

ATTACHMENT C: CASE NO. 12ORD-00000-00002 ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES AND ARTICLE 35.11, GLOSSARY, TO REVISE EXISTING REGULATIONS AND IMPLEMENT NEW REGULATIONS REGARDING THE USE OF PROPERTY FOR TEMPORARY USES (SPECIAL EVENTS), AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS.

Case No. 12ORD-00000-00002

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

SECTION 1:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection B, Applicability, of Section 35.42.260, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

B. Applicability.

1. ~~Does not apply to wineries or amusements regulated separately Inland area.~~ Within the Inland area, this Section shall not apply to any use of property that is regulated by Section 35.42.280 (Wineries) of this Article or Chapter 6 (Amusements) of the County Code.

Does not apply to amusements, filming activities, in-home retail sales or wineries regulated separately. This Section shall not apply to any use of property that is regulated by the following:

- a. Chapter 6 (Amusements) of the County Code.
 - b. Chapter 14C (Film Permit Office) of the County Code.
 - c. Section 35.42.190 (Home Occupations) regarding use of the property for In-Home Retail Sales.
 - d. Section 35.42.280 (Wineries) of this Development Code.
2. **Permits required.** Each temporary use of land including trailers identified in Table 4-10 through Table 4-15, below, may be allowed in compliance with the approval of the applicable permit identified in the table.
 3. **Similar temporary events/uses.**
 - a. **Exempt from permit requirements.** Other temporary uses that are not included in Table 4-10 through Table 4-15 may be allowed without the requirement for a permit when the Director determines that the proposed temporary use:
 - (1) Is similar to those identified in this Section as being exempt from permit requirements; and
 - (2) The proposed temporary use does not have the potential to result in an adverse effect on surrounding properties.
 - b. ~~Coastal Development Permit or Land Use Permit required.~~ Other temporary uses that are not included in Table 4-10 through Table 4-15 may be allowed by a ~~Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits)~~ if the Director determines that the proposed temporary use is similar to those uses allowed by a ~~Coastal Development~~

~~Permit or~~ Land Use Permit.

4. **Other approvals required.** All temporary electrical facilities, temporary toilet and plumbing facilities, temporary use of public roads, temporary use of County facilities and temporary shelters or structures shall receive all necessary approvals from the Community Services Department, the Director, the County Fire Department or applicable fire protection district, the General Services Department, the Public Health Department, the Public Works Department and the Sheriff and the County Fire Department or applicable fire protection district.

Table 4-10 Allowed Temporary Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)			
	ZC	Permitted use, Zoning Clearance required			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	P	P	P	35.42.260.F.1
Certified farmers market	—	—	—	—	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	35.42.260.F.4
Public assembly events in facilities; event consistent	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	P	ZC	P	35.42.260.F.13

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.4
Trailer (5 or more agricultural employees)	—	—	CUP	CUP	35.42.260.G.5
Trailer (watchman during construction)	P	P	P	P	35.42.260.G.16
Trailer(dwelling after destruction of dwelling)	P	P	P	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	P	P	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (agricultural office)	S	S	S	S	35.42.260.G.6
Trailer (construction office, shop, storage, etc.)	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	—	ZC	—	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	E	E	35.42.260.G.13
Trailer (subdivision sales office)	ZC	P	ZC	P	35.42.260.G.14

Key to Zone Symbols

AG-I	Agricultural I	CZ	Coastal Zone
AG-II	Agricultural II		

Notes:

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

Table 4-11 Allowed Temporary Use and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt)				
	ZC	Permitted use, Zoning Clearance required				
	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
	MT-GOL	MT-TORO	MT-TORO CZ	RMZ	RMZ CZ	

TEMPORARY EVENTS

Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	S	35.42.260.F.4
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	ZC	P	ZC	P	35.42.260.F.13

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.4
Trailer (watchman during construction)	P	P	P	P	P	35.42.260.G.15
Trailer (dwelling after destruction of dwelling)	P	P	P	P	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	P	P	P	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	ZC	—	ZC	—	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	E	E	E	35.42.260.G.13
Trailer (subdivision sales office)	ZC	ZC	P	ZC	P	35.42.260.G.14

Key to Zone Symbols

MT-GOL	Mountainous Area - Goleta	RMZ	Resource Management
MT-TORO	Mountainous Area - Toro Canyon	CZ	Coastal Zone

Notes:

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

Table 4-12 Allowed Temporary Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)
	ZC	Permitted use, Zoning Clearance required
	P	Permitted use, Land Use or Coastal Permit required
	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE (1)	PERMIT REQUIRED BY ZONE	
	ALL RESIDENTIAL ZONES	
		Specific Use Regulations

TEMPORARY EVENTS

Certified farmers market (incidental)	CUP (2)	35.42.260.F.3
Charitable functions and other noncommercial events	S	35.42.260.F.4
Public assembly events in facilities; event consistent	E	35.42.260.F.7
Public property	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	35.42.260.F.10
Seasonal sales lots	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	35.42.260.F.12
Subdivision sales office	Coastal Zone — P Inland area — ZC ZC	35.42.260.F.13

TEMPORARY DWELLINGS

During construction of new dwelling	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	MCUP(3)	35.42.260.G.4
Trailer (watchman during construction)	P	35.42.260.G.16
Trailer (dwelling after destruction of dwelling)	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	35.42.260.G.15

TEMPORARY OFFICES/STORAGE

Trailer (accessory to permanent building)	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	35.42.260.G.7
Trailer (agricultural office)	—	
Trailer (construction office, shop, storage, etc.)	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	Coastal Zone — P Inland area — ZC ZC	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	35.42.260.G.13
Trailer (subdivision sales office)	Coastal Zone — P Inland area — ZC ZC	35.42.260.G.14

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Use not allowed in the EX-1 and EX-1-CZ zones.
- (3) Use not allowed in the PRD-CZ, SLP, MHP, MHP-CZ, and MHS zones.

Table 4-13 Allowed Temporary Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	ZC	Permitted use, Zoning Clearance required				
	P	Permitted use, Land Use 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	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	P	P	P	P	35.42.260.F.1
Car washes	S	S	S	S	S	35.42.260.F.2
Certified farmers market	—	—	MCUP	MCUP	MCUP	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	S	35.42.260.F.4
Mobile vendors	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.5
Parking lot sale	—	—	—	S	S	35.42.260.F.6
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	ZC	P	ZC	P	35.42.260.F.13
Swap meet	—	—	—	CUP	CUP	

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	P	35.4.260.F.15
Trailer (4 or less agricultural employees)	—	—	—	—	—	
Trailer (watchman during construction)	P	P	P	P	P	35.42.260.G.16
Trailer (dwelling after destruction of dwelling)	P	P	P	P	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	P	P	P	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	ZC	—	ZC	—	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	E	E	E	35.42.260.G.13
Trailer (subdivision sales office)	ZC	ZC	P	ZC	P	35.42.260.G.14

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.

Table 4-13 - Continued Allowed Temporary Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	ZC	Permitted use, Zoning Clearance required				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-3	CS	CH	CH CZ	CM-LA	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	P	P	P	—	35.42.260.F.1
Car washes	S	S	S	S	S	35.42.260.F.2
Certified farmers market	MCUP	—	—	—	MCUP	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	S	35.42.260.F.4
Mobile vendors	—	—	—	—	MCUP	35.42.260.F.5
Parking lot sale	S	—	—	—	—	35.42.260.F.6
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	—	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	ZC	ZC	P	—	35.42.260.F.13
Swap meet	CUP	—	—	—	CUP	35.42.260.F.14

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	—	—	MCUP	MCUP	—	35.42.260.G.4
Trailer (watchman during construction)	P	P	P	P	P	35.42.260.G.16
Trailer (dwelling after destruction of dwelling)	P	P	P	P	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	P	P	P	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	—	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	ZC	ZC	—	ZC	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	E	E	—	35.42.260.G.13
Trailer (subdivision sales office)	ZC	ZC	ZC	P	—	35.42.260.G.14

Key to Zone Symbols

C-3	General Commercial	CH	Highway Commercial	CZ	Coastal Zone
CS	Service Commercial	CM-LA	Community Mixed Use - Los Alamos		

Notes:

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

Table 4-13 - Continued Allowed Temporary Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	ZC	Permitted use, Zoning Clearance required				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	P	P	P	P	35.42.260.F.1
Car washes	S	S	S	S	S	35.42.260.F.2
Certified farmers market	—	—	MCUP	MCUP	MCUP	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	S	35.42.260.F.4
Mobile vendors	—	—	—	—	—	35.42.260.F.5
Parking lot sale	—	—	S	—	—	35.42.260.F.6
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	P	ZC	ZC	P	35.42.260.F.13
Swap meet	—	—	—	—	—	

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	—	P	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	—	—	—	—	—	
Trailer (watchman during construction)	P	P	P	P	P	35.42.260.G.16
Trailer (dwelling after destruction of dwelling)	P	P	—	P	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	P	—	P	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	—	ZC	ZC	—	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	—	E	E	35.42.260.G.13
Trailer (subdivision sales office)	ZC	P	ZC	ZC	P	35.42.260.G.14

Key to Zone Symbols

C-V	Visitor-serving Commercial	PI	Professional and Institutional
SC	Shopping center	CZ	Coastal Zone

Notes:

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

Table 4-14 Allowed Temporary Uses and Permit Requirements for the Industrial Zone	E	Allowed use, no permit required (Exempt)						
	ZC	Permitted use, Zoning Clearance required						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	P	P	P	P	P	P	35.42.260.F.1
Certified farmers market	MCUP	MCUP	MCUP	—	—	—	—	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	S	S	S	35.42.260.F.4
Public assembly events in facilities; event consistent	E	E	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	P	ZC	ZC	ZC	P	P	35.42.260.F.13

TEMPORARY DWELLINGS

During construction of new dwelling	—	—	—	—	—	—	—	
Trailer (4 or less agricultural employees)	—	—	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.4
Trailer (watchman during construction)	P	P	P	P	P	P	P	35.42.260.G.16
Trailer (dwelling after destruction of dwelling)	—	—	—	—	—	—	—	
Trailer (dwelling during construction of new dwelling)	—	—	—	—	—	—	—	
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	—	ZC	ZC	ZC	—	—	35.42.260.G.11
Trailer (storage as accessory to dwelling)	—	—	—	—	—	—	—	
Trailer (subdivision sales office)	ZC	P	ZC	ZC	ZC	P	P	35.42.260.G.14

Key to Zone Symbols

M-RP	Industrial Research Park	M-CR	Coastal-Related Industry
M-1	Light Industry	M-CD	Coastal-Dependent Industry
M-2	General Industry	CZ	Coastal Zone

Notes:

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

Table 4-15 Allowed Temporary Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	ZC	Permitted use, Zoning Clearance required				
	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
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	P	—	P	—	—	35.42.260.F.1
Certified farmers market	MCUP	—	—	—	—	
Certified farmers market (incidental)	CUP	—	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	—	S	S	S	35.42.260.F.4
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	35.42..260.F.8
Reception and similar gathering facilities (commercial)	MCUP	—	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	—	S	S	S	35.42.260.F.10
Seasonal sales lots	P	—	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	—	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	P	ZC	ZC	ZC	35.42.260.F.13

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	—	MCUP	—	—	—	35.42.260.G.4
Trailer (watchman during construction)	P	P	P	P	P	35.42.260.G.16
Trailer (dwelling after destruction of dwelling)	P	P	P	P	P	35.42.260.G.10
Trailer (dwelling during construction of new dwelling)	P	P	P	P	P	35.42.260.G.9
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	—	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	ZC	ZC	ZC	ZC	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	E	E	E	35.42.260.G.13
Trailer (subdivision sales office)	ZC	P	ZC	ZC	—	35.42.260.G.14

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.

Table 4-15 - Continued Allowed Temporary Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	ZC	Permitted use, Zoning Clearance required				
	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	

TEMPORARY EVENTS

Carnivals, circuses, and similar activities	—	—	—	—	—	
Certified farmers market	—	—	—	—	—	
Certified farmers market (incidental)	CUP	CUP	CUP	CUP	CUP	35.42.260.F.3
Charitable functions and other noncommercial events	S	S	S	S	S	35.42.260.F.4
Public assembly events in facilities; event consistent	E	E	E	E	E	35.42.260.F.7
Public property	E	E	E	E	E	35.42.260.F.8
Reception and similar gathering facilities (commercial)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.9
Rodeos and other equestrian events	S	S	S	S	S	35.42.260.F.10
Seasonal sales lots	P	P	P	P	P	35.42.260.F.11
Spectator entertainment facilities	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.F.12
Subdivision sales office	ZC	P	ZC	P	P	35.42.260.F.13

TEMPORARY DWELLINGS

During construction of new dwelling	—	—	—	—	—	35.42.260.F.15
Trailer (4 or less agricultural employees	—	—	—	—	MCUP	35.42.260.G.4
Trailer(watchman during construction)	P	P	P	P	P	35.42.260.G.16
Trailer(dwelling after destruction of dwelling)	—	—	—	—	—	
Trailer(dwelling during construction of new dwelling)	—	—	—	—	—	
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.12
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.15

TEMPORARY OFFICE/STORAGE

Trailer (accessory to permanent building)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.3
Trailer (air quality monitoring station)	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.260.G.7
Trailer (construction office, shop, storage, etc.)	S	S	S	S	S	35.42.260.G.8
Trailer (mobile communications temporary facility)	ZC	—	ZC	—	—	35.42.260.G.11
Trailer (storage as accessory to dwelling)	E	E	—	—	—	35.42.260.G.13
Trailer (subdivision sales office)	ZC	P	ZC	P	P	35.42.260.G.14

Key to Zone Symbols

PU	Public Works/Utilities	TC	Transportation Corridor
REC	Recreation	CZ	Coastal Zone

Notes:

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

SECTION 2:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection D, Permit processing, of Section 35.42.260, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

D. Permit processing.

1. Compliance with development standards. Permits Applications for permits for temporary uses

and trailers subject to the provisions of this Section shall not be approved or conditionally approved ~~or issued~~ except in compliance with the requirements of this Section and other applicable development standards of this Development Code. Temporary uses that are exempt from a planning permit shall still comply with any applicable development standards of this Development Code.

- 2. ~~Exempt temporary uses within the Coastal Zone.~~** The temporary use of property or structures ~~within the Coastal Zone are exempt from a planning permit provided the temporary use complies with all of the following:~~
- a. ~~The temporary use will not occupy any portion of a sandy beach, public park area, public pier, or public beach parking area between the Memorial Day weekend and Labor Day unless either:~~
 - (1) ~~The period of the use will be of less than one day in duration, including set up and take-down; or,~~
 - (2) ~~The location is remote with minimal demand for public use.~~
 - b. ~~A fee will not be charged for general public admission and/or seating if the temporary use will occupy any portion of a sandy beach, public park area, public pier, or public beach parking area where no fee is currently charged for the use of the same area, or if a fee is charged, it is for preferred seating only and more than 75 percent of the provided seating capacity is available free of charge for general public use.~~
 - c. ~~The proposed temporary use has been reviewed in advance by the Director and the Director determined that it meets all of the following criteria:~~
 - (1) ~~The temporary use will result in no adverse impact on opportunities for public use of, or access to, the area due to the proposed location and/or timing of the event either individually or together with other temporary events scheduled before or after the particular event.~~
 - (2) ~~There will be no direct or indirect impacts from the temporary use and its associated activities or access requirements on environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources pursuant to the policies and section of the certified Local Coastal Program.~~
 - (3) ~~The temporary use has not previously required a Coastal Development Permit to address and monitor associated impacts to coastal resources.~~
 - d. ~~The Director may determine that a temporary use shall be subject to a Coastal Development permit in compliance with Section 35.82.050 (Coastal Development Permits) and/or a Conditional Use Permit or a Minor Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) even if the development meets all of the criteria in Subsection 2.a through Subsection 2.c above, if the Director determines that unique or changing circumstances exist relative to a particular temporary event that have the potential for significant adverse impacts on coastal resources.~~
- 2. Referral to other County departments.** After receipt of an application for a temporary use, the Department shall refer the application to other County departments and districts that may be involved in the review of the application including the Community Services Department, the County Fire Department or applicable fire protection district, the General Services Department, the Public Health Department, the Public Works Department, Sheriff and the Treasurer-Tax Collector.
- 3. Timeline to approve Coastal Development Permit or Land Use Permit.** Except for trailers allowed in compliance with Subsection G. (Trailer use) below, the Director shall approve, conditionally approve, or deny an application for a ~~Coastal Development Permit or a Land Use Permit~~ within 30 days of submittal of a complete application to the Department.
- 4. Notification of Supervisor.** Except for trailers allowed in compliance with Subsection G. (Trailer use) below, an application for a Coastal Development Permit, Conditional Use Permit or Minor

Conditional Use Permit, or Land Use Permit that allows the establishment of a temporary use of land shall not be approved ~~(in the case of a Conditional Use Permit or Minor Conditional Use Permit)~~ or issued ~~(in the case of a Coastal Development Permit or Land Use Permit)~~ until the Supervisor of the Supervisorial District in which the temporary use is proposed, or his or her designated representative, has been notified of the application.

5. **Notice.** Notice of an application for a ~~Coastal Development Permit~~, Conditional Use Permit or Minor Conditional Use Permit, or Land Use Permit for a temporary use shall be provided in compliance with Chapter 35.106 (Noticing and Public Hearings).
6. **Appeal.** The action of the review authority to approve, conditionally approve, or deny a ~~Coastal Development Permit~~, Conditional Use Permit or Minor Conditional Use Permit, or Land Use Permit for a temporary use ~~shall be~~ is final subject to appeal in compliance with Chapter 35.102 (Appeals).

SECTION 3:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection F.4, Charitable and other noncommercial functions, of Section 35.42.260, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

4. **Charitable and other noncommercial functions events.** ~~The use of a lot for charitable and other noncommercial functions where the owner or tenant of the lot receives no remuneration, including fundraisers, parties, receptions weddings and other similar gatherings, may be allowed in compliance with the following permit requirements and development standards.~~

The use of a lot or portion thereof, including any structures located on the lot, for charitable and other noncommercial events, including private gatherings of family and friends, may be allowed in compliance with the following requirements.

Permit Requirement	Development Standards
Exempt	For a lot that is less than five gross acres in area: Use of the lot for charitable functions does not exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Exempt	For a lot that is five gross acres or more in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Coastal Development Permit or Land Use Permit	For a lot that is less than five gross acres in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time does not exceed 300.
Coastal Development Permit or Land Use Permit	For a lot that is five gross acres or more in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time exceeds 300.
Minor Conditional Use Permit	For a lot that is less than five gross acres in area: Use of the lot for charitable functions may exceed five times within the same calendar year. The number of persons present at the event at any one time exceeds 300.

- a. Purpose and intent.** The purpose and intent of this Subsection F.4 is to allow an owner or non-transient tenant to use private property for charitable and other noncommercial events as a temporary use that is incidental and subordinate to the residential use of the property provided the property is used in compliance with the following permit requirements and development and operational standards. Additionally, the intent is to not allow events associated with the short-term rental of property as charitable or other noncommercial events.

(1) For the purposes of this Subsection F.4:

- (a) Non-transient tenant means any person who uses or possesses, or has the right to use or possess, a lot or portion thereof, including any structures located on the lot, for a period of 31 consecutive calendar days or more, counting portions of calendar days as full days.
- (b) Short-term rental of property means the possession or use of a lot or any portion thereof, including any structures located on the lot, for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days, and including rentals that are subject to the payment of a transient occupancy tax in compliance with County Code Chapter 32 (Taxation).

- b. Applicability.** The restriction on the maximum number of events allowed within a calendar year as provided in Subsection F.4.c (Permit requirements and development and operational standards), below, shall not apply to charitable and other noncommercial events where the total number of attendees at the event, not including event staff, is 75 or fewer.

- c. Permit requirements and development and operational standards.** The use of a lot or portion thereof, including any structures located on the lot, for charitable and other noncommercial events may be allowed in compliance with the following permit requirements and development and operational standards.

<u>Lot Size (1)</u>	<u>Maximum Number of Events (2)</u>	<u>Maximum Number of Attendees (3)</u>	<u>Permit Requirement</u>
<u>Less than 5 acres</u>	<u>5</u>	<u>300</u>	<u>Exempt</u>
		<u>Greater than 300</u>	<u>Minor Conditional Use Permit</u>
	<u>6 or more</u>	<u>300</u>	<u>Land Use Permit</u>
		<u>Greater than 300</u>	<u>Minor Conditional Use Permit</u>
<u>5 acres or more</u>	<u>No maximum</u>	<u>300</u>	<u>Exempt</u>
		<u>Greater than 300</u>	<u>Land Use Permit</u>

Notes:

1. Measured as gross lot area.
2. This number represents the maximum number of events that may be held on the lot within the same calendar year.
3. This number represents the maximum number of event attendees, not including event staff, present at the event at any one time.

- (1) All charitable and other noncommercial events.** The following apply to all charitable and other noncommercial events.

- (a) The owner or non-transient tenant of the lot on which the event occurs shall not receive any remuneration associated with such event or temporary use, and there may not be any charge, fee, payment or other compensation for the temporary use of the lot for the event on which the event occurs, except that an owner or non-transient tenant may be reimbursed for actual and direct costs incurred by the owner or non-transient tenant associated with allowing the lot to be used for an event including providing site clean-up following the event.
- (b) A permit for a Reception and Similar Gathering Facility (commercial) shall be required to be approved or conditionally approved in compliance with Subsection

35.42.260.F.9 (Reception and similar gathering facilities (commercial)), below, prior to commencement of any event associated with the short-term rental of property.

(c) The duration of the event shall not exceed a single 24-hour period, except that event set-up, breakdown, and clean-up may occur outside of this period.

(2) Charitable events. The following apply to all charitable events.

(a) The event shall be held by or sponsored for the sole benefit of a charitable nonprofit organization(s).

(b) 100 percent of the net proceeds collected for the event, after operational expenses are met, are remitted to the sponsoring charitable organization(s).

(3) Other noncommercial events. Other noncommercial events that are not allowed as a charitable event in compliance with Subsection F.4.c(2), above, may be allowed provided there is no commercial component including:

(1) The payment of any fee including admission fees and membership fees.

(2) Filming for commercial purposes.

(3) Promoting a product.

(4) Public advertising.

(4) Political fundraising events. Subsection F.4.c(3) does not apply to fundraising events whose sole political purpose is to solicit money or pledges for political purposes.

SECTION 4

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection F.9, Reception facilities, of Section 35.42.260, Temporary Uses and Trailers, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

9. **Reception and similar gathering facilities (commercial).** Reception and similar gathering facilities providing indoor or outdoor facilities that are accessory and incidental to the principal use of the property on a temporary, commercial basis for receptions, parties, weddings, or other similar gatherings that are not included in Subsection F.7 (Public assembly facilities), above.

SECTION 5:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to amend the existing definitions of "Charitable Function" to read as follows:

Charitable Function Event. An event or activity whose primary purpose is of a charitable or noncommercial nature that is held by or sponsored for the sole benefit of a nonprofit organization(s) established for the purpose of promoting philanthropic goals and social well-being including charitable, educational, religious, or other activities serving the public interest or common good.

SECTION 6:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to add the

following definitions of “Calendar Year,” “Event,” “Nonprofit Organization” and “Remuneration” to read as follows:

Calendar Year. A period of a year beginning on January 1st and ending on December 31st.

Event. Any gathering of individuals, whether on public or private property, assembled with a common purpose, and usually for a specified period of time, including ceremonies, competitions, festivals and parties.

Incidental Use. A use of a lot and/or structure, or portion of a lot and/or structure, that is subordinate to the principal use of the lot and/or structure, and is developed or operated so as to not significantly alter or adversely affect the appearance, character or operation of the principal use of the lot or structure located on the lot.

Nonprofit Organization. An organization chartered for other than profit-making activities. Also known as a not-for-profit organization.

Remuneration. Compensation, money, rent, or other bargained for consideration given in return for occupancy, possession, or use of real property and/or portion thereof, including any structures located thereon.

SECTION 7:

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

SECTION 8:

Except as amended by this Ordinance, Article 35.4 and Article 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 9:

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 _____, 2013, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By _____
Deputy County Counsel