

ATTACHMENT 2

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE 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, AND ARTICLE 35.11, GLOSSARY, TO IMPLEMENT NEW REGULATIONS REGARDING THE LAND USES OF SHORT-TERM RENTALS AND HOMESTAYS AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS, AND REVISIONS.

Case No. 16ORD-00000-00009

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

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Services 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:

<p>Table 2-1</p> <p>Allowed Land Uses and Permit Requirements for Agricultural Zones</p>	<p>E Allowed use, no permit required (Exempt)</p> <p>P Permitted use, Land Use Permit required (2)</p> <p>MCUP Minor Conditional Use Permit required</p> <p>CUP Conditional Use Permit required</p> <p>ZC Zoning Clearance required</p> <p>S Permit determined by Specific Use Regulations</p> <p>— Use Not Allowed</p>					
LAND USE (1)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">PERMIT REQUIRED BY ZONE</th> <th rowspan="2" style="text-align: center;">Specific Use Regulations</th> </tr> <tr> <th style="text-align: center;">AG-I</th> <th style="text-align: center;">AG-II</th> </tr> </table>	PERMIT REQUIRED BY ZONE		Specific Use Regulations	AG-I	AG-II
PERMIT REQUIRED BY ZONE		Specific Use Regulations				
AG-I	AG-II					

SERVICES

Cemetery	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	
Large family day care home	P	P	35.42.090
Small family day care home	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	35.42.090
Day care center, Residential	MCUP	MCUP	35.42.090
Lodging - Guest ranch	—	CUP (7)	
<u>Lodging - Homestay</u>	<u>P</u>	<u>—</u>	<u>35.42.193</u>
Lodging - Hostel	—	CUP	35.42.240
<u>Lodging - Short-term rental</u>	<u>—</u>	<u>—</u>	
Mausoleum	CUP	CUP	
Medical services - Animal hospital	MCUP	P	35.42.250
Mortuary, accessory to cemetery	CUP	CUP	35.42.120

SECTION 2:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Services 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 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	

SERVICES

Cemetery	—	CUP	CUP	CUP	
Charitable or philanthropic organization	—	CUP	CUP	CUP	
Large family day care home	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	35.42.090
Day care center, Non-residential	—	MCUP	MCUP	MCUP	35.42.090
Day care center, Residential	MCUP	MCUP	MCUP	MCUP	35.42.090
Drive-through facility, accessory to a permitted use	—	—	CUP	—	
Lodging - Guest ranch, low intensity	—	—	CUP	CUP	
Lodging - Homestay	—	—	—	—	
Lodging - Hostel	CUP	CUP	CUP	CUP	
Lodging - Short-term rental	—	—	—	—	
Mausoleum	—	CUP	CUP	CUP	
Medical services - Clinic	—	—	CUP	—	
Medical services - Extended care	—	—	CUP	—	
Medical services - Hospital	—	—	CUP	—	
Mortuary, accessory to cemetery	—	CUP	CUP	CUP	35.42.120
Mortuary	—	—	—	—	35.42.120
Music recording studio	—	—	CUP	—	

SECTION 3:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Services section of Table 2-7, 2-8, and 2-9 Allowed Land Uses and Permit Requirements for Residential Zones, 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 or Coastal 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	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	—	—	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	—	—	
Large family day care home	P	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Day care center, Non-residential, accessory	—	—	—	—	—	—	
Child care center, Residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Drive-through facility, accessory to permitted use	—	—	CUP	CUP	—	—	35.42.130
<u>Lodging - Homestay</u>	<u>P</u>		<u>P</u>		<u>P</u>		<u>35.42.193</u>
Lodging - Hostel	CUP	—	CUP	—	—	—	
Lodging - Hotel or motel	—	—	—	—	—	—	
<u>Lodging - Short-term rental</u>	<u>—</u>		<u>—</u>		<u>—</u>		
Mausoleum	CUP	—	CUP	CUP	—	—	
Medical services - Clinic	—	—	CUP	CUP	—	—	
Medical services - Extended care	—	—	CUP	CUP	—	—	
Medical services - Hospital	—	—	CUP	CUP	—	—	
Mortuary	—	—	—	CUP	—	—	35.42.120
Mortuary, accessory to cemetery	CUP	—	CUP	CUP	—	—	35.42.120
Music recording studio	—	—	CUP	—	—	—	
Personal services	—	—	—	—	—	—	
Resort visitor-serving facilities	—	—	—	—	—	—	

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal 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
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	CUP	
Large family day care home	P	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Day care center, Non-residential, accessory	P	P	P	—	—	—	35.42.090
Day care center, Residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Drive-through facility, accessory to permitted use	—	—	—	—	—	—	
Kennel, animal boarding, commercial	—	—	—	—	—	—	
Kennel, private	—	—	—	—	—	—	
<u>Lodging - Homestay</u>	<u>P</u>			<u>P</u>		<u>P</u>	<u>35.42.193</u>
Lodging - Hostel	CUP	—	—	CUP	—	CUP	
Lodging - Hotel or motel	—	—	—	—	—	—	
<u>Lodging - Hotel or motel, where Coastal Land Use Plan requires visitor-serving uses</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
<u>Lodging - Short-term rental</u>	<u>—</u>			<u>—</u>		<u>—</u>	
Mausoleum	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Clinic	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Extended care	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	CUP	CUP	
Mortuary	—	CUP	CUP	—	CUP	—	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	—	CUP	—	CUP	
Personal services	—	—	—	—	—	—	

SECTION 4:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Services section of Table 2-14, 2-15, and 2-16, Allowed Land Uses and Permit Requirements for Commercial Zones, Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal 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-1 CZ	C-2	C-2 CZ	
SERVICES - GENERAL						
Cemetery, mausoleum	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	
Large family day care home	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	35.42.090
Day care center, Non-residential	P	P	P	P	P	35.42.090
Day care center, Non-residential, accessory	—	—	—	—	—	
Day care center, Residential	MCUP	P	P	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	P	P	MCUP	MCUP	
Lodging - Guest ranch	—	—	—	—	—	
<u>Lodging - Homestay</u>	<u>—</u>	<u>—</u>		<u>—</u>		
Lodging - Hostel	CUP	CUP	P	CUP	—	
Lodging - Hotel or motel	—	CUP	CUP	P	P	
Lodging - Resort	—	—	—	—	—	
<u>Lodging - Short-term rental</u>	<u>—</u>	<u>P</u>		<u>P</u>		<u>35.42.245</u>
Mortuary	—	—	CUP	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	CUP	—	CUP	—	
Personal services	P	P	P	P	P	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	P	P	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	P	P	
Repair service - Farm implements and equipment	—	—	—	—	—	
Repair service - Small appliances	P	P	P	P	P	
Vehicle services - Carwash, mechanical	—	—	—	MCUP	MCUP	35.42.270
Vehicle services - Major repair, bodywork	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	MCUP	—	—	P	P	
Vehicle services - With outdoor work areas	—	—	—	MCUP	MCUP	

Table 2-15 - 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
	C-3	CS	CH	CM-LA	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	—	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	
Large family day care home	P	—	P	P	35.42.090
Small family day care home	E	—	E	E	35.42.090
Day care center, Non-residential	P	MCUP	MCUP	P	35.42.090
Day care center, Non-residential, accessory	—	P	P	P	35.42.090
Day care center, Residential	MCUP	—	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	—	35.42.130
Lodging - Bed and breakfast inn	MCUP	—	—	P	
Lodging - Guest ranch	—	—	—	—	
<u>Lodging - Homestay</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>P</u>	<u>35.42.193</u>
Lodging - Hostel	CUP	CUP	CUP	P	
Lodging - Hotel or motel	P	—	P	P	
Lodging - Resort	—	—	—	P	
<u>Lodging - Short-term rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>35.42.245</u>
Mortuary	—	—	—	—	
Mortuary, accessory to cemetery	CUP	CUP	CUP	—	35.42.120
Music recording studio	CUP	CUP	CUP	CUP	
Personal services	P	—	—	P	
Repair service - Equipment, appliances, etc. - Indoor	P (3)	P (3)	—	P (3)	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	
Repair service - Farm implements and equipment	P (3)	P (3)	—	—	
Vehicle services - Carwash, mechanical	MCUP	—	MCUP (4)	—	35.42.270
Vehicle services - major repair, bodywork	P (3)	—	—	—	
Vehicle services - Minor maintenance/repair	P (3)	P (3)	P	P	
Vehicle services - With outdoor work areas	—	—	—	—	

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal 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
	C-V	C-V CZ	SC	PI	PI CZ	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	P	P	
Charitable or philanthropic organization	CUP	CUP	CUP	P	P	
Large family day care home	P	P	—	P	P	35.42.090
Small family day care home	E	E	—	E	E	35.42.090
Daycare center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Day care center, Non-residential, accessory	P	P	P	P	P	35.42.090
Day care center, Residential	MCUP	MCUP	—	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	—	—	—	—	
Lodging - Guest ranch	P	P	—	—	—	
<u>Lodging - Homestay</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Lodging - Hostel	CUP	—	CUP	CUP	—	
Lodging - Hotel or motel	P	P	—	—	—	
Lodging - Resort	P	P	—	—	—	
<u>Lodging - Short-term rental</u>	<u>P</u>	<u>—</u>	<u>P</u>	<u>—</u>	<u>—</u>	<u>35.42.245</u>
Mortuary	—	CUP	—	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	CUP	CUP	—	
Personal services	—	—	—	P	P	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	—	
Repair service - Farm implements and equipment	—	—	—	—	—	
Vehicle services - Carwash, mechanical	—	—	—	—	—	
Vehicle services - Major repair, bodywork	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	—	—	—	
Vehicle services - With outdoor work areas	—	—	—	—	—	

SECTION 5:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Services section of Table 2-22 Allowed Land Uses and Permit Requirements for Industrial Zones, Section 35.25.030, Industrial Zones Allowable Land Uses, of Chapter 35.25, Industrial Zones, to read as follows:

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal 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
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ	

SERVICES - GENERAL

Cemetery	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Large family day care home	—	—	—	—	P	P	P	35.42.090
Small family day care home	—	—	—	—	E	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Day care center, Non-residential, accessory	P	P	P	—	—	—	—	35.42.090
Day care center, Residential	—	—	—	—	MCUP	MCUP	MCUP	35.42.090
Drive through facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.42.130
<u>Lodging - Homestay</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Lodging - Hostel	CUP	—	CUP	CUP	CUP	—	CUP	
Lodging - Hotel or motel	—	—	P	—	—	—	—	
<u>Lodging - Short-term rental</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Mausoleum	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Mortuary	—	CUP	—	—	—	CUP	—	
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Music recording studio	CUP	—	CUP	CUP	CUP	—	CUP	
Personal services, employees only	P	P	P	—	—	—	—	
Public safety facility	—	—	P	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Indoor	—	—	P	P	—	—	—	
Repair service - Equipment, large appliances, etc. - Outdoor	—	—	P	P	—	—	—	
Repair service - Small appliances	—	—	P	P	—	—	—	
Vehicle services - Major repair, bodywork	—	—	P(3)	P	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	P(3)	P	—	—	—	

SECTION 6:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Services section of Table 2-24 and 2-25 Allowed Land Uses and Permit Requirements for Special Purpose Zones, Section 35.26.030, Special Purpose Zones Allowable Land Uses, of Chapter 35.26, Special Purpose Zones, to read as follows:

Table 2-24 - 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	

SERVICES - GENERAL

Cemetery, mausoleum	—	—	CUP	CUP	CUP	
Charitable or philanthropic organization	P	—	CUP	CUP	CUP	
Large family day care home	P	—	P	P (3)	P (3)	35.42.090
Small family day care home	E	—	—	E	E	35.42.090
Day care center, Non-residential	MCUP	—	MCUP	MCUP	MCUP	35.42.090
Day care center, Non-residential, accessory	P	—	—	—	—	35.42.090
Day care center, Residential	MCUP	—	MCUP	MCUP	MCUP	35.42.090
Drive-through facility	—	—	CUP	CUP	CUP	35.42.130
Laundry and dry cleaning pick-up stores	P	—	—	—	—	
<u>Lodging - Homestay</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>35.42.193</u>
Lodging - Hostel	CUP	—	CUP	CUP	CUP	
Lodging - Hotel or motel	CUP	—	—	—	P	
<u>Lodging - Short-term rental</u>	<u>P</u>	<u>—</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>35.42.245</u>
Mortuary	—	—	—	—	—	35.42.120
Mortuary, accessory to cemetery	—	—	CUP	CUP	CUP	35.42.120
Music recording studio	MCUP	—	CUP	CUP	CUP	
Personal services	P	—	—	P (4)	P	
Personal services, employees only	P	—	—	—	—	
Repair service - Equipment, appliances, etc. - Indoor	P	—	—	—	P	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	P	
Repair service - Small appliances	P	—	—	—	P	
Vehicle services - Minor maintenance/repair	—	—	—	—	P	

Table 2-25 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal 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	PU CZ	REC	REC CZ	TC CZ(3)	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	
Large family day care home	—	—	P	P	—	35.42.090
Small family day care home	—	—	E	E	—	35.42.090
Day care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Day care center, Non-residential, accessory	—	—	—	—	—	
Day care center, Residential	—	—	MCUP	MCUP	—	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
<u>Lodging - Homestay</u>	==		==			
Lodging - Hostel	—	—	CUP	—	CUP	
Lodging - Hotel or motel	—	—	—	—	—	
<u>Lodging - Short-term rental</u>	==		==			
Mortuary	—	CUP	—	CUP	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	CUP	—	—	
Personal services	—	—	—	—	—	
Personal services, employees only	—	—	—	—	—	
Personal services in mixed use project	—	—	—	—	—	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	—	
Repair service - Small appliances	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	—	—	—	

SECTION 7:

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

35.36.060 - Required Number of Spaces: Nonresidential Uses

Nonresidential parking requirements shall be in compliance with the provisions in this Section, and in Section 35.36.080 (Standards for All Zones and Uses) and in Section 35.36.110 (Standards for Nonresidential Zones and Uses) below. Unless otherwise noted, the indicated parking requirements shall apply to uses in both the Coastal Zone and the Inland area.

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

Table 3-6 - Nonresidential Parking Standards

Recreation, Education & Public Assembly Uses:	Parking Spaces Required
Bowling alley	8 spaces per lane
Library, museum, art gallery, or similar use	Coastal 1 space per 2 employees Inland 1 space per 2 employees and; 1 space per 300 square feet of gross floor area
Religious institutions, school auditoriums, college auditoriums, theaters, general auditoriums, stadiums, mortuaries, lodges, halls, and other places of general assembly	With fixed seats - 1 space per 4 fixed seats Without fixed seats - 1 space per 30 square feet of auditorium floor space
Places of amusement without fixed seats (e.g., dancehalls, skating rinks, etc.)	1 space per 300 square feet of assembly area
Racquetball facility & tennis facility	1.5 spaces per court
School - Colleges: art, craft, music, or dancing schools; business, professional, or trade school	1 space per 5 students and 1 space per 3 employees
School - Day school or Nursery school	1 space per 10 students and 1 space per 2 employees
School - Elementary and Middle School	1.5 spaces per teaching station
School - High School	6 spaces per teaching station
Spas, health clubs, etc.	1 space per 300 square feet of gross floor area
Spectator seating	1 space per 5 seats or 1 space per 35 square feet of seating area
Swimming pool, public	Coastal 1 space per 25 square feet of pool area Inland 1 space per 200 square feet of pool area and 1 space per 500 square feet of area related to the pool and facilities
Retail Trade	Parking Spaces Required
Furniture and appliance stores; heating, ventilating, and hardware stores; motor vehicle and machinery sales and service	1 space per 1,000 square feet of gross floor area
Restaurants, cafes, taverns, etc.	1 space per 300 square feet of space devoted to patrons 1 space per 2 employees

Retail business and general commercial	1 space per 500 square feet of gross floor area (1) (2)
Services and Offices– Business, Financial, Professional	Parking Spaces Required
Business and professional offices e.g. banks, lawyers’ offices, etc.	1 space for each 300 square feet of gross floor area (3)
Hotels/motels	1 space per guest room and 1 space per 5 employees
Medical services - extended care	1 space per 3 beds and 1 space per 3 employees
Medical services - hospitals	1 space per 2 beds and 1 space per 3 employees
Medical Services - medical clinics, medical and dental offices	1 space per 200 square feet of gross floor area
<u>Short-Term Rentals</u>	<u>1 space per bedroom</u>

Notes:

- (1) See Subsection 35.36.110.E (Retail Commercial (C-2) zone, Coastal Zone).
- (2) See Subsection 35.36.110.J (Shopping Center (SC) zone).
- (3) See Subsection 35.36.110.K (Professional and Institutional (PI) zone).

SECTION 8:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby changed to add Section 35.42.193, Homestays, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

35.42.193 – Homestays

- A. Purpose and intent.** The purpose and intent of this Section is to establish standards that will regulate the use of dwellings as Homestays in order to ensure that Homestays are compatible with and do not adversely impact surrounding properties.
- B. Permit requirement.** Homestays may only be located in certain commercial, special purpose, residential and Agriculture-I zones and in compliance with the permit requirement identified in Article 35.2 (Zones and Allowable Land Uses). The required permit shall be obtained and all conditions of the permit shall be satisfied prior to the commencement of a Homestay.
- C. Permitted structures.** Homestays shall only be allowed in legal dwelling units subject to the restrictions of this Section.
- D. Development standards.** Homestays shall comply with all of the following standards in addition to any other applicable standards of this Development Code.
 - 1. Owner or long-term tenant must reside on the property.** The owner or long-term tenant of the property shall inhabit a legal dwelling on the same lot at the same time as the transient occupant of the Homestay.
 - 2. Compliance with fire, building, and health codes.** Any dwelling used as a Homestay shall comply with the California Fire Code, California Building Code, California Health and Safety Code, the National Fire Protection Association standards and/or regulations, and other relevant laws and codes regarding carbon monoxide detectors, smoke detectors, emergency egress window, handrails, and fire extinguishers, to the satisfaction of the Director.
 - 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, but not limited to, agricultural accessory structures, tents, trailers, vehicles, and yurts.
- 4. Signs. No signs shall be permitted to be located on or off the lot that contains the Homestay that indicates the presence of the Homestay.**
- 5. Limitation on occupancy. The maximum occupancy shall be no more than two persons per bedroom, excluding children under three years of age.**
- 6. Parking. Parking shall be provided on the lot on which the Homestay is located in compliance with Chapter 35.36 (Parking and Loading Standards) of this Development Code.**
- 7. Limitation on the number of visitors. The maximum number of visitors shall not exceed two times the number of transient occupants of the Homestay that are allowed on the lot.**
- 8. Noise. The volume of sound generated by the Homestay shall not exceed 65 dB or existing ambient levels, whichever is greater, at any point beyond the property boundary, except that between the hours of 10 p.m. and 8 a.m., the volume of sound generated by the Homestay shall not exceed 45 dB or existing ambient levels, whichever is greater, at any point beyond the property boundary.**
- 9. Internet listing. All current internet hosting platforms for Homestays and all listing identification numbers shall be provided to the County.**
- 10. Proof of ownership or long-term tenancy. The owner or long-term tenant of the property being rented for a Homestay shall provide proof of ownership or long-term tenancy with the Homestay application.**

E. Renewal of permit.

- 1. A Land Use Permit issued for a Homestay shall only be valid for one year commencing upon the effective date of the Land Use Permit, except as provided below in subsection 3.
- 2. The owner or long-term tenant shall submit an application to renew the Land Use Permit to the Department for review and approval on an annual basis as directed below.
 - a. The renewal application shall be processed pursuant to the requirements set forth in Section 35.82.110 (Land Use Permits).
 - b. The Land Use Permit application for the initial renewal and any subsequent renewal shall be submitted no later than 30 days prior to the expiration of the previous Land Use Permit.
- 3. If the approval of a Land Use Permit for the renewal of a Land Use Permit for a Homestay has been appealed, then the validity of the Land Use Permit shall be extended until processing of the appeal(s) has been completed.

F. Revocation.

- 1. A Land Use Permit to allow a dwelling to be used as a Homestay may be revoked in compliance with Section 35.84.060 (Revocations).
- 2. In addition to the basis for revocation in Section 35.84.060 (Revocations), a Land Use Permit may also be revoked if the applicant, after receiving a Land Use Permit for a Homestay and/or any renewal:
 - a. makes alterations to the property that compromise the original permit approval (e.g., removal of required parking, conversion of space);
 - b. is determined to have submitted false or misleading information to the Department, including, but not limited to, information submitted as part of the permit application;

- c. fails to comply with the permit conditions; or
- d. fails to obtain or comply with any other required County, state or local permit.

SECTION 9:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add Section 35.42.245, Short-Term Rentals, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

35.42.245 – Short-Term Rentals

A. Purpose and applicability.

- 1. Purpose.** The purpose of this Section is to establish standards that will regulate the use of structures as Short-Term Rentals in order to ensure that Short-Term Rentals are compatible with and do not adversely impact surrounding properties.
- 2. Applicability.**
 - a. Short-Term Rentals existing as of the effective date of this ordinance (16ORD-00000-00009).**
 - (1) Short-Term Rentals that may be permitted.**
 - (a) For Short-Term Rentals that may be permitted in compliance with Article 35.2 (Zones and Allowable Land Uses) to continue operating the owner or long term tenant must apply for and be issued a permit that allows the continued use of a structure as a Short-Term Rental within 333 days following the effective date of this ordinance (16ORD-00000-00009).
 - (b) If the required permit is not issued within 333 days following the effective date of this ordinance (16ORD-00000-00009), then use of the structure as a Short-Term Rental shall cease. If the use of a structure as a Short-Term Rental does not cease, then this use shall be considered a violation of this Development Code and subject to enforcement in compliance with Chapter 35.108 (Enforcement and Penalties).
 - (2) Short-Term Rentals that may not be permitted.** The use of a structure as a Short-Term Rental in zones where Short-Term Rentals may not be permitted in compliance with Article 35.2 (Zones and Allowable Land Uses) shall cease no later than 333 days following the effective date of this ordinance (16ORD-00000-00009). If the use of a structure as a Short-Term Rental does not cease within this period, then this use shall be considered a violation of this Development Code and subject to enforcement in compliance with Chapter 35.108 (Enforcement and Penalties).
 - 3. Permit requirement.** Short-Term Rentals may only be located in certain commercial and special purpose zones in compliance with the permit requirement identified in Article 35.2 (Zones and Allowable Land Uses). The required permit shall be obtained and all conditions of the permit shall be satisfied prior to the commencement of a Short-Term Rental.

SECTION 10:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the existing definition of “Lodging” set forth in Section 35.110.020, Definitions of Specialized Terms and Phases, of

Chapter 35.110, Definitions, to read as follows:

Lodging.

1. **Bed and Breakfast.** A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable County health regulations.
2. **Boarding or Rooming House.** A residence or dwelling other than a hotel, where the business of keeping boarders is generally carried on and which is held out by the owner or keeper as a place where boarders are kept.
3. **Guest Ranch.** A vacation resort, generally a farm or ranch, that derives all or part of its income from the use of its facilities by paying visitors or guests, and provides food, lodging, and recreational activities.
4. **Homestay.** A residential structure, including portions thereof, rented for 30 consecutive days or less where the owner or long-term tenant of the property inhabits a legal dwelling on the same lot at the same time as the transient occupant. Additionally, the following terms are defined for the purposes of Section 35.42.193 (Homestay).
 - a. **Hosting Platform.** A marketplace which facilitates the consummation of Homestay agreements through advertising and from which, in whatever format, information is provided about or relating to a residential structure, including portions thereof, for occupancy as a Homestay.
 - b. **Long-term Tenant or Owner.** A person who occupies the property, who is the owner of the property or who rents the property for 30 days or more.
 - c. **Visitor.** A person who enters the property on which a Homestay is located for the purpose of visiting, seeing or communicating with the transient occupant of the Homestay.
- 4.5. **Hostel.** Overnight sleeping accommodations that provide supervised and inexpensive lodging for travelers, and may provide kitchen and eating facilities. Occupancy is generally of a limited duration.
- 5.6. **Hotel.** A building or group of buildings containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who, for compensation, are lodged with or without meals, but not including a trailer court or camp, sanitarium, hospital, asylum, orphanage or building where persons are housed under restraint.
- 6.7. **Motel.** A transient lodging establishment containing six or more rooms with at least 25 percent of all rooms having direct access to the outside without the necessity of passing through a main lobby.
- 7.8. **Resort Hotel.** A hotel which serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. A resort shall be self-contained and provide personal services customarily furnished at hotels, including the serving of meals. Buildings and structures in a resort should complement the scenic qualities of the location in which the resort is situated.
9. **Short-Term Rental.** A structure which is rented for overnight lodging, in whole or in part and with or without the presence onsite of the owner or representative of the owner, for 30 consecutive days or less.

SECTION 11:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add the following new definitions of “Homestay,” “Short-Term Rental,” and “Transient” to Section 35.110.020, Definitions of Specialized Terms and Phases, of Chapter 35.110, Definitions, to read as follows:

Homestay. See “Lodging”

Short-Term Rental. See “Lodging”.

Transient. Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right

of access, license or other agreement for a period of 30 consecutive days or less. Any such person so occupying space in any lodging shall be deemed to be a transient until the period of 30 days has expired unless there is an agreement in writing between the owner or operator and the occupant providing for a longer period of occupancy. A transient is also referred to as a transient occupant.

SECTION 12:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 13:

Except as amended by this Ordinance, 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, and Article 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 14.

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 the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this the 3rd day of October, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JOAN HARTMANN, 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