



City of Santa Barbara

Community Development Department

SantaBarbaraCA.gov

July 8, 2021

Director's Office

Tel: (805) 564-5502

Fax: (805) 564-5477

Administration, Housing & Human Services

Tel: (805) 564-5461

Fax: (805) 564-5477

Building & Safety

Tel: (805) 564-5485

Fax: (805) 564-5476

Planning

Tel: (805) 564-5470

Fax: (805) 564-5477

Rental Housing

Mediation Program

Tel: (805) 564-5420

Fax: (805) 564-5477

630 Garden Street

PO Box 1990

Santa Barbara, CA

93102-1990

Jack Ainsworth, Executive Director
California Coastal Commission
South Central-Coast District Office
89 South California Street, Suite 200
Ventura, CA 93001-2801

**SUBJECT: CITY OF SANTA BARBARA LOCAL COASTAL PROGRAM AMENDMENT
APPLICATION TO REGULATE ACCESSORY DWELLING UNITS IN THE
COASTAL ZONE**

Dear Mr. Ainsworth:

The City of Santa Barbara is please to submit an application for an amendment to the City's certified Local Coastal Program (LCP). The proposed LCP Amendment (LCPA) would amend Title 28, Zoning - Coastal, which is part of the City's certified LCP Implementation Plan (IP). The proposed LCPA would modify the IP to replace existing zoning standards and regulations pertaining to accessory dwelling units (currently called secondary dwelling units in the IP) to comply with recent changes to state housing law. In addition, the proposed LCPA would provide incentives for the construction of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) and ensure the protection of coastal resources consistent with the policies of the City's certified 2019 Coastal Land Use Plan (LUP).

Pursuant to Coastal Act Section 30514(d), the City of Santa Barbara is requesting the Executive Director determine that the proposed LCPA is "de minimis" as it will have no impact, either individually or cumulatively, on coastal resources and it is consistent with the policies in Chapter 3 of the Coastal Act. In addition, the proposed LCPA meets the noticing requirement of Section 30514(d)(1)(A) and it does not propose any change in the use of land or allowed use of property as discussed below and in the Attachment to this application letter.

Proposed Amendment to the Certified Local Coastal Program

Currently, the City of Santa Barbara utilizes two zoning ordinances (not including the Airport), Title 28 and Title 30. Title 28, Zoning – Coastal, applies to the portions of the City within the coastal zone and contains the zoning ordinance and zoning district maps of the City's certified IP. Title 30, Zoning – Inland, applies to areas outside of the coastal zone. Title 30 was established by the Santa Barbara City Council in 2017, when it adopted a comprehensive update of the City's Zoning Ordinance. The City desires to eventually consolidate these two zoning ordinances in order to have one zoning ordinance that would apply Citywide and has had preliminary discussions with CCC staff regarding such a LCPA application. However, an LCPA application has not been submitted for that larger effort.

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The subject proposed LCPA only includes amendments to bring portions of Title 28 into compliance with state housing law.

On November 10, 2020, the Santa Barbara City Council adopted Ordinance 5975¹ (Exhibit 1a of Attachment) which amended Title 28 of the Santa Barbara Municipal Code (SBMC) to add Chapter 28.86 and amend other sections within Title 28 to regulate ADUs in the coastal zone. Ordinance 5975 contains the entire text of the proposed LCPA. To aid in the review of the scope of the changes to Title 28, Exhibit 1b of the Attachment illustrates all proposed text amendments in ~~strikeout~~ and underline format. Exhibit 1b.i indicates the proposed text changes from current Code and Exhibit 1b.ii indicates further changes the City Council Ordinance Committee requested as a result of the public hearing held before them.

The main provision of Ordinance 5975 is the establishment of Chapter 28.86, Accessory Dwelling Units, which replaces existing zoning standards and regulations contained in §28.94.030.Z, Conditional Use Permits - Secondary Dwelling Units, as well as other zoning standards that were made null and void by recent changes in state housing law. Specifically, Chapter 28.86, Accessory Dwelling Units, establishes the following:

- **28.86.010 Purpose:** States the purpose of the new chapter is to not only provide additional opportunities for housing but also promote compatible development and protect historic and coastal resources.
- **28.86.020 Definitions:** Defines key words and phrases used in this Chapter.
- **28.86.030 Where Permitted:** Specifies ADUs and JADUs are permitted in any zone that allows residential use, and prohibits ADUs in a location that would conflict with coastal resource protection policies of the Coastal LUP. Also prohibits Standard ADUs² in the Extreme Foothill and Foothill high fire hazard zones. Only a small portion of the Foothill high fire hazard area is located within the coastal zone.
- **28.86.035 Unit Configuration:** Describes the number and configuration of ADUs and JADUs allowed on a lot.
- **28.86.040 Sale, Rental, and Occupancy Terms:** Describes sale and rental terms and the owner occupancy requirement. Neither the accessory nor primary dwelling unit can be rented for less than 31 consecutive days.
- **28.86.050 Required Features:** Lists standards for required features such as kitchen and bathrooms, minimum floor area, access, sewer and water, etc.

¹ The California Department of Housing and Community Development (HCD) reviewed a draft of the zoning ordinance amendments for ADUs and provided several verbal comments to ensure consistency with state housing law, which were incorporated into Ordinance 5975. . As required by state law, the City submitted the adopted Ordinance 5975 to HCD in November 2020.

² The changes in state law established statewide mandated ADUs of certain types, numbers, and size allowed by right everywhere. The City's ADU ordinances calls these "Special ADUs". All other ADUs are called "Standard ADUs".

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- **28.86.055 Development Standards for Standard Accessory Dwelling Units:** Describes the standards for “Standard” ADUs which are typically larger ADUs with size, height, and setbacks standards established by the City. Standard ADUs do not allow for more than one ADU per lot and are not allowed in the Foothill high fire hazard zone.
- **28.86.060 Architectural Review:** All ADUs with new construction or exterior alterations are subject to architectural design standards, which are reviewed administratively by staff. Discretionary design review can be requested by applicants who propose an ADU that does not meet the architectural design standards.
- **28.86.070 Protection for Historic Resources:** Clarifies that no ADU or JADU is permitted if it would cause a substantial adverse change in the significance of a historical resource.
- **28.86.080 Parking Standards:** States the parking requirements for the primary residential unit if existing covered parking is demolished or converted to an ADU, clarifies that a JADU does not require parking because they are not anticipated to increase parking demand, and clarifies that no parking is required for ADUs located outside of key public access parking areas or that incorporate specific measures to reduce parking demand.
- **28.86.085 Fire Hazard Area Standards:** Describes special standards for any ADU located in a high hazard area including that the project site must meet defensible space requirements and the policies of the Coastal LUP.
- **28.86.090 Development Standards for Special Accessory Dwelling Units:** Describes the standards for “Special ADUs” which are governed by state law in regards to type, size, height, and setback standards. Pursuant to state law, these ADUs are allowed in any high fire hazard area and more than one ADU may be permitted per lot.
- **28.86.100 Permits and Processing:** Describes the type of City coastal review approval or City permit required, clarifies that unrelated permits cannot be combined, and describes the City’s posted on-site sign and recorded agreement requirements.

In addition, the proposed LCPA includes amendments to other Chapters and Sections of Title 28 to clarify standards and procedures related to ADUs and JADUs and to repeal Sections of Title 28 that were deemed null and void by recent changes to state housing law and/or superseded by Chapter 28.86.

- **Chapter 28.04 Definitions, Section 28.04.020 Terms Defined** was amended as follows:
 - Amend the definition of “Multiple Residential Unit” to include one or more ADUs.
 - Delete “Secondary Dwelling Unit” from the definitions.
 - Amend the definition of “Single Residential Unit” to clarify it includes one primary unit and up to one ADU or one JADU on a single lot and to delete reference to the number of households occupying the unit.

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- **Chapter 28.15 A-1, A-2, E-1, E-2, E-3 and R-1 One-Family Residence Zone, Section 28.15.030 Uses Permitted** was amended to add an ADU or JADU to the list of permitted accessory buildings.
- **Chapter 28.15 A-1, A-2, E-1, E-2, E-3 and R-1 One-Family Residence Zone, Section 28.15.083 Maximum Net Floor Area (Floor to Lot Area Ratio)** was amended to clarify that ADUs or JADUs are included in the net floor area calculation.
- **Chapter 28.18 R-2 Two-Family Residence Zone, Section 28.18.060 Setback, Open Yard, and Private Outdoor Living Space Requirements** was amended to delete the alternative open yard and private outdoor living space requirement for lots developed with an ADU to be consistent with Chapter 28.86 which does not require open yard for ADUs.
- **Chapter 28.18 R-2 Two-Family Residence Zone, Section 28.18.070 Distance Between Buildings on the Same Lot** was amended to delete the unit separation requirement for ADUs because the building separation requirement for ADUs is in Chapter 28.86. The minimum separation between the primary unit and a detached ADU is five feet.
- **Chapter 28.18 R-2 Two-Family Residence Zone, Section 28.18.075 Lot Area and Frontage Requirements** was amended to delete the entirety of Subsection E. which addressed standards for ADUs on R-2 lots and is superseded by Chapter 28.86.
- **Chapter 28.44 Coastal Overlay Zone – S-D-3 Zone Designation** was amended, as suggested by Coastal Commission staff, to clarify that the Single Family Residence Exemption (Subsection D.) includes an attached ADU or JADU. Consistent with the Coastal Commission’s New ADUs Laws Guidance memorandums, attached ADUs and ADUs located in an existing accessory structure or in an existing or proposed primary residence are exempt from a Coastal Development Permit. A JADU created from an existing bedroom and is entirely within an existing residence with no change in the building envelope is not considered development.
- **Chapter 28.44 Coastal Overlay Zone – S-D-3 Zone Designation, Section 28.44.110 Authority to Review, Subsection C.** was amended to change the title to Accessory Dwelling Unit and to clarify that if the proposed development only involves the addition of a detached ADU to an existing residence, or any proposed ADU on a lot with an existing two-unit dwelling, multiple residential units, or mixed-use, then the application is reviewed by the Staff Hearing Officer without a public hearing.
- **Chapter 28.44 Coastal Overlay Zone – S-D-3 Zone Designation, Section 28.44.120 Public Hearing** was amended to clarify ADUs are exempt from the public hearing requirement.

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- **Chapter 28.94 Conditional Use Permits, Section 28.94.030 Uses Permitted in Specific Zones** was amended to delete Subsection Z³ which addressed Secondary Dwelling Units and has been superseded by multiple amendments to state law and proposed Chapter 28.86.

Contents of Local Coastal Program Amendment Submittal

The contents of this application submittal have been prepared in accordance with California Code of Regulations (CCR) Article 15, Sections 13551 and 13552 and Public Resources Code (PRC) Division 20, Chapter 6, Article 2. The following discussion is intended to assist Coastal Commission Staff in their review and assessment of the City's proposed LCPA application and finding of a de minimis amendment.

1. Local Government Resolution – CCR §13551

On February 23, 2021, the Santa Barbara City Council adopted Resolution No. 21-010, approving the proposed LCPA and directing the Community Development Director prepare the LCPA application for submission to the California Coastal Commission (CCC) for review and certification (Exhibit 2 of the Attachment). As specified in Resolution No. 21-010, the LCPA will take effect automatically upon CCC certification unless the Coastal Commission recommends suggested modifications to the proposed LCPA. If the CCC certifies the proposed LCPA with suggested modifications, City Council approval of the modified LCPA shall require a separate action by the City Council following CCC certification. In that event, the LCPA would become effective on the date the CCC concurs, at a public hearing, that the City Council properly accepted the LCPA with suggested modifications.

2. Public Outreach, Public Notice, and Participation - CCR §13552a and PRC §30514(d)(1)(A)

Public hearings were held before the Planning Commission, City Council Ordinance Committee, and City Council on the amendments to Title 28. At least 10 calendar days prior to those public hearings, a public hearing notice was posted on the City's website, included in the City's Land Development Team Bulletin, and sent via mail and email to interested parties and government agencies. In addition, a display ad was published in the Montecito Journal and/or Santa Barbara News-Press, both of which are local newspapers of general circulation, ten days prior to the public hearings on the proposed amendments and before City Council's adoption of the Resolution authorizing the submittal of the proposed LCPA to the CCC.

³ Section 28.94.030.Z was established by Ordinance 4225 (Exhibit 1c of the Attachment) adopted by the Santa Barbara City Council on September 27, 1983 and was in the 1985 Zoning Ordinance submitted as part of the application for the certification of the IP in 1986.

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Pursuant to CCR Title 14, Article 5, §13515 and PRC Division 20, Chapter 6, Article 2, §30514(d)(1)(A), on September 3, 2020, written public notice was given of the upcoming City Council hearings and six week availability of review drafts of the Title 28 amendment prior to final action by City Council. The draft Title 28 amendment text was made available for public review and downloaded on the City's website in advance of all public hearings before the Planning Commission and City Council. Given the California Governor's Stay Home Order in place at that time and the closure of local libraries, local government offices, and the local Commission offices, physical copies of the text of the proposed LCPA could not be made available for public review. However if requested, physical copies of the proposed LCPA would be mailed to the requestor at no cost.

Subsequent to the adoption of the amendments by the City Council, a virtual public workshop (webinar) was held on January 13, 2021, to describe the amendments and answer questions from the public on the new ADU and JADU provisions. Although the focus of the public workshop was the amendments to Title 30, the standards for ADUs and JADUs in Title 28 are consistent with Title 30 with the exception being the additional requirements for the protection of coastal resources. Over 275 residents registered for the webinar and many applicants and property owners present at the virtual public workshop will be processing applications for ADUs and JADUs within the coastal zone.

Copies of all public notices and public comment letters received for the public hearings are included in the Exhibits of the Attachment by meeting date. The public notice mailing lists are included in Exhibit 3 of the Attachment.

3. LCP Amendment Supporting Materials - 13552(b)

As required by CCR §13552(b), the following provides a description of all public hearings and relevant reports and supplementary data leading up to the LCPA Submittal. These documents can be found in the Attachment to this letter.

On **August 6, 2020**, the Planning Commission held a noticed public hearing to consider a recommendation to the City Council on the proposed amendments to the Zoning Ordinance for ADUs. At the conclusion of the public hearing, the Planning Commission continued the discussion to allow staff to respond to written input from CCC staff, verbal and written input from State Housing and Community Development staff, public comments, and to correct an omission.

Exhibit 4. Planning Commission Meeting – August 6, 2020

- 4a. Planning Commission Staff Report
- 4b. PowerPoint Slide Presentation
- 4c. Planning Commission Minutes
- 4d. Display Ad – Published in Montecito Journal, July 23-30, 2020

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- 4e. Emailed Public Notice - Land Development Team (LDT) and ADU Bulletins
- 4f. Public Comment Letters Received

On **September 3, 2020**, the Planning Commission held a noticed public hearing to consider a recommendation to the City Council on proposed amendments to the Zoning Ordinance for ADUs. At the conclusion of the public hearing, the Planning Commission voted 7/0 to recommend that City Council adopt amendments to the Zoning Ordinance for ADUs.

Exhibit 5. Planning Commission Meeting – September 3, 2020

- 5a. Planning Commission Staff Memorandum
- 5b. PowerPoint Slide Presentation
- 5c. Planning Commission Minutes
- 5d. Display Ad - Published in Montecito Journal, Aug. 20-27, 2020
- 5e. Mailed Public Notice
- 5f. Emailed Public Notice - LDT and ADU Bulletins
- 5g. Public Comment Letters Received

On **September 29, 2020**, the City Council Ordinance Committee held a noticed public hearing to review and consider recommending that City Council adopt amendments to the Zoning Ordinance for ADUs, and voted to move staff's recommendations for adoption to City Council.

Exhibit 6. City Council Ordinance Committee Meeting – September 29, 2020

- 6a. Council Agenda Report
- 6b. Council Ordinance Committee Minutes
- 6c. PowerPoint Slide Presentation
- 6d. Display Ad - Published in Montecito Journal, Sept. 10-17, 2020
- 6e. Mailed Public Notice – Announced the upcoming Ordinance Committee and the City Council public hearings
- 6f. Emailed Public Notice - LDT and ADU Bulletins

On **October 27, 2020**, the City Council held a noticed public hearing to introduce and subsequently adopt an Ordinance of the Council of the City of Santa Barbara amending Title 28 of the Santa Barbara Municipal Code.

Exhibit 7. City Council Meeting (first reading) – October 27, 2020

- 7a. Council Agenda Report
- 7b. City Council Minute Order
- 7c. PowerPoint Slide Presentation

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- 7d. Display Ad - Published in Montecito Journal, Oct. 8-15, 2020
- 7e. Emailed Public Notice - LDT and ADU Bulletins
- 7f. Public Comment Letters Received

On **November 10, 2020**, the City Council held a noticed public hearing to adopt an Ordinance of the Council of the City of Santa Barbara amending Title 28 of the Santa Barbara Municipal Code.

Exhibit 8. City Council Meeting (second reading) – November 10, 2020

- 8a. Ordinance for Council Adoption
- 8b. City Council Minute Order
- 8c. Display Ad – Published in Santa Barbara News Press, Oct. 27, 2020

On **February 23, 2021**, the City Council held a noticed public hearing on the adoption of a Resolution of the Council of the City of Santa Barbara approving a Local Coastal Program Amendment to amend Title 28 of the Santa Barbara Municipal Code to regulate accessory dwelling units in the coastal zone.

Exhibit 9. City Council Meeting – February 23, 2021

- 9a. Council Agenda Report
- 9b. City Council Minute Order
- 9c. Display Ad – Published in Santa Barbara News Press, Feb. 9, 2021
- 9d. Emailed Public Notice - LCP and ADU Bulletins

4. Amendment’s Relationship to the City’s Certified LCP (13552c) and Protection of Coastal Resources/Consistency with Chapter 3 Policies - CCR §30514(d)(1)

Exhibit 10 of the Attachment contains all the relevant policies of the City's Coastal LUP and discussion of the proposed LCPA consistency with them. The following provides a summary of the proposed LCPAs consistency with the City's Coastal LUP. All SBMC sections referenced below pertain to the SBMC section contained in the proposed LCPA (i.e. Ordinance 5975), not to existing certified SBMC sections.

Land Use & Development Policies

The stated purpose of SBMC Chapter 28.86 is to not only expand the opportunities to create additional housing within the City, but to also preserve the City’s coastal resources consistent with the California Coastal Act. The proposed LCPA does not change the location, type, density, or intensity of land uses envisioned in the Coastal LUP which is consistent with Coastal LUP Land Use and Development Policies 2.1-6 and -17.

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The proposed LCPA allows additions, alterations, and conversions of existing nonconforming buildings to provide for ADUs as long as the addition conforms to current setbacks and policies of the Coastal LUP. In addition, the proposed LCPA allows for the demolition of an existing nonconforming structure and reconstruction as an ADU in the same location with the same footprint, if it is in a location that does not conflict with the coastal resource protection policies of the Coastal LUP (§28.86.055.F.2, §28.86.055.F.3, §28.86.055.F.4, and §28.86.030 C. 1). Both of these provisions are consistent with Coastal LUP Land Use and Development Policy 2.1-19 addressing nonconforming development.

If an applicant desires to request relief from a zoning standard to protect coastal resources, the proposed LCPA would not change an applicant's ability to request relief through the City's existing Modification process, consistent with Coastal LUP Land Use and Development Policy 2.1-28. If a Modification were requested, in addition to the standard Modification findings, the application would be reviewed for consistency with Coastal LUP policies.

Public Access

The proposed LCPA does not change the allowed location, type, density, or intensity of land use and will not interfere with the public's right of access to the coast consistent with Coastal LUP Public Access Policy 3.1-21.

Recent changes in state ADU law clarified that ADUs created through the conversion of a garage or similar covered parking structure are not required to include replacement off-street parking spaces; however, this provision is inconsistent with the Coastal LUP Public Access Policy 3.1-29, which requires sufficient off-street parking for any new development and substantial redevelopment to avoid significant adverse impacts to public access to the shoreline and coastal recreation areas. To ensure consistency with the City's Coastal LUP, SBMC §28.86.080 requires that if existing covered parking is converted to an ADU/JADU or demolished in order to create an ADU in the coastal zone, parking space(s) for the primary residential unit must be replaced onsite.

With a few exceptions, the proposed LCPA does not require parking to be provided for a new ADU because most ADUs are unlikely to increase parking demand to the extent that public access to the shoreline and coastal recreation areas would be impacted. SBMC §28.86.080 C. lists the criteria for an exemption for requiring parking for the ADU. One of the exemptions is that the ADU is not located in a key public access parking area. If the ADU were located within an area identified as a key public access parking area, then parking for the ADU would be required to be provided onsite, consistent with Coastal LUP Public Access Policy 3.1-30, which requires preservation of existing parking in key public access areas.

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Visitor-Serving & Recreational Facilities

The increase in residential units associated with the provision for ADUs and JADUs would not significantly increase demand for existing parks or otherwise affect existing parks or other recreational facilities consistent with Coastal LUP Visitor-Serving & Recreational Facilities Policies 3.2-9 and -10.

Biological Resources

SBMC §28.86.030 prohibits an ADU in a location that would conflict with the coastal resource protection policies of the Coastal LUP. This is consistent with Coastal LUP Biological Resources Policies 4.1-4, 4.1-15, 4.1-18, and 4.1-20 addressing development within Environmentally Sensitive Habitat Areas (ESHAs), wetlands, creeks, and their habitat buffers and native tree protection.

Fire Hazard Area

SBMC §28.86.085 requires ADUs located within any fire hazard area to meet defensible space requirements consistent with Coastal LUP Biological Resources Policy 4.1-21, which includes standards for vegetation management in high fire hazard areas that balance fire risk reduction benefits with protection of ESHAs, wetlands, and creeks.

Water Quality

Currently, development and redevelopment projects within the City of Santa Barbara are required to comply with the City's Storm Water Management Program to control storm water runoff and the City's Erosion/Sedimentation Control Program for erosion prevention, sediment control and storm water quality management during construction and long-term post-construction site stabilization. The proposed LCPA would not alter that requirement and is consistent with Coastal LUP Water Quality Policies 4.2-21, 4.2-22, and 4.2-23.

Scenic Resources & Visual Quality

State law allows for the provision of ministerial design review. The City's Coastal LUP recognizes the importance of visual quality, compatible development, minimizing grading, and landscaping. Therefore, SBMC §28.86.060 contains administrative architectural design criteria applicable to all new ADUs (i.e. new construction) or ADUs that involve exterior alterations to existing structures. If an applicant proposes an ADU that does not meet the administrative architectural design criteria, they could either revise the project to conform to the ministerial design criteria or request approval of the ADU by the appropriate design review body. The administrative architectural design criteria was developed with input from the City's Historic Landmarks Commission and Single Family Design Review

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Board and is consistent with Coastal LUP Scenic Resources and Visual Quality Policies 4.3-3, 4.3-7, 4.3-9, and 4.3-10.

Cultural Resources

SBMC §28.86.030 prohibits an ADU in a location that would conflict with the coastal resource protection policies of the Coastal LUP. All ADU applications will be screened to determine if the project site is located within an archeological sensitivity zone, and if so, the proper study would be required to be prepared and all mitigation measures would be required to be implemented with the project. This is consistent with Coastal LUP Cultural Resources Policy 4.4-4, 4.4-7, and 4.4-10 addressing development in areas with potential archaeological resources.

Coastal Hazards

SBMC §28.86.030 prohibits an ADU in a location that would conflict with coastal resource protection policies of the Coastal LUP. In addition, all development and redevelopment projects must comply with the Uniform Building Codes related to geologic and seismic hazards, the City's Floodplain Management Program (SBMC §22.24), and the Fire Code. This is consistent with Coastal LUP Coastal Hazards Policies 5.1-19 – 5.1-24 for development in areas of geologic and seismic hazards; Policies 5.1-25 and 5.1-26 for development in areas of fire hazard; Policy 5.1-27 for development in areas with flood hazards; and Policies 5.1-29 – 5.1-36 for development within the Interim Shoreline Hazards Screening Areas Map.

Public Services

The SBMC currently requires all new plumbing fixtures to be low water use fixtures. In addition, SBMC Chapter 14.23, Landscape Design Standards and Recycled Water Use, requires new discretionary development comply with the City's Landscape Design Standards for Water Conservation. The proposed LCPA would not change this requirement and is consistent with Coastal LUP Public Services and Facilities Policy 6.1-10.

5. Coastal Act Consistency - CCR §13552(d)

As required by CCR §13552(d), an analysis of how the City's application is consistent with Chapter 3 of the Coastal Act is provided above under #4 and in Exhibit 10 of the Attachment. Further, the City's amendment application has been prepared in conformance with Chapter 6 of the Coastal Act.

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6. California Environmental Quality Act Review – CCR §13552(e)

The City's Environmental Analyst conducted environmental review and made a determination that the proposed LCPA and City Council action to adopt the proposed LCPA and forward it to the CCC for certification are exempt from the CEQA pursuant to Public Resources Code §21080.9, §21080.17 and State California Environmental Quality Act Guidelines §15265. See Exhibit 11 of the Attachment for the Notice of Exemption.

7. Zoning Ordinance Amendment /Implementation Plan - CCR §13552(f)

This proposed LCPA is an amendment to the certified Implementation Plan component of the City's Local Coastal Program. No changes are proposed to the certified 2019 Coastal LUP.

Conclusion

The stated purpose of Chapter 28.86 is to expand opportunities to create additional housing, allow ADUs or JADUs consistent with state housing law and the California Coastal Act, promote compatible development, protect historic resources and historic districts, and preserve the City's coastal resources. In addition, Section 28.86.030 prohibits ADUs in a location that would conflict with the coastal resources protection policies of the City's Coastal LUP.

The proposed LCPA does not change the existing review process for detached ADUs in the Appeal Jurisdiction of the coastal zone. Detached ADUs in the Appeal Jurisdiction, whether new construction, conversion of an existing detached accessory structure, or demolition and reconstruction of an existing structure, would continue to require a Coastal Development Permit (CDP) without a public hearing. New ADUs on a vacant parcel in the Non-Appeal Jurisdiction could continue to qualify for an Exemption from the CDP requirement if they meet the provisions of SBMC §28.44.070.C, Single Family Residence Exclusions.

The proposed LCPA also does not change the review process for attached ADUs and JADUs. Per the existing wording of SBMC §28.44.070.D, improvements to existing single family residences could qualify for an Exemption from the requirement of a CDP if the improvement does not involve a risk of adverse environmental effect as provided in CCR §13250. The proposed LCPA strengthens the protection of coastal resources by specifying that an ADU could qualify for an Exemption from the CDP requirement if it meets the requirements of SBMC Chapter 28.86 which contains development standards to ensure protection of coastal resources consistent with the City's certified 2019 Coastal LUP.

The proposed LCPA will have no impact, either individually or cumulatively, on coastal resources and it is consistent with the policies in Chapter 3 of the Coastal Act. The proposed LCPA implements recent changes to state housing law pertaining to ADUs and

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does not change any allowed use of land or property. Standards and regulations for the protection of coastal resources have been incorporated into the proposed LCPA to ensure new ADUs are consistent with policies in the certified 2019 Coastal LUP. In addition, the proposed LCPA meets the noticing requirement of Section 30514(d)(1)(A) as public notice was provided pursuant to that Section more than 21 days prior to the submittal of this application. Given this, the City requests the Executive Director find the proposed LCPA to be de minimis pursuant to Coastal Act §30514(d).

We look forward to working with the Coastal Commission and Staff in their review and approval of this application. If you have any questions, please contact Susan Reardon, Senior Planner or Renee Brooke, City Planner at 805-564-5470.

Sincerely,



Rebecca Bjork, Assistant City Administrator/Interim Community Development Director

Attachment: City of Santa Barbara Local Program Amendment Application Materials

CC: Steve Hudson, California Coastal Commission South Central-Coast District Office
Barbara Carey, California Coastal Commission South Central-Coast District Office
Shana Gray, California Coastal Commission South Central-Coast District Office
Denise Venegas, California Coastal Commission South Central-Coast District Office
Renee Brooke, City Planner
Susan Reardon, Senior Planner