

RESOLUTION NO.

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

WHEREAS, the City's Local Coastal Program (LCP) has two parts: a Coastal Land Use Plan (LUP), with a major update certified in 2019, and Coastal Implementation Plan (IP), certified in 1986;

WHEREAS, since 1986, the California Coastal Commission (CCC) has periodically certified amendments to the Implementation Plan (IP) of the City's Local Coastal Program (LCP);

WHEREAS, Section 30514 of the California Coastal Act (Coastal Act) provides that all amendments to a certified LCP shall be submitted to, and processed by the CCC, in accordance with Sections 30512 and 30513 of the Coastal Act;

WHEREAS, in 2017, the State legislature identified production of accessory dwelling units (ADUs) as an important strategy to increase housing statewide and made significant changes to the manner by which local governments can regulate ADUs;

WHEREAS, Coastal LUP Policy 2.1-2 allow ADUs, which tend to be more affordable than standard housing, as long as such development is found consistent with the policies of the Coastal LUP;

WHEREAS, on November 10, 2020, City Council held a duly noticed public hearing to adopt an Ordinance of the Council of the City of Santa Barbara amending Title 28 by adding Chapter 28.86 to regulate ADUs in the Coastal Zone; with additional provisions in Title 28 to protect coastal resources consistent with the policies of the certified 2019 Coastal LUP;

WHEREAS, on July 8, 2021, City of Santa Barbara submitted an LCP Amendment application to regulate ADUs in the Coastal Zone to the California Coastal Commission;

WHEREAS, on February 15, 2022, City Council adopted Resolution No. 22-

011 acknowledging receipt of the California Coastal Commission Resolution of Certification of the LCP Amendment and acceptance of suggested modifications to the ADU Ordinance;

WHEREAS, on January 1, 2023, new state laws came into effect that further facilitate ADUs, necessitating amendments to the City's ADU Ordinances in Title 28 and Title 30;

WHEREAS, on November 17, 2022, the Planning Commission held a duly noticed public hearing to consider a recommendation to the City Council on proposed amendments to the Title 28 and Title 30 Zoning Ordinances for ADUs, and voted 7/0 to recommend that City Council adopt amendments to the Zoning Ordinance for ADUs;

WHEREAS, on November 21, 2022, written public notice was provided of the upcoming City Council hearings and six week availability of review drafts of the Title 28 amendment prior to final action by City Council, pursuant to the California Code of Regulations Title 14, Article 5, §13515;

WHEREAS, on January 31, 2023, the City Council held a duly noticed public hearing to introduce and subsequently adopt an Ordinance of the Council of the City of Santa Barbara amending Chapter 28.86 of the Santa Barbara Municipal Code to regulate ADUs in the Coastal Zone;

WHEREAS, the proposed LCP Amendment, composed of amending Chapter 28.86 to regulate ADUs in the Coastal Zone, and City Council action to adopt the LCP Amendment and forward the LCP Amendment to the CCC for certification are exempt from the CEQA pursuant to Public Resources Code §21080.9 and State California Environmental Quality Act Guidelines §15265; and

WHEREAS, all public noticing required pursuant to the Santa Barbara Municipal Code, California Code of Regulations Title 14, §13515, and California Government Code §65090 was completed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

Section 1. The Council of the City of Santa Barbara hereby approves Local Coastal Program Amendment (PLN2022-00391) of the Implementation Plan that shall not take effect until it has been certified by the California Coastal Commission (CCC) to amend Chapter 28.86 to regulate accessory dwelling units in the Coastal Zone.

Section 2. The City's certified LCP, including this amendment shall be implemented

in a manner fully in conformity with the Coastal Act of 1976.

Section 3. The Council of the City of Santa Barbara directs the Community Development Director to prepare the LCP Amendment application for submission to the CCC for review and certification.

Section 4. The LCP Amendment shall take effect automatically upon CCC certification, unless the Coastal Commission proposes suggested modifications to the proposed LCP Amendment. In the event that the CCC certifies the LCP Amendment with suggested modifications, City Council approval of the modified LCP Amendment shall require a separate action by the City Council following CCC certification. In this case, the LCP Amendment would become effective on the date the CCC concurs at public hearing that the City Council properly accepted the modified LCP Amendment with suggested modifications.

Exhibits: A: Title 28 Ordinance Amendment