

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

DATE: September 23, 2004
TO: Commissioners and Interested Persons
FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
Shana Gray, Coastal Program Analyst
SUBJECT: Santa Barbara County Local Coastal Program Amendment No. MAJ-1-03-B (Mecay-Hotchkiss Rezone) for Public Hearing and Commission Action at the Friday, October 15, 2004, Commission Meeting in San Diego.

DESCRIPTION OF THE SUBMITTAL

Santa Barbara County is requesting an amendment to the Land Use Plan and Implementation Plan portions of its certified Local Coastal Program (LCP) to rezone 18,823 sq. ft. from Recreation to Residential on the certified Land Use and Zoning Map in the Summerland Community Plan at 2305 and 2311 Finney Street and Lookout Park, Santa Barbara County.

Amendment STB-MAJ-1-03 consists of three separate changes to the County's certified LCP: (A) add interim Housing Element requirements for affordable housing projects to the certified Zoning Ordinance; (B) rezone 18,823 sq. ft. from Recreation to Residential on the certified Zoning Map; and (C) amend and add development standards for commercial and non-commercial telecommunication facilities to the certified Zoning Code. This staff report and recommendation deals with Part B of the amendment. Part A was approved as submitted at the May 13, 2004 Commission hearing. Part C was approved with suggested modifications at the June 9, 2004 Commission hearing.

The submittal was deemed complete and filed on August 29, 2003. At its October 2003 Commission meeting, the Commission extended the 60-day time limit to act on Local Coastal Program Amendment 1-03 for a period not to exceed one year. ***The Commission must therefore act upon the amendment at its October 2004 Commission meeting.***

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, **deny** the amendment to the certified LCP as submitted; then **approve, only if modified** as revised by the suggested modifications. As submitted the Land Use Plan and Coastal Zoning Ordinance amendments are inconsistent with the policies of Chapter Three of the Coastal Act pertaining to protection of environmentally sensitive habitat areas (ESHA), visual resources, and public access and recreation. As modified the amendment is consistent with Chapter Three of the Coastal Act and is sufficient to carry out the

provisions of the certified Land Use Plan. The motions to accomplish this recommendation begin on **page 4**.

Staff is recommending partial approval of the conversion of recreation/open space land to residential, in this particular case, for limited reasons. Currently existing residential development encroaches into two rights of way, one of which is managed as part of Lookout County Park. These rights of way are zoned as Recreation in the LCP. The existing paper rights of way (Finney Street and Morris Place) are not anticipated by the County to be opened at any time in the future because the Finney Street right of way is land-locked by other legal, existing residential development. As a result, the potential for future trails that would connect to this right of way is considered extremely unlikely. Suggested Modification 2 provides that in lieu of the land-locked easement, equal public access benefits shall be provided in the immediate vicinity in the form of a minimum of 40 new parking spaces, coastal access signage, and other minor access improvements along two existing, nearby vertical public accessways. Further, staff is recommending that a majority of the Morris Place (parcel 3) right of way retain its existing designation of recreation in order to ensure continued protection of monarch butterfly habitat. Though the monarch habitat would now be privately owned, the designated *development exclusion area* will protect the monarch habitat from future development such as limbing or trimming of trees, grading, or any additional structures in and around the eucalyptus grove. The suggested modifications necessary to implement the above recommendation for split-zoning the parcels and requirements of the development exclusion area begin on **page 7**.

The modifications are necessary to protect public access, recreation, and sensitive habitat areas which might otherwise receive lesser protection due to the change from recreation/open space to residential. Notably, if modified as recommended in this staff report, the amendment still resolves the issue of encroachment onto the rights of way, which is the stated intent of the LCP amendment. Further, as modified as suggested in this report, any future residential development which could be located on proposed Parcel 1 or Parcel 2 would be limited to the existing developed building pad area.

Substantive File Documents

Resolution No. 03-077, County of Santa Barbara, *In the matter of submitting to the Coastal Commission amendments to the text and maps of the Santa Barbara County Local Coastal Program*, passed, approved, and adopted by the Board of Supervisors March 18, 2003; Resolution 03-076 (Case # 00-GP-009), County of Santa Barbara, *In the matter of approving an amendment to the Summerland Community Plan component of the coastal land use plan to change the land use designation of portions of Morris Place and Finney Street from existing public or private Park/Recreation or Open Space to Single Family Residential 4.6 units per acre*, passed, approved, and adopted by the Board of Supervisors March 18, 2003; Ordinance No. 4489, County of Santa Barbara, *Adopting by reference one zoning map identified as Board of Supervisors Exhibit No. 35-54.16.4, to rezone portions of Finney Street and Morris Place from Recreation to 7-R-1*, passed, approved, and adopted by the Board of Supervisors March 18, 2003; Final Negative Declaration (02-ND-32) for Mecay/Hotchkiss Lot Line Adjustment, Rezone, General Plan Amendment, and Coastal Development Permit, January 15, 2003.

Additional Information: Please contact Shana Gray, California Coastal Commission, South Central Coast Area, 89 So. California St., Second Floor, Ventura, CA. (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 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 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. The standard of review for the proposed amendment to the Implementation Plan of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified Santa Barbara County Local Coastal Program. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified County LUP as guiding policies pursuant to Policy 1-1 of the LUP.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The County held public hearings on 1/15/03, 2/5/03, and 3/18/03 and received verbal and written comments regarding the project from concerned parties and members of the public. The hearings were noticed to the public consistent with Sections 13552 and 13551 of the California Code of Regulations.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of the California Code of Regulations, the County resolution for submittal may submit a Local Coastal Program Amendment that will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. In this case, because this approval is subject to suggested modifications by the Commission, if the Commission approves this Amendment, the County must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective (Section 13544.5; Section 13537 by reference;). Pursuant to Section 13544, the Executive Director shall determine whether the County's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. If the Commission denies the LCP Amendment, as submitted, no further action is required by either the Commission or the County.

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

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

A. DENIAL AS SUBMITTED

MOTION I: *I move that the Commission CERTIFY Land Use Plan Amendment STB-MAJ-1-03-B to the County of Santa Barbara Coastal Plan, as submitted by the County of Santa Barbara.*

STAFF RECOMMENDATION OF REJECTION:

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 IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of Land Use Plan Amendment STB-MAJ-1-03-B to the County of Santa Barbara Coastal Plan and adopts the findings set forth below on 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 WITH SUGGESTED MODIFICATIONS

MOTION II: *I move that the Commission CERTIFY Land Use Plan Amendment STB-MAJ-1-03-B to the County of Santa Barbara 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 WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies Land Use Plan Amendment STB-MAJ-1-03-B to the County of Santa Barbara Coastal Plan if modified as suggested and adopts the findings set forth below on grounds that the land use 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 PLAN/COASTAL ZONING ORDINANCE (IP/CZO)

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

A. DENIAL AS SUBMITTED

MOTION III: *I move that the Commission reject the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-1-03-B as submitted.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program 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 County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-1-03-B and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program 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 as submitted

B. CERTIFICATION WITH SUGGESTED MODIFICATIONS

MOTION IV: *I move that the Commission certify County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-1-03-B if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION:

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 County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-1-03-B if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended, if modified as suggested herein. Certification of the Implementation Program 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 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 ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)

The staff recommends the Commission certify the following, with the modifications as shown below. The existing language of the certified LCP is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

1. Land Use Designation

The Summerland Community Plan and associated Land Use Plan Map shall illustrate that Parcel 1 (APN No. 005-240-001) and Parcel 2 (APN No. 005-240-002) shall be split-zoned to designate the portion of the parcel(s) east of the exclusion line shown on Exhibit 7 as Residential and the remaining portion of the parcel(s) to the west of the exclusion line as shown on Exhibit 7 (i.e., the development exclusion area) shall retain the designation of Public or Private Park/Recreation or Open Space.

2. Summerland Community Plan

Policy CIRC-S-18: Existing public rights-of-way shall not be abandoned. However, an exception may be made in the case of Assessor Parcel No. 005-240-001 and Assessor Parcel No. 005-240-002. Such abandonment may occur in exchange for equal public access benefits which shall include the following: improving two beach access trails within the Summerland Community Plan Area, providing a minimum of 40 public coastal parking spaces along Wallace Avenue, and installing instructional access signage along Wallace Avenue. As a condition of rezoning part of Assessor Parcel No. 005-240-001 and Assessor Parcel No. 005-240-002 from recreational and open space use to residential use, the property owner(s) shall sign a written agreement acknowledging and agreeing that new development (including any modification of trees such as trimming or limbing, grading, and fences) shall be prohibited in the designated exclusion area as shown on Exhibit 7. The existing stairways may remain. The designated exclusion area requirement shall run with the land and all present and future owners shall be subject to the prohibition of additional development.

V. SUGGESTED MODIFICATIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO)

The staff recommends the Commission certify the following, with the modifications as shown below. The existing language of the certified LCP is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line-out~~.

Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

3. Zoning Map

The Zoning Map shall illustrate that Parcel 1 (APN No. 005-240-001) and Parcel 2 (APN No. 005-240-002) shall be split-zoned to designate the portion of the parcel(s) east of the exclusion line shown on Exhibit 7 as Residential (7-R-1) and the remaining portion of the parcel(s) to the west of the exclusion line as shown on Exhibit 7 (i.e., the development exclusion area) shall retain the designation of Recreation. This map change shall not take effect until all of the provisions of Policy CIRC-S-18 are fulfilled.

VI. FINDINGS FOR DENIAL AS SUBMITTED AND APPROVAL OF THE LOCAL COASTAL PROGRAM IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the LCP amendment as submitted, and approval of the LCP amendment if modified as indicated in Section III (*Suggested Modifications*) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

Santa Barbara County is requesting an amendment to the certified Land Use Plan and Coastal Zoning Ordinance portions of its certified Local Coastal Program (LCP) to rezone/redesignate 18,823 sq. ft. of County rights of way from recreation to residential use as means of resolving an existing violation wherein two residences have been built upon a portion of two public rights of way (Finney Street and Morris Place). See Exhibit 4 for existing and proposed zoning changes.

Specifically, the County proposes to:

1. Amend the Summerland Community Plan component of the Local Coastal Program to redesignate a portion (approximately 16,483 sq. ft.) of the Morris Place right of way located on the eastern end of Lookout Park from existing *Public or Private Park/Recreation or Open Space* to *Residential* with a density of 4.6 units per acre maximum. (Exhibits 1 and 2)
2. Amend the Summerland Community Plan component of the Local Coastal Program to redesignate a portion of the Finney Street right of way (approximately 2,340 sq. ft.) from existing *Public or Private Park/Recreation or Open Space* to *Residential* with a density of 4.6 units per acre maximum. (Exhibits 1 and 2)
3. Amend the Zoning Map to rezone a portion (approximately 16,483 sq. ft.) of the Morris Place right of way located on the eastern end of Lookout Park from the

existing *Recreation* zone district to 7-R-1 (Single Family Residential, 7,000 sq. ft. minimum parcel size). (Exhibits 1 and 3)

4. Amend the Zoning Map to rezone a portion (approximately 2,340 sq. ft.) of the Finney Street right of way from the existing *Recreation* zone district to 7-R-1 (Single Family Residential, 7,000 sq. ft. minimum parcel size). (Exhibits 1 and 3)

B. BACKGROUND AND PURPOSE

The project site is located on a coastal bluff adjacent to the Pacific Ocean in Summerland, Santa Barbara County (Exhibit 5). A small, seasonal drainage forms a canyon in the coastal bluff immediately upcoast of two existing residences at 2305 and 2311 Finney Street. Drainage from the two residences flows west across the properties and down a relatively steep slope into the seasonal drainage and exits on the beach to the south. Vegetation on site consists of a dense, closed canopy stand of eucalyptus located in the drainage separating Parcels 1 and 2 from the unimproved Morris Place right of way (Parcel 3, County ROW). Understory vegetation in this drainage is comprised of a mix of native and non-native riparian vegetation. The remainder is landscaped with typical urban horticultural species.

The proposed amendment would rezone and redesignate portions of the Finney Street and Morris Place rights of way to 7-R-1 Zone District (Residential, 1 dwelling unit per 7,000 square feet) with a Coastal Land Use designation of Residential 4.6 (maximum density of 4.6 units per acre) to be consistent with the existing development and adjacent zoning.

The stated intent of the amendment is to remediate a long-standing violation of encroachments, in which two single-family dwellings located at 2305 and 2311 Finney Street have been built upon County rights of way, the Finney Street right of way and the Morris Place right of way. Both the Finney Street and Morris Place rights of way are currently zoned Recreation (REC) with a Coastal Plan designation of Public Park/Recreation. Finney Street and Morris Place have not been used as road rights of way for many years. Additionally, the County does not anticipate that Finney Street or Morris Place would ever be developed or used as roadways. The two existing residences located on Finney Street were constructed in the early 1940s per reported County records and photos. The residential structure on Parcel 2 (Mecay parcel) encroaches significantly onto both the Finney Street and Morris Place rights of way. On Parcel 1 (Hotchkiss parcel) the encroachment onto the Finney Street right of way consists of a brick and concrete walkway and curb. Over time, other residences have been constructed farther to the east where the Finney Street right of way has previously been abandoned by the County (prior to the Coastal Act) such that any future use of Finney Street for public purpose is impossible absent removal of numerous private residences. The Morris Place right of way lies within the boundary of Lookout Park, a County-owned public park in Summerland.

C. PRIOR COUNTY ACTION

The amendment requests a rezone/redesignation of Finney Street and a portion of Morris Place, both County rights of way, to residential use at 2305 and 2311 Finney Street and Lookout Park, Summerland. The Board of Supervisors has already vacated the Finney Street right of way and approved a lot line adjustment and Rezone/General Plan amendment to resolve the structural encroachments onto these areas. The County determined that the Finney Street right of way is currently not used for any public purpose, and due to the existing private residential development located on and adjacent to this right of way, it is highly unlikely (absent removal of private residences) that any future use as a right of way could be accommodated in the foreseeable future. Therefore, the County considered the abandonment of this right of way as the only reasonable solution to resolve the existing encroachment of private development on County owned property.

On March 21, 2000, the County formally vacated the Finney Street easement. After preparing a draft negative declaration, the County approved the abandonment and sale of the road right of way and a lot line adjustment.

The County approved a Lot Line Adjustment 00-LA-018 on March 18, 2003 to adjust the existing lot lines of three legal parcels and the Finney Street right-of-way of 7,429 sq. ft. (Parcel 1, Hotchkiss), 2,605 sq. ft. (Parcel 2, Mecay), and 36,679 sq. ft. (Parcel 3, Morris Place). The lot line adjustment resulted in three lots of 10,536 sq. ft. (Parcel 1), 15,263 sq. ft. (Parcel 2), and 20,916 sq. ft. (Parcel 3) as shown in Exhibit 6. As proposed, Finney Street would be abandoned and become part of Parcel 2.

Parcel	Existing	Proposed
Parcel 1 (Hotchkiss)	7,429 sq. ft.	10,536 sq. ft.
Parcel 2 (Mecay)	2,605 sq. ft.	15,263 sq. ft.
Parcel 3 (Morris Place)	36,679 sq. ft.	20,196 sq. ft.
Finney Street	2,340 sq. ft.	Abandoned

Adjusted parcels 1 and 2 are currently developed with single family homes, the Finney Street right of way is eliminated, and a majority of Morris Place remains part of Lookout Park, zoned recreation which prohibits private residential development.

A notice of final action (4-STB-03-064) for this lot line adjustment was received at the Commission's South Central Coast District Office on April 9, 2003. No appeals were received and the appeal period ended April 23, 2003.

D. CONSISTENCY ANALYSIS

The subject amendment raises issue with regard to consistency with the provisions of the Coastal Act including visual resources, public access & recreation, and environmentally sensitive habitat. The proposed LCP amendment's consistency with the Coastal Act and existing LCP provisions is detailed below.

Visual

The project site is located on a coastal bluff adjacent to the Pacific Ocean. A small, seasonal drainage forms a canyon in the coastal bluff immediately upcoast of the two existing residences. Vegetation on site consists of a dense, closed canopy stand of eucalyptus located in the drainage separating Parcels 1 and 2 from the Morris Place right of way. The structure on Parcel 2 is setback approximately 60 feet from the edge of the bluff and approximately 15 feet from the eastern slope of the drainage. West of the flat developed areas of Parcels 1 and 2, the topography consists of slopes of 20-45 percent.

Coastal Act Section 30251 requires that visual qualities of coastal areas be protected, landform alteration be minimized, and where feasible, degraded areas shall be enhanced and restored. This policy requires that development be sited and designed to protect views to and along the ocean and other scenic coastal areas. This policy also requires that development be sited and designed to be visually compatible with the character of surrounding areas. New development must also minimize the alteration of natural landforms, and, where feasible, include measures to restore and enhance visual quality where it has been degraded. Furthermore, Policy 4-3 of the certified LUP requires that new development in rural areas be compatible with the character of the surrounding natural environment in height, scale, and design. Additionally LUP Policy 3-14 requires that new development be designed to fit the topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Policy 3-14 further requires that areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

Parcel 3 (the Morris Place right of way) is managed as part of Lookout County Park and contains a public trail from the east end of the Park parking lot to the beach. Both Parcels 1 and 2 are visible from this trail. Furthermore, Parcel 1 is located on a coastal blufftop visible from the public beach below. The County is proposing to rezone/redesignate a portion of Finney Street and a portion of Morris Place, both County rights of way, to residential use. As a result natural areas visible from the public trail and public beach would now be open for residential uses. The Commission finds, however, that removal and/or limbing and trimming of the eucalyptus grove; or grading of the slope would have significant adverse impacts on visual resources. Consistent with the above policies for protection of visual resources, Suggested Modifications One (1) and Three (3) limit the rezone to a *partial* rezoning from recreation to residential. The eucalyptus grove and slope along the trail shall be excluded from any future development potential of Parcels 1 and 2 and shall retain the recreation designation. This revised rezone will allow for the existing structural development to be legalized, but will not allow intensification of use of the natural area along the Morris Place right of way.

The Commission therefore finds that the proposed LUP amendments, with regard to the protection of visual resources, as submitted are inconsistent with the requirements of Section 30251 of the Coastal Act unless modified as suggested above. Additionally, the

proposed visual resource protection implementation amendments are not consistent with or adequate to carry out the LUP unless modified as suggested above.

Public Access/ Recreation

To carry out the requirement of Section 4 of Article X of the California Constitution, Coastal Act Section 30210 provides that maximum access and recreational opportunities be provided consistent with public safety, public rights, private property rights, and natural resource protection. Coastal Act Section 30211 requires that development not interfere with the public's right of access to the sea with certain exceptions. Section 30214 provides that the implementation of the public access policies take into account the need to regulate the time, place, and manner of public access depending of such circumstances as topographic and geologic characteristics, the need to protect natural resources, proximity to adjacent residential uses etc.

LCP policies 7-1 and 7-2 provide for the County's duty to "protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline" and further provide that some development projects may be required to allow vertical access to the mean high tide line. Policy 7-3 states that for new development between the first public road and the ocean, the granting of lateral easements shall be mandatory. Policy CIRC-S-16 of the certified Summerland Community Plan states that "additional public parking at the beach access areas in Summerland shall be provided, and where existing, shall be improved if necessary. Actions CIRC-S-16.2 and 16.3 specifically allow for the restriping and addition of coastal parking spaces along Wallace Avenue and Finney Street East. LUP Policy 7-9(d) requires that the Morris Place right of way be managed as part of Lookout Park and that the area be kept in its natural state except for the footpath from the parking area to the beach. Policy CIRC-S-18 of the Summerland Community Plan states that existing public rights-of-way shall not be abandoned.

There are three existing legal accessways in the vicinity of the project site: Lookout Beach Park, Morris Place (on the east end of Lookout Park), and Finney Street East (east of the Sanitary District Plant). Additionally, Loon Point, approximately one mile downcoast, provides beach access within the Summerland Community Plan Area.

The accessways at Lookout Park and Finney Street East consist of short beach access ramps to the beach. The existing access trail at Morris Place (parcel 3) runs along the bottom of the drainage through the eucalyptus grove adjacent to the proposed western property line of Parcel 2. The trail extends from the sandy beach up through this drainage and veers west up to Lookout Park and east up to Parcels 1 and 2. Improvements to the existing pathway are not expected to significantly increase the number of users of this beach access. However, the addition of coastal parking would accommodate increased use of the area at all three existing legal accessways in the vicinity (Lookout Park, Morris Place, & Finney Street East).

A recent parking inventory indicates that the majority of coastal parking available in the vicinity is found at Lookout County Park (see below). There are 78 dedicated parking spaces available at Lookout County Park and 57 dedicated spaces available at Loon

Point. The approximately 20 parking spaces along Finney Street East are not formally delineated by striping, consisting primarily of street parking. There is one pullout along Wallace Avenue, presumably associated with the railroad right of way. The pullout receives some informal use; however, its capacity is limited to just a few cars. The remainder of Wallace Avenue is constrained by the layout of the roadway and the existing curbs. A review by the County indicated that Wallace Avenue could accommodate approximately 40 new parallel on-street parking spaces as a result of minor improvements such as restriping (Exhibit 8a). Angled parking was not considered viable due to the speed of traffic along Wallace Avenue.

Location	No. of Parking Spaces
Loon Point	57
Lookout County Park	78
Finney Street East	Approx. 20
Wallace Avenue	0 Existing / Potential for Approximately 40

The amendment requests a rezone/redesignation of Finney Street and a portion of Morris Place, both County rights of way, to residential use. The Board of Supervisors vacated the Finney Street easement and directed Planning and approved a lot line adjustment and Rezone/General Plan amendment to resolve the structural encroachments onto these areas. The County determined that the Finney Street right of way is currently not used for any public purpose, and due to the existing private residential development located on and adjacent to this right of way, it is highly unlikely (absent removal of private residences) that any future use as a right of way could be accommodated in the foreseeable future. Therefore, the County considered the abandonment of this right of way as the only reasonable solution to resolve the existing encroachment of private development on County owned property.

Policy CIRC-S-18 of the Summerland Community Plan, which includes the subject properties, states that existing public rights-of-way shall not be abandoned. However the proposed amendment consists of rezoning from recreation/open space to residential designations. This action is part of the County action to abandon, sell, and rezone a portion of public land into private ownership to abate existing violations of encroachments. The County approved the abandonment of both the Finney Street and Morris Place rights of way. However, this is inconsistent with the certified LCP Policy CIRC-S-18. Consequently, the Commission requires Suggested Modification Two (2) to modify Policy CIRC-S-18 to allow for a special exception under these limited circumstances, provided that equal public access benefits are concurrently established and that the owners of the parcels agree to avoid any and all development within the designated exclusion area (see Exhibit 7).

Suggested Modification 2 retains the current LCP requirement that existing public rights-of-way shall not be abandoned. However, an exception may be made in the case of Assessor Parcel No. 005-240-001 and Assessor Parcel No. 005-240-002 where such abandonment may occur in exchange for equal public access benefits in the Summerland Community Plan Area, which shall consist of the following: improve two beach access trails, provide a minimum of 40 public coastal parking spaces and instructional access signage along Wallace Avenue. The rezoning of these Parcels may

occur if the property owners sign a written agreement acknowledging that new development (including any modification of trees such as trimming or limbing, grading, and fences) shall be prohibited in the designated exclusion area shown in Exhibit 7.

Therefore, the Commission finds that under these limited circumstances, and as modified in this staff report, that public access and recreation will be protected pursuant to Coastal Act requirements. The existing paper rights of way are not anticipated by the County to be opened at any time in the future because the Finney Street right of way is land-locked by other legal, existing residential development. As a result, the potential for future trails which would connect to this right of way is considered extremely unlikely. In lieu of the land-locked easement, equal public access benefits shall be provided in the immediate vicinity in the form of a minimum of 40 new parking spaces, coastal access signage, and other minor access improvements along two existing, nearby vertical public accessways (see Exhibit 8b for potential trail improvements at Morris Place), as described in Suggested Modification 2.

LUP Policy 7-9(d) specifically states, "Morris Place shall be managed as part of Lookout Park. The area shall be kept in its natural state as much as possible. A footpath from the parking area in the park to the beach shall be provided." Though a majority of Morris Place will be retained as part of Lookout Park including the public trail, a portion has been sold into private ownership. The County sold the adjusted area of the Morris Place and Finney Street rights of way for \$125,000 (\$6.64 per sq. ft.). The proceeds from the sale of Morris Place and Finney Street are specifically designated for beach parking or other coastal access improvements in the Summerland area. The site has already been transferred from public to private ownership pursuant to the Lot Line Adjustment described in Section C "Prior County Action," above. Additionally, the purchasers were required to provide \$15,000 for public access improvements to mitigate the impact to public access. The proceeds will be used for access improvements in the vicinity, including Morris Place and Finney Street East. As stated previously, the Morris Place accessway would continue to be owned by the County and managed as part of Lookout Park consistent with LUP Policy 7-9. Therefore, the public benefit associated with operating Morris Place as part of Lookout Park will not be compromised.

As discussed above, the Commission finds that the proposed LUP amendments, with regard to the protection of public access and recreation, as submitted are inconsistent with the requirements of the Coastal Act unless modified as suggested above. Additionally, the proposed public access and recreation implementation amendments are not consistent with or inadequate to carry out the LUP unless modified as suggested above.

Environmentally Sensitive Habitat

The Coastal Act requires the protection of environmentally sensitive habitat areas (ESHA) against any significant disruption of habitat values. No development may be permitted within ESHA, except for uses that are dependent on the resource. Section 30240 of the Coastal Act further requires that development adjacent to ESHA be sited and designed to prevent impacts that would significantly degrade ESHA and to be

compatible with the continuance of the habitat areas. Section 30240 of the Coastal Act further requires that development adjacent to parks and recreation areas be sited and designed to prevent impacts. LUP Policy 2-11 requires that all development adjacent to environmentally sensitive habitat areas be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.

The existing certified LCP provides general policies which require development adjacent to areas designated on the land use plans or resource maps as ESHA, to be regulated to avoid adverse impacts on habitat resources, including measures such as setbacks, buffers, grading and water quality controls. Additionally the LUP and Zoning Ordinance provide specific development standards by ESHA type. The project site is also subject to the Summerland Community Plan, a certified area plan with additional detailed policy language.

The project site is located on a coastal bluff adjacent to the Pacific Ocean. A small, seasonal drainage forms a canyon in the coastal bluff immediately upcoast of the two existing residences. Drainage from the two residences flows west across the properties and down a relatively steep slope into the seasonal drainage and exits on the beach to the south. Vegetation on site consists of a dense, closed canopy stand of eucalyptus located in the drainage separating Parcels 1 and 2 from Morris Place. Understory vegetation in this drainage is comprised of a mix of native and non-native riparian vegetation. The remainder is landscaped with typical urban horticultural species.

The eucalyptus grove is known to support an autumnal aggregation of Monarch butterflies. This site is reported in both the 1999 Meade and the 1991 Calvert reports which identify and describe Monarch habitat in Santa Barbara County. An existing public trail runs along the bottom of the drainage through the eucalyptus grove adjacent to the proposed western property line of Parcel 2. Meade reports that the subject eucalyptus grove has consistently attracted butterflies for many years and that the maximum number observed has been 345 individuals.

Additionally, the Negative Declaration stated:

Potentially significant impacts to Monarchs could result from direct loss of roosting trees, the introduction of predators, and human disturbance. As a result of [the] proposed lot line adjustment, approximately 17,000 square feet of undeveloped land encompassed within Morris Place would be transferred to parcels 1 and 2 and rezoned to residential. As a result, future development could occur within the Eucalyptus grove resulting in direct loss of habitat and/or substantial disturbance to the insects during aggregation periods from increased human presence, noise, and light. Monarchs have been known to abandon long established sites when human presence is significantly increased. Such impacts would be considered potentially significant.

To address the potential impacts of the lot line adjustment, the County delineated a *development exclusion area* on both sites, which encompasses all undeveloped areas

on parcels 1 and 2 with slopes over 20 percent. The development exclusion area prohibits future development with some exceptions.

A portion of the vacated Morris Place right of way includes a eucalyptus grove which is a known aggregation site for monarch butterflies, as described above. Monarch butterflies are known to be extremely sensitive to changes in environmental factors which may change the overwintering habits of the monarchs. In this case, the County is proposing to rezone a portion of the monarch habitat from recreation to residential. However, future residential development could result in land use incompatibilities with adjacent monarch habitat or recreational uses.

LUP Policy 7-9(d) states, "Morris Place shall be managed as part of Lookout Park. The area shall be kept in its natural state as much as possible. A footpath from the parking area in the park to the beach shall be provided." Though a majority of Morris Place will be retained as part of Lookout Park including the public trail, a portion has been sold into private ownership. The County vacated the Morris Place right of way (in part) and the Finney Street right of way, and the property has already been transferred from public to private ownership pursuant to the Lot Line Adjustment described in Section C "Prior County Action," above. However, to ensure that Policy 7-9 is fully implemented, the area must be maintained in its natural state to the maximum extent feasible. The sale of a portion of Morris Place equates to a reduction in size of the publicly owned portion of Lookout Park. Though the lot line adjustment extends Parcels 1 and 2 onto Morris Place, retention of the trail will ensure that the area will continue to be kept in a natural state and the footpath will be retained as Lookout Park.

The Commission finds that rezoning this sensitive habitat area from recreation to residential may provide lesser protection of the monarch habitat, inconsistent with Coastal Act Section 30240 and LUP Policy 7-9. Therefore to protect the monarch butterfly habitat consistent with Section 30240 of the Coastal Act and to ensure that the natural state of the eucalyptus grove is maintained to the maximum extent feasible as required by LUP Policy 7-9, the Commission requires Suggested Modification One (1) to modify the Land Use Plan Map to split-zone Parcel 1 (APN No. 005-240-001) and Parcel 2 (APN No. 005-240-002) such that the portion of the parcel(s) east of the exclusion line shown on Exhibit 7 shall be identified as Residential and the remaining portion of the parcel(s) to the west of the exclusion line as shown on Exhibit 7 shall retain the designation of Public or Private Park/Recreation or Open Space. Suggested Modification Three (3) is necessary to implement the modified rezone of Parcel 1 (APN No. 005-240-001) and Parcel 2 (APN No. 005-240-002).

Furthermore, the Commission finds that monarch habitat could be degraded by any future development, including trimming of trees or construction of fencing within the eucalyptus grove because it is a known aggregation site. To ensure that the development exclusion area (as required by the County's previous lot line adjustment as well as required by Suggested Modifications 1 and 3) adequately restricts development, Suggested Modification Two (2) provides for the restrictions within the development exclusion area. Suggested Modification 2 retains the current LCP requirement that existing public rights-of-way shall not be abandoned. However, an exception may be made in the case of Assessor Parcel No. 005-240-001 and Assessor

Parcel No. 005-240-002 where such abandonment may occur in exchange for equal public access benefits. As a condition of rezoning the parcels, the property owners shall acknowledge and agree that new development (including any modification of trees such as trimming or limbing, grading, and fences) shall be prohibited in the designated exclusion area shown on Exhibit 7.

Pursuant to Suggested Modifications 1 and 3 a majority of the Morris Place (parcel 3) right of way would retain its existing designation of recreation in order to ensure continued protection of monarch butterfly habitat. Though the monarch habitat would now be privately owned, the designated *development exclusion area* will protect the monarch habitat from future development such as limbing or trimming of trees, grading, or addition of any additional structures in and around the eucalyptus grove.

The existing trail at Morris Place that connects to the eastern end of the parking lot traverses through an area used annually by monarch butterflies. Monarchs are known to abandon roost sites when human presence is significantly increased. Improvements to the existing pathway are not expected to significantly increase the number of users of this beach access. However, the addition of coastal parking is anticipated to intensify use of the area, including the three existing legal accessways in the vicinity (Lookout Park, Morris Place, & Finney Street East). Given the limited additional parking and other potential accessways, the trail along Morris Place is not anticipated to experience a significant increase in use as a result of the 40 additional parking spaces along Wallace Avenue.

The Commission therefore finds that the proposed LUP amendments, with regard to the protection of ESH, as submitted are inconsistent with the requirements of Section 30240 of the Coastal Act unless modified as suggested above. Additionally, the proposed ESH protection implementation amendments are not consistent with or adequate to carry out the LUP unless modified as suggested above.

VII.CALIFORNIA ENVIRONMENTAL QUALITY ACT

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 County of Santa Barbara's certified Local Coastal Program Implementation Ordinance. The Commission originally certified the County of Santa Barbara's Local Coastal Program Land Use Plan and Implementation Ordinance

in 1981 and 1982, respectively. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the applicable policies of the Coastal Act and the certified Land Use Plan and feasible alternatives and mitigation 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 certified Land Use Plan. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF SUBMITTING TO THE)
COASTAL COMMISSION AMENDMENTS TO THE)
TEXT AND MAPS OF THE SANTA BARBARA)
COUNTY LOCAL COASTAL PROGRAM)

RESOLUTION NO: 03-077
CASE NO.s: 01-OA-005, 01ORD-00000-
00002; 02ORD-00000-00001; 00-GP-009;
00-RZ-007

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Land Use Plan; and
- B. On July 19, 1982, by Ordinance 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. The Board of Supervisors, having deemed it to be in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County, has amended the Local Coastal Program as specified below.

Commercial and Non-Commercial Telecommunications Amendments:

- 1. 01-OA-005, amend Article II of Chapter 35 of the Santa Barbara County Code, as follows: amend existing Sections **Zoning District Designations and Applicability; Definitions; General Regulations (Height); Communication Facilities**. Add a new section titled **Noncommercial Telecommunications Facilities**.

Interim Amendments to the County's 1993 Housing Element:

- 1. 01ORD-00000-00002, amend Article II of Chapter 35 of the Santa Barbara County Code as follows: amend **Section 35-102C, AH Affordable Housing**, to restart the 30-year affordability term with each sale of an affordable unit for a maximum 60-year period; amend **Section 35-144C, Density Bonus for Affordable Housing Projects**, to restart the 30-year affordability term with each sale of an affordable unit for a maximum 60-year period.

Amendments to Regulate the Installation and Use of Small Wind Energy Systems Outside of Urbanized Areas:

- 1. 02ORD-00000-00001, amend Article II of Chapter 35 of the Santa Barbara County Code, as follows: amend **Division 7 (General Regulations)** to add a new **Section 35-149 (Small Wind Energy Systems)**.

Mecay Hotchkiss General Plan Amendment and Rezone

- 1. 00-GP-009, amend the Santa Barbara County Coastal Land Use Plan by changing the Land Use Designation from Public Park/Recreation to Residential.
- 2. 00-RZ-007, rezone 18,823 square feet from Recreation (REC) to Residential (7-R-1) under the provisions of Article II of Chapter 35 of the Santa Barbara County Code

EXHIBIT 1

STB-MAJ-1-03-B

**County Resolution 03-077 to
submit LCP Amendment to
Commission**

- D. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on the said proposed amendments in duly noticed public hearings pursuant to Section 65353 of the Government Code, and the Planning Commission has sent its written recommendations to the Board pursuant to Section 65354 of the Government Code.
- E. This Board has held duly noticed public hearings, as required by Section 65355 and 65856 of the Government Code, on the proposed amendments, at which hearings the amendments were explained and comments invited from the persons in attendance.
- F. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Plan, and the requirements of State Planning and Zoning laws as amended to this date.
- G. The Board now wishes to submit these amendments to the California Coastal Commission.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Section 65356 and 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes have been previously adopted as amendments to the Santa Barbara County Coastal Plan, Coastal Zoning Ordinance text, and Coastal Zoning Maps.
3. The Board certifies that these amendments are intended to be carried out in a manner fully in conformity with the said California Coastal Act.
4. The Board submits these Local Coastal Program amendments to the California Coastal Commission for review and certification.
5. The Chairman and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

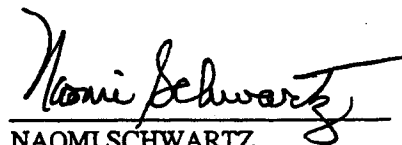
PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 18th day of March, 2003, by the following vote:

AYES: Supervisors Schwartz, Rose, Gray and Centeno

NOES: None

ABSTAIN: None

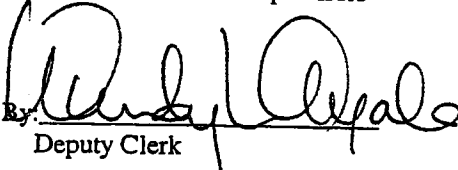
ABSENT: Supervisor Marshall



NAOMI SCHWARTZ
Chair, Board of Supervisors
County of Santa Barbara

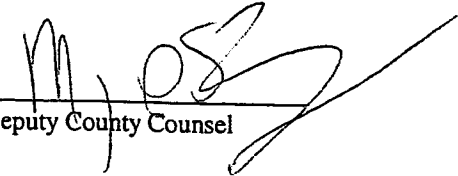
ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By: 
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By: 
Deputy County Counsel

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING AN)
AMENDMENT TO THE SUMMERLAND)
COMMUNITY PLAN COMPONENT OF THE)
COASTAL LAND USE PLAN TO CHANGE THE)
LAND USE DESIGNATION OF PORTIONS OF)
MORRIS PLACE AND FINNEY STREET FROM)
EXISTING PUBLIC OR PRIVATE PARK/)
RECREATION OR OPEN SPACE TO SINGLE)
FAMILY RESIDENTIAL 4.6 UNITS PER ACRE)

RESOLUTION NO. 03-076
CASE NO. 00-GP-009

This is a true certified copy of the original document
on file or of record in my office. It bears the seal
and signature, imprinted in purple ink, of the
Clerk of the Board of Supervisors.



Clerk of the Board, Santa Barbara County, California

Date: 4/18/03 by Deputy: _____

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Plan; and
- B. On July 19, 1982, by Ordinance 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. On April 27, 1992, by Resolution Nos. 92-238, 239, and on May 19, 1992 by Resolution Nos. 92-308, 92-309, and 92-311 the Board of Supervisors adopted the Summerland Community Plan update to the Coastal Land Use Plan.
- D. It is now deemed to be in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County that the Board of Supervisors amend the Summerland Community Plan component of the Local Coastal Program to redesignate a portion (approximately 16,483 square feet) of Morris Place located on the eastern end of Lookout Park and a portion of Finney Street from Existing Public or Private Park/Recreation or Open Space to Residential with a density of 4.6 units per acre maximum.
- E. The Planning Commission, after holding a duly noticed public hearing on the above described items, has endorsed and submitted this recommended change pursuant to Section 65354 of the Government Code.
- F. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on the said proposed amendment in a duly noticed public hearing pursuant to Section 65353 of the Government Code, and the Planning Commission has sent its written recommendations to the Board pursuant to Section 65354 of the Government Code.

EXHIBIT 2

STB-MAJ-1-03-B

County Resolution 03-076 for
Land Use Plan Amendment

- G. This Board has held a duly noticed public hearing on the proposed amendment, pursuant to Government Code Section 65854, at which hearing the amendment was explained and comments invited from the persons in the audience.
- H. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described change is hereby adopted as an amendment to the Local Coastal Program of Santa Barbara County.
3. This Board certifies that this amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act.
4. This Board submits this amendment to the California Coastal Commission for review and certification.
5. The Chair and Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this Resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 18th day of March 2003 by the following vote:

AYES: Supervisors Schwartz, Rose, Marshall, Gray, Centeno

NOES: None

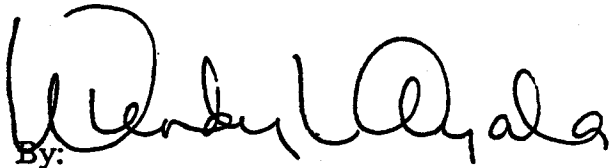
ABSENT: None

ABSTENTIONS: None


NAOMI SCHWARTZ
Chair of the Board of Supervisors

ATTEST:

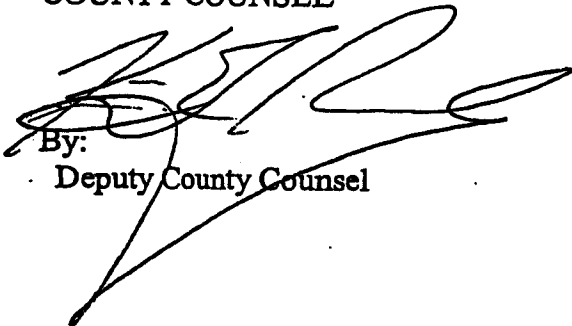
MICHAEL F. BROWN
CLERK OF THE BOARD OF SUPERVISORS

A handwritten signature in black ink, appearing to read "Wendy Ayala".

By:
Deputy Clerk of the Board

APPROVED AS TO FORM:

STEPHEN SHANE STARK
COUNTY COUNSEL

A handwritten signature in black ink, appearing to read "Stephen Stark".

By:
Deputy County Counsel

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the Clerk of the Board of Supervisors.



Clerk of the Board, Santa Barbara County, California

Date: 4/18/03 by Deputy: [Signature]

ARTICLE II

ORDINANCE NO. 4489

AN ORDINANCE AMENDING SECTION 35-54,
ADOPTING A NEW ZONING MAP,
OF ARTICLE II OF CHAPTER 35 OF THE
CODE OF THE COUNTY OF SANTA BARBARA, CALIFORNIA,
BY ADOPTING BY REFERENCE ONE ZONING MAP IDENTIFIED AS
BOARD OF SUPERVISORS EXHIBIT NO. 35-54.16.4,
TO REZONE PORTIONS OF FINNEY STREET AND MORRIS PLACE
FROM RECREATION TO 7-R-1

Case No. 00-RZ-007

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1.

Section 35-54, "Adopting New Zoning Ordinances and Maps," of Article II of Chapter 35 of the Code of the County of Santa Barbara, California, is hereby amended by the adoption by reference of one zoning map identified as Board of Supervisors Exhibit No. 35-54.16.4 which rezones a 16,483 square foot portion of Morris Place and a portion of Finney Street (County-owned properties) from Recreation to 7-R-1 (Single Family Residential, 7,000 square foot minimum parcel size).

SECTION 2.

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit No. 35-54.16.4 to show that said map has been adopted by this Board.

SECTION 3.

Except as amended by this Ordinance, Section 35-54 of the Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 4.

This ordinance shall take effect and be in force thirty (30) days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

EXHIBIT 3

STB-MAJ-1-03-B

**Ordinance 4489 to Revise
Zoning Map**

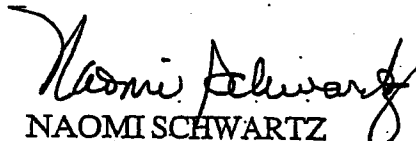
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 18th day of March 2003 by the following vote:

AYES: Supervisors Schwartz, Rose, Marshall, Gray, Centeno

NOES: None

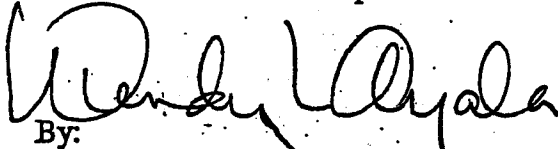
ABSTAIN: None

ABSENT: None

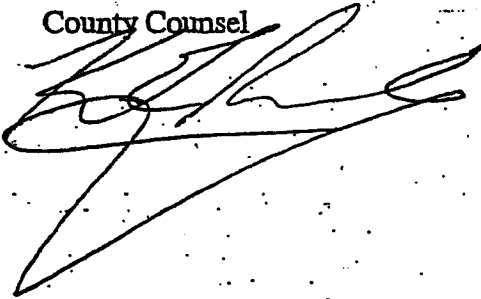

NAOMI SCHWARTZ
Chair of the Board of Supervisors

ATTEST:

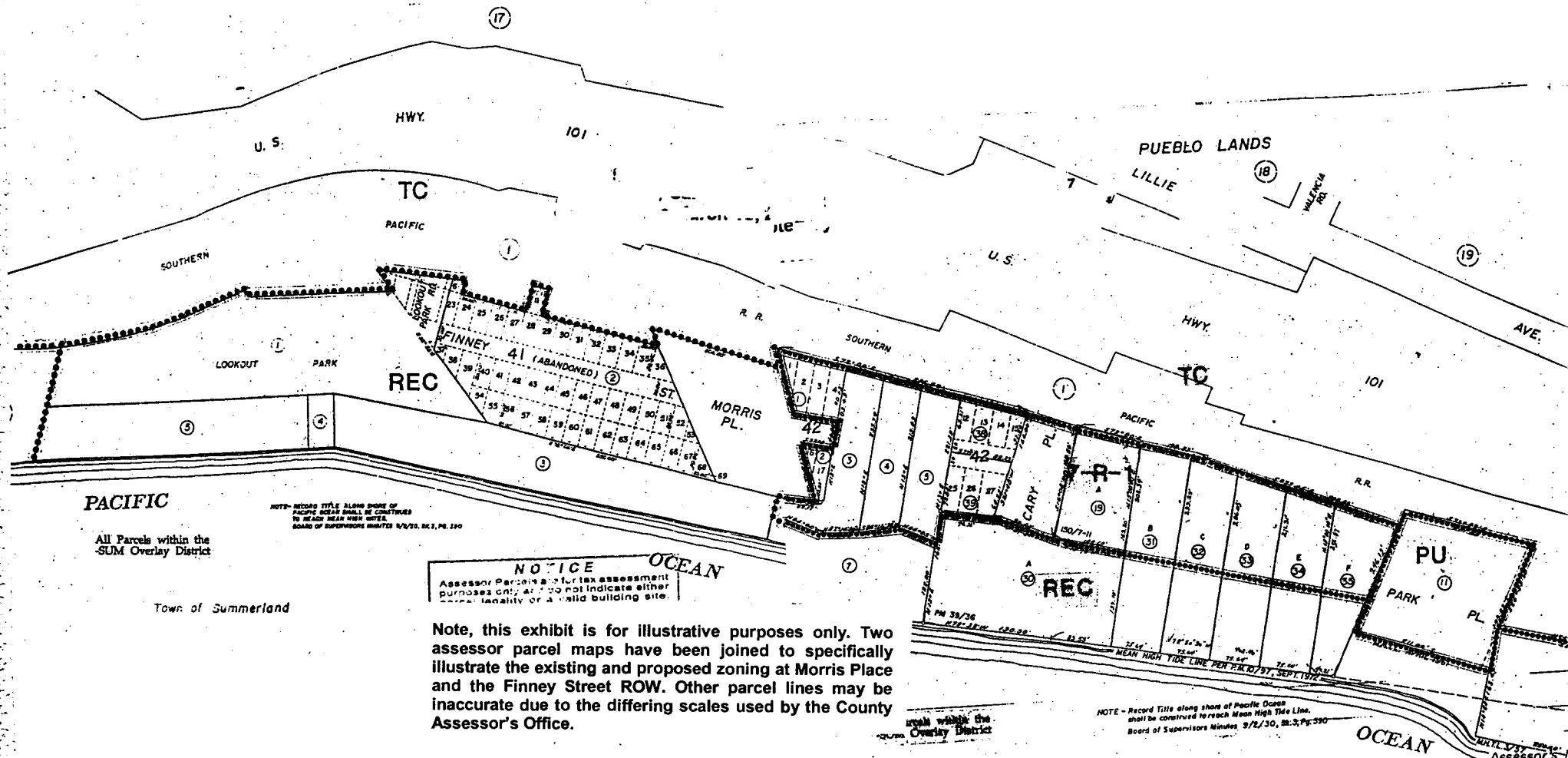
MICHAEL F. BROWN
Clerk of the Board of Supervisors


By:
Deputy Clerk

APPROVED AS TO FORM:
STEPHEN SHANE STARK
County Counsel



PUEBLO LANDS



Note, this exhibit is for illustrative purposes only. Two assessor parcel maps have been joined to specifically illustrate the existing and proposed zoning at Morris Place and the Finney Street ROW. Other parcel lines may be inaccurate due to the differing scales used by the County Assessor's Office.

86 R.M. Bk. 150, Pg. 7-11 - Reversion to Acreage (Map of Vacation)
Town of Summerland

EXHIBIT 4a
STB-MAJ-1-03-B
Existing Zoning

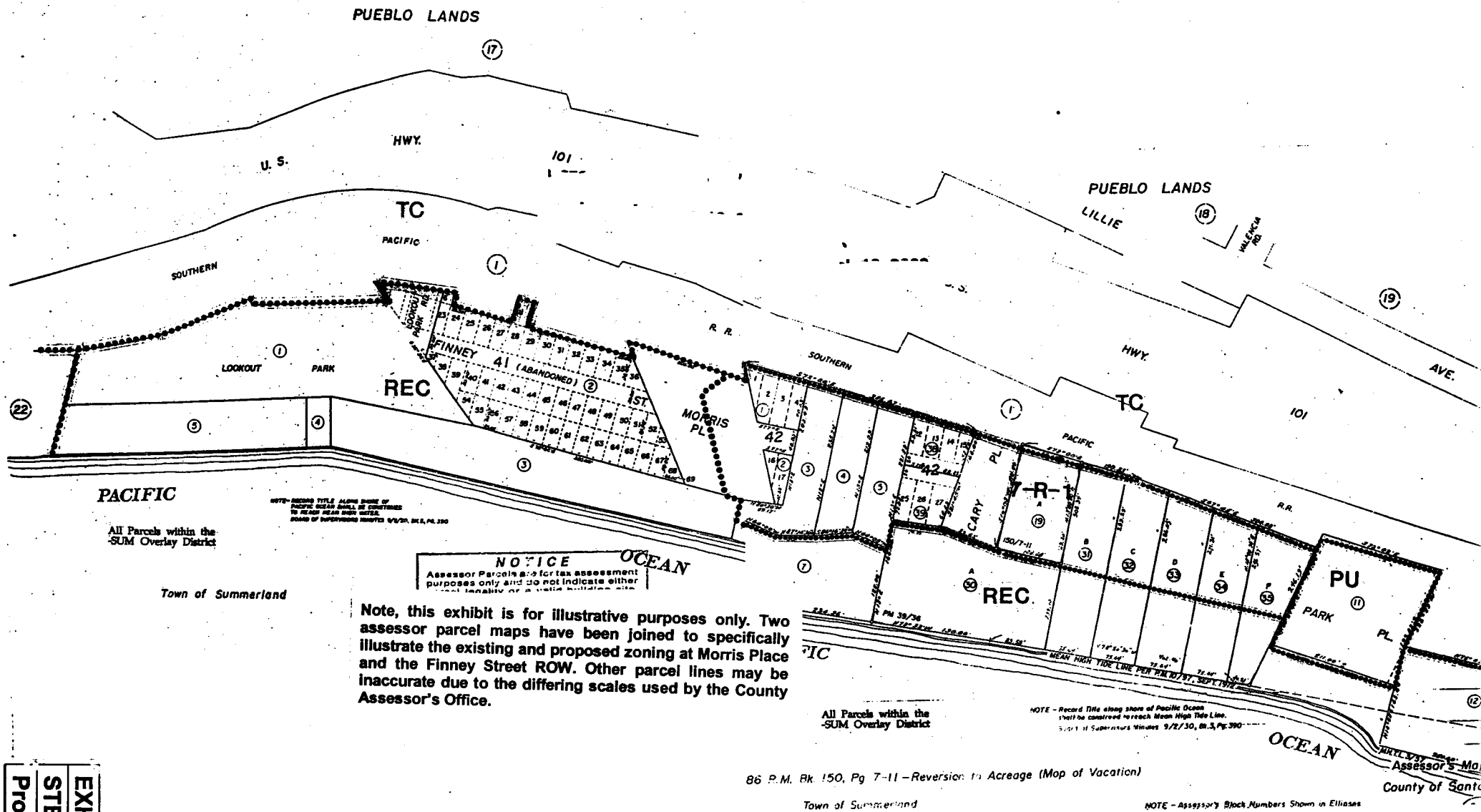
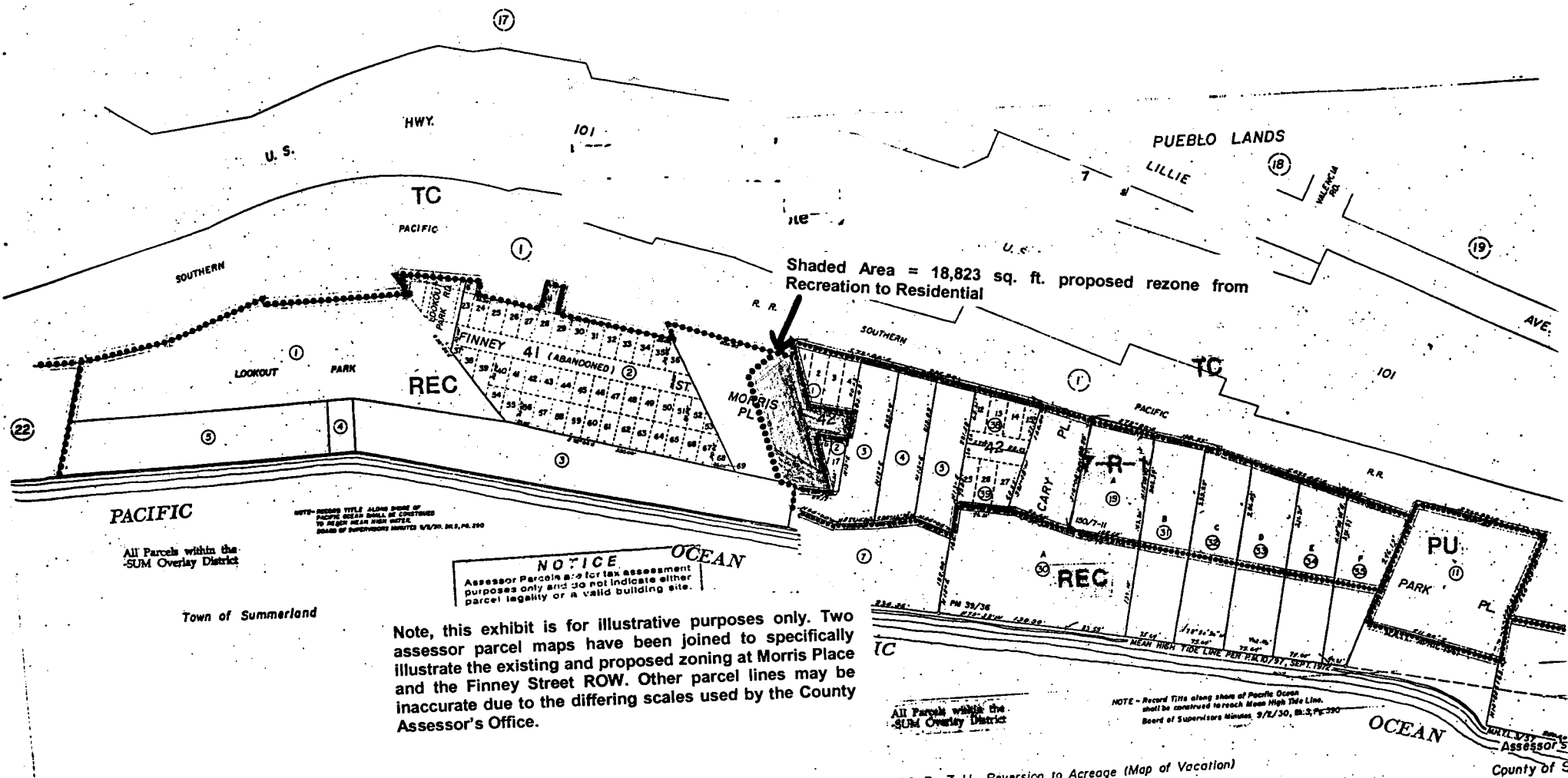


EXHIBIT 4b

STB-MAJ-1-03-B

Proposed Zoning

PUEBLO LANDS



Note, this exhibit is for illustrative purposes only. Two assessor parcel maps have been joined to specifically illustrate the existing and proposed zoning at Morris Place and the Finney Street ROW. Other parcel lines may be inaccurate due to the differing scales used by the County Assessor's Office.

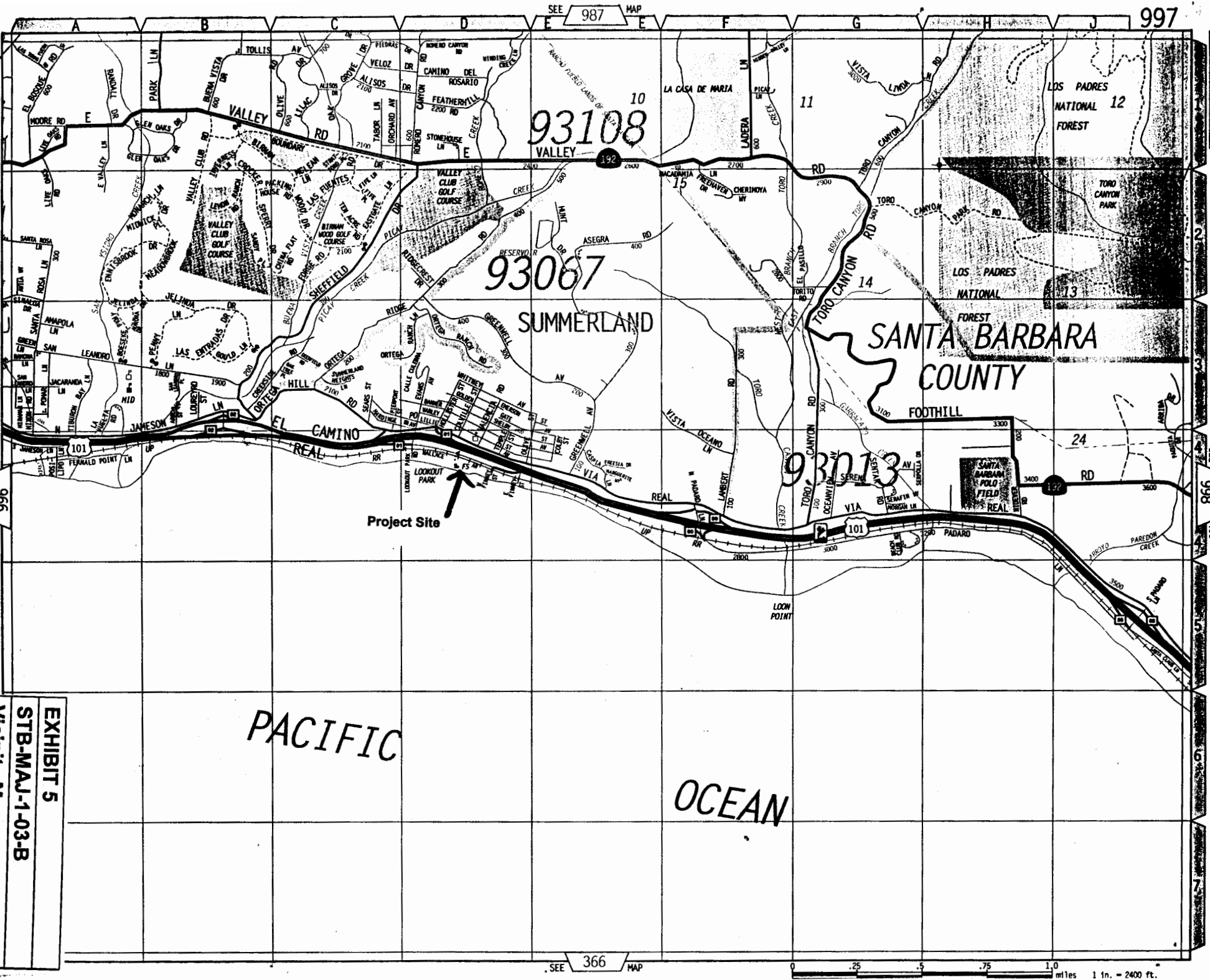
86 R.M. Bk. 150, Pg. 7-11 - Reversion to Acreage (Map of Vacation)
Town of Summerland

EXHIBIT 4c
STB-MAJ-1-03-B
Area to be Rezoned

© 2004 Thomas Bros. Maps

MAP 966 SEE

EXHIBIT 5
STB-MAJ-1-03-B
Vicinity Map



SEE 987 MAP

997

93108
VALLEY

93067
SUMMERLAND

93013

SANTA BARBARA
COUNTY
FOOTHILL

LOS PADRES
NATIONAL
FOREST

TORO CANYON
PARK

LOS PADRES
NATIONAL
FOREST

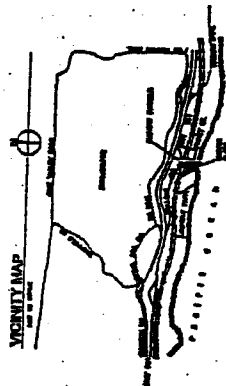
SANTA BARBARA
POLO FIELD

PACIFIC

OCEAN

SEE 366 MAP

0 .25 .5 .75 1.0 miles 1 in. = 2400 ft.



PROJECT DATA

OWNER: [Name]
 PROJECT: [Name]
 DATE: [Date]
 LOCATION: [Address]

PREPARED BY: [Name]
 DATE: [Date]

SCALE: [Scale]
 DATE: [Date]

REVISIONS: [List]
 DATE: [Date]

NOTES: [List]
 DATE: [Date]

LEGEND: [List]
 DATE: [Date]

EXHIBIT 6
 STB-MAJ-1-03-B
 Parcel Configuration

00-LA-018
 TENTATIVE LOT LINE
 ADJUSTMENT MAP

BETWEEN APRN 005-340-001, 005-340-002, MORRIS
 PLACE & PORTIONS OF FINNEY STREET (SHOWN ON
 APN BOOK 1, PG 28)

LEGEND

EXISTING HOUSE

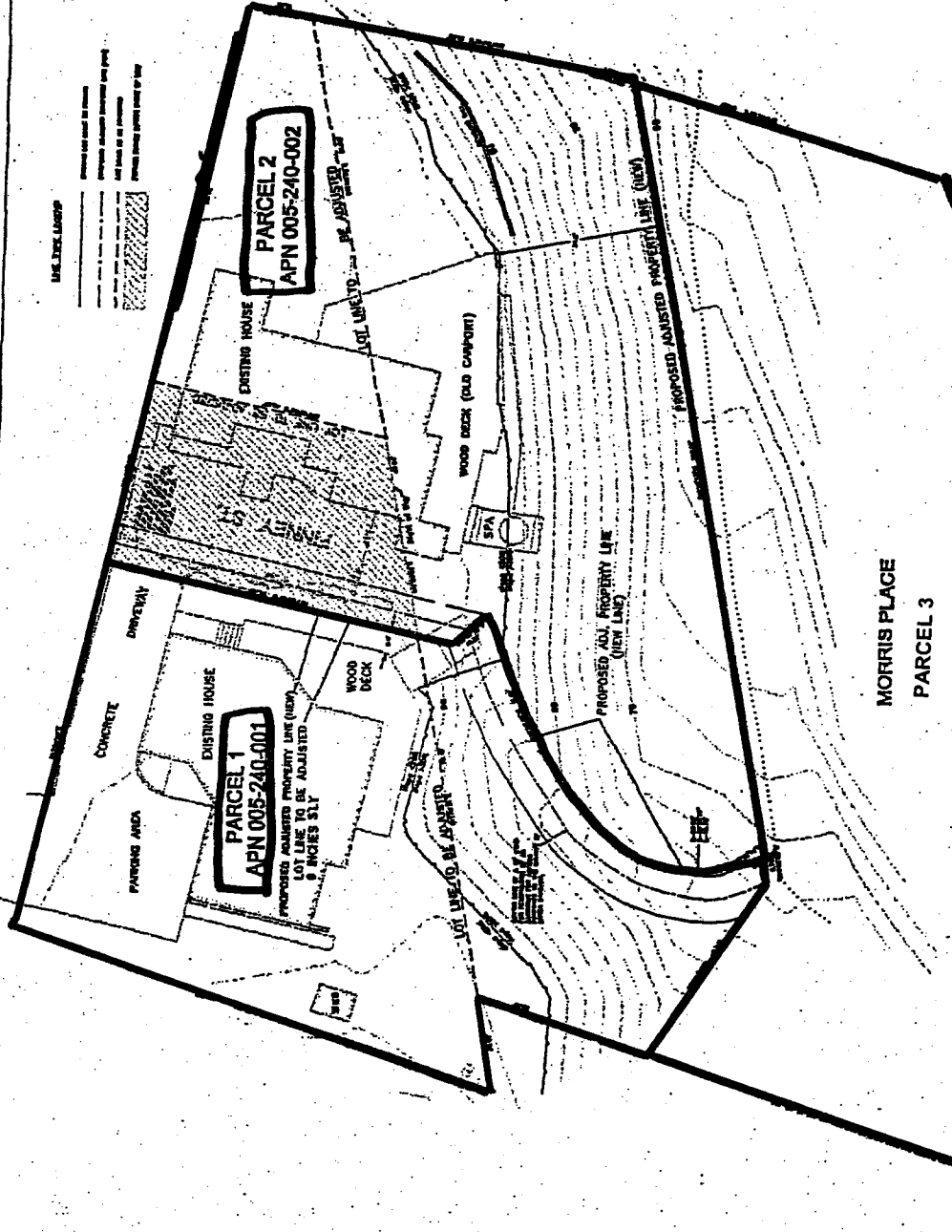
PROPOSED ADJ. PROPERTY LINE (NEW LINE)

WOOD DECK (OLD CONCRETE)

WOOD DECK

CONCRETE

PARKING AREA



PARCEL 1
 APN 005-240-001

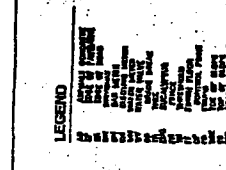
PARCEL 2
 APN 005-240-002

MORRIS PLACE
 PARCEL 3

PROPOSED ADJ. PROPERTY LINE (NEW LINE)

WOOD DECK (OLD CONCRETE)

WOOD DECK



PROJECT DATA

OWNER: [Name]
 PROJECT: [Name]
 DATE: [Date]
 LOCATION: [Address]

PREPARED BY: [Name]
 DATE: [Date]

SCALE: [Scale]
 DATE: [Date]

REVISIONS: [List]
 DATE: [Date]

NOTES: [List]
 DATE: [Date]

LEGEND: [List]
 DATE: [Date]

EXHIBIT 6
 STB-MAJ-1-03-B
 Parcel Configuration

00-LA-018
 TENTATIVE LOT LINE
 ADJUSTMENT MAP

BETWEEN APRN 005-340-001, 005-340-002, MORRIS
 PLACE & PORTIONS OF FINNEY STREET (SHOWN ON
 APN BOOK 1, PG 28)

LEGEND

EXISTING HOUSE

PROPOSED ADJ. PROPERTY LINE (NEW LINE)

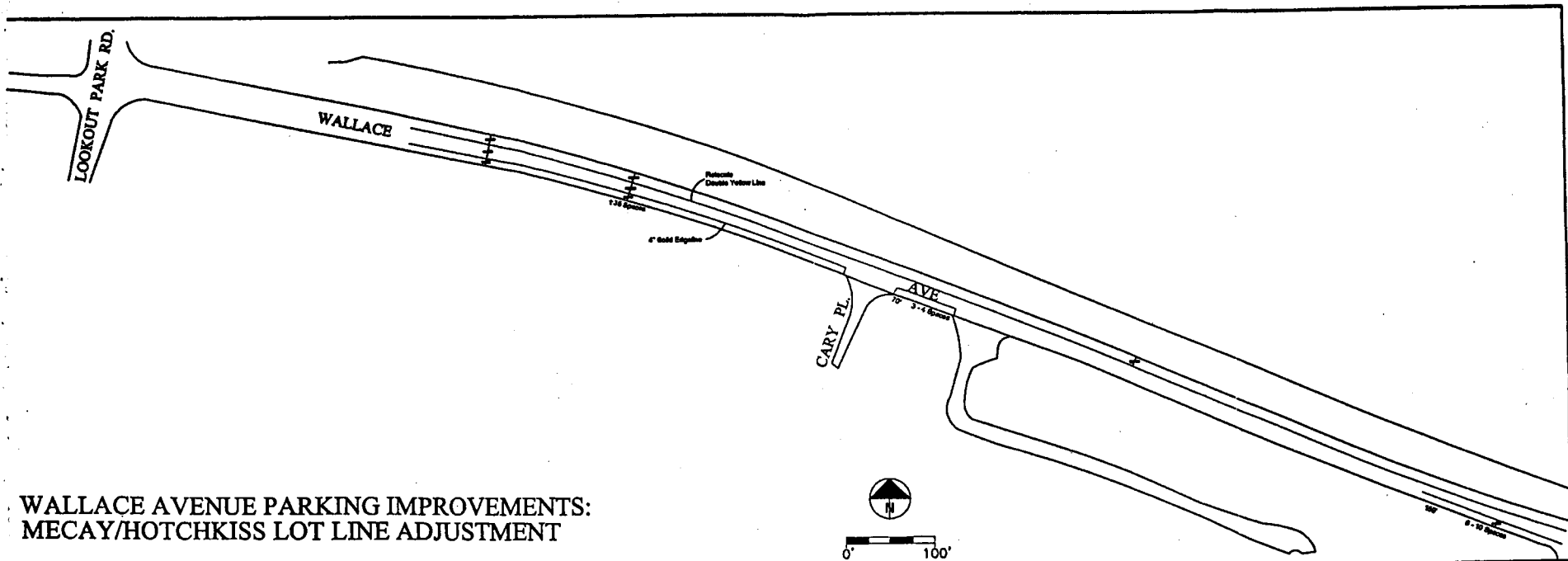
WOOD DECK (OLD CONCRETE)

WOOD DECK

CONCRETE

PARKING AREA

ATTACHMENT G



WALLACE AVENUE PARKING IMPROVEMENTS:
MECAY/HOTCHKISS LOT LINE ADJUSTMENT

EXHIBIT 8a
STB-MAJ-1-03-B
Potential Parking Improvements - Wallace Avenue

03-02

Van Alta
Associates
Landscape
Architecture
Planning
2000 1st Ave
San Jose, CA 95126
Tel: 408/281-1100
Fax: 408/281-1101
www.vanalta.com

Morris Place
Conceptual Trail Plan

Morris Place Lookout Park
San Francisco, California

DATE: 03/10/03

Drawn By: J. HALL

DATE: 03/10/03

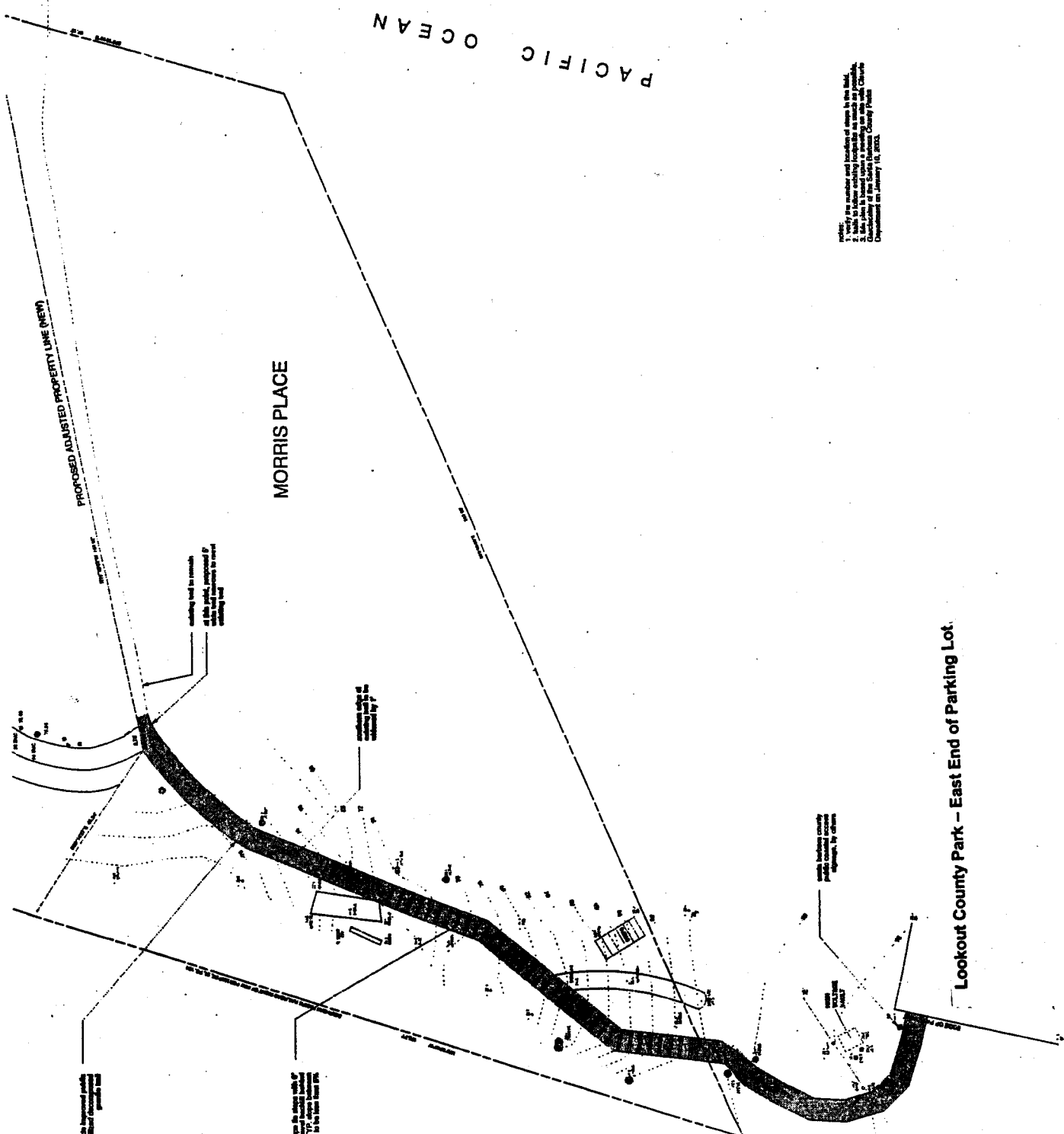
REVISIONS

DATE: 03/10/03



0 5 10 20
SCALE: 1"=100'

L1.2



NOTES:
1. This plan is subject to the final design of the trail.
2. This plan is subject to the final design of the trail.
3. This plan is subject to the final design of the trail.
4. This plan is subject to the final design of the trail.
5. This plan is subject to the final design of the trail.
6. This plan is subject to the final design of the trail.
7. This plan is subject to the final design of the trail.
8. This plan is subject to the final design of the trail.
9. This plan is subject to the final design of the trail.
10. This plan is subject to the final design of the trail.

EXHIBIT 8b
STB-MAJ-1-03-B
Potential Trail
Improvements - Morris
Place