



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

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

**Department Name:** Planning and Development  
**Department No.:** 053  
**For Agenda Of:** June 19, 2018  
**Placement:** Set Hearing for July 10, 2018  
**Estimated Time:** 90 minutes on July 10, 2018  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Directors: Dianne Black, Director, Planning and Development  
(805) 568-2086  
Contact Info: Dan Klemann, Deputy Director, Long Range Planning Division  
(805) 568-2072  
**SUBJECT:** Accessory Dwelling Unit Ordinance Amendments

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

On June 19, 2018, staff recommends that the Board of Supervisors set a hearing for July 10, 2018, to consider the adoption of amendments to the County Land Use and Development Code (LUDC), Montecito Land Use and Development Code (MLUDC), and Article II, the Coastal Zoning Ordinance (Article II), to revise existing development standards and permit procedures and implement State legislation regarding accessory dwelling units (ADUs).

On July 10, 2018, staff recommends that the Board of Supervisors take the following actions:

- a) Case No. 16ORD-00000-00014 (LUDC Amendment):
  - i) Make the findings for approval, including California Environmental Quality Act (CEQA) findings;
  - ii) Determine that the adoption of this ordinance is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15282(h); and
  - iii) Adopt an ordinance (Case No. 16ORD-00000-00014) amending Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code.
- b) Case No. 16ORD-00000-00015 (MLUDC Amendment):
  - i) Make the findings for approval, including CEQA findings;
  - ii) Determine that the adoption of this ordinance is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15282(h); and
  - iii) Adopt an ordinance (Case No. 16ORD-00000-00015) amending Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code.

**Auditor-Controller Concurrence**

As to form: N/A

- c) Case No. 16ORD-00000-00016 (Article II Amendment):
  - i) Make the findings for approval, including CEQA findings;
  - ii) Determine that the adoption of this ordinance is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15282(h); and
  - iii) Adopt an ordinance (Case No. 16ORD-00000-00016) amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code.
- d) Make the required findings for approval for amendments to the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones*, including CEQA findings;
- e) Determine that the adoption of this resolution is statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15282(h); and
- f) Adopt a resolution amending the *Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones* to allow ADUs as a compatible use on contracted lands.

**Summary Text:**

The State legislature recently enacted several bills to allow and streamline the permit process for ADUs on lots zoned for single-family or multifamily use. Assembly Bill 2299 and Senate Bill 1069, effective as of January 1, 2017, revised the regulations in Government Code Section 65852.2 related to the development of ADUs. Assembly Bill 494 and Senate Bill 229, effective as of January 1, 2018, acted as “clean-up” legislation for the initial revisions to Government Code Section 65852.2. In 2017, staff began drafting amendments to the LUDC, the MLUDC, and Article II to comply with these new State laws.

On September 12, 2017, the Board of Supervisors directed staff to review the following issue areas and return to the Planning Commissions and Board of Supervisors with appropriately revised amendments:

1. Clarify the applicability of septic system regulations related to the Local Agency Management Program (LAMP);
2. Revise the standards for siting ADUs on properties;
3. Clarify the 120 day application period;
4. Address land use permits under state law;
5. Seek review from the California Department of Housing and Community Development; and
6. Where inconsistencies exist between the proposed MLUDC and LUDC amendments, recommend one approach to implement countywide.

Accordingly, staff will return to the Board of Supervisors on July 10, 2018, with recommendations from the Planning Commissions and revised amendments that address the aforementioned issue areas and comply with State law.

**Special Instructions:**

The Planning and Development Department will fulfill all noticing requirements.

The Clerk of the Board shall provide a copy of the minute order to the Planning and Development Department, attention: Jessi Steele.

**Authored by:**

Jessi Steele, Planner, Long Range Planning Division, (805) 884-8082