CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

March 18, 2019

Steve Lavagnino, Chair
Board of Supervisors
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

RE: Santa Barbara County Local Coastal Program Amendment No. LCP-4-STB-18-0071-2-Part B (Accessory Dwelling Units)

Dear Honorable Chair Lavagnino and Supervisors:

On March 7, 2019 the Coastal Commission approved LCP Amendment LCP-4-STB-18-0071-2-Part B with two (2) suggested modification. The Commission's resolution of certification is contained in the findings of the staff report dated February 21, 2019. The suggested modifications, as approved by the Commission on March 7, 2019, is contained in Exhibit 1 of the staff report dated February 21, 2019.

Section 13544 of the Commission's Administrative Regulations requires that after certification the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

(a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above, the Commission's certification with 2 suggested modifications *shall expire six months* from the date of the Commission's action.

(b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.

(c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object to the Executive Director's determination. If a majority of the Commissioners present

object to the Executive Director's determination and find that the local government action does not conform to the provisions of the Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.

(d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

The Commission and staff greatly appreciate the County's consideration of this matter.

Authorized on behalf of the California Coastal Commission by:

John Ainsworth
Executive Director

By: Michelle Kubran
Coastal Program Analyst

Cc: Jessi Steele, Santa Barbara County Planning and Development Department

FINAL SUGGESTED MODIFICATIONS TO THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE

LCP Amendment 4-STB-18-0071-2-Part B
(Accessory Dwelling Unit Ordinance)

Existing language of the certified Implementation Plan/Coastal Zoning Ordinance is shown in straight type. The County's proposed amendment language to the certified Implementation Plan/Coastal Zoning Ordinance is shown in ~~strikeout~~ and underline. Language approved by the Commission to be modified is shown in ~~double strikeout~~ and double underline.

SUGGESTED MODIFICATION NO. 1

Section 35-142, Accessory Dwelling Units, shall be modified as follows:

Section 35-142. Accessory Dwelling Units.

Section 35-142.1 Purpose and Intent.

The purpose of this Section is to establish permit procedures and development standards for attached and detached accessory dwelling units in compliance with California Government Code Section 65852.2. The intent is to encourage the development of accessory dwelling units that contribute needed housing to the community's housing stock.

Section 35-142.2 Applicability.

1. In addition to the allowable uses listed in Division 4, Zoning Districts, an accessory dwelling unit may be allowed on a lot zoned as follows:

a. Agricultural zones.

1) AG-I (Agriculture I).

2) AG-II (Agriculture II).

b. Resource Protection Zones.

1) MT-TORO (Mountainous Area - Toro Canyon Planning Area).

2) RES (Resource Management).

c. Residential zones.

1) EX-1 (One-Family Exclusive Residential).

2) R-1/E-1 (Single-Family Residential).

3) R-2 (Two-Family Residential).

4) DR (Design Residential).

5) PRD (Planned Residential Development).

6) RR (Rural Residential).

7) SR-H (High Density Student Residential).

8) SR-M (Medium Density Student Residential).

d. Commercial zones.

1) C-1 (Limited Commercial).

a) An accessory dwelling unit may only be approved on a lot where a single-family or multiple-family residence may be allowed, and subject to the regulations of Section 35-77A.6 (Minimum Lot Size) and Section 35-71 (R-1/E-1).

Section 35-142.3 Allowed Density and Use.

1. As required by Government Code Section 65852.2(a)(8), an accessory dwelling unit shall:

    a. Be deemed to be an accessory use or an accessory building.

    b. Not be considered to exceed the allowable density for the lot upon which it is located.

    c. Be deemed to be a residential use that is consistent with the existing Coastal Land Use Plan and zoning designation for the lot on which the accessory dwelling unit is located.

    d. Not be considered in the application of any local ordinance, policy, or program to limit residential growth.

2. A lot may contain no more than one accessory dwelling unit, and it shall be accessory to and located on the same lot as an existing or proposed single-family or multiple-family dwelling.

Section 35-142.4 Application and Processing Requirements.

1. Permit required. Prior to the development or use of a building or portion thereof as an accessory dwelling unit, an application for a Coastal Development Permit shall be submitted in compliance with Section 35-57A (Application Preparation and Filing), and the Coastal Development Permit shall be issued in compliance with Section 35-169 (Coastal Development Permits).

2. ~~Ministerial review~~Hearing Requirements. An application for a Coastal Development Permit for an accessory dwelling unit shall be considered ~~ministerially without discretionary review or~~ without a hearing.

3. Conflicts with other sections of this Article. Except as provided in Subsection 3.a (Coastal resource protection), where there are conflicts between the standards in this Section 35-142 (Accessory Dwelling Units), the standards in Section 35-119 (Accessory Structures), and the standards in the specific zone regulations (Division 4 Zoning Districts), the provisions of this Section shall prevail.

a. Coastal resource protection. If there is a conflict between the standards of this Section 35-142 (Accessory Dwelling Units) and standards that protect coastal resources, the requirements which are most protective of coastal resources shall prevail.

Section 35-142.5 Accessory dwelling units located entirely within existing single-family dwellings or accessory buildings on lots zoned for single-family use.

An accessory dwelling unit proposed entirely within an existing single-family dwelling or existing accessory building shall be approved with a Coastal Development Permit when in compliance with all of the following development standards:

1. The lot contains no more than one accessory dwelling unit.

2. The primary use of the lot is a single-family dwelling.

3. The accessory dwelling unit is proposed to be located in one of the following zones:

    a. RR (Rural Residential).

    b. R-1/E-1 (Single-Family Residential).

    c. EX-1 (One-Family Exclusive Residential).

    d. DR (Design Residential).

    e. PRD (Planned Residential Development).

4. The accessory dwelling unit has independent exterior access from the existing single-family dwelling.

5. The existing side and rear setbacks are sufficient for fire safety purposes in compliance with the current, adopted edition of the California Fire Code.

6. Additional parking spaces are not required to be provided for accessory dwelling units permitted in

compliance with this Section 35-142.5.

7. Accessory dwelling units allowed in compliance with this Section 35-142.5 shall also comply with the development standards in Section 35-142.8 (Additional development standards that apply to accessory dwelling units).

8. Accessory dwelling units allowed in compliance with this Section 35-142.5 and proposed on lots in Special Problem Areas shall not be subject to the requirements in Section 35-142.9 (Accessory dwelling units in Special Problem Areas).

9. Accessory dwelling units located entirely within existing single-family dwellings or accessory buildings on lots zoned for single-family use that do not meet all of the standards in this Section 35-142.5 may be allowed in compliance with Section 35-142.6 (Accessory dwelling units located entirely within existing single-family or multiple-family buildings on lots zoned for single-family or multiple-family use), below.

Section 35-142.6 Accessory dwelling units located entirely within existing single-family dwellings, ~~or~~ multiple-family ~~buildings~~ dwellings, or accessory buildings on lots zoned for single-family or multiple-family use.

Excluding accessory dwelling units that comply with Section 35-142.5 (Accessory dwelling units located entirely within existing one-family dwellings or accessory buildings on lots zoned for one-family use), above, an accessory dwelling unit proposed entirely within an existing single-family or multiple-family dwelling or existing accessory building shall be approved with a Coastal development Permit when in compliance with all of the following development standards:

1. Accessory dwelling units allowed in compliance with this Section 35-142.6 shall also comply with the development standards in Section 35-142.8 (Additional development standards that apply to accessory dwelling units).

2. Accessory dwelling units allowed in compliance with this Section 35-142.6 and proposed on lots in Special Problem Areas shall also comply with the requirements in Section 35-142.9 (Accessory dwelling units in Special Problem Areas).

3. Appearance and style. Any exterior alterations to an existing building that result from the conversion of all or a portion of the existing building to an accessory dwelling unit shall be limited to minor alterations such as the addition of doors and windows.

4. Maximum and minimum living area requirements. As used in Section 35-142 (Accessory Dwelling Units), living area means the interior habitable area of a dwelling unit including basements and attics but not including an attached garage or any other attached accessory structure.

a. Maximum living area. The living area of the accessory dwelling unit shall not exceed the following standards:

1) Attached accessory dwelling unit: 50 percent of the living area of the principal dwelling that exists at the time of application for the accessory dwelling unit, provided that the living area of the accessory dwelling unit does not exceed 1,200 square feet.

2) Detached accessory dwelling unit: 1,200 square feet.

b. Minimum living area. The living area of an accessory dwelling unit shall be a minimum of 300 square feet unless the accessory dwelling unit qualifies as an Efficiency Unit in compliance with Health and Safety Code Section 17958.1 and California Building Code Section 1208.4.

5. Parking requirements. Additional parking spaces are not required to be provided for accessory dwelling units permitted in compliance with this Section 35-142.6.

6. Setbacks. Except as provided below in Section 35-142.6.6.a, the existing side and rear setbacks may be increased only when required to provide a sufficient setback for fire safety purposes in compliance with the current, adopted edition of the California Fire Code.

a. No setback shall be required for an accessory dwelling unit that is proposed to be located entirely within an existing garage.

Section 35-142.7 Accessory dwelling units located either partially within existing ~~buildings~~ or ~~within~~ new single-family dwellings, multiple-family dwellings, or accessory buildings on lots zoned for single-family or multiple-family use.

An accessory dwelling unit proposed either partially or wholly within an addition to an existing single-family or multiple-family dwelling or existing accessory building, or is attached to a new single-family or multiple-family dwelling, or is located within a new accessory building, shall be approved with a Coastal Development Permit when in compliance with all of the following development standards:

1. Accessory dwelling units allowed in compliance with this Section 35-142.7 shall also comply with the development standards in Section 35-142.8 (Additional development standards that apply to accessory dwelling units).

2. Accessory dwelling units allowed in compliance with this Section 35-142.7 and proposed on lots in Special Problems Area shall also comply with the requirements in Section 35-142.9 (Accessory dwelling units in Special Problems Areas).

3. Accessory to a principal dwelling. If an application for an accessory dwelling unit is submitted for a lot that does not contain a principal dwelling at the time of application, then the application for a principal dwelling shall be submitted in conjunction with an application for an accessory dwelling unit.

a. Final building permit inspection for the proposed principal dwelling shall be approved prior to final building permit inspection approval for the accessory dwelling unit.

4. Appearance and style.

a. The exterior appearance and architectural style of the proposed accessory dwelling unit shall be in compliance with the following:

1) The design of an accessory dwelling unit that will be attached to an existing building reflects the exterior appearance and architectural style of the existing building and uses the same or comparable exterior materials, roof covering, colors and design for trim, windows, roof pitch and other exterior physical features.

2) The design of an accessory dwelling unit that will not be attached to an existing building reflects the exterior appearance and architectural style of the existing or proposed principal dwelling and uses the same or comparable exterior materials, roof covering, colors and design for trim, windows, roof pitch and other exterior physical features.

3) The entrance to an accessory dwelling unit that will be attached to the existing or proposed principal dwelling is structurally shielded so that the entrance is not visible when viewed from any street abutting the lot on which the accessory dwelling unit is located. The Director may waive this standard if it would prohibit the construction of an attached accessory dwelling unit on the lot.

4) All exterior lighting complies with Section 35-139 (Exterior Lighting) and lighting requirements in all applicable community plans, area plans, and overlay districts.

5) Proposed landscaping will screen the accessory dwelling unit, including any architectural elements such as foundations and retaining walls, mechanical equipment, and parking required to be provided for the accessory dwelling unit, from public viewing areas (e.g., public road, trails, or recreation areas). Said landscaping shall be compatible with existing landscaping on the lot in terms of plant species and density of planting.

b. Within the Montecito Community Plan area. The Chair of the Montecito Board of Architectural Review, or designee, may review the exterior appearance and architectural style of the proposed accessory dwelling unit proposed to be located within the Montecito Community Plan Area and

provide comments to the Director regarding whether the application complies with the design criteria listed above in Section 35-142.7.4.a.

5. Coastal resource protection.

a. All development associated with the construction of an accessory dwelling unit shall be located in compliance with the requirements of Section 35-97 (ESH - Environmentally Sensitive Habitat Area Overlay District) and all applicable ESH policies and provisions of the certified Local Coastal Program.

b. Accessory dwelling units shall not significantly obstruct public views from any public road or from a public recreation area to, and along, the coast.

c. Accessory dwelling units shall not obstruct public access to and along the coast or public trails.

d. Lots zoned AG-I and AG-II. The development of a detached accessory dwelling unit on lots zoned AG-I (Agriculture I) and AG-II (Agriculture II) shall also comply with the Coastal Act Section 30241, the development standards shown above, and the agriculture protection policies and development standards of the certified Local Coastal Program. If these requirements are in conflict with other provisions of the Coastal Land Use Plan or any applicable community or area plan, this Article, or any permit conditions established by the County, the requirements which are most protective of coastal resources shall control.

~~1) The proposed ADU shall be sited to so as to minimize impacts to ongoing agriculturally related activities and shall avoid prime soils to the maximum extent feasible.~~

~~2) The development of the accessory dwelling unit shall preserve natural features, landforms, and native vegetation such as trees to the maximum extent feasible.~~

6. Height limit.

a. An accessory dwelling unit shall be in compliance with the following height limits as applicable. However, these height limits may be exceeded when the portion of the accessory dwelling unit that is proposed to exceed these height limits is located within:

1) The existing space of a single-family or multiple-family dwelling or an accessory building.

2) A proposed addition to an existing building and increased height is necessary to allow the roofline of the addition to match the roofline of the existing building that is being added to.

b. Attached accessory dwelling units.

1) Located below another floor. The height of an accessory dwelling unit that is proposed to be located below another floor shall not exceed a vertical distance of 16 feet as measured from the lowest finished floor of the accessory dwelling unit to the bottom of the support system of the floor above.

2) Located above another floor or on-grade where there is no floor above. The height of an accessory dwelling unit that is proposed to be located above another floor or on-grade where there is no floor above shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35-127 (Height).

c. Detached accessory dwelling units.

1) Connected to a detached accessory structure.

a) Located above or below another floor.

i) Located above another floor. The height of an accessory dwelling unit that is proposed to be located above another floor shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35-127 (Height).

ii) Located below another floor. The height of an accessory dwelling unit that is

proposed to be connected to a detached accessory structure and would be located below another floor shall not exceed a vertical distance of 16 feet as measured from the lowest finished floor of the accessory dwelling unit to the bottom of the support system of the floor above.

iii) Notwithstanding the above, the height of the combined structure shall not exceed a height of 25 feet as determined in compliance with Section 35-127 (Height).

b) Located ~~above another floor or~~ on grade where there is no floor above. The height of an accessory dwelling unit that is proposed to be located ~~above another floor or~~ on-grade where there is no floor above shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35-127 (Height).

2) Not connected to a detached accessory structure. The height of an accessory dwelling unit that is not connected by any means to another structure shall not exceed a height of 16 feet as determined in compliance with Section 35-127 (Height).

7. Historic Landmarks Advisory Commission. If the Director determines that the accessory dwelling unit is proposed to be located entirely or partially within a building that is historically significant, then the Director may require that the application for an accessory dwelling unit be submitted to the Historic Landmarks Advisory Commission for review and comment as to the compatibility of the proposed development with the historical context of the building, whether the development will result in a detrimental effect on any existing or potential historical significance of the building, and other factors on which the Historic Landmarks Advisory Commission may choose to comment.

8. Location on lot.

a. For lots that are less than two acres, a detached accessory dwelling unit shall not be located closer to the principal abutting street than the principal dwelling unless other zoning provisions such as setback requirements would prohibit compliance with this requirement.

b. For lots that are two acres or larger but not larger than 20 acres, a detached accessory dwelling unit shall not be located closer to any property line than the lesser of 100 feet or the distance from the principal dwelling to that property line unless other zoning provisions such as setback requirements, or the location of existing development on the lot including agricultural operations, would prohibit compliance with this requirement.

c. For lots that are larger than 20 acres, the location of a detached accessory dwelling unit is not restricted provided the location complies with zoning requirements such as applicable setback requirements or building envelopes.

d. All new detached accessory dwelling units shall be clustered with other existing structures to the maximum extent feasible.

9. Maximum and minimum living area requirements. As used in Section 35-142 (Accessory Dwelling Units), living area means the interior habitable area of a dwelling unit including basements and attics but not including an attached garage or any other attached accessory structure.

a. Maximum living area. The living area of an accessory dwelling unit shall not exceed eight percent of the net lot area of the lot on which the accessory dwelling unit will be located, provided that the living area of the accessory dwelling unit does not exceed 1,200 square feet.

1) Attached accessory dwelling unit. In addition to the maximum living area specified above in Section 35-142.7.9.a) (Maximum living area), the living area of an attached accessory dwelling unit shall not exceed 50 percent of the living area of:

a) The existing principal dwelling that exists at the time of application for the accessory dwelling unit, or

b) The proposed principal dwelling if an application for the principal dwelling is submitted

concurrently with the application for the accessory dwelling unit.

b. Minimum living area. The living area of an accessory dwelling unit shall be a minimum of 300 square feet unless the accessory dwelling unit qualifies as an Efficiency Unit in compliance with Health and Safety Code Section 17958.1 and California Building Code Section 1208.4.

10. Parking requirements. The following parking requirements shall apply to new, detached accessory dwelling units that are not connected by any means to another structure:

a. Except as provided in Section 35-142.7.10.b, below, in addition to the required parking for the principal dwelling, a minimum of one off-street parking space shall be provided on the same lot on which the new, detached accessory dwelling unit is located. The additional parking shall be provided as specified in the base zone and in Division 6 (Parking Regulations) except that said parking may be provided as tandem parking on a driveway and in compliance with the following:

1) The additional parking may be permitted in the side or rear setback areas, or through tandem parking, unless:

a) The Director finds that parking in setback areas or tandem parking is infeasible based upon specific site or regional topographical or fire and life safety conditions, or

b) The project site is located in a very high fire hazard severity zone, in which case tandem parking is not allowed.

b. Additional off-street parking spaces are not required to be provided for new, detached accessory dwelling units that comply with any of the following criteria:

1) The accessory dwelling unit is located within one-half mile of public transit (e.g., a bus stop).

2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

3) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

4) When there is a car share vehicle located within one block of the accessory dwelling unit.

11. Setbacks. Except as provided below, an accessory dwelling unit shall comply with the setback regulations that apply to the principal dwelling.

a. A setback of five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above an existing garage.

b. No setback shall be required for an accessory dwelling unit that is proposed to be located partially within an existing garage.

12. Tree protection. An application for an accessory dwelling unit shall comply with the following standards or applicable community plan requirement, whichever is more protective.

a. To the maximum extent feasible, all development associated with the accessory dwelling unit shall avoid the removal of or damage to all protected trees. ~~Trees that may be removed or damaged shall be relocated or replaced onsite.~~ For the purposes of this Section 35-142.7.12 (Tree protection), protected trees are ~~defined as trees are~~ defined for the purpose of this policy as mature native, naturalized, or roosting/nesting trees that do not pose a threat to health and safety and include:

1) Oaks (*Quercus agrifolia*).

2) Sycamores (*Platanus racemosa*).

3) Willow (*Salix sp.*).

4) Redwoods (*Sequoia sempervirens*).

5) Maples (*Acer macrophyllum*).

6) California Bay Laurels (*Umbellularia californica*).

7) Cottonwood (*Populus fremontii* and *Populus balsamifera*).

8) White Alder (*Alnus rhombifolia*).

9) California Walnut (*Juglans californica*).

10) Any tree serving as known or discovered raptor nesting and/or raptor roosting sites.

11) Any trees serving as Monarch butterfly habitat, including aggregation sites.

b. No grading, paving, and other site disturbance shall occur within the dripline of a protected tree including the area six feet outside of tree driplines unless avoidance is not feasible~~ and the County finds, based on the conclusion of a report submitted by the applicant and prepared by a licensed arborist is that the proposed grading, paving, or other site disturbance will not damage or harm the tree(s)~~.

c. ~~The protection measures included in Subsections 35-142.7.12.a and b, above do apply to invasive species.~~ Where removal of protected trees cannot be avoided through the implementation of project alternatives, or where development encroachments into the area within six feet of the dripline of protected trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of replacement trees (native trees only) on-site, if suitable area exists on the project site, at a ratio of 10 replacement trees for every one tree removed. Where on-site mitigation is not feasible, the most proximal off-site mitigation shall be required.

Section 35-142.8 Additional development standards that apply to accessory dwelling units.

1. Development standards that apply to accessory dwelling units. The following development standards shall also apply to accessory dwelling units in addition to the development standards contained in Section 35-142.5 (Accessory dwelling units located entirely within existing single-family dwellings or accessory buildings on lots zoned for single-family use), Section 35-142.6 (Accessory dwelling units located entirely within existing single-family or multiple-family buildings on lots zoned for single-family or multiple-family use), or Section 35-142.7 (Accessory dwelling units located either partially within existing buildings or within new buildings on lots zoned for single-family or multiple-family use), as applicable.

a. Fees. The applicant shall pay development impact mitigation fees in compliance with ordinances and/or resolutions adopted by the County. The amount of the required fee shall be based on the fee schedules in effect when paid.

b. Passageway not required. A passageway shall not be required to be provided in conjunction with the construction of an accessory dwelling unit.

c. Private and public services.

1) Potable water. Where public water service is available, the accessory dwelling unit shall be required to be served by the appropriate water district. If the principal dwelling is currently served by a public water district or an existing mutual water company, not subject to moratorium for new connections, the accessory dwelling unit shall be served the appropriate district or company. If the principal dwelling is currently served by a water district or an existing mutual water company subject to a moratorium~~,~~ for new connections, or if the existing service is by a private well or private water company, and if the property is not located in an over-drafted water basin, the accessory dwelling unit may be served by a private water system subject to review and approval by the Public Health Department or State as applicable.

2) Wastewater. Where public sewer service is not available, the accessory dwelling unit may be served by an onsite wastewater treatment system subject to review and approval by the Public Health Department.

d. Rental and sale.

1) An accessory dwelling unit may be used for rentals provided that the length of any rental shall be longer than 30 consecutive days.

2) An accessory dwelling unit shall not be sold separately from the principal dwelling.

e. Nonconforming Accessory Buildings. An accessory dwelling unit located entirely or partially within a nonconforming accessory building may be allowed in compliance with Section 35-162 (Nonconforming Buildings and Structures); however, accessory dwelling units are not allowed within a nonconforming accessory building if the nonconforming accessory building is inconsistent with any of the coastal resource protection policies or development standards of the certified Local Coastal Program.

…

SUGGESTED MODIFICATION NO. 2

Section 35-169.4.2, Coastal Development Permits, shall be modified as follows:

c. Decision-maker, hearing requirements and notice requirements.

1) Applications for certain solar energy facilities and ~~Residential Second~~ Accessory Dwelling Units. Applications for freestanding solar energy facilities that are accessory and incidental to the principal use of the lot that the system is located on and are sized to primarily supply only the principal use that the system is accessory and incidental to, and ~~Residential Second~~ Accessory Dwelling Units, ~~on lots located in residential zone districts~~ shall be processed in compliance with the following:

a) Notice of the submittal of the application and pending decision of the Director shall be given in compliance with Section 35-181.2 (Notice of Public Hearing and Decision-Maker Action).

b) The Director shall review the application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Article, and other applicable conditions and regulations, and approve, conditionally approve, or deny the Coastal Development Permit. A public hearing shall not be required.

c) The action of the decision-maker is final subject to appeal, including an appeal to the Coastal Commission, in compliance with Section 35-182 (Appeals).

…