

Proposed Amendments to SBMC Title 30 Related to Accessory Dwelling Units
Ordinance Committee Draft – 02/15/18

Division II: Zone Regulations
Part 1: Base Zones

Chapter 30.20 Residential Zones

TABLE 30.20.020: LAND USE REGULATIONS–RESIDENTIAL ZONES					
“A” Allowed Use “PSP” Performance Standard Permit Required “CUP” Conditional Use Permit Required			“–” Use Not Allowed “(#)” Specific Limitations at the end of the table		
Use Classification	RS	R-2	R-M	R-MH	Additional Regulations
Residential Uses					
Residential Housing Types					
Single-Unit Residential	A	A	A	A	§30.185.040, Accessory Dwelling Unit
Two-Unit Residential	–	A	A	A	
Multi-Unit Residential	–	A(1)	A	A	
Special Residential Unit Types					
Accessory Dwelling Unit	A	A	A	A	§30.185.040, Accessory Dwelling Units
Additional Residential Unit	PSP	–	–	–	§30.185.050, Additional Residential Unit

TABLE 30.20.030.A: DEVELOPMENT STANDARDS–RESIDENTIAL SINGLE UNIT ZONES						
Zone	RS-1A	RS-25	RS-15	RS-10	RS-7.5	RS-6
Lot Size and Street Frontage						
Minimum Net Lot Area for Newly Created Lots (sq. ft. unless noted)						
Average Slope less than 10%, and all lots with frontage on the Pacific Ocean regardless of slope	1 acre	25,000	15,000	10,000	7,500	6,000
Average Slope 10% to 20%	1.5 acre	37,500	22,500	15,000	11,250	9,000
Average Slope over 20% to 30%	2 acres	50,000	30,000	20,000	15,000	12,000
Average Slope over 30%	3 acres	75,000	45,000	30,000	22,500	18,000
Minimum Public Street Frontage (ft.)	100	100	90	75	60	60
	See also §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines					
Maximum Base Residential Density						
Maximum Density (per lot)	1 unit	1 unit	1 unit	1 unit	1 unit	1 unit

TABLE 30.20.030.A: DEVELOPMENT STANDARDS–RESIDENTIAL SINGLE UNIT ZONES						
Zone	RS-1A	RS-25	RS-15	RS-10	RS-7.5	RS-6
Additional Residential Density Allowances						
All lots, in compliance with the applicable section	See §30.185.050, Additional Residential Unit See §30.185.040, Accessory Dwelling Units See Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives					
Maximum Floor Area						
Maximum Floor Area (Floor to Lot Area Ratio) (sq. ft.)	Applicable only to lots developed, or proposed to be developed, with a building with two or more stories or 17 feet or more in height.					
<i>Less than 4,000 sq. ft. Net Lot Area</i>	2,200. See also A, Maximum Floor Area (Floor to Lot Area Ratio)					
<i>4,000 to 9,999 sq. ft. Net Lot Area</i>	1,200 + (.25 multiplied by the net lot area) = Maximum Floor Area. See also (A), Maximum Floor Area (Floor to Lot Area Ratio)					
<i>10,000 to 14,999 sq. ft. Net Lot Area</i>	2,500 + (.125 multiplied by the net lot area) = Maximum Floor Area. See also A, Maximum Floor Area (Floor to Lot Area Ratio)					
<i>15,000 and more sq. ft. Net Lot Area</i>	Not Applicable					

30.20.030.A Additional Residential Zone Development Regulations

A. Maximum Floor Area (Floor to Lot Area Ratio).

1. ***Floor Area, Precluded Development–RS Zones.*** No application for a Building Permit may be approved for a project in an RS Zone that will: (1) result in an increase of the floor area on the lot, (2) change the location of any floor area on the second or higher story of any structure on the lot, or (3) increase the height of any portion of a structure on the lot to 17 feet or higher if any of the following will occur:
 - a. The floor area will exceed the allowable maximum floor area for the lot, or
 - b. The floor area will exceed 85 percent of the allowable maximum floor area and any of the following apply:
 - i. The average slope of the lot or the building site is 30 percent or greater;
 - ii. The height of any structure on the lot is more than 25 feet; or
 - iii. The lot is located in the Hillside Design District and 500 or more cubic yards of grading is proposed to occur outside the footprint of the main or accessory buildings. Soil located within five feet of an exterior wall of a main or accessory building that is excavated and re-compacted shall not be included in the calculation of the volume of grading outside the building footprint.
2. ***Measuring Floor Area Pursuant to this Section.*** In determining floor area pursuant to this Section see Section 30.15.070, Measuring Floor Area, and the following:

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- a. *Below Grade Excluded.* On any floor which is partly below and partly above grade, such as a basement, cellar, or understory, the total floor area of that floor may be excluded from the Floor to Lot Area Ratio (FAR) if no more than a cumulative total width of 12 feet per elevation has a distance from finished grade to ceiling greater than four feet.
- b. *Partially Below Grade Reduced.* On any floor which is partly below and partly above grade, such as a basement, cellar or understory, the total floor area of that floor may be reduced by 50 percent from the Floor to Lot Area Ratio (FAR) if more than 12 feet, but less than one half the entire length of the perimeter has a distance from grade to ceiling greater than four feet.
- c. *All Other Floor Area Included.* If more than one half the entire length of the perimeter of any floor has a distance from grade to ceiling greater than four feet, it is included in the Floor to Lot Area Ratio (FAR).
- d. *Accessory Dwelling Unit and Junior Accessory Dwelling Unit Excluded/Included.* Floor area within a portion of a structure designed and permitted as an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is ~~not~~ included.

TABLE 30.20.030.B: DEVELOPMENT STANDARDS—TWO-UNIT AND MULTI-UNIT ZONES			
<i>Zone</i>	<i>R-2</i>	<i>R-M</i>	<i>R-MH</i>
Lot Size and Street Frontage			
Minimum Net Lot Area for Newly Created Lots (sq. ft.)			
<i>Average Slope less than 10%</i>	7,000	14,000	14,000
<i>Average Slope 10% to 20%</i>	10,500		
<i>Average Slope over 20% to 30%</i>	14,000		
<i>Average Slope over 30%</i>	21,000		
	60	60	60
Minimum Public Street Frontage (ft.)	See §30.140.190, Street Frontage and Access; and §30.140.130, Location of Lot Lines		
Maximum Base Residential Density			
Less than 5,000 sq. ft. Net Lot Area	1 unit	1 unit	
5,000 to 5 6,999 sq. ft. Net Lot Area	2 units if Average Slope less than 10%, 1 unit otherwise 1 unit	2 units	
6,000 to 6,999 6,000 to 6,999 sq. ft. Net Lot Area	2 units if Average Slope less than 10%, 1 unit otherwise 1 unit	2 units	
7,000 and more sq. ft. Net Lot Area			
<i>Average Slope less than 10%</i>	1 unit/3,500 sq. ft. of net lot area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater	

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TABLE 30.20.030.B: DEVELOPMENT STANDARDS–TWO-UNIT AND MULTI-UNIT ZONES			
Zone	R-2	R-M	R-MH
Average Slope 10% to 20%	1 unit/5,250 sq. ft. of net lot area		
Average Slope over 20% to 30%	1 unit/7,000 sq. ft. of net lot area		
Average Slope over 30%	1 unit/10,500 sq. ft. of net lot area		
Additional Residential Density Allowances			
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See §30.140.220, Variable Density in Certain Zones See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives		

Chapter 30.25 Commercial and Office Zones

TABLE 30.25.020: LAND USE REGULATIONS–COMMERCIAL AND OFFICE ZONES					
“A” Allowed Use “PSP” Performance Standard Permit Required “CUP” Conditional Use Permit Required			“–” Use Not Allowed “(#)” Specific Limitations at the end of the table		
Use Classification	O-R	O-M	C-R	C-G	Additional Regulations
Residential Uses					
Residential Housing Types					
Single-Unit Residential	A	A	A	A	§30.185.040, Accessory Dwelling Unit
Two-Unit Residential	A	A	A	A	
Multi-Unit Residential	A	A	A	A	
Special Residential Unit Types					
Accessory Dwelling Unit	A	A	A	A	§30.185.040, Accessory Dwelling Units
Caretaker Unit	A	A	A	A	§30.185.120, Caretaker Unit

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TABLE 30.25.030: DEVELOPMENT STANDARDS–COMMERCIAL AND OFFICE ZONES				
Zone	O-R	O-M	C-R	C-G
Lot Size and Street Frontage				
Minimum Net Lot Area for Newly Created Lots	None; except 3,500 sq. ft. of net lot area is required for lots that include residential uses			
Minimum Public Street Frontage	None, See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines			
Maximum Base Residential Density				
<i>Less than 5,000 sq. ft. Net Lot Area</i>	1 unit			
<i>5,000 to 6,999 sq. ft. Net Lot Area</i>	2 units			
<i>7,000 and more sq. ft. Net Lot Area</i>	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater			
Additional Residential Density Allowances				
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See §30.140.220, Variable Density in Certain Zones See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives			

TABLE 30.30.020: LAND USE REGULATIONS–MANUFACTURING ZONES			
<i>“A” Allowed Use</i>	<i>“–” Use Not Allowed</i>		
<i>“PSP” Performance Standard Permit Required</i>	<i>“(#)” Specific Limitations at the end of the table</i>		
<i>“CUP” Conditional Use Permit Required</i>			
Use Classification	M-C	M-I	Additional Regulations
Residential Uses			
Residential Housing Types			
<i>Single-Unit Residential</i>	A	–	§30.185.040, Accessory Dwelling Unit
<i>Two-Unit Residential</i>	A	–	
<i>Multi-Unit Residential</i>	A	–	
Special Residential Unit Types			
<i>Accessory Dwelling Unit</i>	A	–	§30.185.040, Accessory Dwelling Units
<i>Caretaker Unit</i>	A	A(1)	§30.185.120, Caretaker Unit

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TABLE 30.30.030: DEVELOPMENT STANDARDS–MANUFACTURING ZONES		
Zone	M-C	M-I
Lot Size and Street Frontage		
Minimum Net Lot Area for Newly Created Lots (sq. ft.)	None; except 3,500 sq. ft. of net lot area is required for lots that include residential uses	
Minimum Public Street Frontage (ft.)	None, See §30.140.180, Street Frontage and Access; and §30.140.120, Location of Lot Lines	
Maximum Base Residential Density		
Less than 5,000 sq. ft. Net Lot Area	1 unit	One Caretaker Unit See §30.185.120, Caretaker Unit
5,000 to 6,999 sq. ft. Net Lot Area	2 units	
7,000 and more sq. ft. Net Lot Area	3 units, or 1 unit/3,500 sq. ft. of net lot area, whichever is greater	
Additional Residential Density Allowances		
All lots, in compliance with the applicable section	See §30.185.040, Accessory Dwelling Units See §30.140.220, Variable Density in Certain Zones See Chapter 30.150, Average Unit-Size Density Incentive Program See Chapter 30.145, Affordable Housing and Density Bonus and Development Incentives	

Chapter 30.35 Coastal-Oriented Zones

TABLE 30.35.020: LAND USE REGULATIONS–COASTAL-ORIENTED ZONES						
“A” Allowed Use “PSP” Performance Standard Permit Required “CUP” Conditional Use Permit Required			“–” Use Not Allowed “(#)” Specific Limitations at the end of the table			
Use Classification	CO-HR	CO-HV	CO-H	CO-CAR	CO-MI	Additional Regulations
Residential Uses						
Residential Uses	–	A	–	A	–	§30.185.360, Residential Uses in the CO-HV and CO-CAR Zones §30.185.040, Accessory Dwelling Units

Division III: Citywide Regulations

Chapter 30.140 General Site Regulations

30.140.020 Accessory Buildings

- A. **Applicability.** The provisions of this Section apply to all attached and detached covered parking, and all other detached accessory buildings and structures having a solid roof supported by columns or walls located on lots developed with Residential, Agriculture, Community Garden, or Market Garden uses. Attached accessory buildings consistent with Section 30.140.030, Building Attachment, are not subject to this Section, and are considered part of the main building subject to all of the standards and regulations of the main building.
- B. **Types of Accessory Buildings.** Accessory buildings may include, but are not limited to, nonlivable buildings used as garages, carports, workshops, barns, greenhouses, agricultural buildings, pens, stables, sheds, and storage rooms; and livable floor area such as detached Accessory Dwelling Units, bedrooms, playrooms, or guestrooms.
- C. **Residential Units in Accessory Buildings.** Unauthorized or unpermitted Residential Building Elements listed in Subsection 30.140.150.E Determination of Residential Unit shall not be installed in an accessory building without first obtaining all required City approvals and permits. Bathing facilities, or more than one sink, or a kitchen are prohibited unless approved as a residential unit, or pursuant to Subsection 30.140.020.D, Additional Residential Building Elements, below, and a Performance Standard Permit, Chapter 30.255.
- D. **Additional Residential Building Elements.** The additional residential building elements that may be considered for a Performance Standard Permit, are limited to those which in the determination of the Community Development Director would not result in separate residential occupancy. The Performance Standard Permit shall include a Recorded Agreement providing for the automatic expiration of limited term approvals, or rescission of the permit or approval, if the City determines there is evidence of separate residential occupancy.
- E. **Relation to Existing Structures.** A detached accessory building may only be constructed on a lot on which there is a permitted main building to which the accessory building is related, with the exception of accessory buildings used for Agriculture, Community Garden, or Market Garden uses, pursuant to Section 30.185.070, Agriculture, and Section 30.185.130, Community and Market Gardens.
- F. **Setbacks.** Accessory buildings shall comply with the minimum setback requirements of the zone. Accessory buildings used for the care and keeping of animals shall be subject to the distance limitations in Title 6 of the Santa Barbara Municipal Code.
- G. **Maximum Height.** Accessory buildings shall not exceed two stories and 30 feet in height.
- H. **Front Yard Limitation.** Detached accessory buildings, except covered parking or a building used exclusively as an Accessory Dwelling Unit approved under Section 30.185.040, are prohibited in a front yard.
- I. **Design Review Required.** Design review approval by the appropriate Design Review body pursuant to Title 22 of the Santa Barbara Municipal Code shall be required for new accessory buildings, and additions or exterior alterations to existing buildings for the following, with the

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exception of any floor area proposed for use as an Accessory Dwelling Unit approved under Section 30.185.040:

1. Detached accessory buildings greater than 500 square feet, or
2. Buildings, or portions of buildings, providing covered parking, resulting in three or more covered parking spaces on the lot.

J. **Maximum Floor Area.** In all zones, on lots developed with a single residential unit, Agriculture pursuant to Section 30.185.070, or Community and Market Gardens pursuant to Section 30.185.130, the maximum floor area for attached or detached covered parking and other detached accessory buildings is as follows:

1. ***Maximum Total Square Footage Per Lot.***

- a. *Lots less than 5,000 square feet: 1,000 square feet*
- b. *Lots 5,000 square feet up to 9,999 less than 20,000 square feet: 1,000 1,300 square feet*
- c. *Lots 10,000 square feet up to 14,999 square feet: 1,500 square feet*
- d. *Lots 15,000 square feet up to 19,999 20,000 square feet up to one acre: 1,250 1,750 square feet*
- e. *Lots 20,000 square feet or larger: 1,950 square feet* ~~*Lots one acre up to three acres: 1,500 square feet*~~
~~*Lots three acres or larger: 1,750 square feet*~~

2. ***Covered Parking.*** Other than to permit the construction of an Accessory Dwelling Unit, detached accessory buildings in excess of 500 square feet shall not be permitted unless the total amount of required covered parking is provided per Chapter 30.175, Parking Regulations.

3. ***Maximum in a Single Building.*** The maximum floor area in any single detached building shall not exceed 1,250 square feet. This floor area maximum does not apply to the construction of an Accessory Dwelling Unit in combination with a new or existing garage.

4. ***Maximum Livable Floor Area.*** The maximum detached livable floor area per lot shall not exceed 500 square feet, excluding the livable floor area of a permitted Accessory Dwelling Unit.

30.140.150 Residential Unit

A. **Applicability.** The standards of this Section apply to all Residential Use Classifications except the following:

1. Group Residential.
2. Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices (See Section 30.185.140).

B. **Minimum Size.** Each studio residential unit shall contain a minimum of 220 square feet of livable floor area and all other residential units shall contain a minimum of 400 square feet of livable floor area. Accessory buildings shall not be included in the minimum unit size.

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1. **Exception for Affordable Efficiency Units.** An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, with a minimum floor area of 150 square feet, may be permitted; provided that the efficiency unit is provided for occupancy by persons who qualify as either low-income or very low-income households, as defined in the City's Affordable Housing Policies and Procedures, at the time of their initial occupancy, or permitted as an studio Accessory Dwelling Unit, approved under Section 30.185.040, Accessory Dwelling Units.
- C. **Required Features.** Each residential unit shall contain, at a minimum:
1. A kitchen, consisting of a sink, range or built-in stove-top and oven, and refrigeration facilities. ~~a minimum of 6 cubic feet capacity and height of 55"~~
 2. A ~~separate~~ bathroom consisting of a toilet, sink, and bathtub or shower.
 3. A separate living room.
 4. A separate sleeping room, except in studio residential units, where a living room is considered a sleeping room.
 5. Exterior access to the unit, with no interior access between abutting residential units.

Chapter 30.185 Standards for Specific Uses and Activities

30.185.040 Accessory Dwelling Units

Accessory Dwelling Units and Junior Accessory Dwelling Units shall be located, developed, and occupied subject to the following provisions:

- A. **Purpose.** The purpose of this section is to:
1. Expand opportunities in the City to create additional housing to suit the spectrum of individual lifestyles and space needs, allow more efficient use of existing housing stock and public infrastructure, and provide a range of housing opportunities while continuing to limit additional residential density in the Foothill and Extreme Foothill High Fire Hazard Areas, consistent with the General Plan.
 2. Allow Accessory Dwelling Units or Junior Accessory Dwelling Units as an accessory use to single residential units, consistent with California Government Code Section 65852.2.
 3. Promote Accessory Dwelling Units or Junior Accessory Dwelling Units with high-quality designs that are compatible with the surrounding neighborhood, historic resources, and historic districts; preserve the City's visual resources; promote long-term sustainability; and contribute to a desirable living environment.
- B. **Definitions.** For the purposes of this Section, the following words and phrases shall have the following meanings:
1. **Accessory Dwelling Unit.** An attached or a detached residential unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same

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parcel as the single residential unit is situated. An Accessory Dwelling Unit also includes the following:

- a. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.
 - b. A manufactured home, as defined in Section 18007 of the Health and Safety Code.
2. ***Primary Residential Unit.*** The existing or proposed single residential unit on a lot on which an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is permitted.
 3. ***Principal Place of Residence.*** The residence where a property owner actually lives for the greater part of time, or the place where the property owner remains when not called elsewhere for some special or temporary purpose and to which the property owner returns frequently and periodically, as from work or vacation. There may be only one “principal place of residence,” and where more than one residence is maintained or owned, the burden shall be on the property owner to show that the Primary Residential Unit is his or her principal place of residence as evidenced by qualifying for the homeowner’s tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner-occupancy. If multiple persons own the Property as tenants in common or some other form of common ownership, a person or persons representing at least 50 percent of the ownership interest in the Property shall reside on the Property and maintain the Property as his, her, or their principal place of residence. Any person or persons who qualify for the homeowner’s tax exemption under the California State Board of Equalization rules, may qualify as an owner occupant.
 4. ***Passageway.*** A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the Accessory Dwelling Unit.
 5. ***Junior Accessory Dwelling Unit.*** A unit that is no more than 500 square feet in size and contained entirely within the structure of an existing single residential unit. A Junior Accessory Dwelling Unit may include separate sanitation facilities, or may share sanitation facilities with the existing single residential unit.
- C. ***Not Located in the Foothill and Extreme Foothill High Fire Hazard Areas.*** No Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall be permitted on a lot located within the Foothill or Extreme Foothill High Fire Hazard Areas as defined in the City’s Wildland Fire Plan.
- D. ***Located on a Lot Developed with a Single Residential Unit.*** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall only be permitted on a lot that is developed with one single residential unit or in conjunction with the construction of a single residential unit.
- E. ***Prohibited on a Lot Developed with Additional Residential Units.*** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall be prohibited on a lot developed with more than one residential unit, including but not limited to, an Additional Residential Unit, approved under Section 30.185.050, Additional Residential Unit, or a Caretaker Unit, approved under Section 30.185.120, Caretaker Unit, or similar use, or on a lot developed, or proposed to be developed, with additional detached livable floor area greater than 500 square feet.

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- F. **Number of Units.** Only one Accessory Dwelling Unit or one Junior Accessory Dwelling Unit shall be permitted on a lot in addition to one single residential unit, not both.
- G. **Not to be Sold Separately.** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall not be sold separately from the Primary Residential Unit, but may be rented for terms of not less than 31 consecutive calendar days.
- H. **Owner Occupied.** The property owner shall reside in and maintain either the Primary Residential Unit or the Accessory Dwelling Unit/Junior Accessory Dwelling Unit, as the property owner’s principal place of residence (“Owner’s Unit”). Owner may re-designate the Primary Residential Unit or the Accessory Dwelling Unit/Junior Accessory Dwelling Unit as the Owner’s Unit upon written notice to the Community Development Director and written approval of the re-designation by the Community Development Director, which approval shall not be denied unreasonably. The property owner shall not rent or lease both the Primary Residential Unit and the Accessory Dwelling Unit/Junior Accessory Dwelling Unit simultaneously.
1. **Hardship Waiver.** In the event of a hardship, such as the death or disability of the property owner, job transfer, or similar significant personal situation, which prevents one of the units from being occupied by the property owner, a property owner or estate representative may apply for a temporary waiver of the owner-occupation requirement for a specific time period to allow occupancy of the Primary Residential Unit or the Accessory Dwelling Unit/Junior Accessory Dwelling Unit by a non-property owner pending disposition of the property through probate or non-probate transfer to a new owner, or the cessation of the property owner’s disability which prevents him or her from occupying the Primary Residential Unit or the Accessory Dwelling Unit/Junior Accessory Dwelling Unit on the property. The Community Development Director shall review applications for a hardship waiver. Any such waiver shall specify the period of time for which it is granted, provided that no such waiver may be granted for a period longer than three years.
- I. **Configuration – Accessory Dwelling Unit.**
1. An Accessory Dwelling Unit may be permitted in the following configurations:
- a. Incorporated entirely within an existing or proposed single residential unit or existing or proposed accessory building located on the same lot as the Primary Residential Unit;
- b. Attached to or increasing the size of an existing single residential unit or accessory building located on the same lot as the Primary Residential Unit; or
- c. Detached from and located on the same lot as an existing or proposed single residential unit. An Accessory Dwelling Unit that is attached to another detached accessory building, but not the Primary Residential Unit, or is attached by a breezeway or porch, is considered detached.
2. The Accessory Dwelling Unit shall have exterior access that is independent from the Primary Residential Unit.
3. The Accessory Dwelling Unit shall meet all of the standards for a residential unit, pursuant to Section 30.140.150, Residential Unit.
- J. **Configuration – Junior Accessory Dwelling Unit.**

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1. A Junior Accessory Dwelling Unit must be created within the existing livable floor area of an existing single residential unit, and must include one of the bedrooms of the existing single residential unit.
 2. A separate exterior entry shall be provided to serve a Junior Accessory Dwelling Unit.
 3. An interior connection between the Primary Residential Unit and the Junior Accessory Dwelling Unit must be maintained, however a lockable door in the same location may be added for sound attenuation and privacy.
 4. A Junior Accessory Dwelling Unit shall include an efficiency kitchen, which shall include all of the following components:
 - a. A sink with a waste line not to exceed a diameter of one-and-a-half (1.5) inches;
 - b. A cooking facility with appliances which do not require electrical service greater than one-hundred-and-twenty (120) volts, or natural or propane gas; and
 - c. A food preparation counter and storage cabinets that are reasonable to the size of the Junior Accessory Dwelling Unit.
- K. **Development Standards.** An Accessory Dwelling Unit shall be deemed to be an accessory use or an accessory building. A Junior Accessory Dwelling Units shall be deemed to be an accessory use. Unless otherwise stated in this Section, any lot developed with an Accessory Dwelling Unit or a Junior Accessory Dwelling Unit shall comply with the development standards applicable to an accessory use or accessory building, as applicable, for a single-unit residential housing type within the zone in which the lot is located.
- L. **Floor Area.**
1. **Maximum Floor Area – Attached Accessory Dwelling Unit.** The maximum floor area of an attached Accessory Dwelling Unit shall not exceed 50 percent of the living area of the Primary Residential Unit, or 1,200 square feet, whichever is less.
 2. **Maximum Floor Area – Detached Accessory Dwelling Unit.** The maximum floor area of a detached Accessory Dwelling Unit shall not exceed the following:
 - a. Lots less than 5,000 square feet: 600 square feet
 - b. Lots 5,000 square feet up 9,999 square feet: 800 square feet
 - c. Lots 10,000 up to 14,999: 1,000 square feet
 - d. Lots 15,000 or larger: 1,200 square feet
 3. **Maximum Floor Area – Junior Accessory Dwelling Unit.** The maximum floor area of a Junior Accessory Dwelling Unit shall be 500 square feet.
 4. **Relation to Other Accessory Buildings.** The floor area of a detached Accessory Dwelling Unit shall be included in the maximum total square footage allowed per lot for attached or detached covered parking and other detached accessory buildings, pursuant to Section 30.140.020.J, Maximum Floor Area.
- M. **Setbacks for Structures.** Except for the special rules stated in this Subsection, the Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall comply with the setback standards applicable to residential structures within the zone in which the lot is located.

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1. **Special Rule for Garage Conversions.** No setbacks shall be required for an existing, legally permitted, garage or other accessory building that is converted to an Accessory Dwelling Unit.
 2. **Special Rule for an Accessory Dwelling Unit Constructed Above a Garage.** When an Accessory Dwelling Unit is constructed above a new or existing attached or detached garage, a setback of five feet from the interior lot lines shall be required for the Accessory Dwelling Unit. The five foot setback applies only to the upper story portions of the Accessory Dwelling Unit. Ground floor additions to the building shall comply with the setback standards applicable to residential structures within the zone in which the lot is located.
 3. **Setback Encroachments.** Setback encroachments allowed pursuant to Section 30.140.090, Encroachments into Setbacks and Open Yards, may be permitted for Accessory Dwelling Units or Junior Accessory Dwelling Units.
- N. **Nonconforming Structures.** Additions, alterations, substantial redevelopment, or demolition and replacement of existing nonconforming structures shall comply with Chapter 30.165, Nonconforming Structures, Site Development, and Uses.
1. **Exception for Nonconforming Garages.** Notwithstanding the limitations on additions described in 30.165.050, Additions to Nonconforming Development, the construction of an Accessory Dwelling Unit may be combined with the substantial redevelopment and replacement of a nonconforming detached garage if the Accessory Dwelling Unit is constructed above the reconstructed garage and all other development standards are met.
- O. **No Passageway Required.** No passageway is required in conjunction with the construction of an Accessory Dwelling Unit.
- P. **Open Yard.** An open yard conforming to Section 30.140.140.C, Open Yards for Single Unit Residential Development, shall be provided on the lot, except as follows:
1. **Reduction of Open Yard.** The construction of an Accessory Dwelling Unit may reduce the conforming or nonconforming open yard up to a maximum of 20 percent of the total required open yard area, or 150 square feet, whichever is greater.
- Q. **Permanent Foundation Required.** Attached and detached Accessory Dwelling Units shall be constructed with an approved permanent foundation.
- R. **Property Address.** Property addresses identifying two residential units are on the lot, with minimum 3 ½ inch numbers, plainly visible from the street or road affronting property shall be provided.
- S. **Parking.** Notwithstanding the provisions of Chapter 30.175, Parking Regulations, automobile parking for lots developed with Accessory Dwelling Units or Junior Accessory Dwelling Units shall be provided as follows:
1. **Required Parking for the Primary Residential Unit.** Automobile parking for the Primary Residential Unit shall be provided in compliance with Chapter 30.175, Parking Regulations, except as provided below.
 - a. **Special Procedures for Conversion or Demolition of Existing Covered Parking to an Accessory Dwelling Unit.** When a garage, carport, or other covered parking structure is converted to an Accessory Dwelling Unit or demolished in

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conjunction with the construction of an Accessory Dwelling Unit, the required covered parking spaces that were displaced shall be replaced on the same lot as the Primary Residential Unit in order to satisfy the automobile parking requirement of the Primary Residential Unit. The replacement spaces may be covered, uncovered, in a mechanical lift, or in a tandem configuration pursuant to subsection 30.175.090.F, Tandem Parking. The replacement spaces shall meet all of the following:

- i. Covered parking shall meet the development standards applicable to a single residential unit within the zone in which the lot is located.
- ii. All parking spaces must meet the minimum dimensions and development standards consistent with the City Standard for Parking Design and Section 30.175.090 Parking Area Design and Development Standards.
- iii. In order to maintain visibility for adjacent driveways and intersections, uncovered parking spaces shall comply with Section 30.140.230, Visibility at Driveways and Intersections.
- iv. Required uncovered parking spaces may be allowed in a front or interior setback, provided the uncovered parking space is contained within the area of an existing paved driveway and no increase to paved areas occurs in the setbacks.

2. ***Required Parking for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit.*** No additional parking spaces are required for an Accessory Dwelling Unit or for a Junior Accessory Dwelling Unit.

3. ***Optional Parking Spaces.*** If new parking spaces are proposed, but are not required, for either the Primary Residential Unit or the Accessory Dwelling Unit, those optional parking spaces shall comply with the location requirements found in Section 30.175.060, Location of Required Automobile and Bicycle Parking.

T. **Utility Connection or Meter.** Provision of utility connection or meter shall comply with Title 14, Section 14.08.150.

U. **Special Procedures for Accessory Dwelling Units Constructed Entirely Within Existing Structures.** Notwithstanding any other provision of this Section, the City shall ministerially approve an application for a building permit for an Accessory Dwelling Unit if all of the following requirements are satisfied:

1. The lot is located within any zone that allows single-unit residential as an allowed use,
2. The construction will result in no more than one Primary Residential Unit and one Accessory Dwelling Unit on the lot,
3. The proposed Accessory Dwelling Unit will be contained entirely within the permitted floor area of the existing Primary Residential Unit, or an existing accessory building on the same lot as the Primary Residential Unit,
4. The proposed Accessory Dwelling Unit meets all of the configuration standards provided in Section 30.185.040.I, Configuration,
5. When a garage is converted to an Accessory Dwelling Unit or demolished in conjunction with the construction of an Accessory Dwelling Unit, the required

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covered parking spaces that were displaced shall comply with the same parking requirements described in subsection 30.185.040.Q.1, Required Parking for the Primary Residential Unit.

6. State and local building codes that apply to detached dwellings, including provisions for fire safety, shall apply.
7. Accessory Dwelling Units constructed pursuant to this Subsection shall not be required to provide fire sprinklers if they are not required for the Primary Residential Unit.

For purposes of this Subsection, in order to be considered an existing single residential unit or an existing garage or accessory building, the structure must be a legally permitted structure constructed on the site with a Final Inspection or Certificate of Occupancy as of the date of application submittal, and conforms to current zoning standards or is legal nonconforming as to current zoning standards.

V. **Architectural Review.** The creation of an Accessory Dwelling Unit shall be subject to administrative architectural review. Accessory Dwelling Units that meet the following design criteria shall be approved ministerially by the Community Development Director. An Accessory Dwelling Unit that does not meet these design criteria may be referred to the Single Family Design Board or Historic Landmarks Commission, as appropriate, for review. The following criteria shall apply to the construction of any Accessory Dwelling Unit:

1. **Prohibition of Shiny Roofing and Siding.** New roofing and siding materials that are, shiny, mirror-like, or of a glossy metallic finish are prohibited.
2. **Roof Tile.** Where a new roof for architecture based on Hispanic, Spanish and Mexican cultural influences is proposed, the use of two-piece terra cotta (Mission “C-tile”) roof is required and clay S-tile is prohibited, unless necessary to match the roof of the existing Primary Residential Unit.
3. **Skylights.** New skylights shall have flat glass panels. “Bubble” type skylights are not allowed.
4. **Glass Guardrails.** New glass guardrails are not allowed, unless necessary to match the guardrails of the existing Primary Residential Unit.
5. **Garage Conversion.** If a garage is converted to an Accessory Dwelling Unit, the garage door opening shall be replaced with siding, or residential windows and doors, to match the existing garage.
6. **Height.** The construction of an Accessory Dwelling Unit shall not exceed the height or the number of stories of the Primary Residential Unit or 17 feet, whichever is greater. This height limitation is not applicable to an Accessory Dwelling Unit constructed above a garage.
7. **Front Yard Location.** The construction of a new detached Accessory Dwelling Unit located in the front yard shall be subject to all of the following:
 - a. The new unit must be located a minimum of 20 feet back from a front lot line, or meet the minimum front setback for the zone, whichever is greater.
 - b. Unless constructed over a garage, the new unit shall be:
 - i. no more than one-story and less than 17 feet in height, and

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- ii. screened from the street by landscape or topography.
8. ***Design Style.*** New detached or attached Accessory Dwelling Units shall match the design of the Primary Residential Unit regarding style, fenestration, materials, colors and details if the Accessory Dwelling Unit meets any of the following:
- a. attached to, or if any portion of the Accessory Dwelling Unit is located within 20 feet of, the Primary Residential Unit;
 - b. located in the Hillside Design District;
 - c. two or more stories tall, or 17 feet or taller in building height;
 - d. located on a site on which there is a historical resource listed on the National Register of Historic Places or the California Register of Historic Places, or designated as a City of Santa Barbara Landmark or Structure of Merit, or located in a designated historic district; or
 - e. located in the front yard.
9. ***Privacy Standards.*** The construction of an Accessory Dwelling Unit where any portion of the proposed construction is either: two or more stories tall, or 17 feet or taller in building height, shall comply with the following:
- a. Upper story unenclosed landings, decks, and balconies greater than 20 square feet, that face or overlook the adjoining property, shall be located a minimum of 15 feet from the interior lot lines.
 - b. Upper story unenclosed landings, decks and balconies, that do not face or overlook the adjoining property, may be located at the minimum interior setback line if an architectural screening element such as enclosing walls, trellises, awnings or perimeter planters with a five foot minimum height is incorporated into the structure.
 - c. Upper story windows, or any portion of a window located higher than six feet above existing adjacent grade, that face or overlook the adjoining property, located within 15 feet of the interior lot lines, shall be installed a minimum of 42 inches above finish floor.

The portions of a building or site considered to be the Accessory Dwelling Unit shall include all the contiguous interior livable floor area of the Accessory Dwelling Unit, as well as any exterior alterations directly attached to, and related to, the livable floor area of the Accessory Dwelling Unit. Discretionary design review may be required for any exterior alterations to the site or Primary Residential Unit that are not a part of the Accessory Dwelling Unit, but are proposed in conjunction with the Accessory Dwelling Unit, if required pursuant to Chapters 22.22, 22.68, or 22.69 of this Code.

- W. ***Protection for Historic Resources.*** No Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall be permitted if the proposal would cause a substantial adverse change in the significance of a historical resource listed on the National Register of Historic Places or the California Register of Historic Places, or designated as a City of Santa Barbara Landmark or Structure of Merit, or located in a designated historic district. The Community Development Director shall make this determination by reviewing the proposal for compliance with appropriate Secretary of Interior’s *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.*

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- X. **Building Permit Required.** All Accessory Dwelling Units or Junior Accessory Dwelling Units shall require approval of a building permit and shall be processed pursuant to Chapter 30.205, Common Procedures, and the specific requirements of this Section. The City shall ministerially approve or disapprove an application for a building permit for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit in compliance with the provisions of this Section within 120 days of receiving a complete application.
1. **Modifications and Minor Zoning Exceptions for Accessory Dwelling Units or Junior Accessory Dwelling Unit.** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit that is not in compliance with the development standards of this Section may be granted a Modification or Minor Zoning Exception if all the required findings can be met, pursuant to the procedures outlined in Chapter 30.250, Modifications, or Chapter 30.245 Minor Zoning Exceptions.
- Y. **Recorded Agreement.** Before obtaining a building permit for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit, the property owner shall execute and record an agreement, pursuant to Chapter 30.260, Recorded Agreements, containing a reference to the deed under which the property was acquired by the present owner and stating that:
1. The Accessory Dwelling Unit/Junior Accessory Dwelling Unit shall not be sold separately from the Primary Residential Unit.
 2. Either the Primary Residential Unit or the Accessory Dwelling Unit/Junior Accessory Dwelling Unit shall be owner occupied.
 3. The Accessory Dwelling Unit/Junior Accessory Dwelling Unit shall be rented for terms of not less than 31 consecutive days.
- Z. **Residential Density.** An Accessory Dwelling Unit or Junior Accessory Dwelling Unit is a residential use that is consistent with the existing General Plan designations and zoning for lots within the allowable residential zones. Any Accessory Dwelling Unit or Junior Accessory Dwelling Unit permitted pursuant to this Section does not exceed the allowable density for the lot upon which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.