

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



W19a

DATE: April 24, 2014

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
Jack Ainsworth, Senior Deputy Director
Melissa Ahrens, Coastal Program analyst

SUBJECT: City of Santa Barbara LCP Amendment MAJ-1-12 (415 Alan Road): Executive Director's determination that the City's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with suggested modifications is legally adequate. This determination will be reported to the Commission at the May 14, 2014 hearing in Marin County.

On January 10, 2014, the Commission approved the proposed Land Use Plan (LUP) component of the City of Santa Barbara Local Coastal Program (LCP) Amendment No. SBC-MAJ-1-12, as submitted, and denied the proposed Implementation Plan/Coastal Zoning Ordinance (IP/CZO) component of City of Santa Barbara LCP Amendment No. SBC-MAJ-1-12, as submitted, and approved the IP/CZO amendment with one suggested modification. This amendment modifies the LUP and IP/CZO portion of Santa Barbara City's certified LCP to change the land use and IP/zoning restrictions applicable for the property at 415 Alan Road, in the City of Santa Barbara.

On March 4, 2014, the City Board of Supervisors adopted Resolution No. 14-011 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. MAJ-1-12 and accepting and agreeing to all modifications suggested by the Commission.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Santa Barbara acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the City's acknowledgement and acceptance of, and agreement with the terms and suggested modification of LCP Amendment MAJ-1-12, as certified by the Commission on January 10, 2014, as contained in the adopted Board Resolution of March 4, 2014, and find that the City's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 14-011

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACKNOWLEDGING RECEIPT OF THE CALIFORNIA COASTAL COMMISSION'S RESOLUTION OF CERTIFICATION; ACCEPTING AND AGREEING TO A SUGGESTED MODIFICATION FOR THE FINAL CERTIFICATION; AND AGREEING TO ISSUE COASTAL DEVELOPMENT PERMITS FOR THE TOTAL AREA INCLUDED IN THE CERTIFIED LOCAL COASTAL PROGRAM.

WHEREAS, in June 1981, the California Coastal Commission certified the Land Use Plan of the City's Local Coastal Program;

WHEREAS, Section 30514 of the California Coastal Act provides that all amendments to a certified Local Coastal Plan shall be processed in accordance with Sections 30512 and 30513 of the California Coastal Act;

WHEREAS, the project was found to be exempt from further environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3).

WHEREAS, on August 2, 2012, an application for a Local Coastal Program Amendment was submitted to the California Coastal Commission;

WHEREAS, on October 24, 2013, the California Coastal Commission found the application (SBC-MAJ-1-12) complete;

WHEREAS, on January 10, 2014, the California Coastal Commission approved the City's Local Coastal Program Amendment (MAJ-1-12) with a suggested modification;

WHEREAS, on February 13, 2014, said suggested modifications were formally transmitted to the City; and

WHEREAS, on March 11, 2014, the City Council adopted an ordinance incorporating the Coastal Commission's modification to the City's Local Coastal Program application.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City Council acknowledges receipt of the California Coastal Commission's resolution of certification, including the modification suggested for final certification, for the Local Coastal Program Amendment MAJ-1-12.

SECTION 2. The City Council accepts and agrees to the modification upon which the Local Coastal Program Amendment has been approved.

SECTION 3. The CEQA determination for the original project under Section 15061(b)(3) is adequate to address the modification suggested by the California Coastal Commission.

SECTION 4. The City Council has introduced and will subsequently adopt an amendment to the Local Coastal Program implementing ordinance to execute Suggested Modification set forth in the approval.

SECTION 5. The City Council agrees to issue coastal development permits for the total area included in the certified Local Coastal Program.

RESOLUTION NO. 14-011

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on March 4, 2014, by the following roll call vote:

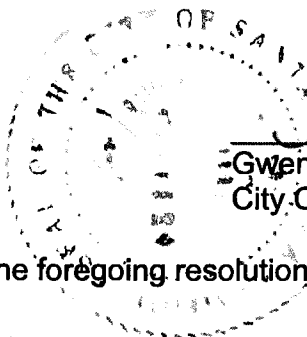
AYES: Councilmembers Dale Francisco, Frank Hotchkiss, Gregg Hart, Cathy Murillo, Randy Rowse, Mayor Helene Schneider.

NOES: Councilmember Bendy White

ABSENT: None

ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on March 5, 2014.



Gwen Peirce
Gwen Peirce, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on March 5, 2014.

Helene Schneider
Helene Schneider
Mayor

ORDINANCE NO. 5647

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 28.12 (ZONE MAP) OF TITLE 28 OF THE MUNICIPAL CODE PERTAINING TO THE REZONING OF PROPERTY AND APPROVING A LOCAL COASTAL PROGRAM AMENDMENT AT 415 ALAN ROAD – PARCEL A

WHEREAS, the City accepted an application from Patsy Stadleman, Agent for Andrew Seybold, in order to process a request for a Local Coastal Program Amendment for a property located at 415 Alan Road;

WHEREAS, on June 11, 2009, the Planning Commission held a duly noticed public hearing to consider a request for initiation of General Plan and Local Coastal Program Amendments, and Rezone, and no one spoke regarding the project;

WHEREAS, on June 11, 2009, the Planning Commission denied a request to initiate General Plan and Local Coastal Program Amendments, and Rezone;

WHEREAS, on November 9, 2009, the City Council held a duly noticed public hearing to consider an appeal of the Planning Commission decision by the applicant, and no one spoke regarding the project;

WHEREAS, on November 9, 2009, the City Council upheld the appeal of the applicant and initiated the General Plan and Local Coastal Plan Amendments, and Rezone of the subject parcel (Parcel B);

WHEREAS, on March 3, 2011, the Planning Commission held a duly noticed public hearing to consider an application for a Lot Area Modification, Tentative Subdivision Map and Coastal Development Permit for the subject parcel and to consider a recommendation to City Council on a General Plan Amendment, a Rezone and a Local Coastal Program Amendment, and one person spoke regarding the project;

WHEREAS, on March 3, 2011, the Planning Commission denied a request for a Lot Area Modification, a Tentative Subdivision Map and a Coastal Development Permit because a majority could not support a recommendation of approval of a General Plan Amendment, a Rezone and a Local Coastal Program Amendment;

WHEREAS, on March 11, 2011 Steve Amerikaner of Brownstein Hyatt Farber Schreck, LLP, on behalf of Andrew Seybold, appealed the Planning Commission denial of the project;

WHEREAS, on January 31, 2012, the City Council held a duly noticed public hearing on the appeal. After the public hearing, the City Council upheld the appeal and approved the Lot Area Modification (Parcel A), a Tentative Subdivision Map and a Coastal Development Permit;

WHEREAS, on January 31, 2012, the City Council held a duly noticed public hearing to consider a Local Coastal Program Amendment proposed in conjunction with the project, and concluded that the Local Coastal Program Amendment (Parcel B) is consistent with the goals and objectives of the City's General and Local Coastal Plans;

WHEREAS, on February 14, 2012 the City Council adopted Ordinance 5580 amending Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code by changing the zoning of the northerly portion of the property located at 415 Alan Road (Parcel B) from A-1/SD-3 to E-3/SD-3;

WHEREAS, on October 9, 2013 the City Council adopted Resolution 13-084, contingent upon final Coastal Commission action, a Local Coastal Program Amendment that amended the land use designation of the northerly portion of the property located at 415 Alan Road (Parcel B) from Residential (one (1) unit per acre) to Residential (three (3) units per acre);

WHEREAS, on January 10, 2014 the California Coastal Commission approved, with a Suggested Modification, the Local Coastal Program Amendment for Parcel B, amending the Land Use Plan designation from Residential (one (1) unit per acre) to Residential (three (3) units per acre) and the zoning designation from A-1 (One Family Residence Zone) to E-3 (One Family Residence Zone);

WHEREAS, on January 10, 2014 the California Coastal Commission approved a Suggested Modification to change the zoning on the southerly portion of the property located at 415 Alan Road (Parcel A) from A-1 (One Family Residence Zone) to A-2 (One Family Residence Zone);

WHEREAS, the City Council has conducted a duly noticed public hearing pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California;

WHEREAS, the City Council has received and acknowledged a receipt of the California Coastal Commission's Resolution of Certification; and accepted and agreed to a Suggested Modification for the final certification;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map; and

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including, the project, and all staff reports.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

Section 1. Local Coastal Program Amendment:

The Local Coastal Plan Amendment of the City of Santa Barbara is amended to rezone the southern portion of 415 Alan Road (Parcel A) to A-2/SD-3 (One Family Residence Zone/Coastal Zone Overlay).

Section 2. The City Council will carry out the Local Coastal Program Amendment consistent with the California Coastal Act and makes the following findings with respect to amending the City's Local Coastal Program:

A. Local Coastal Program Amendment:

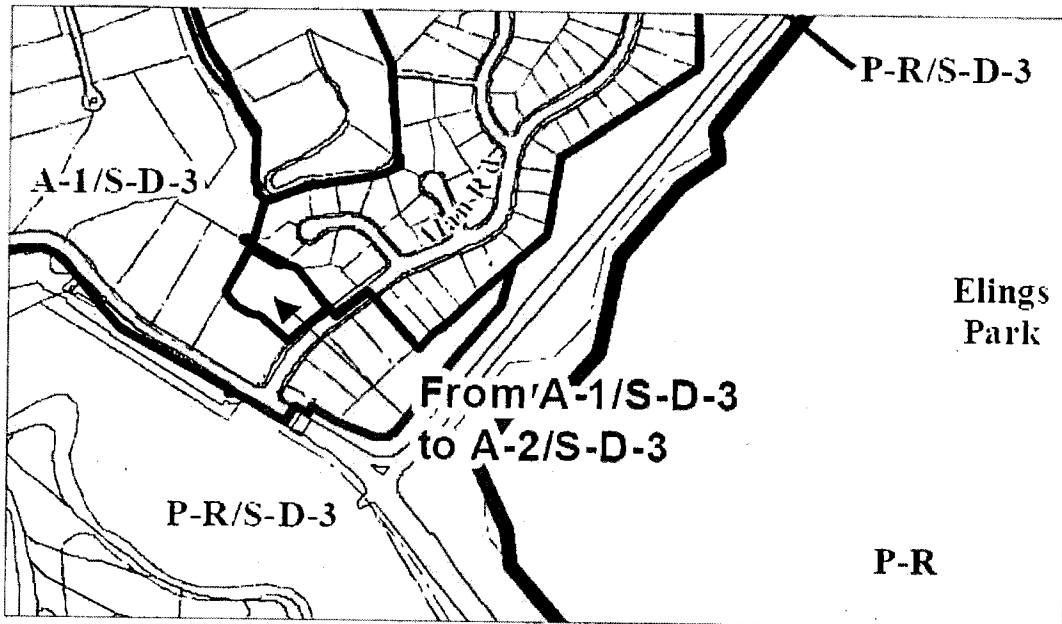
1. The amendment is consistent with the policies of the California Coastal Act.
2. The amendment is consistent with the City of Santa Barbara Local Coastal Plan Map.
3. The amendment is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because the project will not impede public access to the coast, and there will be minimal effects on public recreation.

Section 3. Zoning Map Amendment:

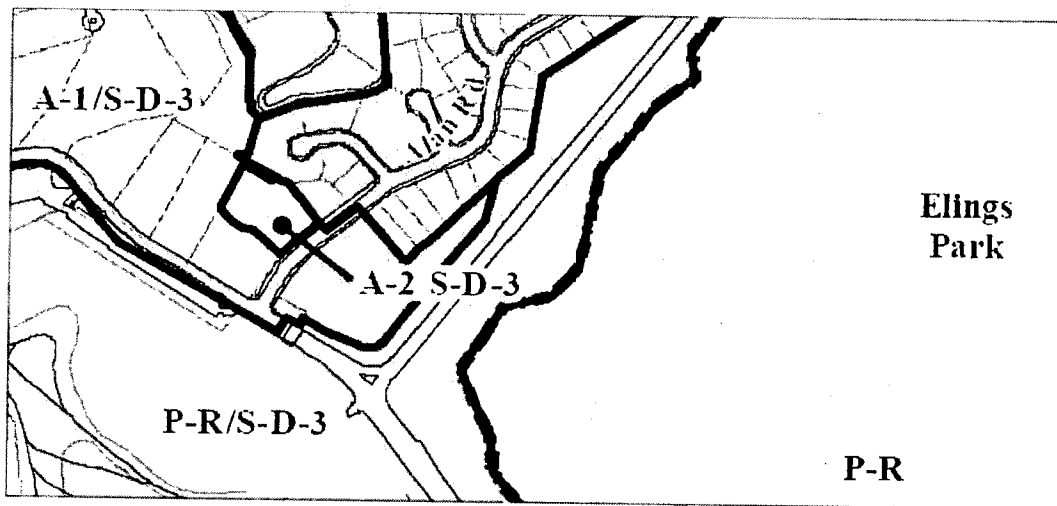
Effective thirty (30) days after Coastal Commission Certification of the Local Coastal Program Amendment for the southern portion of 415 Alan Road (Parcel A) the Sectional Zone Map SE02 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of a portion of the property to A-2/SD-3 (One Family Residence Zone/Coastal Zone Overlay) as indicated in the attached Exhibit A.

Exhibit A

Current Zoning Designation



Proposed Zone Change



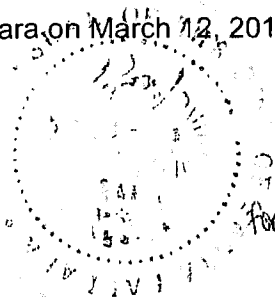
ORDINANCE NO. 5647

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
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CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing ordinance was introduced on March 4, 2014, and was adopted by the Council of the City of Santa Barbara at a meeting held on March 11, 2014, by the following roll call vote:

- AYES: Councilmembers Dale Francisco, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse; Mayor Helene Schneider
- NOES: Councilmember Bendy White
- ABSENT: None
- ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on March 12, 2014.



Gwen Peirce
Gwen Peirce, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing ordinance on March 12, 2014.

Helene Schneider
Helene Schneider
Mayor