

**ATTACHMENT 4: 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 35.2, 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).

This proposed LUDC amendment includes Government Code (GC) citations in red font. These citations are for reference purposes only and are not part of the proposed LUDC amendment.

20ORD-00000-00002

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

SECTION 1:

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 B, Exempt activities and structures, of Section 35.20.040, Exemptions from Planning Permit Requirements, of Chapter 35.20, Development and Land Use Approval Requirements, and to add a new Subsection C titled, “Exempt accessory dwelling units and junior accessory dwelling units,” to read as follows:

B. Exempt activities and structures. The following are exempt from all planning permit requirements of this Development Code when in compliance with Subsection A. (General requirements for exemptions) above, except if addressed by Policy OS-O-5 and Development Standards 5.1 through 5.3 of the Orcutt Community Plan, the MT-GOL (Mountainous-Goleta) zone, [Section 35.28.100 \(Environmentally Sensitive Habitat Overlay Zone\)](#) as it applies to sites located within the Eastern Goleta Valley Community Plan, the Goleta Community Plan or Mission Canyon Community Plan areas, or [Section 35.28.170 \(Riparian Corridor-Goleta \(RC-GOL\) Overlay Zone\)](#).

~~1. **Accessory dwelling units.** One accessory dwelling unit per lot approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#), as applicable.~~

12. Animal keeping. Animal keeping when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following) and the Animal Keeping Table (Table 4-2 and following) in [Section 35.42.060 \(Animal Keeping\)](#).

23. Antennas. Ground or roof mounted receive-only satellite dish or wireless television antenna less than one meter in diameter used solely by the occupants of the property on which the antenna is located for the noncommercial, private reception of communication signals, see [Chapter 35.44 \(Telecommunications Facilities\)](#).

- 34. Change of occupancy or use.** A change in occupancy or use of an existing structure that complies with all of the following:
- a. The occupancy or use that exists prior to the change is a legal, permitted use of the structure.
 - b. The change is from a land use listed as a permitted use in the applicable land use tables within Chapters 35.21 through 35.26 to the same land use (e.g., from restaurant, café or coffee shop to a restaurant, café or coffee shop).
 - c. The new occupancy or use does result in an increase in the number of parking spaces required to be provided on-site.
 - d. The new occupancy or use is established and operated in compliance with the setback requirements, height limits, parking requirements, and all other applicable standards of this Development Code, including any required provisions and conditions of any existing, approved permits for the subject lot.
 - e. Any permit or approval required by regulations other than this Development Code is obtained (for example, a Building Permit and/or Grading Permit).
- 45. Cultivated agricultural, orchards and vineyards.** Cultivated agriculture, orchards and vineyards when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following).
- 56. Damaged or destroyed structure.** The replacement or restoration of a conforming structure damaged or destroyed by a disaster, as determined by the Director in consultation with the Flood Control District as applicable.
- a. The replaced or restored structure shall comply with all requirements of the applicable zone (including permitted uses), shall be for the same use, shall be in the same general footprint location, and shall not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent, or 250 square feet, whichever is less. For the purposes of this Subsection B.5, bulk is defined as total interior cubic volume as measured from the exterior surfaces of the structure.
 - b. If the structure was damaged or destroyed as a result of a debris flow or other catastrophic event resulting in a significant change in topography or alteration of drainage features (e.g., creeks, streams, waterways, etc.) located on or affecting the lot on which the replaced or restored structure would be located, the replaced or restored structure may be relocated on the lot to meet applicable setbacks from top-of-bank and reduce flood hazards, as long as the structure otherwise complies with Subsection 5.a above and with applicable policies of the Comprehensive Plan.
 - c. Notwithstanding the height measurement methodology contained in [Section 35.30.090.C](#), if the structure was damaged or destroyed as a result of a debris flow or other catastrophic event resulting in a significant change in topography or alteration of drainage features located on or affecting the lot on which the replaced or restored structure would be located, the replaced or restored structure may exceed the height of the destroyed or damaged structure (as measured from the post-event grade to peak roof height) by more than 10 percent if necessary to comply with the base flood elevation that exists for the lot after the debris flow or other event. In no case shall the height of the structure, as measured from

the lowest, finished floor to the highest part of the structure, excluding chimneys, vents, and noncommercial antennas, exceed the equivalent height of the damaged or destroyed structure by more than 10 percent. The height of the structure, as measured from post-event grade, shall not exceed the height of the applicable zone.

- (1) For the purposes of this Subsection 5.c, post-event grade is defined as the existing grade on the lot at the time of application submittal.
- d. Except as provided in Subsection B.5.d.(1) below, if the Director determines that the exterior design or specifications are proposed to be changed, then the restored or replaced structure shall require Design Review in compliance with [Section 35.82.070 \(Design Review\)](#), if the structure is otherwise required to have Design Review (e.g. the site is within the Design Control overlay).
- (1) If a structure has been damaged or destroyed as a result of a debris flow or other catastrophic event resulting in a significant change in topography or alteration of drainage features located on or affecting the lot on which the replaced or restored structure would be located, the restored or replaced structure, even if relocated on the lot or increased in height, shall not require Design Review unless the exterior design or specifications of the replaced or restored structure are substantially different from the prior structure(s), as determined by the Director. If the structure is otherwise exempt from requiring a planning permit but requires Design Review, the structure shall receive preliminary and final design review approval before an exemption is issued.
- 67. Demolition.** The demolition of a structure less than 50 years old or, if the structure is 50 years old or greater, either the Director or the Historic Landmark Advisory Commission has determined that it is not historically significant.
- 78. Fences, gates, gateposts, walls, retaining walls.** See [Section 35.30.070 \(Fences and Walls\)](#).
- 89. Final or Parcel Map recordation.** The recordation of a Final Map or Parcel Map following the approval of a Tentative Map including Vesting Tentative Maps.
- 940. Grading.** Grading activities that do not require the approval of a Development Plan by the requirements of the applicable zone, and that comply with the following, except if addressed by Policy GEO-O-3 of the Orcutt Community Plan, the MT-GOL (Mountainous-Goleta) zone, [Section 35.28.100 \(Environmentally Sensitive Habitat Overlay Zone\)](#) as it applies to sites located within the Eastern Goleta Valley Community Plan, the Goleta Community Plan or Mission Canyon Community Plan areas, or the RC-GOL (Riparian Corridor-Goleta) overlay zone.
- a. **General grading.** Grading for which a permit is not required by County Code Chapter 14 (Grading).
 - b. **Oil field grading.** Grading in a State-designated oil field involving less than 1,500 cubic yards of cut or fill on a slope of less than 30 percent; provided that the grading:
 - (1) Does not have the potential to change or adversely affect an intermittent or perennial stream or regional watercourse;
 - (2) Will not adversely impact paleontological, archaeological, or uniquely important cultural resources;

- (3) Will not adversely affect exceptional wildlife values;
- (4) Is not proposed to be located within one mile and in the visible area of a scenic highway, public park, or area designated as recreational or open space on the Comprehensive Plan Land Use Maps; or
- (5) Does not require the removal of three or more trees that are each greater than 17 inches in circumference measured two feet above the ground.

The requirements of this Subsection shall not be construed to alter the provisions and regulations of County Code Chapter 14 (Grading).

1044. Grazing. Grazing when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following) and the Animal Keeping Tables (Table 4-2 and following), in [Section 35.42.060 \(Animal Keeping\)](#).

1142. Hoop structures and shade structures. Hoop structures and shade structures that are exempt in compliance with [Section 35.42.140.C \(Hoop structures and shade structures in agricultural zones\)](#).

1243. Interior alterations. Interior alterations that do not increase the gross floor area within the structure, do not increase the required number of parking spaces, or do not result in a change in the permitted use of the structure.

1344. Irrigation lines. The installation of irrigation lines that do not require a Grading Permit in compliance with County Code Chapter 14.

1445. Lot Line Adjustment recordation. The recordation of documents required to complete a Lot Line Adjustment.

1546. Minor additions, accessory and temporary filming structures.

- a. **Accessory structures.** One story detached accessory structures used as tool or storage sheds, playhouses, gazebos, pergolas, and similar structures, provided that the height does not exceed 12 feet, the floor area (gross) does not exceed 120 square feet, and the structure does not have plumbing or electrical facilities.
- b. **Agricultural accessory structures.**
 - (1) **Livestock loading ramps.** In the AG-II zone, loading ramps used for the purpose of loading livestock for transport.
 - (2) **Pole barns.** In the RR, AG-I, and AG-II zones, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and do not have plumbing or electrical facilities.
- c. **Decks, platforms, walk, driveways.** Decks, platforms, walks, and driveways that are not required to have a Building Permit or Grading Permit, and that are not over 30 inches above finish grade, or located over a basement or story below.
- d. **Door, window features and skylights.** Doors, windows, and skylights, and window awnings that are supported by an exterior wall and project no more than 54 inches from an exterior wall of a building.

- e. **Spa, hot tub, pond.** A spa, hot tub, fish pond, or other water feature that does not exceed a total area of 120 square feet, including related equipment, or does not contain more than 2,000 gallons of water.
- f. **Temporary filming structures.** Structures and related development required for temporary motion picture, television, and theater stage sets and scenery, and still photographic sessions, provided that the development does not require alterations of the natural environment such as removal of vegetation, grading, or earthwork, and is in compliance with all applicable requirements of County Code Chapter 14C (Film Permit Office).

1647. Oil drilling and production accessory equipment. In the AG-II, M-2 or M-CR zones accessory equipment, excluding the installation of water flooding or steam injection systems using fresh groundwater, incidental to existing production facilities when the installation of such equipment will not require grading or expansion of the site.

1748. Onsite wastewater treatment systems.

- a. Onsite wastewater treatment systems, not including alternative wastewater treatment systems, and the installation and performance testing of drywells for sewage disposal, except for lots located in a Special Problems Area that is designated as such due to sewage disposal constraints.
- b. The modification, replacement or repair of all or any portion of an existing onsite wastewater treatment system, including alternative wastewater treatment systems and wastewater treatment systems located on a lot in a Special Problem Area that is designated as such due to sewage disposal constraints, provided that the modification, replacement or repair occurs in substantially the same area as the existing system.

1819. Propane tanks. Propane tanks located in residential or agricultural zones.

1920. Repair and maintenance. Repair and maintenance activities that do not result in addition to, or enlargement or expansion of the object of the repair or maintenance activities.

2024. Replacement in-kind of an existing and conforming structure. The replacement in-kind of an existing permitted and conforming structure provided:

- a. The reconstructed structure shall comply with all requirements of the applicable zone, shall be for the same use, shall be in the same footprint location, and shall not exceed the floor area, height, or bulk of the existing structure. For the purposes of this Subsection B.19, bulk is defined as total interior cubic volume as measured from the exterior surfaces of the structure.
- b. The exterior design or specifications is not proposed to be revised, or, if revisions are proposed, the revisions are determined to be minor by the Director.
- c. The structure is less than 50 years old or, if the structure is 50 years old or greater, either the Director or the Historic Landmark Advisory Commission has determined that it is not historically significant.

2122. Seismic retrofitting. Seismic retrofits to existing structures that are limited to the addition of foundation bolts, hold-downs, lateral bracing at cripple walls and other structural elements required by County Ordinance 4062. The seismic retrofits shall not increase the gross square

footage of the structure, involve exterior alterations to the structure, alter the footprint of the structure, nor increase the height of the structure.

2223. Signs, flags, and similar devices. Signs, flags and similar devices in compliance with [Section 35.38.030 \(Exempt Signs, Flags, and Devices\)](#).

2324. Solar energy systems. The addition of solar energy systems to the roofs of existing structures.

2425. Structures of limited value. A structure with an aggregate value of less than \$2,000, as determined by the Director.

2526. Utility facilities. Poles, wires, underground gas pipelines less than 12 inches in diameter, and similar installations erected, installed, or maintained by a public agency or public service or utility district or company. However, these structures shall comply with the applicable height limitations of the F (Airport Approach Area) overlay zone.

2627. Water wells.

- a. The testing and installation of a water well to serve one domestic, commercial, industrial, or recreational connection.
- b. Except in zones requiring Development Plans, water wells for water systems for agricultural purposes.

C. Exempt accessory dwelling units and junior accessory dwelling units. The development of an accessory dwelling unit or junior accessory dwelling unit is exempt from the planning permit requirements of this Development Code, including the requirements of Section 35.20.040.A (General requirements for exemptions), above, Section 35.82.080 (Development Plans), and all sections of this Development Code requiring Final Development Plan approval, when in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units). Notwithstanding the foregoing, the gross floor area of any existing or proposed accessory dwelling unit or junior accessory dwelling unit shall be included in the gross floor area calculations for the purpose of processing a Development Plan.

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 C, Development Plan approval required, of Section 35.21.030, Agricultural Zones Allowable Land Uses, of Chapter 35.21, Agricultural Zones, Allowed Land Uses and Permit Requirements, to read as follows:

C. Development Plan approval required.

1. **AG-I zone.** ~~Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), on~~ On property zoned AG-I, the approval of a Final Development Plan 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 an Exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements)~~ or Zoning Clearance in compliance with [Section 35.82.210 \(Zoning Clearance\)](#) for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval, and is either of the following:

- a. ~~(1)~~ is 20,000 or more square feet in gross floor area; or
- b. ~~(2)~~ is an An attached or detached structure and the gross floor area thereof, when added to the gross floor area of existing structures on the lot, will equal or exceed 20,000 square feet.

~~a. **Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit shall only require the issuance of an Exemption or Zoning Clearance in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#), and does not require the approval of a Final Development Plan.~~

- 2. **AG-II zone.** On property zoned AG-II, the approval of a Final Development Plan 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 ~~an Exemption in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#) or~~ a Zoning Clearance in compliance with [Section 35.82.210 \(Zoning Clearances\)](#) for the following structural development that is not otherwise required by this Development Code to have discretionary permit approval:

- a. **Non-agricultural structural development.** The proposed structure and use thereof does not qualify as agricultural structural development (see [Article 35.11, Glossary](#)) and is either 15,000 or more square feet in gross floor area or the structure is an attached or detached addition that, together with existing structures on the site that do not qualify as agricultural structural development, will total 15,000 square feet or more in gross floor area.

- (1) **Floor area not included in total gross floor area.** The gross floor area of the following structures is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsections C.2.a, above:

- (a) The gross floor area of structures that are exempt from planning permit requirements in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#).

- ~~(b) The gross floor area of one accessory dwelling unit per lot approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#).~~

- b. **Agricultural structural development.** The proposed structure and use thereof do qualify as agricultural structural development and meets one or more of the following:

- (1) The proposed structure is 15,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 15,000 or more square feet in gross floor area after completion of the addition.

- (2) The proposed structure is 10,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 10,000 or more square feet in gross floor area after completion of the addition, and:

- (a) A different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area exists on the lot, or

- (b) There is an active, unexpired planning permit that allows for the construction of a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area, or
 - (c) The application for the proposed structure is submitted either in conjunction with or subsequent to an application for a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area.
- (3) The proposed structure(s) will result in a total gross floor area on a lot that exceeds the development plan threshold listed for the applicable lot area as shown in the table below. Total gross floor area includes the gross floor area of agricultural development and non-agricultural structural development, both existing and proposed.

Lot Size (acres)	Threshold (sq. ft.)
Less than 40	20,000
40 to less than 100	25,000
100 to less than 200	30,000
200 to less than 320	40,000
320 or more	50,000

- (4) **Floor area not included in total gross floor area.** The gross floor area of the following structures is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection D.2.b.(3), above.
- (a) The gross floor area of structures that are exempt from planning permit requirements in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#).
 - (b) A maximum of 10,000 square feet of gross floor area of structures that qualify as agricultural structural development and comply with the following:
 - (i) Each structure does not exceed 3,000 square feet of gross floor area.
 - (ii) Each structure has three or fewer walls, and at least one of the long sides of the structure shall be open and shall only utilize posts to support the roof.
- (5) Proposed structures that do not require the approval of a Final Development Plan in compliance with Subsection D.2.b.(3) and Subsection D.2.b.(4), above, shall comply with [Subsection 35.21.050.C \(Development standards for agricultural structural development that does not require the approval of a Final Development Plan\)](#). Proposed structures that do not comply with [Subsection 35.21.050.C](#) may be allowed in compliance with an approved Final Development Plan.

3. **Exemptions from floor area calculations, wineries.** Gross floor area associated with the following structures is not included in determining the 20,000-square foot gross floor area threshold for that development which requires a Development Plan in compliance with Subsection D.1 and D.2, above.

- a. The structure qualifies as winery structural development.
- b. If the structure is existing, then it was included in a Land Use Permit issued for a winery or is proposed to become part of a winery for which an application has been submitted to the Department.

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 change the Residential section of Table 2-1, Allowed Land Uses and Permit Requirements for Agricultural Zones, of Section 35.21.030, Agricultural Zones Allowable Land Uses, of Chapter 35.21, Agricultural Zones, to read as follows:

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural 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		
ZC	Zoning Clearance required		
S	Permit determined by Specific Use Regulations		
—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	
RESIDENTIAL USES			
Accessory dwelling unit	S	S	35.42.015
Agricultural employee housing	S	S	35.42.030
Artist studio	P	P	35.42.150
Dwelling, one-family (3)	P	P	
Farmworker dwelling unit	P	P	35.42.135
Farmworker housing complex	P	CUP	35.42.135
Guesthouse	P	P	35.42.150
Home occupation	P	P	35.42.190
Incentive dwelling unit	—	P (4)	35.28.210.I
<u>Junior accessory dwelling unit</u>	<u>S</u>	<u>S</u>	35.42.015
Monastery	CUP	CUP	
Residential accessory uses and structures	P	P	35.42.020
Special care home, 7 or more clients	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	35.42.090

Key to Zone Symbols

AG-I	Agriculture I
AG-II	Agriculture II

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.21.030.C](#).
- (3) One-family dwelling may be a mobile home on a permanent foundation, see [Section 35.42.205](#).
- (4) Limited to locations within the Gaviota Coast Plan area; see Subsection [35.28.210.I](#).
- (5) See Subsection [35.42.050.E](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (6) See Subsection [35.42.240.D](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

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 change Table 2-3,

AG-I and AG-II Zones Development Standards, of Section 35.21.050, Agricultural Zones Development Standards, of Chapter 35.21, Agricultural Zones, to read as follows:

Table 2-3 - AG-I and AG-II Zones Development Standards

Development Feature	Requirement by Zone	
	AG-I Agriculture I	AG-II Agriculture II
Residential 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>	
Maximum density	One one-family dwelling per lot; plus one accessory dwelling unit or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) ; plus agricultural employee housing where allowed by Table 2-1 and applicable standards provided that the lot complies with Section 35.21.040 (Agricultural Zones Lot Standards) .	
Setbacks	<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	50 ft from road centerline and 20 ft from edge of right-of-way.	50 ft from road centerline and 20 ft from edge of right-of-way.
Side	20 ft; 10% of lot width on a lot of less than 1 acre, with no less than 5 ft or more than 10 ft required.	None.
Rear	20 ft; 25 ft on a lot of less than 1 acre.	None.
Building separation	None, except as required by Building Code.	
Height limit	<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>	
Maximum height	35 ft for a residential structure, no limit otherwise; Toro Canyon Plan area - 25 ft for a residential structure.	35 ft for a residential structure, no limit otherwise; Toro Canyon Plan area - 25 ft for a residential structure.
Landscaping	See Chapter 35.34 (Landscaping Standards) .	
Parking	See Chapter 35.36 (Parking and Loading Standards) .	
Signs	See Chapter 35.38 (Sign Standards) .	

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 35.22.030, Resource Protection Zones Allowable Land Uses, of Chapter 35.22, Resource Protection Zones, to read as follows:

C. Development Plan approval required.

- MT-GAV, MT-GOL, and MT-TORO zones.** ~~Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units),~~ Final 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 an ~~Exemption in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#) or a~~ Zoning Clearance in compliance with [Section 35.82.210 \(Zoning Clearances\)](#) for a structure, other than an agricultural reservoir, that is not otherwise required by

this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area.

a. ~~Final Development Plan not required for accessory dwelling units.~~ The development of an accessory dwelling unit shall only require the issuance of an Exemption or Zoning Clearance in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#), and does not require the approval of a Final Development Plan.

- RMZ zone.** Final Development Plan approval is required for all development, including grading, ~~except for the development of one accessory dwelling unit per lot approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#).~~

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 Residential section of Table 2-4, Allowed Land Uses and Permit Requirements for Resource Protection Zones, of Section 35.22.030, Resource Protection Zones Allowable Land Uses, of Chapter 35.22, Resource Protection Zones, to read as follows:

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection 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
	MT-GAV	MT-GOL	MT-TORO	RMZ	

RESIDENTIAL USES

Accessory dwelling unit	S	S	S	S	35.42.015
Agricultural employee housing, 4 or fewer employees	MCUP	MCUP	—	—	35.42.030
Artist studio	MCUP	MCUP	MCUP	MCUP	35.42.150
Dwelling, one-family	P	P	P	P	
Farmworker dwelling unit	P	P	P	P	35.42.135
Farmworker housing complex	MCUP	MCUP	MCUP	CUP	35.42.135
Guesthouse	P	P	P	P	35.42.150
Home occupation	P	P	P	P	35.42.190
<u>Junior accessory dwelling unit</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	35.42.015
Monastery	—	CUP	CUP	—	
Residential accessory uses and structures	P	P	P	P	35.42.020
Special care home, 7 or more clients	—	MCUP	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	S	S	35.42.090

Key to Zone Symbols

MT-GAV	Mountainous - Gaviota	MT-TORO	Mountainous - Toro Canyon
MT-GOL	Mountainous - Goleta	RMZ	Resource Management

Notes:

- See [Article 35.11 \(Glossary\)](#) for land use definitions.
- Development Plan approval may also be required; see Subsection [35.22.030.C](#).

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 change Table 2-6, MT and RMZ Zones Development Standards, of Section 35.22.050, Resource Protection Zones Development Standards, of Chapter 35.22, Resource Protection Zones, to read as follows:

Table 2-6 - MT and RMZ Zones Development Standards

Development Feature	Requirement by Zone		
	MT-GAV Mountainous - Gaviota & MT-GOL Mountainous - Goleta	MT-TORO Mountainous - Toro Canyon	RMZ Resource Management
Residential 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>		
Maximum density	One one-family dwelling per lot; plus one accessory dwelling unit <u>or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) ; plus agricultural employee housing, where allowed by Table 2-1 and applicable standards.	One one-family dwelling per lot; plus one accessory dwelling unit <u>or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	One one-family dwelling per lot; plus one accessory dwelling unit <u>or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .
	The lot shall also comply with Section 35.22.040 (Resource Protection Zones Lot Standards) , as applicable.		
Setbacks	<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	50 ft from the road centerline and 20 ft from the lot lines.		
Side	None.		
Rear	None.		
Building separation	5 ft.		5 ft.
Height limit	<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>		
Maximum height	25 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 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 change Subsection C, Development Plan approval required, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.22, Residential Zones, to read as follows:

- C. Development Plan approval required.** Except as provided below, Final Development Plan approval is required in compliance with [Section 35.82.080 \(Development Plans\)](#) prior to the approval of a Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#) or the issuance of an Exemption in compliance with ~~[Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#)~~ or a Zoning Clearance in compliance with [Section 35.82.210 \(Zoning Clearances\)](#) as follows:
- RR, R-1/E-1, EX-1 and R-2 zones.** ~~Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units)~~ Final Development Plan approval

is required prior to the approval of a Land Use Permit or the issuance of ~~a an Exemption or~~ Zoning Clearance for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area.

- ~~a. Final Development Plan not required for accessory dwelling units. The development of an accessory dwelling unit shall only require the issuance of an Exemption or Zoning Clearance in compliance with Section 35.42.015 (Accessory Dwelling Units), and does not require the approval of a Final Development Plan.~~
2. **DR zone.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all development within the DR zone, including grading, except that the following:
- a. One one-family dwelling and its accessory uses and structures on a single lot where a Final Development Plan was not previously approved unless required in compliance with Subsection C.1 above. The one-family dwelling shall be subject to the development standards applicable to the R-1/E-1 zone in [Section 35.23.040 \(Residential Zones Development Standards\)](#).
 - b. ~~One accessory dwelling unit per lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).~~
 - e.—Orchards, vegetable and flower gardens, raising of field crops and uses and structures accessory and customarily incidental thereto.
3. **MHP, MHS and SLP zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all development, including grading within the MHP, MHS, and SLP zones, ~~except for the development of one accessory dwelling unit per lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).~~
4. **PRD zone.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all development, including grading, within the PRD zone, except for the following:
- a. ~~One accessory dwelling unit per lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).~~
 - b.—Orchards, vegetable and flower gardens, the raising of field crops and uses and structures accessory and customarily incidental thereto subject to the development standards of the PRD zone.

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 change the Residential section of Table 2-7, Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential 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
	RR	R-1/E-1	EX-1	R-2	DR	

RESIDENTIAL USES

Accessory dwelling unit	S	S	S	S	S	35.42.015
Dwelling, one-family	P (3)(4)	P (3)(4)	P (3)(4)	P (3)	P (3)	
Dwelling, two-family	—	—	—	P	P	
Dwelling, multiple	—	—	—	—	P	
Emergency shelter	—	—	—	—	—	
Farmworker dwelling unit	P	P	P	P	P	35.42.135
Farmworker housing complex	CUP	MCUP	MCUP	MCUP	P	35.42.135
Guesthouse or artist studio	P	P	P	—	—	35.42.150
Home occupation	P	P	P	P	P	35.42.190
<u>Junior accessory dwelling unit</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	35.42.015
Mobile Home Park	CUP	CUP	CUP	CUP	CUP	
Monastery	CUP	CUP	CUP	CUP	CUP	
Organizational house (sorority, monastery, etc.)	—	—	—	—	CUP(5)	
Residential accessory use or structure	P	P	P	P	P	35.42.020
Residential project convenience facilities	—	—	—	—	P	35.42.220
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	S	S	S	35.42.090

Key to Zone Symbols

RR	Residential Ranchette	R-2	Two-Family Residential
R-1/E-1	Single-Family Residential	DR	Design Residential
EX-1	One-Family Exclusive Residential		

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.23.030.C](#).
- (3) A Zoning Clearance ([Section 35.82.210](#)) is required instead of a Land Use Permit ([Section 35.82.110](#)) for a primary single-family dwelling on a lot that resulted from the recordation of a Final (tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) One-family dwelling may be a mobile home on a permanent foundation, see [Section 35.42.205](#).
- (5) Limited to student housing facilities located in an area where such facilities are to be used by students of a permitted educational facility.

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 Residential section of Table 2-8, Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential 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
	PRD	SLP	MHP	MHS	MR-O	

RESIDENTIAL USES

Accessory dwelling unit	S	S	<u>S</u> —	<u>S</u> —	S	35.42.015
Dwelling, one-family	P(3)	P(3)	—	—	—	
Dwelling, two-family	P	—	—	—	—	
Dwelling, multiple	P	—	—	—	ZC	
Emergency shelter	—	—	—	—	—	
Farmworker dwelling unit	P	P	—	—	—	35.42.135
Farmworker housing complex	—	—	—	—	—	
Guesthouse or artist studio	—	—	—	—	—	
Home occupation	P	P	—	P	P	35.42.190
Junior accessory dwelling unit	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	35.42.015
Mobile home park	CUP	CUP	P(4)	CUP	CUP	
Mobile home	—	—	P	P(5)	—	
Modular home	—	—	—	P	—	
Monastery	CUP	CUP	CUP	CUP	—	
Organizational house (sorority, monastery, etc.)	—	—	—	—	—	
Residential accessory use or structure	P	P	P	P	ZC	35.42.020
Residential project convenience facilities	P	—	P	—	ZC	35.42.220
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	S	S	S	35.42.090

RETAIL TRADE

Agricultural product sales, on-site production only	MCUP	—	—	—	—	35.42.050
Cannabis – Retail	—	—	—	—	—	
Convenience store	CUP	—	—	—	—	35.23.100.G
Drive-through facility, accessory to permitted use	CUP	—	—	—	—	35.42.130
Visitor-serving, commercial	—	—	—	—	—	

Key to Zone Symbols

PRD	Planned Residential Development	MHS	Mobile Home Subdivision
SLP	Small Lot Planned Development	MR-O	Multi-Family Residential - Orcutt
MHP	Mobile Home Planned Development		

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.23.030.C](#).
- (3) A Zoning Clearance ([Section 35.82.210](#)) is required instead of a Land Use Permit ([Section 35.82.110](#)) for a primary single-family dwelling on a lot that resulted from the recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) See [Section 35.23.080 \(Mobile Home Park Zone Standards\)](#).
- (5) Mobile home must be on a permanent foundation, see [Section 35.42.205](#)

SECTION 11:

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 Table 2-10, Residential Zones Development Standards, of Section 35.23.050, Residential Zones Development Standards, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-10 - Residential Zones Development Standards

Development Feature	Requirement by Zone		
	RR Residential Ranchette	R-1/E-1 Single Family Residential	EX-1 One-Family Exclusive Residential
Residential 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>		
Maximum density	One one-family dwelling per lot; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) ; Agricultural employee housing and farmworker housing if allowed by Section 35.23.030 (Residential Zones Allowable Land Uses) . The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards) , as applicable.		
Setbacks	<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 – Primary	50 ft from road centerline and 20 ft from right-of-way, or 20 ft from private easement serving 5 or more lots. Lot within SC-MC overlay – as required by Section 35.28.175 (SC-MC Overlay Zone)		75 ft from road centerline; 125 ft from centerline of road with right-of-way of 80 ft or more.
Front – Secondary	Lot width less than 100 ft – 20% of lot width, 10 ft minimum; Lot width 100 ft or more – Same as primary front setback. Lot within SC-MC overlay – as required by Section 35.28.175 (SC-MC Overlay Zone) .		
Side	20 ft; 10% of lot width on a lot of less than 1 acre, with no less than 5 ft or more than 10 ft required.	10% of lot width; except where zoned for minimum lot area of: 2 acre or less – 5 ft minimum, 10 ft maximum required; 3 acre or more – 10 ft minimum, 20 ft maximum required.	25 ft; see Section 35.23.070 (EX-1 Zone Standards) for a lot less than 150 ft wide.
Rear	20 ft; 25 ft on a lot of less than 1 acre.	25 ft; 15 ft if rear abuts permanent open space or a street without access.	25 ft.
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses) .		
Building separation	None, except as required by Building Code.	5 ft between a dwelling or guesthouse, and another detached structure; otherwise none, except as required by Building Code..	
Height limit	<i>Maximum allowable height of structures except where a lesser height is required by design review or other provisions of this Development Code. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft. Toro Canyon Plan area – 25 ft for a residential structure.	35 ft. Toro Canyon Plan area – 25 ft. for a residential structure. Summerland Community Plan area – 25 ft. for a residential structure in the Urban area and Existing Developed Rural Neighborhoods. 16 ft. in the Rural area. See Section 35.28.210 (Community Plan Overlays) .	30 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards) .		
Parking	See Chapter 35.36 (Parking and Loading Standards) .		
Signs	See Chapter 35.38 (Sign Standards) .		

Table 2-10 – Residential Zones Development Standards (continued)

Development Feature	Requirement by Zone		
	R-2 Two-Family Residential	DR Design Residential	PRD Planned Residential Development
Residential 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>		
Maximum density	One one-family dwelling or one two-family dwelling per lot; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units).	See Section 35.23.060 (DR Zone Standards); plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units).	As specified in the Land Use Element; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
	The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards), as applicable.		
Setbacks	<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 – Primary	50 ft from road centerline and 20 ft from right-of-way, or 20 ft from easement serving 5 or more lots.	20 ft from right-of-way, or 20 ft from easement serving 5 or more dwellings.	As determined by Final Development Plan.
Front – Secondary	Lot width less than 100 ft – 20% of lot width, 10 ft minimum; Lot width 100 ft or greater – same as primary front setback.		
Side	10% of lot width, with no less than 5 ft or more than 10 ft required.	10 ft (1).	
Rear	25 ft; 15 ft if rear abuts permanent open space or a street without access.	10 ft (1).	
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses).		
Building separation	5 ft between a dwelling and other detached structure.	5 ft between a habitable structure and another structure.	
Site coverage	<i>Maximum percentage of net site area covered by buildings.</i>		
Maximum coverage	N.A.	30% for structures containing dwelling units. (2)	30% for structures containing dwelling units; 50% for all structures.
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations).</i>		
Maximum height	35 ft.	35 ft; 25 ft for a residential structure within the Toro Canyon Plan area. (2)	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).		

Notes:

- (1) Except where a larger setback is required by the Commission for light, air, or privacy in the review of a discretionary planning permit.
- (2) See Section 35.23.060.D for site coverage and height limit standards for qualifying affordable housing, senior housing, or special care housing developments.

Table 2-10 – Residential Zones Development Standards (continued)

Development Feature	Requirement by Zone		
	SLP Small Lot Planned Development	MHP & MHS Mobile Home Planned Development, Mobile Home Subdivision	MR-O Multi-family Residential – Orcutt
Minimum lot size	<i>Minimum area and width for lots proposed in new subdivisions.</i>		
Area, width	See Section 35.23.110 (SLP Zone Standards) .	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards) .	See Section 35.23.130 (Multi-family Residential – Orcutt Zone Standards) .
	See Section 35.23.040 (Residential Zones Lot Standards) , as applicable.		
Residential 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>		
Maximum density	One one-family dwelling per lot; 7 dwellings per acre; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards) ; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) ; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .
Setbacks	<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 - Primary	SLP perimeter lot - 50 ft from road centerline; and 20 ft from right-of-way. SLP interior lot - 10 ft.	See Section 35.23.080 (Mobile Home Parks) and Section 35.23.090 (Mobile Home Subdivisions) .	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) .
Front - Secondary	SLP perimeter lot - Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or greater - Same as primary front setback. SLP interior lot - 10 ft.	Lot width less than 100 ft - 20% of lot width, 10 ft min.; Lot width 100 ft or greater - Same as primary front setback.	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) .
Side	SLP perimeter lot - 15 ft. SLP interior lot - 5 ft; 10 ft where setback abuts a road, public parking area or walk; See Section 35.23.110.B (Side setbacks and building separation) .	See Section 35.23.080 (Mobile Home Parks) and Section 35.23.090 (Mobile Home Subdivisions) .	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) .
Rear	SLP perimeter lot - 15 ft. SLP interior lot - 10 ft.		
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses) .		
Building separation	5 ft between a habitable structure and any other building, none otherwise.	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards) .	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) .
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>		
Maximum coverage	60% for all a lot with a one-family dwelling; no maximum otherwise.	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards) .	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) .
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 for height measurement requirements, and height limit exceptions.</i>		

Development Feature	Requirement by Zone		
	SLP Small Lot Planned Development	MHP & MHS Mobile Home Planned Development, Mobile Home Subdivision	MR-O Multi-family Residential – Orcutt
Maximum height	25 ft.	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards) .	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards) .
Landscaping	See Chapter 35.34 (Landscaping Standards) .		
Parking	See Chapter 35.36 (Parking and Loading Standards) .		
Signs	See Chapter 35.38 (Sign Standards) .		

SECTION 12:

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 an Exemption in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#) or~~ 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 ~~an Exemption or a~~ Zoning Clearance for structures that exceed 5,000 square feet in gross floor area ~~except for the development of one accessory dwelling unit that is accessory to a one family dwelling located on a lot zoned C-1 and approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#).~~
 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 ~~except for the development of one accessory dwelling unit per lot in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#).~~
 5. **C-S, C-V, SC, 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.

SECTION 13:

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 Residential 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					Specific Use Regulations
	CN	C-1	C-2	C-3	C-S	

RESIDENTIAL USES

Accessory dwelling unit	<u>S</u> —	S (4)	<u>S</u> —	<u>S</u> —	—	35.42.015
Caretaker/Manager dwelling	—	—	—	—	MCUP	35.42.080
Dwelling, one-family	—	P (4)	—	—	—	
Emergency shelter	—	—	MCUP	P	P	
Farmworker dwelling unit	MCUP	P	MCUP	MCUP	—	35.42.135
Farmworker housing complex	—	—	—	—	—	35.42.135
<u>Junior accessory dwelling unit</u>	<u>—</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>35.42.015</u>
Mixed use project residential component	MCUP	P	MCUP	MCUP	—	35.42.200
Monastery	CUP	CUP	CUP	CUP	CUP	
Residential accessory use or structure	MCUP	P	MCUP	MCUP	MCUP	35.42.020
Residential use existing as of July 19, 1982	—	—	—	—	—	
Single room occupancy facility (SRO)	—	—	P	P	—	
Special care home, 6 or fewer clients	MCUP	P (4)	MCUP	MCUP	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Transitional and supportive housing	MCUP	S	S	S	MCUP	35.42.090

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) Includes miniature golf and practice/putting range.
- (4) Allowed only on a lot with no commercial use, and subject to all development standards of the R-1/E-1 zone except minimum lot size.

SECTION 14:

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 Residential section of 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 – 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	SC	PI	

RESIDENTIAL USES

Accessory Dwelling Unit	—	S	—	—	<u>S</u> —	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
<u>Junior accessory dwelling unit</u>	<u>—</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>35.42.015</u>
Mixed use project residential component	—	P	—	—	MCUP	35.42.200
Monastery	CUP	—	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	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	MCUP	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	SC	Shopping Center		

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 \(Accessory Structures and Uses\)](#).

SECTION 15:

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 Table 2-14, Commercial Zones Development Standards, of Section 35.24.040, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-14 – Commercial Zones Development Standards

Development Feature	Requirement by Zone		
	CN Neighborhood Commercial	C-1 Limited Commercial	C-2 Retail Commercial
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 review process.	None required; minimum lot size shall be determined by the review authority through the subdivision review process, except 5,000 sf in Summerland and 7,000 sf elsewhere shall be required for a lot with only a residential use.	None required; minimum lot size shall be determined by the review authority through the subdivision review 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>		
	Section 35.42.200 (Mixed Use) ; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) . None allowed.	One unit per existing lot; plus one accessory dwelling unit or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	Section 35.42.200 (Mixed Use) ; 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	<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 - Primary	50 ft from road centerline, and 20 ft from right-of-way.	30 ft from road centerline, and 15 ft from right-of-way; An open canopy, porch, or similar structure may extend to within 5 ft of the right-of-way.	30 ft from road centerline, and 10 ft from right-of-way; 42 ft from centerline and 10 ft from right-of-way of 2-lane expressway or street with 4 or more lanes; An open canopy, porch or similar structure may encroach up to 12 ft into the setback, but not into a right-of-way.
Front - Secondary	Same as front.	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front setback.	
Side	5 ft	10% of lot width, with no less than 5 ft or more than 10 ft required.	None; 3 ft minimum when provided.
Rear	10% of lot depth to a maximum requirement of 10 ft; 25 ft if abutting a residential zone. See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.		
Building separation	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>		
	30%.	No maximum.	No maximum.
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.	35 ft. Toro Canyon Plan area - 25 ft for a residential structure.	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) .		

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

Development Feature	Requirement by Zone		
	C-3 General Commercial	C-S Service Commercial	CH Highway Commercial
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>		
Area	None.	None.	None.
Residential 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>		
Maximum density	Section 35.42.200 (Mixed Use) ; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) . None allowed.	None allowed.	None allowed.
Setbacks	<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 – Primary	30 ft from road centerline, and 10 ft from right-of-way; 42 ft from centerline and 10 ft from right-of-way of 2-lane expressway or street with 4 or more lanes; An open canopy, porch or similar structure may encroach up to 12 ft into the setback, but not into a right-of-way.		15 ft from right-of-way.
Front – Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front setback.	Same as primary front setback.	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front setback.
Side	None; 3 ft minimum when provided.		None; except that if the lot abuts a different zone, the abutting zone’s side setback applies.
Rear	10% of lot depth, with 10 ft maximum required; 25 ft where rear lot line abuts a residential zone.		None; except if lot abuts a different zone, the abutting zone’s rear setback applies.
Building separation	See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.		
	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.		None.
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>		
Maximum coverage	No maximum.	No maximum.	40%
Height limit	<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>		
Maximum height	35 ft.	35 ft.	35 ft. Toro Canyon Plan area - 25 ft for a residential structure.
Landscaping	See Chapter 35.34 (Landscaping Standards) .		
Parking	See Chapter 35.36 (Parking and Loading Standards) .		
Signs	See Chapter 35.38 (Sign Standards) .		

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

Development Feature	Requirement by Zone	
	CM-LA Community Mixed Use - Los Alamos	C-V Visitor-Serving Commercial
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i>	
	None.	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 Section 35.24.070 ; plus one or more accessory dwelling units and/or one junior accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	See Table 2-13 2-16 - RESIDENTIAL USES
Setbacks Front - Primary Front - Secondary Side Rear Building separation	<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>	
	See Section 35.24.070 .	50 ft from road centerline, and 20 ft from right-of-way.
	See Section 35.24.070 .	Lot width less than 100 ft - 20% of lot width, 10 ft minimum. Lot width 100 ft or more - Same as primary front setback.
	See Section 35.24.070 .	20 ft; 50 ft from a lot zoned residential.
	See Section 35.24.070 .	Same as side
	None required, however if provided any separation shall be a minimum of five feet.	5 ft for a residential building and any other building; none required otherwise.
Site coverage Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>	
	None.	30% on a lot surrounded by residential zoning; no maximum elsewhere.
Open space Minimum open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>	
	None.	40%.
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.	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)	

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

Development Feature	Requirement by Zone	
	SC Shopping Center	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	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) .

Development Feature	Requirement by Zone	
	SC Shopping Center	PI Professional and Institutional
Setbacks	<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 - Primary	20 ft from right-of-way.	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.
Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum. Lot width 100 ft or more - Same as primary front setback.	
Side	20 ft when a Convenience Center abuts a residential zone; 50 ft when Community Center abuts residential zone; 10 ft elsewhere.	15 ft.
Rear	Same as side	
Building separation	None required.	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>	
Maximum coverage	30%.	40% (for buildings only).
Open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>	
Minimum open space	No minimum.	No minimum.
Height limit	<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>	
Maximum height	35 ft.	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 16:

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 35.26.030, Special Purpose Zones Development Standards, of Chapter 35.26, Special Purpose Zones, to read as follows:

C. Development Plan approval required. Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required as follows:

1. MU, NTS, PU, and REC zones. ~~Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units),~~ Within the MU, NTS, PU, and REC zones, Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to any development, including grading.

a. ~~Final Development Plan not required for accessory dwelling units.~~ ~~The development of an accessory dwelling unit located on a lot zoned MU or NTS shall only require the issuance of an Exemption or Zoning Clearance in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#), and does not require the approval of a Final Development Plan.~~

2. OT zones.

a. OT-R/LC and OT-GC. Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for structures that total 5,000 square feet or more in gross floor area, or developments that total 10,000 square feet or more.

- b. **OT-R.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all multi-family residential development, including grading.
- c. **Lot subject to the Pedestrian Area - Old Town Orcutt (PA-OTO) Overlay Zone.** If a lot is subject to [Section 35.28.160 \(Pedestrian Area - Old Town Orcutt \(PA-OTO\) Overlay Zone\)](#), then the development plan requirements of [Section 35.28.160 \(Pedestrian Area - Old Town Orcutt \(PA-OTO\) Overlay Zone\)](#) shall apply instead of Subsections 2.a. and 2.b., above.
- d. ~~**Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit located on a lot zoned OT-R, OT-R/LC or OT-R/GC shall only require the issuance of an Exemption or Zoning Clearance in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#), and does not require the approval of a Final Development Plan.~~

SECTION 17:

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 Residential section of Table 2-21, Allowed Land Uses and Permit Requirements for 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 2-21 - Continued Allowed Land Uses and Permit Requirements for 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
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	
RESIDENTIAL USES						
Accessory dwelling unit	S (4)	S	S (4)	S (4)(5)	S (4)(5)	35.42.015
Agricultural employee housing, 4 or fewer employees	—	MCUP	—	—	—	35.42.030
Agricultural employee housing, 5 or more employees	—	CUP	—	—	—	35.42.030
Caretaker/manager dwelling	P	—	—	—	—	
Dwelling, one-family	—	P (5)(6)	P (5)(6)	P (4)(5)(6)	P(4)(5)(6)	
Dwelling, two-family	—	—	P (4)(5)	P (4)(5)	P (4)(5)	
Dwelling, multiple	P	—	P (4)(5)	P (4)(5)	P (4)(5)	
Emergency shelter	—	—	—	—	—	
Farmworker dwelling unit	—	P	P	P	P	35.42.135
Farmworker housing complex	—	P	P	—	—	35.42.135
Guest house or artist studio	—	P	—	—	—	35.42.150
Home occupation	P	P	P (4)(5)	P (4)(5)	P (4)(5)	35.42.190
Junior accessory dwelling unit	S	S	S	S (4)	S (4)	35.42.015
Live/work unit	P	—	—	—	—	35.26.050
Mixed use development, residential component	P	—	—	—	—	35.26.050
Mobile home park	—	—	—	—	—	
Monastery	—	—	CUP	CUP	CUP	
Residential accessory use or structure	P	P	P (4)(5)	P (4)(5)	P (4)(5)	35.42.020
Residential project convenience facility	P	—	P (4)(5)	—	—	35.42.220
Single room occupancy facility (SRO)	—	—	—	P	P	
Special care home, 7 or more clients	MCUP	—	MCUP	MCUP	MCUP	35.42.090

Transitional and supportive housing	S	S	S	S	S	35.42.090
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Key to Zone Symbols

MU	Mixed Use	OT-R/LC	Old Town - Residential/Light Commercial
NTS	Naples Townsite	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential		

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](#).
- (3) Not allowed in addition to an artist studio.
- (4) ~~Accessory dwelling units restricted to lots that contain an existing or proposed one family dwelling or multiple family dwelling.~~
- (4)(5) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-R/GC.
- (5)(6) A Zoning Clearance ([Section 35.82.210](#)) is required instead of a Land Use Permit for a primary one-family dwelling on a lot that resulted from recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.

SECTION 18:

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 Residential section of Table 2-22, Allowed Land Uses and Permit Requirements for 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	—	—	
<u>Junior accessory dwelling unit</u>	—	—	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	—	MCUP	35.42.090

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 19:

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 Table 2-23, Special Purpose Zones Development Standards, of Section 35.26.040, Special Purpose Zones Development Standards, of Chapter 35.26, Special Purpose Zones, to read as follows:

Table 2-23 - Special Purpose Zones Development Standards

Development Feature	Requirement by Zone		
	MU Mixed Use	NTS Naples Townsite	OT-R Old Town – Residential
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>		
Area	None.	None.	None.
Residential 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>		
Maximum density	See Section 35.26.050 (MU Zone Additional Standards) ; plus one <u>or more</u> accessory dwelling units <u>and/or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	See Section 35.26.060 (NTS Zone Additional Standards) ; plus one accessory dwelling unit <u>or junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) . The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards) , as applicable.	See Subsection 35.26.070.A (Maximum lot size and density); plus one <u>or more</u> accessory dwelling units <u>and/or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .
Setbacks	<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 - Primary	See Section 35.26.050 (MU Zone Additional Standards) .	As determined by Final Development Plan.	40 ft from road centerline, and 10 ft from right-of-way.
Front - Secondary	See Section 35.26.050 (MU Zone Additional Standards) .	As determined by Final Development Plan.	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front.
Side	See Section 35.26.050 (MU Zone Additional Standards) .	As determined by Final Development Plan.	10 ft.
Rear	See Section 35.26.050 (MU Zone Additional Standards) . See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.	As determined by Final Development Plan.	10 ft. See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.
Building separation	A minimum of 3 ft. is required if any separation is provided.	As determined by Final Development Plan.	10 ft between habitable buildings and any other building; none otherwise.
Site coverage	<i>Maximum percentage of site area covered by structures.</i>		
Maximum coverage	None.	As determined by Final Development Plan.	30% of net site area for residential structures.
Height limit	<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>		

Development Feature	Requirement by Zone		
	MU Mixed Use	NTS Naples Townsite	OT-R Old Town – Residential
Maximum height	35 ft.	See Section 35.26.060 .	25 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards) .	See Section 35.26.060 and Chapter 35.34 (Landscaping Standards) .	See Chapter 35.34 (Landscaping Standards) .
Parking	See Chapter 35.36 (Parking and Loading Standards) and for MU also see Section 35.26.050 .		
Signs	See Chapter 35.38 (Sign Standards) .		

Table 2-23 - Special Purpose Zones Development Standards (continued)

Development Feature	Requirement by Zone		
	OT-R/LC Old Town - Residential/ Light Commercial	OT-R/GC Old Town - Residential/ General Commercial	PU Public Works Utilities and Private Service Facilities
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i> None.		
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 Subsection 35.26.070.A (Maximum lot size and density); plus one <u>or more</u> accessory dwelling units <u>and/or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	See Subsection 35.26.070.A (Maximum lot size and density); plus one <u>or more</u> accessory dwelling units <u>and/or one junior accessory dwelling unit</u> per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .	None allowed
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>		
	Residential structure - 40 ft from road centerline, and 10 ft from right-of-way; Non residential or mixed use structure - 10% of lot depth, maximum 10 ft; 25 ft if abutting lot zoned OT-R; Lot within PA-OTO overlay - as required by Section 35.28.160 (PA - OTO Overlay Zone) .	Residential structure - 40 ft from road centerline, and 10 ft from right-of-way; Non residential or mixed use structure - 10% of lot depth, maximum of 10 ft; 25 ft if abutting OT-R zone; see Section 35.28.160 (PA - OTO Overlay Zone) for additional requirements for a lot within the PA-OTO Overlay Zone.	50 ft from road centerline, and 20 ft from right-of-way.
Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front.		Same as primary front.
Side	Residential structure - 10 ft; Non-residential or mixed use structure - None.		10 ft.
Rear	Residential structure - 10 ft; Non-residential or mixed use structure - 10% of lot depth.		10 ft; 50 ft from a lot zoned residential.
Building separation	See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.		
	5 ft.		None, except as required by Building Code.
Site coverage Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>		
	30% of net site area for residential structures; 55% of gross site area on a lot with less than 75 ft of frontage, or as required by Section 35.28.160 (PA - OTO Overlay Zone) ;	30% of net site area for residential structures; 55% of gross site area on a lot with less than 75 ft of frontage or as required by Section 35.28.160 (PA - OTO Overlay Zone) ;	None.

Development Feature	Requirement by Zone		
	OT-R/LC Old Town - Residential/ Light Commercial	OT-R/GC Old Town - Residential/ General Commercial	PU Public Works Utilities and Private Service Facilities
	50% of gross site area on a lot with 75 ft or more of frontage, or as required by Section 35.28.160 (PA - OTO Overlay Zone) .	50% of gross site area on a lot with 75 ft or more of frontage, or as required by Section 35.28.160 (PA - OTO Overlay Zone) .	
Height limit	<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>		
Maximum height	Residential structure - 25 ft;	Non-residential structure - 35 ft.	45 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 20:

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, One-family dwellings, of Subsection 1, Floor area limit, of Subsection G, Summerland Community Plan area, of Section 35.28.210, Community Plan Overlays, of Chapter 35.28, Overlay Zones, to read as follows:

- a. **One-family dwellings.** All new one-family dwellings and additions to existing one-family dwellings are subject to the following standards:
 - (1) **Lots having a lot area (net) of less than 12,000 square feet.** On lots with a lot area (net) of less than 12,000 square feet, the net floor area of structures subject to this Subsection G.1.a shall be in compliance with the following Table 2-29 (One-family Dwelling Floor Area Limits). The net floor area shall not exceed the amount calculated using the FAR or the Maximum Allowable Square Footage per Lot Area, whichever is less.

Table 2-29 One-family Dwelling Floor Area Limits

Net Lot Area (square feet)	FAR	Maximum Allowable Net Floor Area per Lot Area (square feet)
2,500 or less	0.50	950
2,501 to 3,600	0.38	1,296
3,601 to 4,700	0.36	1,598
4,701 to 5,800	0.34	1,856
5,801 to 6,900	0.32	2,070
6,901 to 8,100	0.30	2,268
8,101 to 9,400	0.28	2,538
9,401 to 10,800	0.27	2,808
10,801 to 12,000	0.26	3,100

- (2) **Lots of 12,000 square feet and greater.** On lots with a lot area (net) of 12,000 square feet and greater, the net floor area of structures subject to this Subsection G.1.a shall not exceed 2,500 square feet plus five percent of the net lot area; however, in no case shall the net floor area exceed 8,000 square feet.
- (3) See Subsection G.1.b, below, for allowable adjustments to the maximum floor area.

- (4) **Accessory dwelling units and junior accessory dwelling units.** The floor area limits enumerated above do not apply to existing or proposed additions to an existing one-family dwelling provided the addition is located within the living area of an accessory dwelling units or junior accessory dwelling units allowed approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#).

SECTION 21:

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 (4), Accessory Dwelling Units, of Subsection b, Adjustments to maximum floor area, of Subsection 1, Floor area limit, of Subsection G, Summerland Community Plan area, of Section 35.28.210, Community Plan overlays, of Chapter 35.28, Overlay Zones, to read as follows:

- (4) **Accessory Dwelling Units.** ~~Up to 300 square feet of floor area (net) devoted to an attached accessory dwelling unit is not included in the net floor area used to determine compliance with Subsection G.1, above.~~ **Accessory dwelling units and junior accessory dwelling units.** The following shall not be included in the net floor area used to determine compliance with Subsection G.1, above:
- (i) Up to 850 square feet of floor area (gross) devoted to an attached accessory dwelling unit that provides one bedroom or less.
 - (ii) Up to 1,000 square feet of floor area (gross) devoted to an attached accessory dwelling unit that provides more than one bedroom.
 - (iii) Up to 500 square feet of floor area (gross) devoted to a junior accessory dwelling unit.

SECTION 22:

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 Subsection C, Exceptions, of Section 35.30.025, Agricultural Buffers, of Chapter 35.30, Standards for All Development and Land Uses, to read as follows:

C. **Exceptions.** This Section does not apply to the following:

1. Single-family dwelling, accessory dwelling units, junior accessory dwelling units, and residential accessory structures.
2. Agricultural employee dwellings approved in compliance with [Section 35.42.030 \(Agricultural Employee Dwellings\)](#) and farmworker housing approved in compliance with [Section 35.42.135 \(Farmworker Housing\)](#).
3. Non-agricultural, discretionary development approved prior to May 9, 2013.
4. Changes to a non-agricultural, discretionary project approved prior to May 9, 2013, provided that prior to an action by the review authority to approve an application in compliance with Subsection [35.84.040.C](#) or D the review authority shall first determine that the changes to the

project proposed by the application do not result in any new or greater impacts to agriculture than those resulting from the already approved project.

- a. If the review authority cannot make the determination required in compliance with Subsection C.4, above, then the project shall be subject to the provisions of this Section.
5. **Non-commercial agricultural uses.** An agricultural buffer is not required adjacent to a common lot line between the project site and an adjacent agriculturally zoned lot if the adjacent lot is used for non-commercial agriculture.
6. State and County roadway projects.
7. Lot line adjustments and modifications to lot line adjustments that:
 - a. Do not exceed a 10 percent increase or decrease in the area of the smallest existing lot; and
 - b. Do not result in an increase in the number of developable lots in compliance with Subsection [35.30.110.B.3.c](#).

SECTION 23:

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 Subsection F, Accessory dwelling units, of Section 35.30.090, Height Measurement, Exceptions and Limitations, of Chapter 35.30, Standards for All Development and Land Uses, to read as follows:

- F. **Accessory dwelling units and junior accessory dwelling units.** See [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#) for height limits and exceptions for accessory dwelling units and junior accessory dwelling units.

SECTION 24:

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 3-5 - Residential Parking Standards, of Subsection A, Not applicable to CM-LA zone, of Section 35.36.050, Required Number of Spaces: Residential Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

Table 3-5 - Residential Parking Standards

Residential	Parking Spaces Required
One-family and two-family dwellings (excluding EX-1 & SLP zones)	2 spaces per dwelling unit (1) (2)
One-family located within EX-1 Zone	6 spaces per dwelling unit
Small Lot Planned Development	2 spaces per dwelling unit and 1 space per 5 lots (for storage of recreational vehicles)
Multiple dwelling units - single bedroom or studio dwelling unit (3) (4)	1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 2 bedrooms (3) (4)	1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 3 bedrooms or more (3) (4)	2 spaces per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Accessory dwelling unit	As determined by Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) .
<u>Junior accessory dwelling unit</u>	<u>No parking spaces required</u>
Fraternities, sororities, dormitories and boarding and lodging houses	1 space per 4 beds and 1 space per 2 employees
Guesthouse	1 space per guesthouse
Mobile Homes - MHP zone	2 spaces per mobile home space and 1 space per 3 mobile home spaces (for visitor parking) and 1 space per 5 mobile home spaces (for storage of recreational vehicles)
Mobile Home - MHS zone	2 spaces per lot and 1 space per 5 lots (for storage of recreational vehicles)
Retirement and special care homes (not including senior housing) (4) (5)	1 space per guest room and 1 space per 2 employees

Notes:

- (1) In the Mission Canyon Community Plan area (excluding the RR zone), a minimum of 3 spaces shall be required for:
 - (a) A new dwelling unit,
 - (b) Habitable additions to an existing dwelling unit, either individually or combined, greater than 500 square feet, or
 - (c) An addition or remodel of an existing dwelling that includes one or more new bedrooms and results in a dwelling with three or more bedrooms.
- (2) In the Summerland Community Plan area additional parking spaces may be required in compliance with [Section 35.28.210 \(Community Plan Overlays\)](#).
- (3) Includes residential units constructed as a live/work unit or a mixed-use residential component.
- (4) See Subsection [35.23.060.D](#) for parking requirements for qualifying affordable housing, senior housing, or special care housing developments.
- (5) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.

SECTION 25:

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 35.36.080, Standards for All Zones and Uses, of Chapter 35.36, Parking and Loading Standards, to delete Subsection 2, Accessory dwelling units, of Subsection H, Location, in its entirety.

SECTION 26:

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 Subsection K, Modification of parking requirements, of Section 35.36.080, Standards for All Zones and Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

K. Modifications of parking requirements. Modifications to the parking requirement may be granted, in compliance with [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#), [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#), [Section 35.82.080 \(Development Plans\)](#), [Section 35.82.130 \(Modifications\)](#) or [Section 35.82.200 \(Variances\)](#).

SECTION 27:

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 Chapter 35.42, Standards for Specific Land Uses, by deleting Section 35.42.015, Accessory Dwelling Units, in its entirety.

SECTION 28:

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 Chapter 35.42, Standards for Specific Land Uses, by adding a new Section 35.42.015 titled “Accessory Dwelling Units and Junior Accessory Dwelling Units,” to read as follows:

35.42.015 – Accessory Dwelling Units and Junior Accessory Dwelling Units

A. 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. 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.

B. Applicability. An accessory dwelling unit or junior accessory dwelling unit may be allowed on a lot in compliance with Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones), Table 2-4 (Allowed Land Uses and Permit Requirements for Resource Protection Zones), Tables 2-7 and 2-8 (Allowed Land Uses and Permit Requirements for Residential Zones), Tables 2-12 and 2-13 (Allowed Land Uses and Permit Requirements for Commercial Zones), and Table 2-21 (Allowed Land Uses and Permit Requirements for Special Purpose Zones).

C. Allowed use. As required by Government Code Section 65852.2, an accessory dwelling unit shall:

1. Be deemed to be an accessory use or an accessory building. [GC § 65852.2(a)(8)]
2. Not be considered to exceed the allowable density for the lot on which it is located. [GC § 65852.2(a)(1)(C) and (a)(8)]
3. Be deemed to be a residential use that is consistent with the existing Comprehensive Plan land use designation and applicable zone for the lot on which the accessory dwelling unit is located. [GC § 65852.2(a)(1)(C) and (a)(8)]
4. Not be considered in the application of any local ordinance, policy, or program to limit residential growth. [GC § 65852.2(a)(2) and (8)]

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. [GC § 65852.2(a)(3)]

 - 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. [GC § 65852.2(a)(3)]
 - 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. [GC § 65852.2(k)]
- 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. [GC § 65852.2(f)(3)(A)]

 - 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. [GC § 65852.2(f)(3)(A)]
- 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, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the useable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.
- 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 35.442.015 (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. [GC § 65852.2(e)(2)]
- 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.

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: [GC § 65852.2(e)(1)]

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

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 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 from the one-family dwelling. [GC § 65852.2(e)(1)(A)(ii)]
- b. Lot requirements.**
- (1) The lot shall contain no more than one accessory dwelling unit. [GC § 65852.2(e)(1)(A)]
- (2) The lot shall contain an existing or proposed one-family dwelling. [GC § 65852.2(e)(1)(A)]
- 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 in Subsection E.2.b.(1), below. [GC § 65852.2(e)(1)(A)(i)]
- (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. [GC § 65852.2(e)(1)(A)(i)]
- 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. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements. [GC § 65852.2(e)(1)(A)(iii)]
- 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. [GC § 65852.2(e)(1)(B)]
- 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.**
- (1) The lot shall contain no more than one accessory dwelling unit. [GC § 65852.2(e)(1)(B)]
- (2) The lot shall contain an existing or proposed one-family dwelling. [GC § 65852.2(e)(1)(B)]

- b. Location.** The accessory dwelling unit shall be located within a detached, new construction accessory building that is not connected by any means to another accessory structure. [GC § 65852.2(e)(1)(B)]
 - c. Maximum floor area.** The gross floor area of the accessory dwelling unit shall not exceed 800 square feet. [GC § 65852.2(e)(1)(B)(i)]
 - 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). Any height increase above 16 feet and up to 19 feet shall only be allowed where necessary for the roof pitch to match that of the primary dwelling. [GC § 65852.2(e)(1)(B)(ii)]
 - 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. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements. [GC § 65852.2(e)(1)(B)]
 - 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. [GC § 65852.2(e)(1)(B)]
- 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. [GC § 65852.2(e)(1)(C)(ii)]

 - (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. [GC § 65852.2(e)(1)(C)(i)]
 - b. Location.** Each accessory dwelling unit shall be located within portions of the existing multiple-family dwelling or accessory structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. [GC § 65852.2(e)(1)(C)(i)]
- 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. [GC § 65852.2(e)(1)(D)]
- (2) The lot shall contain an existing multiple-family dwelling. [GC § 65852.2(e)(1)(D)]

b. Location. Each accessory dwelling unit shall be located entirely within an existing detached accessory structure or a detached, new construction accessory building. [GC § 65852.2(e)(1)(D)]

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). [GC § 65852.2(e)(1)(D)]

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. All portions of the accessory dwelling unit(s), including eaves and roof overhangs, shall comply with these requirements. [GC § 65852.2(e)(1)(D)]

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. [GC § 65852.2(a)(1)]

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

b. Lot requirements.

- (1) The lot shall contain no more than one accessory dwelling unit. [GC § 65852.2(a)(1)(B)(i)]
- (2) The lot shall contain an existing or proposed one-family dwelling or multiple-family dwelling. [GC § 65852.2(a)(1)(D)(ii)]

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

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. [GC § 65852.2(a)(1)(B)(i)]

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. [GC § 65852.2(a)(1)(B)(i)]
- (2) Exterior lighting shall comply with all of the following standards:
 - (a) All exterior lighting shall be hooded and fully shielded (i.e., full cutoff). [GC § 65852.2(a)(1)(B)(i)]
 - (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. [GC § 65852.2(a)(1)(B)(i)]
 - (c) Each exterior lighting fixture shall not exceed 3,000 Kelvin. [GC § 65852.2(a)(1)(B)(i)]
 - (d) Landscape and pathway lighting fixtures shall not exceed four feet in height. [GC § 65852.2(a)(1)(B)(i)]
 - (e) Security lighting shall be controlled by a motion sensor switch or timer between dusk and dawn. [GC § 65852.2(a)(1)(B)(i)]
- (3) Proposed landscaping shall be comparable to existing landscaping on the lot in terms of plant species and density of planting. [GC § 65852.2(a)(1)(B)(i)]

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 at least 800 square feet and 16 feet in height with four-foot side and rear setbacks and front setbacks equivalent to those applicable to the principal dwelling 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). [GC § 65852.2(a)(1)(B)(i)]

- 4. Grading.** Grading directly associated with an accessory dwelling unit shall be limited to 250 cubic yards and the accessory dwelling unit shall be located on slopes of 20 percent or less, provided that this standard permits an accessory dwelling unit of at least 800 square feet and 16 feet in height 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). [GC § 65852.2(c)(2)(C)]
- 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 not exceed the maximum allowable height limit for the principal dwelling in the applicable zone. [GC § 65852.2(a)(1)(B)(i)]
 - (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). [GC § 65852.2(a)(1)(B)(i)]
 - (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). [GC § 65852.2(a)(1)(B)(i)]
- 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. [GC § 65852.2(a)(1)(B)(i)]
- 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. [GC § 65852.2(a)(1)(B)(i)]

- 8. Kitchen.** The accessory dwelling unit shall provide complete independent living facilities for one or more persons, including permanent provisions for eating and cooking. [GC §65852.2(j)(1)]
- 9. Location.** The accessory dwelling unit shall comply with the following:
 - a. Conversion.** The accessory dwelling unit shall be located entirely within an existing or proposed one-family dwelling, multiple-family dwelling, or accessory structure. [GC § 65852.2(a)(1)(D)(iii)]
 - 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. [GC § 65852.2(a)(1)(D)(iii)]
 - 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. [GC § 65852.2(a)(1)(D)(iii)]
 - 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. [GC § 65852.2(a)(1)(A)]
 - 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 at least 800 square feet and 16 feet in height 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):
 - (1) Lots less than two acres.** For lots that are 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.

10. 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 at least 800 square feet and 16 feet in height 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): [GC § 65852.2(c)(2)(C)]

a. Conversion. The gross floor area of an accessory dwelling unit located entirely within an existing structure shall not be restricted.

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. [GC § 65852.2(c)(2)(B)(i) and (ii)]

(2) Lots greater than 15,000 net square feet. 1,200 square feet. [GC § 65852.2(a)(1)(D)(v)]

(3) Attached accessory dwelling units. In addition to the gross floor area limits of Subsections F.10.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. [GC § 65852.2(a)(1)(D)(iv)]

11. 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. [GC § 65852.2(a)(1)(D)(xi)]

b. New construction. A new construction detached accessory dwelling unit shall comply with the following parking requirements:

(1) Except as provided in Subsection F.11.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. [GC § 65852.2(a)(1)(D)(x)(I)]

(b) On a driveway located within the front, side, or rear setback area. [GC § 65852.2(a)(1)(D)(x)(II)]

(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). [GC § 65852.2(d)(1)]

(b) The accessory dwelling unit is located within an architecturally and historically significant historic district. [GC § 65852.2(d)(2)]

(c) On-street parking permits are required but not offered to the occupant of the accessory dwelling unit. [GC § 65852.2(d)(4)]

(d) A car share vehicle is located within one block of the accessory dwelling unit. [GC § 65852.2(d)(5)]

12. Sale restriction. The accessory dwelling unit shall not be sold or otherwise conveyed separate from the one-family dwelling. [GC § 65852.22(a)(3)(A)]

13. Setbacks. The setbacks for an accessory dwelling unit shall not exceed the following standards, provided that these standards permit an accessory dwelling unit of at least 800 square feet and 16 feet in height 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): [GC § 65852.2(c)(2)(C)]

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.13, “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. [GC § 65852.2(a)(1)(D)(vii)]

b. New construction.

(1) Except as provided in Subsections F.13.b.(2), below, the accessory dwelling unit shall comply with the front, side, and rear setback requirements that apply to the principal dwelling, provided that the accessory dwelling unit has side and rear setbacks of at least four feet. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall meet these requirements. [GC § 65852.2(a)(1)(D)(vii)]

(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. [GC § 65852.2(a)(1)(D)(vii)]

14. 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 at least 800 square feet and 16 feet in height 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.14, 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 shall be relocated or replaced onsite. [GC § 65852.2(a)(1)(B)(i)]

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). [GC § 65852.2(a)(1)(B)(i)]

15. 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 at least 800 square feet

and 16 feet in height with four-foot side and rear setbacks and front setbacks equivalent to those applicable to the principal dwelling 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). [GC § 65852.2(a)(1)(B)(i)]

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: [GC § 65852.2(e)(1)]

<u>One-Family Residential Zones</u>	<u>Zones that Allow One-Family Residential Use</u>
<p><u>RR (Rural Ranchette)</u> <u>R-1/E-1 (Single Family Residential)</u> <u>EX-1 (One-Family Exclusive Residential)</u></p>	<p><u>AG-I (Agriculture I)</u> <u>AG-II (Agriculture II)</u> <u>MT-GAV (Mountainous – Gaviota)</u> <u>MT-GOL (Mountainous – Goleta)</u> <u>MT-TORO (Mountainous – Toro Canyon)</u> <u>RMZ (Resource Management)</u> <u>R-2 (Two-Family Residential)</u> <u>DR (Design Residential)</u> <u>PRD (Planned Residential Development)</u> <u>SLP (Small Lot Planned Development)</u> <u>MHP (Mobile Home Planned Development)</u> <u>MHS (Mobile Home Subdivision)</u> <u>C-1 (Limited Commercial)</u> <u>CM-LA (Community Mixed Use – Los Alamos)</u> <u>NTS (Naples Townsite)</u> <u>OT-R (Old Town Residential)</u> <u>OT-R/GC (Old Town – Residential/General Commercial)</u> <u>OT-R/LC (Old Town – Residential/Light Commercial)</u></p>

b. Lot requirements.

(1) The lot shall contain no more than one junior accessory dwelling unit. [GC § 65852.2(e)(1)(A) and GC § 65852.22(a)(1)]

(2) The lot shall contain an existing or proposed one-family dwelling. [GC § 65852.2(e)(1)(A) and GC § 65852.22(a)(1)]

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 35.82.020 (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: [GC § 65852.2(e)(1)(A)(iv) and GC § 65852.22(a)(3)]

- 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 [GC § 65852.22(a)(3)(A)]
- b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with the standards of this Subsection G. [GC § 65852.22(a)(3)(A)]
- 3. Efficiency kitchen.** The junior accessory dwelling unit shall have an efficiency kitchen that includes the following: [GC § 65852.2(e)(1)(A)(iv) and GC § 65852.22(a)(6)]
 - a. A cooking facility with appliances; and [GC § 65852.22(a)(6)(A)]
 - b. Food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit. [GC § 65852.22(a)(6)(B)]
- 4. Exterior access.** The junior accessory dwelling unit shall have separate exterior access from the one-family dwelling. [GC § 65852.22(a)(5)]
- 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. [GC § 65852.2(e)(1)(A)(i) and GC § 65852.22(a)(4)]
- 6. Maximum floor area.** The gross floor area of the junior accessory dwelling unit shall not exceed 500 square feet. [GC § 65852.2(e)(1)(A)(iv) and GC § 65852.22(h)(1)]
- 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. [GC § 65852.2(e)(1)(A)(iv) and GC § 65852.22(a)(2)]
 - 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. [GC § 65852.22(a)(2)]
- 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. [GC § 65852.22(b)(1)]
 - 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. Sale restriction.** The junior accessory dwelling unit shall not be sold or otherwise conveyed separate from the one-family dwelling. [GC § 65852.22(a)(3)(A)]
- 10. Sanitation facilities.** The junior accessory dwelling unit shall include separate sanitation facilities or share sanitation facilities with the one-family dwelling. [GC § 65852.2(e)(1)(A)(iv) and GC § 65852.22(h)(1)]
- 11. 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. [GC § 65852.2(e)(1)(A)(iii)]

12. 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. [GC § 65852.22(e)(1)(B)]

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. [GC § 65852.2(c)(2)(A)]

2. Passageway not required. A passageway shall not be required in conjunction with the construction of an accessory dwelling unit or junior accessory dwelling unit. [GC § 65852.2(a)(1)(D)(vi)]

3. 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. [GC § 65852.2(e)(4)]

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. [GC § 65852.2(e)(4)]

SECTION 29:

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 Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to delete Subsection a, Accessory dwelling units, of Subsection 3, Height restrictions, of Subsection B, Development standards, in its entirety and renumber existing Subsections.

SECTION 30:

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 Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to delete Subsection (1), Accessory dwelling units, of Subsection a, Location in rear setback, Subsection 4, Setback Requirements, of Subsection B, Development standards, in its entirety and renumber existing Subsections.

SECTION 31:

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 5, Kitchen or cooking facilities/amenities prohibited, and Subsection 6, Gross floor area and footprint limitations, of 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:

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.** ~~Except for accessory dwelling units allowed in compliance with Section 35.42.015 (Accessory Dwelling Units), accessory~~ Accessory structures, excluding barns, garages, ~~and stables, and accessory dwelling units and junior accessory dwelling units allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units),~~ shall not exceed a gross floor area 800 square feet if located on a lot of one acre or less.

SECTION 32:

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 8, Use restrictions, of 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:

8. **Use restrictions.** Accessory structures shall not be used as guesthouses, artist studios, or cabañas, unless specifically permitted for these uses. Except for guesthouses or structures specifically permitted as dwellings, (e.g. accessory dwelling units, junior accessory dwelling units, or agricultural employee dwellings) accessory structures shall not be used for overnight accommodations.

SECTION 33:

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 O, Accessory dwelling unit, of Section 35.42.150, Guesthouses, Artist Studios, and Cabañas, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- O. **Accessory dwelling unit or junior accessory dwelling unit.** If an accessory dwelling unit or junior accessory dwelling unit exists or has current approval on a lot, a guesthouse or artist studio shall not also be approved.

SECTION 34:

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

3, Prohibited Structures, of Subsection D, Development Standards, of Section 35.42.193, Homestays, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

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

SECTION 35:

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 Section 35.42.193, Homestays, of Chapter 35.42, Standards for Specific Land Uses, to add a new Subsection G titled “Change of use,” and to read as follows:

- G. Change of use.** When the use of a structure as a Homestay is discontinued, the structure shall be converted to a new use, provided that the structure complies with all permit requirements and development standards that apply to the new, proposed use.

SECTION 36:

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 Section 35.42.200, Mixed Use Development, of Chapter 35.42, Standards for Specific Land Uses, to add a new Subsection B and to read as follows:

- B. Accessory dwelling units and junior accessory dwelling units shall be exempt from the limitation on bedrooms and floor area of Subsection A, above.**

SECTION 37:

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 2, Farmstay, of Subsection D, Specific allowable uses and development standards for the Gaviota Coast Plan area, of Section 35.42.240, Rural Recreation, to read as follows:

- 2. Farmstay.**
- a. A Farmstay operation may be allowed with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) provided the operation complies with the following development standards:

- (1) The operation is located on a single lot of 40 acres or greater and the entire lot is located in the AG-II zone. Only one Farmstay operation may be allowed on a lot.
 - (2) The operation is housed in a single permitted or nonconforming dwelling existing as of December 9, 2016. However, the operation shall not be housed in an accessory dwelling unit or junior accessory dwelling unit.
 - (3) The primary purpose of the Farmstay operation shall be the education of registered guests regarding the agricultural operations on the lot. Lodging and meals are incidental and not the primary function of the Farmstay operation.
 - (a) The maximum number of registered guests that can be accommodated shall be 15 per night and they shall be accommodated in no more than six bedrooms. Only registered guests may utilize the accommodations overnight.
 - (b) Food service is only available to registered guests of the operation. The cost of any food provided shall be included in the total price for accommodation and not be charged separately.
 - (4) The operation shall be consistent with the compatibility guidelines set forth in Uniform Rule Two (Compatible Uses within Agricultural Preserves) of the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.
 - (a) If a Farmstay operation is proposed on a lot not subject to a contract executed in accordance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones, then the applicable review authority shall determine if the operation will be consistent with the compatibility guidelines.
 - (5) The operation is located on, and is part of, a farm or ranch operation that produces agricultural products, and the Farmstay operation:
 - (a) Does not constitute the principal land use of the premises, and
 - (b) Is beneficial and inherently related to the farm or ranch operation.
 - (6) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot or adjacent lot(s).
 - (7) No sign(s) located on the premises on which the Farmstay operation is located shall advertise or otherwise identify the existence of the Farmstay operation.
- b. A Farmstay operation that may not be allowed in compliance with Subsection D.2.a., above, may be allowed with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:
- (a) The operation will not result in significant adverse impacts to visual resources.
 - (b) The operation will not include a new at-grade crossing of Highway 101.
 - (c) The operation will not be housed in an accessory dwelling unit or junior accessory dwelling unit.

SECTION 38:

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 A, Purpose and applicability, of Section 35.42.245, Short-Term Rentals, of Chapter 35.42, Standards for Specific Land Uses, to add a new Subsection 4 titled “Accessory dwelling units and junior accessory dwelling units” and to read as follows:

- 4. Accessory dwelling units and junior accessory dwelling units.** The use of an accessory dwelling unit or junior accessory dwelling unit as a Short-Term Rental shall be prohibited in all zones.

SECTION 39:

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 B, Other Notices, Agreements, Covenants, and Easements, of Section 35.82.050, Recordable Documents, of Chapter 35.82, Permit Review and Decisions, to read as follows:

- B. Other Notices, Agreements, Covenants, and Easements.** Documents to require, or notify future buyers of real property of, the following are recordable.
1. Compliance with the parking requirements of this Development Code, including, but not limited to, provision of an offsite parking easement.
 2. Compliance with project and/or permit conditions of approval.
 3. Declaration of Restrictions.
 - ~~4~~3. Implementation of historic structural preservation and restoration/renovation plan or program.
 - ~~5~~4. Implementation of Stormwater Control Plan or Stormwater Quality Management Plan.
 - ~~6~~5. Maintenance of stormwater quality and retention measures.
 - ~~7~~6. Prohibitions on high water use/consumption businesses.
 - ~~8~~7. Resale Restrictive Covenant and Preemptive Right.
 - ~~9~~8. Water well meter monitoring, provision of meter records, and measures to take in the event water quality degrades.

SECTION 40:

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 4, Design review required, of Subsection D, Processing, of Section 35.82.060, Conditional Use Permits and Minor Conditional Use Permits, of Chapter 35.82, Permit Review and Decisions, to read as follows:

- 4. Design review required.** ~~Except for Accessory Dwelling Units approved in compliance with Section 35.42.015 (Accessory Dwelling Units), the~~ The following applications shall be subject to Design Review in compliance with [Section 35.82.070 \(Design Review\)](#).

- a. An application for a Conditional Use Permit.
- b. An application for a Minor Conditional Use Permit as specifically identified by the Director, Zoning Administrator, Commission, or Board.

SECTION 41:

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 1, General, of Subsection C, Exceptions to Design Review Requirements, of Section 35.82.070, Design Review, of Chapter 35.82, Permit Review and Decisions, to read as follows:

1. General.

- a. ~~Accessory dwelling units; however, the Director may be required to review the appearance and style of proposed accessory dwelling units in compliance with Subsection 35.42.015.F (Accessory dwelling units) located entirely within existing one family or multiple family buildings on lots zoned for one family or multiple family use) and Subsection 35.42.015.G (Accessory dwelling units located either partially within existing buildings or within new buildings on lots zoned for one family or multiple family use).~~
- b. Junior accessory dwelling units.
- c. Decks.
- d. Fences, gates, gateposts and walls as follows; however, fences, gates, gateposts and walls that are integral to the structure (e.g., are connected to the structure or form a courtyard adjacent to the structure) shall be included as part of the Design Review of a new structure or a remodeling or an addition to a structure requiring Design Review:
 - (1) Fences, gates, and walls six feet or less in height and gateposts of eight feet or less in height, when located in the front setback area.
 - (2) Fences, gates, and walls of eight feet or less in height and gateposts of 10 feet or less in height when located outside of front setback areas and not closer than 20 feet from the right-of way line of any street.
- e. Hot tubs, spas, and swimming pools.
- f. Interior alterations.
- g. Solar panels.
- h. Other exterior alterations determined to be minor by the Director.
- i. The replacement or restoration of structures that were damaged or destroyed as a result of a debris flow or other catastrophic event resulting in a significant change in topography or alteration of drainage features (e.g., creeks, streams, waterways, etc.) located on or affecting the lot on which the damaged or destroyed structures were located; unless the exterior design or specifications of the replaced or restored structure are substantially different from the prior structure(s), as determined by the Director.

SECTION 42:

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 f, Reduction of parking spaces, of Subsection 3, Allowed Modifications, of Subsection B, Applicability, of Section 35.82.130, Modifications, of Chapter 35.82, Permit Review and Decisions, to read as follows:

- f. Reduction of parking spaces.** A reduction in the required number and/or a Modification in the design or location of parking spaces and loading zones may be allowed provided that in no case shall:
- (1) The number of required bicycle parking spaces be reduced,
 - (2) The number of spaces required for an accessory dwelling unit be reduced ~~or allowed to be located within the required front setback area, unless such reduction in the number of spaces is allowed in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units).~~
 - (3) Any parking or screening requirement for a vehicle with more than two axles, a recreational vehicle or bus, a trailer, or other non-passenger vehicle be modified.
 - (4) A reduction in the required number of parking spaces for development within the Summerland Community Plan Area be allowed that results in an increase in on-street parking.
 - (5) The required number of parking spaces in the Mission Canyon Community Plan area be reduced from three to two in the R-1/E-1 (Single Family Residential) zone for habitable additions to an existing dwelling unit of 500 square feet or greater or an addition or remodel that includes one or more new bedrooms and results in a dwelling with three or more bedrooms, unless:
 - (a) The reduction would preserve the integrity of a historic structure, or
 - (b) There is no space for the third parking space due to topography, lot configuration, or other physical constraints as determined by the Director. The reduction shall not be granted if the addition or remodel is proposed in a location that would be suitable for the required third parking space.
 - (c) The floor area of the addition, or location of the bedrooms, is within an accessory dwelling unit or junior accessory dwelling unit approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units and Junior Accessory Dwelling Units\)](#).

SECTION 43:

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 C, Contents of application, of Section 35.82.130, Modifications, of Chapter 35.82, Permit Review and Decisions, to read as follows:

C. Contents of application.

1. An application for a Modification shall be submitted in compliance with [Chapter 35.80 \(Permit Application Filing and Processing\)](#).

2. Review Period Delay Form. An application for a Modification for an accessory dwelling unit or junior accessory dwelling unit shall be submitted concurrently with a Review Period Delay Request Form which shall request that the County toll the accessory dwelling unit or junior accessory dwelling unit application review period until the County has taken final action on the application for the Modification for the accessory dwelling unit or junior accessory dwelling unit.

SECTION 44:

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 F, Expiration, of Section 35.82.130, Modifications, of Chapter 35.82, Permit Review and Decisions, to read as follows:

F. Expiration.

1. **Expiration in 12 months.** Except as provided in Subsection F.1.a, below, a ~~A~~ Modification shall expire 12 months from the effective date if a Land Use Permit has not been issued for the project for which the Modification was approved, unless (1) otherwise specified by conditions of project approval or unless (2) a time extension has been approved in compliance with [Section 35.84.030 \(Time Extensions\)](#).
 - a. Accessory dwelling units and junior accessory dwelling units.** A Modification shall expire 12 months from the effective date if a Building Permit has not been issued for the accessory dwelling unit or junior accessory dwelling unit for which the Modification was approved, unless (1) otherwise specified by conditions of project approval or (2) a time extension has been approved in compliance with [Section 35.84.030 \(Time Extensions\)](#).
2. **Once granted a ~~permit~~ Land Use Permit.** Except as provided in Subsection F.2.a, below, once ~~Once~~ the project for which the Modification was approved has been issued a Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#), the Modification shall have the same expiration date as the issued Land Use Permit.
 - a. Accessory dwelling units and junior accessory dwelling units.** Once the accessory dwelling unit or junior accessory dwelling unit for which the Modification was approved has been issued a Building Permit, the Modification shall have the same expiration date as the issued Building Permit.

SECTION 45:

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, Allowed structural alterations, of Subsection A, Structural change, expansion, or extension, of Section 35.101.030, Nonconforming Structures, of Chapter 35.101, Nonconforming Uses, Structures, and Lots, to read as follows:

b. Allowed structural alterations.

- (1) **Seismic retrofits allowed.** Seismic retrofits as defined in [Article 35.11 \(Glossary\)](#) and in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#) may be allowed but shall be limited exclusively to compliance with earthquake safety standards and other applicable Building Code requirements, including State law (e.g., Title 24, California Code of Regulations).
- (2) **Normal maintenance and repair.** Normal maintenance and repair may occur provided no structural alterations are made.
- (3) **Historical landmarks.** A structure that has been declared to be a historical landmark in compliance with a resolution of the Board may be enlarged, extended, reconstructed, relocated, and/or structurally altered provided the County Historical Landmarks Advisory Commission has reviewed and approved the proposed structural alterations and has determined that the proposed structural alterations will help to preserve and maintain the landmark in the long-term.
- (4) **Conforming residential uses and residential accessory uses.** A nonconforming structure that is devoted to a conforming residential use or that is normally or historically accessory to the primary residential use may be structurally altered in a manner that is not otherwise allowed in compliance with Subsection A.1.a, above, provided that the alteration does not result in a structure that extends beyond the existing exterior, and, for structures that are 50 years old or greater, the Director determines that the alteration will not result in a detrimental effect on any potential historical significance of the structure.
- (5) **Accessory dwelling units and junior accessory dwelling units.** A nonconforming structure may be enlarged, extended, or structurally altered to convert the structure into an accessory dwelling unit or junior accessory dwelling unit provided that the accessory dwelling unit or junior accessory dwelling unit complies with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units). [GC § 65852.2(e)(2)]

SECTION 46:

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 (1), Residential structures, of Subsection a, The following shall apply to the repair or reconstruction of nonconforming structures, of Subsection 3, Sites within the Mission Canyon Community Plan area or the Toro Canyon Plan Area, of Subsection B, Damage, of Section 35.101.030, Nonconforming Structures, of Chapter 35.101, Nonconforming Uses, Structures and Lots, to read as follows:

(1) Residential structures.

- (a) A residential structure that is damaged or destroyed by earthquake, fire, flood, vandalism, or other calamity beyond the control of the owner of the structure may be reconstructed to the same or lesser size on the same site and in the same general footprint location except that if a nonconforming structure is damaged by a debris flow or other catastrophic event resulting in a significant change in

topography or alteration of drainage features, then the restored or replaced structure may be relocated on the lot if the Director, in consultation with the Flood Control District, determines the relocation and/or change in the finished floor elevation to be necessary in order to comply with applicable setbacks from top-of-bank and to reduce flood hazards, and the structure complies with the provisions of this Chapter and applicable policies of the Comprehensive Plan.

- (b) A residential structure that is nonconforming solely due to any policy, development standard, or zoning regulation first applied and adopted under the applicable Plan that requires partial or complete reconstruction or structural repair due to normal wear-and-tear (e.g., structural pest damage or dry rot) may be reconstructed or repaired to the same or lesser size on the same site and in the same general footprint location.
- (c) A residential structure that is nonconforming solely due to its location within an Environmentally Sensitive Habitat area or Environmentally Sensitive Habitat buffer area may be expanded upward, or outward and away from the Environmentally Sensitive Habitat area, consistent with Development Standards BIO-MC-3.8 of the Mission Canyon Community Plan or BIO-TC-7.5 and BIO-TC-7.8 of the Toro Canyon Plan, and in a manner that otherwise complies with the regulations of the applicable Plan and this Development Code.
- (d) For the purpose of this Subsection, “residential structure” shall mean primary dwellings, ~~secondary dwellings including~~ accessory dwelling units, junior accessory dwelling units, agricultural employee dwellings, farmworker dwelling units, farmworker housing complexes, guesthouses, and all attached appurtenances (e.g., garages and storage rooms) that share at least one common wall with the residential structure. One detached private garage structure may be included within the meaning of “residential structure” in compliance with [Section 35.82.140 \(Nonconforming Status and Extent of Damage Determination\)](#).

SECTION 47:

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 definitions of “Accessory dwelling unit,” “Floor area, gross,” and “Passageway” and to add a new definition of “Junior accessory dwelling unit” to read as follows:

Accessory dwelling unit. An attached or a detached residential dwelling unit ~~on a permanent foundation~~ that is located on the same lot as a one-family or multiple-family dwelling ~~that to which~~ the accessory dwelling unit is accessory ~~to~~ 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, ~~and (3) includes an exterior access that is separate from the access to the principal dwelling or accessory structure in which the accessory dwelling unit is located.~~ 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 a common wall with the principal dwelling or an attached accessory structure.
2. **Detached accessory dwelling unit.** An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling. A detached accessory dwelling unit may be attached to a detached accessory structure.

Floor Area, Gross. The area included within the surrounding exterior walls of all floors or levels of a building or portion thereof, exclusive of vent shafts and unroofed courtyards, as measured to the interior surfaces of exterior walls, or from the centerline of a common or party wall separating two buildings, and including:

1. Corridors and halls;
2. Stairways;
3. Elevator shafts;
4. Closets, storage, service, utility and mechanical equipment rooms;
5. Attached garages;
6. Open or roofed porches, balconies, or porticos;
7. Roofed arcades, plazas, courts, walkways, or breezeways;
8. Permanently roofed and either partially enclosed or unenclosed, building features used for sales, service, display, storage or similar uses;
9. Basements, cellars or attic areas where the floor to ceiling height is six feet or greater and that are deemed usable by the Building Official; and
10. In residential zones, additionally all roofed porches, arcades balconies, porticos, breezeways or similar features when located above the ground floor.

The gross floor area of a structure that lacks walls shall be the area of all floors or levels included under the roofed or covered area of the structure.

This definition shall not apply to accessory dwelling units and junior accessory dwelling units, which shall be subject to the definition of “floor area” as defined in Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units). The gross floor area, as defined above, of any existing or proposed accessory dwelling unit or junior accessory dwelling unit shall be included in any total gross floor area calculations of the subject lot.

Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of an accessory dwelling unit or junior accessory dwelling unit.

Junior accessory dwelling unit. A residential dwelling unit that is no more than 500 gross square feet in size (as measured in compliance with Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units)) and contained entirely within a one-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

SECTION 48:

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 49:

Except as amended by this ordinance, Articles 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 50:

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 51:

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 52:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage 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 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 _____, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

BOB NELSON, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel