

ATTACHMENT I-1: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE (CZO), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING DIVISION 4, ZONING DISTRICTS AND DIVISION 7, GENERAL REGULATIONS TO UPDATE EXISTING TEXT PROVISIONS, INCLUDING UPDATING ALLOWED USES IN THE C-1 ZONE DISTRICT AND IMPLEMENTING CLARIFICATIONS AND NECESSARY REVISIONS TO THE EXISTING ACCESSORY DWELLING UNIT (ADU) AND JUNIOR ACCESSORY DWELLING UNIT (JADU) ORDINANCE TO ALIGN WITH CHANGES TO STATE LAW.

24ORD-00025

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

SECTION 1:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-77A, C-1 Limited Commercial, to read as follows:

Section 35-77A. C-1 - Limited Commercial.

...

Section 35-77A.3 Permitted Uses.

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, ~~provided that such enterprises are conducted entirely within an enclosed building,~~ such as bakeries, ice cream shops, grocery and liquor stores, produce and flower stands, 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.

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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~~2. Community Center.
- ~~4~~3. Certified Farmer's Market.
- ~~5~~4. Day care center, principal use, serving children, subject to provisions of Section 35-143 (Community Care Facilities).

...

Section 35-77A.10 Parking.

1. As required in DIVISION 6, PARKING REGULATIONS, except that 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.
2. Outdoor areas devoted to a retail use that are accessory to the retail operation shall not be used to calculate parking requirements, but shall be configured so as not to interfere with on-site parking as required in DIVISION 6, PARKING REGULATIONS.

...

Section 35-77A.13 Outdoor Areas.

Outdoor areas devoted to a retail use listed in Section 35-77A.3.1 and that are accessory to the retail operation shall occupy less than 50% of the net lot area.

SECTION 2:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 35-142.1, Purpose and Intent, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

Section 35-142.1 Purpose and Intent.

The purpose of this Section is to establish procedures and development standards for attached and detached accessory dwelling units and junior accessory dwelling units in compliance with California Government Code Sections ~~65852.2 and 65852.22~~ 66310-66342. The intent is to encourage the development of accessory dwelling units and junior accessory dwelling units that contribute needed housing to the County's housing stock.

SECTION 3:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 35-142.3, Allowed Use, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

Section 35-142.3 Allowed Use.

1. As required by Government Code Section ~~65852.2~~ 66319, an accessory dwelling unit shall:
 - a. Be deemed to be an accessory use or an accessory building.
 - b. Not be considered to exceed the allowable density for the lot on which it is located.
 - c. Be deemed to be a residential use that is consistent with the existing Comprehensive Plan land use designation, including the Coastal Land Use Plan and applicable zone for the lot on which the accessory dwelling unit is located.
 - d. Not be considered in the application of any local ordinance, policy, or program to limit residential growth.

SECTION 4:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 35-142.5, Accessory Dwelling Units Located within Residential or Mixed-Use Zones, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

Section 35-142.5 Accessory dwelling units located within residential or mixed-use zones.

This Section 35-142.5 provides standards for certain accessory dwelling units in accordance with Government Code Section ~~65852.2(e)(1)~~ 66323(a). An accessory dwelling unit that complies with all of the following standards, as applicable, shall be permitted with a Coastal Development Permit and any other necessary approvals and shall not be subject to any other standards of this Article. An accessory dwelling unit that does not comply with this Section 35-142.5 may be allowed in compliance with Section 35-142.6, below.

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5. ~~Up to two~~ Detached accessory dwelling units per lot with an existing or proposed multiple-family dwelling. Up to ~~two~~ eight detached accessory dwelling units per lot with an existing multiple-family dwelling or up to two detached accessory dwelling units per lot with a proposed multiple-family dwelling shall be approved with a Coastal Development Permit 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 with a proposed multiple-family dwelling.
 - 2) ~~The lot shall contain an existing multiple family dwelling~~ On a lot with an existing multiple-family dwelling, the number of accessory dwelling units shall not exceed the number of existing units on the lot, up to a maximum of eight.
 - 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 floor area.** The gross floor area of a new construction accessory dwelling unit shall not exceed 1,200 square feet.
 - d. **Maximum height.** The height of each accessory dwelling unit shall not exceed 16 feet as measured in compliance with Section 35-127 (Height). 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.
 - e. **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 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 35-142. All portions of the accessory dwelling unit(s), including eaves and roof overhangs, shall comply with these requirements.

SECTION 5:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsections 35-142.6.2 and 35-142.6.3, Accessory Dwelling Units Located within Zones that Allow One-Family or Multiple Family Residential Use, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

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

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

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SECTION 6:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 8, Parking, of Subsection 35-142.7, Junior Accessory Dwelling Units, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

8. **Parking.** No new parking spaces shall be required for a junior accessory dwelling unit allowed in compliance with this Section 35-142.7.

~~a. **New parking spaces.** No new parking spaces shall be required for a junior accessory dwelling unit allowed in compliance with this Section 35-142.7.~~

~~b. **Replacement parking.** In addition to the replacement parking requirements set forth in Section 35-142.8.7 below, 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.~~

SECTION 7:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 1, Minimum Floor Area, of Subsection 35-142.8, Additional Standards that Apply to All Accessory Dwelling Units and Junior Accessory Dwelling Units, of Section 35-142, Accessory Dwelling Units and Junior Accessory Dwelling Units, to read as follows:

1. **Minimum floor area.** At a minimum, the floor area of an accessory dwelling unit or junior accessory dwelling unit shall be ~~sufficient~~ 250 square feet ~~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.~~

SECTION 8:

All existing indices, section references, and figure and table numbers contained in Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and

renumbered as appropriate to reflect the revisions enumerated above.

SECTION 9:

Except as amended by this ordinance, Division 4 and 7 of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 10:

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 11:

If legislation is enacted that amends Government Code sections 66310 through 66342 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 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 12:

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 4th day of February, 2025, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Senate Bill 9, Telecommunication Facilities, and Other Minor Ordinance Amendments
Case No. 24ORD-00015, -16, -17, -18, -19, -20, -24, and -25
Board of Supervisors
Hearing Date: February 4, 2025
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LAURA CAPPS, CHAIR
BOARD OF SUPERVISORS

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