events in facilities; event consistent	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	—	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	—	ZC	ZC	35.42.260.F.13
Swap meet	—	CUP	—	—	35.42.260.F.14

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	35.42.260.F.15
Trailer (4 or fewer agricultural employees)	MCUP	—	—	—	35.42.260.G.4
Trailer (watchman during construction)	P	P	P	P	35.42.260.G.5
Trailer (dwelling after destruction of dwelling)	P	P	P	P	35.42.260.G.9
Trailer (dwelling during construction of new dwelling)	P	P	P	P	35.42.260.G.8
Trailer (railroad work camp)	MCUP	—	MCUP	MCUP	35.42.260.G.11
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.14

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.6
Trailer (construction office, shop, storage, etc.)	S	S	S	S	35.42.260.G.7
Trailer (mobile communications temporary facility)	ZC	ZC	ZC	ZC	35.42.260.G.10
Trailer (storage as accessory to dwelling)	E	—	E	E	35.42.260.G.12
Trailer (subdivision sales office)	ZC	—	ZC	ZC	35.42.260.G.13

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor-serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos				

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.

SECTION 22:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection F.6., Parking Lot Sales, of Section 35.42.260, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- 6. **Parking lot sales.** Parking lot sales located on a lot with a C-2 or C-3 zone designation may be allowed in compliance with the following permit requirements and development standards.

Permit Requirement	Development Standards
Land Use Permit	Limited to four parking lot sales per calendar year for any one establishment.
Minor Conditional Use Permit	In excess of four parking lot sales per calendar year for any one establishment.

a. Additional requirements.

- (1) The review authority shall not approve or issue the applicable planning permit unless the review authority finds that the proposed sale will not be detrimental to the public health, safety, and welfare and that adequate onsite pedestrian access and parking will exist during the proposed sale.
- (2) The review authority may impose any reasonable conditions as necessary to protect and preserve the public health, safety, and welfare.

SECTION 23:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete a footnote on Table 8-1, Review Authority, of Section 35.80.020, Authority for Land Use and Zoning Decisions, of Chapter 35.80, Permit Application Filing Fee and Processing, is hereby deleted as follows:

Table 8-1 - Review Authority

Type of Action	Role of Review Authority (1)			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors
Administrative and Legislative				
Development Code Amendments			Recommend	Decision
Comprehensive Plan Amendments			Recommend	Decision
Interpretations	Decision		Appeal	Appeal
Reasonable Accommodation	See Chapter 35.37 (Reasonable Accommodation) for applicable Review Authority			
Specific Plans and Amendments			Recommend	Decision
Zoning Map Amendments			Recommend (2)	Decision
Planning Permits				
Conditional Use Permits			Decision	Appeal
Design Review	See Footnote (3) below			
Development Plans	See Table 8-2 (Development Plan Review Authorities) in Section 35.82.080 (Development Plans) for applicable Development Plan Thresholds			
Emergency Permits	Decision			
Hardship Determinations		Decision		
Land Use Permits (4)	Decision		Appeal	Appeal
Limited Exception Determinations			Decision	Appeal
Minor Conditional Use Permits		Decision	Appeal	Appeal
Modifications		Decision	Appeal	Appeal
Nonconforming Status & Extent of Damage Determinations		Decision		
Oil and Gas Exploration and Production Plans			Decision	Appeal
Oil/Gas Land Uses - Abandonment and Removal Procedures	Decision		Appeal	Appeal
Overall Sign Plans	See Section 35.82.150 (Overall Sign Plans)			
Reclamation and Surface Mining Permits (5)			Decision	Appeal
Road Namings/Renamings	See Chapter 35.76 (Road Naming and Address Numbering)		Appeal	Appeal
Sign Certificates of Conformance	Decision		Appeal	Appeal
Sign Modifications		Decision	Appeal	Appeal
Use Determinations			Decision	Appeal
Variances		Decision	Appeal	Appeal
Zoning Clearances	Decision			

Notes:

- (1) "Recommend" identifies that the review authority makes a recommendation to a higher decision-making body; "Decision" identifies that the review authority makes the final decision on the matter; "Appeal" identifies that the review authority may consider and decide upon appeals of the decision of an earlier decision-making body, in compliance with [Chapter 35.102 \(Appeals\)](#).
- (2) The decision of the Commission to recommend denial of a Zoning Map Amendment is not transmitted to the Board absent the filing of an appeal or a written request for a hearing is filed with the Clerk of the Board within the five calendar days after the Commission files its recommendation with the Board.
- (3) The Board of Architectural Review with jurisdiction in compliance with County Code Chapter 2 shall make decisions on Design Reviews within the County; the decision of the Board of Architectural Review is appealable to the Commission; the decision of the Commission is appealable to the Board.
- (4) The Zoning Administrator is the review authority for Land Use Permits approved in compliance with [Section 35.42.190 \(Home Occupations\)](#) and [Section 35.82.110 \(Land Use Permits\)](#) for Home Occupations that qualify as Cottage Food Operations. The decision of the Zoning Administrator may be appealed to the Commission; the decision of the Commission may be appealed to the Board.
- (5) The Director shall be the review authority on amendments to Reclamation Plans that are required in order to incorporate an interim management plan that is required due to a surface mining operation becoming idle.

SECTION 24:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 8-1, Development Plan Review Authorities, of Section 35.82.080, Development Plans, of Chapter 35.82, Permit Review and Decisions, to read as follows:

Table 8-2 - Development Plan Review Authorities

Type of Project	Role of Review Authority			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors
Gross floor area of 10,000 square feet or less in the following zones: (1)				
C-1 (General Commercial)	Decision		Appeal	Appeal
C-2 (Retail Commercial)	Decision		Appeal	Appeal
C-3 (General Commercial)	Decision		Appeal	Appeal
CH (Highway Commercial)	Decision		Appeal	Appeal
CS (Service Commercial)	Decision		Appeal	Appeal
M-1 (Light Industry)	Decision		Appeal	Appeal
M-2 (General Industry)	Decision		Appeal	Appeal
M-RP (Industrial Research Park)	Decision		Appeal	Appeal
MU (Mixed Use)	Decision		Appeal	Appeal
OT (Old Town)	Decision		Appeal	Appeal
PI (Professional and Institutional)	Decision		Appeal	Appeal
Gross floor area greater than 10,000 square feet but less than 15,000 square feet in size in the following zones: (1)				
C-1 (General Commercial)		Decision	Appeal	Appeal
C-2 (Retail Commercial)		Decision	Appeal	Appeal
CH (Highway Commercial)		Decision	Appeal	Appeal
CS (Service Commercial)		Decision	Appeal	Appeal
M-1 (Light Industry)		Decision	Appeal	Appeal
M-2 (General Industry)		Decision	Appeal	Appeal
M-RP (Industrial Research Park)		Decision	Appeal	Appeal
MU (Mixed Use)		Decision	Appeal	Appeal
OT (Old Town)		Decision	Appeal	Appeal
PI (Professional and Institutional)		Decision	Appeal	Appeal
Gross floor area less than or equal to 15,000 square feet in size in the following zones: (1)				
CN (Neighborhood Commercial)		Decision	Appeal	Appeal
C-V (Visitor Serving Commercial)		Decision	Appeal	Appeal
PU (Public Utilities)		Decision	Appeal	Appeal
Telecommunications facilities in all zones in compliance with Chapter 35.44	See Table 4-20 (Section 35.44.010) and Table 4-21 (Section 35.44.020)			
As-built Development Plans for non-conforming development without revisions to existing development (2)	Decision		Appeal	Appeal
Final Development Plans that the Director determines to be in substantial conformity with approved Preliminary Development Plan	Decision		Appeal	Appeal
Development Plans outside of the review authority of the Director or Zoning Administrator.			Decision	Appeal

Table 8-2 - Development Plan Review Authorities

Type of Project	Role of Review Authority			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors

Notes:

- (1) Gross floor area includes all outdoor areas designated for sales and storage and the gross floor area of existing structures.
- (2) The Director shall be the review authority for applications for Final Development Plans for projects that were legally permitted and developed without a Final Development Plan and are now nonconforming solely due to the absence of an approved Final Development Plan provided revisions to the existing development are not proposed as part of the application for the Final Development Plan except for minor alterations to the exterior of the structure that are determined to be exempt from Design Review by the Director in compliance with [Section 35.82.070 \(Design Review\)](#). If revisions to the existing development are proposed, then the application shall be processed as if it was an application for a new project and the jurisdiction shall be determined in compliance with this Table 8-2.

SECTION 25:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection E, Findings required for approval of Use Determination of Section 35.82.190, Use Determinations, of Chapter 35.82, Permit Review and Decisions, to read as follows:

E. Findings required for approval of Use Determinations. A Use Determination application shall be approved or conditionally approved only if the review authority first makes all of the following findings, as applicable:

- 1. Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Service Commercial (C-S), Professional and Institutional (PI), Industrial Research Park (M-RP) and Light Industry (M-1) zones.**
 - a. The proposed use is similar in character to those listed as permitted uses in the applicable zone.
 - b. The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the applicable zone because of noise, odor, dust, smoke, vibration, danger to life, property or other similar causes.
- 2. Highway Commercial (CH) zone.** The proposed use is operated primarily for the purpose of serving the essential needs of travelers on highways.
- 3. Community Mixed Use - Los Alamos (CM-LA) zone.** The proposed use is important to the daily (frequent) needs of residents in the surrounding area and is important to the shopping needs of the community.
- 4. Neighborhood Commercial (CN) zone.**
 - a. The proposed use is similar in character to those listed as permitted uses in the CN zone.
 - b. The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the CN zone because of noise, odor, dust, smoke, vibration, traffic congestion, danger to life, property or other similar causes.
- 5. Old Town Residential/Light Commercial (OT-R/LC) and Old Town Residential/General Commercial (OT-R/GC) zones.**
 - a. Similar permitted uses.**
 - (1) The proposed use is similar in character to those listed as permitted uses in the applicable zone.

- (2) The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the applicable zone because of noise, odor, dust, smoke, vibration, traffic congestion, danger to life, property or other similar causes.

b. Similar uses allowed with a Conditional Use Permit.

- (1) The proposed use is found to be of the same nature as those permitted with a Conditional Use Permit and would be consistent with the character of the “Old Town” area.
6. **Public Utilities (PU) zone.** The proposed use is similar in character to those listed as permitted uses in the PU zone.
 7. **Recreation (REC) zone.** The proposed use is similar in character to those listed as permitted uses in the REC zone, not including fairgrounds, amusement parks or large indoor recreational complexes.

SECTION 26:

ARTICLE 35.10, Land Use and Development Code Administration, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection B, Contents of Application, of Section 35.104.040, Processing of Amendments, of Chapter 35.104, Amendments, to read as follows:

- B. Contents of application.** If initiated by a person other than the Board, Commission, or Director, an Amendment application shall be filed in compliance with [Chapter 35.80 \(Permit Application Filing and Processing\)](#).
1. **Application shall include a Development Plan.** Unless the Commission expressly waives the requirement, an application for a Zoning Map Amendment to rezone property to any of the zones listed below shall require the submittal of an application for either a Final or a Preliminary Development Plan in compliance with [Section 35.82.080 \(Development Plans\)](#) and [Section 35.104.080 \(Rezoning Requirements for Specific Zones\)](#) below.
 - a. DR (Design Residential).
 - b. MHP (Mobile Home Planned Development).
 - c. MHS (Mobile Home Subdivision).
 - d. PRD (Planned Residential Development).
 - e. SLP (Small-lot Planned Development).
 - f. C-V (Resort/visitor Serving Commercial).
 - g. OT-R (Old Town Residential).
 - h. PI (Professional and Institutional).
 - i. M-RP (Industrial Research Park).
 - j. M-1 (Light Industry).
 - k. M-2 (General Industry).
 - l. MU (Mixed Use).
 - m. PU (Public Works Utilities).

- n. REC (Recreation).
- o. HWMF (Hazardous Waste Management Facility) overlay.

SECTION 27:

ARTICLE 35.11, Glossary, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to change the definition of “Accessory dwelling unit”, to read as follows:

Accessory dwelling unit. An attached or a detached residential dwelling unit that is located on the same lot as a one-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 of 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 with, or is stacked above or below, 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.

SECTION 28:

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

SECTION 29:

Except as amended by this ordinance, Articles 35.1, 35.2, 35.3, 35.4, 35.8, 35.10, and 35.11 of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 30:

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

SECTION 31:

If legislation is enacted that amends Government Code sections 65852.2 or 65852.22 or other provisions regarding Accessory Dwelling Units or Junior Accessory Dwelling Units which would supersede or preempt any section or subsection of this ordinance then, that the Board of Supervisors deems that section or subsection null and void and this ordinance shall remain in effect without said section or subsection and continue to apply to all Accessory Dwelling Units and Junior Accessory Dwelling Units.

SECTION 32:

For applicants that have received an issued Building Permit for a proposed accessory dwelling unit or junior accessory dwelling unit on or before the effective date of this ordinance, the Building Permit shall remain valid, provided that the proposed accessory dwelling unit or junior accessory dwelling unit receives final building inspection approval by one year following the effective date of this ordinance.

SECTION 33:

This ordinance shall take effect and be in force 30 days from the latter of: (i) the date the Board adopts the ordinance, or (ii) pursuant to Government Code Section 68582.2(h), upon either the date that: (a) the California Department of Housing and Community Development (HCD) finds that the ordinance complies with State law, or (b) the Board of Supervisors adopts a resolution addressing HCD's findings; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the Board voting for and against the same in 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 _____, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ADUs, SC Rezone, and Minor Ordinance Amendments
Case No. 23ORD-00007, -08, -09, 23RZN-00003
Board of Supervisors
Hearing Date: November 7, 2023
Attachment 3: LUDC Amendment for Adoption
Page 42

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEN
COUNTY COUNSEL

By  _____
Deputy County Counsel