



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 14, 2023

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Zoning Ordinance Amendments for Accessory Dwelling Units and Local Coastal Plan Resolution [Ordinance Adoption; Resolution]

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 30.185.040, Pertaining to Regulations for Accessory Dwelling Units;
- B. Adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Chapter 28.86, Pertaining to Regulations for Accessory Dwelling Units; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving a Local Coastal Program Amendment (PLN2022-00391) to Amend Title 28 of the Santa Barbara Municipal Code Chapter 28.86 to Regulate Accessory Dwelling Units in the Coastal Zone.

DISCUSSION:

On January 31, 2023, amendments to the Inland Zoning Ordinance (Santa Barbara Municipal Code Title 30) and Coastal Zoning Ordinance (Santa Barbara Municipal Code Title 28) were introduced to City Council regarding accessory dwelling units (ADUs) and junior accessory dwelling units to comply with amended state law. The Title 28 amendments are not effective until certified as an amendment to the City's Coastal Implementation Plan of the Local Coastal Plan (LCP) by the California Coastal Commission. This resolution authorizes staff to submit an LCP amendment to the Coastal Commission for review and certification reflecting the changes to Title 28 after adoption by City Council.

Consistency with the Coastal Land Use Plan

The City's LCP has two parts: a Coastal Land Use Plan (LUP) and Coastal Implementation Plan. All LCP amendments must be consistent with Chapter 3 of the California Coastal Act, and amendments to the Coastal Implementation Plan need to be found consistent with the policies of the Coastal LUP. Certified LCPs are not superseded by state law for ADUs, and local governments can adopt ADU ordinances with standards to protect coastal resources, including public access.

Coastal LUP Policy 2.1-2 Accessory Dwelling Units allows for ADUs, provided that such development is found consistent with the policies of the Coastal LUP. In March 2022, the Coastal Commission certified the prior Title 28 Zoning Amendments for ADUs and found they are consistent with policies of the Coastal LUP. Due to changes in state law effective January 1, 2023, new amendments were introduced to Chapter 28.86. The amendments do not change the permit and processing requirements for ADUs, and no ADU is permitted in a location that would conflict with the coastal resource protection policies of the Coastal LUP.

California Coastal Commission Consultation and Public Notifications

The California Coastal Act, the California Code of Regulations, and the Santa Barbara Municipal Code outline the process requirements for LCP amendments, including coordination with Coastal Commission staff prior to formal submittal of an LCP amendment and notifications of public hearings, ensuring the public has an opportunity to comment on LCP amendments. The LCP amendment was noticed as required and, to date, no public comments were received specifically on the LCP amendment. Staff would submit the adopted Title 28 Amendments to Coastal Commission staff for questions and comments prior to formal submittal of the LCP amendment.

BUDGET/FINANCIAL IMPACT:

This action does not have a budget/financial impact on the City.

PREPARED BY: Jillian Ferguson, Assistant Planner

SUBMITTED BY: Elias Isaacson, Community Development Director

APPROVED BY: City Administrator's Office