



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department No.: 053
For Agenda Of: August 17, 2021
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Lisa Plowman, Director, Planning and Development
Department, (805) 568-2085
Contact Info: Dan Klemann, Deputy Director, Long Range Planning
Division, (805) 568-2072
SUBJECT: Submittal to the California Coastal Commission for Certification of the Accessory
Dwelling Unit/Junior Accessory Dwelling Unit Local Coastal Program Amendment

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

On August 17, 2021, staff recommends that the Board of Supervisors (Board) take the following actions:

- a) Adopt a resolution (Attachment 1) authorizing the Planning and Development Department (P&D) to submit the following amendment to the Santa Barbara County Local Coastal Program (LCP) to the California Coastal Commission (CCC) for review and certification:

Ordinance No. 5134 (Attachment 2) (20ORD-00000-00001) amending Article II, the Coastal Zoning Ordinance (CZO), to implement new regulations and development standards regarding accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs).
- b) Direct P&D to transmit the adopted resolution to the Executive Director of the CCC; and
- c) Determine that the Board’s action is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15282(h) and 15265.

Summary Text:

On May 18, 2021, the Board unanimously adopted Ordinance No. 5134, an ADU/JADU ordinance amendment to the CZO (Attachment 2). The amendment constitutes an amendment to the County’s certified LCP and, therefore, the County must submit the amendment to the CCC for review and certification. The attached resolution (Attachment 1) authorizes staff to submit the ADU/JADU LCPA to the CCC.

Background:

Ordinance No. 5134 (Attachment 2) amends the CZO to implement new State regulations and development standards regarding ADUs and JADUs. The CCC must review and certify this amendment before it can go into effect in the Coastal Zone. Accordingly, staff has prepared a resolution (Attachment 1) authorizing staff to submit the ADU/JADU LCPA to the CCC.

Following review by the CCC, the Board will have six months from the date of the CCC's conditional certification to evaluate any suggested modifications to the LCPA approved by the CCC and decide whether to accept the modifications. If the Board accepts the suggested modifications, the Board must adopt and submit to the CCC a resolution agreeing to implement the LCPA as modified. The CCC's Executive Director will then make a determination that the County's action and notification procedures are legally adequate to satisfy any specific requirements set forth in the CCC's certification order. The Executive Director will report this determination to the CCC.

If the CCC accepts the Executive Director's determination, the CCC will file a notice of the certification with the Secretary of the Resources Agency and the certification will be final and effective. However, if a majority of the CCC members object to the Executive Director's determination and find that the County's action does not conform to the provisions of the CCC's action to certify the LCPA, the CCC will review the County's action in a subsequent public hearing as if it were a re-submittal.

Upon final certification from the CCC, the LCPA as modified will become effective immediately and staff will incorporate it into the County's certified LCP.

Environmental Review:

Staff recommends that the Board determine that the preparation and adoption of the ADU/JADU LCPA is exempt from environmental review pursuant to State CEQA Guidelines Sections 15282(h) and 15265.

State CEQA Guidelines Section 15282(h) provides a statutory exemption for cities or counties to adopt ADU ordinances to implement State laws regarding ADUs (Government Code Section 65852.2). Additionally, State CEQA Guidelines Section 15265 statutorily exempts local government activities involving the preparation and adoption of an LCP from environmental review.

Fiscal Analysis:

Funding for this project is budgeted in P&D's Long Range Planning Budget Program on page D-301 of the County of Santa Barbara Fiscal Year (FY) 2021-22 adopted budget. There are no facilities impacts.

Special Instructions:

The Clerk of the Board will provide copies of the Minute Order and signed resolution to P&D, attention Jessi Steele, Planner.

Attachments:

1. Resolution Submitting an LCPA to the CCC
2. Ordinance No. 5134

Authored By:

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