
From: Cecilia Brown [mailto:brownsknight1@cox.net]
Sent: Tuesday, June 05, 2018 11:40 AM
To: Deborah Lopez <dlopez@cityofgoleta.org>
Cc: Peter Imhof <pimhof@cityofgoleta.org>
Subject: Agenda Item FI, ADU Ordinance

Dear Mayor Perotte and Councilmembers,

I am writing to you about your ADU ordinance which I think needs a new standard as I outline below. I worked on the county's ADU ordinance and while there were many issues which concerned me, that of how ADUs would affect neighborhood character were of foremost concern. Fortunately, the City's ordinance has many good design and landscape standards to help an ADU blend in with existing structure. However, in reading the ordinance, there is a standard that needs to be added and that is what to do with the State's requirement for the allowance of an automobile lift as replacement parking in certain circumstances. It is my belief that a car lift in the driveway will detract from the appearance of not only the home, but the adjacent neighborhood. A neighbor has one in his driveway and it isn't very attractive, not something I would like to see duplicated in any neighborhood. Many jurisdictions, have standards for where the car lift is allowed (Burbank, enclosed; Palo Alto, sideyard setback) and at the attachment is the county's rather extensive standards for where car lifts are allowed, see pdf pages 32 and 33, underlined in yellow.

Because the city can, I believe the city should set standards, as other jurisdictions have done and most fully described by the county's ordinance, to help ameliorate the visual effects of a carlift so it doesn't detract from the other attributes of the home and neighborhood streetscape.

The City's ordinance is first one I've seen in reading about them on the internet that doesn't explicitly recognize car lifts. (The draft Ordinance reads "Replacement residential parking spaces may be located within any setback, as tandem parking, or any other configuration authorized by State Law[.]" Why the City needs to use the verbage "other configuration" is a mystery, particularly because an automobile lift is explicitly recognized in State regulations.

Lastly, I must have a misunderstanding of how the approval for a car lift is considered, for I thought allowing a car lift is through a ministerial permit just like the ADU since the need for a car lift is related to the ADU. But according to city staff, a car lift is considered a structure and would require an approval of a mod or variance, both which I believe are discretionary actions. This permit path seems like it is contrary to the State's intent which allows an ADU and presumably a carlift which is replacement parking for an ADU to be approved ministerially.

Thank you for your consideration of my comments and concern about neighborhood character of ADUs.

Cecilia Brown

ATTACHMENT C: COUNTY LUDC RESOLUTION AND ORDINANCE

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

IN THE MATTER OF RECOMMENDING TO THE BOARD)
OF SUPERVISORS THE ADOPTION OF AN AMENDMENT)
TO SECTION 35-1, THE SANTA BARBARA COUNTY)
LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35,)
ZONING, OF THE COUNTY CODE, AMENDING ARTICLE)
35.2, ZONES AND ALLOWABLE LAND USES, ARTICLE)
35.3, SITE PLANNING AND OTHER PROJECT) RESOLUTION NO.: 18 - 09
STANDARDS, ARTICLE 35.4, STANDARDS FOR SPECIFIC)
LAND USES, ARTICLE 35.7, SITE DEVELOPMENT) CASE NO.: 16ORD-00000-00014
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.)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Land Use and Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code.
- B. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 16ORD-00000-00014) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, to implement new regulations regarding the permitting of accessory dwelling units in compliance with State Government Code Section 65852.2.

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

- C. With certain exceptions as provided in the State Government Code, the proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Community and Area Plans, and the requirements of the State Planning, Zoning, and Development Laws.
- D. The proposed Ordinance is in the interest of the general community welfare since it will serve to implement the requirements of State law that promote the development of accessory dwelling units that will increase the supply of housing in the Coastal Zone portion of unincorporated Santa Barbara County.
- E. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the County Planning Commission Staff Report dated January 24, 2018.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the County Planning Commission.

PASSED, APPROVED AND ADOPTED this March 28, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DANIEL BLOUGH, CHAIR
SANTA BARBARA COUNTY PLANNING COMMISSION

ATTEST:

JEFFREY WILSON
SECRETARY TO THE COUNTY PLANNING COMMISSION

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. 16ORD-00000-00014

EXHIBIT 1: COUNTY LUDC ORDINANCE AMENDMENT

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, 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 Santa Barbara 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, Inland area.**
 - 1. AG-I zone.** Except as provided below in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), 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 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 (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 approval of a Land Use Permit 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 or Zoning Clearance 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 D.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).
 - (b) The gross floor area of one accessory dwelling unit on a single 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.

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 \(Design Review\)](#).

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 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 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 |
| 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 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 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 Agriculture I | AG-II 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 | 1 one-family dwelling per lot; plus 1 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 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. | 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 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 change Paragraph 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.** 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 Zoning Clearance in compliance with [Section 35.82.210 \(Zoning Clearance\)](#) 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 approval of a Land Use Permit 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 on a single lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).

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 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

| | | | | | |
|---|------|------|------|------|---------------------------|
| Accessory dwelling unit | S | S | S | S | 35.42.015 |
| Agricultural employee housing, 4 or fewer employees | MCUP | MCUP | — | — | 35.42.030 |
| Artist studio | MCUP | MCUP | MCUP | MCUP | 35.42.150 |
| Dwelling, one-family | P | P | P | P | |
| Farmworker dwelling unit | P | P | P | P | 35.42.135 |
| Farmworker housing complex | MCUP | MCUP | MCUP | 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 |
| Special care home, 7 or more clients | — | MCUP | MCUP | MCUP | 35.42.090 |
| Transitional and supportive housing | S | S | S | S | 35.42.090 |
| 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 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 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 | <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 | 1 one-family dwelling per lot; plus 1 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. | 1 one-family dwelling per lot; plus 1 accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units). | 1 one-family dwelling per lot; plus 1 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 | <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 | 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 7:

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 change Paragraph 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 Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) 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 in Subsection C.1.a (Final Development Plan not required for accessory dwelling units), Final Development Plan approval is required prior to the approval of a Land Use Permit 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 approval of a Land Use Permit 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 for the following.
 - a. One one-family dwelling and 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 on a single lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).
 - c. 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 on a single lot zoned SLP 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 on a single lot approved in compliance with Section 35.42.015 (Accessory Dwelling Units).
 - b. Orchards, vegetable and flower gardens, the raising of field crops and uses and structures accessory and customarily incidental thereto subject to the development standards of the PRD zone.

SECTION 8:

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 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 | S | | S | | S | | 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 | — | — | — | — | — | — | |
| 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 9:

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 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 | PERMIT REQUIRED BY ZONE | | | | | | | |
|--|-------------------------|--------|----|-------|------|-----|--------|--------------------------|
| | R-2 | R-2 CZ | DR | DR CZ | MR-O | PRD | PRD CZ | Specific Use Regulations |

RESIDENTIAL USES

| | | | | | | | | |
|--|------|------|--------|--------|------|------|------|-----------|
| Accessory dwelling unit | S | | S | | S | S | | 35.42.015 |
| 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 | | 35.42.135 |
| Farmworker housing complex | MCUP | | P | | — | — | | 35.42.135 |
| Guesthouse or artist studio | — | — | — | — | — | — | — | |
| Home occupation | P | P | P | P | P | P | P | 35.42.190 |
| 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 | 35.42.020 |
| Residential project convenience facilities | — | — | P | P | ZC | P | P | 35.42.220 |
| Special care home, 7 or more clients | MCUP | MCUP | MCUP | MCUP | MCUP | MCUP | MCUP | 35.42.090 |

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 10:

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 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 |
| 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 11:

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 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 Rural Residential Ranchette | R-1/E-1 Single Family Residential | EX-1 One-Family Exclusive Residential |
| Residential density | Maximum number of dwelling units allowed on a lot. The actual number of units allowed will be determined through subdivision or planning permit approval. | | |
| Maximum density | One one-family dwelling per lot; plus one accessory dwelling unit where allowed in compliance with Section 35.42.015 (Accessory Dwelling 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 | Minimum setbacks required. See Section 35.30.150 (Setback Requirements and Exceptions) for exceptions. Required building separation is between buildings on the same site. | | |
| 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 | 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. | | |
| Maximum height | 35 ft. Toro Canyon Plan area - 25 ft. for a residential structure. | 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). | 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 two-family dwelling per lot; plus one accessory dwelling unit per lot when accessory to a one-family dwelling 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 | MHP & MHP (CZ), 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 35.23.080 (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 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. | 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. | 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). | 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. | | |
| 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. | 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. | 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. | 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 12:

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 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 a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) as follows.
- 1. CN and C-1 zones.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit or 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 Land Use Permit or Zoning Clearance for buildings and structures that total 5,000 or more square feet in gross floor area or where onsite buildings and structures and outdoor areas designated for sales or storage total 20,000 square feet or more.
 - 3. CH zone.** Final Development Plan approval in compliance with [Section 35.82.080 \(Development Plans\)](#) is required prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading.
 - 4. CM-LA zone.** Final Development Plan approval is required for buildings and structures that total 15,000 or more square feet in gross floor area except for the development of one accessory dwelling unit on a lot approved 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 Land Use Permit or Zoning Clearance for all proposed development, including grading.

SECTION 13:

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 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 R egulations |
| | 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 14:

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 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 | | | |
|--|--|----|----|--------------------------|
| | PERMIT REQUIRED BY ZONE | | | |
| LAND USE (1) | | | | |
| | C-3 | CS | CH | CM-LA |
| | | | | Specific Use Regulations |

RESIDENTIAL USES

| | | | | | |
|--|------|------|------|------|-----------|
| Accessory dwelling unit | — | — | — | S | 35.42.015 |
| Caretaker/Manager dwelling | — | MCUP | P | — | 35.42.080 |
| Dwelling, one-family | — | — | — | P | |
| Dwelling, two-family | — | — | — | P | |
| Dwelling, multiple | — | — | — | P | |
| Emergency shelter | P | P | — | MCUP | |
| Farmworker dwelling unit | MCUP | — | — | P | 35.42.135 |
| Farmworker housing complex | — | — | (4) | — | 35.42.135 |
| Mixed use project residential component | MCUP | — | — | P | 35.42.200 |
| Monastery | CUP | CUP | CUP | — | |
| Residential accessory use or structure | MCUP | MCUP | P | P | 35.42.020 |
| 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 | 35.42.090 |
| Special care home, 7 or more clients | MCUP | MCUP | MCUP | MCUP | 35.42.090 |
| Transitional and supportive housing | S | MCUP | S | S | 35.42.090 |

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 15:

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 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 Limited Commercial | C-2 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 unit per existing lot); plus one accessory dwelling unit per lot when accessory to a one-family dwelling and where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units). | Section 35.42.200 (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. | 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 Highway Commercial |
| Minimum lot size | <i>Minimum area for lots proposed in new subdivisions.</i> | | |
| Area | None. | None. | 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 | 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 | <i>Maximum percentage of net site area covered by structures.</i> | | |
| Maximum coverage | No maximum. | No maximum. | 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. | 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 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); plus one accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units). | 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. | 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. | 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. | 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 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 16:

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 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.** Except as provided below in Subsection C.1.a, 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 approval of a Land Use Permit 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 approval of a Land Use Permit or Zoning Clearance in compliance with Section 35.42.015 (Accessory Dwelling Units), and does not require the approval of a Final Development Plan.

SECTION 17:

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 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) | | | | |
| LAND USE (1) | 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 | S | S | S (4) | S (4)(5) | S (4)(5) | 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 (6) | P (6) | P (5)(-6) | P (5)(6) | |
| Dwelling, two-family | — | — | P (5) | P (5) | P (5) | |
| Dwelling, multiple | P | — | P (5) | P (5) | P (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 (5) | P (5) | P (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 (5) | P (5) | P (5) | 35.42.020 |
| Residential project convenience facility | P | — | P (5) | — | — | 35.42.220 |
| 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 where the primary use is a one-family dwelling.
- (5) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-G/LC.
- (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.
- (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 18:

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 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

| | | | | | | |
|--|---|---|------|------|------|---------------------------|
| Accessory dwelling unit | — | | — | | | |
| 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 | — | — | — | | | |
| 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 19:

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 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 | <i>Minimum area for lots proposed in new subdivisions.</i> | | |
| Area | None. | None. | 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 | See Subsection 35.26.050 (MU Zone Additional Standards); plus 1 accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units). | See Section 35.26.060; plus 1 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. | See Subsection 35.26.070.A (Maximum lot size and density); plus 1 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 | 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. See Section 35.30.150 (Setback Requirements and Exceptions) if the rear of a site abuts an alley. |
| 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 | <i>Maximum percentage of site area covered by structures.</i> | | |
| Maximum coverage | None. | As determined by Final Development Plan. | 30% of net site area for residential structures. |
| 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. | 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 Public Works Utilities and Private Service Facilities |
| Minimum lot size | <i>Minimum area for lots proposed in new subdivisions.</i> | | |
| Area | 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 | See Subsection 35.26.070.A (Maximum lot size and density); plus 1 accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units). | See Subsection 35.26.070.A (Maximum lot size and density); plus 1 accessory dwelling unit per lot where allowed in compliance with Section 35.42.015 (Accessory Dwelling Units). | 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 | <i>Maximum percentage of net site area covered by structures.</i> | | |
| Maximum coverage | 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 | <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 | 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 Recreation |
| Minimum lot size | <i>Minimum area for lots proposed in new subdivisions.</i> |
| Area | 1 acre. |
| 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 | 1 caretaker dwelling. |
| 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) |
| 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. |
| Rear | Coastal Zone - 10 ft. Inland - 10 ft; 25 ft on a lot abutting a residential zone. |
| 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%. |
| 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. |
| Landscaping | See Chapter 35.34 (Landscaping Standards). |
| Parking | See Chapter 35.36 (Parking and Loading Standards). |
| Signs | See Chapter 35.38 (Sign Standards). |

SECTION 20:

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 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 21:

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

SECTION 22:

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 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, accessory dwelling units and residential accessory structures.
2. 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 23:

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 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 24:

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 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 25:

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 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) |
| Accessory dwelling unit | As determined by Section 35.42.015 (Accessory Dwelling Units). |
| Fraternities, sororities, dormitories and boarding and lodging houses | 1 space per 4 beds and 1 space per 2 employees |
| Guesthouse | 1 space per guesthouse |
| 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 |

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 26:

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 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:

- 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. When a garage, carport, or covered parking structure is converted or demolished in conjunction with the construction of an accessory dwelling unit, 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 27:

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 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 35.42.015 (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 28:

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 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 units 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 only one accessory dwelling unit, and shall be accessory to and be located on the same lot as an existing or proposed one-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 a Land Use Permit or Zoning Clearance, as applicable, shall be submitted in compliance with Section 35.80.030 (Application Preparation and Filing), and the Land Use Permit or Zoning Clearance shall be issued in compliance with Section 35.82.110 (Land Use Permits) or Section 35.82.210 (Zoning Clearances), as applicable.
 - (1) **Zoning Clearance required.** An application for an accessory dwelling unit that is in compliance with the development standards of Subsection F (Accessory dwelling units located entirely within existing buildings), below, may be permitted with a Zoning Clearance.
 - (2) **Land Use Permit 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), below, may be permitted with a Land Use Permit.

2. Ministerial review and review period.

- a. The Director shall consider an application for a Land Use Permit or Zoning Clearance for an accessory dwelling unit ministerially without discretionary review or hearing.
- a. The Director shall approve, conditionally approve, or deny an application for an accessory dwelling within 120 days following the submittal of an application for an accessory dwelling to the Department in compliance with Section 35.80.030 (Application Preparation and Filing).

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. Exclusion 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 E.1 or E.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.

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 E.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 E.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 and the Comprehensive Plan Land Use Element 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.

F. Accessory dwelling units located entirely within existing buildings. A permit for an accessory dwelling unit that is proposed to be located entirely within an existing one-family dwelling or an existing accessory building on a lot that contains an existing one-family dwelling at the time the application for the accessory dwelling unit is submitted shall not be issued unless it complies with all of the following development standards contained in this Subsection F (Accessory dwelling units located entirely within existing buildings) and in compliance with Subsection H (Additional development standards that apply to accessory dwelling units).

1. **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.
2. **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.
3. **Parking requirements.** Additional parking spaces are not required to be provided for accessory dwelling units permitted in compliance with this Subsection F (Accessory dwelling units located entirely within existing buildings).
4. **Setbacks.** No additional setback shall be required provided the existing side and rear setbacks are sufficient for fire safety purposes.

G. Accessory dwelling units located either partially within existing buildings or within new buildings. A permit for an accessory dwelling unit that is proposed to be located either partially or wholly within an addition to an existing one-family dwelling or existing accessory building, or is attached to a new one-family dwelling, or is located within a new accessory building, shall not be issued unless it complies with all of the following development standards contained in this Subsection G (Accessory dwelling units located either partially within existing buildings or within new buildings) and in Subsection H (Additional development standards that apply to accessory dwelling units).

1. **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, then 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.

2. **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.
3. **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).
4. **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 would exceed these height limits is located within:
 - (1) The existing space of a one-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 would 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 would 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 would 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 would be connected to a detached accessory structure and would 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 the 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 would 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).
5. **Historic Landmarks Advisory Commission.** If the Director determines that the accessory dwelling unit is proposed to be located entirely or partially within a building that is historically significant, then the Director may require that the application for an accessory dwelling unit shall 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.
6. **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 boundary 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.
7. **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 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.7.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.

8. Parking requirements.

- a. Except as provided in Subsection G.6.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 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 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.

- 9. **Setbacks.** An accessory dwelling unit shall comply with the setback regulations that apply to the principal dwelling except that 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.

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

- a. 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.9 (Tree protection), specimen trees are defined as mature native trees that are healthy and structurally sound and have grown into the natural stature particular to the species.
- 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 all accessory dwelling units.** The following development standards shall also apply to all applications for accessory dwelling units in addition to the development standards contained in Subsection F (Accessory dwelling units located entirely within

existing buildings) or Subsection G (Accessory dwelling units located either partially within existing buildings or within new buildings), 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. Notice. Notice of an application for an accessory dwelling unit shall be given in compliance with [Chapter 35.106 \(Noticing and Public Hearings\)](#).

1. Notice of applications for accessory dwelling units, and additions thereto, as may be allowed in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#) shall also include a statement that:
 - a. The grounds for appeal of an approved or conditionally approved Land Use Permit are limited to the demonstration that the project is inconsistent with the applicable development standards provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#), and
 - b. The Director shall not accept for processing an appeal of the Director's decision to approve or conditionally approve a Land Use Permit for an accessory dwelling unit if the appellant fails to identify how the approved or conditionally approved project is inconsistent with the applicable development standards provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).

J. Appeals. The action of the Director to approve, conditionally approve, or deny an application for an accessory dwelling unit is final subject to appeal in compliance with [Chapter 35.102 \(Appeals\)](#).

1. In addition to the requirements of [Chapter 35.102 \(Appeals\)](#):
 - a. The grounds for an appeal of a Land Use Permit for an accessory dwelling unit approved or conditionally approved in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#) shall be limited to whether the approved or conditionally approved project is consistent with the applicable development standards for accessory dwelling units provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#). If the approval or conditional approval of a Land Use Permit for an accessory dwelling unit is appealed, the appellant shall identify how the approved or conditionally approved project is inconsistent with development standards for accessory dwelling units provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).
 - b. The Director shall not accept for processing an appeal of the Director's decision to approve or conditionally approve a Land Use Permit for an accessory dwelling unit if the appellant fails to identify how the approved or conditionally approved project is inconsistent with the applicable development standards provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).

K. Revocation. Revocation of a Conditional Use Permit, Land Use Permit, or Zoning Clearance, for a accessory dwelling unit shall be in compliance with [Section 35.84.060 \(Revocations\)](#).

SECTION 29:

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 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.
 - 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.
 - 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 \(Accessory Dwelling Units\)](#).
 - e. Telecommunication facilities.** See Chapter 35.44 (Telecommunications Facilities) height limits and exception for commercial and noncommercial telecommunication facilities.

SECTION 30:

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 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 accessory structure, other than guesthouses, artist studios and cabañas (Section 35.42.150), may be located in the required rear setback provided that:
 - (a)** It is not attached to the principal structure.
 - (b)** It is located no closer than five feet to the principal structure.
 - (c)** It does not exceed 40 percent of the required rear setback.
 - (d)** It does not exceed a height of 12 feet.
 - (e)** If located on a corner lot backing on a key lot, the accessory structure shall be set back from the rear property line by a distance equal to the side setback requirement applicable to the key lot.
 - (f)** A swimming pool, spa, and appurtenant equipment shall not be located closer than five feet to any property line.
 - (g)** An accessory structure may otherwise be located adjacent to the rear property line provided that all other provisions (e.g., building code or fire code requirements for separation between structures) are complied with.

SECTION 31:

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

SECTION 32:

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 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 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.
 - 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 33:

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 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) accessory structures shall not be used for overnight accommodations.

SECTION 34:

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 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.
- 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 35:

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

SECTION 36:

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 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 37:

ARTICLE 35.7, Site Development Regulations, 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 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 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 37:

ARTICLE 35.8, Planning Permit Procedures, 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 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 Accessory Dwelling Units approved in compliance with Section 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 38:

ARTICLE 35.8, Planning Permit Procedures, 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 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 approval from the Director may be required in compliance with Section 35.42.015 (Accessory Dwelling Units).
- b. Decks.
- 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.
- d. Hot tubs, spas, and swimming pools.
- e. Interior alterations.
- f. Solar panels.
- g. Other exterior alterations determined to be minor by the Director.

SECTION 39:

ARTICLE 35.8, Planning Permit Procedures, 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 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 bicycle parking spaces be reduced,
 - (2) The number of spaces required for an accessory dwelling unit be reduced or be allowed to be located within the required front setback area.
 - (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.
 - (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.
 - (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 40:

ARTICLE 35.10, Land Use and Development Code Administration, 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 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 accessory dwelling units, agricultural employee dwellings, farmworker dwelling units, farmworker housing complexes, 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 41:

ARTICLE 35.10, Land Use and Development Code Administration, 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 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 42:

ARTICLE 35.10, Land Use and Development Code Administration, 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 change Subsection b, Appeals regarding residential second units, of Subsection 2, Additional requirements for certain appeals, of Subsection C, Requirements for contents of an appeal, of Section 35.102.020, General Appeal Procedures, of Chapter 35.102, Appeals, to read as follows:

b. Appeals regarding accessory dwelling units.

- (1) The grounds for an appeal of the approval or conditional approval of a Land Use Permit for an accessory dwelling unit in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#) shall be limited to whether the approved or conditionally approved project is in compliance with the applicable development standards for accessory dwelling units provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).
- (2) If the approval or conditional approval of a Land Use Permit for an accessory dwelling unit is appealed, the appellant shall identify how the approved or conditionally approved project is inconsistent with the applicable development standards for accessory dwelling units provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).
- (3) The Director shall not accept for processing an appeal of the Director's decision to approve or conditionally approve a Land Use Permit for an accessory dwelling unit if the appellant fails to identify how the approved or conditionally approved project is inconsistent with the applicable development standards for accessory dwelling units provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).

SECTION 43:

ARTICLE 35.10, Land Use and Development Code Administration, 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 change Subsection e of Subsection 1, By the Department, of Subsection A, Minimum requirements, of Section 35.106.050, Land Use Permits, of Chapter 35.106, Noticing and Public Hearings, to read as follows:

- e. The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below.
- (1) Notice of applications for accessory dwelling units, and additions thereto, as may be allowed in compliance with [Section 35.42.015 \(Accessory Dwelling Units\)](#) shall include a statement that:
 - (a) The grounds for appeal of an approved or conditionally approved Land Use Permit are limited to the demonstration that the project is inconsistent with the applicable development standards provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#), and
 - (b) The Director shall not accept for processing an appeal of the Director's decision to approve or conditionally approve a Land Use Permit for an accessory dwelling unit if the appellant fails to identify how the approved or conditionally approved project is inconsistent with the applicable development standards provided in [Section 35.42.015 \(Accessory Dwelling Units\)](#).

SECTION 44:

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 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. See Accessory Dwelling Unit.

SECTION 45:

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 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 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 46:

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 Phrases, of Chapter 35.110, Definitions, to delete the existing definitions of “Attached Residential Second Unit,” and “Detached Residential Second Unit.”

SECTION 47:

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 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 48:

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

Deborah Lopez

From: Paula Perotte
Sent: Monday, June 04, 2018 3:31 PM
To: Michelle Greene; Deborah Lopez; Peter Imhof
Subject: Fwd: ADU not so fair ordinance let's make it fair for all

FYI
Paula ~

Sent from my iPad

Begin forwarded message:

From: Kevin Barthel <tripperdog@hotmail.com>
Date: June 4, 2018 at 4:54:58 AM PDT
To: "mbennett@cityofgoleta.org" <mbennett@cityofgoleta.org>, "raceves@cityofgoleta.org" <raceves@cityofgoleta.org>, "pperotte@cityofgoleta.org" <pperotte@cityofgoleta.org>, "skasdin@cityofgoleta.org" <skasdin@cityofgoleta.org>, "krichards@cityofgoleta.org" <krichards@cityofgoleta.org>
Subject: Fw: ADU not so fair ordinance let's make it fair for all

Hello Mayor Paula and council members Roger, Michael, Stuart and Kyle

Please see the message below I sent to planning dept. Since you are decision makers I appreciate if you can find time to read my comments on ADUs. I will also have some comments to the ADU checklist before the 5th June meeting, I did a lot of thinking about this recently after seeing where the ordinance may go. I always run out of time speaking at those meetings, as a result I decided to put those thoughts in an email for the record and for your consideration in making this important decision.

Thanks,

Kevin Barthel

From: Kevin Barthel <tripperdog@hotmail.com>
Sent: Monday, June 4, 2018 3:35:30 AM
To: Jritterbeck@cityofgoleta.org; awells@cityofgoleta.org; pimhof@cityofgoleta.org
Subject: ADU not so fair ordinance let's make it fair for all

Hello Jay, Anne and Peter,

Since I just got back from 8 weeks away on a job in Varna Bulgaria I was not able to attend the Mar and April ADU workshops, and do not like where the ADU ordinance is going, seems not fair across the rooftops of Goleta. State law provided the possibility to build the ADU above an existing garage and did not micro-manage property owners who wish to add an ADU overall. Yes cities can add some limits but Goleta is busy tweaking state law's intent and making

an affordable housing option harder for property owners to build. For the record I am very vocal about saving our open space and mountain views and quality of life in Goleta when it comes to the all new developments on vacant land in goleta. That said, I am always careful to not tell existing single family home property owners what they can and cannot do. If people want to so many rules like a PUD then I say please go live in one Goleta has several options now. But the common neighborhoods of Goleta are not PUDs so property owners should be able to improve their homes or in this case use California state law to build an ADU as the law intends and the rules should be fair for all especially the above the garage or above dwelling addition ADU. At one city council meeting last fall I requested the council to embrace this ADU law, keep the fees low and don't over constrict the rules or the law that was passed. And I still feel that way.

FYI, Only 5% of the Goleta single family homes will ever build an ADU if the surveys are correct. Even since the state law only 3 have applied in goleta so far. So there is not a rush to build and destroy neighborhoods like some fear. That is just not reality.

Current Goleta wording has morphed to say the ADU cannot exceed the existing dwelling height. So that means an existing second story house could build an ADU above a garage or dwelling to join existing second story upto 35 feet per the zoning code. And a property owner like me, not in a PUD, and those with an existing 15 feet roof top height single story could not build an ADU above the garage or above the dwelling at all with the 12 and 16 feet limits in current wording. Where is the fairness in that? Saying a single story property owner can do a two step process first apply for a modification then convert to an ADU is a weak way forward and adds even more cost. It should be an ADU from the get go, no tricks, keep it above board, not more difficult from the start. After some research and thought and my own design concepts I have a way forward that I feel is fair to ALL. But to be fair some must give in order to take.

I am going to the council meeting to propose a compromise that is fair to ALL existing single and two story dwellings. My proposal: ALL attached ADUs shall have same max height limits for an addition. That being the attached (not for detached type) ADU height shall not exceed 24 feet if above a garage or existing dwelling or new construction if inside all setbacks. This would not allow an existing 2 story to become one big 35 foot tall setback to setback box on top of a garage and/or dwelling like the current wording would allow. To be fair to ALL who wish to apply the ADU law the max 24 feet would enable a single story property owner to include and incorporate a loft type office or sleeping space. The latest draft mentions a loft but architects have told me 22 to 24 feet, depends on roof pitch, is needed for a loft to meet code as habitable space. The most vocal seems to be Inga Cox and I understand her efforts to limit the ADU less than 2 story, which could be 35 feet even in Goleta's new zoning code. Curiously this not so fair restriction will only serve to limit single story not an existing two story new addition ADUs. I talked to my neighbors and others over the weekend and they agreed a 24 foot max height for all new addition or portions of an ADU's not under existing roof was a good compromise for ADU's. Push the existing second story height limit down 11 feet and up 8 feet for single story homeowner for new attached addition/construction ADUs. Yes the new addition should blend in with the existing with some nice design elements. Out of the last 6 houses on my street Daytona 4 are already 2nd story. So my neighbors can build even more on top or second story with the current proposal at full 35 feet height. In other words, If the city of goleta is going to allow ADU's on existing 2 story then let's reduce the max of 35 feet by 11 feet to 24 feet for new construction so there will not be a huge box which is exactly what those trying to limit heights are trying to prevent. And for an existing single story the ADU can pop the roof tip up 8 feet to accommodate a loft which is not considered a 2nd story. And would not impact like a 35 foot second story in the neighborhood. A loft roof pop up design does not have to be increased for the whole ADU below. Could be an increased roof on less than 50 % of an existing garage and

set back or less than 25% of a dwelling roof for example. Latest goleta height limit wording at 12 or 16 feet w/solar is not enough for a legal loft even its mentioned in the proposed ordinance. So allowing 35 feet is perhaps to much for some even the state law would allow it and even ok would be my first choice. But in the spirit of compromise I recommend 24 feet max roof height for all new ADUs additions. Also to keep the ADU footprints down my 24 feet max height compromise for all new ADU construction will help since a livable loft could be possible. Other wise people will build right up to the set backs and be too close to each other. The floor area of the loft can count towards to ADU square footage with a 24 feet height limit. Both the DRB and Planning commission chairs warned against unintended consequences of the proposed height limits as currently worded. I watched all the hearings over the weekend and did not see unanimous agreements on the rules as proposed in the Goleta council 5 June agenda. So I would like to add my comments to the process. I approached this recommendation to make it fair not lop sided in favor of second stories. To be honest getting goleta water to serve and the cost of building an ADU at 200 to 400 Sq ft are already big hurdles so let's not enable the city to be a third big hurdle.

Thank you for taking the time to read my comments. I will be sending more formal comments to the check list prior to the meeting on Tuesday. And plan to speak at the hearing 5 June. I sincerely hope the DRB and PLANNING commission are able to join the council meeting as Anne wells told them. I feel they all would like to hear more feed back...

Sincerely,

Kevin Barthel
489 Daytona Drive
Goleta CA
805 708 7777