

**ATTACHMENT 3: COUNTY LAND USE AND DEVELOPMENT CODE ORDINANCE
AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES, ARTICLE 35.3, SITE PLANNING AND OTHER PROJECT STANDARDS, ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES, ARTICLE 35.7, SITE DEVELOPMENT REGULATIONS, 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.

16ORD-00000-00014

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

SECTION 1:

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

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

- 1.** **Accessory dwelling units.** One accessory dwelling unit per lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units), as applicable.
- 2.** **Animal keeping.** Animal keeping when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following) and the Animal Keeping Table (Table 4-1 and following) in Section 35.42.060 (Animal Keeping).
- 2.3.** **Antennas.** Ground or roof mounted receive-only satellite dish or wireless television antenna less than one meter in diameter used solely by the occupants of the property on which the antenna is located for the noncommercial, private reception of communication signals, see Chapter 35.44 (Telecommunications Facilities).
- 3.4.** **Change of occupancy or use.** A change in occupancy or use of an existing structure that complies with all of the following:
 - a. The occupancy or use that exists prior to the change is a legal, permitted use of the structure.
 - b. The change is from a land use listed as a permitted use in the applicable land use tables within Chapters 35.21 through 35.26 to the same land use (e.g., from restaurant, café or coffee shop to a restaurant, café or coffee shop).
 - c. The new occupancy or use does result in an increase in the number of parking spaces required to be provided on-site.

- d. The new occupancy or use is established and operated in compliance with the setback requirements, height limits, parking requirements, and all other applicable standards of this Development Code, including any required provisions and conditions of any existing, approved permits for the subject lot.
- e. Any permit or approval required by regulations other than this Development Code is obtained (for example, a Building Permit and/or Grading Permit).

4.5. Cultivated agricultural, orchards and vineyards. Cultivated agriculture, orchards and vineyards when shown as an "E" in the Land Use Tables in Chapters [35.21](#) through [35.26](#) (Table 2-1 and following).

5.6. Damaged or destroyed structure. The replacement or restoration of a conforming structure damaged or destroyed by a disaster, as determined by the Director.

- a. The replaced or restored structure shall comply with all requirements of the applicable zone (including permitted uses), shall be for the same use, shall be in the same general footprint location, and shall not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent, or 250 square feet, whichever is less. For the purposes of this Subsection B.5, bulk is defined as total interior cubic volume as measured from the exterior surfaces of the structure.
- b. If the Director determines that the exterior design or specifications are proposed to be changed, the restored or replaced structure shall require Design Review in compliance with [Section 35.82.070 \(Design Review\)](#), if the structure is otherwise required to have Design Review (e.g. the site is within the Design Control overlay).

6.7. Demolition. The demolition of a structure less than 50 years old or, if the structure is 50 years old or greater, either the Director or the Historic Landmark Advisory Commission has determined that it is not historically significant.

7.8. Fences, gates, gateposts, walls, retaining walls. See [Section 35.30.070 \(Fences and Walls\)](#).

8.9. Final or Parcel Map recordation. The recordation of a Final Map or Parcel Map following the approval of a Tentative Map including Vesting Tentative Maps.

9.10. Grading. Grading activities that do not require the approval of a Development Plan by the requirements of the applicable zone, and that comply with the following, except if addressed by Policy GEO-O-3 of the Orcutt Community Plan, the MT-GOL (Mountainous-Goleta) zone, Section 35.28.100 (Environmentally Sensitive Habitat Overlay Zone) as it applies to sites located within the Eastern Goleta Valley Community Plan, the Goleta Community Plan or Mission Canyon Community Plan areas, or the RC-GOL (Riparian Corridor-Goleta) overlay zone.

- a. **General grading.** Grading for which a permit is not required by County Code Chapter 14 (Grading).
- b. **Oil field grading.** Grading in a State-designated oil field involving less than 1,500 cubic yards of cut or fill on a slope of less than 30 percent; provided that the grading:
 - (1) Does not have the potential to change or adversely affect an intermittent or perennial stream or regional watercourse;
 - (2) Will not adversely impact paleontological, archaeological, or uniquely important cultural resources;
 - (3) Will not adversely affect exceptional wildlife values;
 - (4) Is not proposed to be located within one mile and in the visible area of a scenic highway, public park, or area designated as recreational or open space on the Comprehensive Plan Land Use Maps; or

- (5) Does not require the removal of three or more trees that are each greater than 17 inches in circumference measured two feet above the ground.

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

- 10-11. Grazing.** Grazing when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following) and the Animal Keeping Tables (Table 4-1 and following), in Section 35.42.060 (Animal Keeping).
- 11-12. Interior alterations.** Interior alterations that do not increase the gross floor area within the structure, do not increase the required number of parking spaces, or do not result in a change in the permitted use of the structure.
- 12-13. Irrigation lines.** The installation of irrigation lines that do not require a Grading Permit in compliance with County Code Chapter 14.
- 13-14. Lot Line Adjustment recordation.** The recordation of documents required to complete a Lot Line Adjustment.
- 14-15. Minor additions, accessory and temporary filming structures.**
- a. **Accessory structures.** One story detached accessory structures used as tool or storage sheds, playhouses, gazebos, pergolas, and similar structures, provided that the height does not exceed 12 feet, the floor area (gross) does not exceed 120 square feet, and the structure does not have plumbing or electrical facilities.
 - b. **Agricultural accessory structures.**
 - (1) **Livestock loading ramps.** In the AG-II zone, loading ramps used for the purpose of loading livestock for transport.
 - (2) **Pole barns.** In the RR, AG-I, and AG-II zones, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and do not have plumbing or electrical facilities.
 - c. **Decks, platforms, walk, driveways.** Decks, platforms, walks, and driveways that are not required to have a Building Permit or Grading Permit, and that are not over 30 inches above finish grade, or located over a basement or story below.
 - d. **Door, window features and skylights.** Doors, windows, and skylights, and window awnings that are supported by an exterior wall and project no more than 54 inches from an exterior wall of a building.
 - e. **Spa, hot tub, pond.** A spa, hot tub, fish pond, or other water feature that does not exceed a total area of 120 square feet, including related equipment, or does not contain more than 2,000 gallons of water.
 - f. **Temporary filming structures.** Structures and related development required for temporary motion picture, television, and theater stage sets and scenery, and still photographic sessions, provided that the development does not require alterations of the natural environment such as removal of vegetation, grading, or earthwork, and is in compliance with all applicable requirements of County Code Chapter 14C (Film Permit Office).
- 15-16. Oil drilling and production accessory equipment.** In the AG-II, M-2 or M-CR zones accessory equipment, excluding the installation of water flooding or steam injection systems using fresh groundwater, incidental to existing production facilities when the installation of such equipment will not require grading or expansion of the site.

16-17. Onsite wastewater treatment systems.

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

17-18. Propane tanks. Propane tanks located in residential or agricultural zones.

18-19. Repair and maintenance. Repair and maintenance activities that do not result in addition to, or enlargement or expansion of the object of the repair or maintenance activities.

19-20. Replacement in-kind of an existing and conforming structure. The replacement in-kind of an existing permitted and conforming structure provided:

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

20-21. Seismic retrofitting. Seismic retrofits to existing structures that are limited to the addition of foundation bolts, hold-downs, lateral bracing at cripple walls and other structural elements required by County Ordinance 4062. The seismic retrofits shall not increase the gross square footage of the structure, involve exterior alterations to the structure, alter the footprint of the structure, nor increase the height of the structure.

21-22. Signs, flags, and similar devices. Signs, flags and similar devices in compliance with [Section 35.38.030 \(Exempt Signs, Flags, and Devices\)](#).

22-23. Solar energy systems. The addition of solar energy systems to the roofs of existing structures.

23-24. Structures of limited value. A structure with an aggregate value of less than \$2,000, as determined by the Director.

24-25. Utility facilities. Poles, wires, underground gas pipelines less than 12 inches in diameter, and similar installations erected, installed, or maintained by a public agency or public service or utility district or company. However, these structures shall comply with the applicable height limitations of the F (Airport Approach Area) overlay zone.

25-26. Water wells.

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

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

35.21.030 - Agricultural Zones Allowable Land Uses

- A. General permit requirements.** Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) identifies the uses of land allowed by this Development Code in each Agricultural zone, and the planning permit required to establish each use, in compliance with [Section 35.20.030 \(Allowable Development and Planning Permit Requirements\)](#).
- B. Requirements for certain specific land uses.** Where the last column ("Specific Use Regulations") in [Table 2-1 \(Allowed Land Uses and Permit Requirements for the Agricultural Zones\)](#) includes a section number, the referenced Section may affect whether the use requires a ~~Coastal Development Permit~~ or a Land Use Permit, Development Plan, Minor Conditional Use Permit, or Conditional Use Permit, and/or may establish other requirements and standards applicable to the use.
- ~~**C. Development Plan approval required, Coastal Zone.** Within the Coastal Zone, Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required concurrent with the approval of a Coastal Development Permit for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval, and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area.~~
- DC. Development Plan approval required, Inland area.**
- 1. AG-I zone.** ~~On~~ Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), on property zoned AG-I ~~located within the Inland area~~, the approval of a Final Development Plan in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or the issuance of an Exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval, and (1) is 20,000 or more square feet in gross floor area or (2) is an attached or detached structure and the gross floor area thereof, when added to the gross floor area of existing structures on the lot, will equal or exceed 20,000 square feet.
 - a. Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit shall only require the issuance of an Exemption or Zoning Clearance in compliance with Section 35.42.015 (Accessory Dwelling Units), and does not require the approval of a Final Development Plan.
 - 2. AG-II zone.** On property zoned AG-II ~~located within the Inland area~~, the approval of a Final Development Plan in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or the issuance of an Exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) for the following structural development that is not otherwise required by this Development Code to have discretionary permit approval:
 - a. Non-agricultural structural development.** The proposed structure and use thereof does not qualify as agricultural structural development (see [Article 35.11, Glossary](#)) and is either 15,000

or more square feet in gross floor area or the structure is an attached or detached addition that, together with existing structures on the site that do not qualify as agricultural structural development, will total 15,000 square feet or more in gross floor area.

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

(a) ~~The gross floor area of structures that are exempt from planning permit requirements in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsections D.2.a, above.~~

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

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

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

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

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

(b) There is an active, unexpired planning permit that allows for the construction of a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area, or

(c) The application for the proposed structure is submitted either in conjunction with or subsequent to an application for a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area.

(3) The proposed structure(s) will result in a total gross floor area on a lot that exceeds the development plan threshold listed for the applicable lot area as shown in the table below. Total gross floor area includes the gross floor area of agricultural development and non-agricultural structural development, both existing and proposed.

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

(4) **Floor area not included in total gross floor area.** The gross floor area of the following structures is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection D.2.b.(3), above.

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

- 3. Exemptions from floor area calculations, wineries.** Gross floor area associated with the following structures is not included in determining the 20,000 square foot gross floor area threshold for that development which requires a Development Plan in compliance with Subsection D.1 and D.2, above.
- a. The structure qualifies as winery structural development.
 - b. If the structure is existing, then it was included in a Land Use Permit issued for a winery or is proposed to become part of a winery for which an application has been submitted to the Department.

~~F-D~~. Design Review required. Design Review may be required prior to the approval of a planning permit for a structure, or an addition to or an alteration of, an existing structure in compliance with [Section 35.82.070 \(Design Review\)](#).

~~F-E~~. Accessory structures and uses. Each use allowed by [Table 2-1 \(Allowed Land Uses and Permit Requirements for the Agricultural Zones\)](#) may include accessory structures and uses that are customarily incidental to the primary use.

SECTION 3:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-1, Allowed Land Uses and Permit Requirements for Agricultural Zones, of Section 35.21.030, Agricultural Zones Allowable Land Uses, of Chapter 35.21, Agricultural Zones, to read as follows:

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

RESIDENTIAL USES

Accessory dwelling unit	S		S		35.42.015
Agricultural employee housing, 4 or fewer employees	P	MCUP	P	MCUP	35.42.030
Agricultural employee housing, 5 or more employees	CUP	CUP	CUP	CUP	35.42.030
Artist studio	P	P	P	P	35.42.150
Dwelling, one-family (3)	P	P	P	P	
Farmworker dwelling unit	P		P		35.42.135
Farmworker housing complex	P		CUP		35.42.135
Guesthouse	P	P	P	P	35.42.150
Home occupation	P	P	P	P	35.42.190
Monastery	CUP	—	CUP	—	
Residential accessory uses and structures	P	P	P	P	35.42.020
Residential agricultural unit, attached (4)	—	—	P	—	35.42.210
Residential agricultural unit, detached and clustered (4)	—	—	P	—	35.42.210
Residential agricultural unit, remotely sited	—	—	MCUP	—	35.42.210
Residential second unit—attached (4)	P	P	—	—	35.42.230
Residential second unit—detached (4)	P	MCUP	—	—	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

AG-I	Agriculture I
AG-II	Agriculture II

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.21.030.C](#).
- (3) One-family dwelling may be a mobile home on a permanent foundation, see [Section 35.42.205](#).
- (4) Limited to specific locations. See the limitations on location for the use in [Chapter 35.42 \(Standards for Specific Land Uses\)](#).

SECTION 4:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 2-3, AG-I and AG-II Zones Development Standards, of Section 35.21.050, Agricultural Zones Development Standards, of Chapter 35.21, Agricultural Zones, to read as follows:

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

Development Feature	Requirement by Zone	
	AG-I & AG I (CZ) Agriculture I	AG-II & AG II (CZ) Agriculture II
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>	
Maximum density	One one-family dwelling per lot; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units); plus agricultural employee housing, residential agricultural units, and second units, where allowed by Table 2-1 and applicable standards provided that the lot complies with Section 35.21.040 (Agricultural Zones Lot Standards).	
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>	
Front	50 ft from road centerline and 20 ft from edge of right-of-way.	50 ft from road centerline and 20 ft from edge of right-of-way.
Side	20 ft; 10% of lot width on a lot of less than 1 acre, with no less than 5 ft or more than 10 ft required.	None.
Rear	20 ft; 25 ft on a lot of less than 1 acre.	None.
Building separation	None, except as required by Building Code.	
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	35 ft for a residential structure, no limit otherwise; Toro Canyon Plan area - 25 ft for a residential structure.	Coastal - No limit; Inland - 35 ft for a residential structure, no limit otherwise; Toro Canyon Plan area - 25 ft for a residential structure.
Landscaping	See Chapter 35.34 (Landscaping Standards).	
Parking	See Chapter 35.36 (Parking and Loading Standards).	
Signs	See Chapter 35.38 (Sign Standards).	

SECTION 5:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection C, Development Plan approval required, of Section 35.22.030, Resource Protection Zones Allowable Land Uses, of Chapter 35.22, Resource Protection Zones, to read as follows:

C. Development Plan approval required.

- MT-GAV, MT-GOL, and MT-TORO zones.** Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or the issuance of an Exemption

in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area.

- a. **Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit shall only require the issuance of an Exemption or Zoning Clearance in compliance with Section 35.42.015 (Accessory Dwelling Units), and does not require the approval of a Final Development Plan.
- 2. **RMZ zone.** Final Development Plan approval is required for all development, including grading, except for the development of one accessory dwelling unit per lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).

SECTION 6:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-4, Allowed Land Uses and Permit Requirements for Resource Protection Zones, of Section 35.22.030, Resource Protection Zones Allowable Land Uses, of Chapter 35.22, Resource Protection Zones, to read as follows:

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	MT-GAV	MT-GOL	MT-TORO	RMZ	

RESIDENTIAL USES

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

Key to Zone Symbols

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

Notes:

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

SECTION 7:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 2-6, MT and RMZ Zones Development Standards, of Section 35.22.030, Resource Protection Zones Allowable Land Uses, of Chapter 35.22, Resource Protection Zones, to read as follows:

Table 2-6 - MT and RMZ Zones Development Standards

Development Feature	Requirement by Zone		
	MT-GAV Mountainous - Gaviota & MT-GOL Mountainous - Goleta	MT-TORO Mountainous - Toro Canyon	RMZ Resource Management
Residential density 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>		
	± One one-family dwelling per lot; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units); plus agricultural employee housing, where allowed by Table 2-1 and applicable standards.	± One one-family dwelling per lot; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).	± One one-family dwelling per lot; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).
	The lot shall also comply with Section 35.22.040 (Resource Protection Zones Lot Standards), as applicable.		
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front	50 ft. from the road centerline and 20 ft. from the lot lines.		
Side	None.		
Rear	None.		
Building separation	5 ft.		5 ft.
Height limit 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>		
	25 ft.		
Landscaping	See Chapter 35.34 (Landscaping Standards).		
Parking	See Chapter 35.36 (Parking and Loading Standards).		
Signs	See Chapter 35.38 (Sign Standards).		

SECTION 8:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection C, Development Plan approval required, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.22, Residential Zones, to read as follows:

C. Development Plan approval required. Except as provided below, Final Development Plan approval is required in compliance with Section 35.82.080 (Development Plans) prior to the approval of a Coastal Development Permit or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or the issuance of an Exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) as follows:

- 1. RR, R-1/E-1, EX-1 and R-2 zones.** Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to the approval of a Coastal Development Permit or Land Use Permit or the issuance of an Exemption or Zoning Clearance for a structure, other

than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area.

- a. Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit shall only require the issuance of an Exemption or Zoning Clearance in compliance with Section 35.42.015 (Accessory Dwelling Units), and does not require the approval of a Final Development Plan.
- 2. DR zone.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all development within the DR zone, including grading, except ~~that~~ for the following ~~do not require Development Plan approval.~~

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

 - a. One accessory dwelling unit per lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).**
 - b. ~~that orchards, Orchards,~~** vegetable and flower gardens, the raising of field crops and uses and structures accessory and customarily incidental thereto ~~do not require a Development Plan; but shall be subject to the Development Standards~~ development standards of the PRD zone.
- ~~**5. SR-M and SR-H zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all development, including grading within the SR-M and SR-H zones, except that the development of a one-family dwelling or a duplex does not require a Development Plan.~~

SECTION 9:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-7, Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

RESIDENTIAL USES

Accessory dwelling unit	<u>S</u>		<u>S</u>		<u>S</u>		35.42.015
Dwelling, one-family	P(3)(4)	P(4)	P(3)(4)	P(4)	P(3)(4)	P(4)	
Dwelling, two-family	—	—	—	—	—	—	
Dwelling, multiple	—	—	—	—	—	—	
Emergency shelter	—	—	—	—	—	—	
Farmworker dwelling unit	P		P		P		35.42.135
Farmworker housing complex	CUP		MCUP		MCUP		35.42.135
Guesthouse or artist studio	P	P	P	P	P	P	35.42.150
Home occupation	P	P	P	P	P	P	35.42.190
Mobile Home Park	CUP	CUP	CUP	CUP	CUP	CUP	
Monastery	CUP	—	CUP	—	CUP	—	
Organizational house (sorority, monastery, etc.)	—	—	—	—	—	—	
Residential accessory use or structure	P	P	P	P	P	P	35.42.020
Residential project convenience facilities	—	—	—	—	—	—	
Residential second unit	P	P	P	P	P	P	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

RR	Rural Residential/Residential Ranchette	EX-1	One-Family Exclusive Residential
R-1/E-1	Single-Family Residential	CZ	Coastal Zone

Notes:

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

SECTION 10:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-8, Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	ZC	Zoning Clearance						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

RESIDENTIAL USES

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

Key to Zone Symbols

R-2	Two-Family Residential	PRD	Planned Residential Development
DR	Design Residential	CZ	Coastal Zone
MR-O	Multi-Family Residential - Orcutt		

Notes:

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

SECTION 11:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-9, Allowed Land Uses and Permit Requirements for Residential Zones, of Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

RESIDENTIAL USES

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

Key to Zone Symbols

SLP	Small Lot Planned Development	MHP	Mobile Home Planned Development
SR-M	Medium Density Student Residential	MHS	Mobile Home Subdivision
SR-H	High Density Student Residential	CZ	Coastal Zone

Notes:

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

SECTION 12:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 2-11, Residential Zones Development Standards, of Section 35.23.050, Residential Zones Development Standards, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-11 - Residential Zones Development Standards

Development Feature	Requirement by Zone		
	RR & RR (CZ) Rural Residential Ranchette	R-1/E-1 & R-1/E-1 (CZ) Single Family Residential	EX-1 & EX-1 (CZ) One-Family Exclusive Residential
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	One one-family dwelling per lot; plus one second accessory dwelling unit per lot where allowed in compliance with Section 35.42.230 (Residential Second Units) Section 35.42.015 (Accessory Dwelling Units) ; Farm employee units Agricultural employee housing and farmworker housing if allowed by Section 35.23.030 (Residential Zones Allowable Land Uses) . The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards) , as applicable.		
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	50 ft. from road centerline and 20 ft. from right-of-way, or 20 ft. from private easement serving 5 or more lots. Lot within SC-MC overlay - as required by Section 35.28.175 (SC-MC Overlay Zone)		75 ft. from road centerline; 125 ft. from centerline of road with right-of-way of 80 ft. or more.
Front - Secondary	Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum; Lot width 100 ft. or more - Same as primary front setback. Lot within SC-MC overlay - as required by Section 35.28.175 (SC-MC Overlay Zone).		
Side	20 ft.; 10% of lot width on a lot of less than 1 acre, with no less than 5 ft. or more than 10 ft. required.	10% of lot width; except where zoned for minimum lot area of: 2 acres or less - 5 ft. minimum, 10 ft. maximum required; 3 acres or more - 10 ft. minimum, 20 ft. maximum required.	25 ft.; see Section 35.23.070 (EX-1 Zone Standards) for a lot less than 150 ft. wide.
Rear	20 ft.; 25 ft. on a lot of less than 1 acre.	25 ft.; 15 ft. if rear abuts permanent open space or a street without access.	25 ft.
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses) .		
Building separation	None, except as required by Building Code.	5 ft. between a dwelling or guesthouse, and another detached structure; otherwise none, except as required by Building Code..	
Height limit	<i>Maximum allowable height of structures except where a lesser height is required by design review or other provisions of this Development Code. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft. Toro Canyon Plan area - 25 ft. for a residential structure.	Coastal - 25 ft. Inland - 35 ft. Toro Canyon Plan area - 25 ft. for a residential structure. Summerland Community Plan area - 25 ft. for a residential structure in the Urban area and Existing Developed Rural Neighborhoods. 16 ft. in the Rural area. See Section 35.28.210 (Community Plan Overlays).	Coastal Zone - 25 ft. Inland - 30 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards)		
Parking	See Chapter 35.36 (Parking and Loading Standards)		
Signs	See Chapter 35.38 (Sign Standards)		

Table 2-11 - Residential Zones Development Standards (continued)

Development Feature	Requirement by Zone		
	R-2 Two-Family Residential	DR Design Residential	PRD Planned Residential Development
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	One one-family dwelling or one duplex two-family dwelling per lot; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).	See Section 35.23.060 (DR Zone Standards); plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).	As specified in the Land Use Element; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).
	The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards), as applicable.		
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	50 ft. from road centerline and 20 ft. from right-of-way, or 20 ft. from easement serving 5 or more lots.	20 ft. from right-of-way, or 20 ft. from easement serving 5 or more dwellings.	As determined by Final Development Plan.
Front – Secondary	Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum; Lot width 100 ft. or greater - same as primary front setback.		
Side	10% of lot width, with no less than 5 ft. or more than 10 ft. required.	10 ft. (1).	
Rear	25 ft.; 15 ft. if rear abuts permanent open space or a street without access.	10 ft. (1).	
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses).		
Building separation	5 ft. between a dwelling and other detached structure.	5 ft. between a habitable structure and another structure.	
Site coverage	<i>Maximum percentage of net site area covered by buildings.</i>		
Maximum coverage	N.A.	30% for structures containing dwelling units. (2)	30% for structures containing dwelling units; 50% for all structures.
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations).</i>		
Maximum height	35 ft.	35 ft.; 25 ft. for a residential structure within the Toro Canyon Plan area. (2)	35 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards).		
Parking	See Chapter 35.36 (Parking and Loading Standards).		
Signs	See Chapter 35.38 (Sign Standards).		

Notes:

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

Table 2-11 - Residential Zones Development Standards (continued)

Development Feature	Requirement by Zone			
	SLP Small Lot Planned Development	SR-M (CZ) & SR-H (CZ) Medium & High Density Student Residential	MHP & MHP (CZ), and MHS Mobile Home Planned Development, Mobile Home Subdivision	MR-O Multi-family Residential - Orcutt
Minimum lot size	<i>Minimum area and width for lots proposed in new subdivisions.</i>			
Area, width	See Section 35.23.110 (SLP Zone Standards).	See Section 35.23.120 (SR-M and SR-H Zones Standards).	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
	See Section 35.23.040 (Residential Zones Lot Standards), as applicable.			
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>			
Maximum density	One one-family dwelling per lot; 7 dwellings per acre; plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).	See Section 35.23.120 (SR-M and SR-H Zones Standards).	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards); plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>			
Front - Primary	SLP perimeter lot - 50 ft. from road centerline; and 20 ft. from right-of-way. SLP interior lot - 10 ft.	50 ft. from road centerline; and 20 ft. from right of way.	See Section 35.23.080 (Mobile Home Parks) and Section 35.23.090 (Mobile Home Subdivisions).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
Front - Secondary	SLP perimeter lot - Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum; Lot width 100 ft. or greater - Same as primary front setback. SLP interior lot - 10 ft..	Lot width less than 100 ft. - 20% of lot width, 10 ft. min.; Lot width 100 ft. or greater - Same as primary front setback.	Lot width less than 100 ft. - 20% of lot width, 10 ft. min.; Lot width 100 ft. or greater - Same as primary front setback.	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
Side	SLP perimeter lot - 15 ft. SLP interior lot - 5 ft.; 10 ft. where setback abuts a road, public parking area or walk; See Section 35.23.110.B (Side setbacks and building separation).	10% of lot width, with 5 ft. minimum required; When required setback exceeds 10 ft., one side may be 10 ft. with excess added to other side.	See Section 35.23.080 (Mobile Home Parks) and Section 35.23.090 (Mobile Home Subdivisions).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
Rear	SLP perimeter lot - 15 ft. SLP interior lot - 10 ft.	25 ft.		
Accessory structures	See Section 35.42.020 (Accessory Structures and Uses).			
Building separation	5 ft. between a habitable structure and any other building, none otherwise.	5 ft. between a habitable structure and any other building, none otherwise.	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>			
Maximum coverage	60% for all a lot with a one-family dwelling; no maximum otherwise.	SR-M - No maximum. SR-H - 30% for structures with dwellings.	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHS Zone Standards).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 for height measurement requirements, and height limit exceptions.</i>			
Maximum height	25 ft.	SR-M - 25 ft. SR-H - 35 ft.	See Section 35.23.080 (MHP Zone Standards) and Section 35.23.090 (MHP Zone Standards).	See Section 35.23.130 (Multi-family Residential - Orcutt Zone Standards).
Landscaping	See Chapter 35.34 (Landscaping Standards)			
Parking	See Chapter 35.36 (Parking and Loading Standards)			
Signs	See Chapter 35.38 (Sign Standards)			

SECTION 13:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change 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 an Exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) as follows.
1. **CN and C-1 zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a ~~Coastal Development Permit or~~ Land Use Permit or the issuance of an Exemption or Zoning Clearance for structures that exceed 5,000 square feet in gross floor area except for the development of one accessory dwelling unit that is accessory to a one-family dwelling located on a lot zoned C-1 and approved in compliance with Section 35.42.015 (Accessory Dwelling Units).
 2. **C-2 and C-3 zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a ~~Coastal Development Permit or~~ 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 ~~Coastal Development Permit or~~ Land Use Permit or Zoning Clearance for all proposed development, including grading, ~~except that in the Coastal Zone a Final Development Plan is not required for the following, provided that all other requirements of the CH zone are complied with:~~
 - a. ~~— Additions to uses or structures on property developed as of February 1, 1963; and~~
 - b. ~~— Development on a legal lot of less than 20,000 square feet of net land area created on or before February 1, 1963.~~
 4. **CM-LA zone.** Final Development Plan approval is required for buildings and structures that total 15,000 or more square feet in gross floor area except for the development of one accessory dwelling unit per lot in compliance with Section 35.42.015 (Accessory Dwelling Units).
 5. **C-S, C-V, SC, and PI zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a ~~Coastal Development Permit or~~ Land Use Permit or Zoning Clearance for all proposed development, including grading.

SECTION 14:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-14, Allowed Land Uses and Permit Requirements for Commercial Zones, of Section 35.26.030, Residential Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

RESIDENTIAL USES

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

Key to Zone Symbols

CN	Neighborhood Commercial	C-2	Retail Commercial
C-1	Limited Commercial	CZ	Coastal Zone

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Includes miniature golf and practice/putting range.
- (4) Allowed only on a lot with no commercial use, and subject to all development standards of the R-1/E-1 zone except minimum lot size.

SECTION 15:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Residential section of Table 2-15, Allowed Land Uses and Permit Requirements for Commercial Zones, of Section 35.26.030, Residential Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CM-LA	

RESIDENTIAL USES

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

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CM-LA	Community Mixed Use - Los Alamos

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Includes miniature golf and practice/putting range.
- (4) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.

SECTION 16:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 2-17, Commercial Zones Development Standards, of Section 35.24.050, Commercial Zones Development Standards, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-17 - Commercial Zones Development Standards

Development Feature	Requirement by Zone		
	CN Neighborhood Commercial	C-1 & C-1 (CZ) Limited Commercial	C-2 & C-2 (CZ) Retail Commercial
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>		
Area	None required; minimum lot size shall be determined by the review authority through the subdivision review process.	None required; minimum lot size shall be determined by the review authority through the subdivision review process, except 5,000 sf in Summerland and 7,000 sf elsewhere shall be required for a lot with only a residential use.	None required; minimum lot size shall be determined by the review authority through the subdivision review process.
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
Maximum density	None allowed.	1 <u>One</u> unit per existing lot; <u>plus one accessory dwelling unit per lot</u> where allowed in compliance with <u>Section 35.42.015 (Accessory Dwelling Units)</u> .	<u>Section 35.42.200</u> (Mixed Use).
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	50 ft. from road centerline, and 20 ft. from right-of-way.	30 ft. from road centerline, and 15 ft. from right-of-way; An open canopy, porch, or similar structure may extend to within 5 ft. of the right-of-way.	30 ft. from road centerline, and 10 ft. from right-of-way; 42 ft. from centerline and 10 ft. from right-of-way of 2- lane expressway or street with 4 or more lanes; An open canopy, porch or similar structure may encroach up to 12 ft. into the setback, but not into a right-of-way.
Front - Secondary	Same as front.	Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum; Lot width 100 ft. or more - Same as primary front setback.	
Side	5 ft	10% of lot width, with no less than 5 ft. or more than 10 ft. required.	None; 3 ft. minimum when provided.
Rear	10% of lot depth to a maximum requirement of 10 ft.; 25 ft. if abutting a residential zone. See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.		
Building separation	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.		
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>		
Maximum coverage	30%.	No maximum.	No maximum.
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>		
Maximum height	35 ft.	Coastal 25 ft. Inland 35 ft. Toro Canyon Plan area - 25 ft. for a residential structure.	35 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards) .		
Parking	See Chapter 35.36 (Parking and Loading Standards) .		
Signs	See Chapter 35.38 (Sign Standards) .		

Table 2-17 - Commercial Zones Development Standards (continued)

Development Feature	Requirement by Zone		
	C-3 General Commercial	C-S Service Commercial	CH & CH(CZ) Highway Commercial
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i>		
	None.	None.	None.
Residential density Maximum density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
	None allowed.	None allowed.	None allowed.
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front – Primary	30 ft. from road centerline, and 10 ft. from right-of-way; 42 ft. from centerline and 10 ft. from right-of-way of 2-lane expressway or street with 4 or more lanes; An open canopy, porch or similar structure may encroach up to 12 ft. into the setback, but not into a right-of-way.		15 ft. from right-of-way.
Front – Secondary	Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum; Lot width 100 ft. or more - Same as primary front setback.	Same as primary front setback.	Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum; Lot width 100 ft. or more - Same as primary front setback.
Side	None; 3 ft. minimum when provided.		None; except that if the lot abuts a different zone, the abutting zone’s side setback applies.
Rear	10% of lot depth, with 10 ft. maximum required; 25 ft. where rear lot line abuts a residential zone.		None; except if lot abuts a different zone, the abutting zone’s rear setback applies.
Building separation	See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.		
	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.		None.
Site coverage Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>		
	No maximum.	No maximum.	Coastal Zone – 40%, except Director may waive on legal lot of less than 20,000 sf, created prior to February 1, 1963. Inland – 40%
Height limit Maximum height	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>		
	35 ft.	35 ft.	35 ft. Toro Canyon Plan area - 25 ft. for a residential structure.
Landscaping	See Chapter 35.34 (Landscaping Standards).		
Parking	See Chapter 35.36 (Parking and Loading Standards).		
Signs	See Chapter 35.38 (Sign Standards).		

Table 2-17 - Commercial Zones Development Standards (continued)

Development Feature	Requirement by Zone	
	CM-LA Community Mixed Use - Los Alamos	C-V & C-V (CZ) Visitor-Serving Commercial
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>	
Area	None.	None required; minimum lot size shall be determined by the review authority through the subdivision approval process.
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>	
Maximum density	See Section 35.24.070); <u>plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).</u>	See Table 2-16 - RESIDENTIAL USES
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>	
Front - Primary	See Section 35.24.070.	50 ft. from road centerline, and 20 ft. from right-of-way.
Front - Secondary	See Section 35.24.070..	Lot width less than 100 ft. - 20% of lot width, 10 ft. minimum. Lot width 100 ft. or more - Same as primary front setback.
Side	See Section 35.24.070.	20 ft.; 50 ft. from a lot zoned residential.
Rear	See Section 35.24.070.	Same as side
Building separation	None required, however if provided any separation shall be a minimum of five feet.	Coastal. None required. Inland — 5 ft. for a residential building and any other building; none required otherwise.
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>	
Maximum coverage	None.	Coastal Zone — 33% (gross) on a lot surrounded by residential zoning; no maximum elsewhere. Inland — 30% on a lot surrounded by residential zoning; no maximum elsewhere.
Open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>	
Minimum open space	None.	40%.
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	35 ft.	Coastal Zone — 35 ft.; not to exceed 2 stories on a site surrounded by residential zoning. Inland — 35 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards) .	
Parking	See Chapter 35.36 (Parking and Loading Standards) .	
Signs	See Chapter 35.38 (Sign Standards)	

Table 2-17 - Commercial Zones Development Standards (continued)

Development Feature	Requirement by Zone	
	SC Shopping Center	PI & PI (CZ) Professional and Institutional
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>	
Area	None required; minimum lot size shall be determined by the review authority through the subdivision approval process.	
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>	
Maximum density	See Table 2-16 - RESIDENTIAL USES	
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>	
Front - Primary	20 ft from right-of-way.	45 ft from road centerline and 15 ft from right-of-way; 20 ft for a garage or carport that opens directly on the street.
Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum. Lot width 100 ft or more - Same as primary front setback.	
Side	20 ft when a Convenience Center abuts a residential zone; 50 ft when Community Center abuts residential zone; 10 ft elsewhere.	15 ft.
Rear	Same as side	
Building separation	None required.	Buildings containing dwellings shall be located a minimum of 5 feet from any other detached building on the same building site.
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>	
Maximum coverage	30%.	40% (for buildings only).
Open space	<i>Minimum percentage of net site area to be maintained in public and/or common open space.</i>	
Minimum open space	No minimum.	No minimum.
Height limit	<i>Maximum allowable height of structures. See Section 35.30.090 (Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	35 ft.	35 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards).	
Parking	See Chapter 35.36 (Parking and Loading Standards).	
Signs	See Chapter 35.38 (Sign Standards)	

SECTION 17:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection C, Development Plan approval required, of Section 35.26.030, Special Purpose Zones Development Standards, of Chapter 35.26, Special Purpose Zones, to read as follows:

- C. **Development Plan approval required.** Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required as follows:
 - 1. **MU, NTS, PU, and REC zones.** ~~Within~~ Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), within the MU, NTS, PU, and REC zones, Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to any development, including grading.
 - a. **Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit located on a lot zoned MU or NTS shall only require the issuance of an Exemption or Zoning Clearance in compliance with Section 35.42.015 (Accessory Dwelling Units), and does not require the approval of a Final Development Plan.

2. OT zones.

- a. **OT-R/LC and OT-GC.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for structures that total 5,000 square feet or more in gross floor area, or developments that total 10,000 square feet or more.
- b. **OT-R.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required for all multi-family residential development, including grading.
- c. **Lot subject to the Pedestrian Area - Old Town Orcutt (PA-OTO) Overlay Zone.** If a lot is subject to [Section 35.28.160 \(Pedestrian Area - Old Town Orcutt \(PA-OTO\) Overlay Zone\)](#), then the development plan requirements of [Section 35.28.160 \(Pedestrian Area - Old Town Orcutt \(PA-OTO\) Overlay Zone\)](#) shall apply instead of Subsections 2.a. and 2.b., above.
- d. **Final Development Plan not required for accessory dwelling units.** The development of an accessory dwelling unit located on a lot zoned OT-R, OT-R/LC or OT-R/GC shall only require the issuance of an Exemption or Zoning Clearance in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#), and does not require the approval of a Final Development Plan.

~~3. **TC zone.** Within the TC zone, Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to any development, including grading, except as listed below.~~

- ~~a. Transportation related development or structures necessary for the operation of railroads or highways in existence at the time of adoption of the ordinance creating the TC zone (August 10, 1994) shall not be deemed legal non conforming uses. This provision is intended to permit new development without requiring a Development Plan for existing public works or public utilities that will not be affected by the new development, and to allow for the repair of existing facilities.~~
- ~~b. Safety, signalization, barriers, and grade crossing devices installed for the purpose of improving the safe operation of railroads or highways shall be exempt from the permit requirements of the TC zone.~~

SECTION 18:

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

Table 2-24 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

RESIDENTIAL USES

Accessory dwelling unit	<u>S (4)</u>	<u>S</u>	<u>S (4)</u>	<u>S (4)(5)</u>	<u>S (4)(5)</u>	35.42.015
Agricultural employee housing, 4 or fewer employees	—	MCUP	—	—	—	35.42.030
Agricultural employee housing, 5 or more employees	—	CUP	—	—	—	35.42.030
Caretaker/manager dwelling	P	—	—	—	—	
Dwelling, one-family	—	P (3-6)	P (3-6)	P (3-5)(4-6)	P (3-5)(4-6)	
Dwelling, two-family	—	—	P (4-5)	P (4-5)	P (4-5)	
Dwelling, multiple	P	—	P (4-5)	P (4-5)	P (4-5)	
Emergency shelter	—	—	—	—	—	
Farmworker dwelling unit	—	P	P	P	P	35.42.135
Farmworker housing complex	—	P	P	—	—	35.42.135
Guest house or artist studio	—	P	—	—	—	35.42.160
Home occupation	P	P	P (4-5)	P (4-5)	P (4-5)	35.42.190
Live/work unit	P	—	—	—	—	35.26.050
Mixed use development, residential component	P	—	—	—	—	35.26.050
Mobile home park	—	—	—	—	—	35.42.180
Monastery	—	—	CUP	CUP	CUP	
Residential accessory use or structure	P	P	P (4-5)	P (4-5)	P (4-5)	35.42.020
Residential project convenience facility	P	—	P (4-5)	—	—	35.42.220
Residential second unit	—	CUP (5)	P (6)	P (4)(6)	P (4)(6)	35.42.230
Single room occupancy facility (SRO)	—	—	—	P	P	
Special care home, 7 or more clients	MCUP	—	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Not allowed in addition to an artist studio.
- (4) Accessory dwelling units restricted to lots that contain an existing or proposed one-family dwelling or multiple-family dwelling.
- (5) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-R/GC.
- (6) A Zoning Clearance ([Section 35.82.210](#)) is required instead of a Land Use Permit for a primary one-family dwelling on a lot that resulted from recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- ~~(4) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-G/LC.~~
- ~~(5) Not allowed in addition to an artist studio.~~
- ~~(6) Second unit restricted to lots where the primary use is a one-family dwelling.~~
- (7) 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.
- (8) Must be conducted within a completely enclosed building.

SECTION 19:

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

Table 2-25 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	PU	PU CZ	REC	REC CZ	TC CZ(3)	

RESIDENTIAL USES

<u>Accessory dwelling unit</u>	—	—	—	—	—	
Caretaker/manager dwelling	—	—	MCUP	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	—	—	—	—	—	
Mobile home park	—	—	—	—	—	
Monastery	—	—	—	CUP	CUP	
Residential accessory use or structure	—	—	—	—	—	
Residential project convenience facility	—	—	—	—	—	
Residential second unit	—	—	—	—	—	
Single room occupancy facility (SRO)	—	—	—	—	—	
Special care home, 7 or more clients	—	—	—	MCUP	MCUP	35.42.090

Key to Zone symbols

PU	Public Works Facilities	TC	Transportation Corridor
REC	Recreation	CZ	Coastal Zone

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (4) Allowed only in an urban area designated by the Coastal Land Use Plan.

SECTION 20:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 2-26, Special Purpose Zones Development Standards, of Section 35.26.040, Special Purpose Zones Development Standards, of Chapter 35.26, Special Purpose Zones, to read as follows:

Table 2-26 - Special Purpose Zones Development Standards

Development Feature	Requirement by Zone		
	MU Mixed Use	NTS Naples Townsite	OT-R Old Town - Residential
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i>		
	None.	None.	None.
Residential density Maximum density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
	See Subsection 35.26.050 (MU Zone Additional Standards); <u>plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).</u>	See Section 35.26.060 ; <u>plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).</u> The lot shall also comply with Section 35.23.040 (Residential Zones Lot Standards), as applicable.	See Subsection 35.26.070.A (Maximum lot size and density); <u>plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (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	See Subsection 35.26.050 (MU Zone Additional Standards).	As determined by Final Development Plan.	40 ft from road centerline, and 10 ft from right-of-way.
Front - Secondary	See Subsection 35.26.050 (MU Zone Additional Standards).	As determined by Final Development Plan.	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front.
Side	See Subsection 35.26.050 (MU Zone Additional Standards).	As determined by Final Development Plan.	10 ft.
Rear	See Subsection 35.26.050 (MU Zone Additional Standards). See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley.	As determined by Final Development Plan.	10 ft.
Building separation	A minimum of 3 ft. is required if any separation is provided.	As determined by Final Development Plan.	10 ft between habitable buildings and any other building; none otherwise.
Site coverage Maximum coverage	<i>Maximum percentage of site area covered by structures.</i>		
	None.	As determined by Final Development Plan.	30% of net site area for residential structures.
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.	See Section 35.26.060 .	25 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards).	See Section 35.26.060 and Chapter 35.34 (Landscaping Standards).	See Chapter 35.34 (Landscaping Standards).
Parking	See Chapter 35.36 (Parking and Loading Standards) and for MU also see Subsection 35.26.050 .		
Signs	See Chapter 35.38 (Sign Standards).		

Table 2-26 - Special Purpose Zones Development Standards (continued)

Development Feature	Requirement by Zone		
	OT-R/LC Old Town - Residential/ Light Commercial	OT-R/GC Old Town - Residential/ General Commercial	PU & PU (CZ) Public Works Utilities and Private Service Facilities
Minimum lot size Area	<i>Minimum area for lots proposed in new subdivisions.</i> None.		
Residential density Maximum density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>		
	See Subsection 35.26.070.A (Maximum lot size and density); <u>plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).</u>	See Subsection 35.26.070.A (Maximum lot size and density); <u>plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units).</u>	None allowed
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>		
Front - Primary	Residential structure - 40 ft from road centerline, and 10 ft from right-of-way; Non residential or mixed use structure - 10% of lot depth, maximum 10 ft; 25 ft if abutting lot zoned OT-R; Lot within PA-OTO overlay - as required by Section 35.28.160 (PA-OTO overlay).	Residential structure - 40 ft from road centerline, and 10 ft from right-of-way; Non residential or mixed use structure - 10% of lot depth, maximum of 10 ft; 25 ft if abutting OT-R zone; see Section 35.28.160 (PA - OTO overlay) for additional requirements for a lot within the PA-OTO overlay.	50 ft from road centerline, and 20 ft from right-of-way.
Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front.		Same as primary front.
Side	Residential structure - 10 ft; Non-residential or mixed use structure - None.		10 ft.
Rear	Residential structure - 10 ft; Non-residential or mixed use structure - 10% of lot depth.		10 ft; 50 ft from a lot zoned residential.
Building separation	See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley. 5 ft.		None, except as required by Building Code.
Site coverage Maximum coverage	<i>Maximum percentage of net site area covered by structures.</i>		
	30% of net site area for residential structures; 55% of gross site area on a lot with less than 75 ft of frontage, or as required by Section 35.28.160 (PA - OTO overlay); 50% of gross site area on a lot with 75 ft or more of frontage, or as required by Section 35.28.160 (PA - OTO overlay).	30% of net site area for residential structures; 55% of gross site area on a lot with less than 75 ft of frontage or as required by Section 35.28.160 (PA - OTO overlay); 50% of gross site area on a lot with 75 ft or more of frontage, or as required by 35.28.160 (PA - OTO overlay).	None.
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>		
	Residential structure - 25 ft;	Non-residential structure - 35 ft.	45 ft.
Landscaping	See Chapter 35.34 (Landscaping Standards).		
Parking	See Chapter 35.36 (Parking and Loading Standards).		
Signs	See Chapter 35.38 (Sign Standards).		

Table 2-26 - Special Purpose Zones Development Standards (continued)

Development Feature	Requirement by Zone	
	REC & REC (CZ) Recreation	TC (CZ) Transportation Corridor
Minimum lot size	<i>Minimum area for lots proposed in new subdivisions.</i>	
Area	±One acre.	None.
Residential density	<i>Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval.</i>	
Maximum density	±One caretaker dwelling.	None allowed.
Setbacks	<i>Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site.</i>	
Front – Primary	Coastal – 10 ft. Inland – 50 ft from road centerline, and 20 ft from right-of-way. Lot within SC-MC overlay - as required by Section 35.28.175 (SC-MC Overlay Zone)	10 ft where lot abuts another zone; except that no setback is required for fences, walls, utility poles unless would interfere with ingress and egress.
Front - Secondary	Lot width less than 100 ft - 20% of lot width, 10 ft minimum; Lot width 100 ft or more - Same as primary front setback. Lot within SC-MC overlay - as required by Section 35.28.175 (SC-MC Overlay Zone)	
Side	Coastal Zone – 10 ft. Inland – 10 ft; 25 ft on a lot abutting a residential zone.	Same as front.
Rear	Coastal Zone – 10 ft. Inland – 10 ft; 25 ft on a lot abutting a residential zone.	Same as front.
Building separation	See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley. None, except as required by Building Code.	
Site coverage	<i>Maximum percentage of net site area covered by structures.</i>	
Maximum coverage	Coastal Zone – 10%. Inland – 20%.	None.
Height limit	<i>Maximum allowable height of structures. See Section 35.30.09 0(Height Measurement, Exceptions and Limitations) for height measurement requirements, and height limit exceptions.</i>	
Maximum height	25 ft.	25 ft, except for bridges and related equipment, and any structural clearance required by safety or other standards required by State or Federal law.
Landscaping	See Chapter 35.34 (Landscaping Standards).	
Parking	See Chapter 35.36 (Parking and Loading Standards).	
Signs	See Chapter 35.38 (Sign Standards).	

SECTION 21:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection a, One-family dwellings, of Subsection 1, Floor area limit, of Subsection G, Summerland Community Plan area, of Section 35.28.210, Community Plan overlays, of Chapter 35.28, Overlay Zones, to read as follows:

- a. **One-family dwellings.** All new one-family dwellings and additions to existing one-family dwellings are subject to the following standards:
 - (1) **Lots having a lot area (net) of less than 12,000 square feet.** On lots with a lot area (net) of less than 12,000 square feet, the net floor area of structures subject to this Subsection G.1.a shall be in compliance with the following Table 2-31 (One-family Dwelling Floor Area Limits). The net floor area

shall not exceed the amount calculated using the FAR or the Maximum Allowable Square Footage per Lot Area, whichever is less.

Table 2-31 One-family Dwelling Floor Area Limits

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

- (2) **Lots of 12,000 square feet and greater.** On lots with a lot area (net) of 12,000 square feet and greater, the net floor area of structures subject to this Subsection G.1.a shall not exceed 2,500 square feet plus five percent of the net lot area; however, in no case shall the net floor area exceed 8,000 square feet.
- (3) See Subsection G.1.b, below, for allowable adjustments to the maximum floor area.
- (4) **Accessory dwelling units.** The floor area limits enumerated above do not apply to proposed additions to an existing one-family dwelling provided the addition is located within the living area of an accessory dwelling unit approved in compliance with Section 35.42.015 (Accessory dwelling units).

SECTION 22:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection (4), Residential Second Units, of Subsection b, Adjustments to maximum floor area, of Subsection 1, Floor area limit, of Subsection G, Summerland Community Plan area, of Section 35.28.210, Community Plan overlays, of Chapter 35.28, Overlay Zones, to read as follows:

- e. ~~Residential Second~~ **Accessory Dwelling Units.** Up to 300 square feet of floor area (net) devoted to an attached ~~residential second~~ accessory dwelling unit is not included in the net floor area used to determine compliance with the Subsection G.1, above.

SECTION 23:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection C, Exceptions, of Section 35.30.025, Agricultural Buffers, of Chapter 35.30, Standards for All Development and Land Uses, to read as follows:

- C. **Exceptions.** This Section does not apply to the following:
 - 1. Single-family dwelling, ~~residential second~~ accessory dwelling units and residential accessory structures.
 - 2. ~~Farm employee dwellings and farm labor camps~~ Agricultural employee dwellings approved in compliance with Section 35.42.030 (Agricultural Employee Dwellings) and farmworker housing approved in compliance with Section 35.42.135 (Farmworker Housing).

3. Non-agricultural, discretionary development approved prior to May 9, 2013.
4. Changes to a non-agricultural, discretionary project approved prior to May 9, 2013, provided that prior to an action by the review authority to approve an application in compliance with Subsection 35.84.040 C or D the review authority shall first determine that the changes to the project proposed by the application do not result in any new or greater impacts to agriculture than those resulting from the already approved project.
 - a. If the review authority cannot make the determination required in compliance with Subsection C.4, above, then the project shall be subject to the provisions of this Section.
5. Non-commercial agricultural uses. An agricultural buffer is not required adjacent to a common lot line between the project site and an adjacent agriculturally zoned lot if the adjacent lot is used for non-commercial agriculture.
6. State and County roadway projects.
7. Lot line adjustments and modifications to lot line adjustments that:
 - a. Do not exceed a 10 percent increase or decrease in the area of the smallest existing lot; and
 - b. Do not result in an increase in the number of developable lots in compliance with Subsection 35.30.110.B.3.c.

SECTION 24:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35.30.090, Height Measurement, Exceptions and Limitations, of Chapter 35.30, Standards for All Development and Land Uses, to add a new Subsection F titled "Accessory dwelling units" to read as follows; and to re-letter existing Subsection F, Fences and Walls, as Subsection G, to delete existing Subsection G, Greenhouses and greenhouse related development located within the Carpinteria Agricultural (CA) overlay zone, to delete existing Subsection I, Residential second units, and to re-letter existing Subsection J, Telecommunication facilities, and Subsection K, Vision clearance, as Subsections I and J, respectively:

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

SECTION 25:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection B, Setback Requirements, of Section 35.30.150, Setback Requirements and Exceptions, of Chapter 35.30, Standards for All Development and Land Uses, to read as follows:

B. Setback requirements.

1. **General.** Each structure shall be located on its site so that it is set back from property lines and other structures in compliance with the setback requirements of the applicable zone in [Article 35.2 \(Zones and Allowable Land Uses\)](#), and with any setbacks established for specific uses by Chapter 35.42 (Standards for Specific Land Uses) except as otherwise provided by this Section or this Development Code.
2. **Property lines and rights-of-way.** No portion of any structure, including eaves or roof overhangs,

shall extend beyond a property line or into a public street right-of-way, except as provided by Subsection E (Projection into right-of-way) below, and Subsection 35.44.020.D.1.d.

SECTION 26:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Table 3-5 - Residential Parking Standards, of Subsection A, Not applicable to CM-LA zone, of Section 35.36.050, Required Number of Spaces: Residential Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

Table 3-5 - Residential Parking Standards

Residential	Parking Spaces Required
One-family and two-family dwellings (excluding EX-1 & SLP zones)	2 spaces per dwelling unit (1) (2)
One-family located within EX-1 Zone	6 spaces per dwelling unit
Small Lot Planned Development	2 spaces per dwelling unit and 1 space per 5 lots (for storage of recreational vehicles)
Multiple dwelling units - single bedroom or studio dwelling unit (3) (4)	1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 2 bedrooms (3) (4)	1 space per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
Multiple dwelling units - 3 bedrooms or more (3) (4)	2 spaces per dwelling unit and 1 space per 5 dwelling units (for visitor parking)
<u>Accessory dwelling unit</u>	<u>As determined by Section 35.42.015 (Accessory Dwelling Units).</u>
Fraternities, sororities, dormitories and boarding and lodging houses	1 space per 4 beds and 1 space per 2 employees
<u>Guesthouse</u>	<u>1 space per guesthouse</u>
Mobile Homes - MHP zone	2 spaces per mobile home space and 1 space per 3 mobile home spaces (for visitor parking) and 1 space per 5 mobile home spaces (for storage of recreational vehicles)
Mobile Home - MHS zone	2 spaces per lot and 1 space per 5 lots (for storage of recreational vehicles)
Retirement and special care homes (not including senior housing) (4) (5)	1 space per guest room and 1 space per 2 employees
Guesthouse	1 space per guesthouse
Residential second	1 space per bedroom

Notes:

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

SECTION 27:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection H, Location, of Section 35.36.080, Standards for All Zones and Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

- H. Location.** Except as provided below, off-street parking spaces shall not be located in the required front or side setback area unless specifically allowed by this Development Code. Provisions shall be made for direct access from the street to each parking space. The access shall be adequate for standard size automobiles unless the parking area is restricted to compact cars.
1. **Mission Canyon Community Plan area.** Within the Mission Canyon Community Plan area, one of the three required parking spaces associated with the principal dwelling on a lot zoned R-1\E-1 may be located within the front setback area provided the location is approved by the Board of Architectural Review in compliance with Section 35.82.070 (Design Review).
 2. **Accessory dwelling units.** When a garage, carport, or covered parking structure is converted or demolished in conjunction with the construction of a new, detached accessory dwelling unit that is not connected by any means to another structure, any replacement parking spaces which are required to satisfy the parking requirement for the principal dwelling may be provided in any configuration on the same lot as the accessory dwelling unit, including covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts.
 - a. **A mechanical parking lift shall:**
 - (1) Not be located on a driveway between the principal dwelling and any adjacent street.
 - (2) Be located a sufficient distance away from any structures in order to comply with any fire clearance requirements.
 - (3) Not be used to provide replacement parking spaces if the project site is located in a very high fire hazard severity zone.
 - (4) Be rated for all-weather use unless located within a building.
 - (5) Be located so that the lift and any vehicles parked thereon are screened from view from any public road or other area of public use (e.g., park, trail), or any adjoining lot.

SECTION 28:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection K, Modification of parking requirements, of Section 35.36.080, Standards for All Zones and Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

- K. Modifications of parking requirements.** Modifications to the parking requirement may be granted, in compliance with ~~Section 35.42.230 (Residential Second Units)~~ Section 35.42.015 (Accessory Dwelling Units), Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), Section 35.82.080 (Development Plans), Section 35.82.130 (Modifications), or Section 35.82.200 (Variances).

SECTION 29:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended by adding a new Section 35.42.015 titled “Accessory Dwelling Units” to read as follows:

35.42.015 - Accessory Dwelling Units

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

B. Applicability.

An application for an accessory dwelling unit may be approved on a lot as allowed in compliance with Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones), Table 2-4 (Allowed Land Uses and Permit Requirements for Resource Protection Zones), Tables 2-7 through 2-9 (Allowed Land Uses and Permit Requirements for Residential Zones), Tables 2-14 and 2-15 (Allowed Land Uses and Permit Requirements for Commercial Zones), and Table 2-24 (Allowed Land Uses and Permit Requirements for Special Purpose Zones).

C. Allowed density and 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 and zoning designation 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.
2. A lot may contain no more than one accessory dwelling unit, and shall be accessory to and be located on the same lot as an existing or proposed one-family or multiple-family dwelling.

D. Application and processing requirements.

1. Permit required.

- a. Prior to the development or use of a building or portion thereof as an accessory dwelling unit, an application for an Exemption or Zoning Clearance, as applicable, shall be submitted in compliance with Section 35.80.030 (Application Preparation and Filing), and the Exemption or Zoning Clearance shall be issued in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or Section 35.82.210 (Zoning Clearances), as applicable.

(1) Exemption required. An application for an accessory dwelling unit that is in compliance with the development standards of Subsection E (Accessory dwelling units located entirely within existing one-family dwellings or accessory buildings on lots zoned for one-family use) or Subsection F (Accessory dwelling units located entirely within existing one-family or multiple-family buildings on lots zoned for one-family or multiple-family use), below, may be allowed with an Exemption.

(2) Zoning Clearance required. An application for an accessory dwelling unit that is in compliance with the development standards of Subsection G (Accessory dwelling units

located either partially within existing buildings or within new buildings on lots zoned for one-family or multiple-family use), below, may be allowed with a Zoning Clearance.

- 2. Ministerial review.** The Director shall consider an application for an Exemption or Zoning Clearance for an accessory dwelling unit ministerially without discretionary review or hearing.
- 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), the standards in Section 35.42.020 (Accessory Structures and Uses), and the standards in the specific zone regulations (Article 35.2 (Zones and Allowable Land Uses)), the provisions of this Section shall prevail.

E. Accessory dwelling units located entirely within existing one-family dwellings or accessory buildings on lots zoned for one-family use. An accessory dwelling unit proposed entirely within an existing one-family dwelling or existing accessory building shall be exempt from the planning permit requirements of this Development Code when in compliance with all of the following standards:

1. The lot contains no more than one accessory dwelling unit.
2. The primary use of the lot is a one-family dwelling.
3. The accessory dwelling unit is proposed to be located in one of the following zones:
 - a. Residential Ranchette (RR) zone
 - b. Single Family Residential (R-1/E-1) zone
 - c. One-family Exclusive Residential (EX-1) zone
 - d. Design Residential (DR) zone
 - e. Planned Residential Development (PRD) zone
 - f. Small Lot Planned Development (SLP) zone
4. The accessory dwelling unit has independent exterior access from the existing one-family dwelling.
5. The existing side and rear setbacks are sufficient for fire safety purposes in compliance with the current, adopted edition of the California Fire Code.
6. Additional parking spaces are not required to be provided for accessory dwelling units permitted in compliance with this Subsection E.
7. Accessory dwelling units allowed in compliance with this Subsection E and proposed on lots in Special Problem Areas shall not be subject to the requirements in Subsection I (Accessory dwelling units in Special Problem Areas).
8. Accessory dwelling units located entirely within existing one-family dwellings or accessory buildings on lots zoned for one-family use that do not meet all of the standards in this Subsection E may be allowed in compliance with Subsection F (Accessory dwelling units located entirely within existing one-family or multiple-family buildings on lots zoned for one-family or multiple-family use), below.

F. Accessory dwelling units located entirely within existing one-family or multiple-family buildings on lots zoned for one-family or multiple-family use. Excluding accessory dwelling units that comply with Subsection E (Accessory dwelling units located entirely within existing one-family dwellings or accessory buildings on lots zoned for one-family use), above, an accessory dwelling unit proposed entirely within an existing one-family or multiple-family dwelling or existing accessory building shall be exempt from the planning permit requirements of this Development Code when in compliance with all of the following development standards:

1. Accessory dwelling units allowed in compliance with this Subsection F shall also comply with the development standards in Subsection H (Additional development standards that apply to accessory dwelling units).
2. Accessory dwelling units allowed in compliance with this Subsection F and proposed on lots in Special Problem Areas shall also comply with the requirements in Subsection I (Accessory dwelling units in Special Problem Areas).
3. **Appearance and style.** 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 are limited to minor alterations such as the addition of doors and windows.
4. **Maximum and minimum living area requirements.** As used in Section 35.42.015 (Accessory Dwelling Units), living area means the interior habitable area of a dwelling unit including basements and attics, but not including an attached garage or any other attached accessory building.
 - a. **Maximum living area.** The living area of the accessory dwelling unit shall not exceed the following standards:
 - (1) **Attached accessory dwelling unit:** 50 percent of the living area of the principal dwelling that exists at the time of application for the accessory dwelling unit, provided that the living area of the accessory dwelling unit does not exceed 1,200 square feet.
 - (2) **Detached accessory dwelling unit:** 1,200 square feet.
 - b. **Minimum living area.** The living area of an accessory dwelling unit shall be a minimum of 300 square feet unless the accessory dwelling unit qualifies as an Efficiency Unit in compliance with Health and Safety Code Section 17958.1 and California Building Code Section 1208.4.
5. **Parking requirements.** Additional parking spaces are not required to be provided for accessory dwelling units permitted in compliance with this Subsection F.
6. **Setbacks.** Except as provided below in Subsection F.6.a, no additional setback shall be required provided the existing side and rear setbacks are sufficient for fire safety purposes in compliance with the current, adopted edition of the California Fire Code.
 - a. No setback shall be required for an accessory dwelling unit that is proposed to be located entirely within an existing garage.

G. Accessory dwelling units located either partially within existing buildings or within new buildings on lots zoned for one-family or multiple-family use. An accessory dwelling unit proposed either partially or wholly within an addition to an existing one-family or multiple-family dwelling or existing accessory building, or is attached to a new one-family or multiple-family dwelling, or is located within a new accessory building, shall be issued a Zoning Clearance when in compliance with all of the following development standards:

1. Accessory dwelling units allowed in compliance with this Subsection G shall also comply with the development standards in Subsection H (Additional development standards that apply to accessory dwelling units).
2. Accessory dwelling units allowed in compliance with this Subsection G and proposed on lots in Special Problem Areas shall also comply with the requirements in Subsection I (Accessory dwelling units in Special Problem Areas).
3. **Accessory to a principal dwelling.** If an application for an 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.
 - 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. Appearance and style.** The exterior appearance and architectural style of the proposed accessory dwelling unit shall be in compliance with the following:
 - a. 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 and use the same or comparable exterior materials, roof covering, colors and design for trim, windows, roof pitch and other exterior physical features.
 - b. The design of an accessory dwelling unit that will not be attached to an existing building shall reflect the exterior appearance and architectural style of the principal dwelling and use the same or comparable exterior materials, roof covering, colors and design for trim, windows, roof pitch and other exterior physical features.
 - c. The entrance to an accessory dwelling unit that will be attached to the principal dwelling is structurally shielded so that the entrance is not visible when viewed from any street abutting the lot on which the accessory dwelling unit is located. This standard may be waived by the Director if it would prohibit the construction of an attached accessory dwelling unit on the lot.
 - d. All exterior lighting complies with Section 35.30.120 (Outdoor Lighting).
 - e. Proposed landscaping will screen the accessory dwelling unit, including any architectural elements such as foundations and retaining walls, mechanical equipment, and parking required to be provided for the accessory dwelling unit, from public viewing areas (e.g., public road, trails, or recreation areas). Said landscaping shall be compatible with existing landscaping on the lot in terms of plant species and density of planting.
- 5. Environmentally sensitive habitat areas.** The development of an accessory dwelling unit shall be in compliance with the requirements of Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone).
- 6. Height limit.**
 - a. An accessory dwelling unit shall be in compliance with the following height limits as applicable. However, these height limits may be exceeded when the portion of the accessory dwelling unit that is proposed to exceed these height limits is located within:
 - (1) The existing space of a one-family or multiple-family dwelling or an accessory building.
 - (2) A proposed addition to an existing building and increased height is necessary to allow the roofline of the addition to match the roofline of the existing building to which the accessory dwelling unit is being added.
 - b. **Attached accessory dwelling units.**
 - (1) **Located below another floor.** The height of an accessory dwelling unit that is proposed to be located below another floor shall not exceed a vertical distance of 16 feet as measured from the lowest finished floor of the accessory dwelling unit to the bottom of the support system of the floor above.
 - (2) **Located above another floor or on-grade where there is no floor above.** The height of an accessory dwelling unit that is proposed to be located above another floor or on-grade where there is no floor above shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations).
 - c. **Detached accessory dwelling units.**
 - (1) **Connected to a detached accessory structure.**

(a) Located above or below another floor.

(i) Located above another floor. The height of an accessory dwelling unit that is proposed to be located above another floor shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations).

(ii) Located below another floor. The height of an accessory dwelling unit that is proposed to be connected to a detached accessory structure and is proposed to be located below another floor shall not exceed a vertical distance of 16 feet as measured from the lowest finished floor of the accessory dwelling unit to the bottom of the support system of the floor above.

(iii) Notwithstanding the above, the height of a combined structure shall not exceed a height of 25 feet as measured in compliance with Section 35.30.090 (Height Measurement, Exceptions, and Limitations).

(b) Located above another floor or on grade where there is no floor above. The height of an accessory dwelling unit that is proposed to be located above another floor or on-grade where there is no floor above shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations).

(2) Not connected to a detached accessory structure. The height of an accessory dwelling unit that is not connected by any means to another structure shall not exceed a height of 16 feet as determined in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations).

7. Historic Landmarks Advisory Commission review. If the Director determines that the accessory dwelling unit is proposed to be located entirely or partially within a building that is historically significant, the Director may require that the application for an accessory dwelling unit be submitted to the Historic Landmarks Advisory Commission for review and comment as to the compatibility of the proposed development with the historical context of the building, whether the development will result in a detrimental effect on any existing or potential historical significance of the building, and other factors on which the Historic Landmarks Advisory Commission may choose to comment.

8. Location on lot.

a. 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.

b. 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.

c. 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.

9. Maximum and minimum living area requirements. As used in Section 35.42.015 (Accessory Dwelling Units), living area means the interior habitable area of a dwelling unit including basements and attics but not including an attached garage or any other attached accessory building.

a. Maximum living area. The living area of the accessory dwelling unit shall not exceed eight percent of the net lot area of the lot on which the accessory dwelling unit will be located.

provided that the living area of the accessory dwelling unit does not exceed 1,200 square feet.

(1) Attached accessory dwelling unit: In addition to the maximum living area specified above in Subsection G.9.a (Maximum living area), the living area of an attached accessory dwelling unit shall not exceed 50 percent of the living area of:

(a) The principal dwelling that exists at the time of application for the accessory dwelling unit, or

(b) The proposed principal dwelling if an application for the principal dwelling is submitted concurrently with the application for the accessory dwelling unit.

b. Minimum living area. The living area of an accessory dwelling unit shall be a minimum of 300 square feet unless the accessory dwelling unit qualifies as an Efficiency Unit in compliance with Health and Safety Code Section 17958.1 and California Building Code Section 1208.4.

10. Parking requirements. The following parking requirements shall apply to new, detached accessory dwelling units that are not connected by any means to another structure:

a. Except as provided in Subsection G.10.b, below, in addition to the required parking for the principal dwelling, a minimum of one off-street parking space shall be provided on the same lot on which the new, detached accessory dwelling unit is located. The additional parking shall be provided as specified in the base zone and in Chapter 35.36 (Parking and Loading Standards) except that said parking may be provided as tandem parking on a driveway and in compliance with the following:

(1) The additional parking shall be permitted in the side or rear setback areas, or through tandem parking, unless:

(a) The Director finds that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or

(b) The project site is located in a very high fire hazard severity zone, in which case tandem parking is not allowed.

b. Additional off-street parking spaces are not required to be provided for new, detached accessory dwelling units that comply with any of the following criteria:

(1) The accessory dwelling unit is located within one-half mile of public transit (e.g., a bus stop).

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(4) When there is a car share vehicle located within one block of the accessory dwelling unit.

11. Setbacks. Except as provided below, an accessory dwelling unit shall comply with the setback regulations that apply to the principal dwelling.

a. A setback of five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage.

b. No setback shall be required for an accessory dwelling unit that is proposed to be located partially within an existing garage.

12. Tree protection. An application for an accessory dwelling unit shall comply with the following standards.

- a. To the maximum extent feasible, all development associated with the accessory dwelling unit shall avoid the removal of or damage to all native trees including native oak trees, and specimen trees. For the purposes of this Subsection G.12 (Tree protection), specimen trees are defined as mature non-native trees that are healthy and structurally sound and have grown into the natural stature particular to the species. Trees that may be removed or damaged shall be relocated or replaced onsite.
- b. No grading, paving, and other site disturbance shall occur within the dripline of the tree including the area six feet outside of tree driplines unless the conclusion of a report submitted by the applicant and prepared by a licensed arborist is that the proposed grading, paving, or other site disturbance will not damage or harm the tree(s).

H. Additional development standards that apply to accessory dwelling units. The following development standards shall also apply to accessory dwelling units in addition to the development standards contained in Subsection F (Accessory dwelling units located entirely within existing one-family or multiple-family buildings on lots zoned for one-family or multiple-family use) or Subsection G (Accessory dwelling units located either partially within existing buildings or within new buildings on lots zoned for one-family or multiple-family use), as applicable.

1. **Fees.** The applicant shall pay development impact mitigation fees in compliance with ordinances and/or resolutions adopted by the County. The amount of the required fee shall be based on the fee schedules in effect when paid.
2. **Passageway not required.** A passageway shall not be required to be provided in conjunction with the construction of an accessory dwelling unit.
3. **Private and public services.**
 - a. **Potable water.** Where service by a public water district or mutual water company is not available, the accessory dwelling unit may be served by a private water system subject to review and approval by the Public Health Department or State as applicable.
 - b. **Wastewater.** Where public sewer service is not available, the accessory dwelling unit may be served by an onsite wastewater treatment system subject to review and approval by the Public Health Department.
4. **Rental and sale.**
 - a. An accessory dwelling unit may be used for rentals provided that the length of any rental shall be longer than 30 consecutive days.
 - b. An accessory dwelling unit shall not be sold separately from the principal dwelling.

I. Accessory dwelling units in Special Problems Areas. Because of the adverse impacts on the public health, safety, and welfare, accessory dwelling units shall not be allowed in Special Problem Areas designated by the Board except as provided in Subsections I.1 or I.2 below, based upon the finding that Special Problem Areas by definition are areas having present or anticipated flooding, drainage, grading, soils, geology, road width, access, sewage disposal, water supply, location, or elevation problems. However, accessory dwelling units allowed in compliance with Subsection E (Accessory dwelling units located entirely within existing one-family dwellings or accessory buildings on lots zoned for one-family use) and proposed on lots in Special Problem Areas shall not be subject to the requirements in this Subsection I.

1. An accessory dwelling unit may be approved within a designated Special Problem Area subject to compliance with all of the following requirements:
 - a. The project application involves two contiguous legal lots under one-ownership, at least one of which is vacant.

- b. Except as provided in Subsection I.1.b.(1), below, the owner has submitted an offer to dedicate a Covenant of Easement in compliance with Article VII (Covenants of Easement) of Chapter 35 of the County Code over the vacant lot so long as an accessory dwelling unit is maintained on the developed lot.
 - (1) Within the Mission Canyon Community Plan area, the owner shall merge the two contiguous legal lots through the recordation of a Voluntary Merger prior to issuance of the building permit for the accessory dwelling unit.
- c. The vacant lot is determined to be residentially developable in compliance with the following criteria:
 - (1) The lot was legally created, it is not a fraction lot and the documents reflecting its creation do not preclude the lot from being used for residential purposes or designate the lot for a nonresidential purpose including well sites, reservoirs, and roads.
 - (2) The lot has adequate water resources to serve the estimated interior and exterior needs for residential development as evidenced by:
 - (a) A letter of service from the appropriate district or company that documents that adequate water service is available to the lot and that the service is in compliance with the company's Domestic Water Supply Permit, or
 - (b) The owner demonstrates that the lot could be served by a Public Health Department or State approved water system.
 - (3) The lot:
 - (a) Is served by a public sewer system and a letter of available service can be obtained from the appropriate public sewer district, or
 - (b) Can be served by an onsite wastewater treatment system that meets all the requirements of the Public Health Department.
 - (4) The lot:
 - (a) Is currently served by an existing private road that meets applicable fire agency roadway standards that connects to a public road or right-of-way easement, or
 - (b) Can establish legal access to a public road or right-of-way easement meeting applicable fire agency roadway standards.
 - (5) The Special Problems Committee has reviewed the lot and has determined that site conditions would not cause the Committee to recommend denial of the site for residential purposes in compliance with Subsection I.3 .
- 2. Except within the Mission Canyon Community Plan area, the Director may approve an accessory dwelling unit within a designated Special Problem Area where all applicable development standards can be met and the project has been reviewed by the Special Problems Committee.
- 3. **Special Problems Area Committee review.**
 - a. The Director may approve a permit for an accessory dwelling unit that is proposed to be located within a designated Special Problems Area if:
 - (1) All of the applicable development standards in this Section 35.42.015 (Accessory Dwelling Units) and applicable provisions and policies of this Development Code can be met,
 - (2) The project has been reviewed by the Special Problems Committee, and
 - (3) The individual members of the Special Problems Committee are able to identify any and

all reasonable conditions of approval that may be required to mitigate present or anticipated problems within the scope of the committee's charge, or to prevent damage to public or private property, risk of injury to persons, or creation of a public nuisance.

- b. Where an individual member or members of the Special Problems Committee are unable to identify feasible mitigation of such problems, damage, or risk, each may recommend denial of the permit that would authorize the construction of the proposed accessory dwelling unit to the Director.

SECTION 30:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 3, Height restrictions, of Subsection B, Development standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

3. **Height restrictions.** Accessory structures shall comply with the height restrictions of the applicable zones except as specified below:
 - a. **Accessory dwelling units.** See [Section 35.42.015 \(Accessory Dwelling Units\)](#) for height limits for accessory dwelling units.
 - b. **Fences and walls.** See [Section 35.30.070 \(Fences and Walls\)](#) for height limits for fences and walls.
 - ~~b-c.~~ **Guesthouses, artist studios and cabañas.** See Section 35.42.150 (Guesthouses, Artist Studios, and Cabañas) for height limits for guesthouses, artist studios and cabañas.
 - ~~e-d.~~ **Located in the rear setback.** The height limit for accessory structures located in the rear setback is 12 feet except as allowed in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#).
 - ~~d.~~ **Residential second units.** See ~~[Section 35.42.230 \(Residential Second Units\)](#)~~ for height limits for residential second units.
 - e. **Telecommunication facilities.** See Chapter 35.44 (Telecommunications Facilities) height limits and exception for commercial and noncommercial telecommunication facilities.

SECTION 31:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection a, Location in rear setback, Subsection 4, Setback Requirements, of Subsection B, Development standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- a. **Location in rear setback.**
 - (1) **Accessory dwelling units.** An accessory dwelling unit may be located in the required rear setback only when allowed in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#).
 - (2) **Other accessory structures.** Except as provided in Subsection B.4.a.(1), above, an ~~An~~ accessory structure, other than guesthouses, artist studios and cabañas (Section 35.42.150), ~~and residential second units (Section 35.42.230)~~ 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.

- (3) (c) It does not exceed 40 percent of the required rear setback.
- (4) (d) It does not exceed a height of 12 feet.
- (5) (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.
- (6) (f) A swimming pool, spa, and appurtenant equipment shall not be located closer than five feet to any property line.
- (7) (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.

SECTION 32:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 5, Kitchen or cooking facilities/amenities prohibited, of Subsection B, Development standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

5. **Kitchen or cooking facilities/amenities prohibited.** Accessory structures, including artist studios, cabañas and guesthouses, shall not contain kitchen or cooking facilities unless the accessory structure is specifically permitted as a dwelling (e.g., agricultural employee dwellings, ~~residential second~~ or accessory dwelling units). Artist studios, cabañas and guesthouses are not dwellings.

SECTION 33:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 6, Gross floor area and footprint limitations, of Subsection B, Development standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

6. **Gross floor area and footprint limitations.** Except for accessory dwelling units allowed in compliance with Section 35.42.015 (Accessory Dwelling Units), accessory ~~Accessory~~ structures, excluding barns, garages and stables, shall not exceed a gross floor area of 800 square feet if located on a lot of one acre or less. ~~See also Section 35.42.230 (Residential Second Units).~~
- a. **Summerland Community Plan area.** See Section 35.28.210.G (Summerland Community Plan area) for additional standards regarding the allowable floor area of detached accessory structures.

SECTION 34:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 8, Use restrictions, of Subsection B, Development standards, of Section 35.42.020, Accessory Structures and Uses, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

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

SECTION 35:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection F, Additional standards for agricultural employee dwellings located in the NTS zone, of Section 35.42.030, Agricultural Employee Dwellings, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- F. Additional standards for agricultural employee dwellings located in the NTS zone.** On a lot zoned NTS:
- a. The minimum gross lot area on which an agricultural employee dwelling may be approved is 100 acres.
 - b. An agricultural employee dwelling shall not be allowed in addition to an accessory dwelling unit, artist studio, or guesthouse ~~or residential second unit~~.
 - c. The gross floor area of an agricultural employee dwelling shall not exceed 1,200 square feet.
 - d. Only one Conditional Use Permit that allows additional dwellings housing five or more employees may be allowed within each project site area covered by an approved Final Development Plan.

SECTION 36:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection O, Residential second unit, of Section 35.42.150, Guesthouses, Artist Studios, and Cabañas, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

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

SECTION 37:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete existing Section 35.42.230, Residential Second Units, of Chapter 35.42, Standards for Specific Land Uses, in its entirety and reserve the section number for future use.

SECTION 38:

ARTICLE 35.7, Site Development Regulations, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 3, Accessory Structures, of Subsection B, Standards for address numbers, of Section 35.76.060, Address Numbers - Procedures, Standards and Display, of Chapter 35.76, Road Naming and Address Numbering, to read as follows:

- 3. Accessory structures.** ~~Except for accessory dwellings, including residential second units, as provided below,~~ an accessory structure shall not be issued a street address number unless the property owner can demonstrate to the satisfaction of the Fire Department that special circumstances justify a separate number.
- a. A street address number shall be issued for an accessory dwelling unit if required by the Fire Department.

SECTION 39:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 4, Design review required, of Subsection D, Processing, of Section 35.82.060, Conditional Use Permits and Minor Conditional Use Permits, of Chapter 35.82, Permit Review and Decisions, to read as follows:

4. **Design review required.** Except for ~~Residential Second~~ Accessory Dwelling Units approved in compliance with Section ~~35.42.230 (Residential Second Units)~~ 35.42.015 (Accessory Dwelling Units), the following applications shall be subject to Design Review in compliance with Section 35.82.070 (Design Review).
- a. An application for a Conditional Use Permit.
 - b. An application for a Minor Conditional Use Permit as specifically identified by the Director, Zoning Administrator, Commission, or Board.

SECTION 40:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection 1, General, of Subsection C, Exceptions to Design Review Requirements, of Section 35.82.070, Design Review, of Chapter 35.82, Permit Review and Decisions, to read as follows:

1. **General.**

- a. Accessory dwelling units; however, the Director may be required to review the appearance and style of proposed accessory dwelling units in compliance with Section 35.42.015.F (Accessory dwelling units located entirely within existing one-family or multiple-family buildings on lots zoned for one-family or multiple-family use) and Section 35.42.105.G (Accessory dwelling units located either partially within existing buildings or within new buildings on lots zoned for one-family or multiple-family use)
- b. Decks.
- ~~b.c.~~ c. Fences, gates, gateposts and walls as follows; however, fences, gates, gateposts and walls that are integral to the structure (e.g., are connected to the structure or form a courtyard adjacent to the structure) shall be included as part of the Design Review of a new structure or a remodeling or an addition to a structure requiring Design Review:
 - (1) Fences, gates, and walls six feet or less in height and gateposts of eight feet or less in height, when located in the front setback area.
 - (2) Fences, gates, and walls of eight feet or less in height and gateposts of 10 feet or less in height when located outside of front setback areas and not closer than 20 feet from the right-of way line of any street.
- ~~e.d.~~ d. Hot tubs, spas, and swimming pools.
- ~~d.e.~~ e. Interior alterations.
- ~~e.f.~~ f. Solar panels.
- ~~f.g.~~ g. Other exterior alterations determined to be minor by the Director.
- ~~g.~~ ~~Residential second units; however, approval from the Board of Architectural Review Chairperson, or designee, is required, if the residential second unit would otherwise be subject to Design Review in compliance with Subsection B (Applicability) above.~~

SECTION 41:

ARTICLE 35.8, Planning Permit Procedures, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection f, Reduction of parking spaces, of Subsection 3, Allowed Modifications, of Subsection B, Applicability, of Section 35.82.130, Modifications, of Chapter 35.82, Permit Review and Decisions, to read as follows:

- f. Reduction of parking spaces.** A reduction in the required number and/or a Modification in the design or location of parking spaces and loading zones may be allowed provided that in no case shall:
- (1) ~~The number of required parking spaces be reduced in the High Density Student Residential (SR-H), Medium Density Student Residential (SR-M) or the Single Family Restricted (SF) overlay zones.~~
 - ~~(2)~~ The ~~required~~ number of required bicycle parking spaces be reduced,
 - ~~(3-2)~~ The number of spaces required for ~~a residential second~~ an accessory dwelling unit be reduced or be allowed to be located within the required front setback area.
 - ~~(4-3)~~ Any parking or screening requirement for a vehicle with more than two axles, a recreational vehicle or bus, a trailer, or other non-passenger vehicle be modified.
 - ~~(5-4)~~ A reduction in the required number of parking spaces for development within the Summerland Community Plan Area be allowed that results in an increase in on-street parking.
 - ~~(6-5)~~ The required number of parking spaces in the Mission Canyon Community Plan area be reduced from three to two in the R-1/E-1 (Single Family Residential) zone for habitable additions to an existing dwelling unit of 500 square feet or greater or an addition or remodel that includes one or more new bedrooms and results in a dwelling with three or more bedrooms, unless:
 - (a) The reduction would preserve the integrity of a historic structure, or
 - (b) There is no space for the third parking space due to topography, lot configuration, or other physical constraints as determined by the Director. The reduction shall not be granted if the addition or remodel is proposed in a location that would be suitable for the required third parking space.
 - (c) The floor area of the addition, or location of the bedrooms, is within an accessory dwelling unit approved in compliance with Section 35.42.015 (Accessory Dwelling Units).

SECTION 42:

ARTICLE 35.10, Land Use and Development Code Administration, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Subsection (1), Residential structures, of Subsection a, Inland area, of Subsection 5, Sites within the Mission Canyon Community Plan area or the Toro Canyon Plan Area, of Subsection B, Damage, of Section 35.101.030, Nonconforming Structures, of Chapter 35.101, Nonconforming Uses, Structures and Lots, to read as follows:

- (1) Residential structures.**
- (a) A residential structure that is damaged or destroyed by earthquake, fire, flood, vandalism, or other calamity beyond the control of the owner of the structure may be reconstructed to the same or lesser size on the same site and in the same general footprint location.
 - (b) A residential structure that is nonconforming solely due to any policy, development standard, or zoning regulation first applied and adopted under the applicable Plan that requires partial or complete

reconstruction or structural repair due to normal wear-and-tear (e.g., structural pest damage or dry rot) may be reconstructed or repaired to the same or lesser size on the same site and in the same general footprint location.

- (c) A residential structure that is nonconforming solely due to its location within an Environmentally Sensitive Habitat area or Environmentally Sensitive Habitat buffer area may be expanded upward, or outward and away from the Environmentally Sensitive Habitat area, consistent with Development Standards BIO-MC-3.8 of the Mission Canyon Community Plan or BIO-TC-7.5 and BIO-TC-7.8 of the Toro Canyon Plan, and in a manner that otherwise complies with the regulations of the applicable Plan and this Development Code.
- (d) For the purpose of this Subsection, “residential structure” shall mean primary dwellings, secondary dwellings including ~~Residential Second Units~~ accessory dwelling units, agricultural employee dwellings, farmworker dwelling units, farmworker housing complexes, farm employee dwellings, guesthouses, and all attached appurtenances (e.g., garages and storage rooms) that share at least one common wall with the residential structure. One detached private garage structure may be included within the meaning of “residential structure” in compliance with [Section 35.82.140 \(Nonconforming Status and Extent of Damage Determination\)](#).

SECTION 43:

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 delete Subsection b, Coastal Zone, of Subsection 5, Sites within the Mission Canyon Community Plan area or the Toro Canyon Plan Area, of Subsection B, Damage, of Section 35.101.030, Nonconforming Structures, of Chapter 35.101, Nonconforming Uses, Structures and Lots, in its entirety.

SECTION 44:

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 Section 35.102.020, General Appeal Procedures, of Chapter 35.102, Appeals, to delete Subsection b, Appeals regarding residential second units, of Subsection 2, Additional requirements for certain appeals, of Subsection C, Requirements for contents of an appeal, and renumber existing Subsections c and d as Subsections b and c, respectively.

SECTION 45:

ARTICLE 35.10, Land Use and Development Code Administration, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change Section 35.106.050, Land Use Permits, of Chapter 35.106, Noticing and Public Hearings, to delete Subsection e of Subsection 1, By the Department, of Subsection A, Minimum requirements.

SECTION 46:

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 existing definition of “Residential Second Unit” to read as follows:

~~**Residential Second Unit.** A dwelling unit on a permanent foundation that provides complete, independent living facilities for one or more persons in addition to the principal dwelling on the same lot. The residential second unit may either be an attached residential second unit or detached residential second unit. See Accessory Dwelling Unit.~~

- ~~**1. Attached Residential Second Unit.** A residential second unit that shares a common wall with the principal dwelling.~~
- ~~**2. Detached Residential Second Unit.** A residential second unit not attached to the principal dwelling by a common wall.~~

SECTION 47:

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

Accessory dwelling unit. An attached or a detached residential dwelling unit on a permanent foundation that is located on the same lot as a one-family or multiple-family dwelling that the accessory dwelling unit is accessory to and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, (2) provides interior access between all habitable rooms, and (3) includes an exterior access that is separate from the access to the principal dwelling or accessory structure in which the accessory dwelling unit is located. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 of Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

- 1. Attached accessory dwelling unit.** An accessory dwelling unit that shares a common wall with the principal dwelling.
- 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.

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

SECTION 48:

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 delete the existing definitions of “Attached Residential Second Unit,” and “Detached Residential Second Unit.”

SECTION 49:

Except as amended by this ordinance, Articles 35.2, 35.3, 35.4, 35.7, 35.8, 35.10, and 35.11 of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 50:

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

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2018, 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:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel