

ATTACHMENT 2

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

IN THE MATTER OF APPROVING AN AMENDMENT) RESOLUTION NO. 24 - 74
TO THE SANTA BARBARA COUNTY LOCAL)
COASTAL PROGRAM TO AMEND ARTICLE II, THE) Case No. 22ORD-00005
COASTAL ZONING ORDINANCE, OF CHAPTER 35,)
ZONING, OF THE SANTA BARBARA COUNTY)
CODE, REGARDING THE CHILDCARE FACILITIES)
AND MINOR ORDINANCE, AS MODIFIED BY THE)
CALIFORNIA COASTAL COMMISSION.)

WITH REFERENCE TO THE FOLLOWING:

- A. Whereas on November 29, 2022, pursuant to Ordinance No. 5168, the Board of Supervisors (Board) of the County of Santa Barbara (County) approved an amendment to the County's Local Coastal Program (LCP) by amending Article II, the Coastal Zoning Ordinance (Article II), of Chapter 35, Zoning, of the County Code (Case No. 22ORD-00005), regarding the Childcare Facilities and Minor Ordinance Amendments;
- B. Whereas on January 24, 2023, the Board adopted Resolution No. 23-11 authorizing staff to submit said amendment to the California Coastal Commission for review and certification as an amendment to the County's certified LCP;
- C. Whereas on February 7, 2024, the Coastal Commission approved a resolution of conditional certification with suggested modifications for this amendment to the County's certified LCP (Coastal Commission Case No. LCP-4-STB-23-0007-1); and
- D. Whereas the Board finds the suggested modifications to be acceptable.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. The Board acknowledges receipt of the Coastal Commission's resolution of conditional certification with suggested modifications and accepts and agrees to the modifications through an amendment to the County's certified LCP (Article II) as required by the Coastal Commission's Administrative Regulations Section 13544(a), and agrees to issue Coastal Development Permits for the total area included in the County's certified LCP, consistent with the modification of Ordinance No. 5168 as certified by the Coastal Commission.
- 3. The Board agrees to any non-substantive changes made by Planning and Development staff to Ordinance No. 5168 to renumber inconsistent section numbering as a result of certification timing and to reflect the Coastal Commission's suggested modifications (Exhibit A).

4. The Board will submit this acknowledgment to the Coastal Commission to demonstrate conformity with the provisions of the Coastal Commission's action to certify the amendment to the LCP in compliance with the Coastal Commission's Administrative Regulations Section 13544(b).
5. The Chair of the Board is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the Board's action described above.
6. The Board directs the Planning and Development Department to submit this Resolution to the Executive Director of the Coastal Commission.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 2nd day of April, 2024, by the following vote:

AYES: Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino

NOES: None

ABSTAINED: None

ABSENT: None



STEVE DAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: 
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By: 
Deputy County Counsel

California Coastal Commission Conditional Certification of the Childcare Facilities and Minor Ordinance Amendments Local
Coastal Program Amendment
Board of Supervisors
Departmental Agenda Date: April 2, 2024
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Exhibit A – Clean Article II Coastal Zoning Ordinance Amendment

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Amendments\CCC\BOS 4.2.24\BAL Attachments\Attachment 2 - BOS Resolution.docx

EXHIBIT A: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, TO EXEMPT LARGE AND SMALL FAMILY DAY CARE HOMES SERVING CHILDREN FROM ZONING PERMITS, MAKE CLARIFICATIONS REGARDING LARGE AND SMALL FAMILY DAY CARE HOMES SERVING ADULTS, IMPLEMENT NEW REGULATIONS AND PERMIT PROCEDURES REGARDING DAY CARE CENTERS, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 6, PARKING REGULATIONS, AND DIVISION 7, GENERAL REGULATIONS.

Case No. 22ORD-00000-00005

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

SECTION 1:

DIVISION 1, Section 35-51B, Exemptions from Planning Permit Requirements, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add Subsection B.2.s as follows:

...

- s. **Family Day Care Home, serving children.** 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.

SECTION 2:

Article 35-58, Definitions, "Cannabis" of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise d.3. "Mixed-light cultivation." to read as follows:

...

- 3) **Mixed-light cultivation.** The cultivation of cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or one of the artificial lighting models, excluding hoop structures.

...

SECTION 3:

Article 35-58, Definitions, “Day Care” of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to read as follows:

Day Care: Facilities that provide non-medical care and supervision of adults or minor children in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual for periods of less than 24 hours. These facilities include the following which may be required to be licensed by the State or the County unless they are able to operate legally without a license in compliance with State and County laws. A “day care center” serving children shall have the same meaning as “Child Care Facility” or “Child Day Care Facility” defined in California Code of Regulations, Title 22, Section 101152 (as amended). *(Added by Ord. 4964, 12/14/2017)*

1. **Day Care Center.** A commercial or non-profit use designed and approved to accommodate 15 or more adults or children. Includes facilities providing overnight care, providing that said care is for periods of less than twenty-four hours per day. A day care center may be operated in conjunction with a school or church facility, or as an independent land use. The owner or operator of a residential day care center is not required to reside at the day care center.
 - a. **Non-dwelling, principal use.** A day care center where group care is provided in a structure not used as a dwelling unit.
 - b. **Non-dwelling, accessory.** A day care center that is within or on the site of another use and provides day care services for occupants of the other use.
 - c. **Dwelling, accessory.** A day care center where group care is provided in a dwelling for 15 or more adults or children, including adults or children who reside at the dwelling.
2. **Family Day Care Home, serving adults.** A one-family dwelling whose regular and permanent occupant(s) provides, on a regular basis care, protection, and supervision for 14 or fewer adults for periods of less than 24 hours per day while the parents or guardians are away. Family day care homes serving adults shall be classified as follows:
 - a. **Large Family Day Care Home, serving adults.** A day care facility that provides family day care for seven to 14 adults, inclusive.
 - b. **Small Family Day Care Home, serving adults.** A day care facility in a one-family dwelling where an occupant of the residence provides family day care for six or fewer adults.
3. **Family Day Care Home, serving children.** A facility (in a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential uses) that regularly provides care, protection, and supervision for 14 or fewer children, in the provider’s own home, for periods of less than 24 hours per day while the parents or guardians are away. Family day care homes serving children shall be classified as follows:
 - a. **Large Family Day Care Home, serving children.** A day care facility that provides care, protection, and supervision for seven to 14 children, inclusive, including children under the age of 10 years who reside at the home, as set forth in Health and Safety Code Section 1597.465 and as defined in state regulations, as may be amended.
 - b. **Small Family Day Care Home, serving children.** A day care facility provides care, protection, and supervision for eight or fewer children, including children under the age of 10 years who reside at the home, as set forth in Health and Safety Code Section 1597.44 and as defined in state regulations, as may be amended.

SECTION 4:

DIVISION 4, Section 35-71. R-1/E-1 – Single-Family Residential, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsections 35-71.3, Permitted Uses and 35-71.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-71.3 Permitted Uses (Amended by Ord. 3518, 06/03/1985, Ord. 4186, 03/14/1995)

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141. *(Amended by Ord. 4557, 12/07/2004)*
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot. *(Amended by Ord. 3835, 03/20/1990; Ord. 4557, 12/07/2004)*
4. Home occupations subject to the provisions of Section 35-121. (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
5. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
6. Greenhouses, hothouses, and other plant protection structures subject to all of the following: *(Amended by Ord. 4557, 12/07/2004)*
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
7. The keeping of animals and poultry accessory to the primary residential use located on the same lot and subject to the provisions of Section 35-71.12. *(Amended by Ord. 4557, 12/07/2004)*
8. Public parks, public playgrounds, and community centers operated by a public agency. *(Amended by Ord. 4557, 12/07/2004)*
9. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
10. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
11. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises. *(Amended by Ord. 4186, 03/14/1995; Ord. 4557, 12/07/2004)*

12. Day care center, accessory to non-dwelling use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).

Section 35-71.4 *Uses Permitted With A Major Conditional Use Permit.*

1. Commercial Kennels. *(Added by Ord. 4067, 08/18/1992)*
2. Golf courses and facilities incidental and subordinate to such use (e.g., restaurant, pro shop, driving range) but not including commercial driving tees, putting courses, or miniature golf courses. *(Added by Ord. 4067, 08/18/1992)*

Section 35-71.5 *Uses Permitted With a Minor Conditional Use Permit.*

1. Greenhouses, hothouses, and other plant protection structures in excess of 300 square feet but in no case shall such structures exceed an area of 800 square feet.
2. The commercial raising of worms.
3. Day care center, serving children, accessory use to dwelling, subject to the provisions of Section 35-143 (Community Care Facilities).
4. Private Kennels. *(Added by Ord. 4067, 08/18/1992)*

SECTION 5:

DIVISION 4, Section 35-72. R-2 – Two Family Residential, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsections 35-72.3, Permitted Uses and 35-72.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-72.3 *Permitted Uses* *(Amended by Ord. 3518, 06/03/1985; Ord. 4067, 08/018/1992; Ord. 4557, 12/07/2004)*

1. One single family dwelling or one two family dwelling, i.e., duplex, per legal lot. *(Amended by Ord. 4298, 03/24/1998)*
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
4. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
5. Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
6. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
7. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.

- c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
8. The keeping of animals and poultry accessory to a residential use located on the same lot and subject to the provisions of Section 35-71.12 (R-1/E-1, Animals).
 9. Public parks, public playgrounds, and community centers operated by public agencies.
 10. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.
 11. Day care center, accessory to non-dwelling use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).

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Section 35-72.5 Uses Permitted With a Minor Conditional Use Permit.

1. Greenhouses, hot houses, and other plant protection structures in excess of 300 square feet but in no case shall such structures exceed an area of 800 square feet.
2. The commercial raising of worms.
3. Day care center, serving children, accessory use to a dwelling, subject to the provisions of Section 35-143 (Community Care Facilities).
4. Private kennels. *(Added by Ord. 4067, 08/18/1992)*

SECTION 6:

DIVISION 4, Section 35-74. DR – Design Residential, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsections 35-74.4, Permitted Uses and 35-74.6, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-74.4 Permitted Uses. (Amended by Ord. 3518, 06/03/1985; Ord. 4378, 11/16/1999)

1. Single family, duplex, triplex, and multi-family dwelling units, including developments commonly known as row houses, town houses, condominiums, cluster, and community apartment projects.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
3. Parking lots, carports, and garages designed and used for individual units within the district and either adjacent to such units or centrally located to serve a group of units.
4. Day care center, accessory to a non-dwelling use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
5. Golf courses.
6. Public parks, public playgrounds, and community centers.

7. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
8. The keeping of animals accessory to a residential use located on the same lot and subject to the provisions of Section 35-419.12 (R-1/E-1, Animals). *(Amended by Ord. 4557, 12/07/2004)*
9. Greenhouses, hothouses, and other plant protection structures subject to all of the following: *(Added by Ord. 3959, 02/21/1992; amended by Ord. 4557, 12/07/2004)*
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; amended by Ord. 5004, 12/14/2017)*
11. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
12. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises. *(Added by Ord. 4378, 11/16/1999; amended by Ord. 4557, 12/07/2004)*

...

Section 35-74.6 *Uses Permitted With a Minor Conditional Use Permit.*

1. Dining commons, cafeterias, tobacco and magazine shops, book stores, bicycle rental and repair shops, and similar facilities accessory and incidental to developments permitted in paragraph 1. hereof, provided such uses are within the building and designed and used solely for the service and convenience of the residential development to which they are accessory and incidental.
2. Day care center, serving children, accessory use to a dwelling, subject to the provisions of Section 35-143 (Community Care Facilities).
3. Private kennels. *(Added by Ord. 4067, 08/18/1992)*

SECTION 7:

DIVISION 4, Section 35-75. PRD – Planned Residential Development, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-75.7, Permitted Uses is hereby amended to read as follows:

Section 35-75.7 *Permitted Uses.*

1. Residential units, either attached or detached, including single family dwellings, duplexes, row houses, town houses, apartments, and condominiums.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling

Units).

3. Recreational facilities, including but not limited to tennis courts, swimming pools, playgrounds, and parks for the private use of the residents of the development, provided such facilities are not operated for remuneration. *(Amended by Ord. 4557, 12/07/2004)*
4. Laundromat, meeting rooms, for use by residents of the development. *(Amended by Ord. 4067, 08/18/1992)*
5. Where required by the Coastal Land Use Plan, resort visitor-serving facilities.
6. Home Occupations, subject to the provisions of Section 35-121 (General Regulations). *(Amended by Ord. 3836, 03/20/1990)*
7. Day care center, accessory to a non-dwelling use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
8. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
9. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
10. The keeping of household pets accessory to a residential use of a dwelling located on the lot on which the animal keeping occurs provided that: *(Amended by Ord. 4557, 12/07/2004)*
 - a. There shall not be more than three dogs permitted on any one lot.
 - b. Such animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.
 - c. The keeping of such animals is not injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Animal Services Division of the County Public Health Department.
 - d. Enclosures for such small animals shall be no closer than 25 feet to any dwelling located on another lot.
 - e. No rooster or peacock shall be kept or raised on the lot.
11. Uses, buildings, and structures accessory and customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*

SECTION 8:

DIVISION 4, Section 35-76. SR-M – Medium Density Student Residential, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-76.4, Permitted Uses and 35-76.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-76.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi-unit dwellings. *(Amended by Ord. 4318, 06/23/1998)*
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

3. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). (*Added by Ord. 5004, 12/14/2017*)
4. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
5. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
6. Public parks, public playgrounds, and community centers.
7. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
8. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
9. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
10. Day care center, accessory to a non-dwelling use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
- ...

Section 35-76.5 *Use Permitted With a Minor Conditional Use Permit.*

1. Day care center, serving children, accessory use to a dwelling, subject to the provisions of Section 35-143 (Community Care Facilities).
2. Commercial parking lot for residential land uses.
3. Greenhouses, hothouses, and other plant protection structures in excess of 300 square feet but in no case shall such structures exceed an area of 800 square feet.
4. Meeting room, in excess of allowable bedrooms, for non-profit organizations, including fraternities and sororities.

SECTION 9:

DIVISION 4, Section 35-77. SR-H – High Density Student Residential, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-77.4, Permitted Uses and 35-77.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-77.4 *Permitted Uses.*

1. One single family dwelling unit, one two-family dwelling or multi unit dwellings. (*Amended by Ord. 4318, 06/23/1998*)
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when

approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

3. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
4. Dormitories, student housing facilities, residence halls, sororities and fraternities located in an area where such facilities are to be used by students of an educational institution.
5. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
6. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
7. Public parks, public playgrounds, and community centers.
8. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
9. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
10. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
11. Day care center, accessory to a non-dwelling use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
12. Emergency Shelter. *(Added by Ord. 4169, 10/11/1994)*

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Section 35-77.5 Uses Permitted With a Minor Conditional Use Permit.

1. Day care center, serving children, accessory use to a dwelling, subject to the provisions of Section 35-143 (Community Care Facilities).
2. Commercial parking lot for residential land uses.
3. Greenhouses, hothouses, and other plant protection structures in excess of 300 square feet but in no case shall such structures exceed an area of 800 square feet.
4. Meeting room, in excess of allowable bedrooms, for non-profit organizations, including fraternities and sororities.

SECTION 10:

DIVISION 4, Section 35-77A. C-1 – Limited Commercial, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-77.A.3, Permitted Uses and 35-77.A.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-77A.3 Permitted Uses. *(Amended by Ord. 4318, 06/23/1998)*

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Day care center, principal use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, and Section 35-71 (R-1/E-1).
9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
10. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
12. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration, pursuant to Section 35-179C (Use Determination). *(Amended by Ord. 4964, 12/14/2017)*
13. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
14. Cannabis, Retail, subject to the provisions of Section 35-144U.
15. Cannabis, Testing, subject to the provisions of Section 35-144U.
16. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
 - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.
 - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

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Section 35-77A.5 Uses Permitted with a Minor Conditional Use Permit.

1. Automobile service station, provided no gasoline is stored above ground.
2. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
3. Community Center.
4. Certified Farmer's Market. *(Added by Ord. 4086, 12/15/1992)*
5. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

SECTION 11:

DIVISION 4, Section 35-78. C-2 – Retail Commercial, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-78.3, Permitted Uses and 35-78.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-78.3 Permitted Uses.

1. Amusement enterprises if conducted wholly within a completely enclosed building, such as video arcades and pool halls. *(Amended by Ord. 4298, 03/24/1998)*
2. Automobile service station, provided no gasoline is stored above ground.
3. New and used automobile and machinery sales, leases and rentals. *(Amended by Ord. 3960, 02/21/1992)*
4. Automobile and machinery repair and service if conducted wholly within a completely enclosed building or within an area enclosed by a solid wall, hedge, or fence not less than six feet in height approved as to design by the Director, but not including automobile or machinery wrecking establishments or junk yards. *(Amended by Ord. 4584, 11/22/2005)*
5. Retail stores, shops, or establishments supplying commodities for residents of the community, provided such enterprises are conducted within a completely enclosed building, such as bakeries, ice cream shops, grocery, and liquor stores, furniture, hardware, and appliance stores, department stores, sporting goods stores, pet shops, florist shops, automobile accessory stores, and the like.
6. Repair and service uses such as laundry and dry cleaning establishments, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, copy shops, radio and TV repair shops, etc. *(Amended by Ord. 3960, 02/21/1992)*
7. Restaurants, bars, cocktail lounges, and microbreweries that are secondary and accessory to a restaurant, bar, or lounge. *(Amended by Ord. 4298, 03/24/1998)*
8. Financial institutions such as banks and savings and loan offices, professional, administrative and general business offices.
9. Business, professional, and trade schools.
10. Hotels and motels.
11. Automobile parking lot.

12. Golf course, miniature or practice range.
13. Nursery.
14. Outdoor restaurant, cafe, or tea room.
15. Music recording studio.
16. Indoor theater.
17. Community non-profit recycling facility.
18. Residential uses existing at the time of adoption of this Article shall be considered permitted uses rather than legal nonconforming uses.
19. Any other light commercial use which the Planning Commission finds is of similar character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, vibration, danger to life or property, or other similar causes, pursuant to Section 35-179C (Use Determinations). *(Amended by Ord. 3960, 02/21/1992; Ord. 4964, 12/14/2017)*
20. Spas or health clubs. *(Added by Ord. 4298, 03/24/1998)*
21. Day care center, principal use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
22. Cannabis, Retail, subject to the provisions of Section 35-144U.
23. Cannabis, Testing, subject to the provisions of Section 35-144U.
24. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses provided:
 - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments, and provided further that there shall be not more than five persons engaged in any such manufacture, processing, or treatment of products.
 - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life or property, or other similar causes. *(Amended by Ord. 3960, 02/21/1992)*
25. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

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Section 35-78.5 *Uses Permitted With a Minor Conditional Use Permit.* *(Amended by Ord. 4298, 03/24/1998)*

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Automobile and machinery repair and service conducted partially or wholly outdoors.
3. Boat sales yard and boat repair and services, but not including painting or junk yards for boats. *(Amended by Ord. 3960, 02/21/1992)*

4. Cabinet shop.
5. Cleaning and dyeing establishment.
6. Electrical shop.
7. Frozen food locker as part of a retail store.
8. Furniture repair and upholstery.
9. Handicraft-type industries subject to the provisions of Section 35-172.11 (Conditional Use Permits).
10. Lumber and building materials sales yard.
11. Mechanical car wash.
12. Plumbing, heating, and ventilating shop.
13. Pump sales and service.
14. Outdoor sale of pool supplies, patio furniture, and spas.
15. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
16. Sales or storage lot for trailers, including trailers used for carrying property, and recreational vehicles. *(Amended by Ord. 3960, 02/21/1992; Ord. 4557, 12/07/2004)*
17. Sign painting shop.
18. Trailer rentals, including trailers used for carrying property, and truck rentals.
19. Welding and small tool machine shop.
20. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot. *(Amended by Ord. 4298, 03/24/1998)*
21. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
22. Certified Farmer's Market. *(Added by Ord. 4086, 12/15/1992)*
23. Emergency Shelter. *(Added by Ord. 4169, 10/11/1994)*
24. Single Room Occupancy Facility. *(Added by Ord. 4169, 10/11/1994)*
25. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

SECTION 12:

DIVISION 4, Section 35-80. CH – Highway Commercial, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-80.3, Permitted Uses and 35-80.5, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-80.3 Permitted Uses.

1. Motels and hotels.
2. Restaurants.

3. Automobile service stations and garages, but not including junk yards or the storage or wrecking of used cars or machinery. *(Amended by Ord. 4067, 08/18/1992)*
4. Dwellings occupied by the owner or his employees, and their families, where such persons manage or operate the principal use of the property, including persons acting as caretakers or night watchmen, whose work makes it essential that they reside on the property.
5. Bus terminals and train stations.
6. Such agricultural uses as are permitted on any abutting parcel zoned in an agriculture or residential district.
7. Mini-mart/convenience stores of less than 3000 square feet of floor area. *(Added by Ord. 4067, 08/18/1992)*
8. Any other use which the Planning Commission determines to be a commercial establishment operated primarily for the purpose of serving the essential needs of travelers on highways, pursuant to Section 35-179C (Use Determinations). *(Amended by Ord. 4964, 12/14/2017)*
9. Day care center, principal use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
10. Accessory uses, buildings, or structures customarily incidental to the above uses.
11. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

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

1. Commercial driving tees, putting ranges, and golf courses.
2. Truck service station (defined as a place of business primarily engaged in providing service station facilities for cargo vehicles.).
3. Mechanical car washes, except where the property abuts a residential district, subject to the construction of masonry walls, fencing, installation of landscaping, and other methods of reducing noise effects on abutting property, and subject to such controls over access, parking, and landscaping as will make such use compatible with adjacent uses.
4. Residences provided the residential use is secondary to a primary commercial use on the same lot. *(Amended by Ord. 3962, 02/21/1992)*
5. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
6. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

SECTION 13:

DIVISION 4, Section 35-81. CV – Resort/Visitor Serving Commercial, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-81.5, Permitted Uses and 35-81.7, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-81.5 *Permitted Uses.*

1. Resort, guest ranch, hotel, motel, country club, convention and conference center.
2. Light commercial uses (i.e., barber and beauty shops, gift shops, restaurants, etc.) normally associated with the needs of visitors, provided such commercial activities are so designed and limited as to be incidental and directly oriented to the needs of visitors and do not substantially change the character of the resort/visitor-serving facility.
3. Recreational facilities, including but not limited to piers, boat docks, golf courses, parks, playgrounds, riding and hiking trails, tennis courts, swimming pools, beach clubs.
4. Day care center, principal use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
5. Accessory uses, buildings, and structures which are customarily incidental to the above uses.
6. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

...

Section 35-81.7 *Uses Permitted With a Minor Conditional Use Permit.* (Added by Ord. 3963, 02/21/1992)

1. Residences, provided the residential use is secondary to a primary commercial use on the same lot.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). (Added by Ord. 5004, 12/14/2017)
3. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

SECTION 14:

DIVISION 4, Section 35-83. PI – Professional and Institutional, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-81.4, Permitted Uses and 35-83.6, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-83.4 *Permitted Uses.*

1. Professional offices, studios, and office buildings.
2. Hospitals, sanitariums, medical clinics, special care homes, and similar buildings, when used for the treatment of human ailments, subject to the approval as to need of the Santa Barbara Subarea Advisory Counsel of the Health Systems Agency, Ventura-Santa Barbara.
3. Eleemosynary and philanthropic institutions for human beings.
4. Churches, libraries, museums, and schools, including business schools, but not including dance halls nor trade schools using heavy equipment.
5. Community, civic center, and governmental buildings and structures.
6. Clubs, golf courses, and country clubs.

7. Cemetery, crematory, or mausoleums.
8. Off-street parking facilities accessory and incidental to an adjacent commercial use.
9. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot. *(Added by Ord. 4378, 11/16/1999)*
10. Athletic clubs. *(Added by Ord. 4557, 12/07/2004)*
11. Banks and savings and loans offices. *(Added by Ord. 4298, 03/24/1998)*
12. Any other professional or institutional use which the Planning Commission finds is similar in character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, smoke, vibration, danger to life or property, or other similar causes. *(Added by Ord. 4557, 12/07/2004)*
13. Day care center, principal use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
14. Cannabis, Testing, subject to the provisions of Section 35-144U.
15. Uses, buildings and structures accessory and customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*
16. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

...

Section 35-83.6 *Uses Permitted with a Minor Conditional Use Permit.* *(Added by Ord. 3964, 02/21/1992)*

1. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot. *(Amended by Ord. 4298, 03/24/1998)*
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
3. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

SECTION 15:

DIVISION 4, Section 35-84. M-RP – Industrial Research Park, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection 35-84.4, Permitted Uses and 35-84.7, Uses Permitted With a Minor Conditional Use Permit is hereby amended to read as follows:

Section 35-84.4 *Permitted Uses.*

1. Manufacturing and assembly of business machines including electronic data processing equipment, accounting machines, calculators, typewriters, and related equipment.
2. Manufacture of ceramic products, such as pottery, figurines and small glazed tile, utilizing only previously pulverized clay, provided that kilns are fired only by electricity or gas.

3. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, perfumes, perfumed toilet soap (not including refining or rendering of fats or oils), and toiletries.
4. Manufacture, design, and production of handicraft articles, musical instruments, toys, jewelry, and novelties.
5. Assembly of electrical appliances, electronic instruments, and devices, and radio, phonograph, and television sets, including the manufacture of small parts only, such as coils, condensers, transformers, and crystal holders.
6. Printing, embossing, engraving, etching, lithographic, and bookbinding plants.
7. Experimental photo or motion picture film, research, and testing laboratories.
8. Scientific instrument and equipment manufacture or precision machine shops.
9. Manufacture of optical goods.
10. Packaging business.
11. Administrative offices required in conjunction with the uses permitted in this district and executive headquarters of business firms that are compatible with uses permitted in this district.
12. Storage warehouse and wholesale distributing.
13. Research, development, and testing laboratories and facilities.
14. Any other light industrial use, building, or structure which the Planning Commission finds is of similar character to those enumerated in this district and is not obnoxious or offensive because of noise, odor, dust, smoke, vibration, danger to life or property, or similar causes, pursuant to Section 35-179C (Use Determinations). *(Amended by Ord. 4964, 12/14/2017)*
15. Aquaculture subject to the provisions of Section 35-136 (General Regulations).
16. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, banks, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot. *(Amended by Ord. 4378, 11/16/1999)*
17. Light recreational uses and facilities such as tennis courts, gymnasium, racquetball courts which are operated only for the use of the employees in the industrial research park.
18. Day care center, principal use serving up to and including 50 children, subject to the provisions of Section 35-143 (Community Care Facilities).
19. Emergency Shelter. *(Added by Ord. 4169, 10/11/1994)*
20. Cannabis, Cultivation and Nursery, subject to the provisions of Section 35-144U.
21. Cannabis, Distribution, subject to the provisions of Section 35-144U.
22. Cannabis, Non-volatile Manufacturing, subject to the provisions of Section 35-144U.
23. Cannabis, Testing, subject to the provisions of Section 35-144U.
24. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses.

...

Section 35-84.6 *Uses Permitted with a Minor Conditional Use Permit. (Added by Ord. 4086, 12/15/1992)*

1. Certified Farmer's Market.
2. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

SECTION 16:

Division 6, Parking Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsections 35-108 and 35-109 are hereby amended to read as follows:

Section 35-108. Required Number of Spaces: Residential.

Parking spaces shall be permanently maintained on the same building site on which the dwelling(s) is located, except as provided in Section 35-76, Medium Density Student Residential, and Section 35-77, High Density Student Residential:

1. **Single family and two family dwellings:** Two spaces per dwelling unit.
 - a. Division 13 (Summerland Community Plan Overlay) and Division 16 (Montecito Community Plan Overlay District) include additional parking requirements. *(Added by Ord. 4887, 06/09/2016)*
2. **Multiple Dwelling Units:**
 - a. **Single bedroom or studio dwelling unit:** One covered space per dwelling unit.
 - b. **Two bedroom dwelling:** One covered space plus 0.5 spaces covered or uncovered per dwelling unit. Such spaces shall be located within 200 feet from the building served by such spaces.
 - c. **Three or more bedroom dwellings:** One covered space plus one space covered or uncovered per dwelling unit, located as required in b), above.
 - d. Developments located within a radius of one mile of the boundaries of a college or university shall provide a minimum of two parking spaces per dwelling unit, of which one shall be covered.
 - e. **Visitor parking:** One space per five dwelling units.
3. **Guest houses:** One space per guest house.
4. **Mobile homes in mobile home parks:** One covered space per site and one space for every three sites for guest parking.
5. **Fraternalities, sororities, dormitories, and boarding and lodging houses:** One space per four bed spaces and one space per two employees.
6. **Retirement and special care homes:** One space per guest and one space per two employees.
7. **Accessory dwelling units.** As determined by Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
8. **Junior accessory dwelling units.** No new parking spaces required.
9. **Day Care Center.** One space per 10 children/adults and one drop-off/loading space.
 - a. 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, Section 35-172.8 (Findings Required for Approval).

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

1. **Churches, school auditoriums, college auditoriums, theaters, general auditoriums, stadiums, mortuaries, lodges, halls, and other places of general assembly:**
 - a. **With fixed seats:** One space per four fixed seats.
 - b. **Without fixed seats:** One space per 30 square feet of auditorium floor space.
2. **Places of amusement without fixed seats such as dancehalls, skating rinks, etc.:** One space per 300 square feet of assembly area
3. **Schools:**
 - a. **Day school or Nursery school:** One space for each two employees and one space for each 10 students.
 - b. **Elementary and Junior High:** 1.5 spaces for each teaching station.
 - c. **High School:** Six spaces for each teaching station.
 - d. **Colleges; art, craft, music or dancing schools; business, professional, or trade school:** One space for each three employees and one space for each five students.
4. **Library, museum, art gallery, or similar use:** One space for each two employees.
5. **Day Care Center.** One space per 10 children/adults and one drop-off/loading space.
 - a. 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, Section 35-172.8 (Findings Required for Approval).

SECTION 17:

DIVISION 7, General Regulations, Section 35-132.10.5, Storage of Trailers as an Accessory Use to a Residential Use, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to correct section number in reference to Accessory Storage development standards to read as follows:

Section 35-132.10. Storage of Trailers as an Accessory Use to a Residential Use.

Trailers may be stored on a lot, as accessory to the residential use of the lot provided all the following standards are complied with. Watercraft may be kept on the trailer that is stored on the lot.

...

5. Trailers holding vehicles or used to store materials shall be in compliance with Section 35-144K (Accessory Storage).

...

SECTION 18:

DIVISION 7, Section 35-143, Community Care Facilities, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, subsection A through C are hereby amended to read as follows:

- A. **Purpose and applicability.** This Section establishes standards for community care facilities where allowed in compliance with Division 4 (Zoning Districts) and Section 35-172 (Conditional Use Permits). Community care facilities shall be operated in compliance with State law and in a manner that recognizes the needs of community care operators and minimizes the effects on surrounding properties. Licensing by the appropriate State agency is required for community care facilities unless they are able to operate legally without a license in compliance with State law.
- B. **Family day care home.** Small and large family day care home, serving children.
 1. **Allowable uses and permit requirements, for day care homes serving adults.** Small and large family day care homes, serving adults shall be allowed in compliance with Division 4 (Zoning Districts).
 - a. The use of a family day care home shall be incidental and secondary to the use of the property for residential purposes and must be located in the day care provider's current residence.
 2. **Allowable uses and permit requirements, for day care home serving children.** Small and large family day care homes, serving children shall be considered a residential use unless otherwise preempted by State Law, and exempt from permit requirements in compliance with Division 4 (Zoning Districts).
 3. **Standards.**
 - a. During the operation of the family day care home, the provider shall have a valid license or a statement of exemption from licensing requirements from the California State Department of Social Services if such license or exemption is required in compliance with Health and Safety Code Section 1597.44.
- C. **Day care centers.**
 1. **Allowable uses and permit requirements, for adult day care centers.** A day care center where group care is provided for fifteen (15) or more adults, may be allowed in compliance with Division 4 (Zoning Districts).
 2. **Allowable uses and permit requirements, for child day care centers.** A day care center where group care is provided for fifteen (15) or more children, may be allowed in compliance with Division 4 (Zoning Districts).
 - a. **Day care center, accessory use to dwelling.** A day care center where group care is provided in a dwelling for fifteen (15) or more children, including children who reside at the home, as an accessory use to the principal use of a lot as a dwelling may be allowed in compliance with Section 35-172 (Conditional Use Permits).
 - b. **Day care center, accessory use to non-dwelling use.** A day care center that is accessory to

a non-residential principal assembly use (e.g., school, church, conference center, clubhouse and/or office) may be allowed in compliance with the following specifications:

- 1) Day care centers serving up to and including fifty (50) children may be allowed with a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits). If the existing non-dwelling principal assembly use is subject to a Minor Conditional Use Permit, a revision to the Minor Conditional Use Permit is not required to allow the day care center serving up to and including fifty (50) children.
 - 2) Day care centers serving fifty-one (51) or more children may be allowed with a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits), and a revision to the existing permit (e.g. Conditional Use Permit) for the principal use of the lot.
- c. **Day care center, principal use.** A day care center where group care is the principal use of a lot may be allowed in compliance with Division 4 (Zoning Districts).
- 1) Day care centers serving up to and including fifty (50) children may be allowed with a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).
 - 2) Day care centers serving fifty-one (51) or more children may be allowed with a minor conditional use permit in compliance with Section 35-172 (Conditional Use Permits).

3. Standards.

- a. Day care centers shall comply with the parking standards in Division 6 (Parking Standards).

SECTION 19:

DIVISION 7, General Regulations, Section 35-144Q., Reasonable Accommodation, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete section headings to read as follows:

A. Purpose.

...

SECTION 20:

DIVISION 7, General Regulations, Section 35-144U.C, Cannabis, Specific Use development standards, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to correct and change the subsection letter from "C" to "D" (i.e., 35-144.U.CD) on Article II page 7-112; relabel the existing subsections D - H to E - I; and change references to the new section number throughout.

...

- D. Specific use development standards.** All commercial cannabis activities shall comply with the following development standards specific to the applicable permit type.

- E. **Records.** Permittees of commercial cannabis activities shall maintain clear and adequate records and documentation, in accordance with State law, the State's track-and-trace program, and as required by this Section, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. All records, unless otherwise specified in this Section, shall be maintained for 5 years and shall be subject to review, inspection, examination, and audit by the Department.
- F. **Inspection.** All permitted commercial cannabis activities are subject to review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Article.
- H. **Land use entitlement compliance.** Following issuance of the land use entitlement for the cannabis activity, all commercial cannabis activities that are subject to a land use entitlement shall be subject to County inspection to determine compliance with the land use entitlement requirements, this Ordinance, County Code, and State law.
- I. **Revocation.** Any entitlement to allow commercial cannabis activities may be revoked in compliance with Section 35-169.8 (Revocation).

SECTION 21:

DIVISION 11, Section 35-172.4, Minor Conditional Use Permits, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to read as follows:

Section 35-172.4. Minor Conditional Use Permits.

The following uses may be permitted in any zone district in which they are not otherwise permitted, with a Minor Conditional Use Permit, provided the Zoning Administrator can make the findings set forth in Section 35-172.9 (Findings).

1. Fences, walls, gates and gateposts pursuant to Section 35-123 (Fences, Walls, Gates and Gateposts).
2. Special Care Homes in compliance with Section 35-143 (Community Care Facilities). *(Amended by Ord. 4964, 12/14/2017)*
3. Animals, use of property for animals different in kind or greater in number than otherwise permitted in this Article, except as provided in Section 35-144H (Wildlife Species Rehabilitation).
4. Communication facilities, as specified in and governed by Section 35-144F.
5. Day care centers serving adults in compliance with Section 35-143 (Community Care Facilities). *(Amended by Ord. 4964, 12/14/2017)*
6. Uses, buildings, and structures accessory and customarily incidental to the above uses.

SECTION 22:

DIVISION 17, Section 35-430, Table 17-2, Allowable Land Uses and Permit Requirements for the Gaviota Coast Plan Area, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to read as follows:

Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area	PP	Principal Permitted Use, Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Major Conditional Use Permit required					
	E	Allowed use, No permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-II	M-CD(3)	REC	RES	RR	TC	

SERVICES

Charitable or philanthropic organization	—	—	CUP	—	CUP	—	
Large family day care home, serving adults	P	—	P	P	P	—	35-143
Large family day care home, serving children	E (9)	E (9)	E (9)	E (9)	E (9)	E (9)	35-143
Small family day care home, serving adults	E	E	E	E	E	—	35-143
Small family day care home, serving children	E (9)	E (9)	E (9)	E (9)	E (9)	E (9)	35-143
Day care center, accessory to non-dwelling (10)	MCUP	—	—	—	MCUP	—	35-143
Day care center, accessory to dwelling	MCUP	—	—	—	MCUP	—	35-143
Day care center, principal use (10)	MCUP	—	—	—	MCUP	—	35-143
Medical services - Animal hospital	CUP	—	—	—	—	—	
Office - Accessory	P	P	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Indoor	—	CUP	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Outdoor	—	CUP	—	—	—	—	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Agricultural product transportation facility	CUP	—	—	—	—	—	
Airstrip, temporary	CUP	CUP	CUP	CUP	CUP	CUP	
Boat launching facility accessory to approved recreation use	—	—	P	—	—	—	
Drainage channel, water course, storm drain less than 20,000 sf	P	P	P	P	P	P	Division 8
Drainage channel, water course, storm drain 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Electrical substation - Minor (4)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (5) (6)	CUP	CUP	CUP	CUP	CUP	CUP	Division 8
Flood control project less than 20,000 sf total area	P	P	P	P	P	P	Division 8
Flood control project 20,000 sf or more total area	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	
Highway and related facilities	—	—	—	—	—	PP	
Parking facility, public or private	—	—	—	—	—	PP (7)	
Pier, dock	—	P	P	—	—	—	
Pipeline - Oil or gas	P	P	—	—	—	—	Division 9
Public utility facility	—	CUP	—	—	—	—	
Public works or private service facility	—	MCUP	—	—	—	—	
Railroad	—	—	—	—	—	P	
Road, street less than 20,000 sf total area	P	P	P	P	P	PP	Division 8
Road, street 20,000 sf or more total area	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Roadside rest area operated by a governmental agency	—	—	—	—	—	P	
Sea wall, revetment, groin, or other shoreline structure	CUP	CUP	CUP	CUP	CUP	CUP	
Telecommunications facility	S	S	S	S	S	S	35-144.F 35-144.G
Transit station or terminal	—	—	—	—	—	P	
Truck and freight terminal - Permanent	—	—	—	—	—	P	
Truck and freight terminal - Temporary	—	—	—	—	—	MCUP	
Utility service line with less than 5 connections (6)	P (8)	P (8)	P (8)	P (8)	P (8)	P (8)	Division 8
Utility service line with 5 or more connections (6)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Wind turbine and wind energy system	—	—	—	—	—	—	

Key to Zone Symbols

AG-II	Agriculture II	REC	Recreation	RR	Rural Residential
M-CD	Coastal-Dependent Industry	RES	Resource Management	TC	Transportation Corridor

Notes:

- (1) See Section 35-58 and Section 35-420 (Definitions) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35-430.E (Allowable land uses and permit requirements).
- (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (4) Use is subject to the standards of the PU zone.
- (5) Does not include electrical transmission lines outside the jurisdiction of the County.
- (6) Not allowed in the CVC overlay.
- (7) May include park and ride facilities.
- (8) May be considered a Principal Permitted Use (PP) when incidental, appropriate and subordinate to a use designated as the Principal Permitted Use (PP).
- (9) A change of use from a residential 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.
- (10) Day care centers serving up to and including fifty (50) children may be permitted with a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).

SECTION 23: All existing indices, section references and numbering, and figure and table numbers contained in Article II, the Santa Barbara County Coastal Zoning Ordinance, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 24: Except as amended by this Ordinance, Article II, the Santa Barbara County Coastal Zoning Ordinance, shall remain unchanged and shall continue in full force and effect.

SECTION 25: This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara Independent*, 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 _____, 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

Childcare Facilities and Minor Ordinance Amendments
Case No. 22ORD-00005
Board of Supervisors
Hearing Date: April 2, 2024
Exhibit A: Article II Coastal Zoning Ordinance Amendment
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ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By:  _____
Deputy