

RESOLUTION NO. PC-XXXX-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO RECOMMENDING THE CITY COUNCIL INTRODUCE AND ADOPT AN ORDINANCE AMENDING TITLE 16 (SUBDIVISION REGULATIONS) AND TITLE 17 (ZONING REGULATIONS) OF THE MUNICIPAL CODE WITH CHANGES ADDRESSING STATE LEGISLATIVE UPDATES ON ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS AND URBAN LOT SPLITS, AND CLARIFICATIONS TO REGULATIONS FOR AFFORDABLE HOUSING PROJECTS, WITH AN EXEMPTION FROM ENVIRONMENTAL REVIEW (CEQA) AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED FEBRUARY 12, 2025 (CODE-0031-2025)

WHEREAS, on October 11, 2023, Governor Newsom approved SB 684 to allow the development of ten or fewer residential lots on urban lots no larger than five acres; and

WHEREAS, on March 25, 2024, Governor Newsom approved SB 477 to reorganize various provisions relating to the creation and regulation of accessory and junior accessory dwelling units; and

WHEREAS, on September 19, 2024, Governor Newsom approved SB 1211 to further encourage development of accessory dwelling units, SB 450 to update the regulatory powers a local agency can exercise on urban lot splits subject to Government Code Section 65852.21 and 66411.7, and SB 1123 to expand upon the provisions introduced in SB 684; and

WHEREAS, the City of San Luis Obispo desires to update Title 16 (Subdivision Regulations) and Title 17 (Zoning Regulations) so that they may be consistent with current state law; and

WHEREAS, a number of minor changes have been identified in order to add clarification to or streamline the development review processes to more efficiently implement policies and programs of the City of San Luis Obispo's General Plan that are implemented through Title 16 (Subdivision Regulations) and Title 17 (Zoning Regulations); and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California on February 12, 2025, for the purpose of recommending various amendments to Title 16 and Title 17 of the Municipal Code to ensure consistency with state law and improve the efficiency of development review processes; and

WHEREAS, notice of said public hearing were made at the time and in the manner required by the law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of San Luis Obispo as follows:

SECTION 1. Findings. Based upon all evidence, the Planning Commission makes the following findings:

1. The proposed amendments to Titles 16 and 17 will not cause significant health, safety, or welfare concerns since the amendments are consistent with the General Plan and directly implement City goals and polices.
2. The proposed amendments to Title 17 are consistent with the 6th Cycle Housing Element in promoting Goal 5 (Housing Variety) and Goal 6 (Housing Production).
3. The proposed amendments to Title 16 and 17 are consistent with state law.

SECTION 2. Environmental Determination. The proposed amendments to Title 16 and Title 17 of the Municipal Code have been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA) and the state CEQA guidelines. Specifically, the proposed amendments have been determined to be exempt from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3), the “Common Sense” exemption, because the proposed actions have no possibility of having a significant effect on the environment. The proposed code amendments pertaining to ADUs and JADUs are also statutorily exempt under Public Resources Code Section 21080.17 (exemption for local ordinances implementing state law related to accessory dwelling units.)

SECTION 3. Action. The Planning Commission hereby recommends to the City Council the introduction and adoption of an ordinance to amend Title 16 (Subdivision Regulations) and Title 17 (Zoning Regulations) of the City's Municipal Code regarding accessory dwelling units, junior accessory dwelling units, urban lot splits, and clarifications to regulations for affordable housing projects, as set forth in Exhibit A and incorporated herein.

Upon motion of _____, seconded by _____ and on the following roll call vote:

AYES:
NOES:
ABSENT:

The foregoing resolution was passed and adopted this 12th day of February, 2025.

Tyler Corey, Secretary
Planning Commission