



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 (P&D)
Department No.: 053
For Agenda Of: December 12, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: N/A
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, (805) 568-2068
Director(s)
Contact Info: Alex Tuttle, (805) 568-2072

SUBJECT: **Submittal of Local Coastal Program Amendments to the California Coastal Commission Regarding Accessory Dwelling Units and Minor Ordinance Amendments**

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Staff recommends that the Board of Supervisors take the following actions:

- a) Adopt a resolution (Attachment 1) authorizing the Planning & Development Department to submit the following amendments to the Santa Barbara County Local Coastal Program (LCP) to the California Coastal Commission (CCC) for review and certification:
 - i. Ordinance No. 5194 (Attachment 2) (23ORD-00009) amending Article II, the Coastal Zoning Ordinance (CZO), to revise the permitting and development standards for Accessory Dwelling Units, and Minor Ordinance Amendments to correct and clarify existing text provisions.
- b) Direct the Planning & Development Department to transmit the adopted resolution to the Executive Director of the CCC; and
- c) Determine that the submittal of the aforementioned resolution and amendments to the Santa Barbara County LCP to the CCC is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15265 and 15282(h).

Summary Text:

This Board item requests delegated authority to submit amendments to the Santa Barbara County Local Coastal Program (LCP) to the California Coastal Commission (CCC) for review and certification. The ordinance amendments included in the Local Coastal Plan Amendment (LCPA) submittal were adopted by the Board on November 7, [2023](#) and are summarized below.

LCPA Summary

The zoning ordinance amendments revised the permitting and development standards for Accessory Dwelling Units (ADUs), and minor amendments to address emerging issues and correct and clarify existing text provisions.

Pursuant to the Board's direction, staff revised the permitting and development standards for ADUs to align them with State law (Assembly Bill 2221 and Senate Bill 897, codified in Government Code Sections 65852.2 and 65852.22, which pertain to ADUs). The amendments also include the 2021 amendments that your Board adopted, but which were never certified by the CCC, combined with further updates in accordance with the recent legislation.

Finally, the ordinances (1) clarify that projects that are determined to be exempt from a planning permit by the Planning and Development (P&D) Director are not subject to appeal, in accordance with Section 30625 of the Coastal Act, (2) correct and clarify existing development standards related to detached accessory structures in the Montecito area (i.e., clarify height restrictions, gross floor area, and footprint limitations); and (3) eliminate references to the Shopping Center zone district in the Coastal Zone, a zone that does not exist in the Coastal Zone.

Submittal and Certification Process

The attached resolution (Attachment 1) authorizes submittal of the aforementioned amendments to the CCC for review and certification pursuant to the procedural requirements for LCPAs set forth in the CCC administrative regulations [California Code of Regulations, Title 14, Division 5.5, Section 13551(b)(2)]. Following review by the CCC, the Board will have six months from the date of the CCC's action to evaluate any suggested modifications to the LCPAs approved by the CCC and decide whether to accept the modifications [California Code of Regulations, Title 14, Division 5.5, Section 13537(b)].

If the Board decides to accept the modifications, then the Board must adopt a resolution agreeing to implement the LCPA as modified. This resolution will be transmitted to the Executive Director of the CCC for review, who will then provide a recommendation to the CCC as to whether the Board's action complies with the Coastal Act and the California Code of Regulations. If the Executive Director recommends that the County's action is in compliance, and the CCC agrees with that recommendation, then the ordinances will become effective as of the date of that final action by the CCC.

Local governments may adopt a maximum of three resolutions per calendar year submitting major LCPAs to the CCC for review and certification. However, there are no limitations on the number of amendments included in each of the three submittals. The attached resolution (Attachment 1) constitutes the County's second submittal for 2023.

Fiscal and Facilities Impacts:

Funding for the preparation and submittal of the Coastal Commission Resolution is budgeted in P&D's Long Range Planning Budget Program on page 318 of the County of Santa Barbara Fiscal Year (FY) 2023-24 Adopted Budget. There are no facilities impacts.

Special Instructions:

P&D will fulfill noticing requirements.

The Clerk of the Board shall provide a copy of the signed resolution (Attachment 1) and minute order, to P&D, attention: Corina Venegas-Martin.

Attachments:

1. Resolution of the Board of Supervisors Submitting Amendments to the CCC
2. Ordinance No. 5194 – ADUs and Minor Ordinance Amendments (23ORD-00009)

Authored by:

Corina Venegas-Martin, Planner, Long Range Planning Division (805) 884-6836