



County of Santa Barbara Planning and Development

Lisa Plowman, Director

Jeff Wilson, Assistant Director

Elise Dale, Assistant Director

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF OCTOBER 4, 2023

RE: *Accessory Dwelling Units (ADUs), Shopping Center (SC) Rezone, and Minor Ordinance Amendments; 23ORD-00007, 23ORD-00009, 23RZN-00003*

Hearing on the request of the County of Santa Barbara Planning and Development Department (P&D) for the County Planning Commission (CPC) to consider the following:

- a) Adopt an ordinance (**Case No. 23ORD-00007**) to amend the Santa Barbara County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the County Code;
- b) Determine that ordinance (**Case No. 23ORD-00007**) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15282(h) of the State Guidelines for the Implementation of CEQA;
- c) Adopt an ordinance (**Case No. 23ORD-00009**) to amend the Santa Barbara County Coastal Zoning Ordinance (CZO), Article II, of Chapter 35, Zoning, of the County Code;
- d) Determine that ordinance (**Case No. 23ORD-00009**) is exempt from the provisions of CEQA pursuant to Section 15061(b)(3), 15265, and 15282(h) of the State Guidelines for the Implementation of CEQA;
- e) Adopt an ordinance (**Case No. 23RZN-00003**) amending the County Zoning Map of Section 35-1, the Santa Barbara County LUDC, of Chapter 35, Zoning, by rezoning all SC zones to Retail Commercial (C-2); and
- f) Determine that ordinance (**Case No. 23RZN-00003**) is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) of the State Guidelines for the Implementation of CEQA.

The proposed CZO and LUDC amendments revise existing and create new development standards and permit procedures to implement recent changes in State legislation regarding ADUs and JADUs; eliminate the SC Zone and rezone these properties to C-2; and process other minor amendments.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of October 4, 2023, Commissioner Cooney moved, seconded by Commissioner Ferini and carried by a vote of 4 to 0 (Bridley absent) to:

Case No. 23ORD-00007

1. Make the required findings for approval (Attachment A of the staff report dated September 26, 2023), including CEQA findings, and recommend that the Board make the findings for approval of the proposed amendments;
2. Recommend that the Board determine that ordinance Case No. 23ORD-00007 is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3) and 15282(h) of the State Guidelines for the Implementation of CEQA (Attachment B the staff report dated September 26, 2023); and
3. Adopt a resolution recommending that the Board adopt an ordinance to amend the LUDC (Case No. 23ORD-00007), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment C the staff report dated September 26, 2023), and as revised at the hearing of October 4, 2023.

Case No. 23ORD-00009

1. Make the required findings for approval (Attachment A the staff report dated September 26, 2023), including CEQA findings, and recommend that the Board make the findings for approval of the proposed amendments;
2. Recommend that the Board determine that ordinance Case No. 23ORD-00009 is exempt from the provisions of CEQA pursuant to Sections 15061(b)(3), 15265, and 15282(h) of the State Guidelines for the Implementation of CEQA (Attachment B the staff report dated September 26, 2023); and
3. Adopt a resolution recommending that the Board adopt an ordinance to amend the CZO (Case No. 23ORD-00009), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D the staff report dated September 26, 2023), and as revised at the hearing of October 4, 2023.

Case No. 23RZN-00003

1. Make the required findings for approval (Attachment A the staff report dated September 26, 2023), including CEQA findings, and recommend that the Board make the findings for approval of the proposed Zoning Map amendment (Attachment E the staff report dated September 26, 2023);
2. Recommend that the Board determine that ordinance Case No. 23RZN-00003 is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA (Attachment B the staff report dated September 26, 2023); and
3. Adopt a resolution recommending that the Board adopt an ordinance to amend the County Zoning Map of Section 35-1 (Case No. 23RZN-00003), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment E the staff report dated September 26, 2023).

Revision to 23ORD-00007:

LUDC Section 35.442.015.F.8.e is retained and revised as follows:

- 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 up to 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 .5 acres or larger but less than two acres.** For lots that are .5 acres or larger but less than two acres, a detached accessory dwelling unit shall not be located closer to the principal abutting street than the principal dwelling unless other zoning provisions such as setback requirements would prohibit compliance with this requirement.
 - (2) **Lots two acres or larger but less than 20 acres.** For lots that are two acres or larger but not larger than 20 acres, a detached accessory dwelling unit shall not be located closer to any property line than the lesser of 100 feet or the distance from the principal dwelling to that property line unless other zoning provisions such as setback requirements, or the location of existing development on the lot including agricultural operations, would prohibit compliance with this requirement.
 - (3) **Lots larger than 20 acres.** For lots that are larger than 20 acres, the location of a detached accessory dwelling unit is not restricted provided the location complies with zoning requirements such as applicable setback requirements or development envelopes.

Revision to 23ORD-00009:

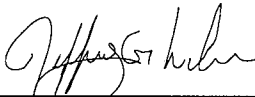
CZO Section 35.142.6.1.F.7.e is retained and revised as follows:

- 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 up to 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 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units):
- 1) **Lots .5 acres or larger but less than two acres.** For lots that are .5 acres or larger but less than two acres, a detached accessory dwelling unit shall not be located closer to the principal abutting street than the principal dwelling unless other zoning provisions such as setback requirements would prohibit compliance with this requirement.
 - 2) **Lots two acres or larger but less than 20 acres.** For lots that are two acres or larger but not larger than 20 acres, a detached accessory dwelling unit shall not

be located closer to any property line than the lesser of 100 feet or the distance from the principal dwelling to that property line unless other zoning provisions such as setback requirements, or the location of existing development on the lot including agricultural operations, would prohibit compliance with this requirement.

- 3) **Lots larger than 20 acres.** For lots that are larger than 20 acres, the location of a detached accessory dwelling unit is not restricted provided the location complies with zoning requirements such as applicable setback requirements or building envelopes.
- 4) A new construction detached accessory dwelling unit shall be clustered with other existing structures to the maximum extent feasible.

Sincerely,



Jeff Wilson
Secretary Planning Commission

cc: Case File: 23ORD-00007, 23ORD-00009, 23RZN-00003
Planning Commission File
Jeff Wilson, Assistant Director
Corina Venegas Martin, Planner

Attachments: **Attachment A – Findings**
 Attachment C – LUDC Resolution and Amendment
 Attachment D – CZO Resolution and Amendment
 Attachment E – Planning Commission C-2 Rezone Resolution

JW/dmv

ATTACHMENT A: FINDINGS FOR APPROVAL

Case Nos. 23ORD-00007, 23ORD-00009, 23RZN-00003

1.0 California Environmental Quality Act (CEQA) FINDINGS

- 1.1 **Case No. 23ORD-00007.** The County Planning Commission finds, and recommends that the Santa Barbara County (County) Board of Supervisors (Board) find, that the proposed amendment to the County Land Use and Development Code (LUDC) (Case No. 23ORD-00007), is exempt from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3) and 15282(h).
- 1.2 **Case No. 23ORD-00009.** The County Planning Commission finds, and recommends that the Board find, that the proposed amendment to Article II, the Coastal Zoning Ordinance (CZO) (Case No. 23ORD-00009), is exempt from environmental review pursuant to CEQA Guidelines Sections 15282(h), 15061(b)(3), and 15265.
- 1.3 **Case No. 23RZN-00003.** The County Planning Commission finds, and recommends that the Board find, that the proposed amendment to the County Zoning Map of Section 35-1 (Case No. 23RZN-00003), is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

Please see the Notice of Exemption (Attachment B) for more information.

2.0 ADMINISTRATIVE FINDINGS

In compliance with CZO Section 35-180.6 and LUDC Section 35.104.060.A, the following findings shall be made by the County Planning Commission in order to recommend approval of a text amendment to the CZO and LUDC, and the Board shall adopt the following findings in order to approve a text amendment to the CZO and LUDC:

2.1 **The request is in the interests of the general community welfare.**

The County Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments are in the interest of the general community welfare since the amendments will revise the CZO and LUDC to: (1) clarify that exemptions are not appealable; (2) provide clarifications to existing development standards related to detached accessory structures; (3) eliminate and rezone the Shopping Center (SC) zone district and related provisions in order to remove barriers to the viability, development, and redevelopment of the SC Zoned areas; (4) correct an error in Table 2-22, related to Transitional and Supportive housing; (5) be consistent with Government Code (GC) Sections 65852.2 and 65852.22 regarding the permitting of accessory dwelling units (ADUs) and junior ADUs (JADUs), respectively; (6) implement GC Sections 65852.2 and 65852.22, the purpose of which is to increase the supply of housing units within California; and (7) clarify and streamline the ADU and JADU requirements, which will in turn stimulate an efficient permit process for ADUs and JADUs in compliance with State law.

2.2 **CZO: The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of State planning and zoning laws and this Article [Article II, the CZO].**

LUDC: The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code [LUDC].

The County Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments are consistent with the Comprehensive Plan, CLUP, CZO, and LUDC because they implement Program 1.4 (Tools to Incentivize High-Quality Affordable Housing) of the Housing Element and update the zoning ordinances to be consistent with State ADU and JADU law, and provide clear and efficient permit processes that will benefit the public, and will provide greater flexibility that supports the development of ADUs and JADUs. In addition, the proposed minor amendments will provide more effective implementation of the Comprehensive Plan by correcting errors to existing text provisions, clarifying that exemptions are not appealable, providing clarifications to existing detached accessory structure development standards, and removing the redundant SC zone district. The proposed ordinance amendments are also consistent with the remaining portions of the CZO that would not be revised by this ordinance. Therefore, and as discussed further in the County Planning Commission Staff Report, dated September 26, 2023, under section 6.2, incorporated by reference, these ordinances are consistent with the Comprehensive Plan, including applicable Community and Area Plans, CLUP, the requirements of State planning and zoning Laws, and the LUDC and CZO.

2.3 The request is consistent with good zoning and planning practices.

The County Planning Commission finds, and recommends that the Board of Supervisors find, that the proposed amendments are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values since they will revise the CZO and LUDC to be consistent with State regulations regarding ADUs and JADUs, provide clear and efficient permit processes that will benefit the public, and support the development of ADUs and JADUs. As discussed in Section 5.3 of the County Planning Commission Staff Report, dated September 26, 2023, and incorporated herein by reference, the elimination and rezone of the SC zone district will make the regulations easier to use and understand by the public by standardizing requirements that are applicable in similar areas. They will also facilitate implementation of the Comprehensive Plan by facilitating active commercial centers consistent with other commercial zones in the County. And finally, the proposed minor amendments correct and clarify existing text provisions. As a result, the changes are consistent with good zoning and planning practices and will benefit the public. As discussed in Finding 2.2, above, the proposed amendments are consistent with the Comprehensive Plan, including applicable Community and Area Plans, CLUP, CZO, and LUDC.

ATTACHMENT C: COUNTY LAND USE AND DEVELOPMENT CODE RESOLUTION

**RESOLUTION OF THE COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE) RESOLUTION NO. 23 - 07
BOARD OF SUPERVISORS (BOARD) ADOPT AN)
ORDINANCE AMENDING ARTICLE 35.1,) Case No.:
DEVELOPMENT CODE APPLICABILITY; ARTICLE) 23ORD-00007
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; OF SECTION 35-1, THE COUNTY LAND)
USE AND DEVELOPMENT CODE (LUDC), OF)
CHAPTER 35, ZONING, OF THE SANTA BARBARA)
COUNTY CODE; TO IMPLEMENT NEW)
REGULATIONS AND DEVELOPMENT STANDARDS)
REGARDING ACCESSORY DWELLING UNITS)
(ADUs) AND JUNIOR ACCESSORY DWELLING)
UNITS (JADUs) AND MINOR ORDINANCE)
AMENDMENTS.)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the County of Santa Barbara (County) Board adopted the LUDC, Section 35-1 of Chapter 35 of the Santa Barbara County Code.
- B. On September 27, 2016, the State Legislature adopted Assembly Bill (AB) 2299 and Senate Bill (SB) 1069 (Government Code [GC] Section 65852.2) requiring ministerial approval of planning and building permit applications for ADUs that are located within single-family residential zones and comply with applicable parking, setback, and size restrictions.
- C. On October 8, 2017, the State Legislature adopted SB 229 and Assembly Bill 494 (GC Section 65852.2) to allow ADUs on all lots zoned for single- or multi-family uses, reduce maximum parking requirements, and make clarifying edits to GC Section 65852.2.
- D. On October 9, 2019, the State Legislature adopted AB 68, AB 881, and SB 13 to further streamline the permit process for and reduce the development standards applicable to ADUs and JADUs.
- E. On September 28, 2020, the State Legislature adopted AB 3182 to clean-up and clarify provisions of GC Section 65852.2.

- F. On September 28, 2022, the State Legislature adopted AB 2221 and SB 897 to clarify regulations related to the review and permitting of ADU and JADUs subject to GC Sections 65852.2 and 65852.22.
- G. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the Board adopt an ordinance (Case No. 23ORD-00007) amending Article 35.1, Development Code Applicability; Article 35.2, Zones and Allowable Land Uses; Article 35.3, Site Planning and Other Project Standards; Article 35.4, Standards for Specific Land Uses; Article 35.8, Planning Permit Procedures; Article 35.10, Land Use and Development Code Administration; and Article 35.11, Glossary; of Section 35-1, the LUDC, of Chapter 35, Zoning, of the Santa Barbara County Code to implement new regulations regarding the permitting of ADUs and JADUs in compliance with GC Sections 65852.2 and 65852.22, and minor amendments to correct and clarify existing regulations.

The proposed LUDC amendment is attached hereto as Exhibit 1 and is incorporated by reference.

- H. The proposed LUDC amendment is consistent with the Santa Barbara County Comprehensive Plan, including the Community and Area Plans, and the requirements of State planning, zoning, and development laws.
- I. The proposed LUDC amendment is in the interest of the general community welfare since it will serve to implement the requirements of State law that promote the development of ADUs and JADUs that will increase the supply of housing in the Inland Area portion of the unincorporated County.
- J. This County Planning Commission has held a duly noticed public hearing, as required by GC Section 65854, on the proposed LUDC amendment at which hearing the proposed amendment was explained and comments invited from the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of GC Section 65855, the County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above-mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated September 26, 2023.
- 3. A certified copy of this Resolution shall be transmitted to the Board in compliance with GC Section 65855.

4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above-mentioned action by the County Planning Commission.

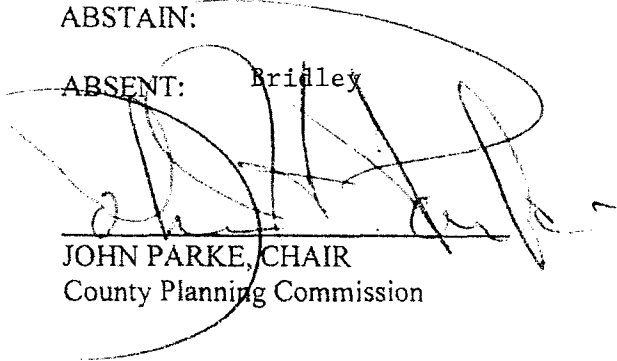
PASSED, APPROVED, AND ADOPTED by the County Planning Commission of the County of Santa Barbara, State of California, this 4th day of October 2023, by the following vote:

AYES: Cooney, Parke, Ferini, Martinez

NOES:

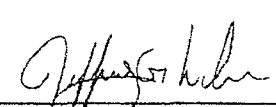
ABSTAIN:

ABSENT: Bridley



JOHN PARKE, CHAIR
County Planning Commission

ATTEST:



JEFFREY WILSON
Secretary to the Commission

APPROVED AS TO FORM:
RACHEL VAN MULLEN
COUNTY COUNSEL

By 

Deputy County Counsel

**ATTACHMENT C, EXHIBIT 1: COUNTY LAND USE AND DEVELOPMENT CODE
ORDINANCE AMENDMENT**

ORDINANCE NO. _____

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

23ORD-00007

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

SECTION 1:

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

Table 1-1 - Zones

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

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

Commercial Zones

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

Industrial Zones

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

...

SECTION 2:

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

35.20.030 - Allowable Development and Planning Permit Requirements

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

3. Similar and compatible use may be allowed. ~~In addition to uses allowed in compliance with Subsection A.3.b, below, i~~n the following zones the Commission may determine that a proposed use not listed in this Chapter is allowable in compliance with Section 35.82.190 (Use Determinations).

a. Applicable zones:

- (1) C-1 (Limited Commercial);
- (2) C-2 (Retail Commercial);
- (3) C-3 (General Commercial);
- (4) CH (Highway Commercial);
- (5) CM-LA (Community Mixed Use - Los Alamos)
- (6) CN (Neighborhood Commercial);
- (7) CS (Service Commercial);
- (8) M-1 (Light Industry);
- (9) MRP (Industrial Research Park);
- (10) OT-R/GC (Old Town Residential/General Commercial);
- (11) OT-R/LC (Old Town Residential/Light Commercial);
- (12) PI (Professional and Institutional);
- (13) PU (Public Utilities); and
- (14) REC (Recreation); and
- ~~(15) SC (Shopping Center).~~

~~**b. Special provisions for the SC (Shopping Center) zone.** In the SC (Shopping Center) zone the Director may determine that a proposed use not specifically listed as a permitted use within Table 2-18 (Allowable Land Uses and Permit Requirements for the SC Zone) of Section 35.24.080 (i.e., where the permit requirement is denoted with a "P") may also be allowed as a permitted use within an existing, developed shopping center in compliance with Section 35.82.190 (Use Determinations).~~

~~(1) Applications for Use Determinations not associated with an existing, developed shopping center are under the jurisdiction of the Planning Commission.~~

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

SECTION 3:

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

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

SECTION 4:

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

35.24.020 - Purposes of Commercial Zones

The purposes of the individual commercial zones and the manner in which they are applied are as follows.

...

~~J. — **SC (Shopping Center) zone.** The SC zone is applied to areas appropriate for clustered shopping center uses. The intent is to establish provisions for the comprehensive development of property suitable for commercial use, and to prevent piecemeal commercial development in areas that may be more appropriate for a clustered shopping center use. This zone identifies the following two types of shopping centers:~~

- ~~1. — **Convenience Shopping Centers.** Shopping centers that are classified as Convenience Shopping Centers in compliance with Table 2-17 (Shopping Center Minimum Site Area) serve the everyday, frequent needs of the consumer.~~
- ~~2. — **Community Shopping Centers.** Shopping centers that are classified as Community Shopping Centers in compliance with Table 2-17 (Shopping Center Minimum Site Area) provide the opportunity to comparison shop and provide consumer goods and services.~~

SECTION 5:

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

...

C. Development Plan approval required. Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or the issuance of a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) as follows.

- 1. CN and C-1 zones.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Land Use Permit or the issuance of a Zoning Clearance for structures that exceed 5,000 square feet in gross floor area.
- 2. C-2 and C-3 zones.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Land Use Permit or Zoning Clearance for buildings and structures that total 5,000 or more square feet in gross floor area or where onsite buildings and structures and outdoor areas designated for sales or storage total 20,000 square feet or more.
- 3. CH zone.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans)

is required prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading.

4. **CM-LA zone.** Final Development Plan approval is required for buildings and structures that total 15,000 or more square feet in gross floor area.
5. **C-S, C-V, 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 6:

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

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

RETAIL TRADE

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

Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	MCUP	P	—	
Visitor-serving commercial	—	—	P	P	—	

Key to Zone Symbols

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

Notes:

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

SECTION 7:

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

Table 2-13 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	

AGRICULTURAL, MINING & ENERGY FACILITIES

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos	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) Restricted to the processing of on-premise products.
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

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

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground	—	—	—	—	—	
Commercial entertainment - Indoor	—	MCUP	—	CUP	—	
Commercial entertainment - Outdoor	—	—	—	—	—	
Community center	—	P	—	—	P	
Conference center	CUP	—	P (3)	CUP	CUP	
Country club	CUP	—	P (3)	CUP	P	
Equestrian facility - Public or commercial	CUP	—	CUP	CUP	CUP	
Fairgrounds	CUP	—	CUP	CUP	CUP	
Fitness/health club or facility	—	P	—	CUP	P	
Golf course	MCUP	—	P	CUP	P	
Golf driving range	MCUP	—	CUP	CUP	CUP	
Library	CUP	CUP	CUP	CUP	P	
Meeting facility, public or private	CUP	CUP	CUP	CUP	P	
Meeting facility, religious	CUP	CUP	CUP	CUP	P	

Museum	CUP	CUP	CUP	CUP	P
Park, playground	—	—	P	—	—
Recreational vehicle (RV) park	CUP	—	CUP	—	—
School	CUP	CUP	CUP	CUP	P
School - Business, Professional, or Trade	CUP	P	CUP	CUP	P(4)
Sports and outdoor recreation facility	CUP	—	P	CUP	CUP
Sports or entertainment assembly facility	CUP	—	—	—	—
Studio - Art, dance, martial arts, music, etc.	—	P	—	—	P
Theater - Indoor	—	P	—	—	—
Theater - Outdoor	CUP	—	—	—	—
Trail for hiking or riding	—	P	P	—	—

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos	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) Destination-type facility required; see Section 35.24.060 (C-V Zone Additional Standards).
- (4) Not including trade schools using heavy equipment.

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	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	—	—	S	35.42.015
Caretaker/Manager dwelling	P	—	MCUP	—	—	35.42.080
Dwelling, one-family	—	P	—	—	—	
Dwelling, two-family	—	P	—	—	—	
Dwelling, multiple	—	P	—	—	—	
Emergency shelter	—	MCUP	—	—	—	
Farmworker dwelling unit	—	P	MCUP	—	MCUP	35.42.135
Farmworker housing complex	(3)	—	—	—	—	35.42.135
Home occupation	—	P	—	—	—	35.42.190
Junior accessory dwelling unit	—	S	—	—	—	35.42.015
Mixed use project residential component	—	P	—	—	MCUP	35.42.200
Monastery	CUP	—	CUP	CUP	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 \(Accessory Structures and Uses\)](#).

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	

RETAIL TRADE

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

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos	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) No off-premise alcoholic beverage sales allowed; no alcoholic beverage sales in restaurant except when food also served.
- (4) A service station existing at the time of the adoption of the CM-LA zone shall be considered a permitted use rather than a nonconforming use.
- (5) Use only allowed accessory and incidental to an approved resort/visitor-serving facility.

Table 2-13 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
—	Use Not Allowed	

LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CH	CM-LA	C-V	SC	PI	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	—	P	—	—	P	
Bank, financial services - Complete facility	—	P	—	—	P	
Business support service	—	P	—	—	P	
Drive-through facility	CUP	—	CUP	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	—	CUP	—	P	CUP	35.42.250
Medical services - Clinic	CUP	CUP	CUP	CUP	P	
Medical services - Doctor office	—	P	—	—	P	
Medical services - Extended care	CUP	CUP	CUP	CUP	P	
Medical services - Hospital	CUP	—	CUP	CUP	P	
Office - Business/service	—	P	—	S (3)	P	
Office - Professional/administrative	—	P	—	S (3)	P	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	—	CUP	CUP	P	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	P	
Large family day care home, serving adults	P	P	P	—	P	35.42.090
Large family day care home, serving children	E (65)	E (65)	E (65)	E (6)	E (65)	35.42.090
Small family day care home, serving adults	E	E	E	—	E	35.42.090
Small family day care home, serving children	E (65)	E (65)	E (65)	E (6)	E (65)	35.42.090
Daycare center, principal use	MCUP (76)	P	MCUP (76)	MCUP (7)	MCUP (76)	35.42.090
Day care center, accessory to non-dwelling	P	P	P	P	P	35.42.090
Day care center, accessory to dwelling	MCUP (76)	MCUP (76)	MCUP (76)	—	MCUP (76)	35.42.090
Drive-through facility	CUP	—	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	P	—	—	—	
Lodging - Guest ranch	—	—	P	—	—	
Lodging - Homestay	—	P	—	—	—	35.42.193
Lodging - Hostel	CUP	P	CUP	CUP	CUP	
Lodging - Hotel or motel	P	P	P	—	—	
Lodging - Resort	—	P	P	—	—	
Lodging - Short-term rental	P	P	P	P	—	35.42.245
Mortuary	—	—	—	—	—	35.42.120
Mortuary, accessory to cemetery	CUP	—	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	CUP	CUP	CUP	CUP	
Personal services	—	P	—	—	P	
Repair service - Equipment, appliances, etc. - Indoor	—	P (43)	—	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	—	
Repair service - Farm implements and equipment	—	—	—	—	—	
Vehicle services - Carwash, mechanical	MCUP (54)	—	—	—	—	
Vehicle services - Major repair, bodywork	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	P	P	—	—	—	
Vehicle services - With outdoor work areas	—	—	—	—	—	

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos	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) See Section 35.24.080 (SC Zone Additional Standards).
- (43) Shall be conducted within a completely enclosed building except that within the C-3 and CS zones exterior material storage may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (54) Use not allowed on a lot abutting a residential zone; see Section 35.42.270 (Vehicle Services).
- (65) A change of use to a large or small family day care home, serving children, is exempt from zoning permits. An application to construct a new structure to be used as a large or small family day care home, serving children, is subject to the same standards and permit requirements as a proposal to construct a residential structure in the same zone.
- (76) Day care centers serving up to and including fifty (50) children may be permitted with a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits).

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

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

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

Key to Zone Symbols

CH	Highway Commercial	C-V	Visitor Serving Commercial	PI	Professional and Institutional
CM-LA	Community Mixed Use - Los Alamos	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) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

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

WATER SUPPLY & WASTEWATER FACILITIES

Onsite wastewater treatment system, individual, alternative	MCUP	—	MCUP	MCUP	MCUP	
Onsite wastewater treatment system, individual, conventional	E	—	E	E	E	
Onsite wastewater treatment system, individual, supplemental	E	—	E	E	E	
Pipeline - Water, reclaimed water, wastewater	P	P	P	P	P	
Reservoir, less than 20,000 sf total development	P	—	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	—	P	P	P	
Reservoir, 50,000 sf or more total development	MCUP	—	MCUP	MCUP	MCUP	
Wastewater treatment facility, less than 200 connections	CUP	—	CUP	CUP	CUP	
Water diversion project	P	—	P	P	P	
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP	
Water system with 1 connection	E	—	E	E	E	
Water system with 2 to less than 5 connections	P	—	P	P	P	
Water system with 5 or more connections	MCUP	—	MCUP	MCUP	MCUP	
Water well, agricultural	E	—	—	—	—	

Key to Zone Symbols

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

SECTION 8:

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

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

Development Feature	Requirement by Zone	
	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 <u>Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units)</u> .
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 Building separation	Same as side 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 Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>	
	30%.	40% (for buildings only).
Open space Minimum open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>	
	No minimum.	No minimum.
Height limit Maximum height	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>	
	35 ft.	35 ft.
Landscaping	See <u>Chapter 35.34 (Landscaping Standards)</u> .	
Parking	See <u>Chapter 35.36 (Parking and Loading Standards)</u> .	
Signs	See <u>Chapter 35.38 (Sign Standards)</u> .	

SECTION 9:

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

35.24.080 – SC Zone Additional Standards

Proposed development and new land uses within the SC zone shall comply with the following standards, in addition to those in Section 35.24.040 (Commercial Zones Development Standards).

- A. ~~Allowed shopping center types and minimum site area requirements.~~ The following types of shopping centers are allowed within the SC zone, subject to the minimum site area requirements noted.

Table 2-17 – Shopping Center Minimum Site Area

Shopping Center	Net Area
Convenience Center	2 acres to less than 12 acres
Community Center	12 acres or more

- B. ~~Land use types allowed in shopping centers.~~** ~~Shopping centers within the SC zone shall be limited to the land use types identified in Table 2-18 (Allowable Land Uses and Permit Requirements) for the SC Zone below, subject to the planning permit requirements noted in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).~~
- C. ~~Enclosure of activities required.~~** ~~Within the SC zone, the land use types identified by Table 2-13 (Allowed Land Uses and Permit Requirements for the Commercial Zones) and Table 2-18 (Allowable Land Uses and Permit Requirements for the SC Zone) shall occur within a completely enclosed building, except for service stations or other appropriately screened outdoor uses specifically approved by the review authority.~~
- D. ~~Storage and trash enclosures.~~** ~~Areas for trash or outdoor storage shall be enclosed and screened to conceal all trash or stored material from public view.~~

Table 2-18 – Allowable Land Uses and Permit Requirements for the SC Zone

Land-Use Type	Permit Requirement	
	Convenience Center	Community Center

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Commercial recreation – Indoor	CUP	CUP
Theater	CUP	CUP

RETAIL TRADE (1)

Apparel store	—	P
Book store	—	P
Certified farmers market	MCUP	MCUP
Department store	—	P
Drive-in and drive-through facilities	CUP	CUP
Drug store	P	P
Furniture, furnishings, and appliance/equipment store	P	P
Grocery/food store	P	P
Hardware store	P	P
Jewelry store	—	P
Liquor store	P	P
Pet shop	P	P
Restaurant, café, coffee shop, bar, deli	P	P
Service station	MCUP	MCUP
Service station as part of a shopping center	P	P
Sporting goods store	—	P
Variety store	—	P

SERVICES – BUSINESS, FINANCIAL, PROFESSIONAL

Bank – Branch facility	P	P
Drive-through facility	CUP	CUP
Medical services – Animal hospital, small animals	P	P
Offices, 20% or less gross floor area within center	P	P
Offices, more than 20% of gross floor area within center	CUP	CUP

SERVICES – GENERAL (1)

Barber and beauty shop	P	P
Child care center, Non-residential	MCUP	MCUP
Child care center, Non-residential, accessory	P	P
Laundromats	P	P
Laundry and dry cleaning pick-up stores	P	P
Shoe repair		P

Notes:

- (1) The Director may determine that a proposed use not specifically listed as a permitted use within Table 2-18 may also be allowed as a permitted use in compliance with Section 35.20.030.A.3.b.
- (2) Not exceeding a maximum floor area of 2,000 square feet.

SECTION 10:

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

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

RESIDENTIAL USES

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

RETAIL TRADE

Agricultural product sales, on-site production only	MCUP	—	35.42.050
Auto and vehicle sales and rental	—	—	
Bar, tavern	—	—	
Building and landscape materials sales - Outdoor	—	—	
Cannabis – Retail	—	—	
Clothing store	—	—	
Convenience store	—	—	
Convenience store, in mixed use project	—	—	
Drive-through facility	CUP	CUP	35.42.130
General retail	—	—	
Grocery/food store	—	—	
Office supporting retail	—	—	
Plant nursery	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	—	CUP	
Service station	—	—	
Visitor-serving commercial	—	—	

Key to Zone symbols

PU	Public Works Facilities
REC	Recreation

Notes:

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

SECTION 11:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change

Section 35.34.070, Commercial Zones Landscaping Requirements, of Chapter 35.34, Landscaping Standards, to delete Subsection G, Shopping Center (SC) zone, in its entirety and renumber existing Subsections.

35.34.070 - Commercial Zones Landscaping Requirements

- A. Limited Commercial (C-1) zone.** A landscape plan shall be approved for all development within the C-1 zone except a one-family dwelling and its accessory structures and uses on an existing lot of record. The landscape plan shall include, at a minimum, the following:
1. A landscape area with a minimum width of five feet shall be provided adjacent to any lot line that abuts a residential zone.
 2. A landscape area with a minimum width of 15 feet shall be provided adjacent to any street right-of-way line.
 3. Parking areas shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas) below.
- B. Retail Commercial (C-2) zone and General Commercial (C-3) zone.** A landscape plan shall be approved for all development within the C-2 and C-3 zones. The landscape plan shall include, at a minimum, the following:
1. Parking areas shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas) below.
- C. Highway Commercial (CH) zone.** A landscape plan shall be approved for all development within the CH zone. The landscape plan shall include, at a minimum, the following:
1. A minimum of five percent of the net lot area shall be landscaped.
 2. An ornamental masonry wall not less than six feet in height extending to within 20 feet of the street right-of-way line of existing or proposed streets shall be provided adjacent to any portion of a lot line that abuts a residential zone. In addition, a row of trees that provide continuous screening to an approximate height of not less than 20 feet nor more than 40 feet when mature shall be provided.
 3. An ornamental masonry wall not less than three feet in height shall be provided along and located a minimum of three feet from any street right-of-way line that abuts the project site where the property on the opposite site of the street has a residential zone.
 - a. The area between the wall and the street right-of-way line shall be landscaped.
 - b. This requirement may be modified by the review authority when it is determined that strict compliance with this requirement is not required to protect residential values due to the street width or other conditions.
 - c. This requirement shall not apply to areas provided for site access and where a service station abuts a street right-of-way.
 4. Parking areas shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas) below.
- D. Community Mixed Use - Los Alamos (CM-LA) zone.**
1. **Parking lots.** Parking lots shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas).
 2. **Forecourt Building Front type.** Landscaping shall be provided for buildings with a forecourt (Subsection 35.24.070.I) that exceeds a gross floor area of 500 square feet.

3. **Through lots.** For parking setback exceptions approved according to Subsection 35.24.070.G.e.1, the setback area along the rear or secondary street property line shall be maintained in landscaping subject to review and approval by the applicable Board of Architectural Review.

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

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

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

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

~~**G. Shopping Center (SC) zone.** A landscape plan shall be approved for all development within the SC zone. The landscape plan shall include, at a minimum, the following:~~

- ~~1. A minimum of five percent of the net lot area shall be landscaped.~~
- ~~2. An ornamental masonry wall not less than six feet in height extending to within 20 feet of the street right-of-way line of existing or proposed streets shall be provided adjacent to any portion of a lot line that abuts a residential zone. In addition, a row of trees that will provide continuous screening to an approximate height of not less than 20 feet nor more than 40 feet when mature shall be provided.~~
- ~~3. Except for areas provided for site access, an ornamental masonry wall not less than three feet in height shall be provided along and located a minimum of three feet from any street right of way line that abuts the project site where the property on the opposite site of the street is zoned residential.~~
- ~~4. All setback areas adjacent to a street shall be landscaped.~~
- ~~5. Parking areas shall be landscaped in compliance with Section 35.34.100 (Landscaping Requirements for Parking Areas) below.~~

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

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

SECTION 12:

Article 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change

Table 3-6, Nonresidential Parking Standards, of Section 35.36.060, Required Number of Spaces: Nonresidential Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

35.36.060 - Required Number of Spaces: Nonresidential Uses

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

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

Table 3-6 - Nonresidential Parking Standards

Recreation, Education & Public Assembly Uses:	Parking Spaces Required
Bowling alley	8 spaces per lane
Day care center (accessory or principal use) (32)	1 space per 10 children and; 1 drop-off/loading space
Library, museum, art gallery, or similar use	1 space per 2 employees and; 1 space per 300 square feet of gross floor area
Religious institutions, school auditoriums, college auditoriums, theaters, general auditoriums, stadiums, mortuaries, lodges, halls, and other places of general assembly	With fixed seats - 1 space per 4 fixed seats Without fixed seats - 1 space per 30 square feet of auditorium floor space
Places of amusement without fixed seats (e.g., dancehalls, skating rinks, etc.)	1 space per 300 square feet of assembly area
Racquetball facility & tennis facility	1.5 spaces per court
School - Colleges: art, craft, music, or dancing schools; business, professional, or trade school	1 space per 5 students and 1 space per 3 employees
School - Day school or Nursery school	1 space per 10 students and 1 space per 2 employees
School - Elementary and Middle School	1.5 spaces per teaching station
School - High School	6 spaces per teaching station
Spas, health clubs, etc.	1 space per 300 square feet of gross floor area
Spectator seating	1 space per 5 seats or 1 space per 35 square feet of seating area
Swimming pool, public	1 space per 200 square feet of pool area and 1 space per 500 square feet of area related to the pool and facilities
Retail Trade	Parking Spaces Required
Furniture and appliance stores; heating, ventilating, and hardware stores; motor vehicle and machinery sales and service	1 space per 1,000 square feet of gross floor area
Restaurants, cafes, taverns, etc.	1 space per 300 square feet of space devoted to patrons 1 space per 2 employees
Retail business and general commercial	1 space per 500 square feet of gross floor area (4)
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 (21)
Hotels/motels	1 space per guest room and 1 space per 5 employees
Medical services - extended care	1 space per 3 beds and 1 space per 3 employees

Medical services - hospitals	1 space per 2 beds and 1 space per 3 employees
Medical Services - medical clinics, medical and dental offices	1 space per 200 square feet of gross floor area
Short-Term Rentals	1 space per bedroom

Notes:

~~(1) See Subsection 35.36.110.I (Shopping Center (SC) zone).~~

~~(2) See Subsection 35.36.110.J (Professional and Institutional (PI) zone).~~

~~(3) A reduction in required parking may be allowed (1) with the submittal of a parking study that sets forth substantial evidence to support a reduction in the required parking (e.g., the daycare center involves clients that do not have access to automobiles, the daycare center is located in proximity to a major transit stop, and/or sufficient parking already exists on or near the project site); and (2) subject to a Minor Conditional Use Permit granted at the discretion of the County decision-makers in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).~~

SECTION 13:

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

35.36.110 - Standards for Nonresidential Zones and Uses

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

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

SECTION 14:

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

D. Application and processing requirements.

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

- a. Architectural Feature.** An attached, un-inhabitable architectural feature (e.g., covered entry, covered patio, deck, balcony, etc.) may be allowed in addition to the floor area of the accessory dwelling unit. The architectural feature(s) shall be subordinate to the accessory dwelling unit and limited to a cumulative square footage total of 20% of the floor area of the accessory dwelling unit. The square footage calculation shall be measured as the roof area (covered) or the footprint (uncovered). The square footage shall be capped at a maximum of 240 square feet for existing structures converted to an accessory dwelling unit that exceed 1,200 square feet in floor area. The height of the feature(s) shall not exceed the roofline of the accessory dwelling unit. Architectural feature(s) do not include attached garages, storage rooms, laundry rooms, and other enclosed spaces or unenclosed amenities. Architectural feature(s) shall comply with the setback requirements applicable to the accessory dwelling unit on the lot, provided that upper story unenclosed landings, decks, and balconies greater than 20 square feet shall be located a minimum of 10 feet from side, rear, and interior lot lines unless landscape screening with a six-foot minimum height is provided along the perimeter.
- 6. Modifications.** An accessory dwelling unit or junior accessory dwelling unit that does not comply with the requirements of this Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units) may be allowed with the approval of a Modification in compliance with Section 35.82.130 (Modifications), provided that the applicant requests a delay and tolls the 60-day processing time period specified in Subsection D.2, above, until final action is taken on the Modification.
- 7. Nonconforming zoning conditions.** The correction of nonconforming conditions shall not be required as a condition of approval of an accessory dwelling unit or junior accessory dwelling unit. As used in Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units), “nonconforming zoning condition” means a physical improvement on a property that does not conform to the zoning standards of this Development Code.
- 8. Variances.** Variances shall not be granted for accessory dwelling units or junior accessory dwelling units.
- 9. Residential second units.** For purposes of this Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units), a residential second unit previously permitted in compliance with this Development Code shall be considered the same as an accessory dwelling unit.
- 10. Unpermitted existing development.** For purposes of this Section 35.42.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units), improvements to unpermitted existing development to accommodate an accessory dwelling unit or junior accessory dwelling unit shall be considered new development.
- 11. Must Yield Provisions.** Where the application of front setbacks stipulate that the standard must be complied with unless it would preclude development of an accessory dwelling unit of up to 800 square feet with side and rear setbacks of at least four feet, this standard must yield when there are no other physical locations to place an accessory dwelling unit on the lot without conflicting with other applicable provisions of this Section, such as height, setbacks, tree protection, grading, environmentally sensitive habitat areas, historic resources, and archaeological resources. A property owner’s preference for a specific location on the lot does not constitute a reason to vary from objective standards. Nothing in this subsection shall be interpreted to apply new standards to an accessory dwelling unit developed in accordance with Subsection E, below that do not already apply. If encroachment into the front setback is required, it shall be the minimum necessary to accommodate the project.

SECTION 15:

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

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

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

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

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

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

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

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

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

b. Lot requirements.

~~(1) The lot shall contain no more than one accessory dwelling unit.~~

- ~~(2)~~—The lot shall contain an existing or proposed one-family dwelling.
- c. **Location.** The accessory dwelling unit shall be located entirely within the existing or proposed one-family dwelling or existing accessory structure, except as provided in ~~Subsection E.2.b.(1)~~, below.
- (1) The accessory dwelling unit may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure and shall be limited to accommodating ingress and egress.
- d. **Setbacks.** The side and rear setbacks shall be sufficient for fire and safety purposes in compliance with the current, adopted edition of the California Fire Code and the California Building Code. The accessory dwelling unit shall also comply with the front setback requirements of the applicable zone, provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.
- e. **Junior accessory dwelling unit.** An accessory dwelling unit that complies with the standards of this Subsection E.2 may be located on the same lot as a junior accessory dwelling unit that complies with the standards of Subsection G, below.
3. **One detached, new construction accessory dwelling unit per lot with a one-family dwelling.** One detached, new construction accessory dwelling unit per lot with an existing or proposed one-family dwelling shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:
- a. **Lot requirements.**
- ~~(1)~~—The lot shall ~~contain no more than one accessory dwelling unit.~~
- ~~(2)~~—The lot shall contain an existing or proposed one-family dwelling.
- b. **Location.** The accessory dwelling unit shall be located within a detached, new construction accessory building that is not ~~connected by any means~~ attached to another accessory structure.
- c. **Maximum floor area.** The gross floor area of the accessory dwelling unit shall not exceed 800 square feet.
- d. **Maximum height.** The height of the accessory dwelling unit shall not exceed 16 feet as measured in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations). ~~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.~~ For lots with an existing or proposed one-family dwelling that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet.
- e. **Setbacks.** The accessory dwelling unit shall have side and rear setbacks of at least four feet and shall comply with the front setback requirements of the applicable zone, provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.
- f. **Junior accessory dwelling unit.** An accessory dwelling unit that complies with the standards of this Subsection E.3 may be located on the same lot as a junior accessory dwelling unit that complies with the standards of Subsection G, below.

4. **One or more accessory dwelling units per lot located entirely within an existing multiple-family dwelling or accessory structure.** One or more accessory dwelling units located within an existing multiple-family dwelling or existing accessory structure shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:
 - a. **Lot requirements.**
 - (1) The lot may contain at least one accessory dwelling unit and shall contain no more accessory dwelling units than 25 percent of the existing multiple-family dwelling units. For example, a lot containing eight multiple-family dwelling units may contain up to two accessory dwelling units.
 - (a) **Fractional units.** If the number of allowed accessory dwelling units includes a fraction of a unit, any decimal fraction less than 0.5 shall be rounded down to the nearest whole unit and any decimal fraction of 0.5 or more shall be rounded up to the nearest whole unit.
 - (2) The lot shall contain an existing multiple-family dwelling.
 - b. **Location.** Each accessory dwelling unit shall be located ~~within portions of~~ entirely within the existing multiple-family dwelling or accessory structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, ~~passageways~~, attics, basements, or garages.
5. **Up to two detached accessory dwelling units per lot with an existing multiple-family dwelling.** Up to two detached accessory dwelling units per lot with an existing multiple-family dwelling shall be allowed with a Building Permit and any other necessary approvals when in compliance with all of the following development standards:
 - a. **Lot requirements.**
 - (1) The lot shall contain no more than two accessory dwelling units.
 - (2) The lot shall contain an existing multiple-family dwelling.
 - b. **Location.** Each accessory dwelling unit shall be located entirely within an existing detached accessory structure or a detached, new construction accessory building.
 - c. **Maximum height.** The height of each accessory dwelling unit shall not exceed 16 feet as measured in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations). For lots with an existing or proposed multiple-family dwelling that is multi-story or within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet.
 - d. **Setbacks.** The accessory dwelling unit(s) shall have side and rear setbacks of at least four feet and shall comply with the front setback requirements of the applicable zone-, provided that this standard allow up to two accessory dwelling units of up to 800 square feet to be constructed on the lot. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allows an accessory dwelling unit(s) of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit(s), including eaves and roof overhangs, shall comply with these requirements.

SECTION 16:

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

F. Accessory dwelling units located within zones that allow one-family or multiple-family residential use. This Subsection F provides standards for accessory dwelling units that do not comply with Subsection E above. An accessory dwelling unit that complies with all of the following standards, as applicable, shall be allowed with a Building Permit and any other necessary approvals.

1. **General standards.** The following development standards shall apply to all accessory dwelling units allowed in compliance with this Subsection F:
 - a. **Zoning.** The accessory dwelling unit shall be located within one of the following zones that allow one-family or multiple-family dwelling residential use. For purposes of this Subsection F, a two-family dwelling (i.e., “dwelling, two-family,” as defined in Section 35.110.020 (Definitions of Specialized Terms and Phrases)), shall be considered a multiple-family dwelling residential use.

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

b. Lot requirements.

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

~~**e. 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.
 - b. **New construction.**
 - (1) The design of an accessory dwelling unit that will be attached to an existing building shall reflect the exterior appearance and architectural style of the existing building to which it is attached and use the same or comparable exterior materials, roof covering, colors, and design for trim, windows, roof pitch, and other exterior physical features.
 - (2) Exterior lighting shall comply with all of the following standards:
 - (a) All exterior lighting shall be hooded and fully shielded (~~i.e., full cutoff~~).
 - (b) Each exterior lighting fixture shall not exceed 800 lumens if located within the Rural Area and 1,600 lumens if located within the Urban Area.
 - (c) Each exterior lighting fixture shall not exceed 3,000 Kelvin.
 - (d) Landscape and pathway lighting fixtures shall not exceed four feet in height.
 - (e) Security lighting shall be controlled by a motion sensor switch or timer between dusk and dawn.
 - (3) Proposed landscaping shall be comparable to existing landscaping on the lot in terms of plant species and density of planting.
3. **Environmentally sensitive habitat areas.** The development of an accessory dwelling unit shall comply with the objective requirements of Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone), provided that these standards allow an accessory dwelling unit of at least up to 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).
4. **Grading.** Grading directly associated with an accessory dwelling unit, inclusive of any grading required to establish access, shall be limited to 250 cubic yards and the accessory dwelling unit shall be located on existing slopes of 20 percent or less under the footprint of the accessory dwelling unit, provided that this standard permits an accessory dwelling unit of at least up to 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).
5. **Height limit.**
- a. **Conversion.** An accessory dwelling unit located entirely within an existing one-family dwelling, multiple-family dwelling, or accessory structure shall not be subject to a height limit.
 - b. **New construction.**
 - (1) **Attached accessory dwelling units.** The height of an attached accessory dwelling unit that is proposed to be located above another floor or on grade where there is no floor above shall be limited to 25 feet and two stories and shall not exceed the maximum allowable height limit for the principal dwelling in the applicable zone.
 - (2) **Detached accessory dwelling units.**
 - (a) **One-story accessory dwelling units.** The height of a detached, one-story accessory dwelling unit shall not exceed a vertical distance of 16 feet as measured in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations). For lots with an existing or proposed one-family dwelling that is within one-half of one mile

walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet. If located above or below the floor of another accessory structure, the combined height shall not exceed a vertical distance of 25 feet.

- (b) **Two-story accessory dwelling units.** The height of a detached, two-story accessory dwelling unit shall not exceed a vertical distance of 25 feet as measured in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations).
6. **Historic resources.** An accessory dwelling unit shall not be located within, attached to, or located on the same lot as a structure listed in, or determined to be eligible for listing in the California Register of Historical Resources or the National Register of Historic Places, or a structure designated, or determined to be eligible for designation as a County Historic Landmark or County Place of Historic Merit unless the proposed accessory dwelling unit follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (U.S. Department of the Interior, National Park Service, 2017) or the Secretary of the Interior’s Standards for Rehabilitation (36 CFR Part 67, 1990) and Guidelines for Rehabilitating Historic Buildings (Weeks and Grimmer, 1995), as may be amended. If a detached accessory dwelling unit is proposed to be located on the same lot as a historic or potentially historic structure described above, the applicant shall provide a written assessment from a Department-approved historian confirming that the proposed accessory dwelling unit shall be in conformance with this requirement.
7. **Archaeological resources and tribal cultural resources.** A new construction attached or detached accessory dwelling shall be located at least 50 feet from the site boundaries of any archaeological resources or tribal cultural resources, unless a written assessment or a California Native American tribe recommends a greater buffer distance. Applicants shall submit a written assessment of any (1) archaeological resources that may qualify as “historical resources” as defined in CEQA Guidelines Section 15064.5(a), or (2) sites, features, cultural landscapes, sacred places, objects, or resources that may qualify as “tribal cultural resources” as defined in Public Resources Code Section 21074 that are located within 100 feet of the proposed accessory dwelling unit. The written assessment shall be prepared by a Department-approved archaeologist or other qualified professional and shall define the characteristics and site boundaries of the archaeological resources or tribal cultural resources.
- ~~8. **Kitchen.** The accessory dwelling unit shall provide complete independent living facilities for one or more persons, including permanent provisions for eating and cooking.~~
- 98. Location.** The accessory dwelling unit shall comply with the following:
- a. **Conversion.** The accessory dwelling unit shall be located entirely within an existing one-family dwelling, multiple-family dwelling, or accessory structure.
 - b. **Attached accessory dwelling unit.** An attached accessory dwelling unit shall be located entirely or partially within an addition to a one-family dwelling, multiple-family dwelling, or an attached accessory structure.
 - c. **Detached accessory dwelling unit.** A detached accessory dwelling unit shall be located entirely or partially within a proposed detached accessory structure or an addition to an existing detached accessory structure.
 - d. **Development envelope.** If a development envelope has been recorded through a subdivision and the record demonstrates that the development envelope was established for the protection of public health and safety, then the accessory dwelling unit shall be located within the development envelope.

~~e. **Location on lot.** A detached accessory dwelling unit shall comply with the following standards, provided that these standards allow an accessory dwelling unit of 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.~~

109. 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 up to 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. **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.

(2) **Lots greater than 15,000 net square feet.** 1,200 square feet.

(3) **Attached accessory dwelling units.** In addition to the gross floor area limits of Subsections F.409.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.

110. Parking.

a. **Replacement parking spaces not required.** Replacement parking spaces to satisfy the parking requirements of the principal dwelling shall not be required for an accessory dwelling unit allowed in compliance with this Subsection F.

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

(1) Except as provided in Subsection F.110.b.(2), below, one parking space per accessory dwelling unit shall be required for a new construction detached accessory dwelling unit. The space may be provided in any of the following configurations:

(a) Tandem parking on a driveway or in a location outside of the required setback areas.

- (b) On a driveway located within the front, side, or rear setback area.
- (2) A parking space shall not be required for a new construction detached accessory dwelling unit that complies with any of the following criteria:
 - (a) The accessory dwelling unit is located within one-half mile walking distance of public transit (e.g., a bus stop).
 - (b) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - (c) On-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (d) A car share vehicle is located within one block of the accessory dwelling unit.

~~12. Sale restriction. The accessory dwelling unit shall not be sold or otherwise conveyed separate from the one family dwelling.~~

~~1311. 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):~~

~~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.1311, “living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.~~

~~b. New construction.~~

~~(1) Except as provided in Subsections F.1311.b.(2), below, the accessory dwelling unit shall comply with the front, side, and rear setback requirements that apply to the principal dwelling accessory structures, provided that the accessory dwelling unit has side and rear setbacks of at least four feet. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allow an accessory dwelling unit(s) of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall meet these requirements.~~

~~(2) No setbacks shall be required for a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit.~~

~~1412. 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.1412, protected trees are defined as (1) mature and/or (2) roosting/nesting trees that do not pose a threat to public health and safety. Non-native, invasive species are not protected if they are not roosting/nesting trees. Trees that are removed or damaged in order to accommodate an accessory dwelling unit up to 800 square feet shall be relocated or replaced onsite at a ratio of at least 5:1 with 15-gallon plantings or equivalent.~~

~~b. No grading, paving, or other site disturbance shall occur within the area six feet outside of the dripline of the tree(s), unless the conclusion of a report submitted by the applicant and prepared by~~

a licensed arborist states that the proposed grading, paving, or other site disturbance will not damage or harm the tree(s).

1513. 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 up to 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).

SECTION 17:

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

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

1. General standards.

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

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

b. Lot requirements.

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

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

2. **Declaration of Restrictions.** Prior to the issuance of a Building Permit for a junior accessory dwelling unit, the owner shall record a Declaration of Restrictions, which shall run with the land, in compliance with Section 35.82.050 (Recordable Documents). The owner shall record the Declaration of Restrictions with the County of Santa Barbara Clerk-Recorder and file the Declaration of Restrictions with the Planning and Development Department. The Declaration of Restrictions shall include both of the following:
 - a. A prohibition on the sale of the junior accessory dwelling unit separate from the one-family dwelling, including a statement that the deed restriction shall be enforced against future purchasers; and
 - b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with the standards of this Subsection G.
3. **Efficiency kitchen.** The junior accessory dwelling unit shall have an efficiency kitchen that includes the following:
 - a. A cooking facility with appliances, including at least a two-burner stove, sink, and freestanding refrigerator; and
 - b. Food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit and not less than four feet in length.
4. **Exterior access.** The junior accessory dwelling unit shall have separate exterior access from the one-family dwelling.
5. **Location.** The junior accessory dwelling unit shall be located entirely within an existing or proposed one-family dwelling or attached garage. The junior accessory dwelling unit shall not be located within any other attached or detached accessory structure.
6. **Maximum floor area.** The gross floor area of the junior accessory dwelling unit shall not exceed 500 square feet.
7. **Owner-occupancy.** Except as provided below in Subsection G.7.a, owner-occupancy shall be required for the junior accessory dwelling unit or the one-family dwelling in which the junior accessory dwelling unit is located.
 - a. Owner-occupancy shall not be required if the owner of the junior accessory dwelling unit is a governmental agency, land trust, or housing organization.
8. **Parking.**
 - a. **New parking spaces.** No new parking spaces shall be required for a junior accessory dwelling unit allowed in compliance with this Subsection G.
 - b. **Replacement parking.** Replacement parking spaces to satisfy the parking requirements of the principal dwelling shall be required for a junior accessory dwelling unit located within an attached garage in compliance with Section 35.36.050 (Required Number of Spaces: Residential Uses) and Section 35.36.080 (Standards for All Zones and Uses).
- ~~9. **Sale restriction.** The junior accessory dwelling unit shall not be sold or otherwise conveyed separate from the one-family dwelling.~~
- ~~109. **Sanitation facilities.** The junior accessory dwelling unit shall include separate sanitation facilities or share sanitation facilities with the one-family dwelling. If shared, interior access to the main living area of the principal dwelling shall be required.~~
- ~~110. **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.

- 1211. Accessory dwelling unit.** A junior accessory dwelling unit that complies with the standards of this Subsection G may be located on the same lot as an accessory dwelling unit that complies with the standards of Subsection E.2 or E.3, above.

SECTION 18:

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

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

SECTION 19:

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

B. Development standards.

1. **Sequence of construction.** Accessory structures shall not be constructed on a lot until construction of the principal structure has begun or a principal use has been established and commenced, and an accessory structure shall not be used unless the principal structure on a lot is also being used or a principal use has been established and commenced.
2. **Standards for attached structures.** An accessory structure attached to the principal structure shall comply with the use, setback, and height requirements applicable to the principal structure.
3. **Height restrictions.** Accessory structures shall comply with the height restrictions of the applicable zones except as specified below:
 - a. **Fences and walls.** See Section 35.30.070 (Fences and Walls) for height limits for fences and walls.
 - b. **Guesthouses, artist studios and cabañas.** See Section 35.42.150 (Guesthouses, Artist Studios, and Cabañas) for height limits for guesthouses, artist studios and cabañas.
 - c. **Located in the rear setback.** The height limit for accessory structures located in the rear setback is 12 feet.
 - d. **Telecommunication facilities.** See Chapter 35.44 (Telecommunications Facilities) height limits and exception for commercial and noncommercial telecommunication facilities.
4. **Setback requirements.** ~~Detached a~~Accessory structures, including swimming pools, spas, and appurtenant equipment, shall comply with the front and side setback requirements of the applicable zone unless otherwise specifically allowed in compliance with this Development Code.
 - a. **Location in rear setback.**
 - (1) **Other accessory structures.** Except as provided in Subsection B.4.a.(1), above, an detached accessory structure, other than guesthouses, artist studios and cabañas (Section 35.42.150) may be located in the required rear setback provided that:
 - (a) It is not attached to the principal structure.
 - (b) It is located no closer than five feet to the principal structure.
 - (c) It does not exceed 40 percent of the required rear setback.
 - (d) It does not exceed a height of 12 feet.
 - (e) If located on a corner lot backing on a key lot, the accessory structure shall be set back from the rear property line by a distance equal to the side setback requirement applicable to the key lot.
 - (f) A swimming pool, spa, and appurtenant equipment shall not be located closer than five feet to any property line.

- (g) An accessory structure may otherwise be located adjacent to the rear property line provided that all other provisions (e.g., building code or fire code requirements for separation between structures) are complied with.
- b. **Corner lot setbacks.** Accessory structures located on a corner lot having a width of less than 100 feet shall not be located closer to the front line of the lot than the principal structure on that lot.
- c. **Swimming pools and spas in setback area.**
 - (1) **Location outside of the EX-1 zone.** Swimming pools, spas, and appurtenant equipment shall not be located:
 - (a) **Lots other than interior lots.** In the required front or side setback areas and, if located within the rear setback, shall not be located closer than five feet to any property line.
 - (b) **Interior lots.** Closer than 10 feet to any property line.
 - (2) **Location within the EX-1 zone.** Swimming pools, spas, and appurtenant equipment shall not be located:
 - (a) **Lots other than interior lots.** In the required front, side or rear setback areas; however, the required setbacks may be decreased by 15 feet for the purpose of locating a swimming pool, spa, and appurtenant equipment.
 - (b) **Interior lots.** Closer than 10 feet to any property line.
- 5. **Kitchen or cooking facilities/amenities prohibited.** Accessory structures, including artist studios, cabañas and guesthouses, shall not contain kitchen or cooking facilities unless the accessory structure is specifically permitted as a dwelling (e.g., agricultural employee dwellings or accessory dwelling units, and junior accessory dwelling units). Artist studios, cabañas and guesthouses are not dwellings.
- 6. **Gross floor area and footprint limitations.** Detached aAccessory structures, excluding barns, garages and stables, shall not exceed a gross floor area 800 square feet if located on a lot of one acre or less.
 - a. **Summerland Community Plan area.** See Subsection 35.28.210.G (Summerland Community Plan area) for additional standards regarding the allowable floor area of detached accessory structures.

...

SECTION 20:

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

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

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail	—	P(2)(3)	—
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Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Professional and Institutional
SC	Shopping Center		

Notes:

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

SECTION 21:

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

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

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	—	P	P	P	35.42.260.F.1
Car washes	S	S	S	S	S	35.42.260.F.2
Certified farmers market	—	MCUP	—	MCUP	MCUP	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions	S	S	S	S	S	35.42.260.F.4
Mobile vendors	—	MCUP	—	—	—	35.42.260.F.5
Parking lot sale	—	—	—	S	—	35.42.260.F.6
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7

Public property	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	—	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	—	ZC	ZC	ZC	35.42.260.F.13
Swap meet	—	CUP	—	—	—	35.42.260.F.14

TEMPORARY DWELLINGS

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

TEMPORARY OFFICE/STORAGE

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

Key to Zone Symbols

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

Notes:

(1) See Article 35.11 (Glossary) for land use definitions.

SECTION 22:

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

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

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

a. Additional requirements.

- (1) The review authority shall not approve or issue the applicable planning permit unless the review authority finds that the proposed sale will not be detrimental to the public health, safety, and welfare and that adequate onsite pedestrian access and parking will exist during the proposed sale.

- (2) The review authority may impose any reasonable conditions as necessary to protect and preserve the public health, safety, and welfare.

SECTION 23:

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

Table 8-1 - Review Authority

Type of Action	Role of Review Authority (1)			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors
Administrative and Legislative				
Development Code Amendments			Recommend	Decision
Comprehensive Plan Amendments			Recommend	Decision
Interpretations	Decision		Appeal	Appeal
Reasonable Accommodation	See Chapter 35.37 (Reasonable Accommodation) for applicable Review Authority			
Specific Plans and Amendments			Recommend	Decision
Zoning Map Amendments			Recommend (2)	Decision
Planning Permits				
Conditional Use Permits			Decision	Appeal
Design Review	See Footnote (3) below			
Development Plans	See Table 8-2 (Development Plan Review Authorities) in Section 35.82.080 (Development Plans) for applicable Development Plan Thresholds			
Emergency Permits	Decision			
Hardship Determinations		Decision		
Land Use Permits (4)	Decision		Appeal	Appeal
Limited Exception Determinations			Decision	Appeal
Minor Conditional Use Permits		Decision	Appeal	Appeal
Modifications		Decision	Appeal	Appeal
Nonconforming Status & Extent of Damage Determinations		Decision		
Oil and Gas Exploration and Production Plans			Decision	Appeal
Oil/Gas Land Uses - Abandonment and Removal Procedures	Decision		Appeal	Appeal
Overall Sign Plans	See Section 35.82.150 (Overall Sign Plans)			
Reclamation and Surface Mining Permits (5)			Decision	Appeal
Road Namings/Renamings	See Chapter 35.76 (Road Naming and Address Numbering)		Appeal	Appeal
Sign Certificates of Conformance	Decision		Appeal	Appeal
Sign Modifications		Decision	Appeal	Appeal
Use Determinations			Decision (6)	Appeal
Variances		Decision	Appeal	Appeal
Zoning Clearances	Decision			

Table 8-1 - Review Authority

Type of Action	Role of Review Authority (1)			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors

Notes:

- (1) "Recommend" identifies that the review authority makes a recommendation to a higher decision-making body; "Decision" identifies that the review authority makes the final decision on the matter; "Appeal" identifies that the review authority may consider and decide upon appeals of the decision of an earlier decision-making body, in compliance with Chapter 35.102 (Appeals).
- (2) The decision of the Commission to recommend denial of a Zoning Map Amendment is not transmitted to the Board absent the filing of an appeal or a written request for a hearing is filed with the Clerk of the Board within the five calendar days after the Commission files its recommendation with the Board.
- (3) The Board of Architectural Review with jurisdiction in compliance with County Code Chapter 2 shall make decisions on Design Reviews within the County; the decision of the Board of Architectural Review is appealable to the Commission; the decision of the Commission is appealable to the Board.
- (4) The Zoning Administrator is the review authority for Land Use Permits approved in compliance with Section 35.42.190 (Home Occupations) and Section 35.82.110 (Land Use Permits) for Home Occupations that qualify as Cottage Food Operations. The decision of the Zoning Administrator may be appealed to the Commission; the decision of the Commission may be appealed to the Board.
- (5) The Director shall be the review authority on amendments to Reclamation Plans that are required in order to incorporate an interim management plan that is required due to a surface mining operation becoming idle.
- ~~(6) Within the SC (Shopping Center) zone the Director is the review authority for applications for Use Determinations that comply with Section 35.20.030.A.3(b). The decision of the Director may be appealed to the Planning Commission and Board of Supervisors in compliance with Chapter 35.102 (Appeals).~~

SECTION 24:

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

Table 8-2 - Development Plan Review Authorities

Type of Project	Role of Review Authority			
	Director	Zoning Administrator	Planning Commission	Board of Supervisors
Gross floor area of 10,000 square feet or less in the following zones: (1)				
C-1 (General Commercial)	Decision		Appeal	Appeal
C-2 (Retail Commercial)	Decision		Appeal	Appeal
C-3 (General Commercial)	Decision		Appeal	Appeal
CH (Highway Commercial)	Decision		Appeal	Appeal
CS (Service Commercial)	Decision		Appeal	Appeal
SC (Shopping Center Commercial)	Decision		Appeal	Appeal
M-1 (Light Industry)	Decision		Appeal	Appeal
M-2 (General Industry)	Decision		Appeal	Appeal
M-RP (Industrial Research Park)	Decision		Appeal	Appeal
MU (Mixed Use)	Decision		Appeal	Appeal
OT (Old Town)	Decision		Appeal	Appeal
PI (Professional and Institutional)	Decision		Appeal	Appeal
Gross floor area greater than 10,000 square feet but less than 15,000 square feet in size in the following zones: (1)				

Table 8-2 - Development Plan Review Authorities

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

Notes:

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

SECTION 25:

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

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

1. **Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Service Commercial (C-S), Professional and Institutional (PI), Industrial Research Park (M-RP) and Light Industry (M-1) zones.**
 - a. The proposed use is similar in character to those listed as permitted uses in the applicable zone.
 - b. The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the applicable zone because of noise, odor, dust, smoke, vibration, danger to life, property or other similar causes.
2. **Highway Commercial (CH) zone.** The proposed use is operated primarily for the purpose of serving the essential needs of travelers on highways.
3. **Community Mixed Use - Los Alamos (CM-LA) zone.** The proposed use is important to the daily (frequent) needs of residents in the surrounding area and is important to the shopping needs of the community.
4. **Neighborhood Commercial (CN) zone.**
 - a. The proposed use is similar in character to those listed as permitted uses in the CN zone.
 - b. The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the CN zone because of noise, odor, dust, smoke, vibration, traffic congestion, danger to life, property or other similar causes.
5. **Old Town Residential/Light Commercial (OT-R/LC) and Old Town Residential/General Commercial (OT-R/GC) zones.**
 - a. **Similar permitted uses.**
 - (1) The proposed use is similar in character to those listed as permitted uses in the applicable zone.
 - (2) The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the applicable zone because of noise, odor, dust, smoke, vibration, traffic congestion, danger to life, property or other similar causes.
 - b. **Similar uses allowed with a Conditional Use Permit.**
 - (1) The proposed use is found to be of the same nature as those permitted with a Conditional Use Permit and would be consistent with the character of the “Old Town” area.
- ~~6. **Shopping Center (SC) zones.**~~
 - ~~a. **Use Determinations under the jurisdiction of the Director.**~~
 - ~~(1) The proposed use is similar in character to uses that:~~
 - ~~(a) Are already listed in Table 2-18 (Allowable Land Uses and Permit Requirements for the SC Zone) as permitted uses for the applicable type of shopping center; or,~~
 - ~~(b) Are allowed as permitted uses as part of a previously approved planning permit for the existing, developed shopping center in which the use is proposed.~~
 - ~~(2) The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those use included in Subsection E.5.a.(1), above, because of noise, odor, dust, smoke, vibration, traffic congestion, depreciation of property values, danger to life, property or other similar causes.~~
 - ~~b. **Use Determinations under the jurisdiction of the Commission.**~~
 - ~~(1) The proposed use is similar in character to those listed as permitted uses in the SC zone.~~

- ~~(2) The proposed use is essential to:~~
- ~~(a) Convenience Shopping Centers. The daily (frequent) needs of the residents of the surrounding area.~~
 - ~~(b) Community Shopping Centers. The shopping needs of the area it serves.~~
- ~~(3) The proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the applicable zone because of noise, odor, dust, smoke, vibration, traffic congestion, depreciation of property values, danger to life, property or other similar causes.~~

- 76. Public Utilities (PU) zone.** The proposed use is similar in character to those listed as permitted uses in the PU zone.
- 87. Recreation (REC) zone.** The proposed use is similar in character to those listed as permitted uses in the REC zone, not including fairgrounds, amusement parks or large indoor recreational complexes.

SECTION 26:

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

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

- m. MU (Mixed Use).
- n. PU (Public Works Utilities).
- o. REC (Recreation).
- p. HWMF (Hazardous Waste Management Facility) overlay

SECTION 27:

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

Accessory dwelling unit. An attached or a detached residential dwelling unit that is located on the same lot as a one-family or multiple-family dwelling to which the accessory dwelling unit is accessory and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, and (2) provides interior access between all habitable rooms. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 of Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

1. **Attached accessory dwelling unit.** An accessory dwelling unit that shares at least five feet of common wall with, or is stacked above or below, the principal dwelling or an attached accessory structure.
2. **Detached accessory dwelling unit.** An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling. A detached accessory dwelling unit may be attached to a detached accessory structure.

SECTION 28:

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

SECTION 29:

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

SECTION 30:

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

SECTION 31:

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

SECTION 32:

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

SECTION 33:

This ordinance shall take effect and be in force 30 days from the 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 _____, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

ADU, SC Rezone, and Minor Ordinance Amendments
Case No. 23ORD-00007
County Planning Commission
Hearing Date: October 4, 2023
Attachment C, Exhibit 1 – Page 46

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEN
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENT D: ARTICLE II COASTAL ZONING ORDINANCE RESOLUTION

**RESOLUTION OF THE COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT) RESOLUTION NO. 23 - 08
COUNTY PLANNING COMMISSION RECOMMEND)
THAT THE BOARD OF SUPERVISORS (BOARD)) Case No.:
ADOPT AN ORDINANCE AMENDING ARTICLE II,) 23ORD-00007
THE COASTAL ZONING ORDINANCE (CZO), OF)
CHAPTER 35, ZONING, OF THE SANTA BARBARA)
COUNTY CODE, BY AMENDING DIVISION 1, IN)
GENERAL; DIVISION 2, DEFINITIONS, DIVISION 4,)
ZONING DISTRICTS, DIVISION 7, GENERAL)
REGULATIONS, DIVISION 11, PERMIT)
PROCEDURES, DIVISION 12, ADMINISTRATION,)
DIVISION 13, SUMMERLAND COMMUNITY PLAN)
OVERLAY, DIVISION 15, TORO CANYON PLAN)
(TCP) OVERLAY DISTRICT, AND DIVISION 17)
GAVIOTA COAST PLAN; TO IMPLEMENT NEW)
REGULATIONS AND DEVELOPMENT STANDARDS)
REGARDING ACCESSORY DWELLING UNITS)
(ADUs) AND JUNIOR ACCESSORY DWELLING)
UNITS (JADUs) AND MINOR ORDINANCE)
AMENDMENTS.)

WITH REFERENCE TO THE FOLLOWING:

- A. On July 19, 1982, by Ordinance 3312, the Board adopted Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code.
- B. On September 27, 2016, the State Legislature adopted Assembly Bill (AB) 2299 and Senate Bill (SB) 1069 (Government Code [GC] Section 65852.2) requiring ministerial approval of planning and building permit applications for ADUs that are located within single-family residential zones and comply with applicable parking, setback, and size restrictions.
- C. On October 8, 2017, the State Legislature adopted SB 229 and AB 494 (GC Section 65852.2) to allow ADUs on all lots zoned for single- or multi-family uses, reduce maximum parking requirements, and make clarifying edits to GC Section 65852.2.
- D. On October 9, 2019, the State Legislature adopted AB 68, AB 881, and SB 13 to further streamline the permit process for and reduce the development standards applicable to ADUs and JADUs.
- E. On September 28, 2020, the State Legislature adopted AB 3182 to clean-up and clarify provisions of GC Section 65852.2.

- F. On September 28, 2022, the State Legislature adopted AB 2221 and SB 897 to clarify regulations related to the review and permitting of ADU and JADUs subject to GC Sections 65852.2 and 65852.22.
- G. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the County Planning Commission recommend that the Board adopt an ordinance (Case No. 23ORD-00007) amending Division 1, In General; Division 2, Definitions; Division 4, Zoning Districts; Division 7, General Regulations; Division 11, Permit Procedures; Division 12, Administration; Division 13, Summerland Community Plan Overlay; Division 15, TCP Overlay District; and Division 17 Gaviota Coast Plan; of the CZO of Chapter 35, Zoning, of the Santa Barbara County Code to implement new regulations regarding the permitting of ADUs and JADUs in compliance with GC Sections 65852.2 and 65852.22, and minor amendments to correct and clarify existing regulations.

The proposed CZO amendment is attached hereto as Exhibit 1 and is incorporated by reference.

- H. The proposed CZO amendment is consistent with the Comprehensive Plan, including all community and area plans, and the requirements of the State planning, zoning, and development laws.
- I. The proposed CZO amendment is in the interest of the general community welfare since it will serve to implement the requirements of State law that promote the development of ADUs and JADUs that will increase the supply of housing in the Coastal Zone portion of the unincorporated county.
- J. This County Planning Commission has held a duly noticed public hearing, as required by GC Section 65854, on the proposed CZO amendment at which hearing the proposed amendment was explained and comments invited from the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of GC Section 65855 and County Code 2-25.2, the County Planning Commission recommends that the Board, following the required noticed public hearing, approve and adopt the above-mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated September 26, 2023.
- 3. A certified copy of this Resolution shall be transmitted to the Board in compliance with GC Section 65855 and County Code Section 2-25.2.

ADU, SC Rezone, and Minor Ordinance Amendments
Case No. 23ORD-00009
County Planning Commission
Hearing Date: October 4, 2023
Attachment D – Page 3

4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above-mentioned action by the County Planning Commission.

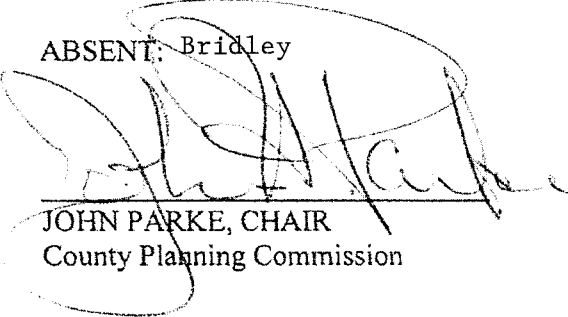
PASSED, APPROVED, AND ADOPTED by the County Planning Commission of the County of Santa Barbara, State of California, this 4th day of October 2023, by the following vote:

AYES: Cooney, Parke, Ferini, Martinez

NOES:

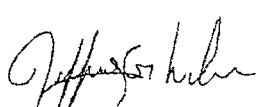
ABSTAIN:

ABSENT: Bridley



JOHN PARKE, CHAIR
County Planning Commission

ATTEST:



JEFFREY WILSON
Secretary to the Commission

APPROVED AS TO FORM:
RACHEL VAN MULLEN
COUNTY COUNSEL

By 
Deputy County Counsel

Exhibit 1 – CZO Amendment (Case No. 23ORD-00009)

**ATTACHMENT D, EXHIBIT 1: ARTICLE II COASTAL ZONING ORDINANCE
AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE (CZO), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 7, GENERAL REGULATIONS, DIVISION 11, PERMIT PROCEDURES, DIVISION 12, ADMINISTRATION, DIVISION 13, SUMMERLAND COMMUNITY PLAN OVERLAY, DIVISION 15, TORO CANYON PLAN (TCP) OVERLAY DISTRICT, AND DIVISION 17 GAVIOTA COAST PLAN TO IMPLEMENT NEW REGULATIONS AND DEVELOPMENT STANDARDS REGARDING ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS) AND MINOR ORDINANCE AMENDMENTS TO CORRECT AND CLARIFY EXISTING REGULATIONS.

23ORD-00009

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

SECTION 1:

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

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

SECTION 2:

DIVISION 2, Definitions, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the definitions of "Accessory Dwelling Unit," "Cannabis," "Floor Area – Gross," and "Passageway" and 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 single-family or multiple-family dwelling to which the accessory dwelling unit is accessory and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, and (2) provides interior access between all habitable rooms, ~~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 ~~is either attached to (e.g., shares at least five feet of common wall with, or is stacked above or below the) or is located within the living area of the existing or proposed~~ principal dwelling or an attached accessory structure.

2. **Detached Accessory Dwelling Unit.** An accessory dwelling unit that is detached from the ~~existing~~ ~~or proposed~~ principal dwelling and is located on the same lot as the existing or proposed principal dwelling. A detached accessory dwelling unit may be attached to a detached accessory structure.

Cannabis: All parts of the plant *Cannabis sativa Linnaeus*, *Cannabis indica* or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including, but not limited to, separated resin. Cannabis also means medical and non-medical marijuana. Cannabis does not include industrial hemp, as defined in Section 11018.5 of the Health and Safety Code as may be amended. Additionally, the following terms are defined for the purposes of Section 35-144U (Cannabis Regulations):

- a. **Canopy.** The designated area(s) at a licensed premise, except nurseries, that will contain mature flowering plants at any point in time, as follows:
 - 1) Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all area(s) that will contain mature flowering plants at any point in time, including all of the space(s) within the boundaries;
 - 2) Canopy may be noncontiguous but each unique area included in the total canopy calculation shall be separated by an identifiable boundary that includes, but is not limited to, interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedgerows, fencing, garden beds, or garden plots; and
 - 3) If mature flowering plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.
- b. **Commercial cannabis activity.** Any activity, recreational or medicinal, that includes the cultivation, possession, manufacturing, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products as provided in this Chapter. “Commercial cannabis activity” does not include personal use.
- c. **Commercial cannabis operation.** Any person or entity that engages in commercial cannabis activities.
- d. **Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, or trimming of cannabis, as well as grading of land to conduct any such activity. Cultivation includes outdoor cultivation, indoor cultivation, and mixed light cultivation as follows:
 - 1) **Indoor cultivation.** The cultivation of cannabis within a structure using exclusively artificial light.
 - 2) **Outdoor cultivation.** The cultivation of cannabis, outside of a structure, without the use of artificial lighting in the canopy area at any point in time. Cultivation within a hoop structure is considered outdoor cultivation. No artificial lighting is permissible for outdoor cultivation, including within hoop structures.
 - 3) **Mixed-light cultivation.** The cultivation of cannabis a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or one of the artificial lighting models, excluding hoop structures.
- e. **Distribution.** The procurement, wholesale, and transport of cannabis and cannabis products between licensees.

- f. **Distributor.** A facility used for the storage and distribution of cannabis and cannabis products.
- g. **Manufacturing.** All aspects of the extraction and/or infusion processes, including processing, preparing, holding, storing, packaging, or labeling of cannabis products. Manufacturing also includes any processing, preparing, holding, or storing of components and ingredients.
- h. **Microbusiness.** Permit by an owner or entity to engage in three of the four following types of cannabis activities: cultivation, distribution, non-volatile manufacturing, and/or retail. Microbusiness permittees must demonstrate compliance with all requirements imposed by this Article on cultivators, distributors, non-volatile manufacturers, and retailers to the extent the permit is to engage in such activities.
- i. **Nonvolatile Manufacturing.** Manufacturing using any solvent in the extraction process that is not a volatile solvent, mechanical extraction, and infusions. For purposes of this Section, nonvolatile solvents include, but are not limited to, carbon dioxide and ethanol.
- j. **Nursery.** A nursery only produces clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis.
- k. **Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for one's own individual use or by a primary caregiver for his or her qualified patient(s) in accordance with State law.
- l. **Private residence.** A house, an apartment unit, a mobile home, a condominium, a townhome, an accessory dwelling unit, junior accessory dwelling unit, or other similar dwelling.
- m. **Premise.** The designated structure or structures and land specified in the state application that is owned, leased, or otherwise held under the control of the applicant where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.
- n. **Processing.** All activities associated with drying, curing, grading, trimming, storing, packaging, and labeling of nonmanufactured cannabis products.
- o. **Retail.**
 - i. **Non-Storefront Retail.** Delivery-only retail of commercial cannabis or cannabis products. Those who conduct non-storefront retail are referred to as Non-Storefront Retailer.
 - ii. **Storefront Retail.** The retail sale and delivery of cannabis or cannabis products to customers, also referred to as a Storefront Retailer. A retailer shall operate from a licensed premise, which is a physical location from which commercial cannabis activities are conducted. A retailer's premise may be closed to the public. A Storefront retailer may also conduct some sales by delivery.
- p. **Testing.** An accredited laboratory, facility, or entity that offers or performs tests of cannabis or cannabis products.
- q. **Volatile Manufacturing.** Manufacturing using any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

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;
- (10) In residential zone districts, 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 35-142 (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 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units)) and contained entirely within a one-family dwelling or its attached garage. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

SECTION 3:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-68.3, Permitted Uses, of Section 35-68, AG-I – Agriculture I, to read as follows:

Section 35-68.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.

2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot. *(Amended by Ord. 4086, 12/15/1992)*
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis. *(Added by Ord. 4067, 08/18/1992)*
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales). *(Amended by Ord. 4557, 12/07/2004)*
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply. *(Amended by Ord. 4529, 04/20/2004)*
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
87. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot. *(Amended by Ord. 3835, 03/20/1990; Ord. 4557, 12/07/2004)*
98. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 3836, 03/20/1990); Ord. 4557, 12/07/2004)*
109. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
1140. –Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
1244. Cannabis, Cultivation and Nursery, subject to the provisions of Section 35-144U.
1342. Cannabis, Distribution, subject to the provisions of Section 35-144U.
1443. –Cannabis, Non-volatile Manufacturing, subject to the provisions of Section 35-144U.
1544. Uses, buildings and structures accessory and customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*

SECTION 4:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-69.3, Permitted Uses, of Section 35-69, AG-II – Agriculture II, to read as follows:

Section 35-69.3 Permitted Uses.

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this Section 35-69.
2. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales). *(Amended by Ord. 4557, 12/07/2004)*
3. Commercial boarding of animals.
4. Private and/or commercial kennels. *(Amended by Ord. 4067, 08/18/1992)*
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
6. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
76. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use located on the same lot. *(Amended by Ord. 3835, 03/20/1990; Ord. 4557, 12/07/2004)*
87. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). *(Amended by Ord. 3838, 03/20/1990)*
98. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
109. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
1140. –Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot. *(Amended by Ord. 3836, 03/20/1990; Ord. 4557, 12/07/2004)*
1244. –Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
1342. –Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
1443. –Uses, buildings and structures accessory and customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*
1544. –Cannabis, Cultivation and Nursery, subject to the provisions of *Section 35-144U.*
1645. –Cannabis, Distribution, subject to the provisions of *Section 35-144U.*
1746. Cannabis, Non-volatile Manufacturing, subject to the provisions of *Section 35-144U.*

SECTION 5:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the

Santa Barbara County Code, is hereby amended to change Section 35-70.3, Permitted Uses, of Section 35-70, RR – Rural Residential, to read as follows:

Section 35-70.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-70.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich, or other livestock not specifically enumerated herein; or three goats, hogs; shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no event shall more than three hogs be kept on any such lot. *(Amended by Ord. 4086, 12/15/1992)*
3. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales). *(Amended by Ord. 4557, 12/07/2004)*
4. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
5. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
- ~~65.~~ One guest house or artist studio per legal lot, subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot. *(Amended by Ord. 3835, 03/20/1990, Ord. 4557, 12/07/2004)*
- ~~76.~~ Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
- ~~87.~~ Greenhouses, hothouses, or other plant protection structures not exceeding 300 square feet.
- ~~98.~~ The keeping of animals and poultry subject to the R-1/E-1 provisions of Section 35-71.12, Subsections 3. through 9., only (Animals). *(Added by Ord. 4067, 08/18/1992; amended by Ord. 4086, 12/15/1992; Ord. 4557, 12/07/2004)*
- ~~109.~~ Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
- ~~1140.~~ Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
- ~~1244.~~ Uses, buildings and structures which are customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*

SECTION 6:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-71.3, Permitted Uses, of Section 35-71, R-1/E-1 – Single-Family Residential, to read as follows:

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

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the

National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141. *(Amended by Ord. 4557, 12/07/2004)*

2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
- ~~32.~~ One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot. *(Amended by Ord. 3835, 03/20/1990 and Ord. 4557, 12/07/2004)*
- ~~43.~~ Home occupations subject to the provisions of Section 35-121. (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
- ~~54.~~ Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
- ~~65.~~ Greenhouses, hothouses, and other plant protection structures subject to all of the following: *(Amended by Ord. 4557, 12/07/2004)*
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
- ~~76.~~ The keeping of animals and poultry accessory to the primary residential use located on the same lot and subject to the provisions of Section 35-71.12. *(Amended by Ord. 4557, 12/07/2004)*
- ~~87.~~ Public parks, public playgrounds, and community centers operated by a public agency. *(Amended by Ord. 4557, 12/07/2004)*
- ~~98.~~ Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
- ~~109.~~ Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
- ~~114.~~ Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises. *(Amended by Ord. 4186, 03/14/1995; Ord. 4557, 12/07/2004)*

SECTION 7:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-72.3, Permitted Uses, of Section 35-72, R-2 – Two Family Residential, to read as follows:

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

1. One single family dwelling or one two family dwelling, i.e., duplex, per legal lot. *(Amended by Ord. 4298, 03/24/1998)*

2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
- ~~32.~~ Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). (*Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017*)
- ~~43.~~ Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). (*Added by Ord. 5004, 12/14/2017*)
- ~~54.~~ Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot. (*Amended by Ord. 4557, 12/07/2004*)
- ~~65.~~ Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
- ~~76.~~ Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
- ~~87.~~ The keeping of animals and poultry accessory to a residential use located on the same lot and subject to the provisions of Section 35-71.12 (R-1/E-1, Animals).
- ~~98.~~ Public parks, public playgrounds, and community centers operated by public agencies.
- ~~109.~~ Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 8:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-73.3, Permitted Uses, of Section 35-73, EX-1 – One-Family Exclusive Residential, to read as follows:

Section 35-73.3 Permitted Uses.

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141 (General Regulations). Except as provided herein, trailers in any condition shall not be used for any purpose.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

32. One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot. *(Amended by Ord. 3835: 03/20/1990; Ord. 4557, 12/07/2004)*
43. Golf courses and facilities incidental and subordinate to such use (e.g., restaurant, pro shop) but not including commercial driving tees, ranges, putting courses or miniature golf courses.
54. Parks, playgrounds, and community facilities operated by a non-profit homeowners association.
65. Orchards, truck and flower gardens, and the raising of field crops.
76. Greenhouses, hothouses, and other plant protection subject to all of the following:
- a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
87. The keeping of animals and poultry subject to the provisions of Section 35-71.12 and accessory to the primary residential use of the same lot. *(Amended by Ord. 4557 12/07/2004)*
98. Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.
109. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
1140. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
1244. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises. *(Amended by Ord. 4186: 03/14/1995)*

SECTION 9:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-74.4, Permitted Uses, of Section 35-74, DR – Design Residential, to read as follows:

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

1. Single family, duplex, triplex, and multi-family dwelling units, including developments commonly known as row houses, town houses, condominiums, cluster, and community apartment projects.
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
32. Parking lots, carports, and garages designed and used for individual units within the district and either adjacent to such units or centrally located to serve a group of units.
43. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this

Section 35-74.4, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels. *(Added by Ord. 4067, 08/18/1992)*

- 54. Golf courses.
- 65. Public parks, public playgrounds, and community centers.
- 76. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot. *(Amended by Ord. 4557, 12/07/2004)*
- 87. The keeping of animals accessory to a residential use located on the same lot and subject to the provisions of Section 35-419.12 (R-1/E-1, Animals). *(Amended by Ord. 4557, 12/07/2004)*
- 98. Greenhouses, hothouses, and other plant protection structures subject to all of the following: *(Added by Ord. 3959, 02/21/1992; amended by Ord. 4557, 12/07/2004)*
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
- 109. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
- 1140. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
- 1244. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises. *(Added by Ord. 4378, 11/16/1999; amended by Ord. 4557, 12/07/2004)*

SECTION 10:

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

Section 35-75.7 Permitted Uses.

- 1. Residential units, either attached or detached, including single family dwellings, duplexes, row houses, town houses, apartments, and condominiums.
- 2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
- 32. Recreational facilities, including but not limited to tennis courts, swimming pools, playgrounds, and parks for the private use of the residents of the development, provided such facilities are not operated for remuneration. *(Amended by Ord. 4557, 12/07/2004)*

43. Laundromat, meeting rooms, for use by residents of the development. *(Amended by Ord. 4067, 08/18/1992)*
54. Where required by the Coastal Land Use Plan, resort visitor-serving facilities.
65. Home Occupations, subject to the provisions of Section 35-121 (General Regulations). *(Amended by Ord. 3836, 03/20/1990)*
76. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-75.7, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels. *(Added by Ord. 4067, 08/18/1992)*
87. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
98. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
109. The keeping of household pets accessory to a residential use of a dwelling located on the lot on which the animal keeping occurs provided that: *(Amended by Ord. 4557, 12/07/2004)*
- a. There shall not be more than three dogs permitted on any one lot.
 - b. Such animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.
 - c. The keeping of such animals is not injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Animal Services Division of the County Public Health Department.
 - d. Enclosures for such small animals shall be no closer than 25 feet to any dwelling located on another lot.
 - e. No rooster or peacock shall be kept or raised on the lot.
1140. Uses, buildings, and structures accessory and customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*

SECTION 11:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-76.4, Permitted Uses, of Section 35-76, SR-M – Medium Density Student Residential, to read as follows:

Section 35-76.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi-unit dwellings. *(Amended by Ord. 4318, 06/23/1998)*
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
32. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
43. Parking lots, carports, and garages designed and used for individual units within the development and

either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.

54. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
65. Public parks, public playgrounds, and community centers.
76. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
87. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
98. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
109. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-76.4, for use by on-site residents and/or employees of the development; when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
(Added by Ord. 4067, 08/18/1992)

SECTION 12:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-77.4, Permitted Uses, of Section 35-77, SR-H – High Density Student Residential, to read as follows:

Section 35-77.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi unit dwellings. *(Amended by Ord. 4318, 06/23/1998)*
2. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
32. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
43. Dormitories, student housing facilities, residence halls, sororities and fraternities located in an area where such facilities are to be used by students of an educational institution.
54. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
65. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
76. Public parks, public playgrounds, and community centers.

87. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
98. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
109. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
1140. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-77.4, for use by on-site employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels. *(Amended by Ord. 4067, 08/18/1992)*
1244. Emergency Shelter. *(Added by Ord. 4169, 10/11/1994)*

SECTION 13:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-77A.3, Permitted Uses, of Section 35-77A, C-1 – Limited Commercial, to read as follows:

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

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Child Care Facilities.
8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, and Section 35-71 (R-1/E-1).
9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.

10. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
- ~~1140.~~ Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004. 12/14/2017)*
- ~~1211.~~ Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration, pursuant to Section 35-179C (Use Determination). *(Amended by Ord. 4964. 12/14/2017)*
- ~~1312.~~ Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
- ~~1413.~~ Cannabis, Retail, subject to the provisions of Section 35-144U.
- ~~1514.~~ Cannabis, Testing, subject to the provisions of Section 35-144U.
- ~~1615.~~ Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
- a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.
 - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

SECTION 14:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-78.3, Permitted Uses, of Section 35-78, C-2 – Retail Commercial, to add a new Subsection 25 to read as follows:

25. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 15:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-80.3, Permitted Uses, of Section 35-80, CH – Highway Commercial, to add a new Subsection 11 to read as follows:

11. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 16:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-81.5, Permitted Uses, of Section 35-81, C-V – Resort/Visitor Serving Commercial, to add a new Subsection 6 to read as follows:

6. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 17:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-83.4, Permitted Uses, of Section 35-83, PI – Professional and Institutional, to add a new Subsection 16 to read as follows:

16. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 18:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-90.3, Permitted Uses, of Section 25-90, RES – Resource Management, to read as follows:

Section 35-90.3 Permitted Uses. (Amended by Ord. 4557, 12/07/2004)

1. One single family dwelling per legal lot.
2. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
32. One guest house subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
43. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). (*Added by Ord. 5004, 12/14/2017*)
54. The non-commercial keeping of animals and poultry accessory to the primary residential use located on the same lot.
65. Agricultural grazing.
76. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 19:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-91.4, Permitted Uses, of Section 35-91, MHP – Mobile Home Park, to read as follows:

Section 35-91.4 Permitted Uses.

1. Mobile Home Park.
2. Recreational facilities for the use of the residents of the park.
3. One or more accessory dwelling units and/or one junior accessory dwelling unit per legal lot when

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

- ~~43.~~ Accessory uses, structures, and buildings which are customarily incidental and subordinate to the uses permitted in this district.
- ~~54.~~ Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*

SECTION 20:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-93A.3, Permitted Uses, of Section 35-93A, MT-TORO – Mountainous Area – Toro Canyon Planning Area, to read as follows:

Section 35-93A.3 Permitted Uses.

1. One single-family dwelling per legal lot.
2. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
- ~~32.~~ One guest house subject to the provisions of Section 35-120 (General Regulations).
- ~~43.~~ The non-commercial keeping of animals and poultry.
- ~~54.~~ Cultivated agriculture, vineyard, or orchard when there is evidence of permitted or legal non-conforming use within the previous ten-year period.
- ~~65.~~ Home occupations, subject to the provisions of Section 35-121 (General Regulations).
- ~~76.~~ Accessory uses, buildings and structures that are customarily incidental to the above uses.
- ~~87.~~ Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*

SECTION 21:

DIVISION 6, Parking Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 7, Accessory dwelling units, of Section 35-108, Required Number of Spaces: Residential, and to add a new Subsection 8, Junior accessory dwelling units, to read as follows:

7. **Accessory dwelling units.** As determined by Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
8. Junior accessory dwelling units. No parking spaces required.

SECTION 22:

DIVISION 6, Parking Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete in its entirety Subsection 1) of Subsection a of Subsection 2, Location, of Section 35-144, Size, Location, and Design.

SECTION 23:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 4 of Section 35-119, Accessory Structures, to read as follows:

4. Except as provided in Subsection 4.a (Accessory dwelling units and junior accessory dwelling units), below, accessory structures shall conform to the height requirements and the front and side yard setback regulations of the district. An accessory structure may be located in the required rear yard setback provided that it is located no closer than 10 feet to the principal structure and that it occupies no more than 40 percent of the required rear yard, and that it does not exceed a height of 12 feet.
(Amended by Ord. 4557, 12/07/2004)
 - a. **Accessory dwelling units and junior accessory dwelling units.**
 - 1) See Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units) for height limits for accessory dwelling units and junior accessory dwelling units.
 - 2) An accessory dwelling unit may be located in the required rear setback only when allowed in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 24:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 8 of Section 35-119, Accessory Structures, to read as follows:

8. 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., accessory dwelling units and junior accessory dwelling units). Artist studios, cabañas and guesthouses are not dwellings.

SECTION 25:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 14 of Section 35-120, Guest House, Artist Studio, or Pool House/Cabaña, to read as follows:

14. If an accessory dwelling unit or junior accessory dwelling unit exists or is approved for development on a lot, a guesthouse or artist studio shall not also be approved.

SECTION 26:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change and retitle Subsection g, “Accessory dwelling units,” of Subsection 3, General height limit exceptions, of Subsection A, Height measurement, of Section 35-127, Guest Height, to read as follows:

- g. **Accessory dwelling units and junior accessory dwelling units.** See Section 35-142

(Accessory Dwelling Units and Junior Accessory Dwelling Units) for height limits and exceptions for accessory dwelling units and junior accessory dwelling units.

SECTION 27:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35-135, “Parking Lot Sales”, to read as follows:

Section 35-135. Parking Lot Sales.

In any C-2, or C-3, or SC zone district, the operator of an existing retail store, shop, or establishment may apply for either a Coastal Development Permit under Section 35-169 and a Minor Conditional Use Permit, under Section 35-172 or merely a Coastal Development Permit for a parking lot sale. If the proposed sale when added together with the establishment's other parking lot sales within the same calendar year exceeds four days, a Minor Conditional Use Permit shall be required prior to the issuance of a Coastal Development Permit. If the proposed sale when added together with the establishment's other parking lot sales within the same calendar year does not exceed four days, the application shall be made to the Director for a Coastal Development Permit. The Director shall not issue the permit unless the Director finds that the proposed sale will not be detrimental to the public health, safety, and welfare and the adequate on-premise pedestrian access and parking will exist during the proposed sale. The Director may impose any reasonable conditions in the permit necessary to protect and preserve the public health, safety, and welfare.

SECTION 28:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to repeal existing Section 35-142, “Accessory Dwelling Units,” in its entirety and to adopt a new Section 35-142 to be titled “Accessory Dwelling Units and Junior Accessory Dwelling Units” and to read as follows:

Section 35-142. Accessory Dwelling Units and Junior Accessory Dwelling Units.

Section 35-142.1 Purpose and Intent.

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

Section 35-142.2 Applicability.

An accessory dwelling unit or junior accessory dwelling unit may be allowed on a lot in compliance with the lists of allowable uses in Division 4, Zoning Districts.

Section 35-142.3 Allowed Use.

1. As required by Government Code Section 65852.2, an accessory dwelling unit shall:
 - a. Be deemed to be an accessory use or an accessory building.
 - b. Not be considered to exceed the allowable density for the lot on which it is located.

- c. Be deemed to be a residential use that is consistent with the existing Comprehensive Plan land use designation, including the Coastal Land Use Plan and applicable zone for the lot on which the accessory dwelling unit is located.
- d. Not be considered in the application of any local ordinance, policy, or program to limit residential growth.

Section 35-142.4 Application and Processing Requirements.

1. **Permit required.** Prior to the development or use of a building or portion thereof as an accessory dwelling unit or junior accessory dwelling unit, an application for a Coastal Development Permit shall be submitted in compliance with Section 35-57A (Application Preparation and Filing), and the Coastal Development Permit shall be issued in compliance with Section 35-169 (Coastal Development Permits).
2. **No Hearing Required.** An application for a Coastal Development Permit for an accessory dwelling unit or junior accessory dwelling unit shall be considered without a hearing.
3. **Accessory to a principal dwelling.** If an application for an accessory dwelling unit or junior accessory dwelling unit is submitted for a lot that does not contain a principal dwelling at the time of application, the application for a principal dwelling shall be submitted in conjunction with an application for an accessory dwelling unit or junior accessory dwelling unit.
 - a. Final building permit inspection for the proposed principal dwelling shall be approved prior to final building permit inspection approval for the accessory dwelling unit.
4. **Conflicts with other sections of this Article.** Except as provided in Section 35-142.4.5, below, where there are conflicts between the standards in this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units), the standards in Section 35-119 (Accessory Structures), and the standards in the specific zone regulations (Division 4 Zoning Districts), the provisions of this Section shall prevail.
5. **Coastal resource protection.** If there is a conflict between the standards of this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units) and standards that protect coastal resources, the requirements which are most protective of coastal resources shall prevail.
6. **Development impact mitigation fees.** Except as provided in Section 35-142.4.6.a, below, the applicant shall pay development impact mitigation fees in compliance with ordinances and/or resolutions in effect at the time the fees are paid. The amount of the required fee shall be determined by adopted fee resolutions and ordinances and applicable law in effect when paid, provided that the fee is charged proportionately in relation to the square footage of the principal dwelling.
 - a. The applicant shall not be required to pay development impact mitigation fees for an accessory dwelling unit of less than 750 square feet or a junior accessory dwelling unit.
7. **Floor area.** As used in this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units), “floor area” means the floor area within the inside perimeter of the exterior walls of the building under consideration, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features.
 - a. **Architectural Feature.** An attached, un-inhabitable architectural feature (e.g., covered entry, covered patio, deck, balcony, etc.) may be allowed in addition to the floor area of the accessory dwelling unit. The architectural feature(s) shall be subordinate to the accessory dwelling unit

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

- 8. Modifications.** An accessory dwelling unit or junior accessory dwelling unit that does not comply with the requirements of this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units), may be allowed with the approval of a Modification in compliance with Section 35-179 (Modifications), provided that the applicant requests a delay and tolls the processing time period until final action is taken on the Modification.
- 9. 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 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units), “nonconforming zoning condition” means a physical improvement on a property that does not conform with the zoning standards of this Article.
- 10. Variances.** Variances shall not be granted for accessory dwelling units or junior accessory dwelling units.
- 11. Residential second units.** For purposes of this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units), a residential second unit previously permitted in compliance with this Article shall be considered the same as an accessory dwelling unit.
- 12. Unpermitted existing development.** For purposes of this Section 35-142 (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.
- 13. Must Yield Provision.** Where the application of front setbacks stipulate that the standard must be complied with unless it would preclude development of an accessory dwelling unit of up to 800 square feet with side and rear setbacks of at least four feet, this standard must yield when there are no other physical locations to place an accessory dwelling unit on the lot without conflicting with other applicable provisions of this Section, such as height, setbacks, tree protection, grading, environmentally sensitive habitat areas, historic resources, and archaeological resources. A property owner’s preference for a specific location on the lot does not constitute a reason to vary from objective standards. Nothing in this subsection shall be interpreted to apply new standards to an accessory dwelling unit developed in accordance with Section 35-142.5, below that do not already apply. If encroachment into the front setback is required, it shall be the minimum necessary to accommodate the project.

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

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

1. General standards. The following development standards shall apply to all accessory dwelling units allowed in compliance with this Section 35-142.5:

a. Zoning. The accessory dwelling unit shall be located within one of the following residential or mixed-use zones. For purposes of this Section 35-142.5, a two-family dwelling (i.e., “dwelling, two-family,” as defined in Section 35-58 (Definitions)) shall be considered a multiple-family dwelling residential use.

Residential Zones	Mixed-Use Zones
RR (Rural Residential)	C-1 (Limited Commercial)
R-1/E-1 (Single Family Residential)	C-2 (Retail Commercial)
EX-1 (One-Family Exclusive Residential)	CH (Highway Commercial)
R-2 (Two-Family Residential)	C-V (Resort/Visitor-Serving Commercial)
DR (Design Residential)	PI (Professional and Institutional)
PRD (Planned Residential Development)	
SR-M (Medium Density Student Residential)	
SR-H (High Density Student Residential)	
MHP (Mobile Home Park)	

b. Parking spaces not required. Parking spaces shall not be required for an accessory dwelling unit allowed in compliance with this Section 35-142.5.

c. Additional standards. The accessory dwelling unit shall comply with the standards of Section 35-142.8, below.

2. One accessory dwelling unit per lot located within a one-family dwelling or accessory structure.

One accessory dwelling unit per lot located entirely (except as noted in Section 35-142.5.2.c.1, below) within an existing or proposed one-family dwelling or an existing accessory structure shall be approved with a Coastal Development Permit when in compliance with all of the following development standards:

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

b. Lot requirements.

1) The lot shall contain no more than one accessory dwelling unit.

2) The lot shall contain an existing or proposed one-family dwelling.

c. Location. The accessory dwelling unit shall be located entirely within the existing or proposed one-family dwelling or existing accessory structure, except as provided in Section 35-142.5.2.c.1, below.

1) The accessory dwelling unit may include an expansion of not more than 150 square feet

beyond the same physical dimensions as the existing accessory structure and shall be limited to accommodating ingress and egress.

- d. Setbacks.** The side and rear setbacks shall be sufficient for fire and safety purposes in compliance with the current, adopted edition of the California Fire Code and the California Building Code. The accessory dwelling unit shall also comply with the front setback requirements of the applicable zone, provided that this standard allow an accessory dwelling unit of up to 800 square feet to be constructed on the lot in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.
 - e. Junior accessory dwelling unit.** An accessory dwelling unit that complies with the standards of this Section 35-142.5.2 may be located on the same lot as a junior accessory dwelling unit that complies with the standards of Section 35-142.7, below.
- 3. One detached, new construction accessory dwelling unit per lot with a one-family dwelling.** One detached, new construction accessory dwelling unit per lot with an existing or proposed one-family dwelling shall be approved with a Coastal Development Permit when in compliance with all of the following development standards:
- a. Lot requirements.**

 - ~~1) The lot shall contain no more than one accessory dwelling unit.~~
 - 2) The lot shall contain an existing or proposed one-family dwelling.
 - b. Location.** The accessory dwelling unit shall be located within a detached, new construction accessory building that is not attached to another accessory structure.
 - c. Maximum floor area.** The floor area of the accessory dwelling unit shall not exceed 800 square feet.
 - d. Maximum height.** The height of the accessory dwelling unit shall not exceed 16 feet as measured in compliance with Section 35-127 (Height). For lots with an existing or proposed one-family dwelling that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet.
 - e. Setbacks.** The accessory dwelling unit shall have side and rear setbacks of at least four feet and shall comply with the front setback requirements of the applicable zone, provided that this standard allows an accessory dwelling unit of up to 800 square feet to be constructed on the lot. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allow an accessory dwelling unit of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section 35-142.3. All portions of the accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.
 - f. Junior accessory dwelling unit.** An accessory dwelling unit that complies with the standards of this Section 35-142.5.3 may be located on the same lot as a junior accessory dwelling unit that complies with the standards of Section 35-142.7, below.
- 4. One or more accessory dwelling units per lot located entirely within an existing multiple-family dwelling or accessory structure.** One or more accessory dwelling units located within an existing

multiple-family dwelling or existing accessory structure shall be approved with a Coastal Development Permit when in compliance with all of the following development standards:

a. Lot requirements.

1) The lot may contain at least one accessory dwelling unit and shall contain no more accessory dwelling units than 25 percent of the existing multiple-family dwelling units. For example, a lot containing eight multiple-family dwelling units may contain up to two accessory dwelling units.

a) **Fractional units.** If the number of allowed accessory dwelling units includes a fraction of a unit, any decimal fraction less than 0.5 shall be rounded down to the nearest whole unit and any decimal fraction of 0.5 or more shall be rounded up to the nearest whole unit.

2) The lot shall contain an existing multiple-family dwelling.

b. Location. Each accessory dwelling unit shall be located entirely within the existing multiple-family dwelling or accessory structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, attics, basements, or garages.

5. Up to two detached accessory dwelling units per lot with an existing multiple-family dwelling. Up to two detached accessory dwelling units per lot with an existing multiple-family dwelling shall be approved with a Coastal Development Permit when in compliance with all of the following development standards:

a. Lot requirements.

1) The lot shall contain no more than two accessory dwelling units.

2) The lot shall contain an existing multiple-family dwelling.

b. Location. Each accessory dwelling unit shall be located entirely within an existing detached accessory structure or a detached, new construction accessory building.

c. Maximum height. The height of each accessory dwelling unit shall not exceed 16 feet as measured in compliance with Section 35-127 (Height). For lots with an existing or proposed multiple-family dwelling that is multi-story or within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet.

d. Setbacks. The accessory dwelling unit(s) shall have side and rear setbacks of at least four feet and shall comply with the front setback requirements of the applicable zone, provided that this standard allow up to two accessory dwelling units of up to 800 square feet to be constructed on the lot. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allow an accessory dwelling unit(s) of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section 35-142. All portions of the accessory dwelling unit(s), including eaves and roof overhangs, shall comply with these requirements.

Section 35-142.6 Accessory dwelling units located within zones that allow one-family or multiple-

family residential use.

This Section 35-142.6 provides standards for accessory dwelling units that do not comply with Section 35-142.5.1 through 5.5, above. An accessory dwelling unit that complies with all of the following standards, as applicable, shall be permitted with a Coastal Development Permit and any other necessary approvals.

1. General standards. The following development standards shall apply to all accessory dwelling units allowed in compliance with this Section 35-142.6:

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 Section 35-142.6, a two-family dwelling (i.e., “dwelling, two-family,” as defined in Section 35-58 (Definitions)) shall be considered a multiple-family dwelling residential use.

<u>Zones that Allow One-Family Residential Use</u>	<u>Zones that Allow One-Family and Multiple-Family Residential Use</u>
<u>AG-I (Agriculture I)</u>	<u>R-2 (Two-Family Residential)</u>
<u>AG-II (Agriculture II)</u>	<u>DR (Design Residential)</u>
<u>RR (Rural Residential)</u>	<u>PRD (Planned Residential Development)</u>
<u>R-1/E-1 (Single Family Residential)</u>	<u>SR-M (Medium Density Student Residential)</u>
<u>EX-1 (One-Family Exclusive Residential)</u>	<u>SR-H (High Density Student Residential)</u>
<u>PRD (Planned Residential Development)</u>	<u>C-1 (Limited Commercial)</u>
<u>SR-M (Medium Density Student Residential)</u>	<u>C-2 (Retail Commercial)</u>
<u>SR-H (High Density Student Residential)</u>	<u>CH (Highway Commercial)</u>
<u>RES (Resource Management)</u>	<u>C-V (Resort/Visitor-Serving Commercial)</u>
<u>MHP (Mobile Home Park)</u>	<u>PI (Professional and Institutional)</u>
<u>MT-TORO (Mountainous Area – Toro Canyon Planning Area)</u>	

b. Lot requirements.

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

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

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

b. New construction.

- 1) The design of an accessory dwelling unit that will be attached to an existing building shall reflect the exterior appearance and architectural style of the existing building to which it is attached and use the same or comparable exterior materials, roof covering, colors, and design for trim, windows, roof pitch, and other exterior physical features.
- 2) Exterior lighting shall comply with all of the following standards:
 - a) All exterior lighting shall be hooded and fully shielded.

- b) Each exterior lighting fixture shall not exceed 800 lumens if located within the Rural Area and 1,600 lumens if located within the Urban Area.
- c) Each exterior lighting fixture shall not exceed 3,000 Kelvin.
- d) Landscape and pathway lighting fixtures shall not exceed four feet in height.
- e) Security lighting shall be controlled by a motion sensor switch or timer between dusk and dawn.

- 3) Proposed landscaping shall be comparable to existing landscaping on the lot in terms of plant species and density of planting, as may be modified to ensure compliance with water efficient landscaping requirements in accordance with the Water Efficient Landscape Ordinance (WELo).

3. Grading. Grading associated with an accessory dwelling unit, inclusive of any grading required to establish access, shall be limited to 250 cubic yards and the accessory dwelling unit shall be located on existing slopes of 20 percent or less under the footprint of the accessory dwelling unit, provided that this standard permits an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

4. Height limit.

a. Conversion. An accessory dwelling unit located entirely within an existing one-family dwelling, multiple-family dwelling, or accessory structure shall not be subject to a height limit.

b. New construction.

1) Attached accessory dwelling units. The height of an attached accessory dwelling unit that is proposed to be located above another floor or on grade where there is no floor above shall be limited to 25 feet and two stories and shall not exceed the maximum allowable height limit for the principal dwelling in the applicable zone.

2) Detached accessory dwelling units.

a) One-story accessory dwelling units. The height of a detached, one-story accessory dwelling unit shall not exceed a vertical distance of 16 feet as measured in compliance with Section 35-127 (Height). For lots with an existing or proposed one-family dwelling that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155, the height of the accessory dwelling unit shall not exceed a height of 18 feet. If located above or below the floor of another accessory structure, the combined height shall not exceed the maximum allowable height limit for the principal dwelling in the applicable zone, or 25 feet, whichever is less.

b) Two-story accessory dwelling units. The height of a detached, two-story accessory dwelling unit shall not exceed the maximum allowable height limit for a principal dwelling in the applicable zone or a vertical distance of 25 feet, whichever is less, as measured in compliance with Section 35-127 (Height).

5. 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.

- 6. 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.
- 7. Location.** The accessory dwelling unit shall comply with one of the following:
 - a. Conversion.** The accessory dwelling unit shall be located entirely within an existing one-family dwelling, multiple-family dwelling, or accessory structure.
 - b. Attached accessory dwelling unit.** An attached accessory dwelling unit shall be located entirely or partially within an addition to a one-family dwelling, multiple-family dwelling, or an attached accessory structure.
 - c. Detached accessory dwelling unit.** A detached accessory dwelling unit shall be located entirely or partially within a proposed detached accessory structure or an addition to an existing detached accessory structure.
 - d. Development envelope.** If a development envelope has been recorded through a subdivision and the record demonstrates that the development envelope was established for the protection of public health and safety or coastal resource protection, then the accessory dwelling unit shall be located within the development envelope.
- 8. Maximum floor area.** The floor area of the accessory dwelling unit shall not exceed the following standards, provided that these standards allow an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units):
 - a. Conversion.** The 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.

- 2) **Lots greater than 15,000 net square feet.** 1,200 square feet.
- 3) **Attached accessory dwelling units.** In addition to the floor area limits of Section 35-142.6.8.b.1) and 2), above, the floor area of an attached accessory dwelling unit shall not exceed 50 percent of the floor area of the principal dwelling that exists at the time of application for the accessory dwelling unit.

9. Parking.

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

- 1) Except as provided in Section 35-142.6.9.a.2), below, one parking space per accessory dwelling unit shall be required for a new construction detached accessory dwelling unit. The space may be provided in any of the following configurations:
 - a) Tandem parking on a driveway or in a location outside of the required setback areas.
 - b) On a driveway located within the front, side, or rear setback area.
- 2) A parking space shall not be required for a new construction detached accessory dwelling unit that complies with any of the following criteria:
 - a) The accessory dwelling unit is located within one-half mile walking distance of public transit (e.g., a bus stop).
 - b) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - c) On-street parking permits are required, but not offered to the occupant of the accessory dwelling unit.
 - d) A car share vehicle is located within one block of the accessory dwelling unit.

10. **Setbacks.** The setbacks for an accessory dwelling unit shall not exceed the following standards, provided that these standards permit an accessory dwelling unit of up to 800 square feet with four-foot side and rear setbacks to be constructed on the lot in compliance with all other applicable standards of this Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units):

a. **Conversion.** No setbacks shall be required for an existing living area or accessory structure converted to an accessory dwelling unit or a portion thereof. For purposes of this Section 35-142.6.10.a, “living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

b. **New construction.**

- 1) Except as provided in Section 35-142.6.10.b.2), below, the accessory dwelling unit shall comply with the setback requirements that apply to accessory structures, provided that the accessory dwelling unit has side and rear setbacks of at least four feet. For interior lots, standard interior lot setbacks applicable to a principal dwelling shall apply provided that this standard allow an accessory dwelling unit(s) of up to 800 square feet to be constructed on the lot with minimum four foot interior setbacks in compliance with other standards of this Section. All portions of the accessory dwelling unit, including eaves and roof

overhangs, shall comply with these requirements.

- 2) No setback 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 or a portion thereof.

11. Tree protection. An application for an accessory dwelling unit shall comply with the following standards or applicable community plan requirement, whichever is more protective.

- 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 Section 35-142.7.11, protected trees are defined for the purpose of this policy as (1) mature and/or (2) roosting/nesting trees that do not pose a threat to health and safety. Non-native, invasive species are not protected if they are not roosting/nesting trees. Protected trees include:
 - 1) Oaks (*Quercus agrifolia*).
 - 2) Sycamores (*Platanus racemosa*).
 - 3) Willow (*Salix sp.*).
 - 4) Maples (*Acer macrophyllum*).
 - 5) California Bay Laurels (*Umbellularia californica*).
 - 6) Cottonwood (*Populus fremontii* and *Populus balsamifera*).
 - 7) White Alder (*Alnus rhombifolia*).
 - 8) California Walnut (*Juglans californica*).
 - 9) Any tree serving as known or discovered raptor nesting and/or raptor roosting sites.
 - 10) Any trees serving as Monarch butterfly habitat, including aggregation sites.
- 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).
- c. Where removal of protected trees cannot be avoided through the implementation of project alternatives that accommodate an accessory dwelling unit of up to 800 square feet, or where development encroachments into the area within six feet of the dripline of protected trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of replacement trees (native trees only) on-site, if suitable area exists on the project site, at a ratio of at least 5:1 with 15 gallon plantings or equivalent. Where on-site mitigation is not feasible, the most proximal off-site mitigation shall be required.

Section 35-142.7 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 Coastal Development Permit and any other necessary approvals when in compliance with all of the following development standards:

1. General standards.

- a. Zoning. The junior accessory dwelling unit shall be located within one of the following one-

family zones or zones that allow one-family dwelling residential use:

One-Family Residential Zones	Zones that Allow One-Family Residential Use
<p><u>RR (Rural Residential)</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>R-2 (Two-Family Residential)</u> <u>DR (Design Residential)</u> <u>PRD (Planned Residential Development)</u> <u>SR-M (Medium Density Student Residential)</u> <u>SR-H (High Density Student Residential)</u> <u>MHP (Mobile Home Park)</u> <u>C-1 (Limited Commercial)</u> <u>C-2 (Retail Commercial)</u> <u>CH (Highway Commercial)</u> <u>C-V (Resort/Visitor-Serving Commercial)</u> <u>PI (Professional and Institutional)</u> <u>RES (Resource Management)</u> <u>MT-TORO (Mountainous Area – Toro Canyon Planning Area)</u></p>

b. Lot requirements.

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

c. Additional standards. The junior accessory dwelling unit shall comply with the standards of Section 35-142.8, 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 35-179D (Recordable Documents). The owner shall record the Declaration of Restrictions with the County of Santa Barbara Clerk-Recorder and file the Declaration of Restrictions with the Planning and Development Department. The Declaration of Restrictions shall include both of the following:

- a. A prohibition on the sale of the junior accessory dwelling unit separate from the one-family dwelling, including a statement that the deed restriction shall be enforced against future purchasers; and
- b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with the standards of this Section 35-142.7.

3. Efficiency kitchen. The junior accessory dwelling unit shall have an efficiency kitchen that includes the following:

- a. A cooking facility with appliances, including at least a two-burner stove, sink, and freestanding refrigerator; and
- b. Food preparation and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit and not less than four feet in length.

- 4. Exterior access.** The junior accessory dwelling unit shall have separate exterior access from the one-family dwelling.
- 5. Location.** The junior accessory dwelling unit shall be located entirely within an existing or proposed one-family dwelling or attached garage. The junior accessory dwelling unit shall not be located within any other attached or detached accessory structure.
- 6. Maximum floor area.** The floor area of the junior accessory dwelling unit shall not exceed 500 square feet.
- 7. Owner-occupancy.** Except as provided below in Section 35-142.7.7.a, owner-occupancy shall be required for the junior accessory dwelling unit or the one-family dwelling in which the junior accessory dwelling unit is located.
 - a.** Owner-occupancy shall not be required if the owner of the junior accessory dwelling unit is a governmental agency, land trust, or housing organization.
- 8. Parking.**
 - a.** New parking spaces. No new parking spaces shall be required for a junior accessory dwelling unit allowed in compliance with this Section 35-142.7.
 - b.** Replacement parking. In addition to the replacement parking requirements set forth in Section 35-142.8.7 below, replacement parking spaces to satisfy the parking requirements of the principal dwelling shall be required for a junior accessory dwelling unit located within an attached garage.
- 9. Sanitation facilities.** The junior accessory dwelling unit shall include separate sanitation facilities or share sanitation facilities with the one-family dwelling. If shared, interior access to the main living area of the principal dwelling shall be required.
- 10. Setbacks.** The side and rear setbacks shall be sufficient for fire and safety purposes in compliance with the current, adopted edition of the California Fire Code and the California Building Code. The junior accessory dwelling unit shall comply with the front setback requirements of the applicable zone. All portions of the junior accessory dwelling unit, including eaves and roof overhangs, shall comply with these requirements.
- 11. Accessory dwelling unit.** A junior accessory dwelling unit that complies with the standards of this Section 35-142.7 may be located on the same lot as an accessory dwelling unit that complies with the standards of Section 35-142.5.2 or 5.3, above.

Section 35-142.8 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 set forth in Section 35-142.5 (Accessory dwelling units and junior accessory dwelling units located within residential or mixed-use zones), Section 35-142.6 (Accessory dwelling units located within zones that allow one-family or multiple-family uses), or Section 35-142.7 (Junior accessory dwelling units), as applicable.

- 1. Minimum floor area.** At a minimum, the floor area of an accessory dwelling unit or junior accessory dwelling unit shall be sufficient to allow for an Efficiency Unit in compliance with Health and Safety Code Section 17958.1 and California Building Code Section 1207.4 or successor statute.
- 2. Passageway not required.** A passageway, defined for the purpose of this section as a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit, shall not be required in conjunction with the construction of an accessory dwelling unit or junior

accessory dwelling unit.

3. Building Separation. No building separation between accessory dwelling unit(s) and other structures shall be required as long as all the structures meet minimum Building Code safety standards and allow for separate access.

4. Kitchen. Except as provided in Section 35-142.7.3 above, an accessory dwelling unit shall provide complete independent living facilities for one or more persons, including permanent provisions for eating and cooking inclusive of the following.

a. A cooking facility with appliances, including at least a range, sink, and freestanding refrigerator; and

b. Food preparation counter and storage cabinets that are of reasonable size in relation to the size of the accessory dwelling unit and not less than four feet in length.

5. Rental restrictions.

a. An accessory dwelling unit or junior accessory dwelling unit may be used for rentals provided that the length of any rental is longer than 30 consecutive days.

b. The use of an accessory dwelling unit or junior accessory dwelling unit as a Homestay or Short-Term Rental shall be prohibited in all zones.

6. Sale restriction. Except as provided in Government Code Section 65852.26, an accessory dwelling unit or junior accessory dwelling unit shall not be sold or otherwise conveyed separate from principal dwelling(s).

7. Replacement parking spaces required.

a. To preserve coastal access, for parcels outside of Isla Vista located within a quarter-mile of the inland extent of any beach or coastal bluff or south/west of Highway 101, whichever is closer, on-site replacement parking space(s) shall be required for any parking space(s) serving the principal dwelling that are removed to accommodate construction of an accessory dwelling unit or junior accessory dwelling unit.

b. To preserve coastal access, for parcels located in Isla Vista south of El Colegio Road, on-site replacement parking space(s) shall be required for any parking space(s) serving the principal dwelling that are removed to accommodate construction of an accessory dwelling unit or junior accessory dwelling unit.

Replacement parking may be provided in any of the following configurations:

a) Tandem parking on a driveway or in a location outside of the required front and side setback areas.

b) On a driveway located within the front, side, or rear setback area, provided there is no encroachment into the public right-of-way.

8. Coastal resource protection.

a. **Environmentally sensitive habit areas.** All development associated with the construction of the accessory dwelling unit shall be located in compliance with the requirements of Section 35-97 (ESH - Environmentally Sensitive Habitat Area Overlay District) and all applicable ESH policies and provisions of the certified Local Coastal Program.

- b. The accessory dwelling unit shall not significantly obstruct public views from any public road or from a public recreation area to, and along, the coast.
- c. The accessory dwelling unit shall not obstruct public access to and along the coast or public trails.
- d. **Lots zoned AG-I and AG-II.** The development of a detached accessory dwelling unit on lots zoned AG-I (Agriculture I) and AG-II (Agriculture II) shall also comply with the Coastal Act Section 30241, the development standards shown above, and the agriculture protection policies and development standards of the certified Local Coastal Program. If these requirements are in conflict with other provisions of the Coastal Land Use Plan or any applicable community or area plan, this Article, or any permit conditions established by the County, the requirements which are most protective of coastal resources shall control.

SECTION 29:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 1 of Subsection C, Exceptions, of Section 35-144O, Agricultural Buffers, to read as follows:

- 1. Single-family dwelling, accessory dwelling units, junior accessory dwelling units, and residential accessory structures.

SECTION 30:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 2 of Section 35-169.2, Applicability, of Section 35-169, Coastal Development Permits, to read as follows:

- 2. Except as provided in Subsection 2.a (Final Development Plan not required for accessory dwelling units or junior accessory dwelling units), the approval of a development plan as provided in Section 35-174 (Development Plans) shall be required prior to the approval of any Coastal Development Permit for a structure that is not otherwise required to have a discretionary permit 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 lot will total 20,000 square feet or more of gross floor area.
 - a. **Final Development Plan not required for accessory dwelling units or junior accessory dwelling units.** If Development Plan approval would be required in compliance with Section 35-169.2.2, and the application for development includes an accessory dwelling unit or junior accessory dwelling unit, then only the approval of a Coastal Development Permit in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units) is required for the proposed accessory dwelling unit or junior accessory dwelling unit.

SECTION 31:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection c, Decision-maker, hearing requirements and notice requirements, of Section 35-169.4.2, Coastal Development Permits for development that is appealable to the Coastal Commission in compliance with Section 35-182 (Appeals)

and is not processed in conjunction with Section 35-169.4.3, of Section 35-169.4, Processing, of Section 35-169, Coastal Development Permits, to read as follows:

c. Decision-maker, hearing requirements and notice requirements.

- 1) Applications for certain solar energy facilities and aAccessory dDwelling uUnits and junior accessory dwelling units.** Applications for freestanding solar energy facilities that are accessory and incidental to the principal use of the lot that the system is located on and are sized to primarily supply only the principal use that the system is accessory and incidental to, ~~and aAccessory dDwelling uUnits, and junior accessory dwelling units,~~ shall be processed in compliance with the following:
 - a) Notice of the submittal of the application and pending decision of the Director shall be given in compliance with Section 35-181.2 (Notice of Public Hearing and Decision-Maker Action).
 - b) The Director shall review the application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Article, and other applicable conditions and regulations, and approve, conditionally approve, or deny the Coastal Development Permit. A public hearing shall not be required.
 - c) The action of the decision-maker is final subject to appeal, including an appeal to the Coastal Commission, in compliance with Section 35-182 (Appeals).
- 2) All other applications.** Applications for development other than such development specified in Subsection 2.c.1) (Applications for certain solar energy facilities and aAccessory dDwelling uUnits and junior accessory dwelling units), above, shall be processed in compliance with the following:
 - a) The decision-maker shall review the application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Article, and other applicable conditions and regulations.
 - b) The Zoning Administrator shall hold at least one noticed public hearing unless waived in compliance with Subsection 2.d (Waiver of public hearing), below, on the requested Coastal Development Permit and approve, conditionally approve, or deny the request.
 - c) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Section 35-181 (Noticing).
 - d) The action of the decision-maker is final subject to appeal in compliance with Section 35-182 (Appeals).

SECTION 32:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 2 and 3, of Section 35-174.2, Applicability, of Section 35-174, Development Plans, to read as follows:

...

2. The following shall be under the jurisdiction of the Director and shall be processed as set forth herein:
 - a) In the Highway Commercial (CH), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), ~~Shopping Center Commercial (SC)~~, Service Industrial Goleta (M-S-GOL), and Professional and Institutional (PI) zoning districts, Preliminary and Final Development Plans for buildings and structures which do not exceed a total of 10,000 square feet when combined with all outdoor areas designated for sales or storage and existing buildings and structures on the site.
 - b) In all zone districts, Final Development Plans for projects that were legally permitted and developed without an effective Development Plan where the project is now considered nonconforming due to the absence of a Development Plan provided that no revisions to the existing development are proposed in connection with the Final Development Plan application. If revisions to the existing development are proposed, then the application shall be processed as if it were an application for a new project and the jurisdiction shall be determined pursuant to Section 35-174.2.
 - c) Communication facilities as specified in Section 35-144F.
 - d) In all zones, Final Development Plans for projects where the Board of Supervisors, Planning Commission, Zoning Administrator, or Director approved the Preliminary Development Plan and the conditions of approval of the Preliminary Development Plan do not specify a decision-maker for the Final Development Plan other than the Director.
3. The following shall be under the jurisdiction of the Zoning Administrator and shall be processed as set forth herein:
 - a. In the Visitor Serving Commercial (CV) and Public Utilities (PU) zoning districts, Preliminary and Final Development Plans for buildings and structures which do not exceed a total of 15,000 square feet when combined with all outdoor areas designated for sales or storage and existing buildings and structures on the site.
 - b. In the Highway Commercial (CH), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), ~~Shopping Center Commercial (SC)~~, Service Industrial Goleta (M-S-GOL), and Professional and Institutional (PI) zoning districts, Preliminary and Final Development Plans for buildings and structures and outdoor areas designated for sales or storage that exceed 10,000 square feet but do not exceed 15,000 square feet.
 - c. Communication facilities as specified in Section 35-144F.

...

SECTION 33:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection f, of Subsection 3, of Section 35-179.2, Applicability, of Section 35-179, Modifications, 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 parking spaces be reduced in the Medium Density Student Residential, High Density Student Residential, or Single Family Restricted Overlay Districts.
 - 2) The number of required bicycle parking spaces be reduced.
 - 3) The number of spaces required for an accessory dwelling unit be reduced ~~or be allowed to be located within the required front setback~~, unless such reduction in the number of spaces is allowed in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
 - 4) 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.

SECTION 34:

DIVISION 11, Permit Procedures, of Article II, the Coastal Zoning Ordinance, 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 35-179D, Recordable Documents, 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 Coastal Zoning Ordinance, 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 35:

DIVISION 12, Administration, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection e, Contents of Notice, of Subsection 1, By the Department, of Subsection A, Minimum requirements, of Section 35-181.3, Coastal Development Permits and Land Use Permits, of Section 35-181, Noticing, to add a new Subsection 1) to read as follows:

- e. **Contents of Notice.** The contents of the notice shall be in compliance with Section 35-181.8 (Contents of Notice).
- 1) Notice of applications for accessory dwelling units and junior accessory dwelling units, and additions thereto, as may be allowed in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units) shall also include a statement that the grounds for appeal of an approved or conditionally approved Coastal Development Permit are limited to the demonstration that the project is inconsistent with the applicable provisions and policies of the certified Local Coastal Program or that the development does not conform to the public access policies set forth in the Coastal Act (Public Resources Code, Division 20).

SECTION 36:

DIVISION 12, Administration, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change and retitle Subsection c, “Appeals regarding accessory dwelling units,” of Subsection 2, Additional requirements for certain appeals, of Subsection C, Requirements for Contents of an Appeal, of Section 35-182.2, General Appeal Procedures, of Section 35-182, Appeals, to read as follows:

- c. **Appeals regarding accessory dwelling units and junior accessory dwelling units.** The grounds for appeal of an approved or conditionally approved Coastal Development Permit are limited to the demonstration that the project is inconsistent with the applicable provisions and policies of the certified Local Coastal Program or that the development does not conform to the public access policies set forth in the Coastal Act (Public Resources Code, Division 20).

SECTION 37:

DIVISION 12, Administration, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection a of Subsection 1, Exceptions to Design Review Requirements, of Section 35-184.3, Exceptions, of Section 35-184, Board of Architectural Review, to read as follows:

- a. Accessory dwelling units and junior accessory dwelling units approved in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 38:

DIVISION 13, Summerland Community Plan Overlay, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change and retitle Subsection 6), “Accessory dwelling units,” of Subsection a, One-family dwellings, of Subsection 1, Floor area limit, of Section 35-191.5, Floor Area Limit, of Section 35-191, Summerland - SUM, to read as follows:

- 6) **Accessory dwelling units and junior accessory dwelling units.** The floor area limits enumerated above do not apply to existing or proposed additions to existing one-family dwellings provided the addition is located within the living area of an accessory dwelling units or junior accessory dwelling units approved in compliance with Section 35-142

(Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 39:

DIVISION 13, Summerland Community Plan Overlay, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change and retitle Subsection e, Accessory Dwelling Units, of Subsection 2, Adjustments to maximum floor area, of Section 35-191.5, Floor Area Limit, of Section 35-191, Summerland - SUM, to read as follows:

- e. ~~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 the Subsection 1, above.~~ Accessory dwelling units and junior accessory dwelling units. Notwithstanding Subsection 35-191.5.1.a.6 above, any floor area (net) devoted to an attached accessory dwelling unit in excess of 850 square feet for units with up to one bedroom or 1,000 square feet for two or more bedrooms, shall be included in the net floor area calculation used to determine compliance of the principal dwelling(s) with Subsection 1, above.

SECTION 40:

DIVISION 15, Montecito Community Plan Overlay District, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 1 and 2, All accessory structures, of Section 35-210, Accessory Structures, to read as follows:

1. Accessory structures, except barns and stables, shall not exceed 16 feet in height and shall conform to the front and side yard setback regulations of the district. Accessory structures may be located in the required rear yard setback provided that:
 - a. They are located no closer than 10 feet to the principal structure;
 - b. They do not exceed a height of 12 feet; and
 - c. The cumulative footprint of all accessory structures, including accessory dwelling units, occupies no more than 30 percent of the required rear yard.
2. **All accessory structures.** ~~Detached~~ Accessory structures, including accessory structures containing one or more accessory uses, shall not exceed a building footprint area of 800 square feet as measured to the interior surface of exterior perimeter walls, posts, columns, or other supports.
 - a. This 800 square foot building footprint limitation shall not apply to accessory dwelling units, ~~junior accessory dwelling units,~~ barns, and stables; however, another accessory structure shall ~~not~~ may only be attached to an accessory dwelling unit, ~~junior accessory dwelling unit,~~ barn, or stable if the total footprint area of the combined structure ~~exceeds~~ is 800 square feet or less. This shall not be construed in any way to limit the size of an accessory dwelling unit stacked above or below another accessory structure when constructed in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
 - b. For the purposes of this Subsection 35-210.2, footprint refers to how the building sits on the ground. The building footprint includes the following:
 - 1) Any cantilevered portions of the structure as viewed perpendicularly from above.

- 2) Any fully enclosed, partially enclosed, or unenclosed portions of the accessory structure located beneath a solid roof or other permanent covering.
- 3) The area of any portions of roof eaves that extend more than three feet from the exterior wall of the building.
- 4) The footprint for structures that are fully or partially below grade shall be limited to only that portion of the structure with exposed walls.

SECTION 41:

DIVISION 15, Toro Canyon Plan Overlay District, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 1, Nonconforming residential structures damaged or destroyed by calamity, of Section 35-194.5, of Section 35-194, General, to read as follows:

1. **Nonconforming residential structures damaged or destroyed by calamity:** Any nonconforming residential structure that is damaged or destroyed by fire, flood, earthquake, arson, vandalism, or other calamity beyond the control of the property owner(s) may be reconstructed to the same or lesser size on the same site and in the same general footprint location. For the purpose of this section, “residential structure” shall mean primary dwellings, secondary dwellings including ~~a~~Accessory ~~d~~Dwelling ~~u~~Units, junior accessory dwelling units, guesthouses, farm employee dwellings, and all attached appurtenances such as garages and storage rooms that share at least one common wall with the residential structure. Where no attached garage existed, one detached private garage structure may be included provided that evidence of such structure’s use as a private garage is presented to the satisfaction of the Zoning Administrator. Any such reconstruction shall commence within 24 months of the time of damage or destruction and shall be diligently carried to completion. The 24 month time limit may be extended by the Director one time for good cause, provided a written request, including a statement of reasons for the time extension request, is filed with the Planning and Development Department prior to the expiration of the 24 month period. Where the reconstruction permitted above does not commence within the specified 24 months or the extended time period that may be granted by the Director, such structure shall not be reconstructed except in conformity with the regulations of the Toro Canyon Plan and this Article.

SECTION 42:

DIVISION 15, Toro Canyon Plan Overlay District, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 2, Reconstruction of nonconforming residential structures located within Rural Neighborhood Areas and within or adjacent to an Environmentally Sensitive Habitat (ESH) area, of Section 35-194.5, of Section 35-194, General, to read as follows:

2. **Reconstruction of nonconforming residential structures located within Rural Neighborhood Areas and within or adjacent to an Environmentally Sensitive Habitat (ESH) area:** Lawfully established structures that serve as residences in an Existing Developed Rural Neighborhood located within ESH buffer areas or adjacent to ESH, which are damaged due to normal wear and tear such as structural pest damage or dry rot, may be reconstructed to the same or lesser size (square footage, height, and bulk) in the same footprint. If the reconstructed residence is proposed to be larger than the

existing structure, it may only be permitted where findings are made that such development shall not adversely impact the adjacent riparian species, meets all other provisions of this Plan and the Local Coastal Program including development standards for native and non-native protected tree species, and complies with development standards DevStd BIO-TC-5.1 through DevStd BIO-TC-5.4. Reconstruction includes any project that results in the demolition of more than 50 percent of the exterior walls. For the purpose of this section, “residential structure” shall include primary dwellings, secondary dwellings including ~~a~~Accessory ~~d~~Dwelling ~~u~~Units, junior accessory dwelling units, farm employee dwellings, and all attached appurtenances such as garages and storage rooms that share at least one common wall with the residential structure. Where no attached garage exists, one detached private garage structure may be included provided that evidence of such structure’s use as a private garage is presented to the satisfaction of the Zoning Administrator. Any such reconstruction or structural repair shall commence within 24 months of the time of the owner’s first documented discovery of the need for reconstruction or repair, and shall be diligently carried to completion. The 24 month time limit may be extended by the Director one time for good cause, provided a written request, including a statement of reasons for the time extension request, is filed with the Planning and Development Department prior to the expiration of the 24 month period. Where the reconstruction or structural repair permitted above does not commence within the specified 24 months or the extended time period that may be granted by the Director, such structure shall not be reconstructed or repaired except in conformity with the regulations of the Toro Canyon Plan and this Article.

SECTION 43:

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential Uses section of Table 18-2, Allowed Land Uses and Permit Requirements in the Gaviota Coast Plan Area, of Section 35-430, Allowable Development and Planning Permit Requirements, to read as follows:

LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations	
	AG-II	M-CD(3)	REC	RES	RR	TC		
	Table 18-2 - Continued Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area							
	P	Permitted use, Coastal Permit required (2)						
	PP	Principal Permitted Use, Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Major Conditional Use Permit required						
	E	Allowed use, No permit required						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
RESIDENTIAL USES								
Agricultural employee housing, 4 or fewer employees	PP	—	—	—	—	—	35-460.C	
Agricultural employee housing, 5 or more employees	CUP	—	—	—	—	—	35-460.C	
Artist studio	P	—	—	MCUP	P	—	35-120	
Caretaker/manager dwelling	—	CUP (6)	MCUP	—	—	—		
Dwelling, one-family (7)	PP	—	—	P	PP	—		
Farmworker dwelling unit (7)	PP	—	—	PP	PP	CUP (8)	35-144.P	
Farmworker housing complex	CUP	P	—	CUP	CUP	CUP	35-144.P	
Guesthouse	P	—	—	P	P	—	35-120	
Home occupation	PP	—	—	PP	PP	—	35-121	
Incentive dwelling unit	P	—	—	—	—	—	35-470	
Pool house/cabaña	P	—	—	P	P	—	35-120	
Residential accessory use or structure	P (11)	—	MCUP	P	PP	—	35-119	
Accessory dwelling unit	PP	—	—	P	PP	—	35-142	
<u>Junior accessory dwelling unit</u>	PP	—	—	P	PP	—	<u>35-142</u>	
Special care home, 7 or more clients	MCUP	—	—	MCUP	MCUP	—	35-143	

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

- Notes:**
- (1) See Section 35-58 (Definitions) and Section 35-420 (Definitions) for land use definitions.
 - (2) Development Plan approval may also be required; see Section 35-430.E (Allowable land uses and permit requirements).
 - (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
 - (4) The proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for a CUP and prohibiting such use would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §2000cc.
 - (5) See Section 35-450.D (School development) for specific use regulations.
 - (6) May also include dwellings for the employees of the owner or lessee of the land engaged in a permitted use of the land on which the dwelling is located.
 - (7) One-family dwelling may be a mobile home on a permanent foundation, see Section 35-141 (Mobile Homes on Foundations).
 - (8) Only if single-family dwellings are allowed as a permitted use in an abutting zone district.
 - (9) See 35-460.E (Agricultural product sales) for specific use regulations.
 - (10) Limited to the on-site production only; see 35-131 (Agricultural Sales) for specific use regulations.
 - (11) Detached garages, carports, storage sheds, fences, and swimming pools associated with a residential dwelling may be considered part of the Principal Permitted Use (PPU).

SECTION 44:

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 3 of Subsection C, Agricultural resources and prime agricultural soils, of Section 35-440, Standards for All Development and Land Uses, to read as follows:

3. In order to retain the maximum amount of land in agricultural production or available for future agricultural production, agricultural accessory structures, agricultural product processing and

sales facilities, and residential structures (such as a primary residential dwelling, accessory dwelling units, guesthouse, cabana/pool house, artist studio, incentive dwelling unit, agricultural employee housing, and farmworker dwelling or housing complex) shall be clustered to the maximum extent feasible and their footprints shall be minimized, consistent with all applicable policies and provisions of the Local Coastal Program.

SECTION 45:

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 2, Farmstay, of Subsection J, Rural recreation, of Section 35-460, Permit Requirements and Development Standards for Specific Land Uses in the AG-II Zone, to read as follows:

2. Farmstay.

- a. A Farmstay operation may be considered a component of the Principal Permitted Use and may be allowed with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development 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 premises.
 - 2) The operation is housed in a single permitted or nonconforming dwelling existing as of November 7, 2018. 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 premises. 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,

- b) Is beneficial and inherently related to the farm or ranch operation, and
 - c) Is in character with the rural setting.
- 6) The operation will not have significant adverse impacts on 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 J.2.a, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) provided the following additional findings are first made:
- 1) The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on or adjacent to the subject lot.
 - 2) The operation will not include a new at-grade crossing of Highway 101.
 - 3) The operation will not be housed in an accessory dwelling unit or junior accessory dwelling unit.

SECTION 46:

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

SECTION 47:

Except as amended by this ordinance, Divisions 2, 4, 6, 7, 11, 12, 13, 15, 16, and 18 of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 48:

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 49:

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

SECTION 50:

For applicants that have an approved or issued Coastal Development Permit for a proposed accessory dwelling unit or junior accessory dwelling unit on or before the effective date of this ordinance, the Coastal Development Permit shall remain valid, provided that a Building Permit for the proposed accessory dwelling unit or junior accessory dwelling unit is issued by [insert one year after Board adoption date], or the date that this ordinance is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later. Otherwise, the Coastal Development Permit shall be invalid.

SECTION 51:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the latter of: (i) the date the Board adopts the ordinance, or (ii) upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, or (iii) pursuant to Government Code Section 68582.2(h), upon the date that: (a) the California Department of Housing and Community Development (HCD) finds that the ordinance complies with state law, or (b) the Board of Supervisors adopts a resolution addressing HCD's findings; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the Board voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

ADU, SC Rezone, and Minor Ordinance Amendments
Case No. 23ORD-00009
County Planning Commission
Hearing Date: October 4, 2023
Attachment D, Exhibit 1 – Page 45

By _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEN
COUNTY COUNSEL

By _____
Deputy County Counsel

**ATTACHMENT E: RESOLUTION OF THE COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE)	
BOARD OF SUPERVISORS (BOARD) ADOPT AN)	RESOLUTION NO. 23 - 09
ORDINANCE AMENDING THE COUNTY ZONING)	
MAP OF SECTION 35-1, THE SANTA BARBARA)	_____
COUNTY LAND USE AND DEVELOPMENT CODE)	Case No.:
(LUDC), OF CHAPTER 35, ZONING BY REPEALING)	23RZN-00003
THE SHOPPING CENTER (SC) ZONING)	
DESIGNATIONS FOR CERTAIN PROPERTIES IN)	
THE ORCUTT, LOMPOC, AND EASTERN GOLETA)	
VALLEY AREAS AND REZONING THESE)	
PROPERTIES TO THE RETAIL COMMERCIAL (C-2))	
ZONE IN THE SANTA BARBARA COUNTY LUDC.)	

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS, on November 27, 2007, by Ordinance 4660, the Board adopted the Santa Barbara County LUDC, Section 35-1 of Chapter 35 of the Santa Barbara County Code, which included the Zoning Map that designates property within the unincorporated area of the County of Santa Barbara with specific zones.
- B. WHEREAS all zoning maps and zoning designations previously adopted under the provisions of Section 35.14.020, Zoning Map and Zones, of Section 35-1, the Santa Barbara County LUDC, of Chapter 35, Zoning, of the Santa Barbara County Code are hereby repealed as they relate to the SC zoning designation on certain parcels located in the Orcutt, Lompoc, and Eastern Goleta Valley Areas as shown in Exhibit A of Exhibit 1.
- C. WHEREAS, the County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County, to recommend that the Board adopt an ordinance (Case No. 23RZN-00003) amending Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, the Santa Barbara County LUDC, by amending the Zoning Map by re-designating certain parcels or portions of certain parcels from SC to C-2.

Said Ordinance is attached hereto as Exhibit 1, and is incorporated by reference.

- D. WHEREAS Section 65855 of the Government Code (GC) requires inclusion of the reason for the recommendation and the relationship of the zoning map amendment to the applicable general and specific plans. The proposed Ordinance is in the interest of the general community welfare as the SC zone is overly restrictive and not representative of the commercial uses typical of resident-serving commercial centers. The rezone of these parcels to C-2 will allow for greater flexibility in the types of commercial uses allowed in

order to ensure these commercial centers remain vibrant and are able to thrive in changing market conditions, which represents good planning consistent with the intent of the Santa Barbara County Comprehensive Plan, including the Community and Area Plans, and the requirements of State planning, zoning, and development laws.

E. WHEREAS this County Planning Commission has held a duly noticed public hearing, as required by GC Section 65484, on the above mentioned amendments to County Zoning Map, at which hearing the proposed Ordinance was explained and comments invited from the public.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of GC Section 65855, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated September 26, 2023. Said Ordinance is attached hereto as Exhibit I and is incorporated herein by reference.
3. A copy of this Resolution shall be transmitted to the Board along with said draft amendment in compliance with GC Section 65855.
4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above mentioned action by the County Planning Commission.

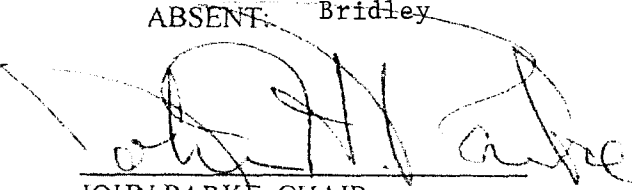
PASSED, APPROVED AND ADOPTED by the County Planning Commission of the County of Santa Barbara, State of California, this 4th day of October 2023, by the following vote:

AYES: Cooney, Parke, Ferini, Martinez

NOES:

ABSTAIN:

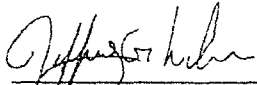
ABSENT: Bridley



JOHN PARKE, CHAIR
County Planning Commission

ADU, SC Rezone, and Minor Ordinance Amendments
Case No. 23RZN-00003
County Planning Commission
Hearing Date: October 4, 2023
Attachment E – Page 3

ATTEST:



JEFFREY WILSON
Secretary to the Commission

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By 
Deputy County Counsel

Exhibit 1 - Board of Supervisors Ordinance Amending the County Zoning Map (Case No. 23RZN-00003)

**ATTACHMENT E, EXHIBIT 1: COUNTY LAND USE AND DEVELOPMENT CODE
ZONING MAP REZONE AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING THE COUNTY ZONING MAP TO REZONE CERTAIN PARCELS AND/OR PORTIONS OF PARCELS LOCATED IN THE ORCUTT, LOMPOC, AND EASTERN GOLETA VALLEY AREAS FROM SHOPPING CENTER (SC) TO RETAIL COMMERCIAL (C-2).

Case No. 23RZN-00003

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

SECTION 1:

All zoning maps and zoning designations previously adopted under the provisions of Section 35.14.020, Zoning Map and Zones, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, as shown on the County Zoning Map are hereby repealed as they relate to the Shopping Center (SC) zone.

SECTION 2:

Pursuant to the provisions of Section 35.14.020 (Zoning Map and Zones) of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, the Board of Supervisors hereby amends the County Zoning Map by re-designating the Assessor's Parcel Numbers and/or portions of Assessor's Parcel Numbers identified in Exhibit A from Shopping Center (SC) to Retail Commercial (C-2).

The amended Zoning Map is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3:

The Chair of the Board of Supervisors is hereby authorized and directed to sign and certify this Ordinance and all maps, documents, and other materials in accordance with this Ordinance to show that said zone change for the Assessor's Parcel Numbers identified in Exhibit A from Shopping Center to Retail Commercial has been adopted by this Board.

SECTION 4:

Except as amended by this Ordinance, Article 35.1 of Section 35-1, the Santa Barbara County Land Use Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect.

SECTION 5:

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, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent, a newspaper of general circulation in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By _____
Deputy County Counsel

Exhibit A – List of Assessor’s Parcel Numbers to be Rezoned

EXHIBIT A

APN	Notes
065-080-026	
065-080-027	
097-111-004	
097-111-006	
097-111-007	
103-110-010	
103-110-012	
103-110-013	
103-334-027	
103-334-030	
103-334-031	
103-334-032	
103-334-033	
103-740-019	
103-740-025	Majority portion of parcel Zoned SC; the rest is already C-2
103-740-026	Majority portion of parcel Zoned SC; the rest is already C-2
103-740-029	
103-740-031	
103-740-032	
103-740-033	
105-140-087	Parcel has split Zoning; the SC portion is 3 acres along Clark Ave, but the specific extent of those 3 acres is not determined
105-330-001	
105-330-002	
111-220-014	
111-220-015	Two separate portions of this parcel are Zoned SC, with the rest Zoned C-3
111-220-022	Very small sliver within SC Zone
097-371-070	
097-371-044	
097-371-037	
097-371-071	
097-371-072	

Exhibit A Orcutt Area

 Proposed Rezone From SC to C-2



0 2,500
Feet

City of Santa Maria

Rezone from SC/M-RP
to C-2/M-RP

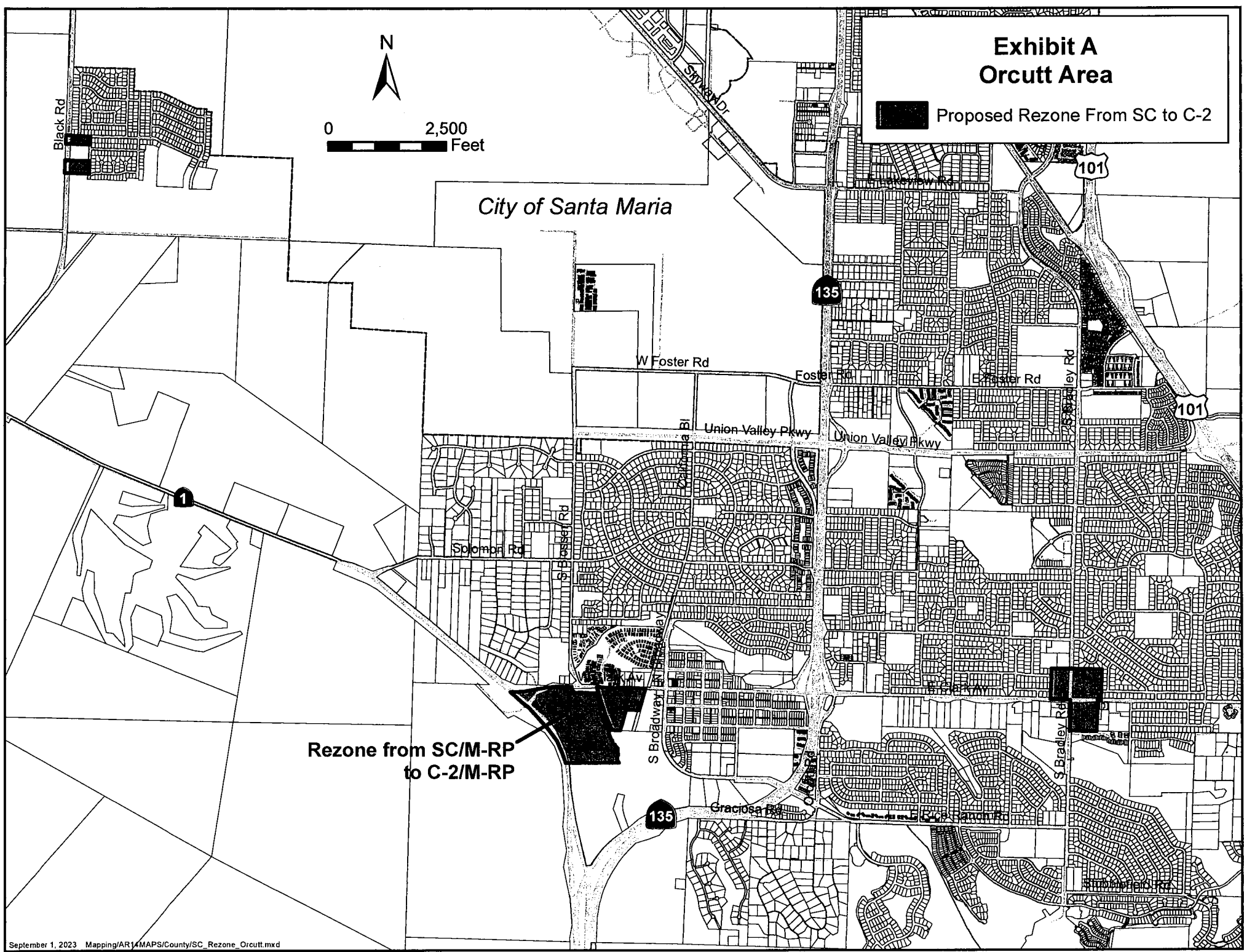
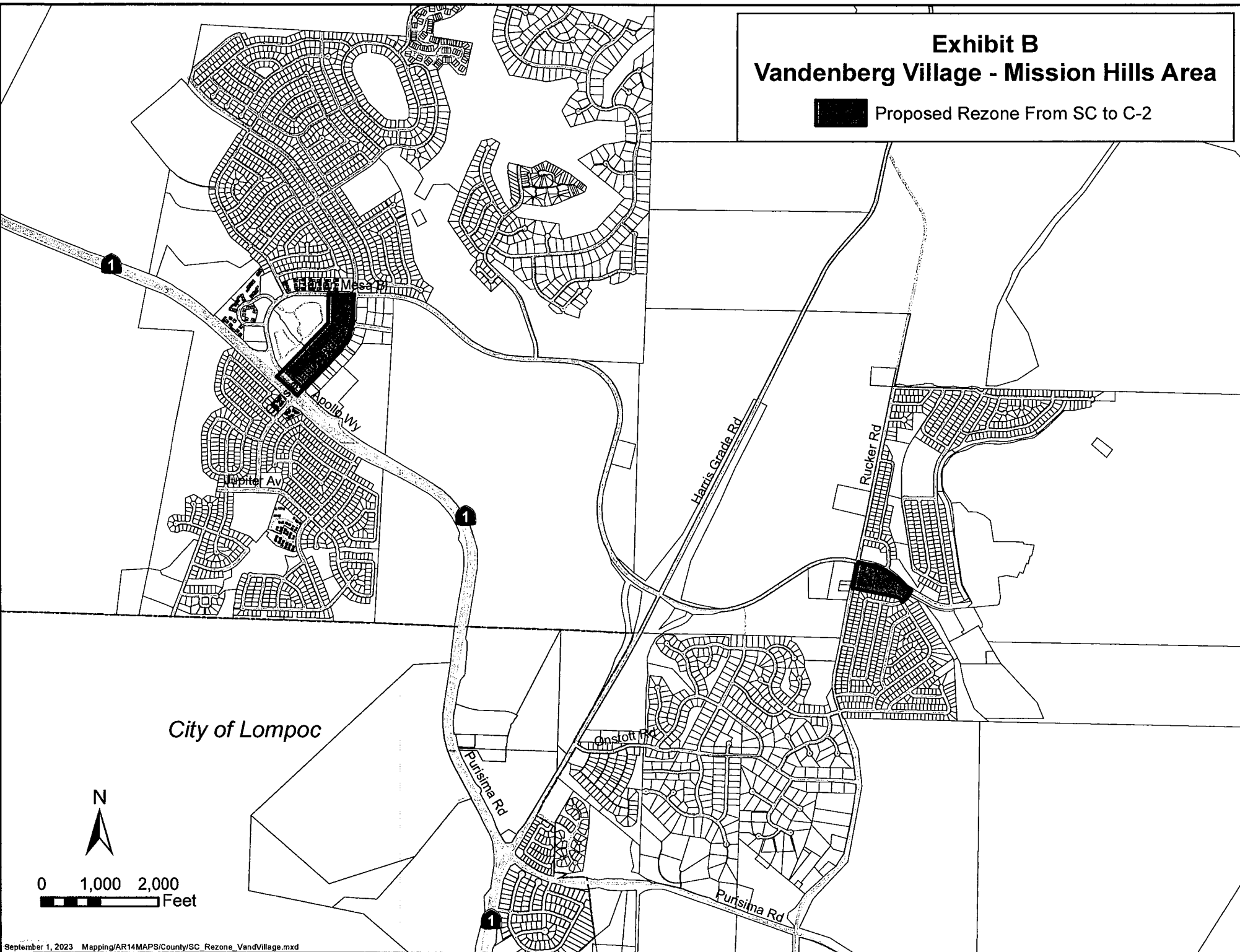


Exhibit B Vandenberg Village - Mission Hills Area

 Proposed Rezone From SC to C-2



0 1,000 2,000
Feet

Exhibit C Eastern Goleta Valley Area

 Proposed Rezone From SC to C-2

