

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 641 - 0142

**RECORD PACKET COPY**

**DATE:** July 22, 2003

**TO:** Commissioners and Interested Parties

**FROM:** Chuck Damm, Senior Deputy Director  
Gary Timm, District Manager

**SUBJECT:** City of Santa Barbara Local Coastal Program Amendment No. MAJ-2-02 [Hotel and Related Commerce (HRC) Zones and Ocean-Oriented Commercial (OC) Zone] for Public Hearing and Commission Action at the California Coastal Commission hearing of August 6 2003 in Huntington Beach.

**DESCRIPTION OF THE SUBMITTAL**

On September 30, 2002, the City of Santa Barbara submitted an amendment to its certified Local Coastal Program to: (1) create a new Ocean Oriented Commercial (OC) land use designation, re-designating an approximately 3-block by 3-block area of the Waterfront generally bound by Helena Avenue on the west, Highway 101 on the north, Garden Street on the east, and Cabrillo Boulevard on the south (excluding parcels fronting Cabrillo Boulevard and those within the Cabrillo Plaza Specific Plan), from the existing HRC-2 land use designation to the OC land use designation (exhibit 1); and (2) amend the Zoning Ordinance to include a new Ocean-Oriented Commercial (OC) land use zone applicable to the subject area. Other proposed changes include: amending the zoning ordinance to allow residential uses in the Kimberly Avenue area in the HRC-2 zone between State Street and Mission Creek (exhibit 4); amending the LUP and the Zoning Ordinance to allow free standing restaurants in the HRC-1 land use designation and zone; amending the Zoning Ordinance to remove language that allows residential use in the Chase Palm Park Expansion (Park & Recreation Zone); amending the Zoning Ordinance to allow residential uses in the HRC-2 and proposed OC zones to develop to variable density standards; rezoning the parcel at 15 West Mason Street from HRC-1 to HRC-2; and, amending the General Plan (LUP) map and Zoning Map for several properties located east of Milpas, south of Calle Puerto Vallarta, and west of Orilla Del Mar from the HRC-1 (Hotel and Related Commerce) designation and zone to the Hotel and Residential land use designation and R-4 (Hotel-Motel Multiple Residence) Zoning designation (exhibit 4).

On October 15, 2002, the Executive Director determined that the City's Amendment was in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30510 (b). Pursuant to Coastal Act Section 30517 and California Code of Regulations Section 13535 the Commission extended the statutory 90 day time limit for Commission action on the proposed LCP amendment for a period not to exceed one year at its December 2002 meeting. The Commission held a public hearing on the proposed LCP amendment at the April 10, 2003 hearing in Santa Barbara and continued the matter with no action. The primary issue of discussion at the Commission hearing concerned a proposed suggested modification to establish a development standard to limit the amount of residential use allowed in approving mixed

use development projects. At the April hearing staff was recommending that residential development be restricted to upper stories only for new development in the OC zone. Several Commissioners suggested that a standard that established a percentage limit on residential use would allow greater flexibility in design. Subsequent to the hearing Commission staff and City staff met to discuss various alternatives or changes to suggested modifications. These alternatives included establishing a percentage ratio limit on residential development to assure that the mixed use objective is achieved, establishing a dual zone of OC/HRC for Montecito Street frontage and adding a policy to exempt affordable housing projects from the mixed use requirements. As a result of Commission discussion at the April hearing and subsequent discussions with City staff suggested modification no. 2 to the Implementation Plan/Zoning ordinance has been revised to establish a mixed use residential development standard ratio requirement to replace the upper story restriction previously recommended. However, the City is not in agreement with this change and is not proposing any changes to the proposed LCP Amendment as submitted.

### **SUMMARY OF STAFF RECOMMENDATION**

Staff recommends denial of the Land Use Plan Amendment as submitted, followed by approval of the Amendment with suggested modifications. Staff further recommends denial of the Implementation/Zoning Ordinance Amendment as submitted, followed by approval of the Amendment with suggested modifications. The City's proposed LCP Amendment is inconsistent with the Chapter 3 policies of the Coastal Act relative to the protection and provision of visitor-serving commercial facilities including hotels and motels. As submitted, the proposed LCP Amendment will prohibit future construction of certain visitor-serving commercial facilities, including overnight accommodations in a significant portion of the downtown waterfront area where they are currently allowed while, at the same time, increasing the potential for residential development, a non-priority use under the Coastal Act, in the same area. Therefore, Commission staff is recommending denial of certain portions of the Amendment and suggested modifications to bring the proposed Land Use Plan amendment into conformity with the Chapter 3 policies of the Coastal Act and to enable the proposed Implementation Plan Amendments to adequately carry out the certified LUP policies. **The motions and resolutions for Commission action begin on page 4; the suggested modifications begin on page 6.**

For additional information please contact Gary Timm at the South Central Coast District Office: 89 South California St., Ste. 200, Ventura, CA. 93001 or 805-585-1800.

## **I. PROCEDURAL ISSUES**

### **A. STANDARD OF REVIEW**

The Coastal Act provides:

*The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 30513(c))*

The standard of review that the Commission uses in reviewing the adequacy of the land use plan is whether the land use plan is consistent with the policies of Chapter 3 of the Coastal Act.

Section 30513 of the Coastal Act further provides:

*The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...*

*The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30514)*

*The Commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the Commission shall be deemed approved upon confirmation by the executive director. The local government may elect to meet the Commission's rejection in a manner other than as suggested by the Commission and may then resubmit its revised zoning ordinances, zoning district maps, and other implementing actions to the Commission.*

The standard of review used by the Commission for the proposed amendment to the Implementation Plan in reviewing the adequacy of zoning and other implementing measures is whether or not the proposed amendment is in conformance with, and adequate to carry out the provisions of the Land Use Plan.

The City of Santa Barbara's Coastal Zoning Ordinance implements the City's Coastal Land Use Plan and policies. It serves to integrate the City of Santa Barbara Coastal Land Use Plan with the adopted Santa Barbara General Plan and Zoning Ordinance as applied to the Coastal Zone. The Coastal Zoning Regulations and Maps set forth regulations, standards, and procedural requirements for development within the Coastal Zone and establish required consistency with the policies of the LCP Land Use Plan.

## **B. PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The City held numerous public meetings and/or workshops on 7/18/98, 7/20/98, 9/23/98, 9/26/98, 10/27/98, 12/15/98, 2/16/99, 4/13/99, 7/8/99, 7/20/99, 8/10/99, 8/17/99, and 6/18/02. All workshops and hearings were noticed to the public consistent with Sections 13551 and 13552 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

## **C. PROCEDURAL REQUIREMENTS**

Pursuant to Section 13551 (b) of the California Code of Regulations, the City resolution for submittal may provide that a Local Coastal Program Amendment will either require formal adoption by the local government after the Commission action to approve, or is an amendment that will take effect automatically upon the Commission's approval. In

this case, because the recommendation of approval is subject to suggested modifications, if the Commission approves the Amendment pursuant to the staff recommendation, the City must act to formally accept the suggested modifications before the amendment can become effective. Pursuant to Section 13544 of the Code of Regulations, the Executive Director shall determine whether the City's action is adequate to satisfy all requirements of the Commission's certification with suggested modifications and report such adequacy to the Commission.

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## **II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)**

Following public hearing, staff recommends that the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and the staff recommendation is provided prior to each resolution.

### **A. DENIAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED**

**MOTION I:** I move that the Commission certify Amendment SBC-MAJ-2-02 to the City of Santa Barbara Land Use Plan/Coastal Plan as submitted by the City of Santa Barbara.

#### **STAFF RECOMMENDATION OF DENIAL:**

Staff recommends a **NO** vote. Failure of this motion will result in denial of the land use plan as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

#### **RESOLUTION TO DENY CERTIFICATION OF THE LAND USE PLAN AMENDMENT AS SUBMITTED:**

The Commission hereby denies certification of Amendment SBC-MAJ-2-02 to the City of Santa Barbara Land Use Plan/Coastal Plan and adopts the findings set forth below on the grounds that the Land Use Plan as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan as submitted.

### **B. CERTIFICATION OF THE LAND USE PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS**

**MOTION II:** I move that the Commission Certify Amendment SBC-MAJ-2-02 to the City of Santa Barbara Land Use Plan/Coastal Plan if modified as suggested in this staff report.

**STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies Amendment SBC-MAJ-2-02 to the City of Santa Barbara Land Use Plan/Coastal Plan if modified as suggested and adopts the findings set forth below on grounds that the Land Use Plan/Coastal Plan with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan if modified.

**III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PROGRAM/COASTAL ZONING ORDINANCE (IP/CZO)**

Following public hearing, staff recommends that the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and the staff recommendation is provided just prior to each resolution.

**A. DENIAL OF THE IMPLEMENTATION PROGRAM/COASTAL ZONING ORDINANCE AS SUBMITTED**

**MOTION III: I move that the Commission reject the City of Santa Barbara Implementation Program / Zoning Ordinance Amendment SBC-MAJ-2-02 as submitted.**

**STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the Implementation Program / Zoning Ordinance amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:**

The Commission hereby denies certification of the City of Santa Barbara Implementation Program/Zoning Ordinance Amendment SBC-MAJ-2-02 and adopts the

findings set forth below on grounds that the Implementation Program/Zoning Ordinance Amendment as submitted does not conform with and is not adequate to carry out the provisions of the certified Land Use Plan. Certification of the Implementation Program/Zoning Ordinance amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program/Zoning Ordinance as submitted.

## **B. CERTIFICATION WITH SUGGESTED MODIFICATIONS**

**MOTION IV:** I move that the Commission certify the City of Santa Barbara Implementation Program / Zoning Ordinance Amendment SBC-MAJ-2-02 if it is modified as suggested in this staff report.

### **STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the City of Santa Barbara Implementation Program / Zoning Ordinance Amendment SBC-MAJ-2-02 if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program with the suggested modifications conforms with, and adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Program / Zoning Ordinance Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program/Coastal Zoning Ordinance on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

## **IV. SUGGESTED MODIFICATIONS TO THE LAND USE PLAN AMENDMENT**

Note: The City's proposed changes to the LUP/CP as submitted are shown in underline for added text and for deleted text. The Commission's recommended modifications for changes to the City's LUP/CP as submitted in SBC-MAJ-2-02 are shown in double underline for added text, and ~~double strikethrough~~ for deleted text. Suggested modifications to revise maps are indicated by italics.

### **Suggested Modification No. 1**

## 1. Existing Plans and Land Use

....

General Plan: ~~This~~ The area bounded by Helena Avenue on the west, Highway 101 on the north, Santa Barbara Street on the east, and Cabrillo Boulevard on the south plus parcel No. 033-08-02 at northwest corner of Helena and Yanonali and the condo project at Santa Barbara and Yanonali Streets (excluding parcels fronting on Cabrillo Boulevard or within the Cabrillo Boulevard Plaza Specific Plan area and parcels fronting on Montecito Street) is set aside in the General Plan for Ocean-Oriented Commercial uses. The remainder of Component 4 sub-area is set aside for Hotel and Related Commerce uses. The purpose of the Ocean-Oriented Commercial land use designation is to foster a vital, mixed use neighborhood in the Waterfront. Uses permitted and encouraged are those that contribute to balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses are also encouraged that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. Such uses include ocean-dependent and ocean-oriented uses, uses that provide commercial recreational opportunities for residents and visitors to the City, or uses that provide work space for local artists (as defined in the Zoning Ordinance). Mixed use development is also encouraged in areas where residential uses are allowed. ....

.....

## 4. LCP Land Use

(3<sup>rd</sup> paragraph) In the area east of State Street and north of the existing railroad right-of-way ..... The land use designation within the LCP shall be a mixture of HRC II (visitor-serving use) and Ocean-Oriented Commercial as set forth below ..... The area between State Street and Helena Avenue is designated HRC II. The area bounded by Helena Avenue on the west, Highway 101 on the north, Santa Barbara Street on the east and the existing railroad right-of-way on the south (excluding the Montecito Street frontage between State Street and Santa Barbara Street) is designated Ocean-Oriented Commercial. The City will encourage ~~mixed use projects, visitor-serving uses between State Street and Helena Avenue and along Montecito Street south of the freeway, and ocean-oriented commercial, and residential~~ as a component of mixed use projects within their remaining area.

**Suggested Modification No. 2**

Page 182 Component 6: Punta Gorda Street to City limit (Cabrillo Boulevard at U.S. 101).

4. LCP Land Use ... The existing hotel/motel uses along Cabrillo Boulevard and Milpas Street shall be designated "Hotel & Related Commerce". ~~The existing hotel/motel uses along Milpas Street shall be designated "Hotel and Residential"~~

## V. SUGGESTED MODIFICATIONS TO THE IMPLEMENTATION PLAN - ZONING ORDINANCE AMENDMENT

### Suggested Modification No. 1

Chapter 28.22 (HRC-1 and HRC-2 Hotel and Related Commerce Zones) ...

28.22.30 Uses Permitted.

....

HRC-2 Zone:

....

d. Restriction on residential use: Residential use is prohibited in the HRC-2 Zone except in the following areas:

~~(1) The area bounded by Kimberly Avenue on the east, Mason Street on the south, Mission Creek on the west, and Yanonali Street on the north.~~

....

### Suggested Modification No. 2

Chapter 28.71 (Ocean-Oriented Commercial Zone)

....

28.71.20 Uses Permitted.

....

4. Residential uses: Any use permitted in the R-3 Zone is allowed in the area bounded by Helena Avenue on the west, the existing railroad right-of-way on the south, plus the parcel at the northwest corner of Helena and Yanonali and the condo project site at Santa Barbara and Yanonali Streets, the Garden Street Extension on the east and Highway 101 on the north (excluding Montecito Street frontage), subject to the restrictions and limitations contained in this chapter. A mixed use development standard ratio of 60 percent (maximum) residential vs. 40 percent (minimum) non-residential Ocean Oriented Commercial (total building floor area) shall be applicable to all lots of 5,000 square feet or larger or any contiguous lots in common ownership or contained in development proposals where the total size of said lots meet or exceed this standard.

**Suggested Modification No. 3**

*Sectional Zone Map 8 shall be revised as follows (see exhibit 5):*

Chapter 28.12 (Zone Map)

Section 1. Sectional Zone Map 8 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of Assessor's Parcel Nos. 17-021-05, ~~through 07, 17, 18, 23, 30 and 32~~~~16 through 20, and 24~~; 17-022-02 through 04, 07 and 09; 33-010-10, 17, and 18; 33-052-04, ~~05, 07, 12, and 15 through 18~~~~20~~; 33-053-03, 07, 08, 13, 18, ~~and 20 and 23 through 27~~; 33-054-04 ~~through 07, 13, 14, 17, 20, 21, and 26 through 28~~; 33-081-02; 33-082-04, 08, 10, and 11; 33-083-06, 07, 12, and 15 through 20; 33-084-01 through 07; 33-112-01, 02, 07 through 10; and 33-113-01, 08, 09, and 12 through 14 from HRC-2, Hotel and Related Commerce 2 to OC, Ocean-Oriented Commercial.

**Suggested Modification No. 4**

*Sectional Zone Map 5 shall be revised as follows:*

Chapter 28.12 (Zone Map)

~~Section 3. Sectional Zone Map 5 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of Assessor's Parcel Nos. 17-313-03, 04, 13 through 17, and 19; and 17-460-01 through 04 from HRC-1, Hotel and Related Commerce 1 to R-4, Hotel Motel Multiple Residence.~~

**VI. FINDINGS AND DECLARATIONS FOR THE LOCAL COASTAL PLAN (LUP & IP) AMENDMENT DENIAL AS SUBMITTED AND APPROVAL WITH SUGGESTED MODIFICATIONS**

The following findings support the Commission's denial of the LCP Amendment as submitted, and approval of the LCP Amendment if modified as suggested below. The Commission hereby finds and declares as follows:

**A. AMENDMENT DESCRIPTION AND HISTORY**

The City proposes to amend its certified Local Coastal Program to change the Land Use Plan and Zoning Ordinance designations for several parcels in the City's waterfront area. All of the proposed changes are located in an area bounded by the 101 Freeway on the north, Cabrillo Boulevard on the south, Castillo on the west, and Milpas avenue on the east. The most significant proposed change to the LCP involves changing the LUP and Zoning designations in an approximately 3-block by 3-block area of the waterfront generally bound by Helena Avenue on the west, Highway 101 on the north, Garden Street on the east, and Cabrillo Boulevard on the south ( excluding parcels fronting Cabrillo Boulevard and those within the Cabrillo Plaza Specific Plan). The change would eliminate the existing Hotel and Related Commerce (HRC-2) designation and create a new Ocean Oriented Commercial (OC) designation for the area (Exhibit

1). The new designation would allow ocean-dependent, ocean-oriented, arts related, commercial, and residential use while prohibiting new hotel, motel and related visitor-serving uses which are currently allowed under the HRC-2 designation. This and other proposed amendment changes are described in greater detail below.

The City originally submitted the proposed LCP Amendment in 1999 and again in 2001. Both amendments were subsequently withdrawn. During the intervening months discussions were held between City and Commission staff relative to specific issues raised by the proposed amendment, particularly, the loss of potential for developing new overnight accommodations in the subject area. City staff agreed to provide some additional information and analysis relative to the potential impact of the proposed changes, however, the current amendment proposal is identical to the prior applications. The City's proposed changes arose out of a comprehensive study involving numerous public meetings, workshops, and walking tours between 1995 and 1999. The City Council adopted the resolution and ordinances that constitute the proposed LCP amendment on August 17, 1999 (exhibit 8).

## **B. PROPOSED CHANGES TO THE CERTIFIED LOCAL COASTAL PLAN**

The amendment involves changes to the City of Santa Barbara General Plan Map, the text of the City's Local Coastal Plan, and the Zoning Ordinance, as follows (summary from application submittal letter):

### Ocean-Oriented Commercial

- Amend selected text of the Local Coastal Plan to create the Ocean-Oriented Commercial land use designation.
- Amend the General Plan Map to remove the existing Hotel and Related Commerce II land use designation and apply the Ocean-Oriented Commercial land use designation.
- Amend the Zoning Ordinance to include a new Ocean-Oriented Commercial (OC) land use zone that allows primarily ocean-dependent and ocean-oriented uses, commercial recreational uses, arts-related uses, and residential uses.
- Rezone the area roughly bounded by Helena Avenue on the west, Highway 101 on the north, the Garden Street extension on the east, and Cabrillo Boulevard on the south (excluding parcels fronting on Cabrillo Boulevard or within the Cabrillo Plaza Specific Plan area) from HRC-2 to OC. (exhibits 1 & 4)

The legislative intent of the proposed OC zone is as follows:

*"[The OC] zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed-use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities".*

The proposed Ocean-Oriented Commercial (OC) Zone would allow the following types of uses:

- Ocean-dependent and ocean-oriented uses (aquaculture; boat rentals; marine equipment & accessories manufacturing, sales & rentals; marine-oriented government & research & development facilities; boat & sail manufacturing and repair; seafood processing & wholesaling; commercial fishing services, e.g. repair & storage; and, ocean-oriented educational facilities);
- Commercial recreational uses (consistent with current HRC-2 zoning);
- Arts related uses (art galleries, schools, workspaces, printing & publishing, industrial arts & crafts);
- Residential uses in the area bounded by Helena Avenue on the west, the existing railroad right-of-way on the south, the Garden Street extension on the east, and Highway 101 on the north (consistent with the current HRC-2 zoning);
- Stores that sell liquor, groceries, or food that do not exceed 2,500 square feet in gross floor area (consistent with current HRC-2 zoning);
- Other ocean-dependent, ocean-oriented, commercial recreational, or arts-related uses that are found to be consistent with the intent of the OC Zone by the Planning Commission; and
- Automobile rentals and parking lots, with a Conditional Use Permit (consistent with current HRC-2 zoning).

Rezoning the interior HRC-2 areas to OC would remove the potential for further hotels, motels, tourist courts, auxiliary uses for hotel guests, restaurants, specialty and gift shops, and general office uses. These uses would be replaced by ocean-dependent, ocean-oriented, and arts-related uses. Residential development would continue to be allowed in the sub-area between the railroad right-of-way and the 101 Freeway.

Rezoning the interior area from HRC-2 to OC would also change the development standards that apply to the area. The current HRC-2 zoning requires a front yard of not less than 10 feet for one-story buildings that do not exceed 15 feet in height, and 20 feet of front yard for all other buildings. Exclusively residential buildings or portions thereof are required to adhere to the setback, lot area, and outdoor living space requirements for the R-3 (limited multiple-family) zone.

The proposed OC Zone does not require building setbacks. However, any portion of a building used exclusively for residential purposes would be required to adhere to the lot area and outdoor living space requirements for the R-3 zone. The three-story building height limit that currently applies to the area would remain unchanged.

The development standards for the OC zone were proposed in recognition of the fact that the majority of existing buildings in the area were developed to Commercial-Manufacturing zone standards with no setback requirements. The development standards were proposed to allow for maximum site planning flexibility in order to aid in the provision of usable public open space, protection of view corridors, and application of traditional urban design principles.

Staff is recommending modifications to the proposed land use plan and zoning designation to limit allowed residential uses to 60 percent of total building floor area on all lots of 5,000 square feet and larger including contiguous lots in common ownership or contained in development proposals that equal or exceed 5,000 square feet. This modification is recommended in order to provide a more balanced mix of uses and

insure the development of ocean-oriented, ocean dependent, commercial recreation and arts-related uses in conjunction with residential development.

#### Kimberly Avenue Area

- Amend the Zoning Ordinance to allow residential uses in the Kimberly Avenue area west of State Street and east of Mission Creek. The specific zone change would be to add this area to the list of exceptions where residential use is allowed in the HRC-2 Zone.

The Kimberly Avenue area consists of four properties that are bounded by Mission Creek on the west, Yanonali Street on the north, Kimberly Avenue on the east, and Mason Street on the South. The area is currently zoned HRC-2 and has a General Plan (LUP) designation of Hotel and Related Commerce II. Kimberly Avenue is one block west of State Street and currently contains a mix of land uses including residential, a mixed-use building, and a child care facility. It retains a largely residential character to the west (exhibit 4).

This amendment is intended to preserve the existing residential uses, recognizing that the area functions as a transitional zone between the State Street commercial and West Beach residential land uses.

Staff is recommending denial as submitted of this portion of the amendment request.

#### Free Standing Restaurants in the HRC-1 Zone

- Amend text of the LCP Land Use Plan to allow free-standing restaurants in the HRC-1 land use designation.
- Amend the Zoning Ordinance to allow free-standing restaurants in the HRC-1 zone.

Land uses currently allowed in the HRC-1 zone are limited to hotels, motels, and tourist courts including related recreational, conference center and other auxiliary uses for hotel guests. There are currently a number of free-standing restaurants within the HRC-1 zone in the waterfront area that do not conform to the existing zoning requirements. The intent of this amendment is to make free-standing restaurants an allowed use in the HRC-1 zone, recognizing that they are an important visitor-serving use.

Staff is recommending approval as submitted of this portion of the amendment request.

#### Chase Palm Park Expansion

- Amend the Zoning Ordinance to remove language that allows housing in the Chase Palm Park Expansion (now zoned Park and Recreation).

In 1997, the Chase Palm Park Expansion was rezoned from HRC-2 to PR (Park and Recreation) to reflect the City ownership of the property and the intent to use it as a public recreational facility. During the rezone process, however, language in the HRC-2 ordinance that allowed residential use in the area occupied by the Chase Palm Park

Expansion was not deleted. The intent of the proposed amendment is to remove this ordinance inconsistency.

Staff is recommending approval as submitted of this portion of the amendment request.

#### Variable Density Standards for Residential Development in the HRC-2 and OC Zones

- Amend the Zoning Ordinance to allow residential uses in the HRC-2 and OC zones to develop to variable density standards.

There are currently two areas of the HRC-2 zone where residential uses are allowed:

- Area #1 – (Proposed rezone to OC) -The area bounded by Helena Avenue, the railroad right-of-way, the Garden Street Extension, and Highway 101; and
- Area #2 – The area bounded by Cabrillo Boulevard, Los Patos Way, and the railroad right-of-way.

Within these areas, residential land uses can be developed to the standards of the R-3 (Limited Multiple-Family Residence) zone. The R-3 zone allows residential development to variable density standards in order to encourage a mix of residential unit types and affordability levels. The intent of allowing R-3 development in the HRC-2 zone was to allow variable density standards to be applied. However, the variable density provisions of the R-3 zone do not specifically include the HRC-2 zone in the list of zones where the standards may be applied.

The purpose of the proposed Zoning Ordinance amendment is to clarify that the intent of allowing R-3 uses in the HRC-2 zone was to allow residential development to variable density standards. Because area #1 is proposed to be rezoned from HRC-2 to OC (with R-3 uses continuing to be permitted), the OC zone is added to the list of zones where variable density standards will apply.

Staff is recommending approval as submitted of this portion of the amendment request.

#### 15 West Mason Street Rezone

- Rezone the parcel at 15 West Mason Street from HRC-1 to HRC-2. This change will bring the zoning designation into conformance with the Land Use Plan designation.

This parcel is located at the intersection of Mason Street and Kimberly Avenue, directly behind the Californian Hotel and adjacent to Mission Creek. The parcel is zoned HRC-1, but has a General Plan (LUP) designation of Hotel and Related Commerce II. The HRC-1 zone currently allows only hotels, motels, and auxiliary uses, while the HRC-2 zone allows for a broader mix of visitor-serving and commercial recreational land uses. The property currently houses a mix of tenants, including a beauty parlor and a fitness studio.

The intent of this amendment is to provide more land use flexibility for the property, recognizing that the size and location of the parcel effectively prohibit HRC-1

development. The amendment will also provide conformity between the LUP and zoning designations.

Staff is recommending approval as submitted of this portion of the amendment request.

Calle Puerto Vallarta/Orilla Del Mar Area Land Use Change and Rezone

- Amend the General Plan Map to remove the existing Hotel and Related Commerce I land use designation and apply the Hotel and Residential land use designation.
- Amend selected text of the LCP to be consistent with the General Plan Map.
- Rezone existing HRC-1 parcels in the Calle Puerto Vallarta/Orilla Del Mar area to R-4, Hotel-Motel Multiple Residence Zone.

The proposed land use and zoning change applies to properties located in the area east of Milpas Street, south of Calle Puerto Vallarta, and west of Orilla Del Mar (exhibit 4). The properties currently have a General Plan (LUP) designation of Hotel and Related Commerce I and are zoned HRC-1.

The proposed rezoning is intended to make the existing residential development conforming land uses while continuing to allow hotel development. This amendment is also intended to preserve opportunities for future residential development, recognizing that the area has retained the residential character of the adjacent R-4 zone.

Staff is recommending denial of this portion of the amendment request.

On August 17, 1999, the City Council adopted the resolution and ordinances that constitute the proposed LCP Amendment (Resolution No. 99-099; Ordinance No. 5118 and Ordinance No. 5119, Exhibit 8).

**C. ISSUE ANALYSIS**

The proposed amendment to the LCP Land Use Plan raises issue with the following Coastal Act Policies:

Section 30213 of the Coastal Act states:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

*The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.*

Section 30222 of the Coastal Act states:

*The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over*

***private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.***

Section 30223 of the Coastal Act states:

***Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.***

Section 30250 of the Coastal Act states:

***(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.***

The most significant policy issues raised by the proposed amendment concerns consistency with Sections 30213, 30222, and 30223 of the Coastal Act. These policies give priority to new development or protect existing development that provides lower cost visitor-serving commercial and recreational facilities, including overnight accommodations, designed to enhance public opportunities for coastal recreation over private residential, general industrial or general commercial development.

#### Ocean-Oriented Commercial Land Use Change and Rezone

As indicated, the proposed amendment will change the Land Use Plan and Zoning designation for a large area of the Waterfront from Hotel and Related Commerce II (HRC-2) to Ocean-Oriented Commercial. This change will result in prohibition of new hotels, motels, and related visitor-serving uses which are currently allowed under the HRC designation. The amendment will also change the Land Use Plan and Zoning designation for several parcels located along Milpas Avenue in the East Beach area of the Waterfront from Hotel and Related Commerce I (HRC-1) to Hotel and Residential (R-4). This change will continue to allow hotel and motel development as a future use in this area but will also allow multiple density residential development as a future use. This area currently contains a mix of residential and hotel/motel development. The amendment also includes related changes to the certified Zoning Ordinance and a separate Zoning Ordinance change which would allow residential development as a permitted use in an HRC-2 designated area where residential is not currently allowed (Kimberly Avenue).

The area subject to the proposed OC designation currently contains a varied mix of industrial, residential, small businesses, and arts-related facilities with no particular site design features. Many existing buildings are built to the edge of the street. In recognition of the eclectic mix of uses and build-out pattern in the area the amendment proposal is intended to provide maximum flexibility in site planning by allowing residential development in the OC Zone to be built to variable density standards, consistent with the standards currently allowed in an R-3 (Limited Multi-Family Residential) Zone and by not requiring building setbacks in this zone since numerous existing buildings have been built to the street edge under previously existing industrial

development standards. The City's intent is to provide an incentive to property owners to rehabilitate or replace older industrial buildings into OC uses. This flexibility is also intended to encourage development to be oriented toward the street. In some cases, the City notes, setbacks may be necessary and required on a case-by-case basis to achieve other objectives such as landscaping, open space, compatibility with adjacent development or public view protection. Urban Design Guidelines will apply to the OC area. The City also notes that the proposed amendment does not affect properties along Cabrillo Boulevard, State Street or Garden Street and that, therefore, no significant public view corridors or vistas would be impacted by new development as a result of this amendment.

The amendment also includes language which encourages the development of a "mixed-use neighborhood" in the OC Zone but no specific criteria or restrictions are provided, beyond the list of allowed uses, to accomplish this objective. The Planning Commission and City Council will review each development proposal on a "case-by-case" basis. Residential development is not proposed to be an allowed use in the portion of the OC Zone south of the railroad right-of-way and north of Cabrillo Boulevard but future hotel and motel development will be prohibited (excluding parcels fronting on Cabrillo Boulevard).

A stated objective of the proposed amendment is removing the potential for further hotels, restaurants, and other primarily visitor-serving uses allowed by the HRC-2 designation in the interior area of the Waterfront. This objective is considered the most important component of creating a balanced Waterfront by the City. A parallel objective is providing an increased amount of residential development along with other ocean-oriented uses in the Waterfront. The City acknowledges that accomplishing this goal requires the City to balance local land use priorities with those of the Coastal Act.

The major Coastal Act concern raised by the proposed amendment is that the cumulative effect will change the balance of future development within the interior Waterfront area from one which gave priority to visitor-serving uses including overnight accommodations to one which gives priority to residential development. This may be an unintended consequence but, as currently worded, the proposed amendment does not provide adequate restrictions or incentives to achieve a balance between the new ocean-oriented, ocean-dependent, and arts-related designated uses and new residential development.

The Commission is largely supportive of the proposed Ocean Oriented Commercial Land Use designation, which provides for a different type of visitor-serving uses, as long as a means to balance the uses to obtain a true "mixed-use" neighborhood is achieved, particularly since no future hotels or motels will be allowed in this area. Currently, the proposed amendment is weighted toward encouraging residential development in this area rather than a balanced, mixed-use pattern of development which would provide, at a minimum, equal development opportunities for other Ocean Oriented Commercial projects that would be allowed under the proposed amendment.

In response to a request from Commission staff, the City has provided additional information and analysis related to the current amount of overnight accommodations in the Waterfront and the potential capacity for new overnight accommodations under current land use designations and under the proposed land use change and rezoning

(exhibits 1,2&9). The City points out that in 1981, there were approximately 35 hotels and motels in the Waterfront containing approximately 965 overnight accommodations which would serve approximately 3,040 guests. Currently, there are 34 hotels and motels providing approximately 1,700 overnight rooms or 725 additional rooms accommodating an estimated 5,100 overnight guests, an increase of 2,175 guests. A 1986 study concluded that the City's hotel/motel inventory was characterized by smaller, older properties that tended to be locally owned and that employ local residents. (These facilities tend to provide the more affordable overnight accommodations in contrast to the larger, more exclusive ocean-fronting hotels.) The 1986 study also indicated that the average occupancy rates are in the high 70 percent range. More recent figures indicate that the average occupancy rates in the Waterfront are approximately 80 percent year round with a low of 63 percent in December and a high of +95 percent in August. The City also notes that there are a total of 12 projects in the Waterfront that are either under construction, approved or pending approval which would add over 500 new rooms, including 160 hostel rooms and 112 timeshare units (exhibit 2).

These figures suggest that there is a large demand for overnight accommodations in the Waterfront and that there is not a surplus of rooms available. In addition, it is highly possible, if not probable, that visitation to the City, along with a corresponding demand for overnight rooms, will increase in the future due to both population increase and an increase in travel as a result of impending retirement of large numbers of "baby boomers". The City has also provided information on the number of facilities and rooms available outside of the Coastal Zone. There are an additional 34 hotels or motels in the City outside of the Coastal Zone that provide an additional 1,358 rooms for overnight use. Although it is important to note the existence of these facilities and their provision of services which benefit visitors to the Waterfront it is also important to acknowledge that these facilities are not subject to the City's LCP or Coastal Act requirements. Further, the Waterfront area is clearly the major destination point for visitors to the City.

The City also notes that nearly all of the oceanfront property from the Bird Refuge on the east to Shoreline Park on the west is publicly owned and used as open space, park land, public recreation or parking. A large amount of open space and parkland is also provided on the inland side of Cabrillo Boulevard (exhibit 3). As stated by the City, the amount of available public land, including public beach, demonstrates the City's long standing commitment to coastal access and public use of the Waterfront. While the proposed amendment represents an attempt to achieve and maintain a balanced mix of land uses in the Waterfront, the Commission must insure that the balance provides for present and future use of this area by preserving and providing a sufficient amount of visitor-serving commercial facilities including overnight accommodations. The amount and quality of public land in the Waterfront only demonstrates the importance of also protecting and continuing to provide these commercial facilities in a reasonable balance which conforms to Coastal Act policies.

The City is concerned that intensification of visitor-serving development in the Waterfront will lead to increasing congestion and that the area is becoming less appealing and attractive to local residents. An additional concern is that if locals are starting to avoid the Waterfront on weekends, visitors might start avoiding the area as

well. To address these concerns the City is proposing the new Ocean-Commercial Land Use designation which is based on the stated objective provided below:

"This zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities."

Hotels, motels, B & Bs and youth hostels as well as other visitor-serving commercial uses will continue to be allowed in most other areas of the Waterfront except public land. As the City notes, this includes much of the West Beach area between Castillo Street, State Street, Highway 101 and Cabrillo Boulevard. It should also be noted, however, that this area contains an established residential area that is not likely to convert to overnight accommodations in the future. Other areas of the Waterfront where visitor-serving uses including overnight accommodations would continue to be allowed include the entire length of Cabrillo Boulevard, and the interior East Beach area (which also includes a large amount of existing residential development). Further, as noted by the City, the HRC-1 Zone allows almost exclusively for overnight accommodations and auxiliary uses. There are currently 49 parcels comprising approximately 42 acres of HRC-1 zoned land in the Waterfront. In addition, there are approximately 184 parcels comprising nearly 47 acres zoned R-4, which allows hotels as well as multi-family development, in the Waterfront. The City contrasts the amount of existing land that will continue to be designated to allow visitor-serving uses including overnight accommodation with the relatively small, interior portion of the HRC-2 zone which it proposes to change to the OC designation. These are largely developed parcels (in the remaining HRC & R4 zoning designations) and are not readily available for conversion to hotel or motel development, however.

The most inland portion of the area to be redesignated OC includes a stretch of Montecito Street between Santa Barbara Street on the east to State Street on the west. This section of Montecito Street is dominated by the 101 Freeway on the north. The south side of the street facing the freeway contains a mix of uses including an office furniture store, a paint store, a rent-a-car agency, one vacant structure, and an adult entertainment facility which is the site of a pending hotel application. This stretch of Montecito Street is highly visible from the 101 Freeway, however, and could provide a location for future construction of affordable overnight accommodations for visitors if retained in the HRC-2 designation. As indicated, a hotel application is currently pending for one site already (exhibits 2 & 5).

The primary issue raised by the proposed amendment is whether it provides the proper balance of mixed-use development and means or policies to achieve that balance in conformance with applicable Coastal Act policies. The amendment would result in the future prohibition of hotels, motels, and other visitor-serving uses, which are considered priority uses pursuant to the Coastal Act, while continuing to allow residential use which is not a priority under the Coastal Act. The proposed OC Land Use Plan and Zoning change would remove the potential for additional overnight accommodations in a roughly 3-block by 3-block area of the Waterfront landward of the shoreline. This proposed change also needs to be considered in conjunction with a proposed change

which will, at a minimum, dilute the potential for new overnight accommodations in a smaller area east of Milpas Avenue (Calle Puerto Vallarta/Orilla Del Mar) by changing the Land Use and Zoning designation from HRC-1 to Hotel and Multiple Residential (R-4).

As currently proposed, the amendment creates the potential for nearly total conversion of the subject area to residential use if that is the desired use by property owners or the use which provides the greatest economic benefit from development. Considering that there is a recognized shortage of housing in Santa Barbara as well as the overall market value of housing it is conceivable that residential development would become the predominate use in the OC area. Other allowed OC uses might not be able to compete, economically, with the demand for residential development. Although a stated objective of the amendment is to create a mixed-use development pattern, there are no controls or limitations established to achieve that goal. For instance, the City hopes that the amendment will "build upon the vibrant arts community" in Santa Barbara by "creating a more pedestrian friendly built environment" to encourage locals and visitors to walk from the beach and other areas into the "funk zone" to patronize arts-related, commercial recreational or other uses in the OC zone. The City also hopes to create an area in the Waterfront where uses such as boat rentals, marine equipment manufacturing, sales, repair, and storage, seafood processing and other support services for recreational and commercial fishing can be located. The City notes that "many of these uses have historically been present in this area and that they contribute to the character of the 'funk zone' that the community desires to preserve". The City further notes that "the intent of the OC rezone is to preserve the interior area for priority coastal uses such as support services to fishing and marine research, commercial recreational as well as arts and some residential" (emphasis added). Various means of achieving this objective to restrict residential development include limiting residential use to upper stories of new buildings or establishing a maximum percentage of allowable building floor area on a lot by lot basis while reserving the remaining buildable floor area for developing arts-related, commercial recreation, or other allowed ocean-oriented uses on the remaining area of the lot. At the April Commission hearing in Santa Barbara staff was recommending that residential development be restricted to upper stories only for new development in the OC zone. In discussing the issue of restricting residential development some Commissioner's suggested that a percentage requirement would achieve the same goal while allowing the City more design flexibility in approving new Ocean Commercial development projects. At the hearing and in follow up discussions City staff stated that the City would prefer to not have any restrictions on residential development but that if restrictions were applied that they be applicable to lots larger than 10,000 square feet only. There are 69 existing parcels within the proposed OC rezone area. Of this total there are 19 lots or 27.5 percent that exceed 10,000 square feet in size. Alternatively, if these restrictions were applied to lots of 5,000 square feet and greater then 45 lots or 65 percent of the total lots would be required to comply with mixed-use requirements in new development projects. In addition, if this requirement were applied to contiguous lots in common ownership and/or development proposals incorporating contiguous lots this percentage would rise even further. Two exhibits provided by the City that demonstrate existing parcel sizes and land uses within the proposed OC rezone area are attached to the end of this report.

In order to provide a balance to achieve mixed-use development suggested modifications to the proposed amendment to the Land Use Plan and Zoning Ordinance are necessary. Suggested modification one to the certified Land Use Plan more specifically defines the boundaries of the proposed Ocean-Oriented Commercial Land Use designation within the Component 4 sub-area of the LCP. The sub-area extends from Chapala Street on the west to Santa Barbara Street on the east. The proposed amendment identifies the entire sub-area as set aside for Ocean-Oriented Commercial uses, however, this new designation only applies to a portion of this sub-area. (exhibit 4) The remainder continues to be set aside for Hotel and Related Commerce (HRC) uses. The modification clarifies this boundary distinction. Suggested Modification one also retains the Montecito Street frontage immediately adjacent to the 101 Freeway between State Street and Santa Barbara Street in the HRC-II designation, which would allow future hotels, motels, and other visitor-serving uses to be constructed along that stretch.

In order to carry out the provisions of the Land Use Plan, as modified, suggested modification two to the proposed Zoning Ordinance amendment excludes the Montecito Street frontage from the proposed Ocean-Oriented Commercial Zone and further provides that residential uses in the OC Zone shall be limited to a maximum of 60 percent floor area of new development projects on any lots or combination of lots that total 5,000 square feet or larger. In other words any development on any parcels or combination of parcels meeting or exceeding 5,000 square feet would be required to contain a minimum of 40 percent non-residential OC uses. Suggested modification three to the Zoning Ordinance amendment corrects the proposed Zone Map changes to remove the Montecito Street frontage from the new OC Zone (exhibit 5).

The Commission finds that the proposed amendment to the Land Use Plan of the certified City of Santa Barbara LCP to incorporate the Ocean-Oriented Commercial land use designation is consistent with policies 30213, 30222, and 30223 of the Coastal Act only if it is modified as presented in the findings above. In addition, the Commission finds that the proposed amendment to incorporate the Ocean-Oriented Commercial Zone into the Implementation Plan is adequate to carry out the Land Use Plan only if it is modified in accordance with the findings presented above.

#### Calle Puerto Vallarta/ Orilla del Mar Area Land Use Change and Rezone

The proposed LCP amendment to change the Land Use Plan designation (and Zoning) for an area located immediately inland of East Beach bounded by Milpas Avenue, Calle Puerto Vallarta and Orilla Del Mar from Hotel and Related Commerce I (HRC-1) to Hotel and Residential (R-4) also raise issues with Coastal Act policies which protect and give priority to recreational and visitor-serving commercial uses including those providing overnight accommodations over private residential development (exhibit 4).

Under the current HRC-1 designation, only hotels, motels and related auxiliary uses are allowed. (The subject amendment also proposes to allow free-standing restaurants in the HRC-1 designation.) The proposed R-4 designation would allow multiple residential development as well as hotels and motels. The City notes that the proposed rezoning is intended to make the existing residential development a conforming land use while continuing to allow hotel development. The City also notes that the amendment will

also provide additional opportunities for future new residential development recognizing that the area has retained the residential character of the adjacent R-4 zone.

Prior to 1986, these properties were zoned R-4, which allowed for a mix of hotel and multiple-family residential uses. In 1986, the properties were rezoned HRC-1 to encourage the development of overnight accommodations for visitors. It was expected that the residential uses in this area would transition to hotel uses over time (the HRC-1 zone does not allow residential uses). However, with the exception of a vacant property that was developed with vacation rental units in 1997, this transition has not occurred. The other parcels in this area remain in residential use, and are non-conforming to the provisions of the HRC-1 zone.

The amendment will also significantly reduce the possibility of future hotel or motel construction in the area for the same economic and market based reasons discussed above relative to the proposed OC designation, however. In addition, it can be reasonably assumed that public sentiment in this area would favor residential development. Currently the area subject to the amendment contains several vacation rental units. It should also be noted that this same general neighborhood, which extends beyond the boundaries of the proposed amendment area, contains several older hotels or motels including Motel 6, Pacific Crest Motel, Parkside Inn, Inn at East Beach, and the Blue Sands Motel. All of these facilities coexist with the surrounding residential neighborhoods.

The area subject to the proposed amendment is located approximately one block inland of Cabrillo Boulevard directly fronting on Milpas across from the Cabrillo Ballpark (exhibit 4). As mentioned, this area was previously redesignated for Hotel and Related Commercial (HRC) development (no residential) in recognition of its proximity to East Beach with frontage on Milpas (which is accessed by on and off-ramps from the 101 Freeway).

The City's objective is to de-emphasize future hotel or motel development in this area while, at the same time, placing a greater emphasis on multi-family residential development. While acknowledging that the area has not recycled to hotel or motel use as intended it must also be acknowledged that this area is the last remaining area in the East Beach area that is not fronting on Cabrillo Boulevard that is designated strictly for hotel/motel development. Further, the area is connected to the Cabrillo Boulevard HRC Zone and fronts on Milpas Avenue, a heavily traveled street with freeway access. Finally, the potential loss of the Coastal Act priority hotel/motel use at the expense of non-priority residential use must be considered in conjunction with the loss of the HRC land use and zoning designation in the proposed Ocean-Commercial designation.

For the reasons discussed above, Suggested Modification two to the Land Use Plan amendment is required to ensure that the proposed amendment is consistent with Sections 20213, 30222, and 30223 of the Coastal Act. This modification effectively denies the proposed Land Use Plan redesignation as submitted for the subject area and retains the area in its existing Hotel & Related Commerce designation. Suggested Modification 4 to the Implementation Plan/ Zoning Ordinance is necessary also to retain the existing HRC-1 Zone Map designation. The Commission finds that, only if modified in accordance with the findings presented above, is the proposed amendment to the Land Use Plan consistent with the applicable referenced Coastal Act policies. Further,

the Commission finds that the proposed corresponding amendment to the Implementation Plan – Zoning Ordinance is adequate to carry out the Land Use Plan only if it is modified in accordance with the findings presented above.

#### Kimberly Avenue Area Rezone

An additional component of the proposed LCP amendment that also raises issue with each of the above cited Coastal Act policies concerns a proposed change to the Implementation Plan/Zoning Ordinance only. This proposed change is to amend the Zoning Ordinance to allow residential uses in the Kimberly Avenue area west of State Street, east of Mission Creek and south of the railroad right-of-way and Amtrak Station. The specific zone change would be to add this area to the list of exceptions in the Zoning Ordinance where residential use is allowed in the Hotel and Related Commerce (HRC-2) Zone. Currently, only hotels/motels and auxiliary uses, and visitor-serving commercial uses are allowed in this portion of the HRC-2 Zone.

The Kimberly Avenue area consists of four properties that are bound by Mission Creek on the west, Yanonali Street on the north (adjacent to the railroad right-of-way), Kimberly Avenue on the east, and Mason Street on the south (exhibit 4). Kimberly Avenue is one block west of State Street and currently contains a mix of land uses including residential, a mixed use building, and a child care facility. The area subject to the amendment adjoins existing commercial development along State Street but the area contains a largely residential character to the west. The amendment is intended to preserve the existing residential uses, recognizing that the area functions as a transitional zone between the State Street commercial and West Beach residential land uses.

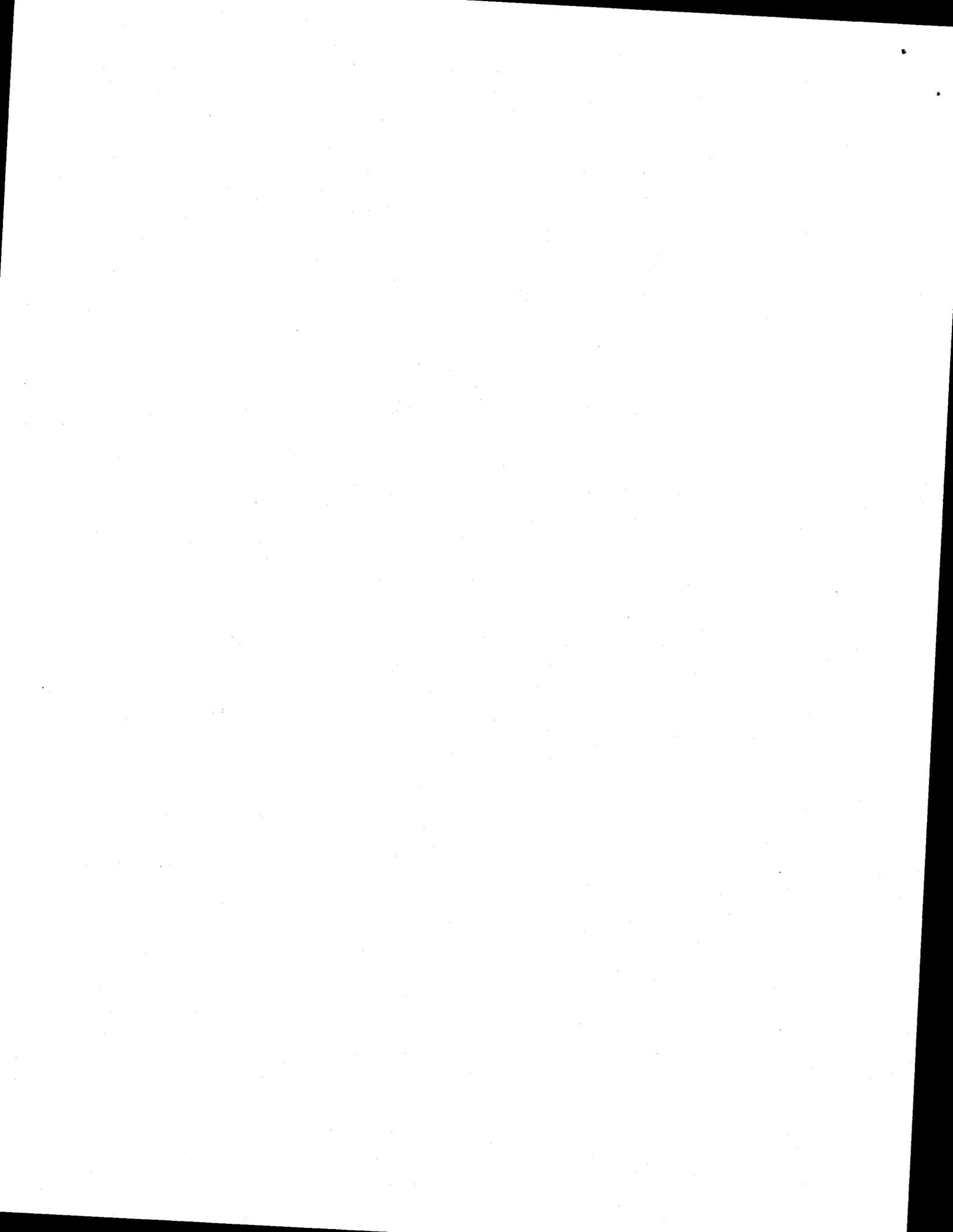
It should be noted, however, that the subject area is the most logical inland area west of State Street to accommodate future overnight accommodations or other visitor-serving uses given its close proximity to the railroad station at Yanonali Street and State Street commercial development. A 60-room hostel development is currently proposed nearby. This location was chosen for its proximity to the railroad station. Although the largely residential area to the west contains a number of motels, future conversion of properties to hotel/motel or other visitor-serving use is prohibited in this section of the HRC-2 zone in order to retain the residential character of the area. Further, given the popularity of the area as a place to live near the beach and the demand for future housing in the City, it is likely that the proposed change would result in conversion of this area to a non-priority residential use while minimizing the opportunity for providing priority uses such as overnight accommodations.

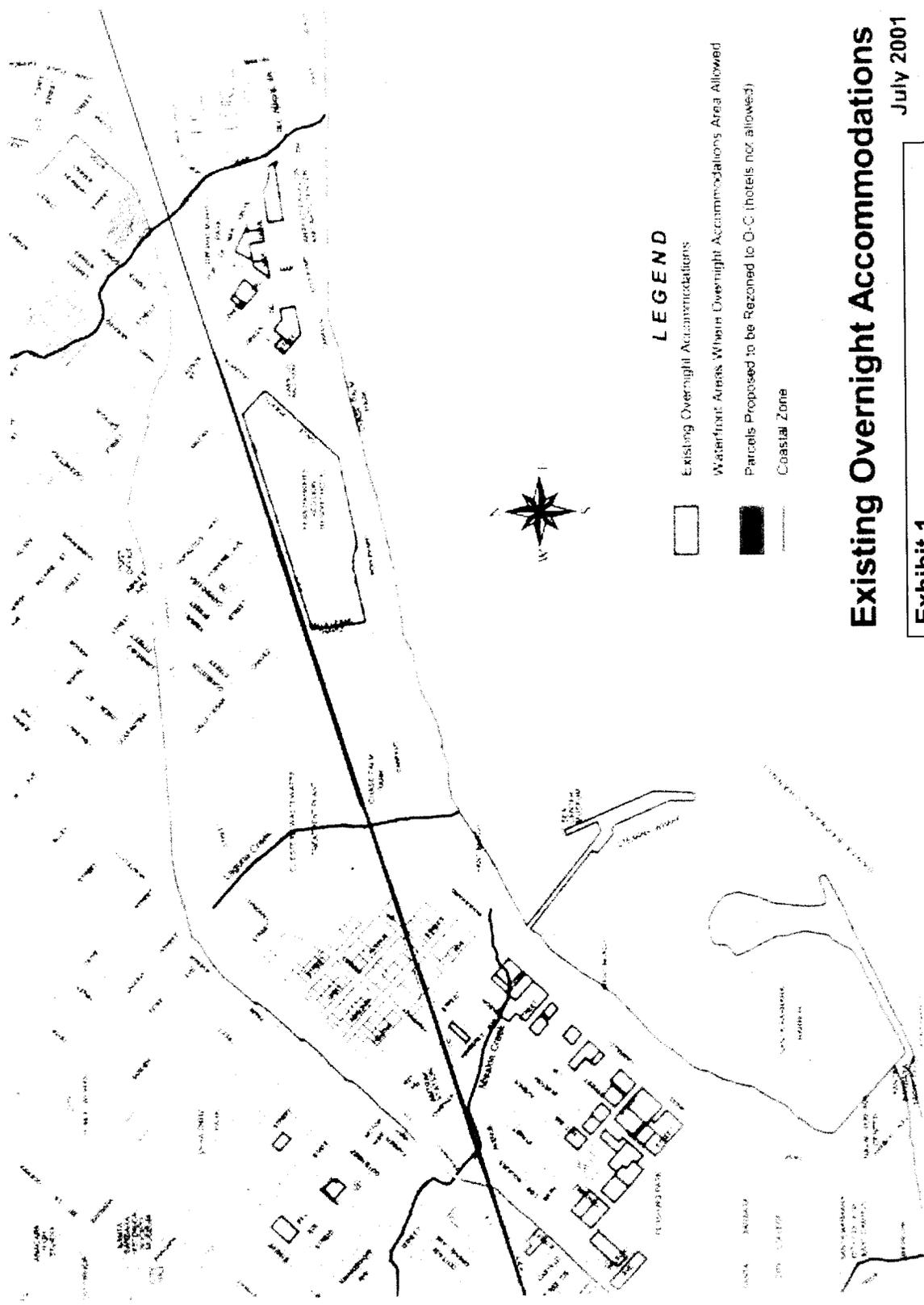
For the reasons stated above Suggested Modification one to the Implementation Plan/Zoning Ordinance amendment is necessary. This modification effectively denies the proposed language addition to the Zoning Ordinance by retaining the prohibition of residential development in the HRC-2 Zone. For the reasons stated above in the findings the Commission finds that the proposed amendment to the Implementation Plan is adequate to carry out the provisions of the certified Land Use Plan only if modified to delete the proposed exception language as described above.

## **VII. THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, "...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."

The proposed amendment is to the City of Santa Barbara's certified Local Coastal Program Land Use Plan and Implementation Ordinance. The Commission originally certified the City of Santa Barbara's Local Coastal Program Land Use Plan and Implementation Ordinance in 1981 and 1986, respectively. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the intent of the applicable policies of the Coastal Act and the certified Land Use Plan and feasible alternatives are available which would lessen any significant adverse effect which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding section, the Commission's suggested modifications bring the proposed amendment to the Land Use Plan and Implementation Plan components of the LCP into conformity with the Coastal Act and certified Land Use Plan. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.

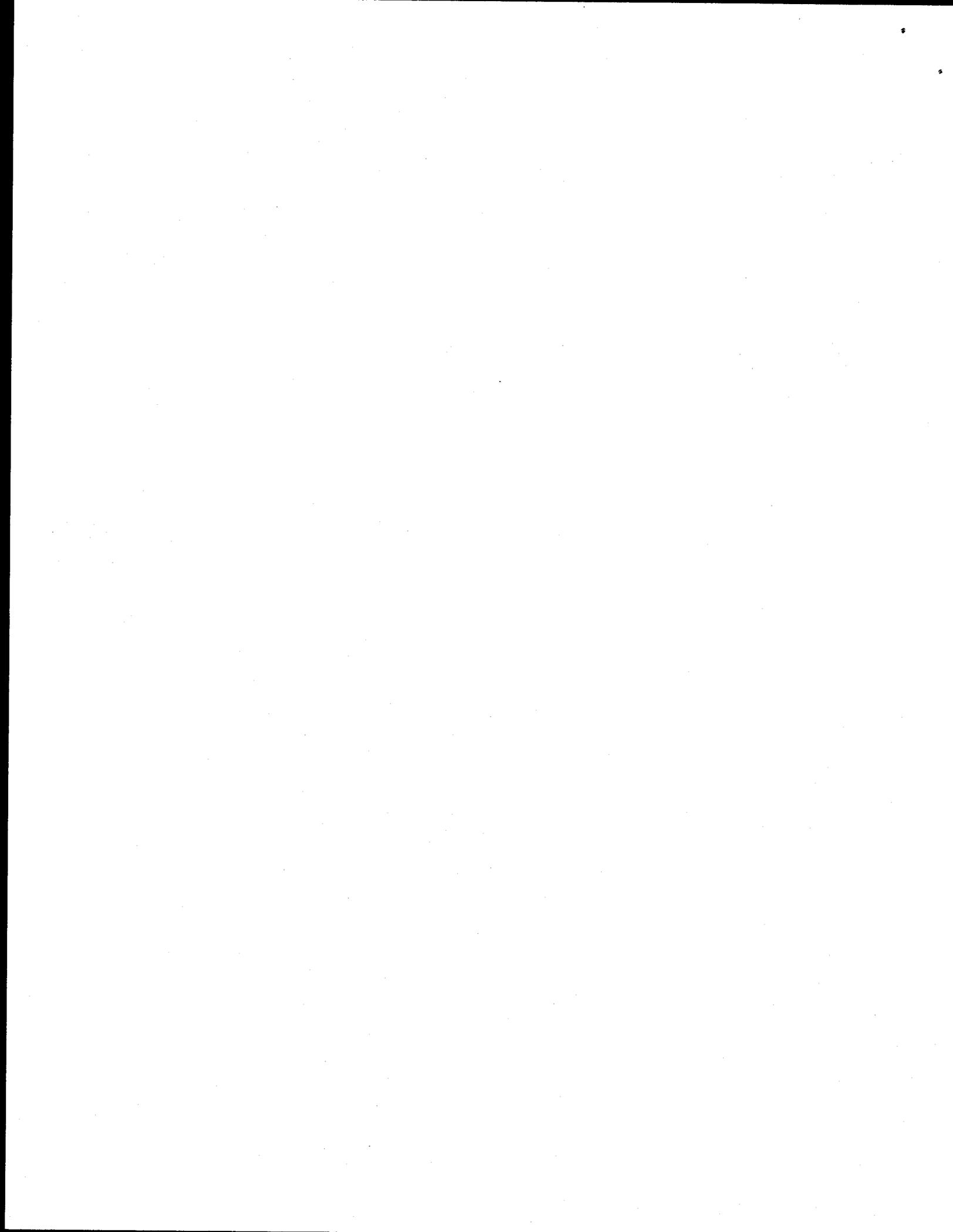


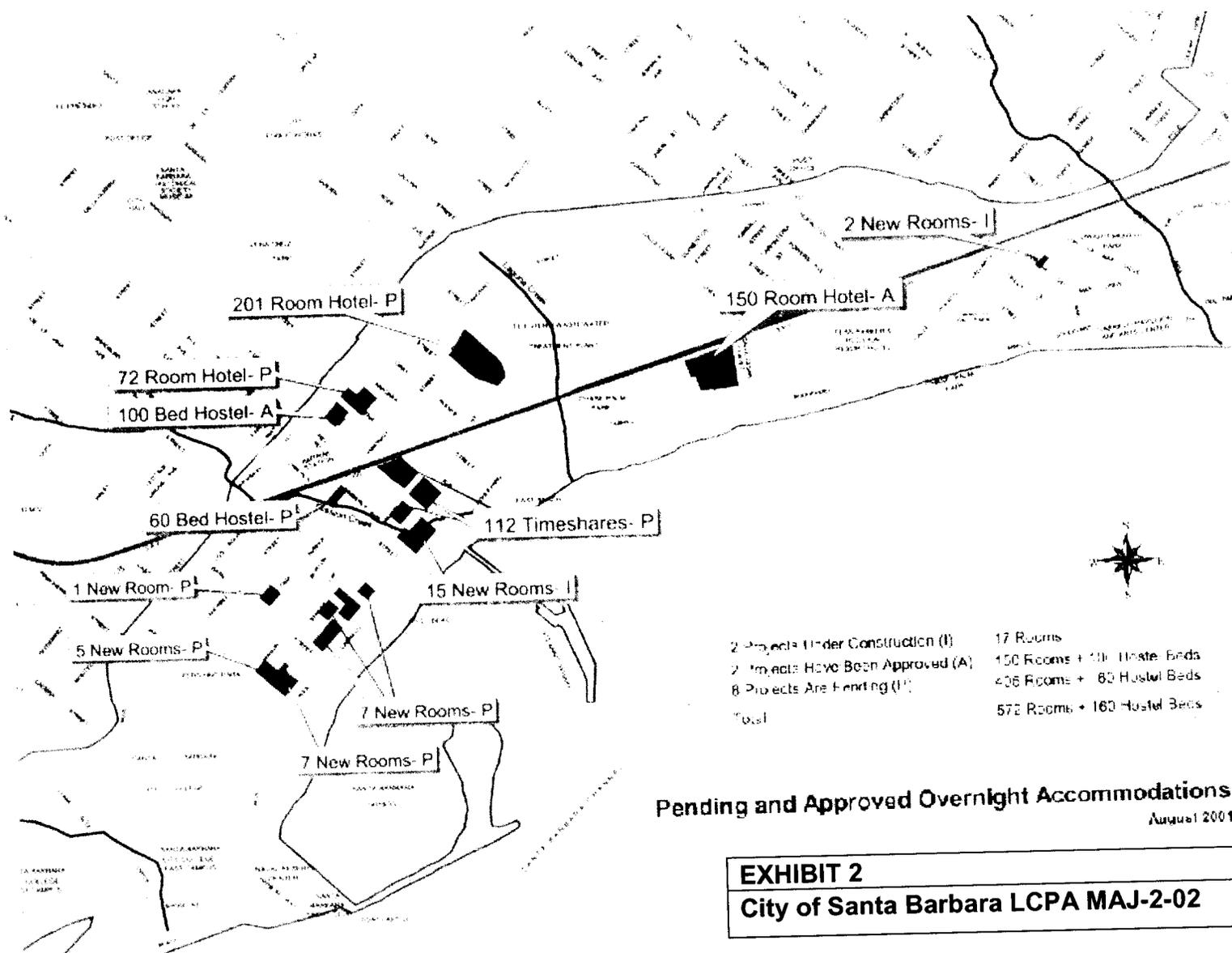


# Existing Overnight Accommodations

July 2001

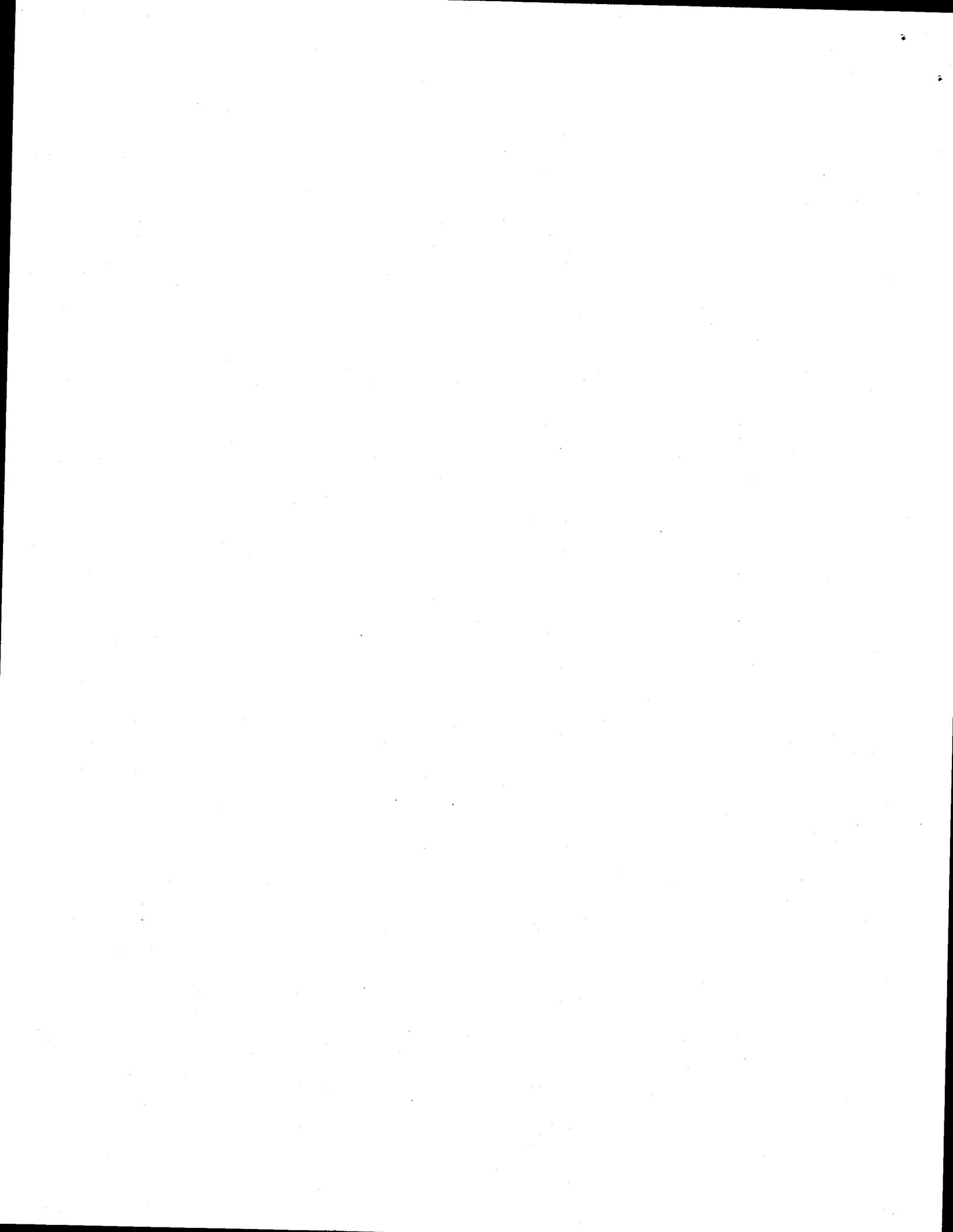
**Exhibit 1**  
**City of Santa Barbara LCPA MAJ-2-02**

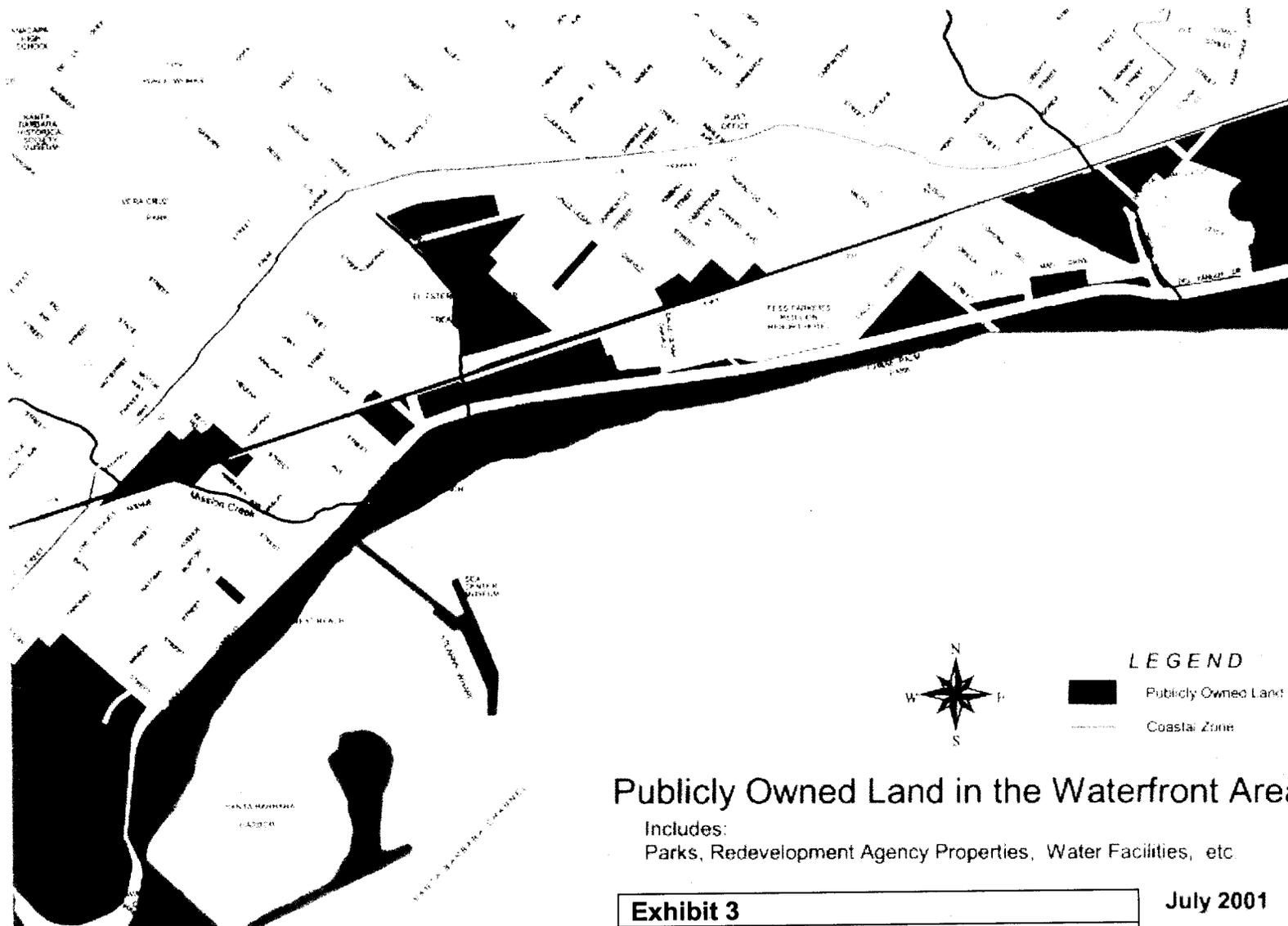




**Pending and Approved Overnight Accommodations**  
August 2001

**EXHIBIT 2**  
**City of Santa Barbara LCPA MAJ-2-02**





## Publicly Owned Land in the Waterfront Area

Includes:  
Parks, Redevelopment Agency Properties, Water Facilities, etc.

**Exhibit 3**

**City of Santa Barbara LCPA MAJ-2-02**

**July 2001**

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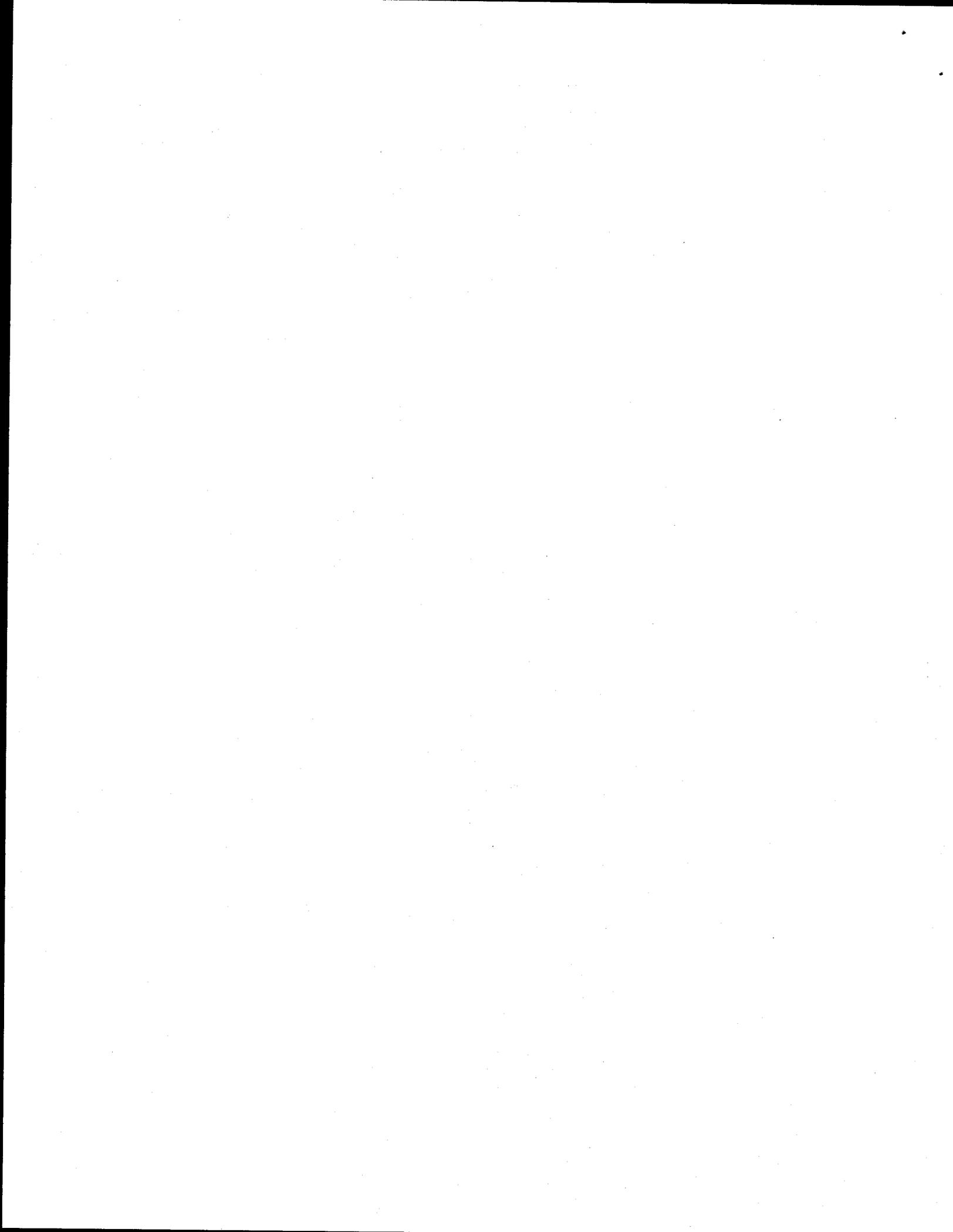
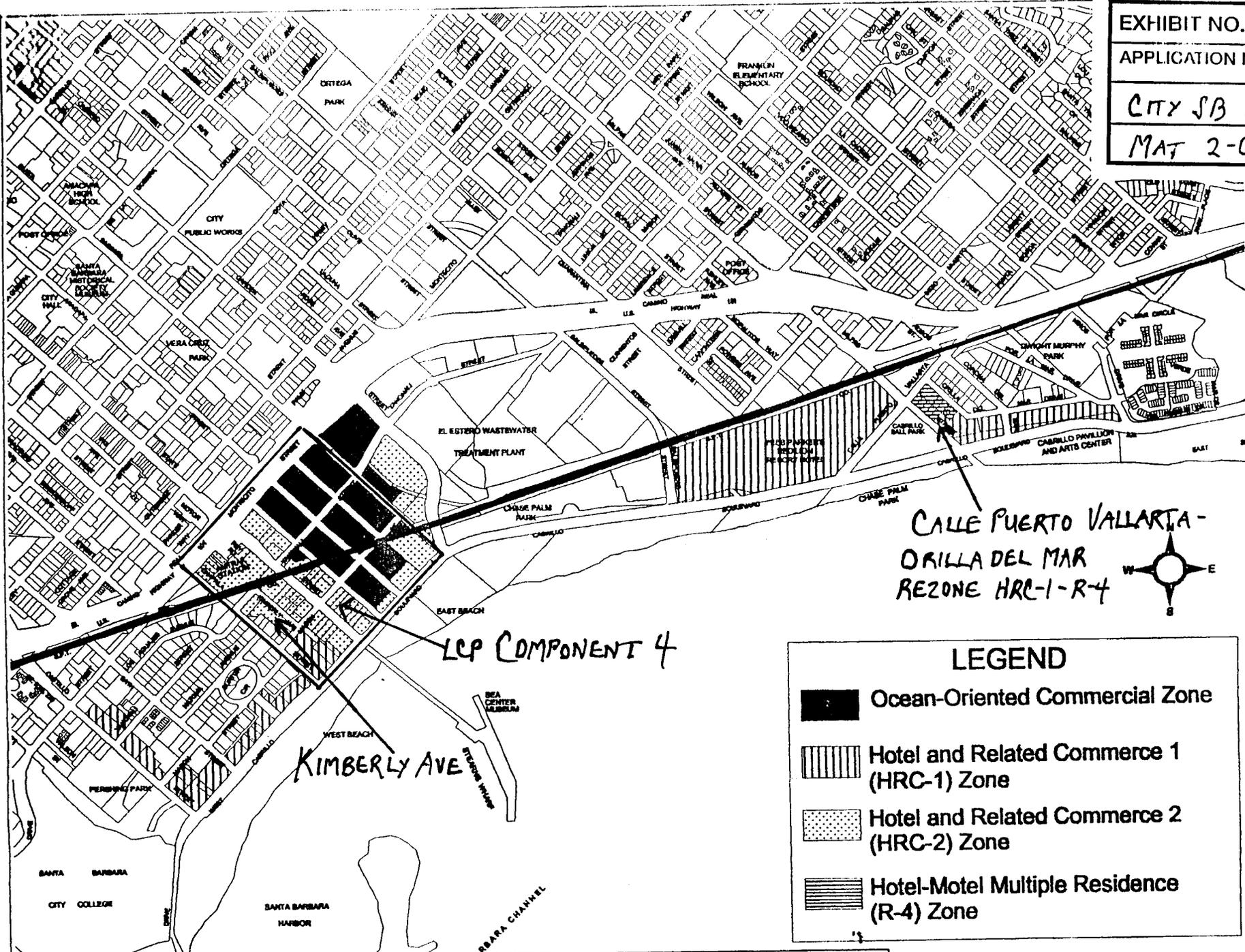
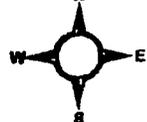


EXHIBIT NO. 4  
 APPLICATION NO.  
 CITY SB LCPA  
 MAY 2-02



LCP COMPONENT 4

CALLE PUERTO VALLARTA -  
 ORILLA DEL MAR  
 REZONE HRC-1-R-4



LEGEND	
	Ocean-Oriented Commercial Zone
	Hotel and Related Commerce 1 (HRC-1) Zone
	Hotel and Related Commerce 2 (HRC-2) Zone
	Hotel-Motel Multiple Residence (R-4) Zone

# Proposed Waterfront Zones

Attachment 1a.

EXHIBIT NO. 5
APPLICATION NO.
CITY SB LCPA
MAY 2-02

**NOTICE**  
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

1" = 100'  
 scale ±

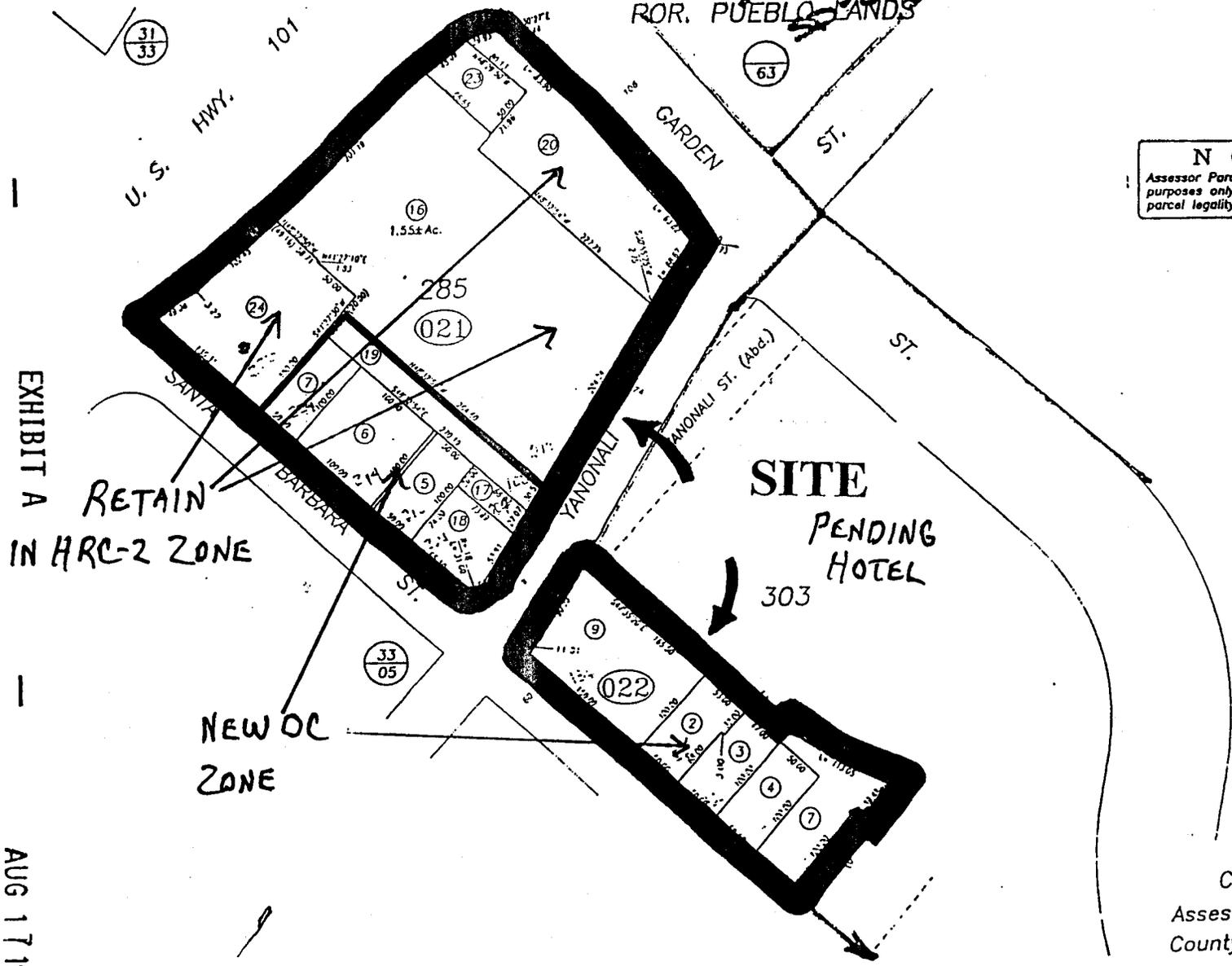


EXHIBIT A

AUG 17 1999 # 30P

City of Santa Barbara  
 Assessor's Map Bk, 017 -Pg, 02  
 County of Santa Barbara, Calif.

04/98 Vol Margor 021-08,21,22 into 24

POR. PUEBLO LANDS

**COASTAL ZONE**  
033-05

37  
25

31  
33

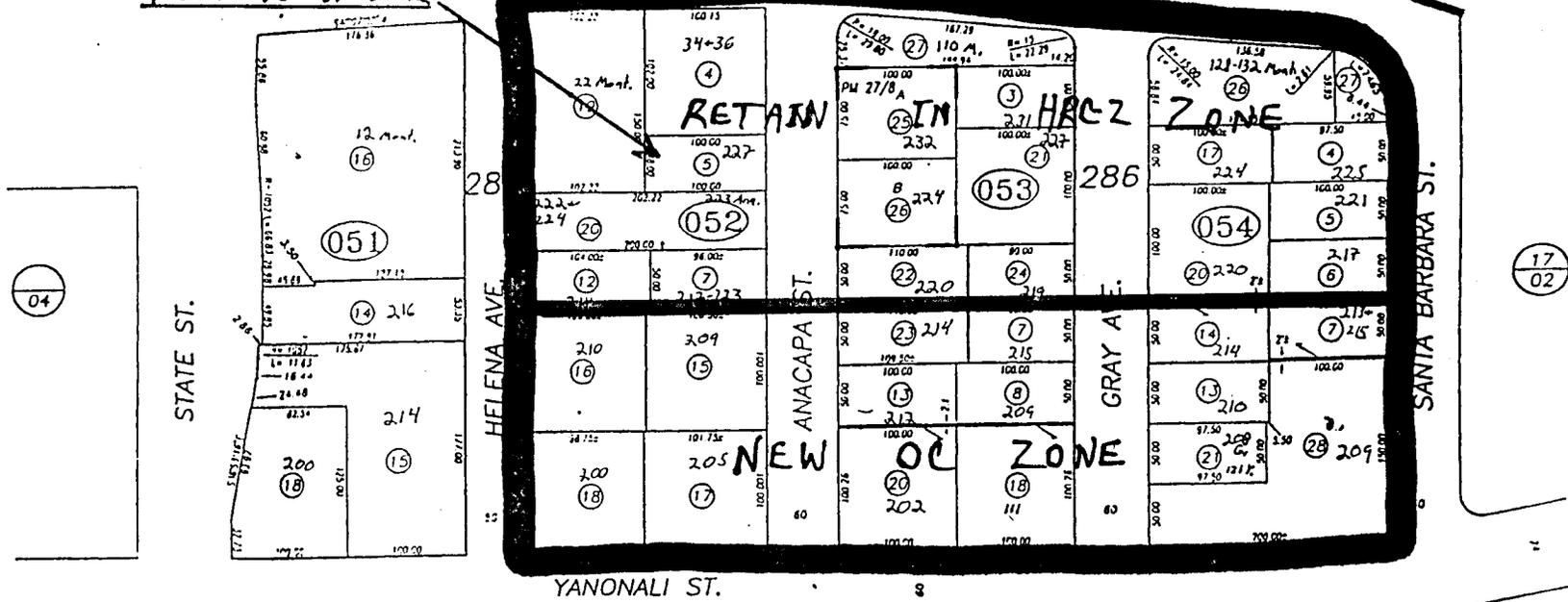
U.S. HWY. 101

**SITE**

EXHIBIT NO. 5
APPLICATION NO.
CITY SB LCPA
MAJ 2-02

PENDING HOTEL

MONTECITO ST.



**NOTICE**  
Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara  
Assessor's Map Bk, 033 -Pg, 05  
County of Santa Barbara, Calif.

06/97

034-06.22.21, A 24 into 034-28

AUG 17 1999 # 30D

**Beach Area, City of Santa Barbara  
Occupancy and Average Daily Rate (ADR)  
August 2001**

**Calendar Year 1999**

Month	Occ%	ADR
January	69.55%	\$98.63
February	72.68%	\$107.45
March	81.90%	\$110.25
April	77.47%	\$118.83
May	74.68%	\$123.94
June	83.01%	\$133.91
July	88.58%	\$161.94
August	94.05%	\$157.52
September	81.40%	\$134.63
October	82.44%	\$112.72
November	71.92%	\$117.89
December	62.73%	\$105.99
<b>Average</b>	<b>78.36%</b>	<b>\$123.64</b>

**Calendar Year 2000**

Month	Occ%	ADR
January	68.32%	\$121.27
February	71.15%	\$132.58
March	81.48%	\$138.61
April	78.94%	\$155.17
May	75.44%	\$160.80
June	85.36%	\$170.36
July	93.69%	\$194.76
August	95.50%	\$197.76
September	88.31%	\$173.71
October	85.78%	\$160.21
November	70.27%	\$140.56
December	63.40%	\$133.84
<b>Average</b>	<b>79.80%</b>	<b>\$156.64</b>

**First 6 Months 2001**

Month	Occ%	ADR
January	67.71%	\$128.58
February	70.57%	\$153.98
March	81.48%	\$138.61
April	76.92%	\$154.44
May	71.75%	\$164.48
June	79.56%	\$180.64

Source: Santa Barbara Conference and Visitors Bureau, August 2001

<b>EXHIBIT NO. 6</b>
APPLICATION NO.
CITY SB LCFA
MAY 2-02



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

RECEIVED  
AUG 10 1999

REPORT DATE: August 6, 1999  
TO: Mayor and Councilmembers  
FROM: Sandra E. Tripp-Jones, City Administrator  
SUBJECT: PROPOSED GENERAL PLAN, LOCAL COASTAL PLAN, AND ZONING ORDINANCE AMENDMENTS RELATED TO THE HRC-1 AND -2 ZONES STUDY

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT.

SD

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Title 28 by Amending Chapters 28.21 and 28.22 to Amend the Provisions of the HRC-1 and HRC-2, Hotel and Related Commerce Zones, and Adding Chapter 28.71 to Establish the OC, Ocean-Oriented Commercial Zone; and

...Recommendation continued on page 2...

DISCUSSION: See Attached Page

- ATTACHMENTS: 1. Draft Ordinance to Amend the Provisions of the HRC-1 and HRC-2, Hotel and Related Commerce Zones and Establish the OC, Ocean-Oriented Commercial Zone  
2. Draft Ordinance Pertaining to the Rezoning of Property in the City's Waterfront  
3. Proposed Local Coastal Plan Text Amendments

...Attachments continued on page 2...

PREPARED BY: Planning Division, DDO/ECL/RJA  
APPROVED BY: David D. Davis, Community Development Director

DCP via RJA

[Signature]

REVIEWED BY: Finance Attorney

STAFF USE ONLY

TO:  
FROM: City Administrator  
ACTION TAKEN:

DIRECTIONS:

EXHIBIT NO. 7  
APPLICATION NO.  
CITY SB LCPA  
MAT 2-02

Meeting Date August 10, 1999  
Agenda Item No. 23

Council Agenda Report  
PROPOSED GENERAL PLAN, LOCAL COASTAL PLAN, AND ZONING ORDINANCE  
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**RECOMMENDATION:** (continued)

- B. Introduce, and subsequently adopt, by reading of title only, 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 in the City's Waterfront.

**ATTACHMENTS:** (continued)

4. HRC Zones Study Background Information
5. Interior HRC-2 Zoned Parcels Map
6. HRC-2 Zoned Parcels in the Kimberly Avenue Area Map
7. Parcel Located at 15 W. Mason Street Map
8. Parcels to be Rezoned from HRC-1 to R-4 Map
9. Analysis of the Potential Effects of the Land Use Recommendations
10. Ordinance Committee Letters Received
11. Analysis of Consistency with Existing Waterfront Plans and Policies
12. Existing Hotel and Related Commerce Zones Map
13. Proposed Waterfront Zones Map

**DISCUSSION:**

**INTRODUCTION**

The Hotel and Related Commerce (HRC) Zones Study was initiated by the City Council in June, 1998, as the highest priority step in the implementation of the Downtown/Waterfront Visioning Final Report. The purpose of the study has been to determine whether or not the current plans and policies guiding Waterfront development reflect the future that is most desirable to the community.

The purpose of this report is to introduce Draft Ordinance Amendments to the land use provisions of the HRC-1 and -2 Zones (Attachments 1 and 2, respectively). The proposed amendments are designed to reflect the fundamental community desire to better balance the needs of residents with the needs of visitors. Proposed amendments to the General Plan Map and the Local Coastal Plan (Attachment 3) are also outlined in this report. The Council Resolution for these items will be presented for adoption at the August 17, 1999 Council meeting.

The HRC Zones Study has included an extensive public outreach process, culminating with two public workshops that attracted over 130 participants (Attachment 4 contains further information on the public outreach process). The majority of the public discussions have focused on the interior HRC-2 zoned area that is roughly bounded by Helena Street on the west, Highway 101 on the north,

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the Garden Street Extension on the east, and Cabrillo Boulevard on the south (Attachment 5 is a map depicting this area). The interior area currently contains an eclectic mix of local businesses and artists, but is zoned for hotels, restaurants, and other uses that are primarily visitor-serving.

Throughout the community discussions, the greatest expressed concern was that the large pending and approved development projects in the Waterfront (e.g. the Cabrillo Plaza Specific Plan, the Entrada de Santa Barbara project, and the Waterfront Hotel) would act as catalysts for the transition of the interior area to tourist-oriented land uses, and thereby upset the balance of land uses.

Staff believes that removing the potential for further hotels, restaurants, and other primarily visitor-serving uses from the interior HRC-2 zoned area is the most important component of creating a balanced Waterfront. Accomplishing this goal requires that the City balance local land use priorities with those of the California Coastal Act. In developing specific zoning recommendations, staff focused on the City's key land use goals, recognizing that the restrictions of the Coastal Act may not allow everything that the City wants to achieve.

On April 13, 1999, staff went before the City Council to initiate General Plan, Local Coastal Plan, and Zoning Ordinance amendments to the land use provisions of the HRC zones. The proposed amendments and related land use changes are as follows:

1. Amend the Zoning Ordinance to include a new Ocean-Oriented Commercial (OC) land use zone that allows ocean-dependent and ocean-oriented uses, commercial recreational uses, arts related uses, and residential uses where currently allowed.

Rezone the area roughly bounded by Helena Avenue on the west, Highway 101 on the north, the Garden Street Extension on the east, and Cabrillo Boulevard on the south from HRC-2 to OC (does not include properties fronting on Cabrillo Boulevard or those within the Cabrillo Plaza Specific Plan area).

Amend selected text of the Local Coastal Plan to create the Ocean-Oriented Commercial land use designation, consistent with the zoning.

Amend the General Plan Map to remove the existing Hotel and Related Commerce II land use designation and apply the Ocean-Oriented Commercial land use designation, consistent with the zoning.

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2. Amend the Zoning Ordinance to allow residential uses in the Kimberly Avenue area west of State Street and east of Mission Creek (Attachment 6 is a map depicting this area).

3. Amend the Zoning Ordinance to allow free-standing restaurants in the HRC-1 zone.

Amend selected text of the Local Coastal Plan to be consistent with the zoning.

4. Amend the Zoning Ordinance to remove language that allows housing in the Chase Palm Park Expansion (now zoned Park and Recreation).

5. Amend the Zoning Ordinance to allow residential uses in the HRC-2 and OC zones to develop to variable density standards.

6. Rezone the parcel at 15 West Mason Street from HRC-1 to HRC-2 (Attachment 7 is a map showing the location of this parcel).

7. Rezone existing HRC-1 parcels in the Calle Puerto Vallarta/Orilla Del Mar area to R-4, Hotel-Motel Multiple Residence Zone (Attachment 8 is a map depicting this area).

Amend the General Plan Map to remove the existing Hotel and Related Commerce I land use designation and apply the Hotel and Residential land use designation, consistent with the zoning.

Amend selected text of the Local Coastal Plan to be consistent with the zoning and General Plan.

Public input at the April 13, 1999 Council meeting included acknowledgement that the proposed amendments accurately reflected the community's priorities and would achieve the fundamental goals of the HRC Zones Study while being consistent with the Coastal Act. The City Council was also pleased to see the community goals successfully reconciled with the provisions of the Coastal Act, and unanimously initiated the proposed amendments.

Attachment 4 contains further information on the April 13, 1999 Council meeting and the development of the above amendments. Attachment 9 is an analysis of the each of the proposed amendments and their potential effects.

**PLANNING COMMISSION AND ORDINANCE COMMITTEE DISCUSSION**

On July 8, 1999, and July 20, 1999, the Planning Commission and Council Ordinance Committee (respectively) reviewed the draft General Plan, Local Coastal Plan, and Zoning Ordinance amendments. The Planning Commission, Ordinance Committee, and the public

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generally agreed with the overall approach to the amendments, and wanted to see the community direction carried forward to the Coastal Commission.

At both of these meetings, the discussion centered on three major issues related to the proposed development standards for the OC zone. The discussion items were as follows:

- The proposed development standards for the OC zone (i.e. the application of variable density standards and the elimination of building setback requirements);
- The overall flexibility of the proposed allowed land uses in the OC zone; and
- Whether or not residential uses should be allowed in the OC zone below the railroad tracks and to what extent.

#### **Planning Commission Discussion**

At their July 8, 1999 meeting, the Planning Commission heard from several members of the public, including Waterfront property owners and representatives from the Citizens Planning Association, the League of Women Voters, and the Environmental Defense Center. Again, most of the speakers generally agreed that the proposed amendments accurately reflected the expressed community direction, and were supportive of the amendments. However, some of the speakers had concerns related to the bulleted discussion items above. The following is a summary of the Planning Commission discussion on each of those items.

#### ***Development Standards for the OC Zone***

The meeting began with questions to staff from the Planning Commission and the public regarding variable density and bonus density residential development standards. Staff is recommending that residential uses in the HRC-2 and OC zones be allowed to develop to variable density standards, consistent with the intent of allowing R-3 (Limited Multiple-Family Residence Zone) uses in those areas. Some meeting participants pointed out that West Beach is a very dense residential area and still has a desirable atmosphere. One participant stated that additional residential density wouldn't be so objectionable if it were providing affordable housing, rather than high-end condominiums or penthouses. After some explanation and discussion, the Planning Commission agreed that allowing residential uses in the HRC-2 and OC zones to develop to variable density standards was appropriate.

The Planning Commission agreed with the proposal to provide maximum flexibility in site planning by not requiring building setbacks in the OC zone. The Commission also recognized that the majority of the existing buildings in the interior area were developed to the previous C-M zoning standards (i.e. no required

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setbacks for non-residential or mixed use buildings). However, there was concern that this could result in less landscaping and open space overall. There was considerable discussion about ways to configure the space to result in a sense of openness and possibly increase the amount of public open space and pocket parks. Staff advised the Planning Commission that throughout the HRC Study process, interior area design issues have been deferred to the Urban Design Guidelines process, where such issues are currently being discussed and addressed. Once adopted, the Urban Design Guidelines will apply to the Waterfront area and provide guidance for achieving the goals stated by the Planning Commission.

One Commissioner questioned whether a two-story height limit would be appropriate in the OC zone. After some discussion, the Planning Commission agreed to retain the three-story height limit consistent with the current HRC-2 zoning.

***Allowed Land Uses in the OC Zone***

The Planning Commission discussed several possible methods to provide more land use flexibility for property owners and tenants in the OC zone. One suggested method was to allow a small percentage of general commercial use per building. Staff explained that the provisions of the OC ordinance would allow staff and the Planning Commission to review proposed land uses on a case by case basis to determine whether or not they are consistent with the intent of the OC zone. This allows for the possibility of auxiliary land uses in conjunction with allowed land uses. Staff encouraged the Planning Commission to continue to look at these issues on a case by case basis, as ordinances of the type suggested are difficult to administer and enforce. As the Planning Commission makes determinations relating to allowed land uses in the OC zone, the determinations would be administratively tracked so that similar land uses could be allowed in the future. The Planning Commission agreed to continue to look at these issues on a case by case basis, and recommended no related changes to the proposed ordinance.

The Planning Commission also discussed the possibility of allowing general commercial uses on the third or fourth floors of buildings in the OC zone. After some discussion, the Commission elected not to pursue this because they thought it would encourage taller developments.

The Planning Commission expressed the need for neighborhood markets to support residential uses in the OC zone. The Commission requested that staff add ordinance language allowing neighborhood markets in the OC zone consistent with what is currently allowed in the HRC-2 zone. Per the Planning Commission's direction, the proposed ordinance has been revised to

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allow stores that sell liquor, groceries, or food that do not exceed 2,500 square feet in gross floor area.

The Planning Commission also asked staff to add language that expresses the desire to create a "vital, mixed use neighborhood" in the OC zone. The proposed ordinance has been changed to reflect this direction. Staff has added similar language to the proposed Local Coastal Plan text amendments (Attachment 3).

In addition, the Planning Commission asked staff to remove gas/service stations from the list of uses allowed in the OC zone with a conditional use permit. It was felt that there is an adequate number of fueling stations in the vicinity, and that other areas of the City would be more appropriate for this type of use. The proposed ordinance reflects this change.

The Planning Commission made suggestions to make the list of ocean-oriented uses allowed in the OC zone more inclusive. These included specifically adding boat building activities, clarifying that marine research includes research and development activities, and adding ocean-oriented educational facilities. The proposed ordinance has been changed to reflect this direction from the Planning Commission.

Also in this vein, one commissioner expressed an interest in adding the word "coastal" throughout the list of ocean-dependent and ocean-oriented allowed uses for the OC zone (i.e. ocean/coastal-dependent). Upon further consideration, staff did not feel that this would serve to clarify or broaden the ordinance section. Further, to add "coastal" to the section would make the proposed language inconsistent with the existing language for the OM-1 (Ocean-Oriented Manufacturing) zone. Staff referred this issue to the Ordinance Committee, who agreed that the word "coastal" should not be added throughout the list of OC allowed uses. Therefore, the proposed ordinance has not been changed to reflect this direction from the Planning Commission.

The Planning Commission also encouraged Waterfront property owners to meet with Downtown business associations (e.g. the Downtown Organization and the Old Town Merchants Association) to discuss the relationship between Downtown and Waterfront land uses. The purpose of the meeting would be to try to identify other land uses that could be allowed in the Waterfront that would be consistent with the Coastal Act and not compete with land uses that are desirable for the Downtown area. Staff encourages Waterfront property owners to pursue this dialog with the Downtown business associations.

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***Allowed Land Uses Below the Railroad Tracks***

One Commissioner expressed concern regarding the properties proposed for OC zoning below the railroad tracks. This commissioner felt that the proposed zoning for this area was too restrictive, and would allow too few choices for property owners and tenants. The proposed amendments would remove the potential for hotels, restaurants and other visitor serving uses, and allow ocean-dependent, ocean-oriented, commercial recreational, and arts related land uses, as well as neighborhood markets. Residential uses were not proposed to be allowed in this area.

The Planning Commission discussed several methods that could allow additional land use flexibility. These included allowing residential uses in a mixed use configuration at a rate of one unit per parcel, allowing some auxiliary land uses in conjunction with allowed uses, and allowing restaurant uses with a conditional use permit.

However, another Commissioner was concerned that these actions could threaten the existing uses and character of the area, known commonly as the "Funk Zone." The Commissioner maintained that the ordinance as proposed would be the most effective way to carry forward the community's direction to protect the existing arts related uses. A different Commissioner commented that the only way to protect the existing uses would be through a new special district (e.g. the Brinkerhoff Landmark District). In the end, the Planning Commission returned to the concept of allowing one residential unit per parcel in a mixed-use configuration, and directed staff to revise the proposed ordinance to reflect this discussion.

After further consideration, staff did not make this change to the proposed ordinance. Staff felt that further discussion was warranted regarding the advantages, disadvantages, and potential risks involved in pursuing this change. The affected area of the OC zone consists of 11 parcels, and is approximately one square block in size. Staff's initial concern was that implementing this direction would necessitate creating a new residential density standard for this small area. Staff felt that making residential uses allowed throughout the OC zone should be explored as an alternative to a new, special density standard. For additional discussion of this issue, please see the Ordinance Committee Discussion and Staff Analysis and Recommendations sections of this report.

***Other Planning Commission Discussion Items***

The Planning Commission also briefly discussed issues relating to plans and programs that would support the land uses proposed for the OC zone. The Commission would like to hold a future workshop

to discuss issues such as building heights, pedestrian improvements, landscaping, open space, infrastructure, and view corridors. In particular, the Planning Commission identified the study of view corridors as being an important next step in the implementation of the Downtown/Waterfront Vision Final Report.

At the conclusion of their discussion, the Planning Commission unanimously recommended that the City Council adopt the proposed amendments, incorporating their suggested changes. The draft ordinance (Attachment 1) reflects the Commission's changes with the exception of allowing residential uses below the railroad tracks in the OC zone and adding the word "coastal", as described above.

#### **Ordinance Committee Discussion**

The proposed Zoning Ordinance amendments were reviewed by the Council Ordinance Committee at their meeting of July 20, 1999.

The Ordinance Committee heard from several members of the public, including property owners and representatives of the Citizen's Planning Association and the League of Women Voters. Again, many of the speakers were generally supportive of the proposed amendments, but had specific concerns regarding the limitations on allowed land uses and the proposed residential development standards (i.e. the application of variable density standards and the elimination of required building setbacks in the OC zone). In particular, some speakers objected to allowing residential development in the OC zone below the railroad tracks, stating that it will result in large "penthouse" type developments that will significantly alter the character of the "Funk Zone". Attachment 10 contains the letters received from the public at the meeting.

The Ordinance Committee did not make any recommendations regarding whether or not to allow residential uses below the railroad tracks in the OC zone, or to what extent. Staff asked that this policy issue be referred to the full City Council for discussion. However, Committee members did express concern that, in order to preserve the area's character, the size of residential units would have to be limited and non-residential uses would have to be required on the ground floor. Without such restrictions, there could be the potential for large "exclusive" residential units. The varying sizes of the parcels also raised fairness issues (i.e. why would an 11,000 square foot parcel only be allowed the same number of residential units as a 2,500 square foot parcel?). The Ordinance Committee also asked staff whether residential units in mixed-use configuration were required to provide outdoor living space. Mixed-use units are required to adhere to the outdoor living space requirements for the R-3, Limited Multiple-Family Residence Zone.

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As discussed previously, staff also asked the Ordinance Committee to address whether the word "coastal" should be added throughout the list of allowed uses in the OC zone. The Ordinance Committee determined that this language should not be added to the draft ordinance.

At the conclusion of the meeting, the Ordinance Committee referred the draft ordinance to the City Council for review and adoption.

**STAFF ANALYSIS AND RECOMMENDATIONS**

After further consideration, staff is not recommending that residential land uses be allowed below the railroad tracks in the OC zone. To allow such uses would either entail developing a new residential development standard for a very small area of the City, or allowing residential uses to develop to variable density standards. Staff believes that this area is truly the heart of the "Funk Zone", and that allowing mixed use or exclusively residential development could result in large, exclusive residential units that would significantly change the character of the area. Staff feels that this is especially possible given the adjacent location of the Entrada de Santa Barbara project.

Staff also believes that such an action would be inconsistent with the expressed community direction that the interior area should remain predominantly for businesses. The public has consistently been concerned that high-end residential uses will prove incompatible with, and ultimately force out, the businesses they are trying to protect. This issue has proven to be very divisive, and could threaten the community consensus as we move forward to the Coastal Commission.

In addition, residential uses are not identified as priority land uses by the Coastal Act. It is likely that a request from the City to expand residential uses in the area below the railroad tracks would not be acceptable to the Coastal Commission.

Therefore, staff is recommending that the original land use recommendations be retained, and that residential land uses in the OC zone be allowed only above the railroad tracks. The draft ordinance for Council review reflects this staff recommendation (Attachment 1). Attachments 12 and 13 are maps showing the existing and proposed Waterfront land use zones, respectively.

**POLICY CONSISTENCY ANALYSIS**

Overall, staff believes that the proposed General Plan, Local Coastal Plan, and Zoning Ordinance amendments are consistent with the land use plans and policies that currently guide development in the Waterfront. These include the California Coastal Act, the City of Santa Barbara Local Coastal Plan, The City of Santa

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### PROPOSED GENERAL PLAN, LOCAL COASTAL PLAN, AND ZONING ORDINANCE AMENDMENTS RELATED TO THE HRC-1 AND -2 ZONES STUDY

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Barbara General Plan Land Use Element, City of Santa Barbara General Plan Housing Element, City of Santa Barbara General Plan Circulation Element, and the Downtown/Waterfront Visioning Final Report. Attachment 11 contains further analysis regarding the consistency of the proposed amendments with existing policy documents.

#### ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the proposed General Plan, Local Coastal Plan, and Zoning Ordinance amendments do not have the potential to cause significant environmental impacts, and that the project is eligible for an exemption pursuant to Section 15061 of the California Environmental Quality Act (CEQA) guidelines.

#### PROGRAMS TO SUPPORT WATERFRONT ALLOWED LAND USES

During the public outreach process, several programs were identified that would support allowed land uses in the Waterfront. These have included programs to address drainage, circulation and parking, and aesthetic issues in the proposed OC zone. The discussions have also established the possible need for subsidies for commercial fishing operations and artists, and the need to support the continuation of existing non-conforming businesses. Staff will continue to explore these programmatic options in conjunction with other City agencies (primarily the Public Works Department and the Housing and Redevelopment Division of the Community Development Department).

At their July 8, 1999 meeting, the Planning Commission briefly discussed issues relating to plans and programs that would support the land uses proposed for the OC zone. The Commission would like to hold a future workshop to discuss issues such as building heights, pedestrian improvements, landscaping, open space, infrastructure, and view corridors. In particular, the Commission identified the study of view corridors as being an important next step in the implementation of the Downtown/Waterfront Visioning Final Report. The Ordinance Committee also briefly discussed the need to pursue pedestrian improvements in the proposed OC zone and create additional open space.

#### PUBLIC NOTICING

All meetings involving the City Council or Planning Commission have been publicly noticed. In addition to the required legal noticing, noticing for the September 1998 public workshops included the following:

- Display ads in the newspaper;

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- A mailed notice to property owners and tenants within 450 feet of HRC zoned properties (in excess of Coastal Act requirements). This amounted to approximately 7,000 notices;
- A mailed notice to those identifying themselves as interested parties (approximately 360 notices); and
- A mailed notice to the stakeholders from the Downtown/Waterfront Visioning Process (approximately 150 notices).

From the public workshops, a larger mailing list of interested parties was created. This list (in addition to the required legal noticing) was used to notice each City Council and Planning Commission joint discussion meeting and joint worksession. The April 13, 1999 City Council initiation meeting was also noticed with a display ad in the newspaper.

Public noticing for the July 8, 1999 Planning Commission meeting included a mailed notice to property owners within 450 feet and tenants within 100 feet of HRC zoned properties (per Coastal Act requirements): This amounted to approximately 6,000 notices. Mailed notices were also sent to previously identified interested parties (approximately 360 notices), and a legal ad and display ad were placed in the newspaper.

Noticing for the August 17, 1999 City Council hearing will include a mailed notice to property owners within 450 feet and tenants within 100 feet of HRC zoned properties (per Coastal Act requirements). This will amount to approximately 6,000 notices. Mailed notices will also be sent to previously identified interested parties (approximately 360 notices), and a display ad will be placed in the newspaper.

**STAFF RECOMMENDATIONS**

Staff recommends that the City Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Title 28 by Amending Chapters 28.21 and 28.22 to Amend the Provisions of the HRC-1 and HRC-2, Hotel and Related Commerce Zones, and Adding Chapter 28.71 to Establish the OC, Ocean-Oriented Commercial Zone; and
- B. Introduce, and subsequently adopt, by reading of title only, 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 in the City's Waterfront.

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**NEXT STEPS**

If adopted by the City Council on August 17, 1999, the proposed General Plan, Local Coastal Plan, and Zoning Ordinance amendments will be submitted to the California Coastal Commission for review and approval. Any changes requested by the Coastal Commission would be returned to the City Council for concurrence. If the Coastal Commission approves the amendments as submitted, the amendments will become effective 30 days after Coastal Commission action.

EXHIBIT NO. 8
APPLICATION NO.
SB CITY LCPA
MAJ 2-02

RESOLUTION NO. 99-\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE DESIGNATIONS PERTAINING TO PROPERTY IN THE CITY'S WATERFRONT.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

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

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; and

WHEREAS, in June 1998, the City Council directed staff to study potential future land uses in the Hotel and Related Commerce (HRC) zoned areas of the City's Waterfront; and

WHEREAS, in September 1998, the HRC-1 and -2 Zones Study Report was released and public workshops held to discuss Waterfront land use issues. On October 27, 1998, a joint City Council and Planning Commission discussion meeting was held to review the public input; and

WHEREAS, on December 15, 1998 and February 16, 1999, City Council and Planning Commission joint worksessions were held to discuss staff recommendations for future land uses in the HRC zones; and

WHEREAS, on April 13, 1999, the City Council initiated General Plan, Local Coastal Plan and Zoning Ordinance amendments to the land use provisions of the HRC zones; and

WHEREAS, on July 8, 1999, the Planning Commission considered the proposed amendments, conducted a public hearing, and recommended that the General Plan Map amendment and Local Coastal Plan amendments be approved; and

WHEREAS, on August 17, 1999, the City Council held a noticed public hearing concerning the proposed General Plan Map amendment and Local Coastal Plan amendments. The Council considered the Planning Commission's recommendations, the Staff Reports and

letters from the public and heard testimony from Staff and members of the public.

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

1. The General Plan Map of the City of Santa Barbara is amended by designating Assessor's Parcel Numbers 17-021-05 through 07, 16 through 20, 23 and 24; 17-022-02 through 04, 07 and 09; 33-010-10, 17, and 18; 33-052-04, 05, 07, 12, and 15 through 20; 33-053-03, 07, 08, 13, 18, and 20 through 27; 33-054-04 through 07, 13, 14, 17, 20, 21, and 26 through 28; 33-081-02; 33-082-04, 08, 10, and 11; 33-083-06, 07, 12, and 15 through 20; 33-084-01 through 07; 33-112-01, 02, 07 through 10; and 33-113-01, 08, 09, and 12 through 14 (as shown in Exhibit A) as Ocean-Oriented Commercial;
2. The General Plan Map of the City of Santa Barbara is amended by designating Assessor's Parcel Numbers 17-313-03, 04, 13 through 17, and 19; and 17-460-01 through 04 (as shown in Exhibit B) as Hotel and Residential; and
3. The Local Coastal Plan of the City of Santa Barbara is amended by amending the General Plan Map and other amendments as shown in Exhibit C.
4. The Local Coastal Plan Amendments have been prepared in accordance with the City's Coastal Land Use Plan.
5. The Local Coastal Plan Amendments will take effect automatically upon approval by the California Coastal Commission. No additional action is required.
6. This resolution shall be effective \_\_\_\_\_, 1999.

Exhibits A and B      Assessor's Parcel Maps  
Exhibit C              Local Coastal Plan Text Amendments

Adopted \_\_\_\_\_, 1999

**LOCAL COASTAL PLAN TEXT AMENDMENTS**  
**Showing Changes from Current Text**

**p. 10 Component 4: Chapala Street to Santa Barbara Street**

(3<sup>rd</sup> paragraph)...The General plan calls for "Hotel and Residential" and "Ocean-Oriented Commercial" uses on the General Plan map.

**p. 67 Policy 4.1**

HRC-1 designation shall include hotels, motels, other appropriate forms of visitor-serving overnight accommodations, ~~and~~ ancillary commercial uses directly related to the operation of the hotel/motel, and restaurants.

**p. 104 General Plan**

Component 4, with commercial-manufacturing zoning, has businesses within its boundaries which are coastal-dependent or ocean oriented (e.g., retail fish markets, seafood processing plants, surfboard fabrication, sailmakers, a boat accessories store, and new/used boat sales). ~~The General Plan calls for relocating these operations out of this sector into component five to the east (p. 33a).~~

**p. 111 Policy 7.5**

The area designated Ocean-Oriented Industrial, northerly and adjacent to the Southern Pacific tracks, shall not extend westerly of the eastern boundary of the present recorded alignment of the existing Garden Street Easement and the balance of land to the west of the easterly boundary of the existing Garden Street Easement shall be designated Visitor-serving and Ocean-Oriented Commercial.

**p. 177 Component 4: Chapala Street to Santa Barbara Street**

**1. Existing Plans and Land Use**

Zoning: Commercial/Manufacturing

General Plan: Current zoning does not reflect the General Plan's land use designation for Component 4. This area is set aside in the General Plan for Ocean-Oriented Commercial uses. The purpose of the Ocean-Oriented Commercial land use designation is to foster a vital, mixed use neighborhood in the Waterfront. Uses permitted and encouraged are those that contribute to balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses are also encouraged that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live.

Such uses include ocean-dependent and ocean-oriented uses, uses that provide commercial recreational opportunities for residents and visitors to the City, or uses that provide work space for local artists (as defined in the Zoning Ordinance). Mixed use development is also encouraged in areas where residential uses are allowed. as a Hotel and Related Commerce and Hotel/Residential neighborhood. Moreover, the current uses are, for the most part, not ocean-oriented or visitor serving and not appropriate for the area in which they are located.

Redevelopment Plan: ~~The areas fronting Cabrillo Boulevard and State Street are planned for "Tourist Related Commercial". The interior area north to the freeway and east into Component 5 are designated "Tourist Related Commercial & Residential & Related Facilities". The area around U.S. 101 is depicted as "Public Facilities — Transportation Corridor" projecting the proposed improvement corridor of the freeway improvement plan. The Redevelopment Plan generally conforms to the designations of the General Plan.~~

#### 4. LCP Land Use

(3<sup>rd</sup> paragraph) In the area east of State Street and north of the existing railroad right-of-way there are no significant coastal related issues. ~~The General Plan and Redevelopment Plan call for Hotel/Residential uses. Presently, there are no hotels and very few residential uses in this area. The redevelopment of this area to "tourist related" ocean-oriented commercial uses would generally be consistent with the Coastal Act policies and priorities. Residential development of this area would, however, appear to be in conflict if a portion of any new redevelopment-related housing opportunities is not set aside or specifically developed for low to moderate income households. Hence, the "Housing" policies shall be important in guiding the redevelopment of this area. The land use designation within the LCP shall be a mixture of HRC II (visitor serving use) and Residential Ocean-Oriented Commercial, which allows ocean-dependent and ocean-oriented, commercial recreational, arts related (as defined in the Zoning Ordinance), and residential uses). The City will consider development of a specific plan to be used as a general guideline for this area. The City will encourage mixed use projects, visitor serving ocean-oriented commercial, and residential within this area.~~

#### p. 179 Component 5: Santa Barbara Street to Punta Gorda Street

4. LCP Land Use... The area immediately west of Garden Street, east of Santa Barbara Street, and north of the existing railroad right-of-way shall be designated Mixed HRC II and Residential and Ocean-Oriented Commercial.

**p. 182 Component 6: Punta Gorda Street to City Limit (Cabrillo Boulevard at U.S. 101).**

4. LCP Land Use... The existing hotel/motel uses along Cabrillo Boulevard ~~and Milpas Street~~ shall be designated "Hotel & Related Commerce". The existing hotel/motel uses along Milpas Street shall be designated "Hotel and Residential".

**p. 194 Land Use Map Designations**

**Hotel and Related Commerce I**

HRC-1 Designation shall include hotels, motels, other appropriate forms of visitor-serving overnight accommodations, ~~and~~ ancillary commercial uses directly related to the operation of the hotel/motel, and restaurants.

Ocean-Oriented Commercial

The purpose of the Ocean-Oriented Commercial land use designation is to foster a vital, mixed use neighborhood in the Waterfront. Uses permitted and encouraged are those that contribute to balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses are also encouraged that maintain the desirability of the Waterfront as a place to work, visit, and live. Such uses include ocean-dependent and ocean-oriented uses, uses which provide commercial recreational opportunities for residents and visitors to the City, or uses which provide work space for local artists (as defined in the Zoning Ordinance). Mixed use development is also encouraged in areas where residential uses are allowed.

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING MUNICIPAL CODE TITLE 28 BY AMENDING CHAPTERS 28.21 AND 28.22 TO AMEND THE PROVISIONS OF THE HRC-1 AND HRC-2, HOTEL AND RELATED COMMERCE ZONES, AND ADDING CHAPTER 28.71 TO ESTABLISH THE CC, OCEAN-ORIENTED COMMERCIAL ZONE.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 28.21 (R-3 Limited Multiple-Family Residence Zone and R-4 Hotel-Motel Multiple Residence Zone) of Title 28 of the Santa Barbara Municipal Code is amended to read as follows:

28.21.001 In General.

The following regulations shall apply to both the R-3 Limited Multiple-Family Residence Zone and the R-4 Hotel-Motel-Multiple-Residence Zone unless otherwise provided in this ordinance.

28.21.005 General Description and Legislative Intent.

1. R-3 ZONE.

This is a restricted residential district of high density in which the principal use of land is for multiple-family dwellings, together with recreational, religious and educational facilities required to serve the community. The regulations for this district are designed and intended

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to establish, maintain and protect the essential characteristics of the district, to develop and sustain a suitable environment for family life and to prohibit activities of a commercial nature and those which would tend to be inharmonious with or injurious to the preservation of a residential environment.

2. R-4 ZONE.

This is a hotel-motel multiple residence district in which the principal use of land is intended to be for multiple housing, together with recreational, religious and educational facilities required to serve the community. The provisions of this ordinance are intended to provide a pleasant and healthful environment by establishing provisions for usable open spaces.

It is the intent of this district to allow hotels and similar establishments, including related recreational, conference center and other auxiliary uses primarily for use by hotel guests, while protecting the existing housing stock, and to preserve the residential character of those neighborhoods which are still primarily residential. In addition, the preservation of buildings of architectural and/or historical significance shall be encouraged. A conversion permit will be required in order to convert existing dwelling units for the purpose of providing hotel or similar uses.

Regulations for this district are designed to control activities of a retail commercial nature and those which would tend to be inharmonious with housing. Restaurants

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intended to serve the visitors using the established hotels and motels in the immediate vicinity are permitted subject to approval of a conditional use permit.

28.21.030 Uses Permitted.

A. R-3 ZONE.

1. Any use permitted in the R-2 Zone and subject to the restrictions and limitations contained therein, except that any use specifically mentioned hereafter shall be subject to the restrictions of the R-3 Zone.
2. One-, two-, and multiple-family dwellings.
3. Community care facilities, residential care facilities for the elderly and hospices serving 7 to 12 individuals subject to the provisions in Chapter 28.93.

B. R-4 ZONE.

1. Any use permitted in the R-3 Zone and subject to the restrictions and limitations contained therein, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the R-4 Zone.
2. Hotels and related recreational, conference center and other auxiliary uses primarily for use by hotel guests. Any hotels, when units are designed or constructed with cooking facilities shall, as to such units, be subject to the lot area per unit

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requirements of the R-4 Zone and to the parking requirements for multiple family units required in Subsection 28.90.100.G.3 of this Code. Such hotels when designed, constructed or used for either twenty-four (24) or more dwelling units; or fifty (50) guest rooms or more may include a business, except a restaurant, conducted therein for the convenience of the occupants and their guests; provided entrance to such places of business be from the inside of such buildings; that the floor area used for all the businesses in the facility shall not exceed thirty percent (30%) of the total ground floor area of all the buildings comprising the hotel which are on a single lot or contiguous lots; and provided further that no street frontage of any such building shall be used for such business. Any hotel, regardless of the number of units or rooms therein, may include a restaurant for use by the hotel occupants and their guests only, provided that such facility conforms to all other requirements imposed on any "business" by this paragraph. A restaurant not conforming to all other requirements imposed on any "business" by this paragraph or not for use solely by hotel occupants and their guests may be established only if a conditional use permit is obtained for operation of a restaurant under Chapter 28.94 of this Code.

28.21.035 Uses Permitted Upon the Issuance of a Conditional Use Permit.

As provided in Chapter 28.94 of this ordinance.

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28.21.050 Building Height.

Three (3) stories, which three (3) stories combined shall not exceed (i) forty-five feet (45') nor (ii) exceed the height limitations imposed for the protection and enhancement of solar access by Chapter 28.11 of this Code.

28.21.060 Yards.

1. FRONT YARD. There shall be a front yard of not less than ten feet (10') for one- and two-story buildings and fifteen feet (15') for three-story buildings provided, however, that if one-half (1/2) or less of the ground floor area of a proposed building is three (3) stories and said third story is constructed no closer to a front yard than one-third (1/3) the ground floor building dimension measured perpendicularly to that front yard, the setback conditions for a two-story building for the front yard shall apply.
2. INTERIOR YARDS. There shall be interior yards of not less than six feet (6') for one- and two-story buildings, and ten feet (10') for three-story buildings; provided, however, that if one-half (1/2) or less of the ground floor area of a proposed building is three (3) stories, the ten foot (10') setback shall apply only to said three-story portion of the building.
3. REAR YARDS. There shall be rear yards of not less than six feet (6') for one-story buildings or the first floor of a building which is more than one-story and ten feet (10') for the second story and above for floors above the first floor.

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For purposes of this section, a rear yard shall be that yard area at the property line opposite the front lot line. In the event of two or more front lot lines, the rear yard area shall be opposite either of the front lot lines.

28.21.065 Reduction of Yard Requirements.

It is hereby declared that under the following conditions a physical hardship exists on all R-3 and R-4 Zone lots, and that the listed modifications are hereby granted where the stated conditions exist.

Other provisions of this title notwithstanding a conforming addition may be made to an existing nonconforming dwelling where such nonconformance is due to inadequate front or interior yard setbacks, providing said dwelling complied with the yard setbacks required by ordinance at the time of construction.

28.21.070 Distance Between Buildings on the Same Lot.

No main building shall be closer than fifteen feet (15') to any other main building on the same lot, except that a one-story building shall be no closer than ten feet (10') to another one-story building.

28.21.080 Lot Area and Frontage Requirements

1. Every lot hereafter created in an R-3 and R-4 Zone shall contain at least fourteen thousand (14,000) square feet and sixty feet (60') of frontage on a public street.

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2. For existing lots having between five thousand (5,000) and seven thousand (7,000) square feet of lot area, such lot may be used as a building site for two (2) dwelling units, provided that all other regulations of the zone prescribed by this title are observed.
3. For existing lots of less than five thousand (5,000) square feet of area, such lot may be used as a building site for a one-family dwelling, provided that all other regulations of the zone prescribed by this title are observed.
4. For existing lots having between seven thousand (7,000) and fourteen thousand (14,000) square feet of lot area, such lot may be used as a building site for three (3) units, provided that all other regulations of the zone prescribed by this title are observed.
5. For lots of fourteen thousand (14,000) square feet or more, there shall be provided a lot area of three thousand five hundred (3,500) square feet or more for each dwelling unit hereafter erected.
6. In addition to all required yards, there shall be an open space area of not less than ten percent (10%) of the total lot area. The open space may consist of walks, patios, planted areas, lawns, swimming pool areas and other landscaped area; excluding, however, for open space credit garages, carports, balconies, porches, roof areas, driveways, parking and turn-around areas. Landscaped areas which are located seven feet (7') or more below eaves, balconies and other architectural and building projections may be included in the open space required herein.

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7. Lots in the R-3, R-4, C-1, C-2, C-M and R-O Zones, as well as lots in the HRC-2 and OC Zones where residential uses are allowed, may be used as a building site for more units than permitted in paragraphs 2, 3, 4 and 5 above if the number of bedrooms in the dwelling unit is limited in accord with the following:

- a. Studio unit - one (1) unit per 1,600 square feet of lot area;
- b. 1 bedroom unit - one (1) unit per 1,840 square feet of lot area;
- c. 2 bedroom unit - one (1) unit per 2,320 square feet of lot area;
- d. 3 or more bedroom unit - one (1) unit per 2,800 square feet of lot area.

Existing lots with less than 5,000 square feet of lot area size, shall not be used as a building site under this subparagraph for more than two (2) dwelling units. This subparagraph shall be applicable in the R-3, R-4, C-1, C-2, C-M, ~~and~~ R-O, HRC-2 and OC Zones and not in any other zone.

28.21.081 Outdoor Living Space.

Outdoor living space shall be provided in either of the following methods:

a. Private outdoor living space as follows:

(1) Private outdoor living space shall be provided for each dwelling unit as follows:

A. Ground Floor Units:

(1) Studio unit-100 square feet

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- (2) 1 bedroom unit-120 square feet
  - (3) 2 bedroom unit-140 square feet
  - (4) 3 bedroom unit-160 square feet
- B. Second Floor Units and above:
- (1) Studio unit-60 square feet
  - (2) 1 bedroom unit-72 square feet
  - (3) 2 bedroom unit-84 square feet
  - (4) 3 bedroom unit-96 square feet
- (2) Private outdoor living space areas shall have a minimum dimension in any direction as follows:
- A. Ground floor units-10 feet
  - B. Second floor units and above-6 feet
- (3) Private outdoor living space may include planter areas of less than fifty (50) square feet, patio areas, balconies, and decks, and shall not include stairs, entrance decks, and/or landings.
- (4) Private outdoor living space may encroach into required yards as follows:
- A. Uncovered balconies may encroach 2 feet as specified in section 28.87.062.1 and 2.
  - B. Private outdoor living space on the ground floor may encroach into required side and rear yard up to the property line, provided there is no overhead structure of any type.
  - C. Private outdoor living space may encroach in the front yard up to 10 feet from the front property line but shall not include more than fifty (50) percent of the front yard area, excluding driveways, and subject to the following conditions:
    - (1) Said private outdoor living space shall be enclosed with a solid fence and land-scaping

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having a minimum height of five (5) feet and a maximum height of six (6) feet. If there are substantial views from the respective unit and/or where the area does not abut a street, this condition may be waived by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark.

(5) private outdoor living space shall be contiguous to and accessible from the unit served.

B. Common open yard area subject to the following conditions:

- (1) Ten percent (10%) open space as stated in section 28.21.080.6 is waived when using this option.
- (2) Open yard areas shall consist of at least fifteen percent (15%) of the total lot area.
- (3) At least one open yard area shall have a minimum dimension of twenty feet (20') in any direction.
- (4) Open yard areas may include required side and rear yard setback areas, but not required front yard areas.

28.21.085 Regulations for Non-residential Buildings, Structures and Uses.

1. YARDS. Yards for all buildings and structures used for non-residential purposes shall be double the yard requirements for a dwelling as required for the zone in which such building or structure is located. Conversions or remodels of existing residential structures to non-residential uses specifically allowed in Paragraph

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28.21.030.B.2 shall be exempt from the double yard requirement.

2. LOT COVERAGE. Not more than twenty-five percent (25%) of the area of a lot may be covered by buildings used for non-residential purposes. Conversions of existing residential structures to non-residential uses specifically allowed in Paragraph 28.21.030.B.2 shall be exempt from the 25% coverage requirement.

3. ARCHITECTURAL APPROVAL. All buildings used for non-residential purposes shall be subject to the approval of the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark. (Ord. 4946, 1996; Ord. 4851, 1994; Ord. 3710, 1974; Ord. 2585, 1957.)

28.21.090 Other Requirements.

The City Council may impose other requirements as may be deemed necessary to preserve the residential character of the neighborhood including the mailing of notices to property owners and the holding of a public hearing.

28.21.100 Off-street Parking.

Off-street parking shall be provided as required in Chapter 28.90 of this title.

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28.21.110 Signs.

Signs shall be permitted in these zones only as prescribed in the Sign Ordinance of the City of Santa Barbara.

28.21.120 Public Street Requirements.

1. When any person proposes to construct one (1) or more multiple-family dwellings, wherein the number of dwelling units is controlled by Section 28.21.080.4, on a lot or combination of lots, the size, shape, dimensions or topography of which, in relation to existing abutting public streets, require that there be an adequate access or internal circulation roadway for vehicular traffic including but not limited to emergency vehicles and equipment traffic, the Chief of Building and Zoning may, prior and as a condition to the issuance of a building permit for such dwelling or dwellings, require the submission by the owner or applicant of a plot plan of such lot or combination of lots showing the location of all existing buildings and all buildings proposed to be, constructed thereon and showing the location, width, and extent of improvements of an adequate access or internal circulation roadway thereon designed to connect with the abutting public street or streets. The term adequate access or internal circulation roadway shall mean a dedicated public street established and improved to City standards and so located as to provide convenient and orderly traffic movement, ingress and egress and circulation upon, through and within the lot or combination of lots in relation to abutting streets, the multiple-family dwelling or dwellings, and the off-street parking areas required in

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connection with such dwelling or dwellings.

The plot plan and adequate access or internal circulation roadway shall be required by the Chief of Building and Zoning where:

- a. The lot or combination of lots which is the site of the proposed construction exceeds five (5) acres; or
- b. The maximum possible number of dwelling units which could be constructed on such lot or combination of lots, pursuant to Section 28.21.080.4 exceeds one hundred (100); or
- c. Any portion of a multiple-family dwelling proposed to be constructed on the lot or combination of lots will be more than two hundred and fifty feet (250') from the right-of-way line of an abutting street.

When none of the three (3) foregoing categories are applicable to the lot or combination of lots, the adequate access or internal circulation roadway as defined herein shall not be required where the lot or combination of lots abut on a previously dedicated street or streets and where the private driveway access from the nearest entry to the required off-street parking area to the point of connection with such street or streets does not exceed one hundred and fifty (150) lineal feet.

2. When the plot plan required by the Chief of Building and Zoning is filed, the building official shall forthwith submit the same to the Division of Land Use Controls and the Public Works Department for investigation, report and recommendation. Such reports and recommendations shall be submitted to the Planning Commission for hearing at its earliest convenience, and such Planning Commission shall, following such hearing, approve, modify or reject such

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- proposed adequate access or internal circulation roadway in respect to location and connection with existing abutting street or streets.
3. The owner or applicant may appeal any decision of the Planning Commission to the City Council in the manner provided by Chapter 28.92 of this ordinance.
  4. Following approval by the Planning Commission or the City Council, as the case may be, of the proposed adequate access or internal circulation roadway shown on the site plan, the owner or applicant shall:
    - a. By formal instrument offer to dedicate said proposed roadway as a public street; and
    - b. Either complete the required improvement of such public street to the satisfaction of the City Engineer or agree to complete such improvement within a period of one (1) year, such agreement to be secured by a good and sufficient surety bond in a principal sum equivalent to the estimated cost of such public street on the basis of estimates to be provided by the Department of Public Works, and conditioned on final completion of the construction of said street.
  5. Upon completion of such public street improvement to the satisfaction of the City Engineer, or the execution and acceptance of an agreement to complete, secured by bond, a building permit shall then be issued if the requirements of other applicable ordinances have been met. The offer of dedication shall continue until and shall not be accepted until the required improvements have been completed to the satisfaction of the City Engineer.

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28.21.130 Development Plan Approval. . .

Development plan review and approval by the Planning Commission are sometimes required by Section 28.87.300 of this Code.

28.21.131 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in General Provisions, Development Plan Approval, Section 28.87.300.

SECTION 2. Chapter 28.22 (HRC-1 and HRC-2 Hotel and Related Commerce Zones) of Title 28 of the Santa Barbara Municipal Code is amended to read as follows:

28.22.001 In General.

This is a zone which, because of its proximity to the shoreline and its location along two major arteries, strives to promote, maintain and protect visitor-serving and commercial recreational uses. Tourist and traveler related uses shall be encouraged in this zone in a manner which does not detract from the desirability of the shoreline as a place to visit. Residential uses are appropriate in certain areas of the HRC-2 zone.

28.22.030 Uses Permitted.

1. HRC-1 Zone:

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a. Hotels, motels and tourist courts including related recreational, conference center and other auxiliary uses primarily for use by hotel guests and as permitted in section 28.21.030.B2 of this code.

b. Restaurants, including those with entertainment facilities used in conjunction with the restaurant.

2. HRC-2 Zone:

a. General: Any use permitted in the HRC-1 Zone and subject to the restrictions and limitations contained therein.

b. Specific: Any of the following uses which are primarily visitor-serving and/or of a commercial recreational nature specific to the Coastal Zone:

- (1) Bicycle, roller skating, mopeds, dive gear and other recreational equipment rental stores.
- (2) Stores which sell liquor, groceries and food which do not exceed 2,500 sq. ft. in gross floor area.
- (3) Specialty and gift shops.
- (4) Art galleries.
- (5) Bait and tackle shops, sales of boats, marine supplies and related equipment.

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~~(6) Fast food restaurants, other restaurants and  
restaurants with outdoor seating used in  
conjunction with the restaurant~~

(76) Other visitor-serving or commercial recreational  
uses deemed appropriate by the Planning  
Commission.

c. The second and third floors of commercial buildings  
are allowed to be used for general office uses upon  
issuance of a Conditional Use Permit. A Conditional  
Use Permit may be granted by the Planning Commission  
or City Council on appeal for such uses in accordance  
with the provisions of Chapter 23.94 of this Code,  
subject to the following additional findings:

- (1) The use is compatible with visitor-serving uses;
- (2) Visitor-serving uses remain the primary use of  
the building; and
- (3) Non-visitor-serving uses shall not exceed fifty  
(50) percent of the total square footage of the  
building.

d. Restriction on residential use: Residential use is  
prohibited in the HRC-2 Zone except in the following  
areas:

~~(1) The area bounded by Holston Avenue on the west  
the existing railroad right of way on the south~~

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~~the Garden Street extension on the east and  
Highway 101 on the north.~~

~~(2) The area bounded by Cabrillo Boulevard on the  
south, Garden Street on the west, the existing  
railroad right-of-way on the north, and  
Salsipuedes Street on the east.~~

(1) The area bounded by Kimberly Avenue on the east,  
Mason Street on the south, Mission Creek on the  
west, and Yancall Street on the north.

(2) The area bounded by Cabrillo Boulevard on the  
southeast, Los Patos Way on the southwest and the  
existing railroad right-of-way on the north.  
Any use permitted in the R-3 Zone is allowed in  
these areas subject to the restrictions and  
limitations contained ~~therein~~ in this chapter.

e. Special treatment area: In the area bounded by  
Cabrillo Boulevard on the southeast, Los Patos Way on  
the southwest and the existing railroad right-of-way  
on the north, the following additional restrictions  
shall apply due to concerns about protection of the  
sensitive habitat character and aesthetics of the  
Andree Clark Bird Refuge:

(1) The following high-intensity uses shall be  
prohibited:

(a) fast food restaurants

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- (b) . stores which sell liquor, groceries and food, except that off-site sale of beer and wine and picnic items may be allowed when incidental to and related to the primary use of the establishment.
  - (c) automobile service station.
- (2) There shall be a front yard of not less than:
- (a) Ten (10) feet for one-story buildings that do not exceed fifteen (15) feet in height; and
  - (b) one hundred (100) feet for the second-story portion of any building that exceeds fifteen (15) feet in height
- (3) Three-story buildings and buildings in excess of thirty (30) feet in height shall be prohibited.

28.22.035 Uses Permitted Upon the Issuance of a Conditional Use Permit.

In the HRC-2 Zone, automobile rentals, parking lots, automobile service stations and automobile service station/mini-markets shall be permitted with a conditional use permit issued in accordance with the provisions of Chapter 28.94 of this Code, except where specifically prohibited elsewhere in this Chapter.

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28.22.040 Coastal Zone Review.

All development in the Coastal Overlay Zone (S-D-3) is subject to review pursuant to Section 28.45.009 of this Code.

28.22.041 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in General Provisions, Development Plan Approval, Section 28.87.300.

28.22.050 Building Height Standards.

Three (3) stories not exceeding forty-five (45) feet in height.

28.22.060 Yards.

1. FRONT YARD. There shall be a front yard of not less than:
  - a. Ten (10) feet for one story buildings that do not exceed fifteen (15) feet in height; and
  - b. Twenty (20) feet for all other buildings.
2. INTERIOR YARD. Buildings on property immediately adjacent to residentially-zoned property shall have an interior yard of no less than ten (10) feet or one-half (½) the height of the building, whichever is greater.

28.22.080 Lot Area, Frontage, and Outdoor Living Space  
Requirements.

A. All buildings or portions thereof used exclusively for dwelling purposes shall comply with the lot area and frontage provisions of the R-3 zone.

B. All buildings or portions thereof used exclusively for dwelling purposes shall comply with the outdoor living space provisions of the R-3 zone.

SECTION 3. Title 28 of the Santa Barbara Municipal Code is amended by adding a new Chapter 28.71 (Ocean-Oriented Commercial Zone), to read as follows:

28.71.010 In General.

The regulations contained in this Chapter shall apply in the OC Zone unless otherwise provided in this Title. This zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities.

28.71.020 Uses Permitted.

Any of the following uses are permitted, provided that such operations, manufacturing, processing, or treatment of products

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are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, disturbances, or other similar causes which may impose hazard to life or property:

1. Ocean-dependent and ocean-oriented uses:

a. Aquaculture facilities.

b. Boat and boat trailer rental.

c. Marine equipment and accessories manufacturing, sales, repair, storage, or rental.

d. Marine-oriented government facilities.

e. Marine research and development facilities.

f. Offices of businesses engaged in ocean-related activities.

g. Boat and sail manufacturing and repair.

h. Seafood processing, wholesaling, storage, and related activities.

i. Services necessary for commercial fishing activities, including such facilities as net repair areas, ice machines, and storage areas.

j. Ocean-oriented educational facilities.

2. Commercial recreational uses:

a. Bicycle, roller skating, moped, dive gear, boating, surfing, and other recreational equipment rental, sales, manufacturing, and repair.

b. Public or private parks or recreational facilities.

3. Arts related uses:

a. Art galleries (may include sales).

b. Art schools.

c. Art studios/workspaces (may include sales).

d. Blueprinting, photostating, printing, lithographing, or publishing establishments.

e. Industrial arts and crafts uses, including, but not limited to, framing, jewelry making, metallurgy, pottery, sculpture, specialty sewing/monogramming, and weaving (industrial arts and crafts uses may include sales).

f. For the purposes of this chapter, "art" shall be defined as the creative application of a specific skill, the purpose of which is to create objects of form or beauty.

4. Residential uses: Any use permitted in the R-3 zone is allowed in the area bounded by Helena Avenue on the west,

the existing railroad right-of-way on the south, the Garden-Street Extension on the east and Highway 101 on the north, subject to the restrictions and limitations contained in this chapter.

5. Stores that sell liquor, groceries, or food that do not exceed 2,500 square feet in gross floor area.
6. Other ocean-dependent, ocean-oriented, commercial recreational, or arts-related uses that are found to be consistent with the intent of the OC zone by the Planning Commission.

28.71.030 Uses Permitted Upon the Issuance of a Conditional Use Permit.

In the OC Zone, automobile rentals and parking lots shall be permitted with a conditional use permit issued in accordance with the provisions of Chapter 28.94 of this Code.

28.71.040 Coastal Zone Review.

All development in the Coastal Overlay Zone (S-D-3) is subject to review pursuant to Section 28.45.009 of this Code.

28.71.050 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions

COUNCIL INTRODUCTION DRAFT (8-10-99)  
SHOWING CHANGES FROM CURRENT CODE

outlined in General Provisions, Development Plan Approval,  
Section 28.87.300.

28.71.060 Building Height Standards.

Three (3) stories not exceeding forty-five (45) feet in height.

28.71.070 Lot Area, Frontage, and Outdoor Living Space  
Requirements.

A. All buildings or portions thereof used exclusively for  
dwelling purposes shall comply with the lot area and  
frontage provisions of the R-3 Zone.

B. All buildings or portions thereof used exclusively for  
dwelling purposes shall comply with the outdoor living  
space provisions of the R-3 zone.

28.71.080 Parking Requirements.

Off-street parking and loading space shall be provided as  
required in Chapter 28.90 of this title.

SECTION 4. This ordinance shall not be effective until it has been certified by the California Coastal Commission pursuant to the State Coastal Act.

ORDINANCE NO. \_\_\_\_\_

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 IN THE CITY'S WATERFRONT.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Sectional Zone Map 8 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of Assessor's Parcel Nos. 17-021-05 through 07, 16 through 20, 23 and 24; 17-022-02 through 04, 07 and 09; 33-010-10, 17, and 18; 33-052-04, 05, 07, 12, and 15 through 20; 33-053-03, 07, 08, 13, 18, and 20 through 27; 33-054-04 through 07, 13, 14, 17, 20, 21, and 26 through 28; 33-081-02; 33-082-04, 08, 10, and 11; 33-083-06, 07, 12, and 15 through 20; 33-084-01 through 07; 33-112-01, 02, 07 through 10; and 33-113-01, 08, 09, and 12 through 14 (as shown in Exhibit A) from HRC-2, Hotel and Related Commerce 2 to OC, Ocean-Oriented Commercial.

SECTION 2. Sectional Zone Map 8 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of Assessor's Parcel No. 33-102-03 (as shown in Exhibit B) from HRC-1, Hotel and Related Commerce 1 to HRC-2, Hotel and Related Commerce 2.

SECTION 3. Sectional Zone Map 5 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of Assessor's Parcel Nos. 17-313-03, 04, 13 through 17, and 19; and 17-460-01 through 04 (as shown in Exhibit C) from HRC-1, Hotel and Related Commerce 1 to R-4, Hotel-Motel-Multiple Residence.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or rezoning is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or rezoning. The City Council hereby declares that it would have passed this, and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more of the sections, subsections, clauses, phrases or portions thereof be declared invalid or unconstitutional.

SECTION 5. This ordinance shall not be effective until thirty (30) days after it has been certified by the California Coastal Commission.

Exhibits A, B, and C Assessor's Parcel Maps

017-02

**NOTICE**  
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.



1" = 100'  
scale ±

ROR. PUEBLO LANDS

U. S. HWY. 101

GARDEN ST.

5.

1.55± Ac.

285

(021)

**SITE**

YANONALI ST. (Abcd.)

ST.

303

(022)

EXHIBIT A

City of Santa Barbara  
Assessor's Map Bk, 017 -Pg, 02  
County of Santa Barbara, Calif.

04/98 Val Margin 021-06.21.22 Into 24

AUG 17 1999 #302

31  
33

63

33  
05

SANTA BARBARA ST.

YANONALI ST.

METWIFE 1.33  
10/18 ST. 300

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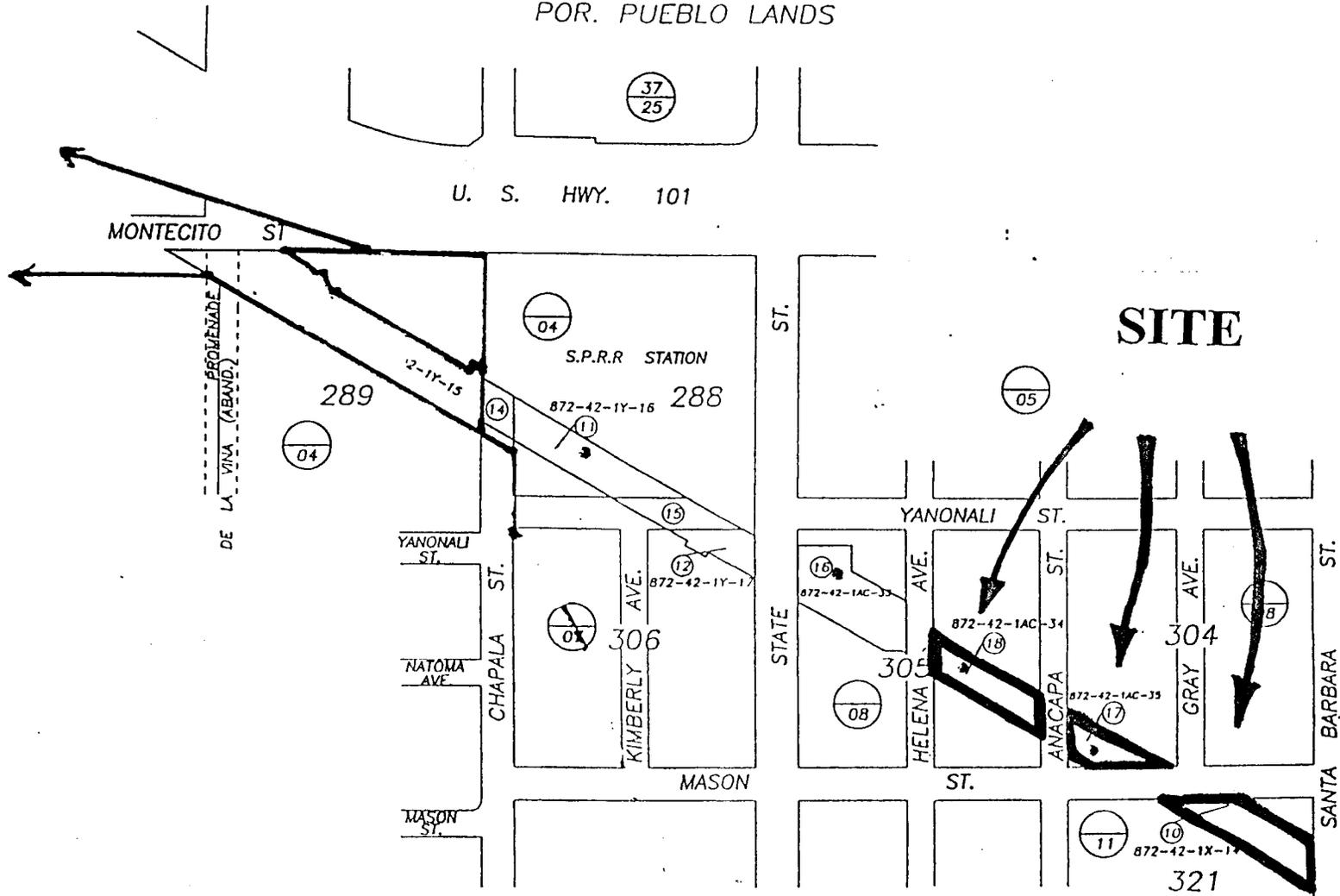
19

19

19

POR. PUEBLO LANDS

033-01



rotation = 48.5°

1" = 200 scale

**SITE**

**NOTICE**  
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara  
 Assessor's Map Bk, 033 -Pg. 01  
 County of Santa Barbara, Calif.

Instructions to Assessor 10/98  
 01 into 16 & 061-11  
 06 into 17 & 063-30  
 05 into 16 & 062-11  
 SAC / Corp. 10.12.16

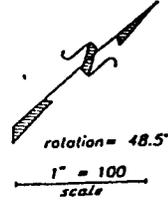
AUG 17 1999 # 30C

COASTAL ZONE  
033-05

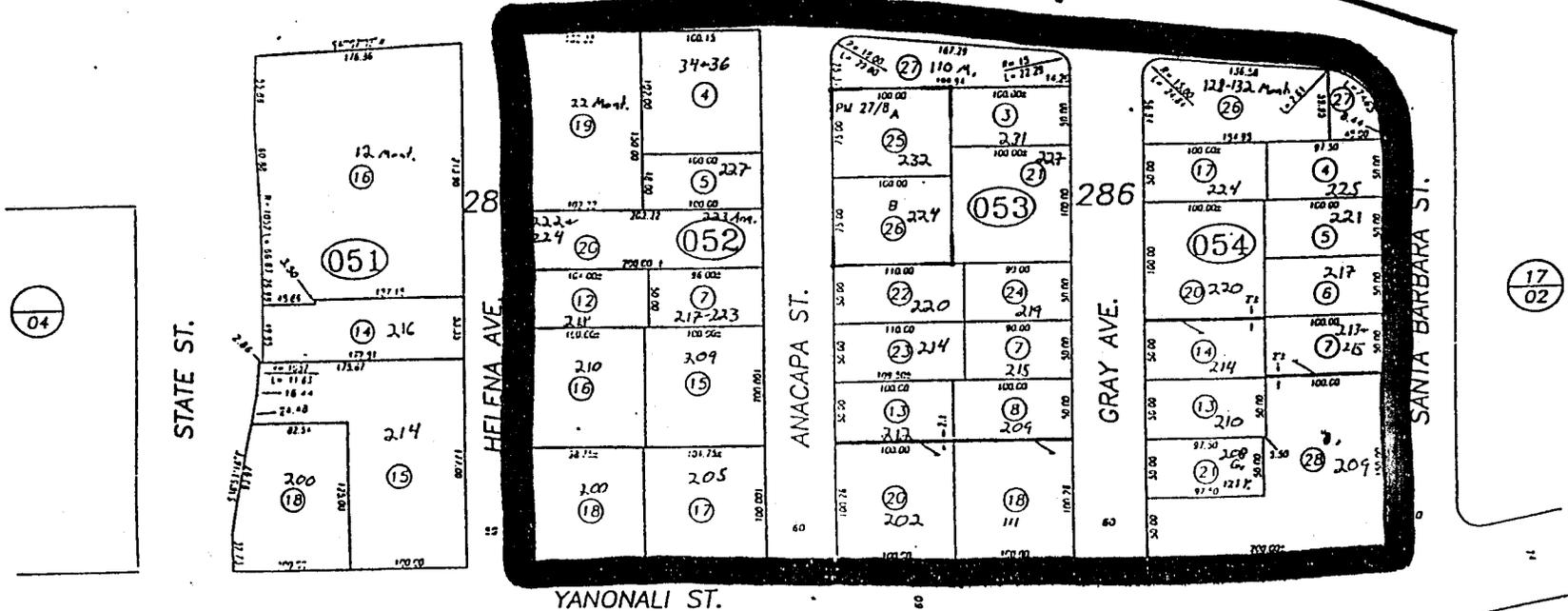
POR. PUEBLO LANDS

U.S. HWY. 101

SITE



MONTECITO ST.



**NOTICE**  
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara  
Assessor's Map Bk, 033 -Pg, 05  
County of Santa Barbara, Calif.

06/97

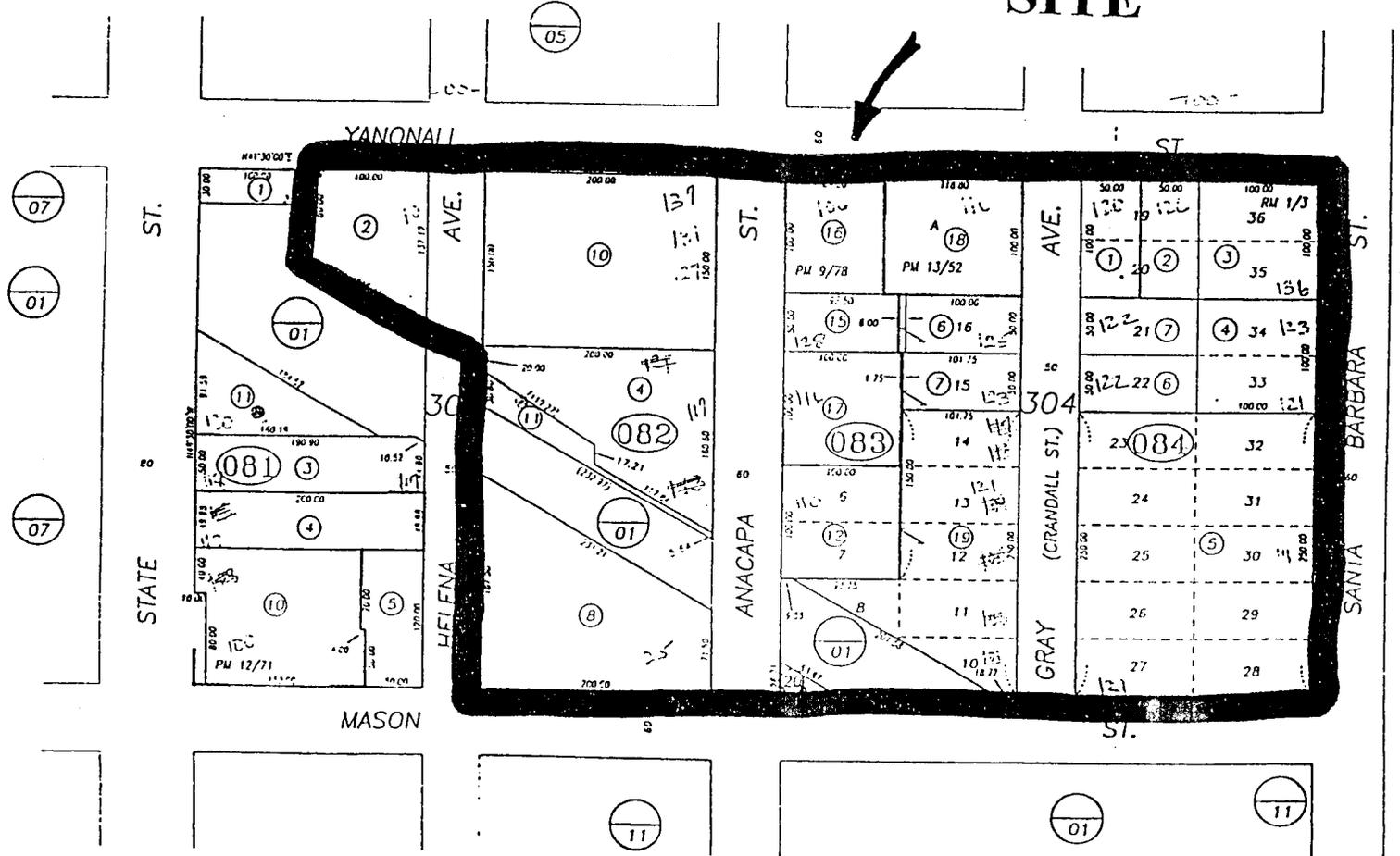
054-06, 22, 23, & 24 into 054-28

AUG 17 1999 # 302

POR PUEBLO LANDS

033-08

# SITE



rotation = 48.5°  
 1" = 100  
 scale

**NOTICE**  
 Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara  
 Assessor's Map Bk, 033 -Pg, 08  
 County of Santa Barbara, Calif.

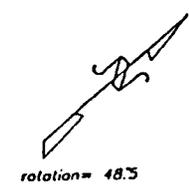
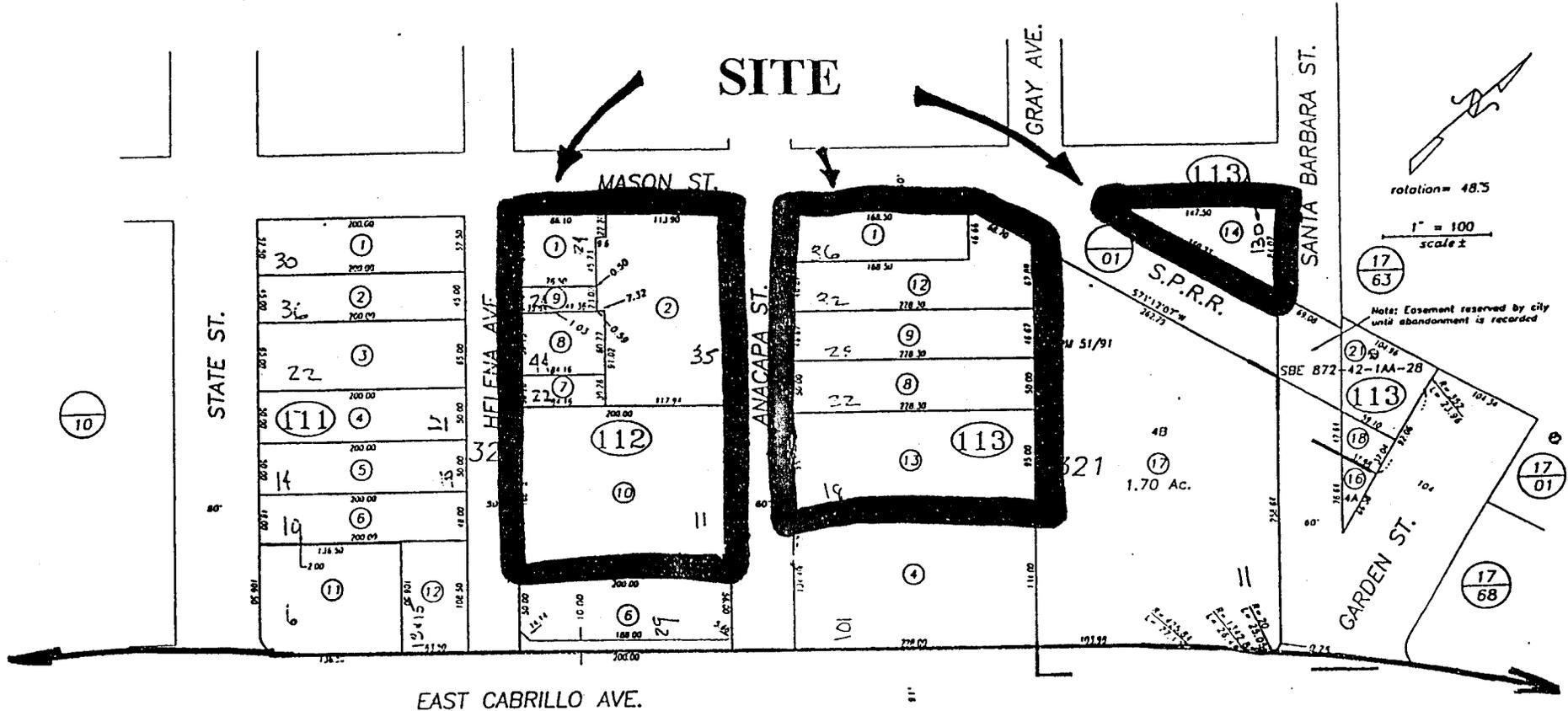
12/16/1872 R.M. Bk. 1 , Pg. 3 , Tract Subdivision of block No. 304

BACKLASH (LD/98) new pcts 001-11,007-11,083-70

AUG 17 1999 # 302

POR. PUEBLO LANDS

033-11



rotation = 48.5

1" = 100  
scale ±

Note: Easement reserved by city  
until abandonment is recorded

SBE 872-42-1AA-28

1.70 AC.

**NOTICE**  
Assessor Parcels are for tax assessment  
purposes only and do not indicate either  
parcel legality or a valid building site.

City of Santa Barbara  
Assessor's Map Bk, 033 -Pg, 11  
County of Santa Barbara, Calif.

Indicates change  
as of this date. (10/97) 113-20 from pg. 17-01  
20 & 19 into 21

AUG 17 1999 # 30C

SITE

POR. PUEBLO LANDS

STATE



1" = 100 scale

KIMBERLY

MASON

ST.

WEST CABRILLO BLVD.

CHAPALA ST.

(WEST BLVD.)

BURTON

CIRCLE



**NOTICE**  
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

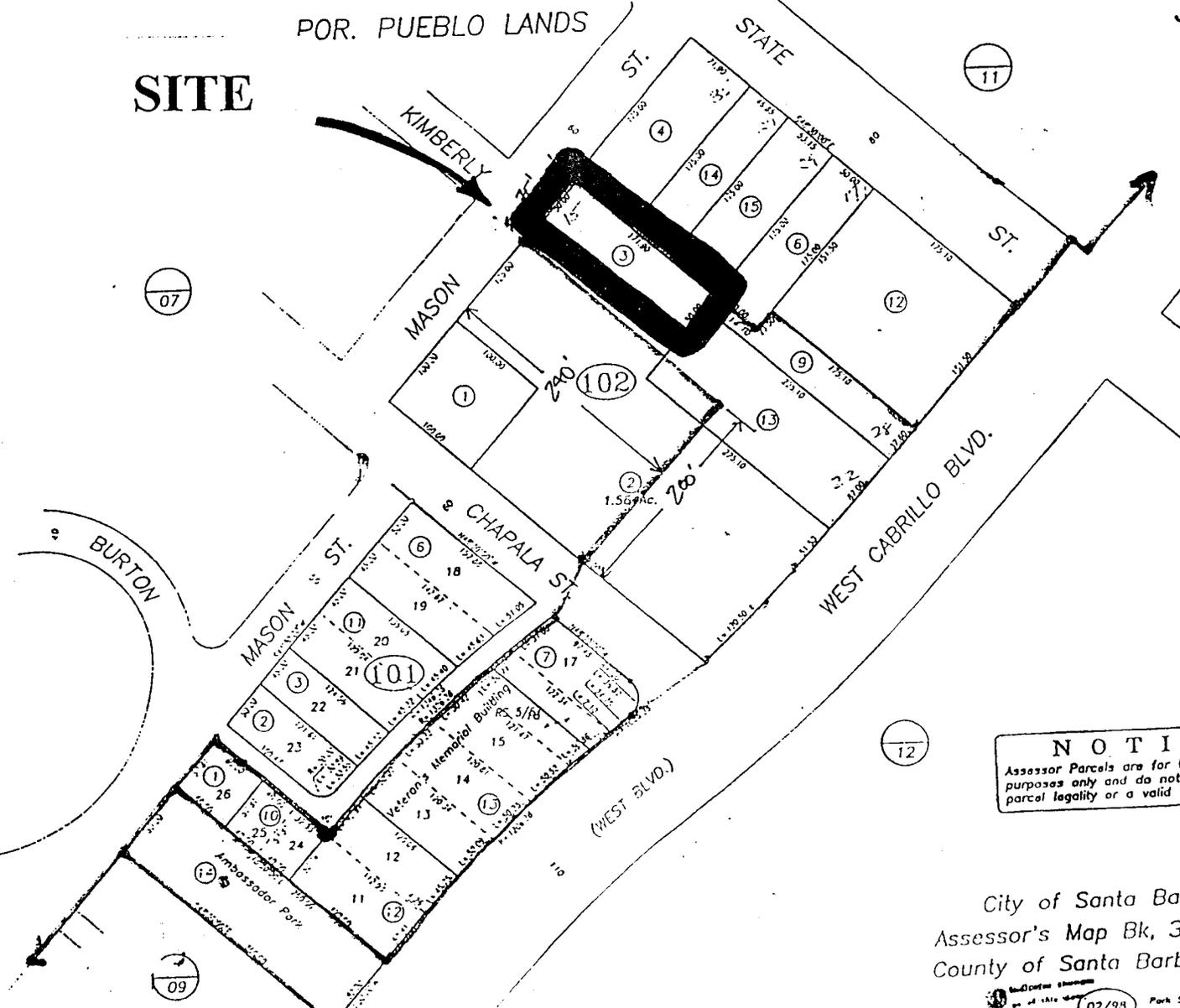
City of Santa Barbara  
Assessor's Map Bk, 33 -Pg, 10  
County of Santa Barbara, Calif.

02/98 Park St. into 101-14

04/08/1924 R.M. Bk. 15 , Pg. 44-45 Tract Ambassador

EXHIBIT B

AUG 17 1999 # 302



POR. PUEBLO LANDS

CALLE PUERTO VALLARTA

017-31

CABRILLO BLVD.

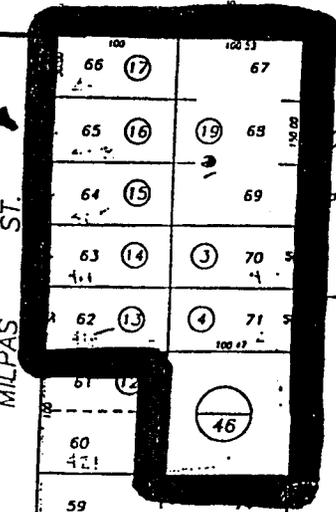
PACIFIC OCEAN

**SITE**

365 1/2

(311)

(312)



Station = 48°30'

1" = 100  
scale ±

**NOTICE**  
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara  
 Assessor's Map Bk, 017 -Pg, 31  
 County of Santa Barbara, Calif.

08/28/1924 R.M. Bk. 15 , Pg. 60-61 , Tract Cabrillo Park

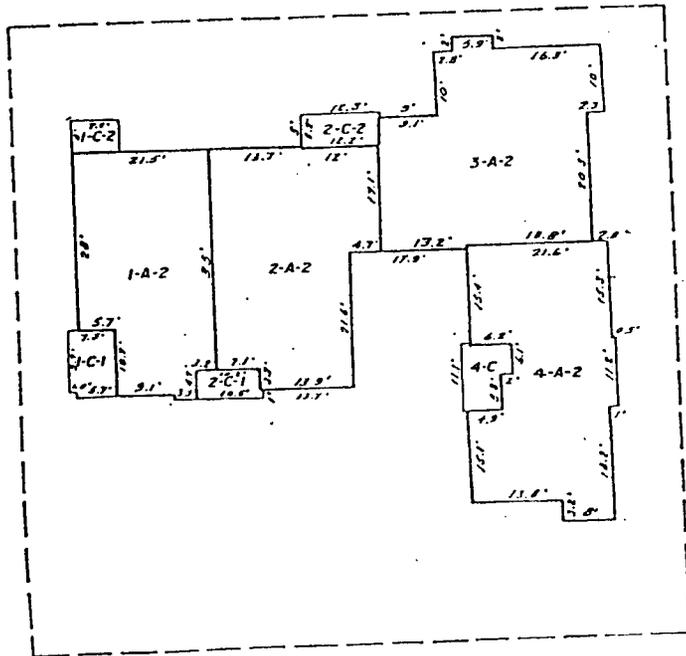
(12/97) 313-01 & 02 into 19

EXHIBIT C

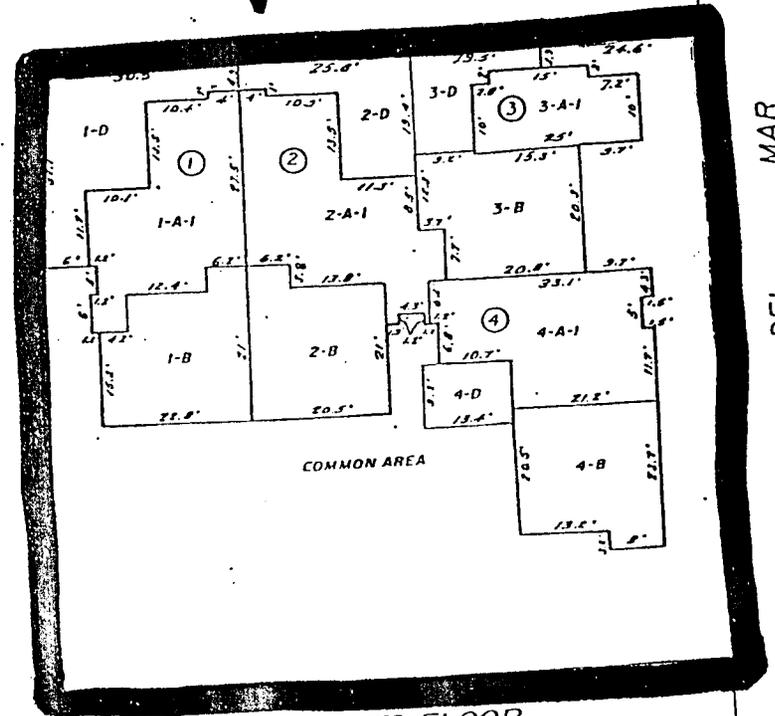
AUG 17 1999 # 302

PUEBLO LANDS

SITE



SECOND FLOOR



FIRST FLOOR

LEGEND

- A = Living Area
  - B = Garage
  - C = Balcony
  - D = Yard
- Each Unit has an equal Interest in the Common Area.

MAR  
DEL  
ORILLA

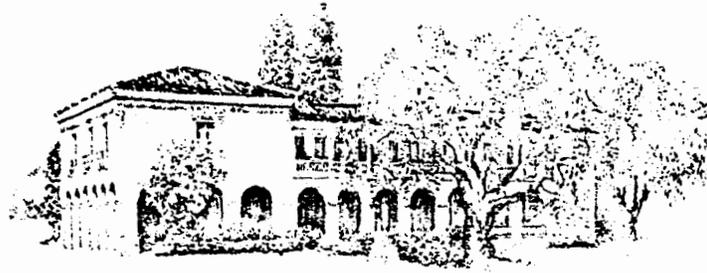
AUG 17 1999 # 300

12/21/82 - R.M. Bk.132, Pgs.18-21 - Condominium Plan for Orilla Del Mar Condominiums

Assessor's Map Bk.17 - Pg. 46  
County of Santa Barbara, Calif.

Indicates change (2/73)

# CITY OF SANTA BARBARA



## COMMUNITY DEVELOPMENT DEPT.

Planning Division ..... 564-5470  
Housing & Redevelopment Division .. 564-5461  
Building & Safety Division ..... 564-5485  
Director's Office ..... 564-5502  
Fax Number ..... 564-5477

EXHIBIT NO. 9
APPLICATION NO.
CITY SB LOPA
MAJ 2-02

630 GARDEN STREET  
POST OFFICE BOX 1990  
SANTA BARBARA, CA 93102-1990

September 6, 2001

Ms. April Verbanac  
South Central Coast District  
California Coastal Commission  
89 South California Street  
Ventura, CA 93001

RECEIVED

SEP 06 2001

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**SUBJECT: SUPPLEMENTAL SUBMITTAL LETTER FOR THE CITY OF SANTA BARBARA'S APPLICATION FOR A LOCAL COASTAL PLAN AMENDMENT – HOTEL AND RELATED COMMERCE (HRC) AND OCEAN-ORIENTED COMMERCIAL (OC) LAND USE ZONES**

Dear Ms. Verbanac:

On August 31, 1999, the City of Santa Barbara submitted an application to amend the Local Coastal Program and zoning for the Hotel and Related Commerce (HRC) zones in the City's Waterfront area. In October 1999, by mutual consent of the City and Coastal Commission Staff, the application was given a one-year time extension. In October 2000, that timeframe lapsed. On October 6, 2000, after consulting with Coastal Commission Staff, it was determined to be in the best interests of both agencies that the City withdraw the August 1999 Application Binder with the intention of resubmitting it in the near future. No changes have been made to, or are proposed for, the original 1999 Application Binder.

### **Purpose of this Supplemental Submittal Letter**

On January 17, 2001 City Staff met with Coastal Commission Staff to discuss the process for resubmitting and re-initiating Coastal Commission review of the City's LCP and zoning amendment. At that meeting, Coastal Commission Staff stated that, in addition to the August 1999 Application Binder, it would be helpful if the City provided some additional information and analysis related to the potential effects of the proposed changes.

In particular, Coastal Staff requested information on the current amount of overnight accommodations in the Waterfront. Coastal Staff also requested data on the zoning capacity for new overnight accommodations in the Waterfront under current policy conditions as well as what zoning capacity would remain if the Coastal Commission approves the proposed rezoning of the interior portion of the HRC-2 area. Coastal Staff also suggested that the City provide some additional analysis of how and why the amendments are consistent with Chapter 3 of the Coastal Act.

SUPPLEMENTAL SUBMITTAL LETTER FOR THE CITY OF SANTA BARBARA'S  
APPLICATION FOR A LOCAL COASTAL PLAN AMENDMENT – HOTEL AND RELATED  
COMMERCE (HRC) AND OCEAN-ORIENTED COMMERCIAL (OC) LAND USE ZONES

September 6, 2001

Page 2 of 8

This letter is intended to supplement the August 31, 1999 Application Binder by providing additional information requested by Coastal Staff earlier this year. It will be important for anyone reading this supplemental submittal letter to have read and considered the contents of the 1999 Application Binder. We have purposely tried not to reiterate application information in this letter. As such, this letter should not be viewed as a free-standing document but rather a supplemental attachment to the 1999 Application Binder.

### **Existing Overnight Accommodations in the Waterfront**

In response to the request from Coastal Commission Staff, information has been gathered regarding the current availability of overnight accommodations in the Waterfront. Exhibit A is a map illustrating the location of existing accommodations. We have provided information for the larger Waterfront area from Pershing Park / Castillo Street area to Coast Village Road / Olive Mill Road. We have also gathered information on the number of facilities and rooms available in the City of Santa Barbara outside of the Coastal Zone. It is important to view the availability of overnight accommodations in a larger context since the existence and impacts of these facilities contribute significantly to the City's character, quality of life and economic base.

The City's LCP states that in 1981, there were approximately 35 hotels and motels in the Waterfront area containing about 965 overnight accommodations and that an estimated 3,040 guests could be accommodated by these facilities. (LCP page 59) This estimate assumes an average of about 3 guests per room.

Today, there are approximately 34 hotels and motels providing about 1,700 overnight accommodations / rooms. This is roughly the same number of facilities but about 725 additional new rooms. Using the same 3 guests per room average, an estimated 5,100 overnight guests can be accommodated in the Waterfront. This is an increase of approximately 2,175 guests.

These figures are consistent with projections contained in a 1986 report prepared by Economics Research Associates for the City entitled "*Santa Barbara Economic Forecast and Hotel/Tourism Study*." This study found that the City's hotel inventory was characterized by smaller, older properties that tended to be locally owned and that employ local residents. In order to stay competitive in the regional market, the study concluded that these properties would need to upgrade and expand, or redevelop. The report also stated that a portion of the City's hotel inventory was "clearly vulnerable to competition from new, large scale and well capitalized properties operated by national chains."

The extent to which hotels have upgraded and expanded in the City since 1981 is beyond the scope of this study. However, it is interesting to note the fairly significant net increase in the number of rooms available for overnight visitor accommodation (an additional 725 rooms). Further the 1986 study indicated that the average occupancy rates are in the high 70 percent range. Current figures gathered this year by City staff show that the average occupancy rates in the Waterfront average close to 80% year round with a low of 63% in December to a high of 95.5% in August (Exhibit B). For the first six months of 2001, the average occupancy rates have stayed about the same or dipped slightly.

SUPPLEMENTAL SUBMITTAL LETTER FOR THE CITY OF SANTA BARBARA'S  
APPLICATION FOR A LOCAL COASTAL PLAN AMENDMENT – HOTEL AND RELATED  
COMMERCE (HRC) AND OCEAN-ORIENTED COMMERCIAL (OC) LAND USE ZONES

September 6, 2001

Page 3 of 8

Further, it is important to look at the hotel/motel use in the context of other land uses in the Waterfront area. The City of Santa Barbara is unique in that nearly all of the oceanfront property from the Bird Refuge to Shoreline Park is publicly owned and used as open space, park land, public parking or public recreation. Further, the Waterfront provides significant additional park land and open space just across Cabrillo Boulevard including the Bird Refuge, Santa Barbara Zoological Gardens, Cabrillo Ball Park, Chase Palm Park, Ambassador Park / Burton Circle, Pershing Park, Ledbetter Beach Park and Shoreline Park. Please see map provided as Exhibit C.

In fact, along Cabrillo Boulevard in the Waterfront area, from Pershing Park to the Bird Refuge, on the ocean side, the entire stretch is publicly owned with the exception of the Clark Estate, at the eastern edge of the City across from the Bird Refuge. With respect to parcels fronting along the inland side of Cabrillo Boulevard, approximately 66% of land is in public use (parks, parking lots, public buildings), 26 % in hotel/motel use, and approximately 8 % of the land is in private use (Restaurants and East Beach Condos).

This clearly demonstrates the City's long-standing commitment to coastal access and protection of coastal resources. The proposed LCP and zoning amendments are a continuation of this commitment and an effort to preserve and maintain a balanced use of land and resources in the Waterfront.

#### Pending and Approved New Overnight Visitor Accommodations in the Waterfront

One of the major factors leading up to the City's decision to conduct a waterfront land use study in 1998 was the number of pending and approved hotels in the Waterfront. Exhibit D displays the location, size and status of all the projects in the pipeline that will add new overnight accommodations in the Waterfront. Currently, there are 2 projects under construction that will add 17 new rooms in the area. More significantly, there are 2 projects that have been approved but are not yet under construction. One is the 150-room Waterfront Park Hotel on Cabrillo Boulevard and the other is a 100-bed youth hostel on East Montecito Street.

Further, currently there are 8 projects pending review and approval that could add another 405 rooms and 60 hostel-beds to the Waterfront area. This includes a 201-room "family-style" hotel along Garden Street, a 72-room "mid-range" hotel on East Montecito Street, 12 new rooms in the Castillo/Cabrillo area, and a proposed 60-bed youth hostel across from the Railroad Depot on Kimberly Avenue.

Also pending final review and approval is the Entrada project that could add up to 112 new timeshare units along Lower State Street. This project includes the seismic retrofit and overall rehabilitation of the Californian Hotel. The building was vacated in 1997 under court order due to noncompliance with the City's Seismic Safety Ordinance. Prior to 1997, the Californian provided low-cost overnight accommodations.

Altogether, a total of 12 projects are under construction, approved or pending approval that will add 572 new rooms and 160 new hostel-beds.

This is a significant amount of development in the pipeline for the City's Waterfront area. This represents a considerable intensification in a Waterfront area that is becoming increasingly congested. So congested in fact that there is concern that it is becoming less appealing and attractive to local residents. Further, there is concern that if locals are starting to avoid the Waterfront on weekends could tourists and other visitors be far behind? As stated in the opening section (28.71.010) of the proposed new OC zone:

“This zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities.”

#### **Availability of Overnight Visitor Accommodations Elsewhere in the City**

The roughly 1,700 rooms in the Waterfront represent just over half of the City's total inventory of overnight accommodations -- approximately 3,074 rooms are available citywide. For a City the size of Santa Barbara, this is a large number of overnight accommodations. While there are 34 hotels/motels in the Waterfront providing approximately 1,716 rooms, there are another 34 hotels/motels in the inland areas of the City (outside of the Coastal Zone) providing an additional 1,358 rooms for overnight visitors.

One of the distinguishing characteristics that draws visitors to Santa Barbara is the convenience of traveling within and between the Waterfront and Downtown areas without using a car. It is relatively easy and pleasant to walk, bike or take an open-air electric shuttle along Cabrillo Boulevard and up the State Street corridor to the Downtown area. For decades, the City's General Plan has emphasized the importance of this relationship. In particular, the need to maintain and enhance the relationship and connections between the Downtown and Waterfront areas. In particular, coordinated and balanced land use policies are essential to ensure compatible and sustainable development patterns. These issues have been further strengthened and emphasized in the 1995 Circulation Element Update, the Downtown/Waterfront Visioning Process as well as the amendments proposed in this application to the Coastal Commission.

#### **Current and Future Zoning Capacity for New Overnight Visitor Accommodations in the HRC-2 Zoned Area**

The proposal to rezone the interior area of a portion of the City's Waterfront to OC (Ocean-Oriented Commercial) would remove the potential for additional overnight accommodations in this roughly 2 ½ by 3-block area. Hotels, motels, B&Bs and youth hostels would continue to be allowed most everywhere else in the Waterfront with the exception of public land and open space. Exhibit A illustrates in yellow all the areas where current zoning allows hotels and overnight accommodations.

This includes:

- The entire West Beach area between Castillo Street, State Street, Highway 101 and Cabrillo Boulevard;
- Along the entire length of Cabrillo Boulevard from Castillo Street to the City limits at Olive Mill Road (with the exception of parkland and open space);
- All of the interior East Beach area between Milpas Street, Ninos Drive, Highway 101 and Cabrillo Boulevard;
- Properties along Los Patos Way across from the Bird Refuge, and
- The M-1 Area from Calle Cesar Chavez to Milpas Street between the freeway and the railroad tracks.

It is important to note that the HRC-1 zone allows almost exclusively overnight accommodations and auxiliary uses for use by hotel guests. There are approximately 49 parcels comprising about 42 acres of HRC-1 zoned area in the Waterfront. Further, the R-4 zone allows hotels as well as multi-family residential uses. There are approximately 184 parcels comprising about 47 acres zoned R-4 in the Waterfront.

The City's proposal is to rezone a small, interior portion of the HRC-2 zone to a new zone that would allow ocean-oriented, commercial recreational, arts-related and residential uses (in a limited area) but not hotel or visitor-serving retail uses. During the community process leading up to these recommendations, clear decision points were reached that properties fronting along State Street, Cabrillo Boulevard and Garden Street should retain the HRC-2 zone allowing for visitor-serving retail and overnight accommodations. It was felt that properties fronting these major thoroughfares in the waterfront are well served by transit and highly visible to visitors and should continue to provide visitor-serving uses.

#### **Montecito Street (Santa Barbara Street to State Street)**

There is a portion of the interior area proposed to be rezoned to OC that did not receive much specialized attention or discussion during the process. This area is the Montecito Street frontage from Santa Barbara Street to the State Street over-crossing. This stretch of Montecito Street is dominated by the presence of Highway 101 on the north side of the street. Starting from Santa Barbara Street moving toward State Street, the south side of Montecito Street facing the freeway is comprised of the following current land uses and pending development projects:

- Tri County Office Furniture
- ICI Dulux Paint Store
- Nishiki Koi (closed, building currently vacant)
- Avis Rent-a-Car
- Spearmint Rhino (adult entertainment; site of pending hotel application)

SUPPLEMENTAL SUBMITTAL LETTER FOR THE CITY OF SANTA BARBARA'S  
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While this stretch of Montecito Street is very visible to motorists traveling along Highway 101, as a tourist, determining how to reach the street whether by car or foot is difficult. Access is complicated by the fact that State Street dips underneath Montecito Street prohibiting pedestrian or vehicular access at this point. Further, the physical presence of the freeway on the north side of Montecito Street dominates the visual and auditory character of the street. This stretch of Montecito Street is also a frequently used alternative route used by local residents to access the West Beach and lower Westside neighborhoods.

Given all the factors described above, there could be merit in reconsidering whether the parcels fronting Montecito Street should be rezoned to OC as proposed in the LCP and zoning amendment. If Coastal Commission Staff would like to consider retaining the HRC-2 zoning for this 3-block stretch of Montecito Street, City Staff would like to discuss this concept further.

### **Further Analysis in Support of the Coastal Act Chapter 3 Consistency Findings**

As requested by Coastal Commission Staff, additional analysis substantiating the finding that the proposed LCP amendment is consistent with Chapter 3 of the Coastal Act is provided as Exhibit E to this letter. Further, the proposed rezone of the interior portion of the HRC-2 zone to Ocean-Oriented Commercial (OC) is consistent with the City's LCP policies calling for a mix of land uses in the Waterfront area. In particular, the LCP states that visitor-serving commercial uses should be located along State Street and Cabrillo Boulevard, with coastal dependent or marine oriented commercial or industrial uses located along the interior streets. The City's LCP also states that it is important to ensure that visitor-serving uses in the Waterfront do not result in a congested and visually disorienting environment. The intent of the proposed amendments and rezone is to provide a balance and variety in Waterfront land uses that is desirable to both residents and visitors.

### **Additional Information in Support of Eliminating the Setback Requirement in the Proposed OC Zone**

The LCP amendment proposes to eliminate the building setback requirements for properties in the OC zone. Removing the setback requirements for the interior area would provide flexibility in site design for smaller lots and constrained properties. As described in the 1999 Application Binder, most of the buildings in this area were developed to the Commercial-Manufacturing standards that existed prior to the Coastal Act. The result is that most of the older buildings have been built-out to the property line with little to no parking provided on-site, consistent with the standards in place at the time of development. Allowing buildings to be reconstructed at, or near, the property line (without setbacks) may provide an incentive to property owners to rehabilitate or rebuild older, inefficient industrial buildings into OC uses consistent with the Coastal Act.

It is important to note that in some cases, setbacks may still be necessary and required on a case-by-case basis to achieve other objectives such as landscaping, open space, compatibility with adjacent structures or public view protection. It is also important to note that the proposed amendments do not affect properties along Cabrillo Boulevard, Garden Street or State Street. Therefore, no significant public vistas or view corridors would be affected by this amendment.

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This change in development standards would also encourage development to be oriented toward the street. Exhibit F to this letter is an excerpt from the *City of Santa Barbara Urban Design Guidelines: City Grid* (December 1999) describing the important relationship between building and the street edge when designing to promote pedestrian activity.

One common theme that was expressed by property owners participating in the land use study process was that visitor-serving retail was not economically viable in the interior areas. Simply put, pedestrians do not walk up from the beach, or over from State Street, into this area. The walking tour and land use survey verified that this interior area looks, feels and functions like a commercial manufacturing / light industrial area. There is currently very little pedestrian activity.

It is hoped that the proposed LCP amendment and zoning changes will build upon the vibrant arts community in Santa Barbara. Every weekend, the Arts Show along Cabrillo Boulevard attracts hundreds of visitors. Creating a more pedestrian friendly built environment including other pedestrian amenities will encourage visitors and locals to walk up from the beach into the "funk zone" to patronize arts related, commercial recreational or other uses proposed to be allowed in the OC zone.

#### **Conclusion / Summary**

This supplemental information will further substantiate the finding that the proposed LCP Amendment and zoning changes are consistent with the Coastal Act. Again, the intent of the City's application is to achieve a balanced use of the Waterfront while maintaining the small scale, local character that is unique to the area.

If you have any questions or would like to meet again to discuss this application, please call Bettie Hennon, City Planner or Liz Limón, Senior Planner II. Thank you for your consideration. We look forward to a timely review by the Coastal Commission. If we can be of any further assistance, please call.

Sincerely,



David D. Davis  
Community Development Director

CC: Mayor and Councilmembers  
City Planning Commission  
Peter K. Wilson, Acting City Administrator  
Bettie Hennon, City Planner  
Liz Limón, Senior Planner II

SUPPLEMENTAL SUBMITTAL LETTER FOR THE CITY OF SANTA BARBARA'S  
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EXHIBITS:

- A. Map of Existing Overnight Accommodations
- B. Chart Showing Average Occupancy Rates
- C. Map of Publicly-owned Land and Open Space in the Waterfront
- D. Map of Pending and Approved Projects Providing Overnight Accommodations
- E. Coastal Act Chapter 3 Consistency Analysis
- F. Excerpt from the *City of Santa Barbara Urban Design Guidelines: City Grid* (December 1999)

**COASTAL ACT CHAPTER 3 CONSISTENCY ANALYSIS  
COASTAL RESOURCES PLANNING AND MANAGEMENT POLICIES  
City of Santa Barbara Proposed LCP and Zoning Amendment  
August, 2001**

**ARTICLE 1: GENERAL**

This article states that where policy conflicts exist or arise, the policy most protective of coastal resources should take precedence. Over-concentration of hotel uses could threaten the relaxed, casual environment of the Santa Barbara waterfront that is a major draw for visitors and residents alike. The proposed rezoning and LCP amendment would protect the interior areas of the Waterfront from over-use while maintaining the HRC-2 zoning along Cabrillo Boulevard, State Street and other areas.

**ARTICLE 2: PUBLIC ACCESS**

**Section 30210:** Santa Barbara's Waterfront is exemplary in providing maximum access to the sea and beach areas. Thanks to the efforts of community visionaries in the early 1900's, Santa Barbara's Waterfront is lined nearly exclusively with public parks, beaches and public facilities. Nothing in the proposed LCP amendment changes the exemplary maximum access provided in the Waterfront area. The proposed OC rezone would affect the interior area of the Waterfront and does not affect properties fronting along Cabrillo Boulevard, State or Garden Streets.

**Section 30211:** No changes are proposed to the properties on the ocean-side of Cabrillo Boulevard. Therefore, nothing in the proposed LCP amendment or zoning changes would affect the public's right of access to the sea.

**Section 30212:** No changes are proposed to the properties on the ocean-side of Cabrillo Boulevard. Therefore, nothing in the proposed LCP amendment or zoning changes affects public access from the nearest roadway to the shoreline.

**Section 30212.5:** This section of the Coastal Act states that public facilities, including parking areas or facilities, shall be distributed throughout an area to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

In 1998, one of the driving forces behind the community pressure to study the land use and zoning in the Waterfront was a sense that the area was becoming increasingly congested and over-crowded such that local residents were avoiding the Waterfront altogether on weekends and holidays. The community was concerned that if the Waterfront was losing its appeal to locals because of overuse, that the area's appeal to visitors and tourists may not be far behind.

The proposed amendments will make our LCP even more consistent with this section of the Coastal Act. Without the proposed changes, there is a risk that the interior area could build-out with hotels, restaurants and visitor serving retail creating the potential for overcrowding and overuse in the Waterfront area and threatening the economic viability of the City's Downtown Retail core.

**Section 30213:** The proposed LCP Amendment is consistent with Coastal Act policies regarding public access. Specifically, the first paragraph of Section 30213 states that: " Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Development providing public recreation opportunities are preferred."

The proposed OC zone adds public or private park space, arts related uses and commercial recreation as key uses allowed to support this section of the Coastal Act.

No portion of the area proposed to be rezoned to OC is located directly on the Waterfront or along Cabrillo Boulevard. In fact, it was a conscious decision by the Council and those participating in the community process that properties fronting Cabrillo Boulevard or State Street should remain HRC -1, HRC-2 or Park-Recreation zoning.

One of the difficulties faced by the property owners in the interior area proposed for rezoning to OC is that visitor serving uses were not perceived to be economically viable because of the lack of foot traffic in the area. While there may be thousands of visitors walking along Cabrillo Boulevard and on any given weekend, very few travel one, two or three blocks into this interior area generally located between the Railroad tracks and the 101 freeway.

Another key point during the community process for this LCP amendment was the participation and input of the Downtown business organizations. There are strong feelings that the Waterfront visitor-serving uses must not compete with the Downtown merchants. It was felt that visitor-serving retail was more appropriately located Downtown and that the Waterfront zoning should focus on overnight accommodations, commercial recreational, arts related and ocean-oriented uses rather than visitor-serving retail.

**Section 30214:** Nothing in the City's current proposal would change the way the City currently regulates the "time, place, and manner of public access."

### **ARTICLE 3: RECREATION**

**Section 30220:** Nothing in the proposed LCP amendment or zoning changes would affect "coastal areas suited for water-oriented recreational activities." The proposed OC zone would include ocean-oriented and commercial-recreational as 2 of the 4 primary land use categories allowed in the new zone. This indirectly supports and is consistent with Section 30220. With limited land area available near the ocean in the Waterfront area, the City feels that ocean-oriented and commercial-recreational uses are a higher priority than general visitor-serving retail.

Visitor serving retail continues to be allowed in the Wright Specific Plan area along Garden Street and in the remaining HRC-2 areas primarily along Cabrillo Boulevard and State Street.

Further, it is important to note that the Downtown Area of Santa Barbara, although outside of the coastal zone, is a huge, visitor serving attraction with an abundance of retail and restaurant opportunities within a short walk or shuttle ride from the Waterfront. Hotels are an allowed use in this area as well. The City has approved many new hotel uses in the Downtown area in the last several years.

**Section 30221** provides direction that oceanfront land should be used for recreation purposes. The proposed amendment does not change the zoning or LCP policies for oceanfront land in the Waterfront.

**Section 30222** states that: "The use of private land for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry."

The proposed OC zone allows a blend uses in four general categories:

1. Ocean-dependent and Ocean-oriented;
2. Commercial Recreational;
3. Arts related; and
4. Residential.

Consistent with this section of the Coastal Act, general commercial or general industrial would not be allowed. Residential would continue to be allowed in a small portion of the interior OC zone north of the railroad tracks consistent with where residential is allowed in the current HRC-2 zone.

#### **ARTICLE 4: MARINE ENVIRONMENT**

The proposed LCP amendment and zone changes affect the interior area of the Waterfront. No changes are proposed for oceanfront or Harbor area uses. Therefore no changes are being proposed that would directly affect marine resources.

However, the proposed changes indirectly support the fishing industry by allowing fishing-related uses and other ocean-oriented and ocean-dependent uses that are not currently allowed in the HRC-2 zone.

**Section 30234.5** states that: "The economic, commercial, and recreational importance of fishing activities shall be recognized and protected."

The OC rezone will create a new area in the Waterfront where uses such as boat and boat trailer rentals, marine equipment and accessories manufacturing, sales, repair, storage or rental, seafood processing and other services necessary for commercial fishing activities can occur. These types of uses are not currently allowed in the HRC-2 zone. The intent of the OC rezone is to preserve the interior area for priority coastal uses such as support services to fishing and marine research, commercial recreational as well as arts and some residential.

Many of these uses have historically been present in this area. Many of these uses contribute to the character of the "funk zone" that the community desires to preserve. Without the rezone to OC, many of these uses would only be allowed in the Harbor-Commercial, Ocean-Manufacturing and Light Industrial zoned areas of the coastal zone. Some of these areas are located further from the harbor than the proposed OC zone area and are generally less convenient and accessible to the working harbor area. If not allowed to remain in the interior areas, many of these nonconforming uses would have a difficult time competing for land area in the coastal zone – even though they are recognized Coastal Act priority uses.

#### **ARTICLE 5: LAND RESOURCES**

**Section 30240** There are no environmentally sensitive habitat areas in the area proposed for rezone to OC. Mission Creek crosses the Kimberly Avenue area that is proposed to remain HRC-2 but to add residential as an allowed use. The City recently received a proposal to use a site in this area as an overnight hostel as allowed by the current and proposed zoning. The Bird Refuge is considered another environmentally sensitive habitat area, however no changes are being proposed for the Las Patos properties or other areas nearby.

**Sections 30241 and 30241.5** relate to the protection of agricultural uses. There is no agricultural land in the City's Waterfront area. From a regional perspective, to the extent that emphasis on infill development in urban areas can relieve development pressure on undeveloped agricultural lands on the South Coast, this proposal is consistent with and supports this Coastal Act section.

**Section 30244** provides direction with respect to historic resources. Nothing in the proposed LCP amendment changes the City's current policies and strategies to protect and preserve historic resources in the Waterfront area. In fact, the City recently completed an historic resources survey of the Waterfront area and found the importance of industrial type land use in the physical development and architecture of the area.

#### **ARTICLE 6: DEVELOPMENT**

**Section 30250** directs new development toward existing developed areas or to areas where adequate public services are available and where there will be no significant adverse effect on coastal resources. The City of Santa Barbara's LCP states that "Because the City's coastal zone is an almost wholly urbanized area, future development will be located in or near developed areas. (LCP page 173) The proposed LCP amendment and zoning changes are consistent with

this section of the Coastal Act with respect to locating new development to existing developed areas.

**Section 30251** states that "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas."

The City's LCP Visual Quality Chapter (page 130) summarizes the local issues concerning visual resources within the City's coastal zone to be:

1. Potential view blockage by new development;
2. Inappropriate and poorly maintained development;
3. Upgrading of unattractive areas; and
4. Preservation of the visual gateway created by Highway 101.

The LCP catalogued visual resources delineating view potential from points along the main transportation corridors – Cabrillo Boulevard, State Street and Highway 101. The proposed LCP amendment and zoning changes do not affect properties along Cabrillo Boulevard or the height limit for buildings in the interior area of HRC-2.

With respect to inappropriate and poorly maintained development and the upgrading of unattractive areas, the proposed LCP and zoning amendment attempts to balance the need for upgrading the interior area or "Funk Zone" with the concerns for possible gentrification. The proposed amendment encourages the redevelopment of properties that have buildings built to the industrial development standards that were in place prior to the Coastal Act. Many properties in the interior area have older industrial buildings built to the property line with little or no off-street parking. Because these buildings and uses have been nonconforming since the City adopted coastal zoning in 1986, many of them are in various stages of disrepair.

With respect to the visual gateway created by Highway 101, the LCP describes much of this interior area that was developed to industrial standards as presenting a "picture of uncoordinated planning, poorly maintained premises, and non ocean-oriented uses." (page 128). It also states that the C-M development standards created an "aesthetically unappealing neighborhood." In conclusion, the LCP states that "the view of this general area from U.S. 101 is in sharp contrast to the overall Santa Barbara viewscape."

The LCP and zoning amendment proposes to eliminate the building setback requirements for properties in the OC zone. This change in development standards would encourage development to be oriented more toward the street resulting in site design that is more pedestrian friendly. It also would provide flexibility in site design for smaller lots and constrained properties and possibly encourage redevelopment of properties with old industrial buildings. One factor behind this recommended change was reviewing a recently built mixed use project on Gray Avenue just

north of Yanonali. This project was built to the HRC-2 development standards resulting in a surface parking lot being located adjacent to the sidewalk/street with the building setback away from the street to the rear of the property. This creates an uninteresting, unappealing pedestrian environment.

It is important to note that new development in the area will still be reviewed for consistency with visual quality policies regarding view blockage, visual gateways and opportunities to enhance unattractive areas. It is also important to note that the proposed amendments do not affect properties along Cabrillo Boulevard, State Street or Garden Street. Therefore, no public vistas or view corridors would be affected by this amendment.

**Section 30252** states that the location and amount of new development should maintain and enhance public access to the coast in the following manner:

1. Facilitate transit – The proposed LCP amendment facilitates transit use by encouraging the more intensive hotel and visitor-serving uses to locate along the major transportation and transit corridors: State Street, Cabrillo Boulevard and Garden Street.
2. Providing commercial within or adjoining residential – The proposed LCP amendment adds small-scale neighborhood markets as an allowed use in the interior area of the Waterfront where residential is currently allowed. The OC zone would not change the amount or location of where residential is currently allowed in the Waterfront. Allowing small neighborhood markets in this interior area is intended to support existing and new residential uses and will serve to minimize the need to use coastal access roads such as State Street, Cabrillo Boulevard or Highway 101 for market needs of the residents in the area.
3. Providing non-auto circulation -- The City of Santa Barbara is a leader in designing and providing non-auto oriented circulation. The City's Circulation Element and Urban Design Guidelines both apply in the HRC / OC zoned area and contain many, many policies, strategies and guidelines for making the area accessible by means other than the automobile. The City is also looking for every opportunity to extend the "park-once" concept to the Waterfront area. This concept would concentrate parking in certain areas and encourage visitors who arrive by car to park once, and then walk, bike or shuttle throughout the Waterfront, Harbor and Downtown areas. The proposed LCP amendment continues the City's long-standing and successful efforts in this area. New parking lots are allowed with a Conditional Use Permit in both the existing HRC-2 and proposed OC zones.
4. Adequate parking or public transportation -- The proposed LCP amendment does not change the parking requirements for new development in the HRC or OC zones. This topic was considered during the public discussions leading up to the amendment, yet no clear course of action was determined. There was consensus however, that any change must be addressed comprehensively in the Waterfront area and not just for the

interior portions. Therefore, any additional policy changes toward reducing parking requirements to encourage transit use were not pursued at this time.

5. Assuring public transit for high intensity uses such as high-rise office buildings – High intensity uses such as high-rise office buildings are not allowed in the City's Waterfront area. Relatively speaking, the more intensive uses allowed in the Waterfront area are allowed along the major transportation corridors (State Street, Cabrillo Boulevard and Garden Street) that are well-served by transit and electric shuttle.
6. Assuring recreational needs of new residents will not overload nearby coastal recreation areas. The proposed LCP amendment does not change the location, amount or type of residential use allowed in the Waterfront. Residential uses would continue to be allowed in the area roughly bounded by Helena Street, the Railroad tracks, Garden Street and Highway 101. With the new Chase Palm Park expansion, the City has assured that there will be adequate recreational opportunities for any existing or future residents of this area within easy walking or bicycling distance. For pedestrians, the City created a pedestrian pathway linking the new park to this neighborhood at the foot of Santa Barbara and Mason Streets.

**Section 30253** provides direction regarding new development in the Coastal Zone. The City's LCP is consistent with this section of the act. Nothing in the proposed amendment would change compliance with this section. To the extent that infill development serves to minimize energy consumption and vehicle mile traveled, this amendment furthers the goals of this section.

**Section 30254** relates to new or expanded public works facilities. Neither the current nor proposed land use and zoning policies would allow public works facilities in this area of the waterfront. Further away from the Harbor and Stearns Wharf, the O-M and M-1 zoning designations anticipate and allow these types of uses.

**Section 30254.5** This section provides direction to the Coastal Commission with respect to sewage treatment plants. As such, this section does not apply to the City's proposed LCP amendment.

**Section 30255** states the "coastal-dependent developments shall have priority over other developments on or near the shoreline." The Harbor Master Plan fulfills the goals of this section by giving priority for coastal-dependent uses that must be on, or directly adjacent to, the ocean in the harbor area. The Harbor Master Plan calls these ocean-dependent, rather than the Coastal Act term of coastal-dependent.

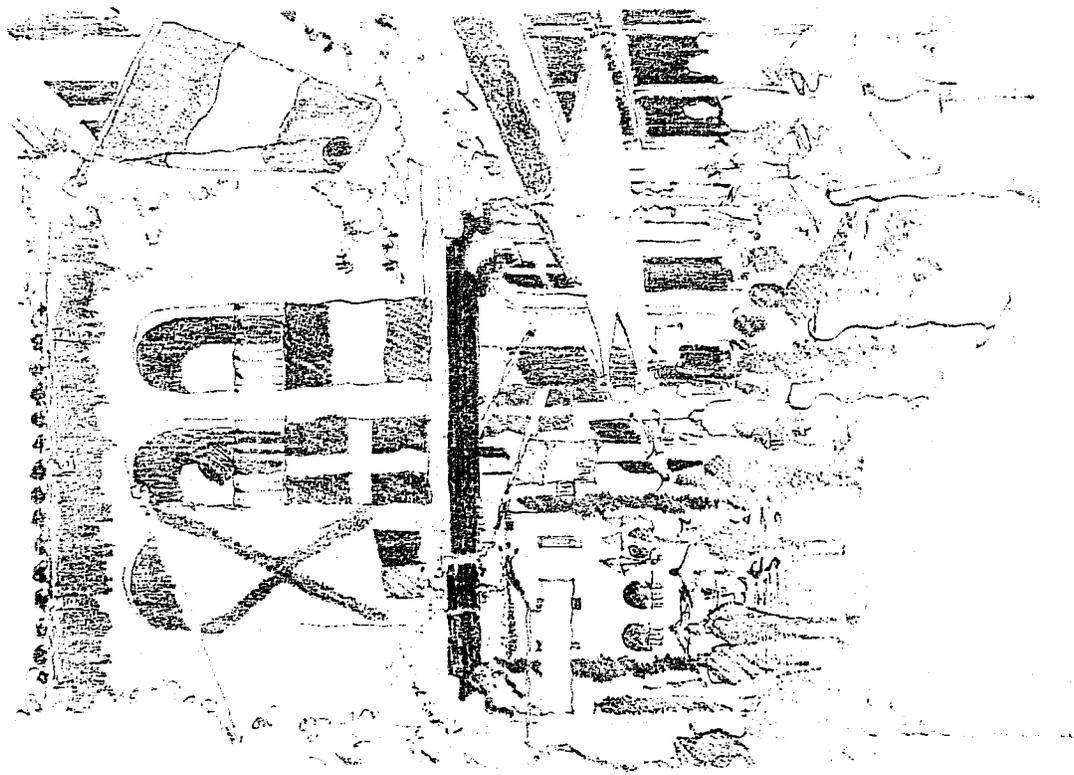
Building upon the Coastal Act definitions of "coastal-dependent" and "coastal-related," the proposed OC zone would create a new LCP Land Use designation of ocean-oriented commercial. This land use designation would allow ocean-dependent (coastal-dependent) and ocean-oriented (coastal-related) commercial as well as commercial recreational, arts related and, in a limited area, residential use.

One of the major issues during the public process regarding these amendments involved competition with the City's Downtown retail and cultural core. Many felt that the coastal area south of the freeway should be zoned for uses that need to be near the ocean including ocean-related commerce and support businesses as well as commercial recreational uses. The proposed LCP and zoning amendment addresses this issue that meets both local resident and business needs as well as the Coastal Act.

#### **ARTICLE 7: INDUSTRIAL DEVELOPMENT**

**Section 30260** provides direction regarding the location of coastal-dependent industrial facilities in the Coastal Zone. Nothing in the proposed LCP amendment would change where coastal-dependent industrial facilities are currently allowed and regulated within the City's coastal zone.

**Section 30261** provides direction regarding existing and new tanker facilities. Nothing in the proposed amendment affects the provision of tanker facilities within the Waterfront



**CHAPTER 3: THE BUILDING / STREET EDGE**

## 3. THE BUILDING / STREET EDGE

### FUNCTIONAL RELATIONSHIP BETWEEN DEVELOPMENT AND PEDESTRIANS

- ❖ *Encourage pedestrian activity on the street through building design. Frequent building entrances, windows at pedestrian height, and outdoor activity spaces create a lively, pedestrian-friendly environment along public streets.*
- ❖ *Create visually unified street spaces by planning the orientation of buildings and building setbacks to enhance the character of the street.*

### INTRODUCTION

Streets are the center of city life; a high level of social interaction on neighborhood and commercial streets is one of the foundations of a healthy, vibrant community. To contribute to the pedestrian-friendly character of the City grid, buildings must be designed to actively contribute to the life of the street.

Buildings that are oriented to the street (with doors, windows, and public spaces facing the street) encourage street activity and create a lively atmosphere. Buildings

that are oriented away from the street should be avoided since they send the message that activity on the street is undesirable. Areas where the majority of buildings are oriented away from the street are very discouraging to pedestrians, who perceive them to be unwelcoming or even unsafe.

For the purposes of these guidelines, a *street* will be defined as any existing or proposed street, road, avenue, boulevard, land, parkway, place, public alley, bridge, viaduct, or easement for public access. A street includes all land within the street right-of-way, whether improved or unimproved (see Glossary for expanded definition).

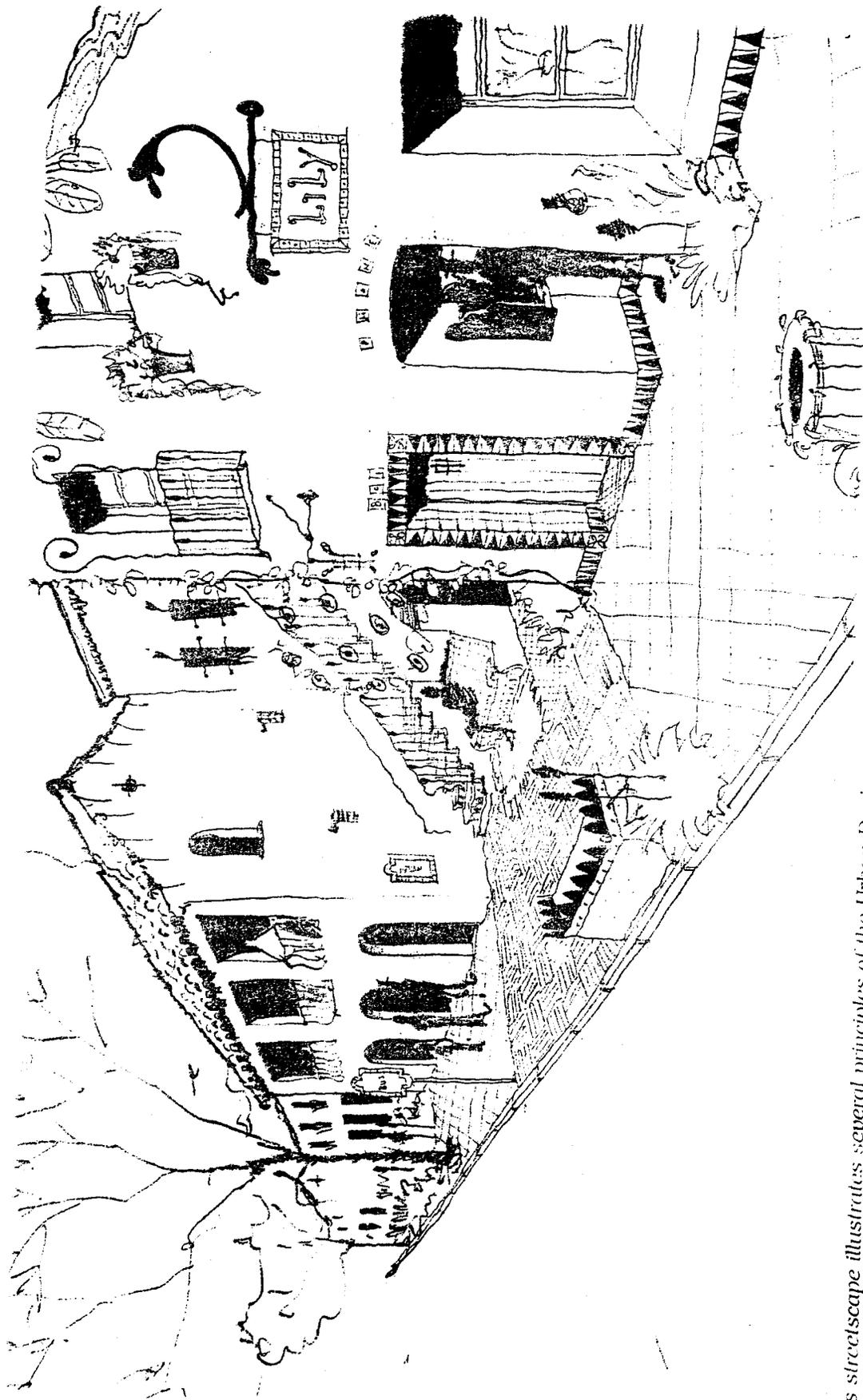
### 3.1 ACTIVITY NODES

#### BUILDING ENTRANCES AND WINDOWS

Building entrances and windows are essential elements that physically connect outdoor and indoor activity for pedestrians, making walking a more enjoyable and interesting experience.

Decisions regarding the placement of building entrances and windows will be considered in the following context:

- ❖ The potential for pedestrian activity around the building and existing pedestrian circulation routes will be assessed to determine appropriate pedestrian access points;



This streetscape illustrates several principles of the Urban Design Guidelines, as follows:

- ❖ The buildings are visually compatible, yet retain a distinct identity;
- ❖ The buildings are of a human scale, with details that are attractive to pedestrians;
- ❖ The building entrances, windows, and active spaces provide opportunities for interaction on the street; and
- ❖ The pedestrian amenities make walking more attractive and convenient.

- ❖ For nonresidential or mixed use structures, the intended function or program of the building will be considered with specific attention to the placement of doors and windows. Common concerns include security (i.e. the prevention of theft and employee safety), the internal organization of building activities, and the distances that customers will have to travel to their cars with purchased goods;
- ❖ The potential future uses of buildings will be considered when deciding upon the placement of building entrances and windows, especially with larger buildings. Building entrances and windows should be designed to allow the building to be adapted for a variety of uses; and
- ❖ Visual and access compatibility between proposed buildings and adjacent developments will be considered when discussing the optimal placement of building entrances and windows.

- 3.1.1 Where a building with street frontage has only one entrance, that entrance shall be oriented to the street.
- 3.1.2 Where a building with street frontage has multiple entrances, the primary entrance shall be oriented to the street. Street entrances shall be as prominent or more prominent than other entrances, and are encouraged to remain open for pedestrian use.

- 3.1.3 Provide building entrances where appropriate, taking into consideration the location of the building, present and potential future uses of the building, pedestrian circulation routes, and the character of surrounding developments.
- 3.1.4 Provide windows at pedestrian height to provide interest for pedestrians on the street.
- 3.1.5 Corner buildings shall exhibit a strong visual and functional connection with the sidewalks of adjacent streets. This can be accomplished by placing entrances on each abutting street frontage or placing an entrance on the corner itself. Other features (including windows at pedestrian height, wall detailing, and public art) shall also be used to provide visual interest for pedestrians.
- 3.1.6 For mixed use and multiple-family residential buildings, the following guidelines regarding the placement and design of building entrances should be adhered to:
  - ❖ Provide direct pedestrian access to the sidewalk from the front residential unit;
  - ❖ Provide a strong visual connection from the sidewalk to the entrances of interior residential units; and
  - ❖ Provide entry porches facing the street and/or the main internal pedestrian circulation route.

### ACTIVE SPACES AND LANDSCAPING

- 3.1.7 Where buildings are set back from the public right-of-way, incorporate courtyards or patio spaces that encourage outdoor activities along the building frontage. Such areas should include appropriate landscaping elements to soften the paved areas and provide shade for pedestrians.
- 3.1.8 Corner buildings shall be designed to enhance the character and pedestrian activities of the entire intersection, taking into consideration the contributions of all of the other existing corner buildings.

### 3.2 CONTINUITY OF STREET SPACES

The intent of the following guidelines is to create unified street spaces. Street spaces include both the public right-of-way and the adjacent building setback zone (where applicable). The network of street spaces establishes the scale and character of the environment. The setbacks and placement of buildings can create a feeling of consistency that visually unifies separate buildings and developments.

#### BUILDING PLACEMENT

- 3.2.1 On lots with one street frontage, place the primary mass of buildings parallel to the street.
- 3.2.2 Avoid siting corner buildings with their primary mass at an angle to the corner. This shall not preclude angled or sculpted building corners or open plazas at corners.



*The form of the new building (left) is sensitive to the setback and height of the existing residence. Reference Guideline: 3.2.3.*

#### SETBACKS AND LANDSCAPING

- 3.2.3 When siting a new building, consider the setbacks and scale of the existing neighborhood and adjacent buildings.
- 3.2.4 Where appropriate and consistent with neighboring development, locate new buildings on the edge of the public right-of-way to define the sidewalk line.
- 3.2.5 Where buildings are set back from the public right-of-way, place City reviewed and approved landscaping or architectural elements (e.g. arcades or low decorative walls) along the edge of the right-of-way to define the sidewalk line.

Rec'd by Henry  
4/10/03



CITIZENS PLANNING ASSOCIATION OF SANTA BARBARA COUNTY, INC.  
916 Anacapa Street, Santa Barbara, CA 93101  
805-966-3979 • fax 805-966-3970  
<http://www.citizensplanning.org> • [info@citizensplanning.org](mailto:info@citizensplanning.org)

9 April 2003

Chair Reilly and Coastal Commissioners  
California Coastal Commission  
45 Fremont St. Ste 2000  
San Francisco, CA 94105-2219

*Fax: 415-904-5400*

**RE: City of Santa Barbara LCP Amendment No. MAJ-2-02 (OC & HRC zones)**

Dear Chair Reilly and Commissioners,

For 43 years the Citizens Planning Association (CPA) has worked to promote sound land use planning and environmental protection in Santa Barbara County. We have been following the City of Santa Barbara HRC study since it was first discussed in the mid-1990's. Many of our members have attended the numerous meetings on this subject since that time. We have supported the creation of the Ocean-Oriented Commercial (OC) Zone, because we want to see the ocean-dependent and ocean-related uses retained and given priority.

As for allowed uses in the OC zone, we are supportive of the goal of emphasizing ocean-oriented commercial and de-emphasizing residential and hotels as allowed uses in the OC Zone, and we worry that over time residential uses would replace ocean related uses due to market forces. We see this as a continuing problem and therefore support measures that would limit residential uses.

Residential uses should be limited to only those areas where there is an existing housing overlay and not be located throughout the entire OC area. Second, we believe that one way to limit residential would be to have strong development standards: retaining the existing HRC-2 standards for setbacks - 10 feet for one story structures and 20 feet for two story structures; two story height limits; 12 units per acre (R-2) and no variable density. We believe that the increased setbacks and the height limits would be more in keeping with the citizens' desire for a small town ambiance and the preservation of openness in the waterfront area. This area is already deficient in open space and would greatly benefit from additional landscaping. We believe that limiting development to 12 units per acre is important because the area already suffers from a parking shortage. Additionally, the change to variable density would have the potential of being incompatible with the very businesses and diversity we want to preserve in this area.

We should be very concerned about the possibility of our waterfront area being consumed by high-density, high-priced housing.

As for hotels, our waterfront already has many hotels in it. Additionally, two more large hotels that have been approved are slated to be built in the near future. The City, which does not want to accept more hotel development in this area, should not be forced to do so.

We support mixed use in the OC area, but we believe that it should be limited to one level of commercial and one level of housing in order to promote the protection of views and the feeling of openness in the coastal zone. The City of Santa Barbara has yet to do a views corridor study and therefore we do not have an established inventory of important views that should be protected. As a result, without imposing such height limits, new development in the waterfront area could have irreversible negative impacts on important views in this unique and significant part of our city.

We are concerned that without some pro-active strategies to preserve and encourage ocean-dependent and ocean-related uses that those uses will be forced out of the waterfront due to market pressures. Also, without very strict standards to discourage residential development, we see very little that will prevent gentrification of the whole area. Waterfront area properties, even those in the interior, have already experienced tremendous speculation, and it is not clear how the building of high priced residential uses will be stopped.

We appreciate your serious consideration of these concerns. We rely on you to help us protect our precious waterfront in Santa Barbara.

Sincerely,

A handwritten signature in cursive script that reads "Louise Boucher".

Louise Boucher  
President

*(CM);kg.nk,lb*



LEAGUE OF WOMEN VOTERS OF SANTA BARBARA, INC.

328 East Carrillo Street, Suite A  
Santa Barbara, California 93101

TEL/FAX (805) 965 2422

e-mail: lwvsb@silcom.com  
www.lwvsantabarbara.org

Rec'd at Hearing  
4/10/03  
7a

STATEMENT TO THE CALIFORNIA COASTAL COMMISSION ON 4-10-03

Subject: City of Santa Barbara Local Coastal Program  
Amendment No. MAJ-2-02 ITEM Th7a

I'm Connie Hannah, speaking for the Santa Barbara League of Women Voters. The League has been testifying at discussions of these amendments since 1998, so we are concerned that we were not notified promptly about this refiling. The City never notified us, and the Coastal Commission notification was mailed on April 3 and received by me on April 7, three days before today's hearing. For any organization requiring group action, that is not nearly enough preparation time. We hope that everyone will be able to do better in the future. We have managed to have several people read the staff report.

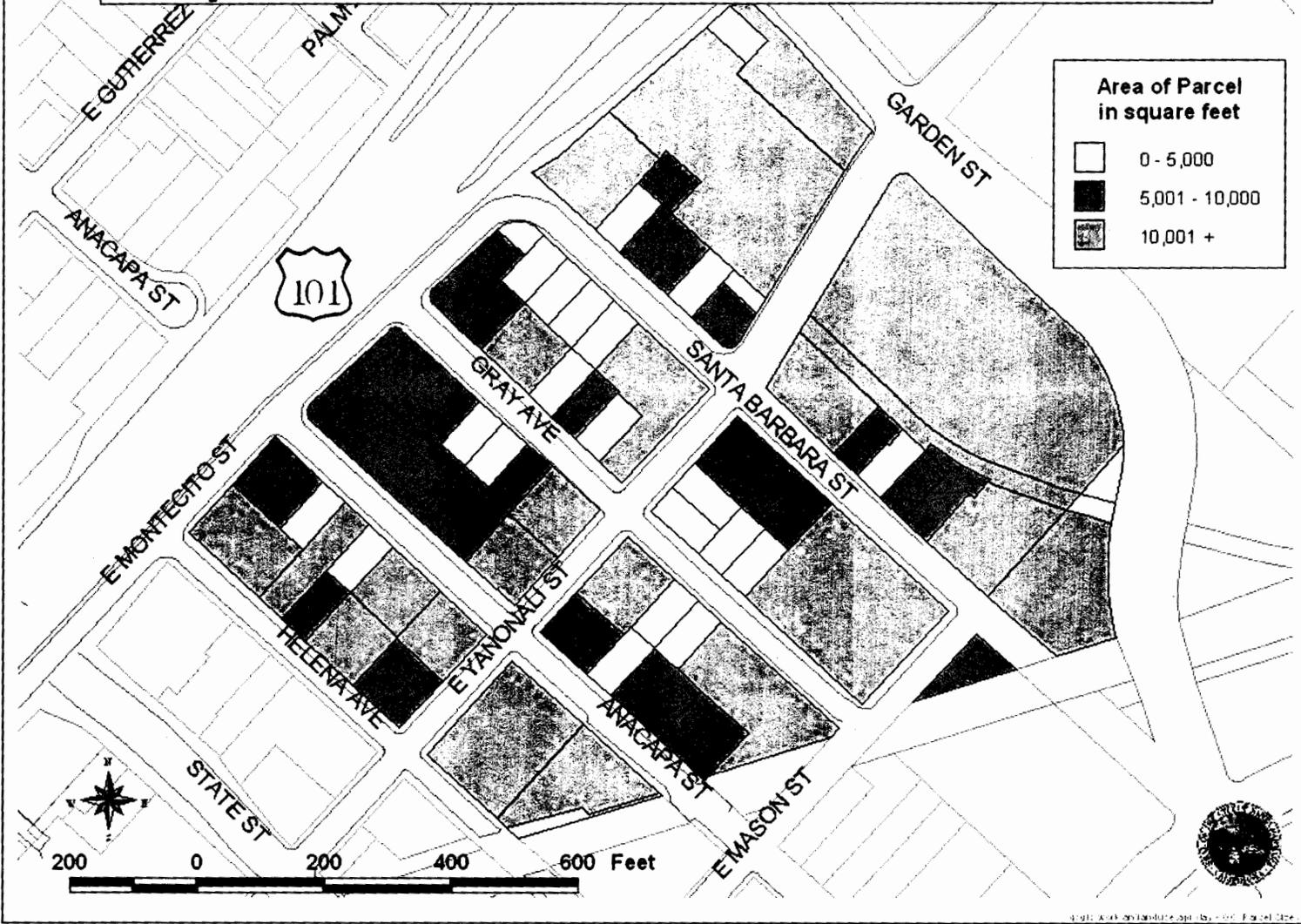
Fortunately for us, this is the same proposal that came before you in September of 1999, and our position is the same as it was then, except that we now have a concrete example of what permitting housing in the waterfront would bring us. We recognize that the Capital Pacific Holdings project on Garden and Yananoli street is building the kind of high-end condominiums that would fill this central waterfront if new housing were to be allowed here. We are anxious to preserve the kind of small scale business that exists there now, and the Commission staff compromise, to permit some apartments on the upper floors of commercial businesses, could satisfy what the public wants and what the City wants to retain here. However, in order to protect views of the mountains and our small town ambiance, and because of the extreme lack of parking space in this area, we ask that apartments be permitted on the second floor, and no third floors be allowed.

For several reasons, we are prepared to support the staff recommendations as presented, except for asking that only two stories be permitted in the Ocean-Oriented Commercial Zone (OC). We appreciate how seriously the staff has considered our particular area, and the problems that we face. The League of Women Voters strongly supported the rezoning to OC since 1998, and we encouraged City Council to proceed with it, because it is exactly what the public asked for during the City's 1997 Visioning process, in order to retain the small business uses.

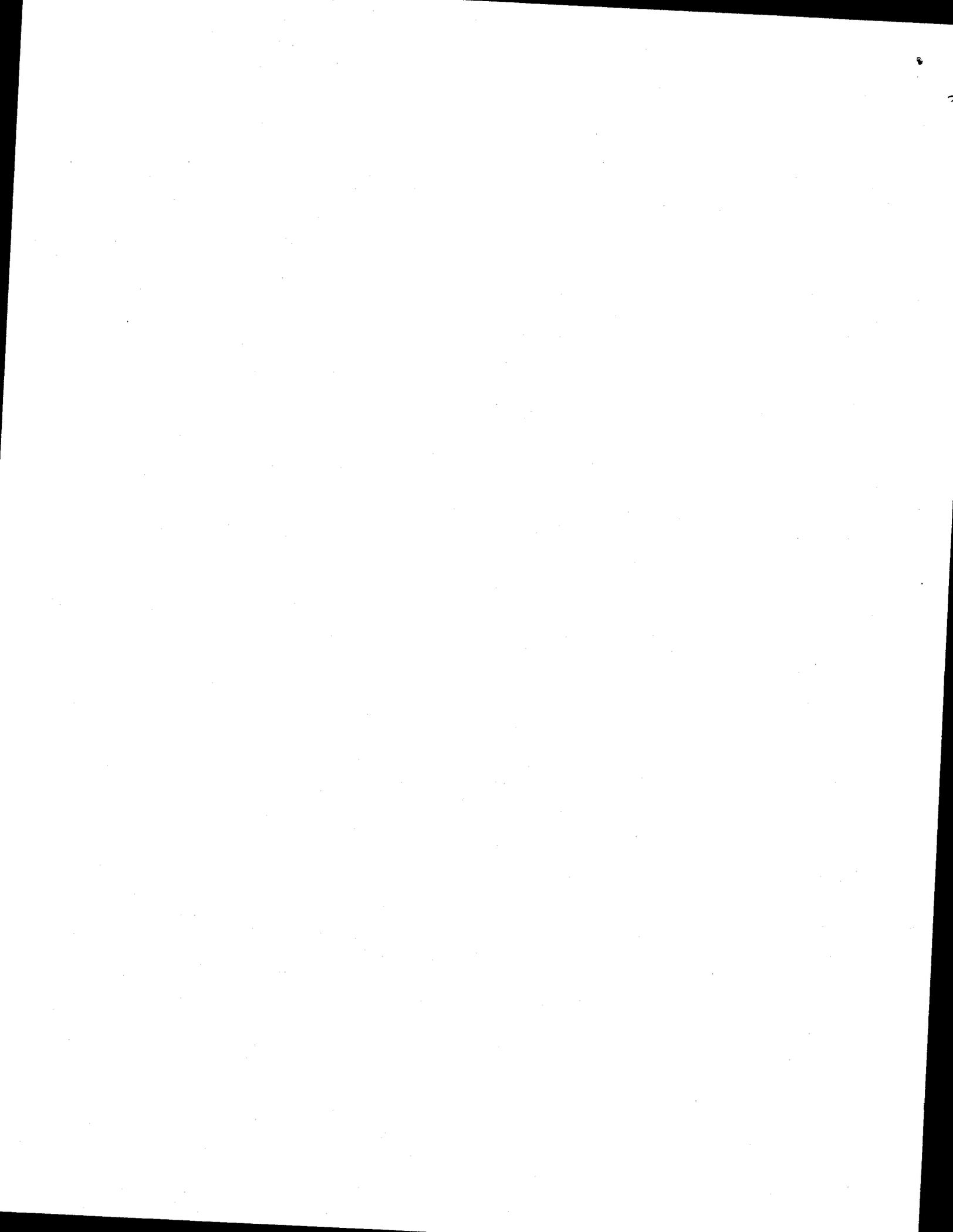
Santa Barbara has long had a special small town feel that both residents and tourists have enjoyed, and we want to preserve that as much as possible, while providing opportunities for everyone to enjoy the protected beach areas. The introduction of luxury housing in the central waterfront would destroy that feeling, and replace every other possible use there. The Coastal Act truly had a long range view of what would happen when it declared that housing should not be a priority use. It is certainly not the public's priority for their central waterfront in Santa Barbara.



# Proposed HRC/OC Rezone - Parcel Areas



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# Proposed HRC/OC Rezone - Existing Landuses

