



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 055-05

PERMIT REASONABLE ACCOMMODATION REQUESTS

AUGUST 11, 2005

A PROPOSAL TO AMEND SECTIONS OF THE SANTA BARBARA MUNICIPAL CODE INCLUDING PORTIONS OF TITLE 28, THE ZONING ORDINANCE TO PERMIT REASONABLE ACCOMMODATION REQUESTS (MST2005-00317)

The City of Santa Barbara is considering amendments to the Santa Barbara Municipal Code to provide a mechanism specifically for individuals with disabilities to request relief from zoning standards and land use regulations in order to improve access to housing. The amendments would implement Housing Element strategy 1.1.5 that requires amendments to the Municipal Code to provide persons with disabilities seeking equal access to housing the ability to request reasonable accommodation in the application of City zoning laws.

The purpose of the hearing is for the Planning Commission to initiate the following amendments and to receive comments from both the Planning Commission and the public. After the hearing, Staff will prepare the ordinance language and forward with the Planning Commission's recommendations to the City Council Ordinance Committee for consideration.

1. Amend Chapter 28.90 of the Municipal Code, Automobile Parking Requirements, so that the administrative practice of allowing for replacement of required parking spaces with accessible parking spaces or an access aisle is permitted without additional approvals.
2. Amend Chapter 28.87, General Provisions, Section 28.87.062, Yard Encroachments, to permit encroachment into any required interior or front yard for retrofitting an existing unit for handicap accessibility.
3. Amend Chapter 28.92.026, Modifications, to add a modification finding specific to a reasonable accommodation request for relief of required zoning standards to allow for other improvements not covered by proposed amendments 1 and 2 above but that would provide individuals with disabilities reasonable accommodation.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305, Minor Alterations in Land Use Limitations.

WHEREAS, the Planning Commission has held the required public hearing on the above proposal.

WHEREAS, no one appeared to speak in favor of the proposal, and no one appeared to express his concerns thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 5, 2005

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

Passed and adopted the following motions on the 11th day of August, 2005, by the Planning Commission of the City of Santa Barbara, by the following votes:

MOTION: Mahan / White

Recommended that City Council initiate the ordinance amendment with recommendations to the Ordinance Committee with the inclusion of free consultation of ABR consent review.

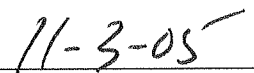
This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Maguire)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.



Deana Rae McMillion, Admin/Clerical Supervisor



Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.