

CALIFORNIA COASTAL COMMISSION

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January 18, 2002

TO: CALIFORNIA COASTAL COMMISSIONERS

FROM: PETER M. DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: STAFF RECOMMENDATION ON REVISED MAP OF POST-LCP
CERTIFICATION JURISDICTION, COUNTY OF SANTA BARBARA,
MAP 123 (DOS PUEBLOS CANYON QUADRANGLE)
(For Commission consideration at its February 5-8, 2002 meeting)

Tu. 10a

This recommendation was developed by Jonathan Van Coops and Darryl Rance, Coastal Program Analysts, Mapping/GIS Unit, working under the direction of Susan Hansch, Chief Deputy Director and Manager - Technical Services Division.

STAFF RECOMMENDATION

The staff recommends that the Commission revise the adopted post-LCP certification map number 123 (Dos Pueblos Canyon quadrangle) in Santa Barbara County, as shown in Exhibit 3. This revision will correct a recently revealed omission in area of the map number 123 previously prepared by staff and adopted by the Commission on November 19, 1982, showing the areas where the Commission retains permit authority pursuant to Public Resources Code Section 30519(b) and Section 30613, and where appeals of local government coastal development permit approvals are allowed pursuant to P.R.C. Section 30603(a)(1) and (2) within the County of Santa Barbara.

MOTION

Staff recommends that the Commission adopt the following motion:

I move that, for the reasons stated in the staff report and recommendation dated January 18, 2002, the Commission approve the revision proposed by staff to the Santa Barbara County Post-LCP Certification Map sheet 123 for Dos Pueblos Canyon.

BACKGROUND

After the Commission effectively certifies a local government's LCP, permit authority within that jurisdiction is largely delegated to that local government. However, pursuant to Section 30519 of the Coastal Act, the Commission retains permit authority (with certain exceptions) after LCP certification over developments occurring on tidelands, submerged lands, and public trust lands. In addition to the retained permit jurisdiction, Section 30603 of the Coastal Act defines certain areas and types of development for which approvals by the local government may be appealed to the Commission. Appeal jurisdiction exists, for example, on lands within 100 feet of

streams or wetlands, lands within 300 feet of the coastal bluffs, beaches, or estuaries, and lands between the sea and the first public road paralleling the sea. (See also Section 13577.)

Pursuant to Section 13576, each map includes the following statement: "This map has been prepared to show where the California Coastal Commission retains permit and appeal jurisdiction pursuant to Public Resources Code Sections 30519(b), 30603(a)(1) and (a)(2) and 30600.5(d). In addition, development may also be appealable pursuant to Public Resources Code Section 30603(a)(3), (a)(4), and (a)(5). If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This plat may be updated where appropriate and may not include all lands where permit and appeal jurisdiction is retained by the Commission."

The Commission's administrative regulations (Section 13576) provide that a map portraying the areas of continuing Commission permit and appeal jurisdiction be adopted in conjunction with the final LCP certification. An update procedure is also described and provides for the revision of the map by the Commission. Within these regulations is implicit that, while the adopted map should portray the various jurisdictional boundaries with reasonable accuracy, it remains only a cartographic representation, and not a precise definition of the jurisdiction. These maps may be updated from time to time when there are changed circumstances or where additional information becomes available indicating that the mapped boundaries do not reflect the jurisdictional criteria established in the Coastal Act and the Commission's implementing regulations. Additionally, where the boundaries are inaccurate, the Commission may assert jurisdiction as appropriate regardless of the boundaries depicted on the map.

STAFF ANALYSIS

The Commission first adopted post-LCP certification permit and appeal jurisdiction maps for the County of Santa Barbara on November 19, 1982. Based on these maps, and in particular on map number 123, the Commission's continuing appeal jurisdiction within this part of the County includes areas seaward of the first public road paralleling the sea, and areas within 100 feet of streams. The first public road is a combination of Highway 101 and Hollister Ave. Appeal jurisdiction based on areas 100 feet from streams are shown at 10 streams inland of the first public road paralleling the sea.

The map revision, which is the subject of this report recommendation, was brought to the attention of the Mapping/GIS staff in December 2001. Santa Barbara County was processing a coastal development permit application for the Sandpiper project and the Coastal Commission staff was asked whether the County's approval of the project would be appealable to the Commission. Commission staff indicated that it would be appealable. We have been informed that the County Board of Supervisors approved the Sandpiper project on or about January 15, 2002. At the request of the Commission's district and legal staffs, the existing adopted map was reviewed, and the omission of an intermittent stream segment of appeal jurisdiction in the area east of the Hollister Ave. exit off of Highway 101 verified (Exhibit 3). The recommended revision would result in the depiction of the appeal area within 100 feet of the unnamed stream

inland of Hollister Ave. and seaward of the Southern Pacific Railroad right of way. This revision affects approximately 1000 square feet as shown in Exhibit 3. All other appeal areas remain as previously adopted.

In some areas a parcel is bisected by the appeal jurisdiction boundary. All development proposed within the appeal area defined as appealable is subject to the Commission's jurisdiction. In addition, if a development is proposed partly on the portion of a parcel defined as appealable and partly on the remainder of the parcel, then the entire development is subject to the Commission jurisdiction to the extent that it has an impact that is inseparable from the impact of the portion of the development being reviewed within the appeal area.

NOTE: Due to the cost of reproduction, full-size copies of the large scale map number 123, normally mailed to Coastal Commissioners and other interested persons, has not been included with the staff report. Copies of the 1:24,000 scale map will be available for review at the County of Santa Barbara, at Coastal Commission offices in San Francisco and Ventura, and at the Commission meeting in San Diego.

EXHIBIT 1

The Resources Agency
California Coastal Commission

STATE OF CALIFORNIA

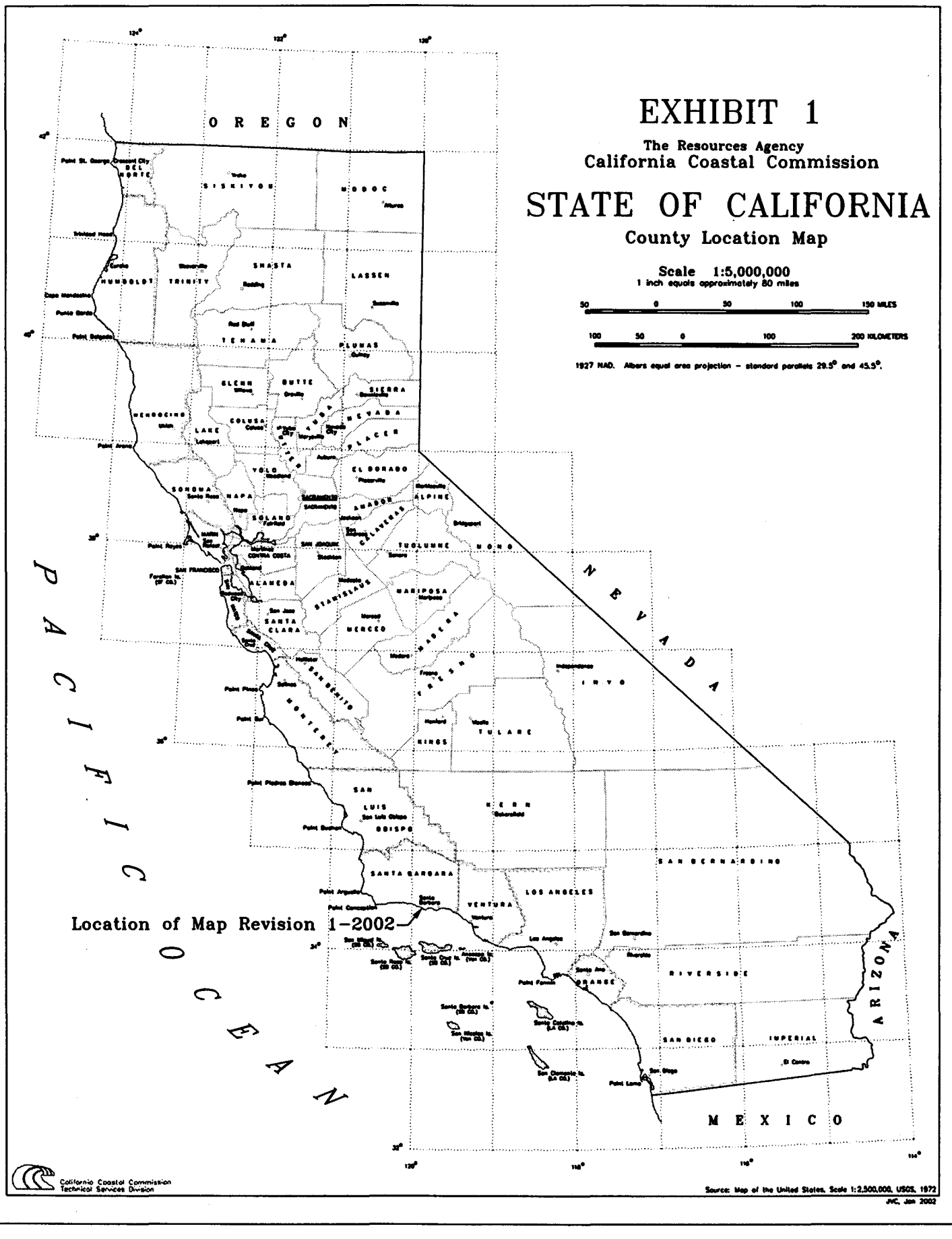
County Location Map

Scale 1:5,000,000
1 inch equals approximately 80 miles

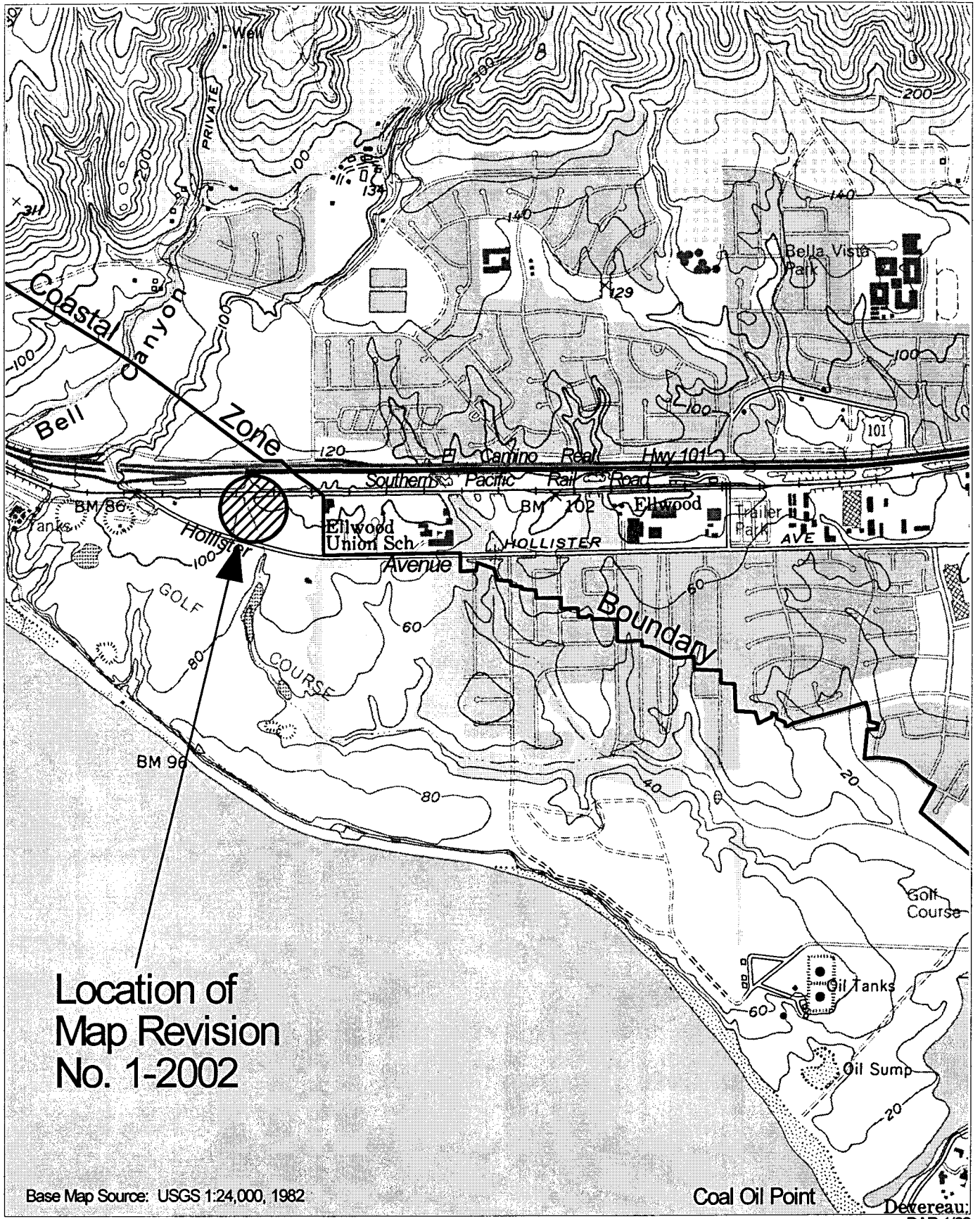
0 50 100 150 MILES

100 50 0 100 200 KILOMETERS

1927 NAD. Albers equal area projection - standard parallels 29.5° and 45.5°.



Location of Map Revision 1-2002



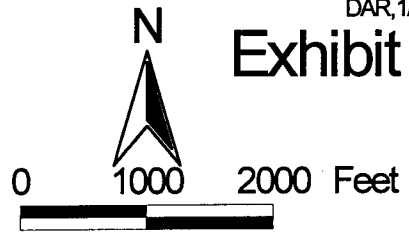
Location of
Map Revision
No. 1-2002

Base Map Source: USGS 1:24,000, 1982

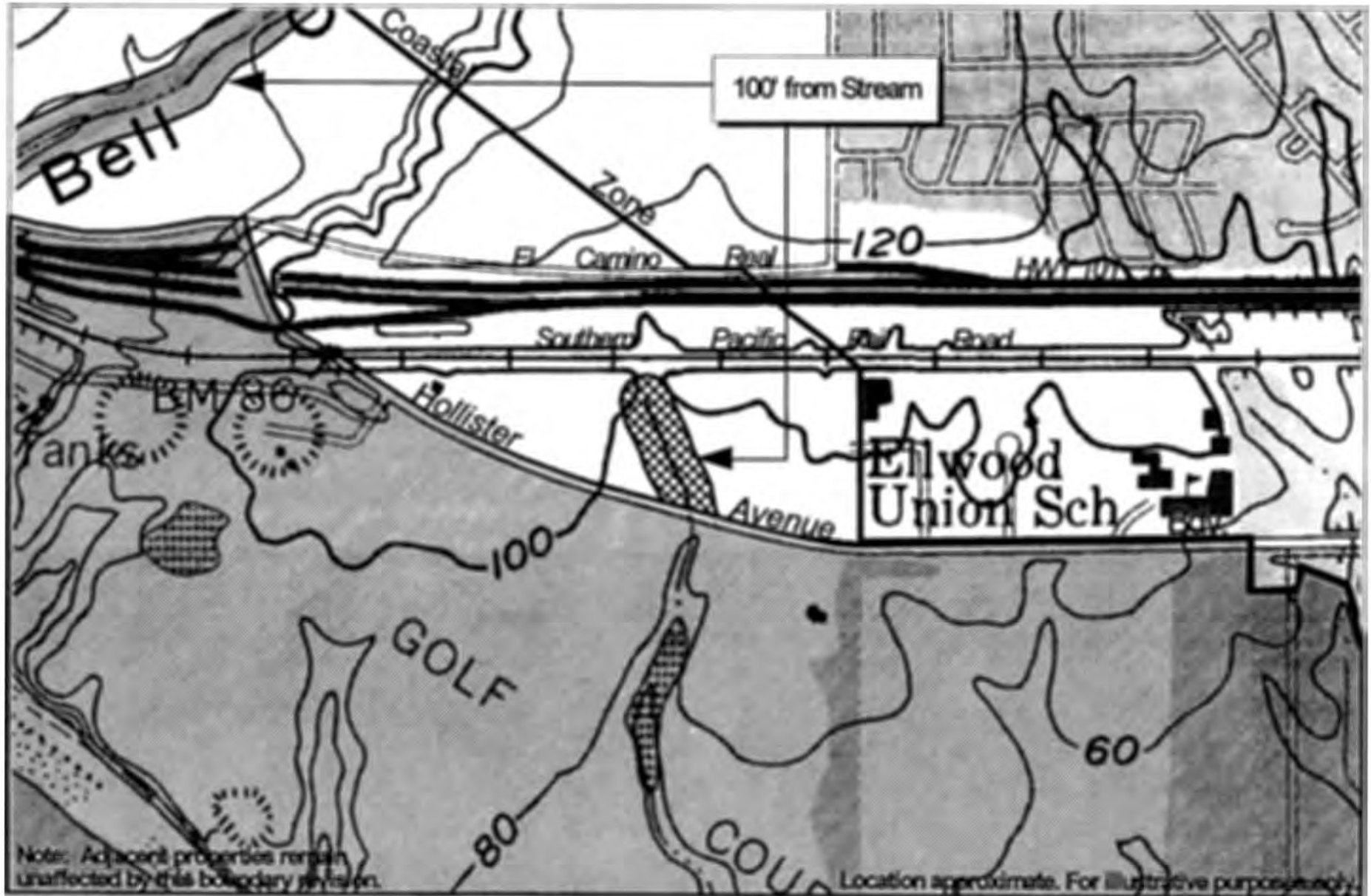
Map Revision No. 1-2002
Portion of Coastal Zone Boundary Map No. 123
(Dos Pueblos Canyon Quadrangle)
Santa Barbara County

Coal Oil Point
Devereau:
DAR, 1/02

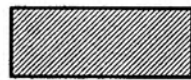
Exhibit 2



Map Revision No. 1-2002



Portion of Post-LCP
 Certification Map No. 123
 (Dos Pueblos Canyon Quadrangle)



Appeal Area Shown on Map 123



Appeal Area Map Revision
 [100-foot from stream per 13577(a)]

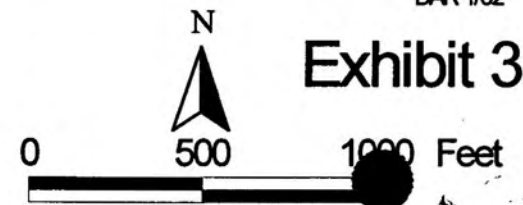


Exhibit 3

DAR 1/02