

Alexander, Jacquelyne

From: sbcob
Subject: FW: Board of Supervises Mtg. Re; ADU's ---- Please add my comment @ Mtg. Thank you

From: Bryan Pollard <bkpollard@gmail.com>
Sent: Monday, August 13, 2018 5:16 PM
To: Perez, Lucy <lucyperez@countyofsb.org>
Cc: Allen, Michael (COB) <allen@co.santa-barbara.ca.us>; Williams, Das <DWilliams@countyofsb.org>; Villalobos, David <dvillalo@co.santa-barbara.ca.us>; Bryan Pollard <bkpollard@gmail.com>
Subject: Board of Supervises Mtg. Re; ADU's ---- Please add my comment @ Mtg. Thank you

Please add my comment @ Mtg.
Thank you,
Bryan Pollard

August 13, 2018

Board of Supervisors
Clerk of the Board of Supervisors
105 E. Anapamu Street, room 407
Santa Barbara, CA 93101

**Re: Meeting August 14th, Item #6
Accessory Dwelling Unit Ordinance Amendments**

Dear Board of Supervisors,

Re: Montecito A.D.U.'s approval.

I read you're the last meeting minutes regarding ADU approval dated 8-14-17
I am in agreement with the majority of what I read. It seems to be well thought out.

There are two things that I feel needs to be included or clarified:

1. When will it be project be vested:
 - a. Clients and friends have told me they have gotten unclear information from the county on when they have their L.U.P they have in their possession is vested? Some of them have talked about wanting to plan for financing and construction timing or schedule it for future care giving of parents or children coming back home.
2. Discretionary Review:
 - a. It should meet the states code being that there is no discretionary review.
See the highlighted area below from portion of Government Code Section 65852.2

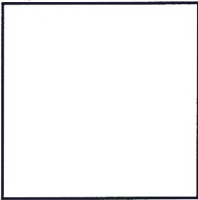
Sincerely,
Bryan Pollard Architect

ARTICLE 2. Adoption of Regulations [65850 - 65863.13]

(Article 2 added by Stats. 1965, Ch. 1880.)

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

Bryan Pollard, AIA



Cell: 805.680.8568

Alexander, Jacquelyne

From: Denice Spangler Adams <calldsa@gmail.com>
Sent: Tuesday, August 14, 2018 7:34 AM
To: sbcob; Bell, Allen; Williams, Das; ADU HCD Greg Nickless
Cc: Montecito Assn; Sharon Byrne; Elliott, Darcel; Romo, Ben - OEM; Monique Limon; Sen Bob (asst Avita) Wieckowski ADU Author; ADU HCD Greg Nickless
Subject: Extend Time on Montecito Issued County Pre- Disaster Bldg Permits - No Casualty & Fire Insurance

Supervisors-

A blanket time extension of time is requested on ADU and other approved land use permits, and projects under review by the County building department prior to the disaster. All energy and resources are focused now on disaster recovery. Casualty Insurance and conventional project financing not available at this time.

Some of us in Montecito who were adversely impacted by the fire, with approved land use permits that are in the active building permit review process, require the BOS to approve a blanket extension.

Casualty Insurance and project financing are not available until after companies assess risks. One benchmark will be after passage of the forecast 70% chance of El Niño rains this Winter in Montecito. Another determining factor will be if insurance companies will continue to underwrite any new policies in Montecito, after analysis of claim costs.

In the interim, with a great amount of money and time invested, (middle class) vested Montecito land permit holders need additional time which YOU can grant us.

We understand the County's reluctance wanting to generate property tax revenue, but pursuing some projects - such as free-standing ADUs - is impossible at this time.

Please move, second and vote for a Montecito time extension.

Your leadership is needed. Thank you.

Sincerely,
Denice S Adams
CallDSA@gmail.com

>

Lenzi, Chelsea

From: Steele, Jessica
Sent: Monday, August 13, 2018 5:01 PM
To: Barker, Russ; Lenzi, Chelsea
Subject: FW: BOS Public Comment - 8/14 Departmental Agenda Item 6 - ADU Ordinance Amendments
Attachments: 081418 BOS Letter ADU Final.pdf

For COB records

From: Steve Fort <stevef@sepps.com>
Sent: Monday, August 13, 2018 4:32 PM
To: Steele, Jessica <jsteele@co.santa-barbara.ca.us>
Cc: Shannon Clark Batchev <Shannon@CoastalHousing.org>; Williams, Das <DWilliams@countyofsb.org>; Wolf, Janet <jwolf@countyofsb.org>; Hartmann, Joan <jHartmann@countyofsb.org>; Adam, Peter <peter.adam@countyofsb.org>; Lavagnino, Steve <steve.lavagnino@countyofsb.org>
Subject: BOS Public Comment - 8/14 Departmental Agenda Item 6 - ADU Ordinance Amendments

Hi Jessi,

On behalf of the Coastal Housing Coalition, please accept the attached public comment letter related to the above referenced Board of Supervisors agenda item.

Sincerely,

Steve Fort, AICP
Senior Planner



SUZANNE ELLEDGE

PLANNING & PERMITTING
SERVICES, INC.

1625 STATE STREET, SUITE 1
SANTA BARBARA, CA 93101

PH: 805-966-2758 x 101

CELL: 805-455-4988

www.sepps.com

I will be out of the office Friday September 7th through Friday September 21st. I return to the office Monday September 24th.



Board of Directors

Craig Minus, *President*
Olivia Marr, *Vice President*
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Jon McCuskey
Bret McNully
Detty Peikert AIA
Lisa Plowman
Jon Standing
Reyne Stapelmann
Barry Taugher

P.O. Box 1076
Santa Barbara CA 93102
(805) 570-1250
www.coastalhousingcoalition.org
Fed Tax ID # 20-1652456

14 August 2018

Santa Barbara County Board of Supervisors
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

**RE: August 14, 2018 Departmental Agenda – Item 6.
Accessory Dwelling Unit Ordinance Amendments**

Dear Chair Williams and Board Members:

The Coastal Housing Coalition (CHC) is a non-profit organization and the voice of local employers and employees in support of workforce housing. The CHC advocates for housing available to households earning 120-200% of the community Average Median Income. A significant part of the Coalition’s mission is to advocate that decision makers accommodate such housing in land use decisions.

While top-down State mandated planning is not ideal, we firmly believe we are indeed in a crisis both Statewide and locally, and we applaud the efforts by the State to increase housing inventory with the accessory dwelling unit (ADU) legislation.

Subsequently, the CHC appreciates the efforts of staff and the Planning Commissions to adapt to this opportunity to create modest infill housing inventory that by design is well suited to serve families and people at the start of their career. This is also an opportunity to legalize units built and occupied illegally.

The CHC offers the following comments based on the staff report and proposed ordinance amendments:

Onsite Wastewater Treatment System Regulations

The staff report indicates that EHS is separately exploring options for approving onsite wastewater treatment systems to serve ADUs. The CHC understands this effort is not the subject of the hearing today, but we encourage the Board to direct EHS to be as flexible as technically possible while protecting water quality and public health. We encourage development of an efficient approval process that allows for consideration of the necessary test results and the ability of each property to treat wastewater rather than a blanket prohibition based on lot size.

Land Use Permits

The CHC enthusiastically supports proposed amendments to allow ADUs with an Exemption (if located within existing buildings) or a Zoning Clearance (if located within a portion of an existing building or within a new building). This is exactly the sort of low cost, simplified processing that is needed to create a sense of certainty for applicants and streamline the ability to create housing units.

ADUs & Multiple Family Dwellings

The CHC supports the revision to the proposed ordinance to allow an ADU on the same lot as an existing or proposed multiple family dwelling.

Location on Lot

An ADU shouldn't be treated like a potential nuisance. Each property is different, especially throughout the entire County, and attempting to regulate the location of ADUs beyond basic setback regulations is likely never going to accommodate every possible scenario. If a tiered approach based on lot size is utilized, we recommend the following:

- For lots that are less than two acres, an ADU should also be allowed to be located closer to an abutting street than a principal dwelling if resource constraints (e.g. specimen trees, steep slopes, riparian habitat, or view protection) dictate that location closer to a street results in an environmentally superior project.
- For lots two acres or larger but not larger than 20 acres, we recommend simply requiring the ADU to be located no closer to the front lot line than the principal dwelling (with consideration of the flexibility recommended in the bullet point above) and compliance with the required side and rear setbacks for the respective zone district. An ADU should be required to comply with the same side and rear setback requirements as a principal dwelling and other accessory structures.

Maximum Living Area

Requiring an ADU not exceed 8% of net lot area up to a maximum of 1,200 square feet is reasonable and we support this approach.

Lot Coverage and Floor Area

We support ADUs being exempt from lot coverage and floor area calculations.

Tree Protection

We support removal of language prohibiting removal of trees to build an ADU and revising the language to require that tree removal be avoided to the maximum extent feasible. ADU's should not be subject to more restrictive tree protection standards than principal dwellings and other accessory structures. We also support the provision that grading and disturbance may be allowed within a dripline if an arborist report recommends it will not damage the tree.

Historic Landmarks Advisory Commission Review

We understand and appreciate the desire to protect historic resources, but we recommend proposed Section 35.42.015.G.7. (Historic Landmarks Advisory Commission Review) provide some explanation of the potential outcomes of HLAC review. I.e. would HLAC review result in binding requirements or non-binding recommendations? A certain level of expectation and clarity about the potential results of HLAC review should be provided to an applicant.

Vesting

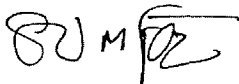
We urge the Board to clarify that ADUs with an approved Land Use permit are vested and not subject to the proposed ordinance unless the approved Land Use Permit is allowed to expire. Also, clarify that ADU applications that have submitted a written response to an Initial Feedback Letter from Planning and Development are not subject to the proposed ordinance. This provides reasonable protection to applicants that have committed resources to a project based on State legislation without a County ordinance yet in place.

Conclusion

We are in a crisis and it is time to recognize that the urgent need to create housing has to inevitably drive difficult decisions and new perspectives on site design and neighborhood compatibility. We have to accept change and continue to acknowledge and address the housing crisis and the impacts to our economy, environment, and the quality of life of our workforce. We urge the County to embrace this opportunity to increase the inventory of housing available to our workforce.

Sincerely,

COASTAL HOUSING COALITION



Steve Fort
Board Member

Lenzi, Chelsea

From: Steele, Jessica
Sent: Monday, August 13, 2018 5:01 PM
To: Barker, Russ; Lenzi, Chelsea
Subject: FW: Accessory Dwelling Units (ADU) Ordinance Amendments.
Attachments: 2018_08_13 AIASB BOS letter .pdf

For COB records

From: keith rivera <acme.arch@cox.net>
Sent: Monday, August 13, 2018 2:41 PM
To: Steele, Jessica <jsteele@co.santa-barbara.ca.us>
Cc: Alex Pujo <alex@pujo.net>; Tara Rizzi <tararizzi@aiasb.com>
Subject: Accessory Dwelling Units (ADU) Ordinance Amendments.

Ms. Steel,

Attached is AIASB's comment letter on the proposed ADU ordinance amendments for distribution to the Board of Supervisors.

Thank you for your attention to this matter.

Regards,

Keith Rivera, AIA
Acme *architecture*
805.886.9834
www.acme-architecture.com
acme.arch@cox.net



AIA Santa Barbara

August 13, 2018

Santa Barbara County Board of Supervisors
Santa Barbara, California

By email – Attention: Jessica Steele jsteele@co.santa-barbara.ca.us

Re: Accessory Dwelling Units (ADU) Ordinance Amendments.

Chair Williams and Board Members,

The Santa Barbara Chapter of the American Institute of Architects (SB AIA) appreciates the opportunity to comment once again on these very important ordinance amendments. We firmly believe that Accessory Dwellings are the most effective and practical way to provide much needed rental housing with minimal environmental and fiscal impacts. Many of these small dwellings are already in place, constructed without permits and in desperate need of a process to make them legal and safe. They are the lowest hanging fruit in the current housing crisis.

A committee of local Architects and housing advocates has been working diligently with City and County staffs and the public since the enactment of SB 1069 on 1/1/2017 to identify barriers that delay, complicate and often impede the permitting of Accessory Dwelling Units. The current Draft has achieved most of these goals; we commend your staff for adjusting standards designed for larger projects to better fit the limited scope of ADU applications. Specifically:

- Removal of septic standards from the zoning ordinance.
- Process all phases of the permitting process within 120 days.
- Land Use clearances and exemptions for ADUs (instead of Land Use Permits, LUPs) in non-coastal parcels.
- Review by Historic Landmarks Commission (HLAC) on a case-by-case determination.
- Limit ADU size to 8% of lot area, not to exceed 1,200 sf.
- Exemption from lot coverage and FAR standards.
- No owner occupancy requirements.
- No blanket prohibition for ADUs in Resource Management Zones.
- Design review by checklist criteria exercised ministerially.
- Exemption from site preparation standards.
- Allowing ADUs in agricultural zones.

These revised development standards will make the process to secure permits for ADU applications more user-friendly, fairer, simpler and faster. These ordinance amendments will encourage the construction of new, small rental units on already developed lots with services in place; they will also facilitate the legalization of dwellings built without permits over the last 40 years.

One major obstacle to ADUs in the unincorporated areas of the County is their current prohibition on **properties under 2-acres served by septic systems**; the removal of this restriction from the zoning ordinance is a major improvement. However, ADU permit applications must be given clearance by Environmental Health Services (EHS), and this department currently denies applications on parcels under 2-acres. Therefore, we respectfully request that the Board direct EHS to base their determination on soil percolation and capacity of a particular site --taking into consideration the number of bedrooms or plumbing fixtures as they would do with a guest house-- and not on the size of the lot. The current interpretation of the standard removes hundreds, perhaps thousands of potential ADU sites county-wide without a valid justification.

In addition, we would like to point out a proposed new standard that appears arbitrarily restrictive: **limitations of where in a lot an ADU can be located** (staff report #2.6.3). Why should an ADU be subject to larger setbacks than those that apply to the siting of the main residence, or to any other accessory building? We respectfully request that the setbacks for ADUs be consistent with all other structures allowed on the property.

In closing, we thank you for your previous comments in support of Accessory Dwelling Units and we appreciate the time that you dedicate to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Rivera', with a stylized flourish at the end.

Keith Rivera, AIASB President

*"The sum of a series of precise regulations is not better ADUs but far fewer ADUs".
Kevin Dumain.*

Lenzi, Chelsea

From: Steele, Jessica
Sent: Tuesday, August 14, 2018 8:07 AM
To: Barker, Russ; Lenzi, Chelsea
Cc: Bell, Allen
Subject: FW: ADU letter to the Board of Supervisors
Attachments: B of S ADU letter.pdf

Hi Russ and Chelsea,

In case you did not already receive it, here is a comment letter regarding ADUs (item #6 on today's agenda).

Thank you,

Jessi Steele | Planner
Planning & Development | Long Range Planning Division
County of Santa Barbara
(805)884-8082

From: Sophie Calvin <sophiecalvin@gmail.com>
Sent: Friday, August 10, 2018 11:15 AM
To: Steele, Jessica <jsteele@co.santa-barbara.ca.us>
Subject: ADU letter to the Board of Supervisors

Hi Jessi,
I have attached my letter to the Board of Supervisors, as a courtesy.

Sophie Calvin
Calvin Design
(805) 969-0559

August 9, 2018

Board of Supervisors
Clerk of the Board of Supervisors
105 E. Anapamu Street, room 407
Santa Barbara, CA 93101

Re: Meeting August 14th, Item #6, Accessory Dwelling Unit Ordinance Amendments

Dear members of the Board of Supervisors,

I would like your board to address vesting of Accessory Dwelling Units?
When does a property owner have the rights (absolute and fixed) for future development of an Accessory Dwelling Unit?

I am a residential designer and have worked with property owners in Montecito to obtain issued and approved Land Use Permits to build new-detached Accessory Dwelling Units under Government Code Section 65852.2.

Sixteen of these ADU's have been in Montecito and seven of them have started or completed construction. This leaves nine that have not obtained building permits yet.

Yesterday Jessi Steele, County Planner, told me that an issued building permit and a substantial inspection (foundation inspection or vertical construction) are required to be vested.

I was told by Glenn Russell and Noel Langle, after the Board of Supervisors meeting of August 12, 2017, an approved and issued LUP is a vested project.

Please add language into the Ordinance Amendments that considers all approved, issued and active Land Use permits for new Accessory Dwelling Units to be vested and not subject to changes adopted by the board.

Sincerely,



Sophie Calvin
Calvin Design