

ORDINANCE NO. 2026-6206

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA ESTABLISHING A TEMPORARY RENT
INCREASE MORATORIUM DURING THE PREPARATION,
CONSIDERATION, AND POTENTIAL ADOPTION OF A
PERMANENT RENT STABILIZATION PROGRAM

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS
FOLLOWS:

SECTION 1. Findings and Determinations. The City Council finds and determines as follows:

A. Safe, decent, affordable, and sanitary housing is a human necessity and right.

B. The City Council reaffirms its General Plan Housing Element goal, first stated in 2005, of "ensuring affordable housing opportunities for all economic levels in the community, while protecting the character of established neighborhoods." (2015 Housing Element, p.57.) There is a critical shortage of low and moderate income housing within the City and on the south coast of Santa Barbara County. The City Council recognizes that providing a wide range of housing options is important to maintain an economically viable and socially diverse population, and to retain and house the City's local workforce. The City's General Plan Housing Element identifies renter-occupied housing units as comprising nearly 60% of the housing available in the City. (2015 Housing Element, p.26.) The Housing Element also documents that given local housing costs, nearly 44% of all households and almost 50% of renters are over-paying for housing. (2015 Housing Element, p.50.) Both the total percentage of City renters and the percentage of City renters overpaying for housing are higher than statewide averages. Therefore, the City Council desires to establish reasonable protection for City residents living in rental housing that recognize the important role that rental housing plays in the provision of affordable housing.

C. The City Council has previously adopted laws establishing reasonable protection for City residents living in rental housing including: Santa Barbara Municipal Code Chapters 26.06 (establishing mobile home park lease regulations, including rent control), 26.40 (requiring one-year lease offers to residential tenants), 26.50 (requiring just cause for residential evictions), and 26.60 (protecting tenants from harassment and other abusive conduct).

D. On December 16, 2025, the City Council reviewed a comprehensive presentation and staff report outlining a proposed work plan for the development of a permanent residential rent stabilization program consistent with the limitations imposed

by state and federal law. The City Council provided preliminary feedback on the proposed program, which includes a timeline for consideration and adoption of a rent stabilization ordinance in the summer of 2026. The City Council also took action directing staff to prepare appropriate ordinances to establish a temporary rent increase moratorium during the development and consideration of permanent rent stabilization regulations and to make certain amendments to Santa Barbara Municipal Code Chapter 26.50. The motion included direction to explore legal options to provide effective rent relief at the earliest possible date.

SECTION 2. Application.

A. This ordinance applies to all residential rental units in the City for which a certificate of occupancy was issued on or before February 1, 1995, except:

1. Rental units that are alienable separate from title to any other dwelling unit or is a subdivided interest in a subdivision, as specified in subdivision (b), (d), or (f) of Section 11004.5 of the California Business and Professions Code. This exception does not apply to rental units that are described in subdivision (a)(3)(B) of Section 1954.52 of the California Civil Code.

2. Rental units in hotels, motels, inns, tourist homes, lodging and rooming houses and boarding houses, or other similar temporary lodgings provided that at such time as an accommodation has been occupied as the primary residence of one or more of the same tenants for any period more than 30 days such accommodation shall become subject to this ordinance. The computation of the 30 days shall include days in which the Tenant was required to:

(a) Move into a different guestroom or efficiency unit before the expiration of 30 days occupancy; or

(b) Check out and re-register before the expiration of 30 days occupancy if a purpose was to avoid application of this ordinance, or

(c) Enter into successive or overlapping rental agreements, extensions, or renewals, whether for the same or a different unit, before the expiration of 30 days occupancy.

3. Rental Units in any hospital, convent, monastery, extended medical care facility, asylum, non-profit home for the aged; dormitory owned and operated by an accredited institution of higher education, or rental units in a facility that has the primary purpose of operating a treatment or recovery program, where such rental units are provided incident to a client's participation in the treatment or recovery program and where the client has been informed in writing of the temporary or transitional nature of the housing at the inception of his or her participation in the program.

4. Rental units owned or operated or managed by a public agency or not-for-profit organization and subject to a recorded covenant or other restriction that limits rental of the unit to rents affordable to low- or moderate income households.

5. Rental units which a government unit, agency or authority owns, operates, or manages, if applicable federal or state law or administrative regulation specifically exempt such units from municipal rent control.

6. Rental units leased to tenants assisted under the Section 8 program (42 U.S.C. Section 1437f) or the Continuum of Care Rental Assistance (42 U.S.C. 11381 et. seq.) or similar rent subsidy program where the tenant's portion of the rent is determined based on their household income and a specific formula. This exemption applies only for so long as the rent demanded does not exceed the authorized payment standard minus the applicable utility allowance as determined by the City the Housing Authority of the City of Santa Barbara, as applicable.

7. Permitted short term vacation rentals for a rental period of 30 days or less.

SECTION 3. Definitions.

The following definitions apply to the interpretation of this ordinance:

Base rent. Base rent means either: (1) the rent for a rental unit in effect on December 16, 2025, for tenancies commencing on or before December 16, 2025, or (2) the rental rate established upon initial occupancy of a rental unit for tenancies commencing after December 16, 2025, provided the rental rate is established in accordance with state law.

Housing services. Housing services include, but are not limited to, repairs, maintenance, painting, providing light, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, utility charges that are paid by the landlord, refuse removal, furnishings, telephone, parking, common areas, recreational facilities, the right to have a specified number of occupants, and any other benefit, privilege, arrangement, or facility provided or contracted for in connection with the use or occupancy of any rental unit. Housing services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

Landlord. An owner, lessor, sublessor or any other person entitled to receive rent for the use and occupancy of any rental unit, or an agent, representative, predecessor, or successor of any of the foregoing.

Rent. All periodic payments under a rental housing agreement concerning the use or occupancy of a rental unit, including all payments and other consideration demanded or paid for housing services. Rent does not include refundable security

deposits or avoidable fees imposed by a landlord such as fees for late payment of rent or for checks returned for insufficiency of funds.

Rental unit. Any building or structure, or part thereof, or land appurtenant thereto, or any other property rented or offered for rent for residential purposes, whether or not such unit possesses a valid certificate of occupancy for use as rental housing, together with all housing services connected with use or occupancy of such property.

SECTION 4. Temporary prohibition of rent increases.

A. So long as this ordinance is in effect, a landlord shall not increase the base rent of a rental unit.

B. If rent for a rental unit includes housing services, then any reduction of such services or initiation of a requirement for direct payment by a tenant to a service provider (e.g. new requirement for direct payment by tenant to a utility service provider) is considered a rent increase unless there is a corresponding reduction in rent paid to the landlord.

C. It is the City Council's intent to use the base rent as defined in this ordinance as the stabilized reference for the determination of lawful rent under the permanent residential rent stabilization program described in Section 1. D. of this ordinance. Therefore, if a landlord increases the rent for a rental unit after December 16, 2025, but before the effective date of this ordinance in accordance with applicable law, the base rent for the unit will not change and the amount of the increase will be counted against future rent increases authorized under the rent stabilization program when adopted.

SECTION 5. Expiration. This ordinance automatically expires on December 31, 2026, or on the operative date of a permanent rent stabilization program as established pursuant to ordinance, whichever is earlier.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance or any part hereof. The City Council declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional.

SECTION 7. CEQA. The City Council finds that, on the basis of the whole record and exercising its independent judgment, this ordinance is not subject to environmental review pursuant to the State Guidelines for Implementation of the California Environmental Quality Act Sections 15060(c)(3) pertaining to activities that will not result in a direct or reasonably foreseeable indirect change to the environment and 15061 (b)(3) because this ordinance has no potential for resulting in physical change to the environment directly or indirectly in that it merely regulates existing physical development.

ORDINANCE NO. 2026-6206

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) SS.
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing ordinance was introduced on January 13, 2026, and adopted by the Council of the City of Santa Barbara at a meeting held on January 27, 2026, by the following roll call vote:

AYES: Councilmembers Oscar Gutierrez, Meagan Harmon, Wendy Santamaria, Kristen W. Sneddon

NOES: Councilmembers Eric Friedman, Mike Jordan; Mayor Randy Rowse

ABSENT: None

ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal
of the City of Santa Barbara on January 27, 2026.



I HEREBY APPROVE the foregoing ordinance on January 27, 2026.

**Sarah P. Gorman, MMC
City Clerk Services Manager**

Randy Rowse
Mayor