



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: March 16, 2021
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, Director, Planning and Development Department
Director(s) (P&D) (805) 568-2086

Contact Info: Dan Klemann, Deputy Director, Long Range Planning Division
(805) 453-4803

SUBJECT: 2020 Comprehensive Plan Annual Progress Report

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

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

- a) Receive and file the *2020 Comprehensive Plan Annual Progress Report* (Attachment 1), and
- b) Determine that the annual progress report is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

Summary Text:

Government Code Section 65400(a)(2) requires that the County Planning Commission provide by April 1 of each year an annual progress report to the Board, Governor's Office of Planning and Research (OPR), and the California Department of Housing and Community Development (HCD) which includes the following:

(A) *The status of the plan and progress in its implementation.*

(B) The progress in meeting its share of regional housing needs ... and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing

...

(F) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

The County also submits the annual progress report to the City of Santa Barbara in accordance with policies in the Mission Canyon Community Plan.

The *2020 Comprehensive Plan Annual Progress Report* serves two key functions. First, it summarizes the projects that P&D undertook in 2020 to maintain and implement the Comprehensive Plan, including the 2015-2023 Housing Element Update. As discussed in detail below, the County made substantial progress on Housing Element implementation, and initiated comprehensive updates to the Circulation Element and Seismic Safety and Safety Element.

Second, the *2020 Comprehensive Plan Annual Progress Report* discusses the County's progress in meeting its Regional Housing Needs Allocation (RHNA) in the first seven years of the current 8.75-year (January 1, 2014, to September 30, 2022) RHNA projection period. As discussed further below, the County exceeded its RHNA for the moderate- and above moderate-income categories, but it has only met approximately 67 percent of its RHNA for the very low- and low-income categories.

On January 1, 2018, Government Code Section 65913.4 [Senate Bill (SB) 35] went into effect. As discussed further below, Government Code Section 65913.4 established a streamlined, ministerial approval process for qualifying housing projects in jurisdictions that are behind on meeting their RHNA targets. The County has not met its pro-rata share of very low- and low-income housing thus far in its 2014-2022 RHNA projection period and, therefore, is currently subject to the streamlining provisions.

Background:

Housing Element Implementation

The 2015-2023 Housing Element Update contains 37 programs to help meet the housing goals and needs of the unincorporated county. The following summarizes the three programs listed in Chapter 5 of the 2015-2023 Housing Element Update that the County implemented in 2020. Table D of Attachment 1 of the annual progress report provides information on the status of other ongoing and completed programs.

- Program 1.4 Tools to Incentivize High-Quality Affordable Housing. *Ongoing*. Program 1.4 directs the County to "... adopt/apply ... land-use tools ... to encourage the development of unit types that are affordable by design ..." including accessory dwelling units (ADUs) and farm employee dwellings. In 2020, the County continued the implementation of this program through the Housing Bill Implementation Project. This project includes zoning ordinance amendments to comply with the Housing Accountability Act (HAA), State Density Bonus Law (SDBL), and Government Code Section 65913.4 to streamline the permitting process for ADUs and farm employee dwellings.

On January 1, 2020, new State ADU and junior ADU (JADU) laws went into effect and caused the County's Inland Area ADU ordinances to become null and

void. In early 2020, staff established interim ADU and JADU permit processes and procedures and began drafting zoning ordinance amendments to comply with the new State laws. Staff will take the ADU and JADU amendments to decision makers for approval in early 2021 and submit them to the California Coastal Commission (CCC) for review and certification in spring 2021

- Program 1.13 Isla Vista Monitoring. *Ongoing*. Program 1.13 directs the County to monitor housing permit activity within Isla Vista from 2009 through 2020.
- Program 2.4 Farmworker Housing. *Ongoing*. Program 2.4 directs the County to consider actions that further streamline the permit process for agricultural employee dwellings (AED) in the Agricultural I (AG-I) and Agricultural II (AG-II) zones. On February 20, 2020, the CCC conditionally certified the AED CZO amendment (i.e., the AED Local Coastal Program Amendment, or LCPA) with five suggested modifications. P&D staff presented the CCC's conditionally certified AED LCPA to the Board for approval on April 7, 2020. The Board requested that staff return with options for amending the AED employment location requirements. Staff returned to the Board on June 2, 2020, with a revised AED LCPA, which the Board of Supervisors approved and staff resubmitted to the CCC. On February 9, 2021, the Board authorized staff to resubmit the AED LCPA to the CCC to correct minor errors and omissions in the originally submitted AED LCPA. The CCC is likely going to certify the AED LCPA this spring.

In addition, the Community Services Department Sustainability Division and Housing and Community Development Division continue to coordinate with P&D to maintain and implement Housing Element programs. In 2020, these two divisions helped implement 13 programs. Table D of Attachment 1 of the Annual Progress Report provides information on this progress. Finally, P&D staff continues to participate in the County Executive Office's Homeless Inter-Agency Policy Council (HIAPC), which consists of a working group of County departmental representatives who strategize and advise on County programs to reduce homelessness.

RHNA Progress

Table 1 below lists the number of building permits that the County issued for new housing units (organized by income category) within the unincorporated areas of the county from calendar year 2014 through 2020. The final row of the table lists the County's 2014-2022 RHNA.

Housing production decreased in 2020. The County issued building permits for 205 units in 2020 compared to 242 units in 2019.

Government Code Section 65913.4 Streamlined Ministerial Approval Process

Government Code Section 65913.4 sets forth a streamlined, ministerial approval process for qualifying housing developments in jurisdictions that have not met their pro-rata share of regional housing needs. In part, qualifying developments must be located on an urban infill site zoned for residential or mixed uses

Table 1					
2014 to 2022 RHNA Projection Period					
Residential Units by Income Category					
(Building Permits)					
Year	Very Low	Low	Moderate	Above Moderate	Total
2014	0	0	59	80	139
2015	49	41	44	94	228
2016	0	7	13	31	51
2017	8	1	54	145	208
2018	1	14	82	231	328
2019	0	26	21	195	242
2020	0	30	60	115	205
Total	177 (58 Very Low + 119 Low)		333	891	1,401
RHNA	265		112	284	661

and provide at least 10 or 50 percent of the units for lower-income households. In addition, all projects over 10 units must pay prevailing wages and larger projects must provide skilled and trained labor.

On June 25, 2019, HCD determined that, based upon data from the *2018 Comprehensive Plan Annual Progress Report*, the County had not met its pro-rata share of very low- and low-income housing thus far in its 2014 to 2022 RHNA projection period. As a result, the County became subject to the streamlining provisions for proposed developments with at least 50 percent affordability [Government Code Section 65913.4(a)(4)(B)(ii)]. As of January 15, 2021, HCD had not completed its annual update of the Statewide Determination Summary to include data from the *2019 Comprehensive Plan Annual Progress Report*. In 2020, the County received two new applications for very low- and low-income housing projects. One project is currently in review, and the other received approval in August 2020. However, the County remained subject to the streamlining provisions throughout 2020 and will likely remain so through 2021.

In order to plan for qualifying housing developments and facilitate increased housing production for very low- and low income categories, staff applied for and received grant funding in order to process zoning ordinance amendments to create objective design standards for qualifying projects during Fiscal Year 2021-2022.

Planning Commission Hearings

On February 17 and 24, 2021, respectively, the Montecito and County Planning Commissions voted 4-0 and 4-0 to receive, file, and recommend that the County Planning Commission provide the annual progress report to the Board, OPR, HCD, and City of Santa Barbara by April 1, 2021. The Montecito and County Planning Commission staff reports (Attachments 2 and 3) and action letters (Attachments 4 and 5) are enclosed.

Environmental Review:

CEQA Guidelines Section 15060(c)(3) states that an activity is not subject to CEQA if the activity is not a “project.” Section 15378(b)(5) states that a project does not include “... administrative activities of governments that will not result in direct or indirect physical changes to the environment.” The preparation and submittal of the annual progress report is an administrative activity that does not authorize new development or otherwise result in physical changes to the environment. Therefore, the annual progress report is not a project and is not subject to CEQA.

Fiscal Analysis:

Funding for the *2020 Comprehensive Plan Annual Progress Report* is budgeted in P&D’s Long Range Planning Division Budget Program on page D-269 of the County of Santa Barbara Adopted Budget, Fiscal Year 2020-21. To date, staff has expended approximately 250 hours (18,600.00) to prepare and process the annual progress report. There are no facilities impacts.

Special Instructions:

The Clerk of the Board shall forward a copy of the minute order to P&D, attention: Corina Venegas, Long Range Planning Division.

Attachments:

- A. *2020 Comprehensive Plan Annual Progress Report*
- B. Montecito Planning Commission Staff Report (dated January 28, 2021)
- C. County Planning Commission Staff Report (dated February 4, 2021)
- D. Montecito Planning Commission Action Letter (dated February 17, 2021)
- E. County Planning Commission Action Letter (dated February 24, 2021)

Authored by:

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