

ATTACHMENT 3

Land Use and Development Code Ordinance

ATTACHMENT 3

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES, ARTICLE 35.3, SITE PLANNING AND OTHER PROJECT STANDARDS, ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES, AND ARTICLE 35.11, GLOSSARY, TO IMPLEMENT NEW REGULATIONS REGARDING THE LAND USE OF SHORT-TERM RENTALS AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS AND REVISIONS.

Case No. 16ORD-00000-00009

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

SECTION 1:

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

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	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	
Large family day care home	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	MCUP	MCUP	35.42.090
Day care center, Residential	MCUP	MCUP	MCUP	MCUP	35.42.090
Lodging - Guest ranch	—	—	CUP	CUP	
Lodging - Hostel	—	—	CUP	—	35.42.240
<u>Lodging - Short-term rental</u>	<u>—</u>	<u>—</u>	<u>P</u>	<u>—</u>	35.42.245
Mausoleum	CUP	—	CUP	—	
Medical services - Animal hospital	MCUP	CUP	P	CUP	35.42.250
Mortuary, accessory to cemetery	CUP	—	CUP	—	35.42.120

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 2:

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

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection 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
	MT-GOL	MT-TORO	MT-TOROCZ	RMZ	RMZCZ	

SERVICES

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

Key to Zone Symbols

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

Notes:

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

SECTION 3:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to amend the Services section of Table 2-7, 2-8, and 2-9 Allowed Land Uses and Permit Requirements for Residential Zones, Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

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

SERVICES

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

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](#).

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	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	—	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	—	CUP	CUP	
Large family day care home	P	P	P	P	—	P	P	35.42.090
Small family day care home	E	E	E	E	E	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	MCUP	MCUP	—	MCUP	MCUP	35.42.090
Day care center, Non-residential accessory	—	—	P	P	ZC	P	P	35.42.090
Day care center, residential	MCUP	MCUP	MCUP	MCUP	—	MCUP	MCUP	35.42.090
Drive-through facility, accessory to permitted use	CUP	CUP	CUP	CUP	—	CUP	CUP	35.42.130
Lodging - Hostel	CUP	—	CUP	—	—	CUP	—	
Lodging - Hotel or motel	—	—	—	—	—	—	CUP	35.23.100.H
<u>Lodging – Short-term rental</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Mausoleum	CUP	CUP	CUP	CUP	—	CUP	CUP	
Medical services - Clinic	CUP	CUP	CUP	CUP	—	CUP	CUP	
Medical services - Extended care	CUP	CUP	CUP	CUP	—	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	—	CUP	CUP	
Mortuary	—	CUP	—	CUP	—	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	—	CUP	CUP	35.42.120
Music recording studio	CUP	—	CUP	—	—	CUP	—	
Personal services	—	—	—	—	—	CUP	CUP	35.23.100.G
Resort visitor-serving	—	—	—	—	—	—	P(3)	

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) Where allowed by the Coastal Land Use Plan.

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

SERVICES

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

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](#).

SECTION 4:

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

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

SERVICES - GENERAL

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

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

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

SERVICES - GENERAL

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

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.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

SERVICES - GENERAL

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

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	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) Destination-type facility required; see [Section 35.24.060 \(C-V Zone Additional Standards\)](#).
- (4) Not including trade schools using heavy equipment.

SECTION 5:

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

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ	

SERVICES - GENERAL

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

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.
- (2) Development Plan approval may also be required; see Section [35.25.030.D](#) (Development Plan approval required).
- (3) Dwellings maybe allowed for the employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is located.
- (4) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.

SECTION 6:

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

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

SERVICES - GENERAL

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

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) 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.

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

SERVICES - GENERAL

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

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 7:

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

35.36.060 - Required Number of Spaces: Nonresidential Uses

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

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

Table 3-6 - Nonresidential Parking Standards

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

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

Notes:

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

SECTION 8:

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

35.42.245 – Short-Term Rentals

A. Purpose and applicability.

1. Purpose. This Section establishes the standards for Short-Term Rentals. These standards are intended to ensure that Short-Term Rentals are compatible with and do not adversely impact surrounding properties.

2. Applicability.

a. Short-Term Rentals existing as of [effective date of ordinance].

(1) Short-Term Rentals that may be permitted.

(a) For Short-Term Rentals that may be permitted in compliance with Article 35.2 (Zones and Allowable Land Uses), to continue operating, the owner and/or operator shall obtain the issuance of the required permit no later than 270 days following [effective date of this ordinance].

(b) If the required permit is not issued no later than 270 days following [effective date of this ordinance], then use of the structure as a Short-Term Rental shall cease. If the use of a structure as a Short-Term Rental does not cease, then this use shall be considered a violation of this Development Code and subject to enforcement in compliance with Chapter 35.108 (Enforcement and Penalties).

(2) Short-Term Rentals that may not be permitted. The use of a structure as a Short-Term Rental in zones where Short-Term Rentals may not be permitted in compliance with Article 35.2 (Zones and Allowable Land Uses) shall cease no later than 270 days following [effective date of this ordinance]. If the use of a structure as a Short-Term Rental does not cease within this period, then this use shall be considered a violation of this Development Code and subject to enforcement in compliance with Chapter 35.108 (Enforcement and Penalties).

B. Permit requirement. Short-Term Rentals may only be located in the AG-II zones in compliance with the

permit requirement identified in Article 35.2 (Zones and Allowable Land Uses). Except as provided in Subsection A (Purpose and Applicability), above, the required permit shall be obtained and all conditions of the permit shall be satisfied prior to the commencement of the Short-Term Rental.

C. Permitted structures. Short-Term Rentals shall only be allowed in a legal dwelling unit.

D. Development standards. A Short-Term Rental shall comply with all of the following standards in addition to any other applicable standards of this Development Code.

1. Compliance with fire, building, and health codes. Any dwelling used as a Short-Term Rental shall be in compliance with the California Fire Code, California Building Code, California Health and Safety Code, the National Fire Protection Association standards and/or regulations, and other relevant laws and codes in regards to carbon monoxide detectors, smoke detectors, emergency egress window, handrails, and fire extinguishers to the satisfaction of the Director.

2. Prohibited structures. Short-Term Rentals shall not be allowed in:

a. Any dwelling subject to agreements, conditions, or covenants entered into with the County restricting their use including affordable housing units, agricultural employee housing, including farmworker housing.

b. Any structure that is only permitted to be occupied on a temporary basis including cabañas and guest houses.

c. Any structure or space that may not be legally used for dwelling or overnight accommodations including agricultural accessory structures, tents, trailers, vehicles, and yurts.

3. Limit on number of Short-Term Rentals allowed per lot. Only one dwelling, including legally-established residential second dwelling units, shall be used as a Short-Term Rental on any lot.

4. Signs. No signs shall be permitted to be located on or off the lot that contains the Short-Term Rental that indicates the presence of the Short-Term Rental.

5. Limitation on the number of guests, parking restrictions and requirements for Short-Term Rental:

a. Maximum occupancy. The maximum occupancy shall be no more than two persons per bedroom, excluding children under three years of age.

b. Parking. All parking shall be provided on site at a ratio of one parking space for each bedroom and in compliance with Chapter 35.36 (Parking and Loading Standards) of this code except as provided in below.

(1) Parking spaces for Short-Term Rentals may include garage(s), carport(s) and/or driveway spaces and may be provided in a tandem parking arrangement.

(2) No parking associated with the Short-Term Rental shall be allowed on-street.

6. Nuisance Response Plan.

a. Call response availability.

(1) The operator shall submit the name, address, and telephone number of a local contact who will respond to calls regarding the Short-Term Rental to the Department prior to the commencement of the Short-Term Rental.

(2) The local contact shall be available by telephone on a 24-hour basis to respond to calls regarding the Short-Term Rental.

(3) Failure to respond to calls in a timely and appropriate manner may result in revocation of the permit issued to allow the use of a Short-Term Rental.

(4) For purposes of this Subsection C.6, responding in a timely and appropriate manner means that an initial call shall be responded to within one hour of the time the initial call was made, and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of this Section.

b. Local contact. The operator, property owner, or managing agency is required to immediately notify the County with any changes to the local contact.

7. Posted notice within unit. Each Short-Term Rental shall have a clearly visible and legible notice posted within the unit containing the following information:

a. The name and phone number of the local contact available on a 24-hour basis.

b. The maximum number of occupants allowed to stay overnight in the unit.

c. The maximum number of vehicles allowed to be parked on the property.

d. Noise standards.

e. Notification that failure to conform to the above standards is a violation of the County Code and subject to penalties and enforcement.

8. Noise. The volume of sound generated by the Short-Term Rental shall not exceed 65 dB or existing ambient levels, whichever is greater, at any point beyond the property boundary, except that:

a. Between the hours of 10 p.m. to 8 a.m., the volume of sound generated by the Short-Term Rental shall not exceed 45 dB or existing ambient levels, whichever is greater, at any point beyond the property boundary.

9. Internet listing. All current internet hosting platforms for the Short-Term Rental and all listing identification numbers shall be provided to the County.

E. Renewal of permit.

1. A land use permit issued for a Short-Term Rental shall only be valid for one year commencing upon the effective date of the Land Use Permit, except as provided below.

2. The operator, owner, or managing agency shall submit an application to renew the Land Use Permit to the Department for review and approval on an annual basis as directed below commencing upon the effective date of the permit.

a. The renewal application shall be reviewed through a Land Use Permit process in compliance with Section 35.82.110 (Land Use Permit).

b. The Land Use Permit application for the initial renewal and any subsequent renewal shall be submitted no later than 30 days prior to the expiration of previous the Land Use Permit.

3. If the approval of a Land Use Permit for the renewal of a Land Use Permit for a Short-Term Rental has been appealed, then the validity of the Land Use Permit shall be extended until processing of the appeal(s) has been completed.

F. Revocation.

1. A Land Use Permit to allow a dwelling to be used as a Short-Term Rental may be revoked in compliance with Section 35.84.060 (Revocations).

a. In addition to the basis for revocation in compliance with Subsection 35.84.060.A (Revocations), the Land Use Permit may also be revoked if:

(1) The applicant, after receiving a Short-Term Rental permit and any renewal, fails or refuses to inform the County of alterations to the property that would compromise the original permit approval (e.g., removal of required parking, conversion of space), has submitted

false or misleading information as part of the application, fails to comply with the permit conditions, or fails to obtain or comply with any other required County, state or local permit.

- (2) The Department determines that the call response availability is deemed inadequate due to the failure of the local contact to respond to calls in a timely and appropriate manner within one hour of the time the initial call was made, and commence corrective action within two hours of the initial call to address any violation of this Chapter.

SECTION 9:

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

Lodging.

1. **Bed and Breakfast.** A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable County health regulations.
2. **Boarding or Rooming House.** A residence or dwelling other than a hotel, where the business of keeping boarders is generally carried on and which is held out by the owner or keeper as a place where boarders are kept.
3. **Guest Ranch.** A vacation resort, generally a farm or ranch, that derives all or part of its income from the use of its facilities by paying visitors or guests, and provides food, lodging, and recreational activities.
4. **Hostel.** Overnight sleeping accommodations that provide supervised and inexpensive lodging for travelers, and may provide kitchen and eating facilities. Occupancy is generally of a limited duration.
5. **Hotel.** A building or group of buildings containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who, for compensation, are lodged with or without meals, but not including a trailer court or camp, sanitarium, hospital, asylum, orphanage or building where persons are housed under restraint.
6. **Motel.** A transient lodging establishment containing six or more rooms with at least 25 percent of all rooms having direct access to the outside without the necessity of passing through a main lobby.
7. **Resort Hotel.** A hotel which serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. A resort shall be self-contained and provide personal services customarily furnished at hotels, including the serving of meals. Buildings and structures in a resort should complement the scenic qualities of the location in which the resort is situated.
8. **Short-Term Rental.** A structure which is permitted to be rented for overnight lodging in compliance with this Development Code, in whole or in part and with or without the presence onsite of the Owner or representative of the Owner, that is rented for 30 consecutive days or less. Additionally, the following terms are defined for the purposes of Section 35.42.245 (Short-Term Rentals).
 - a. **Hosting Platform.** A marketplace which facilitates the consummation of Short-Term Rental agreements through advertising and from which, in whatever format, information about or relating to a Dwelling available for occupancy on a Short-Term Rental basis is shown.
 - b. **Local.** Belonging or relating to a particular area or neighborhood, typically within 30 miles of its center.
 - c. **Local Contact.** A person designated by the Operator who shall be available during the term of any Short-Term Rental for the purpose of responding to complaints regarding the condition or operation

of the Dwelling or portion thereof used for Short-Term Rental, or the conduct of Transient Occupants and taking remedial action to resolve such complaints.

- d. Managing Agency.** Any person, enterprise or agency representing, directly or indirectly, the Property Owner or Operator, of a Dwelling which is used as a Short-Term Rental.
- e. Operator.** A person or enterprise who is Property Owner or proprietor of a Dwelling, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee or any other capacity. If the Operator performs his or her functions through a Managing Agency or Rental Agent, the agency or agent is deemed to have the same duties as its principal.
- f. Transient Occupant.** Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in any lodging or Short-Term Rental shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy.

SECTION 10:

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

Short-Term Rental. See “Lodging”.

Transient. Transient has the same meaning as defined in Section 32-11 (Definitions) of Article II (Transients) of Chapter 32 (Taxation) of the County Code.

SECTION 11:

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 12:

Except as amended by this Ordinance, Article 35.2, Zones and Allowable Land Uses, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, and Article 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 13.

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 _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PETER ADAM, 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