

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



Th13b

DATE: November 21, 2017

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Executive Director
Steve Hudson, Deputy Director
Barbara Carey, District Manager
Deanna Christensen, Supervising Coastal Program Analyst
Megan Sinkula, Coastal Program Analyst

SUBJECT: **County of Santa Barbara Minor LCP Amendment No. LCP-4-STB-17-0060-2** (Transitional and Supportive Housing) for Commission Action at its December 14, 2017 hearing in Dana Point.

AMENDMENT DESCRIPTION

The County of Santa Barbara is requesting that the Commission certify an amendment to the Implementation Plan/Coastal Zoning Ordinance (IP/CZO) portion of the County of Santa Barbara's certified Local Coastal Program (LCP). The IP/CZO amendment will amend the regulations and development standards to encourage new transitional and supportive housing developments. Specifically, the LCP amendment will add definitions for supportive housing, target population, and transitional housing, amend the allowed uses to clarify that transitional and supportive housing are allowed within all zones in which other residential uses are currently allowed, and add a new subsection to the IP/CZO that provides details regarding permit requirements and development standards for transitional and supportive housing.

MINOR LCP AMENDMENT DETERMINATION

Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) and (d) of the Commission's Regulations, the Executive Director has determined that the proposed amendment is "minor" in nature. Section 13554(a) of the Regulations provides that a minor amendment includes, but is not limited to, changes which make the use as designated in implementing actions more specific, changes that do not affect the kind, intensity, or density of use, and changes that are consistent with the certified Land Use Plan. Section 13554(c) of the Regulations further provides that a minor amendment may include changes such as corrections, reorganization, revisions, or deletion of certified language that does not change the kind, location, intensity or density of use or modify resource protection measures, and additions or revisions to certified policies which further restrict uses that may adversely affect coastal resources if the additions and/or revisions do not conflict with Chapter 3 of the Coastal Act.

The County's proposed amendment includes clarifications and minor additions to regulations and development standards for transitional and supportive housing within the County's certified

IP/CZO, and the amendment does not propose any rezoning or land use changes. The subject amendment request, submitted via County Board of Supervisors Resolutions No. 17-183 (Exhibit 1) and reflected in Ordinance No. 5004 (Exhibit 2), represents changes to make the County's development regulations more specific and encourage the development of transitional and supportive housing, which do not change the kind, location, intensity or density of land uses allowed. Further, the changes proposed in the subject amendment are consistent with the certified Land Use Plan and the requirements of Chapter 3 of the Coastal Act. Therefore, the proposed amendment is considered "minor" as defined under Section 13554 of the Commission's regulations.

PROCEDURES

Pursuant to Section 13551(b) of Title 14 of the California Code of Regulations, a local government may submit a proposed amendment either as an amendment that will take effect automatically upon Commission approval or as an amendment that will require formal local government adoption after Commission approval. In this case, the County's Resolution No. 17-183 states that the amendment will take effect automatically upon Commission approval. If one third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed in accordance with 14 CCR Section 13555(b).

PUBLIC NOTICE

Section 13555 of Title 14 of the California Code of Regulations requires the Executive Director to prepare a report describing the proposed amendment and providing notice of the Executive Director's determination that the amendment is of a "minor" nature. Section 13555 also requires the Executive Director to report to the Commission at the next meeting, his or her determination and objections to the determination, if any, that have been received within 10 working days. If one third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed in accordance with Section 13555(b).

Notification of the proposed amendment will be mailed on November 27, 2017. The ten working-day objection period will therefore terminate on December 11, 2017. The Commission will be notified at the December 2017 hearing of any objections.

Also, Section 30503 of the Coastal Act requires that maximum opportunities for public input be provided in preparation, approval, certification and amendment of any LCP. Public outreach for the LCP amendment included the creation of a webpage containing information regarding the amendment, placement of notices within regional newspapers, sending notices to community organizations and groups, a staff presentation at the Joint Cities-County Affordable Housing Task Group meeting on April 27, 2017, and public hearings held by the Montecito Planning Commission on April 12, 2017 and May 3, 2017. The hearings were noticed to the public consistent with Section 13515 of the Title 14 of the California Code of Regulations and the County provided evidence of the measures taken to provide notice of their hearings, consistent

with Section 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

ATTACHMENT 1: RESOLUTION OF THE BOARD OF SUPERVISORS

COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF SUBMITTING TO THE)
CALIFORNIA COASTAL COMMISSION FOR) RESOLUTION NO. 17 - 183
REVIEW AND CERTIFICATION AN AMENDMENT)
TO THE SANTA BARBARA COUNTY LOCAL) Case No.: 17ORD-00000-00003
COASTAL PROGRAM.)

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors adopted the Santa Barbara County Coastal Land Use Plan; and
- B. On July 19, 1982, by Ordinance No. 3312, the Board of Supervisors adopted Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35 of the Santa Barbara County Code; and
- C. The Board of Supervisors, having found it to be 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 adopted the following amendment to the Santa Barbara County Local Coastal Program:
 1. On June 20, 2017, the Board of Supervisors adopted Ordinance No. 5004 (Case No. 17ORD-00000-00003) amending Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the permitting of transitional and supportive housing in compliance with Government Code Section 65583(a)(5).

Ordinance No. 5004 is attached as Exhibit A and is incorporated herein by reference.
- D. This amendment to the Local Coastal Program is consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, the Comprehensive Plan, including all community and area plans, and the requirements of state planning and zoning laws.
- E. On June 20, 2017, the Board of Supervisors held a duly noticed public hearing, as required by Government Code Section 65856, on the proposed ordinance amendment at which hearing the proposed ordinance amendment was explained and comments invited from the persons in attendance.
- F. The Board of Supervisors now wishes to submit the amendment to the California Coastal Commission (CCC) for certification as a minor amendment to the Santa Barbara Local Coastal Program in compliance with California Public Resources Code, Title 14, Section 30514(c) and the California Code of Regulations Section 13554.
- G. The Board of Supervisors also requests that this amendment take effect immediately upon approval by the CCC without further action by the Board of Supervisors in compliance with the California Code of Regulations, Title 14, Section 13551(b).

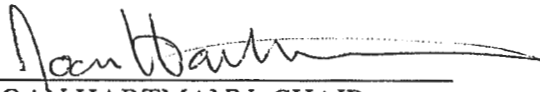
Resolution for Submittal of a Minor Local Coastal Program Amendment to the California Coastal Commission
Board of Supervisors
Hearing Date: September 12, 2017
Attachment 1 – Page 2

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Government Code Section 65857 and Public Resources Code Section 30514, the Board of Supervisors adopted the above described change in Ordinance No. 5004 as an amendment to the Santa Barbara County Local Coastal Program.
3. The Board of Supervisors certifies that this amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act.
4. The Board of Supervisors directs the Planning and Development Department to submit this Local Coastal Program amendment to the CCC for review and certification.
5. The Chair and the Clerk of this Board are hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 12th day of September, 2017, by the following vote:

AYES: Supervisors Williams, Wolf, Hartmann, Adam, and Lavagnino
 NOES: None
 ABSTAIN: None
 ABSENT: None



 JOAN HARTMANN, CHAIR
 BOARD OF SUPERVISORS
 COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By 

 Deputy Clerk

Resolution for Submittal of a Minor Local Coastal Program Amendment to the California Coastal Commission
Board of Supervisors
Hearing Date: September 12, 2017
Attachment 1 – Page 3

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By

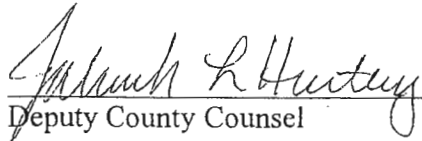

Deputy County Counsel

Exhibit A – Ordinance No. 5004 (Case No. 17ORD-00000-00003)

G:\GROUP\COMP\Comp Plan Elements\Housing\2015-23 Housing Element\Housing Element Implementation\Program 2.8 - Transitional and Supportive
Housing\Hearings\BOS (Admin Agenda)\Attachment 1 - BOS Reso.doc

OCT 16 2017

ATTACHMENT 7: COASTAL ZONING ORDINANCE AMENDMENTS

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, AND DIVISION 7, GENERAL REGULATIONS, TO IMPLEMENT NEW REGULATIONS REGARDING THE PERMITTING OF TRANSITIONAL AND SUPPORTIVE HOUSING.

Case No. 17ORD-00000-00003

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

SECTION 1:

DIVISION 2, Definitions, of Article II, the Coastal Zoning Ordinance (CZO), of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-58, Definitions, to revise the definition of "Special Care Home" and add the following definitions of "Supportive Housing," "Target Population," and "Transitional Housing" to read as follows:

Special Care Home: A residential home providing non-medical care and supervision (also known as a "Group Home-Children," "Transitional Home-Housing, including substance abuse recovery," "Adult Residential Home," "Supportive Housing," "Residential Care Facility for the Elderly or Handicapped," or "Foster Home." Note: Homes which serve six or fewer persons shall be considered a residential use, subject to the regulations for any other residential dwelling in the applicable zone, and the residents and operators of the home shall be considered a family.

Supportive Housing: Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (See Government Code Section 65582(g).)

Target Population: Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. (See Government Code Section 65582(i).)

Transitional Housing: Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. (See Government Code Section 65582(j).)

SECTION 2:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-68.3, Permitted Uses, of Section 35-68, AG-I – Agriculture I, to read as follows:

Section 35-68.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
8. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.
9. One Attached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10 or AG-I-20, subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
142. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 3:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-69.3, Permitted Uses, of Section 35-69, AG-II – Agriculture II, to read as follows:

Section 35-69.3 Permitted Uses.

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this Section 35-69.
2. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
3. Commercial boarding of animals.
4. Private and/or commercial kennels.

5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
6. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use located on the same lot.
7. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).
8. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
9. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
10. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot.
11. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
12. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
123. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 4:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-70.3, Permitted Uses, of Section 35-70, RR – Rural Residential, to read as follows:

Section 35-70.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-70.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich, or other livestock not specifically enumerated herein; or three goats, hogs; shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no event shall more than three hogs be kept on any such lot.
3. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
4. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
5. One guest house or artist studio per legal lot, subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
6. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.

7. Greenhouses, hothouses, or other plant protection structures not exceeding 300 square feet.
8. The keeping of animals and poultry subject to the R-1/E-1 provisions of Section 35-71.12, Subsections 3. through 9., only (Animals).
9. One Attached or Detached Residential Second Unit per legal lot subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
142. Uses, buildings and structures which are customarily incidental to the above uses.

SECTION 5:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-71.3, Permitted Uses, of Section 35-71, R-1/E-1 – Single-Family Residential, to read as follows:

Section 35-71.3 Permitted Uses

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141.
2. One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
3. Home occupations subject to the provisions of Section 35-121. (General Regulations) and accessory to a residential use of the same lot.
4. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
5. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
6. The keeping of animals and poultry accessory to the primary residential use located on the same lot and subject to the provisions of Section 35-71.12.
7. Public parks, public playgrounds, and community centers operated by a public agency.
8. One Attached or Detached Residential Second Unit subject to the provisions of Section 35-142 (Residential Second Units).
9. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
10. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

101. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 6:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-72.3, Permitted Uses, of Section 35-72, R-2 – Two Family Residential, to read as follows:

Section 35-72.3 Permitted Uses

1. One single family dwelling or one two family dwelling, i.e., duplex, per legal lot.
2. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
3. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
34. Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.
45. Orchards, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
56. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
67. The keeping of animals and poultry accessory to a residential use located on the same lot and subject to the provisions of Section 35-71.12 (R-1/E-1, Animals).
78. Public parks, public playgrounds, and community centers operated by public agencies.
89. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 7:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-73.3, Permitted Uses, of Section 35-73, EX-1 – One-Family Exclusive Residential, to read as follows:

Section 35-73.3 Permitted Uses.

1. One single-family dwelling per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, and subject to the provisions of Section 35-141 (General Regulations). Except as provided herein, trailers in any condition

shall not be used for any purpose.

2. One guest house or artist studio, subject to the provisions in Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
3. Golf courses and facilities incidental and subordinate to such use (e.g., restaurant, pro shop) but not including commercial driving tees, ranges, putting courses or miniature golf courses.
4. Parks, playgrounds, and community facilities operated by a non-profit homeowners association.
5. Orchards, truck and flower gardens, and the raising of field crops.
6. Greenhouses, hothouses, and other plant protection subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
7. The keeping of animals and poultry subject to the provisions of Section 35-71.12 and accessory to the primary residential use of the same lot.
8. Home occupations subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.
9. One Attached or Detached Residential Second Unit subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
142. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 8:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-74.4, Permitted Uses, of Section 35-74, DR – Design Residential, to read as follows:

Section 35-74.4 Permitted Uses.

1. Single family, duplex, triplex, and multi-family dwelling units, including developments commonly known as row houses, town houses, condominiums, cluster, and community apartment projects.
2. Parking lots, carports, and garages designed and used for individual units within the district and either adjacent to such units or centrally located to serve a group of units.
3. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-74.4, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
4. Golf courses.

5. Public parks, public playgrounds, and community centers.
6. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use of the same lot.)
7. The keeping of animals accessory to a residential use located on the same lot and subject to the provisions of Section 35-419.12 (R-1/E-1, Animals).
8. Greenhouses, hothouses, and other plant protection structures subject to all of the following:
 - a. The structure is accessory to either a residential or agricultural use of the same lot.
 - b. The structure shall not exceed a gross floor area of 300 square feet.
 - c. The structure is used only for the propagation and cultivation of plants.
 - d. No advertising sign, commercial display room, or sales stand is maintained on the same lot in connection therewith.
9. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
10. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
101. Uses, buildings, and structures accessory and customarily incidental to the above uses. When accessory to dwellings, said uses, buildings and structures shall be for the exclusive use of the residents of the premises and their guests and shall not involve the maintenance of a commercial enterprise on the premises.

SECTION 9:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-75.7, Permitted Uses, of Section 35-75, PRD – Planned Residential Development, to read as follows:

Section 35-75.7 Permitted Uses.

1. Residential units, either attached or detached, including single family dwellings, duplexes, row houses, town houses, apartments, and condominiums.
2. Recreational facilities, including but not limited to tennis courts, swimming pools, playgrounds, and parks for the private use of the residents of the development, provided such facilities are not operated for remuneration.
3. Laundromat, meeting rooms, for use by residents of the development.
4. Where required by the Coastal Land Use Plan, resort visitor-serving facilities.
5. Home Occupations, subject to the provisions of Section 35-121 (General Regulations).
6. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-75.7, for use by on-site residents and/or employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
7. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
8. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
89. The keeping of household pets accessory to a residential use of a dwelling located on the lot on which the animal keeping occurs provided that:

- a. There shall not be more than three dogs permitted on any one lot.
- b. Such animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.
- c. The keeping of such animals is not injurious to the health, safety or welfare of the neighborhood and does not create offensive noise or odor as determined by the Director after advice from the Animal Services Division of the County Public Health Department.
- d. Enclosures for such small animals shall be no closer than 25 feet to any dwelling located on another lot.
- e. No rooster or peacock shall be kept or raised on the lot.

910. Uses, buildings, and structures accessory and customarily incidental to the above uses.

SECTION 10:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-76.4, Permitted Uses, of Section 35-76, SR-M – Medium Density Student Residential, to read as follows:

Section 35-76.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi-unit dwellings.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
23. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
34. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
45. Public parks, public playgrounds, and community centers.
56. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
67. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
78. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
89. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-76.4, for use by on-site residents and/or employees of the development; when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.

SECTION 11:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-77.4, Permitted Uses, of Section 35-77, SR-H – High

Density Student Residential, to read as follows:

Section 35-77.4 Permitted Uses.

1. One single family dwelling unit, one two-family dwelling or multi unit dwellings.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
23. Dormitories, student housing facilities, residence halls, sororities and fraternities located in an area where such facilities are to be used by students of an educational institution.
34. Parking lots, carports, and garages designed and used for individual units within the development and either adjacent to such units or centrally located to serve a group of units. The required parking may be located on lots within 500 feet of the lot containing the development requiring such parking, subject to conditions which will insure permanent maintenance of such parking spaces so long as the development exists.
45. Accessory uses, buildings, and structures which are incidental, and subordinate to, permitted uses and not involving the maintenance of a commercial enterprise on the premises.
56. Public parks, public playgrounds, and community centers.
67. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
78. Orchard, truck and flower gardens, and the raising of field crops, provided there is no sale on the property of the products produced.
89. Greenhouses, hothouses, and other plant protection structures not exceeding 300 square feet, used only for the propagation and cultivation of plants, provided no advertising sign, commercial display room, or sales stand is maintained in connection therewith.
910. Non-Residential Child Care Centers, that are accessory and subordinate to uses permitted by this Section 35-77.4, for use by on-site employees of the development, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
101. Emergency Shelter.

SECTION 12:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-77A.3, Permitted Uses, of Section 35-77A, C-1 – Limited Commercial, to read as follows:

Section 35-77A.3 Permitted Uses.

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical

- fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
 4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
 5. Retail Plant nurseries.
 6. Community non-profit recycling facility.
 7. Child Care Facilities.
 8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, and Section 35-71 (R-1/E-1).
 9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
 10. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
 101. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration.
 142. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
 123. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
 - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.
 - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

SECTION 13:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-78.5, Uses Permitted With a Minor Conditional Use Permit, of Section 35-78, C-2 – Retail Commercial, to read as follows:

Section 35-78.5 Uses Permitted With a Minor Conditional Use Permit.

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Automobile and machinery repair and service conducted partially or wholly outdoors.
3. Boat sales yard and boat repair and services, but not including painting or junk yards for boats.
4. Cabinet shop.
5. Cleaning and dyeing establishment.
6. Electrical shop.
7. Frozen food locker as part of a retail store.

8. Furniture repair and upholstery.
9. Handicraft-type industries subject to the provisions of Section 35-172.11 (Conditional Use Permits).
10. Lumber and building materials sales yard.
11. Mechanical car wash.
12. Plumbing, heating, and ventilating shop.
13. Pump sales and service.
14. Outdoor sale of pool supplies, patio furniture, and spas.
15. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
16. Sales or storage lot for trailers, including trailers used for carrying property, and recreational vehicles.
17. Sign painting shop.
18. Trailer rentals, including trailers used for carrying property, and truck rentals.
19. Welding and small tool machine shop.
20. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
21. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
242. Certified Farmer's Market.
223. Emergency Shelter.
234. Single Room Occupancy Facility.

SECTION 14:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-80.5, Uses Permitted With a Minor Conditional Use Permit, of Section 35-80, CH – Highway Commercial, to read as follows:

Section 35-80.5 Uses Permitted With a Minor Conditional Use Permit.

1. Commercial driving tees, putting ranges, and golf courses.
2. Truck service station (defined as a place of business primarily engaged in providing service station facilities for cargo vehicles.).
3. Mechanical car washes, except where the property abuts a residential district, subject to the construction of masonry walls, fencing, installation of landscaping, and other methods of reducing noise effects on abutting property, and subject to such controls over access, parking, and landscaping as will make such use compatible with adjacent uses.
4. Residences provided the residential use is secondary to a primary commercial use on the same lot.
5. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

SECTION 15:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-81.7, Uses Permitted With a Minor Conditional Use Permit, of Section 35-81, C-V – Resort/Visitor Serving Commercial, to read as follows:

Section 35-81.7 Uses Permitted With a Minor Conditional Use Permit.

1. Residences, provided the residential use is secondary to a primary commercial use on the same lot.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

SECTION 16:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-83.6, Uses Permitted With a Minor Conditional Use Permit, of Section 35-83 titled, PI – Professional and Institutional, to read as follows:

Section 35-83.6 Uses Permitted With a Minor Conditional Use Permit.

1. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
3. Certified Farmer's Market.

SECTION 17:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-87.4, Uses Permitted With a Major Conditional Use Permit, of Section 35-87 titled, M-CD – Coastal Dependent Industry, to read as follows:

Section 35-87.4 Uses Permitted With a Major Conditional Use Permit.

1. Dwellings for employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is to be located.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

SECTION 18:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-89.7, Uses Permitted With a Minor Conditional Use Permit, of Section 35-89 titled, REC – Recreation District, to read as follows:

Section 35-89.7 Uses Permitted With a Minor Conditional Use Permit.

1. Residential structures for a caretaker.

2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

SECTION 19:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-90.3, Permitted Uses, of Section 35-90, RES – Resource Management, to read as follows:

Section 35-90.3 Permitted Uses.

1. One single family dwelling per legal lot.
2. One guest house subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
3. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
34. The non-commercial keeping of animals and poultry accessory to the primary residential use located on the same lot.
45. Agricultural grazing.
56. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 20:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-91.4, Permitted Uses, of Section 35-91, MHP – Mobile Home Park, to read as follows:

Section 35-91.4 Permitted Uses.

1. Mobile Home Park.
2. Recreational facilities for the use of the residents of the park.
3. Accessory uses, structures, and buildings which are customarily incidental and subordinate to the uses permitted in this district.
4. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

SECTION 21:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-92.4, Uses Permitted With a Major Conditional Use Permit, of Section 35-92, M-CR – Coastal Related Industry, to read as follows:

Section 35-92.4 Uses Permitted With a Major Conditional Use Permit.

1. Dwellings for employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is to be located.
2. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and

Supportive Housing).

SECTION 22:

DIVISION 4, Zoning Districts, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-93A.3, Permitted Uses, of Section 35-93A, MT-TORO – Mountainous Area – Toro Canyon Planning Area, to read as follows:

Section 35-93A.3 Permitted Uses.

1. One single-family dwelling per legal lot.
2. One guest house subject to the provisions of Section 35-120 (General Regulations).
3. The non-commercial keeping of animals and poultry.
4. Cultivated agriculture, vineyard, or orchard when there is evidence of permitted or legal non-conforming use within the previous ten-year period.
5. Home occupations, subject to the provisions of Section 35-121 (General Regulations).
6. Accessory uses, buildings and structures that are customarily incidental to the above uses.
7. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).

SECTION 23:

DIVISION 7, General Regulations, of Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-143, Community Care Facilities, to add a new Subsection 35-143.5 titled “Transitional and Supportive Housing” and to read as follows:

Section 35-143.5 Transitional and Supportive Housing.

1. Considered a residential use. In compliance with Government Code Section 65583(a)(5), transitional and supportive housing shall be considered residential uses of property, and the residents and operators of the housing shall be considered a family as this term is used in this Article in relation to the residential use of property.
2. Dwelling types. For the purposes of this Subsection 34-143.5 (Transitional and Supportive Housing), the term dwelling includes one-family dwellings, two-family dwellings, multiple dwellings, residential second units, single-room occupancy facilities, special care homes, agricultural employee housing, farmworker housing, caretaker units, mobilehomes, including mobilehomes located in mobilehome parks, and including units in stock cooperatives, community apartments, condominiums, townhouses, and planned unit developments.
3. Subject to same permit requirements and development standards. Except when a specific permit type is identified within Division 4 (Zoning Districts) or Division 7 (General Regulations), transitional housing and supportive housing shall be allowed in any dwelling (residential use) allowed in a specific zone, subject to the same permit requirements (e.g., Coastal Development Permit or Conditional Use Permit) and the same development standards and occupancy restrictions that apply to the same type of dwelling that will be used for transitional housing or supportive housing in the same zone.
4. Reasonable accommodation. The requirements of this Article may be modified in compliance with Section 35-144Q (Reasonable Accommodation) if necessary to comply with the Federal Fair Housing Act and the California Fair Employment and Housing Act relating to accommodations for persons with

disabilities including allowances for structural installations that are necessary to accommodate disabled residents (e.g., handrails, lifts, and ramps).

5. Allowable restrictions.

- a. Transitional and supportive housing shall comply with County ordinances, including restrictions on structure height, setbacks, lot dimensions, and placement of signs, as long as such restrictions are identical to those applied to other dwellings of the same type in the same zone.
- b. Supportive services provided onsite shall only serve residents of that particular housing project who are members of the target population.
- c. Pursuant to Government Code Section 65589.5(d), the County shall not disapprove a transitional or supportive housing project for very low, low-, or moderate-income households, or condition approval in a manner that renders the project infeasible for development for the use of very low, low-, or moderate-income households, including through the use of design review standards, unless it makes written findings, based upon substantial evidence in the record, as to one of the findings in Government Code Sections 65589.5(d)(1) through (5).
- d. Pursuant to Government Code Section 65589.5(j), if the County proposes to disapprove a transitional or supportive housing project or approve it upon the condition that the project be developed at a lower density, the County shall base its decision regarding the proposed project upon written findings supported by substantial evidence on the record that both of the conditions in Government Code Section 65589.5(j)(1) and (2) exist.

6. Fees. Transitional and supportive housing shall not be subject to any local business taxes, local registration fees, use permit fees, or other fees to which other dwellings of the same type in the same zone are not likewise subject.

7. Not a change in occupancy. The use of a dwelling for purposes of transitional or supportive housing shall not constitute a change of occupancy for purposes of local building codes.

8. Processing.

- a. Transitional and supportive housing shall be considered residential uses and may be allowed in compliance with Division 4 (Zoning Districts) and Government Code Section 65583(a)(5). No Conditional Use Permit, Variance, or other planning permit shall be required of transitional or supportive housing that is not required of a dwelling of the same type in the same zone.
- b. If required, notice of the application and pending decision on a permit for transitional or supportive housing shall be given in compliance with Section 35-181 (Noticing).
- c. When transitional or supportive housing is proposed to be located in a zone where the residential use requires a Conditional Use Permit, an additional Conditional Use Permit is not required for the housing if the residential use has obtained the necessary Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits).

SECTION 24:

All existing indices, section references, and figure and table numbers contained in Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 25:

Except as amended by this Ordinance, Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, Article II, the CZO, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 26:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or 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 _____, 2017, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

JOAN HARTMANN, 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

Case No. 17ORD-00000-00003
Board of Supervisors
Departmental Agenda Date: June 20, 2017
Attachment 7 – Page 17

G:\GROUP\COMP\Comp Plan Elements\Housing\2015-23 Housing Element\Housing Element Implementation\Program 2.8 - Transitional and Supportive Housing\Hearings\BOS 6.20.17\Attachment 7 - CZO Ordinance.docx