

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
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VENTURA, CA 93001-2801
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W11c

LCP-4-SBV-23-0057-1 (Accessory Dwelling Units)

February 7, 2024

EXHIBITS

Exhibit 1 – Proposed Implementation Plan Amendment Text

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING, IN PART, TITLE 24, CHAPTER 24.430 RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Council of the City of San Buenaventura does ordain as follows:

Section 1. Pursuant to Government Code section 65852.150, the California Legislature has found and declared that, among other things, California is facing a severe housing crisis and Accessory Dwelling Units (ADU) are an essential component of California's housing supply that offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods while respecting architectural character; provide housing for family members, students, the elderly, in-home health care providers, people with disabilities, and others; and benefit homeowners with added income and an increased sense of security.

Section 2. On December 5, 2022, the City Council adopted Ordinance No. 2022-024 to amend San Buenaventura Municipal Code, Title 24, Chapter 24.430, Accessory Dwelling Unit Regulations, to incorporate the amended provisions of Government Code sections 65852.2 and 65852.22 made pursuant to SB 897 and AB 2221. The City Council adopted Ordinance No. 2022-024 as an urgency ordinance to expeditiously incorporate the new State laws pertaining to ADUs and prevent the ordinance in effect at the time from becoming null and void. The urgency ordinance is set to expire at the end of 2023.

Section 3. On August 23, 2023, the City's Planning Commission accepted public comment on proposed amendments to Chapter 24.430 (ADU Ordinance) at a duly noticed public hearing and continued the public hearing to the next meeting. On September 27, 2023, the Planning Commission, after considering all written and oral testimony on the proposed amendments at a duly noticed public hearing, recommended approval of the ADU Ordinance with two minor changes.

Section 4. On October 16, 2023, the City Council introduced and approved the first reading of the ADU Ordinance at a duly noticed public hearing and determined the ADU Ordinance to be exempt from the California Environmental Quality Act (CEQA).

Section 5. Under California Public Resources Code section 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law, and which also regulates Junior Accessory Dwelling Units (JADU), as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the ordinance implements the State's ADU law.

Section 6. San Buenaventura Municipal Code Chapter 24.430, Accessory Dwelling Unit Regulations, is hereby amended in its entirety as follows:

"Chapter 24.430 ACCESSORY DWELLING UNIT REGULATIONS

Sections:

- 24.430.010 Chapter description.
- 24.430.020 Definitions.
- 24.430.025 Effect of conforming.
- 24.430.030 Application and processing procedures.
- 24.430.040 Locations.
- 24.430.050 ADUs per State Government Code § 65852.2(e).
- 24.430.060 Development standards.
- 24.430.070 Parking.
- 24.430.080 Fees and utility connections.
- 24.430.090 Building and safety requirements.
- 24.430.100 Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted structures.

Section 24.430.010. Chapter description.

Chapter 24.430 establishes residential accessory dwelling unit ("ADU") regulations to provide a mechanism for accommodating ADUs in appropriate residential and mixed-use areas and governs the creation of ADUs within the city. These provisions are intended to help preserve the character of neighborhoods by ensuring that ADUs are developed under appropriate conditions, and to further the legislative policies of Government Code Section 65852.2 and 65852.22. Should Section 65852.2 and 65852.22 of the Government Code be amended and brought into conflict with this chapter, those portions of Section 65852.2 and 65852.22 that conflict with this chapter shall control. All other portions of this chapter shall be deemed to be in full effect.

Section 24.430.020. Definitions.

Accessory Dwelling Unit or *ADU* means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling. The term ADU also includes an "Efficiency Unit" as defined in Health and Safety Code Section 17958.1 and a "Manufactured Home" as defined in Health and Safety Code Section 18007. The term "ADU" captures the terms and supersedes the terms "Residential Second Units" and "Carriage Houses" under this Code and any adopted Development Code of a Specific Plan or Community Plan; however, any residential second unit or carriage house which was lawfully permitted prior to January 01, 2017, shall remain subject to the rules, regulations, and ordinances in effect at the time the residential second unit or carriage house was approved by the City.

Attached Accessory Dwelling Unit or *Attached ADU* is an ADU attached to or located within, the proposed or existing primary dwelling unit including attached garages, storage areas, or other similar uses. The ADU may be a new construction addition or a conversion of existing space.

Detached Accessory Dwelling Unit or *Detached ADU* is an ADU within an accessory building detached from the primary dwelling unit. The accessory building may be new construction or a conversion of an existing accessory structure.

Efficiency kitchen means a kitchen that includes a cooking facility with appliances, food preparation counter, and storage cabinets that are of a reasonable size in relation to the size of the JADU.

Junior Accessory Dwelling Unit or *JADU* means a residential unit that satisfies all the following:

- a) It is no more than 500 square feet in size.
- b) It is contained entirely within an existing or proposed single-family residence. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family residence.
- c) It includes its own separate sanitation facilities or shares sanitation facilities with the single-family residence.

- d) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
- e) It includes an efficiency kitchen, as defined above.

Living area means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

Multi-Family Dwelling Unit, for the purposes of this chapter means two or more dwelling units in a single structure on the lot where an ADU would be located.

Nonconforming zoning condition means a physical improvement on a property that does not conform with current zoning standards.

Primary Dwelling Unit, for purposes of this chapter means any single-family residence on the lot where an ADU would be located.

Proposed dwelling means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

Public Transit means a location, including, but not limited to a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

Tandem Parking means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

Very High Fire Hazard Severity Zones, for purposes of this Chapter means Very High Fire Hazard Severity Zones as shown on the Fire Hazard Severity Zone Maps prepared by the Fire and Resource Assessment Program / California Department of Forestry and Fire Protection.

Sections 24.430.025. Effect of Conforming.

A) An ADU or JADU that conforms to the standard in this section will not be:

- 1) Deemed to be inconsistent with the City's General Plan (or, for properties located in the Coastal Zone, with the City's Local Coastal Program) and zoning designation for the lot on which the ADU or JADU is located.

- 2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- 3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
- 4) Required to correct a nonconforming zoning condition, as defined in Section 24.430.020. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

Sections 24.430.030. Application and processing procedures.

A) Before constructing an ADU or JADU or converting a legally permitted existing structure to an ADU, an applicant must apply for a building permit. Any ADU that satisfies the requirements of this chapter shall be ministerially approved.

B) For properties located in the Coastal Zone, all ADUs and JADUs shall comply with current building codes and shall require either a coastal exemption, coastal exclusion, or Coastal Development Permit, and shall be processed pursuant to Chapter 24.515 of this Code (including in terms of public noticing and process for appeal to the Coastal Commission) except that no public hearing is required.

Section 24.430.040. Locations.

A) Notwithstanding any other provisions of this Code, the development of ADUs and JADUs are permitted on all lots zoned for residential or mixed-use development with the following provisions and exceptions as outlined in this code.

B) An ADU or JADU must be located on a lot developed with or proposed to be developed with one or more residential units and on the same lot as a single-family residence, multi-family structure, or mixed-use building.

C) If an ADU is proposed on a lot located in the Coastal Zone, the ADU shall be sited and designed to avoid adverse impacts to coastal resources, including by conforming with all applicable Local Coastal Program policies and standards, including those that govern wetlands, streams, environmentally sensitive habitat areas, public views, public access, and coastal bluffs. ADUs and/or JADUs shall not be permitted in existing buildings or structures that are nonconforming as to coastal

resource protection policies or development standards of the Local Coastal Program.

D) To protect against wildfires, maintain necessary defensible space around existing structures, and allow for better egress in an emergency, no ADUs shall be permitted in areas within designated Very High Fire Hazard Severity Zones; however, JADUs are allowed. Within the Very High Fire Hazard Severity Zones, ADU applications submitted on or before May 13, 2022, an ADU shall be permitted upon satisfying all other requirements of this Title. If the Very High Fire Hazard Severity Zones are modified after an ADU application is submitted for a property not previously contained in the Very High Fire Hazard Severity Zone, then the ADU may be permitted upon satisfying all other requirements of this Title. ADUs that fall under subdivision (e) as provided for in Government Code § 65852.2 are exempt from this requirement.

Section 24.430.050. ADUs per State Government Code § 65852.2(e)

A) An ADU or JADU that complies with the requirements of Government Code § 65852.2(e) and/or 65852.22, as outlined in this section below, shall not be subject to the standards set forth in Sections 24.430.060 and 24.430.070, unless explicitly provided in those sections. One of the following two categories of ADUs are permitted per each lot within a residential or mixed-use zone:

- 1) *Single-family lots.* Up to one conversion ADU, one detached new construction ADU, and one JADU are permitted per lot with an existing or proposed single-family residence.
 - a) *Conversion.* One ADU and JADU within the walls of the single-family residence, or an ADU within an existing accessory structure are permitted per lot. The existing accessory structure may be expanded up to 150 additional square feet to accommodate ingress and egress for the ADU. All converted ADUs/JADUs must have exterior access from the single-family residence and have side and rear setbacks sufficient for fire, safety, and approved by the fire code official. JADUs must comply with Government Code § 65852.22. Lots with multiple detached single-family residences are eligible to have a maximum of one JADU. Conversion ADUs may be attached or detached. JADUs must be attached.

- b) *New Construction.* One detached new construction ADU is permitted per lot that does not exceed four-foot side and rear yard setbacks and is limited to a maximum unit size requirement of 800 square feet. An ADU that is detached from the primary dwelling unit shall not exceed a height of 16 feet and one story, except as follows:
 - (i) A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code.
 - (ii) The ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
- 2) *Multi-family lots.* At least one conversion ADU in an existing structure and two detached new construction ADUs are permitted per multi-family lot.
 - a) *Conversion.* Multiple accessory dwelling units, up to 25 percent of the number of existing multi-family dwelling units are permitted per lots with existing multi-family structures. These units must be converted from the portions of existing multi-family dwelling structures that are not used as living area, including but not limited to storage rooms, boiler rooms, passageways, or garages if each unit complies with state building standards for dwellings. Conversion ADUs may be attached or detached. For the purposes of this subsection, attics and basements are not considered living area.

- b) *New Construction.* Up to two detached new construction accessory dwelling units are permitted per lots with existing or proposed multi-family structures that do not exceed four-foot side and rear yard setbacks and has a peak height that does not exceed 18 feet in height. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the existing multifamily dwelling as a condition of approving the ADU.

Section 24.430.060. Development standards.

ADUs and JADUs shall be subject to the following development standards:

A) *Number of ADUs and JADUs*

- 1) Single-family lots.
 - a) See Section 24.430.050.A.1 above.
- 2) Multi-family lots.
 - a) See Section 24.430.050.A.2 above. When the 25 percent limit results in a fraction of a unit, the total number of accessory dwelling units that may be added shall be determined by rounding the fraction up to the next whole number.

B) *Size.*

- 1) An ADU and/or JADU may not be smaller than the minimum efficiency unit size established in Health and Safety Code Section 17958.1, set at 150 square feet.
- 2) Attached ADUs: The total floor area of an attached ADU shall not exceed the greater of 800 square feet or 50 percent of the primary residence's living area.
- 3) Detached ADUs: The total floor area of a detached new construction ADU shall not exceed 1200 square feet.
- 4) JADU: The total floor area of a JADU may not exceed 500 square feet and may not expand beyond the existing single-family residence.

C) *Conversion of Existing Space.*

- 1) The conversion of garages, sheds, barns, and other existing legally permitted accessory structures, either attached or detached from the primary residence, into ADUs is permitted. These conversions of accessory structures are not subject to any additional development standard, such as unit size, height, and lot coverage requirements, and shall be from existing space that can be made safe under current building and safety codes. The converted structure must meet standards for health and safety to qualify.
- 2) An ADU created within the existing or proposed space of a single-family residence or accessory structure can be expanded beyond the physical dimensions of the structure. These types of ADUs must comply with all other requirements including, but not limited to size, height, and setbacks.
- 3) An ADU created within an existing accessory structure may be expanded up to 150 square feet without application of development standards, but this expansion shall be limited to accommodating ingress and egress. An example of where this expansion could be applicable is for the creation of a staircase to reach a second story ADU. These types of ADUs must comply with all other requirements including, but not limited to size, height, and setbacks.

D) *Height*

- 1) Height determination. The height of ADUs shall be determined in accordance with Section 24.405.040.
- 2) Attached ADUs and/or JADUs. An ADU or JADU that is attached to the primary residence shall comply with the height requirements applicable to the primary dwelling unit or shall not exceed 25 feet in height, whichever is greater. Notwithstanding the foregoing, ADUs subject to this subsection may not exceed two stories.

- 3) Detached ADUs. An ADU that is detached from the primary residence shall not exceed 25 feet and two stories.

E) *Setbacks*

- 1) Attached or detached new construction ADUs shall comply with the setback requirements applicable to the primary residence, except that the rear and side setbacks may be a minimum of four feet. An ADU constructed above an existing nonconforming structure shall be stepped back a minimum of four feet from the side and rear property lines. For an ADU that is converted from an existing accessory structure, no additional setbacks beyond the existing accessory structure setback are required beyond those required by the adopted California Building Standards and local ordinance.
- 2) If any portion of a new construction ADU is located in front of the existing primary residence, then the front yard setbacks shall be the same as those required for the primary residence. A smaller front setback shall be granted only if needed to accommodate an accessory dwelling unit of up to 800 square feet if no other location is feasible.
- 3) JADUs must comply with the setback requirements applicable to the primary residence.
- 4) Exceptions.
 - a) Setbacks must be large enough to account for utility easements or recorded setbacks. In cases where these required utility easements or recorded setbacks exceed four feet, the edge of the required utility easement and/or recorded setback shall be the minimum setback for the ADU.

F) *Lot Coverage*

- 1) The maximum allowable lot coverage for all structures on a property shall follow the requirements outlined in the underlying zoning district. However, lot coverage requirements must permit an accessory dwelling unit

up to 800 square feet. Any floor area above 800 square feet will count towards the lot coverage calculation for the property.

G) *Separation*

- 1) An ADU that is attached to the primary dwelling unit shall comply with the separation requirements applicable to the primary residence.
- 2) An ADU that is detached from the primary dwelling unit shall provide a minimum six-foot separation between the ADU and the primary dwelling unit or other accessory building where feasible. A detached ADU of up to 800 square feet, with four-foot rear and side yard setbacks can be built in the minimum required separation distance area if this is the only allowable space.

H) *Design Features and Other Requirements.*

- 1) The ADU and/or JADU's colors and materials shall match the primary dwelling unit.
- 2) The ADU can have a second-story outdoor balcony, deck, patio, or roof deck that is not closer than ten feet from any property line, unless that architectural feature already exists and is incorporated into an ADU (or JADU) through conversion of any portion of an existing structure or an existing accessory structure. All outdoor balconies, decks, patios, and roof decks must be within the height limitations as provided for in Section 24.430.060.D above.
- 3) If an automatic fire sprinkler system is required for the primary dwelling unit, the ADU must also provide an automatic fire sprinkler system.
- 4) Newly constructed ADUs are subject to the Energy Code requirement to provide solar panels if the unit(s) is a newly constructed, non-manufactured, detached ADU. Per the California Energy Commission (CEC), the panels can be installed on the ADU or on the primary dwelling unit. ADUs that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing

detached building is converted from non-residential to residential space, are not subject to the Energy Code requirement to provide solar panels.

- 5) Both ADUs and JADUs shall include separate exterior access from the main entrance to the single-family residence.
 - 6) If the JADU does not include its own separate bathroom, then it must contain an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
 - 7) The primary dwelling unit and the ADU and/or JADU may be rented only for terms longer than 30 days.
 - 8) The ADU may not be sold or conveyed separately from the primary residence except as allowable by law under Gov. Code § 65852.26, as may be amended.
 - 9) The ADU and/or JADU and the property shall be maintained in accordance with all applicable requirements and standards.
 - 10) Any violation will be subject to penalties as provided in Chapters 1.050 and 1.150 of this Code.
- l) *Deed Restrictions and Covenants Required*
- 1) The property owner shall record a covenant running with the land establishing the following:
 - a) If the property includes a JADU, the property owner must be an occupant of either the primary dwelling unit or the JADU. If the property includes an ADU, but no JADU, both the primary dwelling unit and ADU may be renter-occupied. However, the owner-occupancy requirement in this subsection does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization. An exception to the JADU owner-occupant requirement can be granted by the Community Development Director if the property owner is

able to establish a bona fide hardship to the restrictions as follows:

- (i) The owner is hospitalized or requires daily living assistance that does not allow the owner to physically live on the property; or
 - (ii) The owner is on active military duty which precludes the owner from being able to occupy the property.
- b) Prior to occupancy, the JADU shall have a recorded deed restriction, satisfactory to the City, that prohibits the sale of the JADU separate from the sale of the single-family residence and shall include a statement that the deed restriction may be enforced against future purchasers and shall run with the land.

J) *Historic Resources*

- 1) ADUs on any real property listed in the California Register of Historic Places must meet design standards and guidelines meant to prevent adverse impacts on any real property listed in the California Register of Historic Resources. Where this section uses the term "consistent", that shall mean to be compatible and similar to that of the resource but not precisely the same for the purpose of complying with the *Secretary of Interior's Standards for the Treatment of Historic Properties: Rehabilitation as a Treatment and Standards for Rehabilitation*. Guidelines shall include, without limitation, the following provisions:
- a) *Architecture*. The ADU must be consistent with the architectural style of the historic place, landmark, or district.
 - b) *Landscaping*. Any historically significant landscaping shall be protected and maintained onsite.
 - c) *Height*. Newly constructed attached or detached ADUs shall not exceed the height of the existing structure.

- d) *Materials.* The materials used in the ADU must be consistent with those of the historic place, landmark, or district.
- e) *Color.* The ADU shall be consistent with the color of the existing primary residence.
- f) *Details.* Use of details such as cornices, lentils and arches shall be consistent with existing designs.
- g) *Elements.* Compatible elements such as balconies, porches and chimneys shall be consistent with the architectural style of the historic place, landmark, or district.
- h) *Roof.* Roof shapes and materials shall be consistent with the shape, scale and style of the landmarks or points of interest.
- i) *Grounds.* Newly constructed ADUs shall be located at the rear of the property and should not be the main focal point from the street.
- j) *Signs.* Any signage shall match the sign program for the area.

Section 24.430.070. Parking.

A) No additional parking is required for ADUs except for properties located within the Coastal Zone.

B) If the lot is within the Coastal Zone and located within the boundaries of the ADU Mandatory Parking Area (AMPA), as shown in "Exhibit 1" and "Exhibit 2", one parking space is required for the ADU and/or JADU in addition to the parking required for the primary residence. When an existing garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU and/or JADU, or converted into an ADU and/or JADU within the AMPA, the required parking spaces that are displaced by the demolition or conversion shall be replaced on the same lot in order to satisfy the parking requirement of the existing primary dwelling unit, in addition to providing the required one off-street parking space for the ADU and/or JADU.

C) The parking space for the ADU must satisfy all the following:

- 1) Required yards and open space may not be used for parking.
- 2) The ADU's parking space may be tandem on a driveway, covered, or uncovered.
- 3) The dimensions of all parking spaces or driveways shall comply with the requirements set forth in Section 24.415.020.

Section 24.430.080. Fees and utility connections.

A) The property owner shall pay all sewer, water, school district, and other applicable fees, including development impact fees.

B) An ADU is exempt from incurring impact fees from local agencies, special districts, and water corporations if less than 750 square feet. Should an ADU be 750 square feet or larger, impact fees shall be charged proportionately in relation to the square footage of the ADU to the square footage of the primary dwelling unit. For an ADU on a lot with a multi-family residence, the proportionality shall be based on the average square footage of the units within that multi-family dwelling structure.

C) An ADU of 500 square feet or less is exempt from school impact fees.

D) The property owner shall pay all applicable connection fees and capacity charges, except as provided in subsections E. and F. below.

E) An ADU converted from existing space and JADUs shall not be considered a new residential use for purposes of calculating connection fees or capacity charges for utilities, unless constructed with a new single-family residence.

F) An ADU shall be equipped with a water sub-meter, pursuant to Section 22.130.015, but shall not require a separate water or sewer utility connection from the primary dwelling unit.

G) If an ADU will use a private sewage disposal system, the property owner shall obtain approval by the Los Angeles Regional Water Quality Control Board and the City Building Division.

Section 24.430.090. Building and safety requirements.

A) Structural Assessment: An ADU conversion of existing structures built prior to 1970 will require structural assessment in accordance with ASCE 41-13.

B) Utility Equipment: Each ADU must have its own water heater and space heating.

C) Building Permits: Each ADU must obtain all required Building permits in compliance with current California Building Standards Codes (California Code of Regulations, Chapter 24) and local ordinances.

D) No change of occupancy: Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection 24.430.090 (D) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

Section 24.430.100. Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

A) Generally. The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B) Unpermitted ADUs constructed before 2018.

1) Permit to Legalize. As required by state law, the city may not deny a permit to legalize an existing, but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

(a) The ADU violates applicable building standards;

(b) The ADU does not comply with the state ADU law (Government Code § 65852.2) or this ADU ordinance (Chapter 24.430).

C) Exceptions:

- 1) Notwithstanding Section 24.430.100(B)(1) above, the city may deny a permit to legalize an existing, but unpermitted ADU that was constructed before January 1, 2018, if the city makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.
- 2) Section 24.430.100(B)(1) does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3."

Section 7. The City Council intends that this Ordinance shall become effective November 22, 2023, for all the territory within City of Ventura limits outside of the coastal zone. As delineated by the existing approved Local Coastal Program, any changes or additions to the Local Coastal Implementation Plan shall become fully effective only upon receipt of Coastal Commission approval for those areas within the coastal zone.

Section 8. The City Council further states its intent that the City's Local Coastal Program shall continue to be carried out in full compliance with the California Coastal Act. The City's existing approved Local Coastal Program, including, without limitation, any and all text amendments, or site-specific or project specific amendments, to the Local Coastal Program adopted by the City and approved by the Coastal Commission subsequent to the adoption of the 1969 Comprehensive Plan, shall remain in full force and effect for areas within the coastal zone until Coastal Commission approval is received for any further amendments thereto.

Section 9. The City shall submit a copy of this ordinance to the Department of Housing and Community Development within 60 days after adoption.

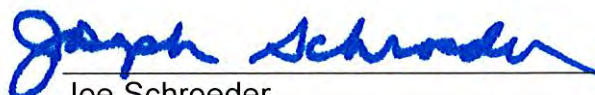
Section 10. Severability. If any section, subsection, sentence, clause, or phrase of this Article is for any reason held to be invalid or unconstitutional by a decision of any court or competence jurisdiction, such decision will not affect the validity of the remaining portions of this Article. The City Council declares that it would have passed this Article and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Article would be subsequently declared invalid or unconstitutional.

The foregoing Ordinance was adopted by the City Council of San Buenaventura on October 23, 2023 and ordered published by posting the following vote:

Ayes: Councilmembers Duran, McReynolds, Johnson, Halter,
Campos, Deputy Mayor Dr. Sánchez-Palacios, and Mayor
Schroeder

Noes: None

Absent: None


Joe Schroeder
Mayor

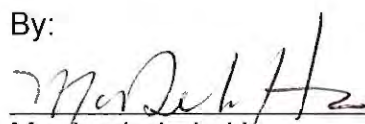
ATTEST


Michael B. MacDonald, CMC
City Clerk



APPROVED AS TO FORM
Andrew Heglund
City Attorney

By:

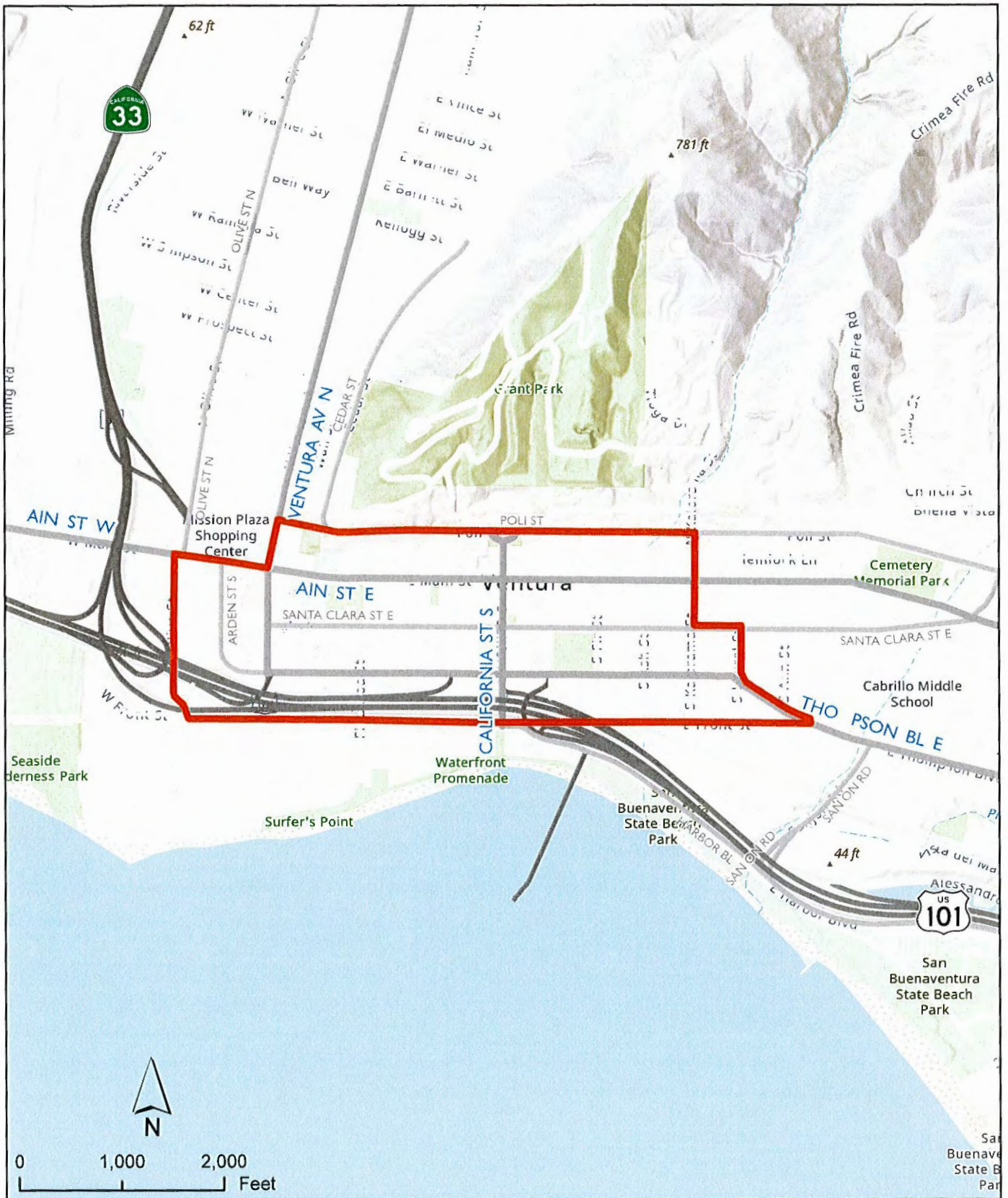

Monica I. de la Hoya
Assistant City Attorney

11/7/23
Date

EXHIBITS:

Exhibit 1: ADU Mandatory Parking Area – Downtown
Exhibit 2: ADU Mandatory Parking Area – Pierpont

EXHIBIT 1

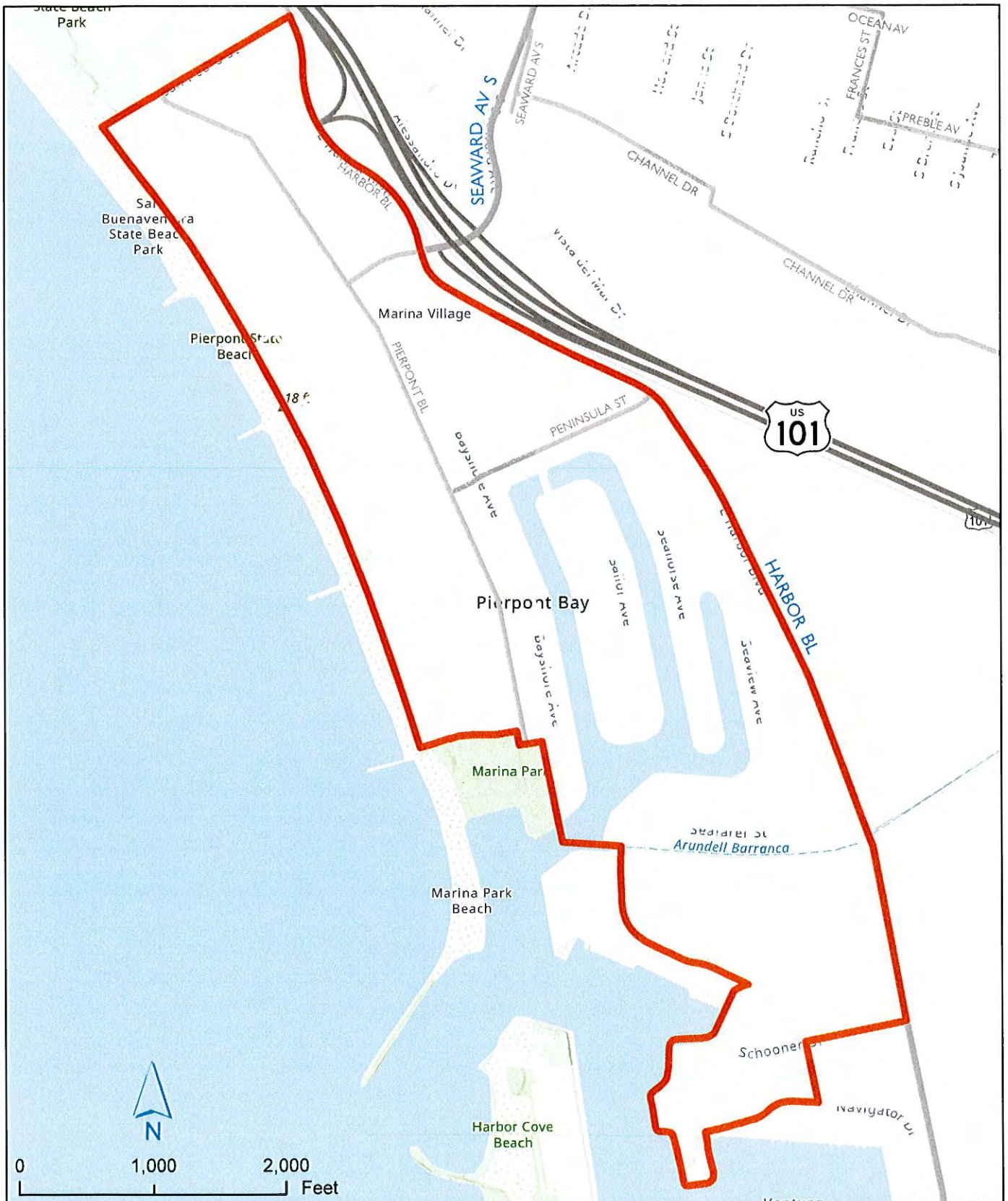


ADU Mandatory Parking Area (AMPA) - Downtown

 AMPA Boundary

CITY OF
VENTURA

EXHIBIT 2



ADU Mandatory Parking Area (AMPA) - Pierpont

 AMPA Boundary

CITY OF
VENTURA