

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT
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DATE: August 13, 2026

TO: Commissioners and Interested Parties

FROM: Steve Hudson, Deputy Director
Barbara Carey, District Manager
Gabriella Gough, Coastal Program Analyst

SUBJECT: De Minimis Amendment Determination for County of Santa Barbara Local Coastal Program Amendment Number LCP-4-STB-25-0015-1-Part B (ADU Ordinance)

AMENDMENT DESCRIPTION

The County of Santa Barbara is requesting that the Commission certify an amendment to the Local Implementation Plan (LIP) / Coastal Zoning Ordinance (CZO) portion of its certified Local Coastal Program (LCP) that includes revisions to existing provisions and development standards relating to ADUs to conform to new state housing law (including recent changes associated with Assembly Bill 2533, and Senate Bills 1077 and 1211). Specifically, the amendment: **(1)** increases the allowed quantity of detached ADUs on lots with an existing multifamily dwelling; **(2)** changes the required permit for produce and flower stands in the C-1 zone from a Minor Conditional Use Permit to a Coastal Development Permit; **(3)** adds allowances and certain requirements for outdoor areas devoted to retail use that are accessory to retail operations; **(4)** corrects and clarifies existing development standards such as separate exterior access, JADU parking requirements, maximum unit size for certain detached ADUs, and adds the Resource Management Zone to the list of allowable zones for certain types of ADUs.

De Minimis LCP Amendment Determination

Pursuant to Coastal Act Section 30514(d), the Executive Director may determine that a proposed LCP amendment is “de minimis” if the amendment meets the following three criteria:

1. The Executive Director determines that the proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and that it is consistent with the policies of Chapter 3;
2. The local government provides public notice of the proposed amendment at least 21 days prior to submitting the amendment to the Commission, specifying the dates and places where comments will be accepted, by one of the following methods: posting on-site and off-site in the affected area, newspaper publication, or direct mailing to owners and occupants of contiguous property; and

3. The amendment does not propose any change in use of land or water or allowable use of property.

If the Executive Director determines that an amendment is de minimis, that determination must be reported to the Commission. If three or more Commissioners object to the Executive Director's de minimis LCP amendment determination at that time, then the amendment is set for a future public hearing as a regular LCP amendment. If not, then the amendment is deemed approved and it becomes a certified part of the LCP after adjournment of the meeting on the date it is reported to the Commission.

The purpose of this notice is to advise interested parties of the Executive Director's determination that the proposed LCP amendment is de minimis.

De Minimis LCP Amendment Analysis

Each of the de minimis LCPA criteria is discussed briefly below

1. No impact to coastal resources and consistency with Coastal Act Chapter 3

California is currently in a housing crisis, and in particular an affordable housing crisis, particularly in the state's coastal zone. To address this critical need, the state legislature has enacted a number of housing laws in the last several years that are designed to eliminate barriers to providing housing and to help foster additional housing units – particularly critically needed affordable units – where they can be appropriately accommodated by adequate public services and where, in the coastal zone, they will not adversely affect coastal resources.

Toward this end, a series of changes to state housing law have been implemented in the last few years to facilitate construction and permitting of residential development, including in particular ADUs/JADUs. These laws have triggered local governments to update their LCPs to incorporate such changes. Importantly, the changes to state law continue to explicitly require that the Coastal Act (and by extension LCP) coastal resource protections are not suspended in the siting and construction of ADUs, and thus updated local government ADU provisions must continue to protect coastal resources. In short, the goal of updating LCPs related to ADUs is to seamlessly synthesize state ADU housing law changes with LUP and Coastal Act policies in a way that continues to protect coastal resources while also reducing and eliminating barriers to ADUs. Here, the County of Santa Barbara has done just that with this proposed LCP amendment.

The Commission has certified several LCP amendments over the years to provide for ADUs in the City's coastal zone, and these ordinances have worked well in providing for this housing type in a manner that respects coastal resources. The proposed amendment builds on that proven track record, and provides additional refinements in compliance with recent state ADU law changes. For example, the proposed amendment clarifies existing development standards, updates permitting procedures, and corrects inconsistencies in the certified ordinance. Other revisions implement state-mandated

housing law, which local governments are required to incorporate into their certified LCPs while maintaining consistency with the Coastal Act.

In addition, the remaining revisions including updates to permitting requirements for produce and flower stands, standards for accessory retail areas, and clarifying edits to existing development standards are minor in nature and do not diminish the LCP's coastal resource protection requirements.

Thus, the proposed amendment will not adversely affect coastal resources, and it is consistent with the LUP.

2. No change in use of land or allowable use of property

The proposed amendment does not change the allowable use of land or water within the County's coastal zone. The amendment does not redesignate land uses, create new categories of development, or expand the range of allowable land uses beyond those already authorized under applicable state law and the certified LCP.

3. Provision of public notice

The County provided the required public notice in advance of the November 20, 2024 Montecito Planning Commission hearing, the December 4, 2024 County Planning Commission hearing, and the February 4, 2025 Board of Supervisors hearing. Newspaper notices were printed in advance of all hearings. Additionally, in advance of all hearings, email and written notice were sent to individuals, agencies, and local jurisdictions, and review drafts were made available on the County's website. The subject amendment was submitted to the Commission on April 7, 2025 and as such the County provided notice of the subject LCPA in excess of the 21-day requirement for a de minimis LCPA. The LCPA was filed complete on June 24, 2025.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(A) prohibits a proposed LCP or LCP amendment from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the LCP or LCP amendment may have on the environment. Although local governments are not required to satisfy CEQA in terms of local preparation and adoption of LCPs and LCP amendments, many local governments use the CEQA process to develop information about proposed LCPs and LCP amendments, including to help facilitate Coastal Act review. In this case, the County exempted the proposed amendment from environmental review (citing CEQA Section 15183 and asserting that the proposed amendment is consistent with the County's General Plan and does not result in new significant environmental effects or substantially more severe impacts than previously analyzed).

The Coastal Commission is not exempt from satisfying CEQA requirements with respect to LCPs and LCP amendments, but the Commission's LCP/LCP amendment review, approval, and certification process has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this

report has discussed the relevant coastal resource issues with the proposal, and has concluded that approval of the proposed amendment is not expected to result in any significant environmental effects, including as those terms are understood in CEQA. Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed amendment would necessitate. Thus, the proposed amendment will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Concurrence

The Executive Director will report this de minimis LCP amendment determination, and any comments received on it, to the Coastal Commission at its August 13, 2026 meeting in Santa Cruz. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Gabriella Gough at the Coastal Commission's South Central Coast District Office in Ventura. If you wish to comment on the proposed amendment and/or object to the proposed de minimis LCP amendment determination, please do so by August 6, 2026.