

ATTACHMENT E-1: MONTECITO LAND USE AND DEVELOPMENT CODE ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-2, THE MONTECITO LAND USE AND DEVELOPMENT CODE (MLUDC), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING DIVISION 35.3, MONTECITO SITE PLANNING AND OTHER PROJECT STANDARDS; DIVISION 35.4, MONTECITO STANDARDS FOR SPECIFIC LAND USES; AND DIVISION 35.10, GLOSSARY, TO ADD ART, GARDEN, AND ARCHITECTURE TOURS AS A NEW ALLOWABLE TEMPORARY USE, IMPLEMENTING NECESSARY REVISIONS TO THE EXISTING STATE DENSITY BONUS LAW PROVISIONS TO ALIGN WITH CHANGES TO STATE LAW, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS, AND REVISIONS TO EXISTING REGULATIONS AND DEVELOPMENT STANDARDS.

25ORD-00011

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

SECTION 1:

DIVISION 35.3, Montecito Site Planning and Other Project Standards, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection C.1.a, Corner Lot, of Section 35.430.150, Setback Requirements and Exceptions, of Chapter 35.430, Standards for all Development and Land Uses, to read as follows:

- C. **Measurement of setbacks.** The setbacks required by Subsection B (Setback requirements) above shall be measured as follows.
1. **Front setback.** A front setback shall be measured at right angles from the front line of the lot.
 - a. **Corner lot.** A corner lot shall have a front setback along each property line adjacent to a street. ~~If the corner lot has a lot width of 100 feet or more, then each front setback shall be considered to be a primary front setback. If the corner lot has a lot width of less than 100 feet, then t~~The front setback adjacent to the front line (see definition of Front Line) of the lot shall be considered the primary front setback and the front setback that is not adjacent to the front line shall be considered a secondary front setback. See Figure 3-5 (Corner Lot Setbacks) below.

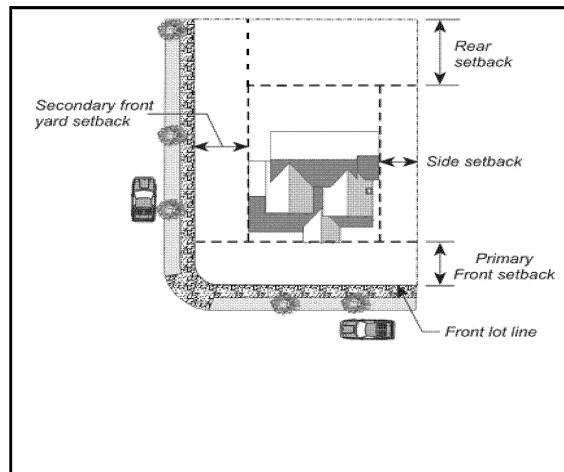


Figure 3-5 - Corner Lot Setbacks

- ~~(1) Corner lot 100 feet or greater in width. There shall be a primary front setback along each street abutting the lot and all such setbacks shall conform to the front setback requirements of the applicable zone.~~
- ~~(12)~~ **Corner lot less than 100 feet in width Setback Widths.** There shall be a primary front setback along the property line considered the front line of the lot that conforms to the front setback requirements of the applicable zone. The secondary front setback along the property line not considered the front line shall be not less than 20 percent of the width of the lot, but in no case shall said secondary front setback be less than 10 feet or greater than 15 feet.

SECTION 2:

DIVISION 35.3, Montecito Site Planning and Other Project Standards, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection E, Accessory Structures and Uses, of Section 35.422.030, Resource Protection Zone Allowable Land Uses, of Chapter 35.422, Resource Protection Zone, to read as follows:

- E. **Accessory Structures and Uses.** Accessory structures and uses that are customarily incidental to the primary use allowed by Table 2-1 (Allowed Land Uses and Permit Requirements for Resource Protection Zone) are not allowed except as follows:
1. **Accessory Dwelling Units.** Accessory dwelling units approved in compliance with Section 35.442.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units).
 2. **Junior Accessory dwelling Units.** Junior accessory dwelling units allowed in compliance with Section 35.442.015 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

3. **Swimming Pools and Water Storage Tanks.** Swimming pools and water storage tanks shall be approved or conditionally approved as accessory structures in compliance with Section 35.472.080 (Development Plans).
4. **Solar energy systems.** Solar energy systems allowed in compliance with Section 35.430.160 (Solar Energy Systems).
5. **Garages and Carports.** Garages and/or carports necessary to comply with parking requirements as set forth in Chapter 35.436 (Parking and Loading Standards).

SECTION 3:

DIVISION 35.3, Montecito Site Planning and Other Project Standards, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection A.1.e, Housing Developments, of Section 35.432.020, Eligibility, of Chapter 35.432, Density Bonus Program, to read as follows:

A. **Eligible projects.** Except as provided in Subsection B (Ineligible projects) below, the following projects shall be eligible for density bonuses, incentives or concessions, waivers or reductions of development standards, and/or parking ratios pursuant to the amount, type, and other applicable criteria in this Chapter and the State Density Bonus Law:

1. **Housing developments.** A housing development for five or more residential units, including mixed-use developments, which will contain at least one of the following:

...

- e. Twenty percent of the total units for lower-income students in an eligible student housing development pursuant to Government Code Section 65915(b)(1)(F)(i) or successor statute.

SECTION 4:

DIVISION 35.3, Montecito Site Planning and Other Project Standards, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection C.1, Modification of development standards, of Section 35.432.040, Incentives or Concessions for Housing Developments, of Chapter 35.432, Density Bonus Program, to read as follows:

1. **Modification of development standards.** A reduction in site development standards or a modification of zoning requirements or architectural design requirements of this Development Code that exceed the minimum building standards in County Code Chapter 10, Building Regulations, that would otherwise be required, that results in identifiable and actual cost reductions. For the purposes of this Section 35.432.040, a “development standard” is as

defined in Government Code Section 65915(o)(2) or successor statute (e.g., height limitation, setback requirement, floor area ratio).

SECTION 5:

DIVISION 35.3, Montecito Site Planning and Other Project Standards, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection A, Maximum parking ratios, of Section 35.432.060, Parking Ratios for Housing Developments, of Chapter 35.432, Density Bonus Program, to read as follows:

- A. **Maximum parking ratios.** Upon the request of the applicant, except as provided in Subsection B (Limited or no parking ratio for certain housing developments) below, and Government Code Sections 65915(p)(2), (3), and (4), or successor statutes, the Department shall not require a vehicular parking ratio for a housing development meeting the criteria of this Chapter that exceeds the following:
1. Zero to one bedroom: one onsite parking space.
 2. Two to three bedrooms: one and one-half onsite parking spaces.
 3. Four and more bedrooms: two and one-half onsite parking spaces.
 4. One bedspace in a student housing development: zero parking spaces.

SECTION 6:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection 1, General standards of Section 35.442.015.E, Accessory dwelling units located within residential zones, of Section 35.442.015, Accessory Dwelling Units and Junior Dwelling Units, to read as follows:

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

...

- d. **Lot Requirements.** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit permitted under this Subsection 35.442.015.E shall not be allowed in addition to an Accessory Dwelling Unit permitted under Subsection 35.144.015.F, regardless of the order of construction.

SECTION 7:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Tables 4-6, and 4-7 of Section 35.442.180, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to add Art, Garden, and Architecture Tours and read as follows:

Table 4-6 Allowed Temporary Uses and Permit Requirements for the Resource Management Zone	E	Allowed use, no permit required (Exempt)
	ZC	Permitted use, Zoning Clearance required
	P	Permitted use, Land Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE (1)	PERMIT REQUIRED	Specific Use Regulations
	RMZ	

TEMPORARY EVENTS

Art, Garden, and Architecture Tours	E	35.442.180.F.9
Certified farmers market (incidental)	CUP	35.442.180.F.2
Charitable and other noncommercial functions	E	35.442.180.F.3
Public assembly events in facilities; event consistent	E	35.442.180.F.4
Public property	E	35.442.180.F.5
Reception and similar gathering facilities (commercial)	CUP	35.442.180.F.6
Seasonal sales lots	P	35.442.180.F.7

TEMPORARY DWELLINGS

During construction of new dwelling	P	35.442.180.F.8
Trailer (watchman during construction)	P	35.442.180.G.9
Trailer (after destruction of dwelling)	P	35.442.180.G.6
Trailer (during construction of new dwelling)	P	35.442.180.G.5

TEMPORARY OFFICES/STORAGE

Trailer (air quality monitoring station)	CUP	35.442.180.G.3
Trailer (construction office, shop, storage, etc.)	S	35.442.180.G.4
Trailer (mobile communications temporary facility)	ZC	35.442.180.G.8
Trailer (storage as accessory to dwelling)	E	35.442.180.G.7

Key to Zone Symbols

RMZ	Resource Management
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Notes:

- (1) See [Division 35.10 \(Glossary\)](#) for land use definitions.

Table 4-7 Allowed Temporary Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)
	ZC	Permitted use, Zoning Clearance required
	P	Permitted use, Land 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
	R-1/E-1	R-2	DR	PRD	

TEMPORARY EVENTS

Art, Garden, and Architecture Tours	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	35.442.180.F.9
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	35.442.180.F.2
Charitable and other noncommercial functions	E	E	E	E	35.442.180.F.3
Public assembly events in facilities; event consistent	E	E	E	E	35.442.180.F.4
Public property	E	E	E	E	35.442.180.F.5
Reception and similar gathering facilities (commercial)	CUP	CUP	CUP	CUP	35.442.180.F.6
Seasonal sales lots	P	P	P	P	35.442.180.F.7

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	35.442.180.F.8
Trailer (watchman during construction)	P	P	P	P	35.442.180.G.9
Trailer (after destruction of dwelling)	P	P	P	P	35.442.180.G.6
Trailer (during construction of new dwelling)	P	P	P	P	35.442.180.G.5

TEMPORARY OFFICES/STORAGE

Trailer (air quality monitoring station)	CUP	CUP	CUP	CUP	35.442.180.G.3
Trailer (construction office, shop, storage, etc.)	S	S	S	S	35.442.180.G.4
Trailer (mobile communications temporary facility)	ZC	ZC	ZC	ZC	35.442.180.G.8
Trailer (storage as accessory to dwelling)	E	E	E	E	35.442.180.G.7

Key to Zone Symbols

R-1/E-1	Single-Family Residential	DR	Design Residential
R-2	Two-Family Residential	PRD	Planned Residential Development

Notes:

- (1) See [Division 35.10 \(Glossary\)](#) for land use definitions.

SECTION 8:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection F, Permit requirements and development standards for specific temporary uses, of Section 35.442.180, Temporary Uses and Trailers, of Chapter 35.442, Standards for Specific Land Uses, to add a new subsection F.9, Art, Garden, and Architecture Tours, as follows:

- F. Permit requirements and development standards for specific temporary uses.** This Section provides the permit requirements and development and operational standards for specific temporary uses of property, except for trailers allowed in compliance with Subsection G (Trailer use) below, in addition to the permit requirements and development standards identified in Table 4-6 through Table 4-9. The temporary uses of property may include the erection of temporary structures (e.g., fences, booths, tents, or the parking of trailers) for use during the period of time

that the temporary use is operating.

...

- 9. Art, Garden, and Architecture Tours.** Tours organized by a civic, educational, or service institution or organization directly engaged in civic, charitable, or philanthropic efforts, and involving community tours of individual properties, are exempt from the permit requirements of this Section provided:
- a. Commercial sales or transactions of goods in residential zones are limited to properties with home occupations, including artist studios, operating under a valid Zoning Clearance or qualifying as an exempt home occupation pursuant to Section 35.472.190 (Zoning Clearances).
 - b. No more than four events per calendar year may be conducted by a single entity or on an individual lot and individual events shall last no longer than three consecutive days.
 - c. Admission is open to the general public, with or without ticket sales. The number of registered attendees present at the event does not exceed 300 per day.
 - d. The use of a lot for reception or gathering functions in support of the tour shall be limited to non-residential zones, unless conducted in compliance with Subsection F.3 above.
 - e. Tours and associated reception or gathering functions in support of a tour shall not be conducted on a lot operating under a Conditional Use Permit, unless expressly permitted by that permit.

SECTION 9:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection a, of Section 35.444.010.C.3, Tier 3 projects, of Section 35.444.010, Commercial Telecommunication Facilities, of Chapter 35.444, Telecommunication Facilities, to read as follows:

- 3. Tier 3 projects.** Commercial telecommunication facilities that comply with the following may be permitted as a Tier 3 commercial facility:
- a. **Standards for Tier 3 projects, facilities not exceeding 50 feet in height that do not otherwise qualify as a small wireless facility under C.2.a, above. Wireless telecommunication facilities that comply with the following may be allowed:**
 - (1) Antennas, the associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject to the limitations and exceptions as provided below. A modification to the height limit in compliance with Subsection 35.472.060.~~H~~^H (Conditions,

- restrictions, and modifications) may be allowed. However, the highest point of the antenna and associated antenna support structure shall not exceed 50 feet.
- (2) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in without the approval of a modification in compliance with Subsection 35.472.060. ~~H~~ (Conditions, restrictions, and modifications) under the following circumstances:
- (a) As provided in Subsection C.2.d.(1)(a).
- (b) The antenna and antenna support structure are mounted on an existing structure and the height of the antenna and antenna support structure does not exceed 15 feet above the highest point of the structure provided the highest point of the antenna does not exceed 50 feet. Architectural projections shall not be used in determining the highest point of the structure.
- (3) The base of a new freestanding antenna support structure shall be set back from a residentially zoned lot a distance equal to five times the height of the antenna and antenna support structure, or a minimum of 300 feet, whichever is greater.

SECTION 10:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection D, Additional development standards for telecommunication facilities, of Section 35.444.010, Commercial Telecommunications Facilities, of Chapter 35.444, Telecommunication Facilities, to read as follows:

D. Additional development standards for telecommunication facilities. In addition to the development standards in Subsection C (Processing) above, all commercial telecommunication facilities except temporary mobile telecommunications facilities, shall also comply with the following development standards unless otherwise indicated below, provided that if the following development standards conflict with any of the design standards regulating small wireless facilities in Subsections C.2.a.(7) through C.2.a.(9), above, the design standards specific to small wireless facilities shall control.

1. Telecommunication facilities shall comply in all instances with the following development standards:
 - a. **Setbacks.** The facility shall comply with the setback requirements of the zone in which the facility is located except as follows:
 - (1) Antennas may be located within the setback area without approval of a modification in compliance with Subsection 35.472.060. ~~H~~ (Conditions, restrictions, and modifications) provided they are installed on an existing, operational, public utility pole, or similar existing support structure.

- (2) Underground equipment (e.g., equipment cabinet) may be located within the setback area and rights-of-way provided that no portion of the facility shall obstruct existing or proposed sidewalks, trails, and vehicular ingress or egress.
- (3) A modification to the setback is granted in compliance with Subsection 35.472.060.~~4~~H (Conditions, restrictions, and modifications).

SECTION 11:

DIVISION 35.4, Montecito Standards for Specific Land Uses, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection E, Floor area, of Section 35.442.120, Guesthouses, Artist Studios, and Cabañas, of Chapter 35.442, Standards for Specific Land Uses, to read as follows:

- E. **Floor area.** The ~~net~~ gross floor area of a guesthouse, artist studio, or cabaña shall not exceed 800 square feet. However, the guesthouse, artist studio, or cabaña structure may be attached to other accessory structures provided the building footprint area of the combined structure does not exceed 800 square feet and interior access does not exist between the guesthouse, artist studio, or cabaña and the other accessory structure(s).

SECTION 12:

DIVISION 35.10, Glossary, of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add a new definition for Shared Water System to Section 35.500.020, Definitions of Specialized Terms and Phrases, of Chapter 35.500, Definitions, to read as follows:

L. Definitions, "L."

...

Lot, Interior. A lot that (1) has no street frontage or (2) the street frontage is less than 40 feet in width ~~and the lot was not created by a subdivision resulting in five or more lots.~~

...

SECTION 13:

All existing indices, section references, and figure and table numbers contained in Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 14:

Except as amended by this ordinance, Divisions 35.3, 45.4, and 35.10 of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 15:

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 16:

This ordinance shall take effect and be in force 30 days from the date of its passage; and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

BOB NELSON, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEN
COUNTY COUNSEL

By _____
Deputy County Counsel