



MEMORANDUM

TO: City Council

FROM: Brian Pedrotti, Community Development Director

BY: Andrew Perez, Planning Manager

SUBJECT: Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code to Implement Senate Bill 9

DATE: June 28, 2022

SUMMARY OF ACTION:

Adopt an ordinance to establish regulations for projects proposed under the provisions of Senate Bill 9 (SB 9) (Attachment 2).

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

No financial impact is projected.

RECOMMENDATION:

Adopt the Ordinance establishing regulations for SB 9 development.

BACKGROUND:

Council initially reviewed the draft Ordinance at a study session on March 22, 2022 (Attachment 3) as a forum for community input and an opportunity for Council to provide direction to staff. Council directed staff to present draft objective design standards to the Architectural Review Committee (ARC) for review, which was accomplished at the April 18, 2022 ARC meeting. Planning Commission also reviewed the draft Ordinance at its May 3, 2022 meeting, and adopted a Resolution (Attachment 4) recommending Council adopt the Ordinance. On May 24, 2022 (Attachment 5), Council discussed the draft Ordinance and directed staff to revise sections of the ordinance related to the proposed design standards. Introduction of the Ordinance was scheduled for the May 24, 2022 City Council meeting, but Council requested certain changes to the proposed Ordinance to address concerns regarding neighborhood compatibility, including revisions to the number of units allowed by the Ordinance, maximum size, height restrictions, parking requirements, and a prohibition of rooftop decks.

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The introduction hearing was continued to June 14, 2022 (Attachment 6) to allow staff to make the revisions as directed. Council reviewed the revisions at that meeting and introduced the Ordinance as proposed.

ANALYSIS OF ISSUES:

The Ordinance is now ready for adoption. The regulations for urban lot splits and two-unit developments proposed pursuant to SB 9 will become effective thirty (30) days after adoption.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Adopt the Ordinance as proposed;
2. Modify and reintroduce the Ordinance; or
3. Provide other direction to staff.

ADVANTAGES:

Adoption of the Ordinance will allow SB 9 development in a manner that is compatible with the City's existing residential development and in accordance with State law.

DISADVANTAGES:

None identified.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the Community Development Department has determined that the adoption of an ordinance to implement Senate Bill 9 creates a ministerial review process and therefore is exempt from the requirements of CEQA pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

PUBLIC NOTIFICATION AND COMMENTS:

A summary of the Ordinance was published in The Tribune on June 22, 2022, pursuant to State law. The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. At the time of report publication, no comment letters have been received.

Attachments:

1. Proposed Ordinance
2. [SB 9 Bill Text](#)
3. [Staff Report from the March 22, 2022 Study Session](#)
4. May 3, 2022 Planning Commission Resolution No.22-2361
5. [Staff Report from the May 24, 2022 City Council Meeting](#)
6. [Staff Report from the June 14, 2022 City Council Meeting](#)