

CALIFORNIA COASTAL COMMISSION

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

**RECORD PACKET COPY**

DATE: April 21, 2005

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
John Ainsworth, Deputy Director

SUBJECT: County of Santa Barbara LCP Amendment MAJ-1-03-B (Mecay-Hotchkiss Rezone): Executive Director's determination that the County's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with suggested modifications is legally adequate. This determination will be reported to the Commission at the May 11, 2005 meeting in Stanford.

On October 15, 2004 the Commission approved Local Coastal Program Amendment No. MAJ-1-03-B submitted by the County of Santa Barbara with suggested modifications. This amendment rezones a portion of the Morris Place right-of-way and a portion of the West Finney Street right-of-way 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.

On February 8, 2005 the County Board of Supervisors adopted Resolution No. 05-035 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. MAJ-1-03-B and accepting and agreeing to all modifications suggested by the Commission.

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

I have reviewed the County's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LCP Amendment MAJ-1-03-B, as certified by the Commission on October 15, 2004, as contained in the adopted Resolution of February 8, 2005 and find that the County's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.



County of Santa Barbara Planning and Development

Valentin Alexeeff, Director
Dianne Meester, Assistant Director

March 11, 2005

Gary Timm, District Manager
California Coastal Commission
89 South California Street, Suite 200
Ventura, California 93001

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CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RE: Santa Barbara County Local Coastal Program Amendment
Mecay-Hotchkiss / Lookout Park, Summerland Area
County Case Numbers 00-GP-009 and 00-RZ-007

Dear Gary:

The Coastal Commission took action on November 6, 2004 to certify the originally submitted Mecay-Hotchkiss Local Coastal Program Amendment with four separately identified modifications. On February 8th, 2005 the Santa Barbara County Board of Supervisors took action to acknowledge the Coastal Commission action and accept the suggested modifications. A summary of that action is set forth below.

A. Approved Resolution No. 05-035 to amend the certified Santa Barbara County Local Coastal Program as follows:

1. Amend the Coastal Land Use Plan (Summerland Community Plan) text as follows:

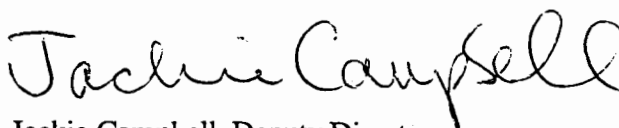
- a) Policy CIRC-S-18: Existing public rights-of-way shall not be abandoned. However, an exception may be made in the case of a portion of the Morris Place ROW and a portion of the West Finney Street ROW adjacent to Assessor Parcel No. 005-240-001 and Assessor Parcel No. 005-240-002 as shown in Exhibit 7. 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 coastal parking spaces along Wallace Avenue, and installing instructional access signage along Wallace Avenue. As a condition of rezoning a portion of the Morris Place ROW and a portion of the West Finney Street ROW 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 modification of trees such as trimming or limbing, grading and fences) shall be prohibited in the designated exclusion area as shown on Exhibit 7. However, under limited circumstances, trees may be modified in the designated exclusion area for the protection of life and safety consistent with fire department requirements as allowed in Action BIO-S-6.6. 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.

- b) Add **Action BIO-S-6.6:** New development within the designated exclusion area of the former Morris Place right-of-way (i.e., the eucalyptus butterfly habitat east of Lookout Park) is prohibited, except for limited fuel modification for the protection of life and safety consistent with fire department requirements, where such modification avoids adverse impacts to the monarch butterfly habitat. A proposed fuel modification plan shall be prepared and monitored by an independent monarch butterfly specialist approved by P&D staff, and if necessary a qualified arborist. The proposed fuel modification plan shall require review and written approval by the Santa Barbara County Planning Department (P&D) and the Fire Department. The proposed fuel modification plan shall only be approved if the fuel modification plan concludes that the proposed fuel modification is limited to the minimum necessary to protect life and safety and that such development would not have an adverse impact to the butterfly habitat. All fuel modification shall take place when monarch butterflies are not present (outside the months of autumnal aggregation, October to March).
2. Amend the County Coastal Land Use Plan map to redesignate adjusted Parcel 1 and adjusted Parcel 2 to be split-designated such that the portion of the parcels east of the exclusion line shown on Exhibit 7 is Single Family Residential, 4.6 units per acre maximum density, and the remaining portion of the parcels 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.
3. Amend the Coastal Zoning Map as described in Ordinance 4489 to illustrate that adjusted Parcel 1 and adjusted Parcel 2 shall be split-zoned to designate the portion of the parcels east of the exclusion line shown on Exhibit 7 as Residential (7-R-1) and the remaining portion of the parcels 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 and Action BIO-S-6.6 are fulfilled.

A copy of the Board of Supervisors Minute Order and Resolution is enclosed for your records. Please contact me at (805) 568-2076 or Jackie@co.santa-barbara.ca.us if you have any questions or would like to discuss this Amendment. Thank you for your help in completing this matter.

Sincerely,



Jackie Campbell, Deputy Director
Development Review Division

Mecay – Hotchkiss Suggested Modifications Acceptance
March 11, 2005
Page 3

Enclosure: BoS Minute Order and Resolution
Exhibit 7

cc: Salud Carbajal, First District Supervisor
Kevin Ready, Deputy County Counsel
Mark Bright, P&D Mapping
Clerk of the Board of Supervisors
Suzanne Elledge, SEPPS, 800 Santa Barbara Street, SB, CA 93101
Robert Mecay, BMO Partnership, P.O. Box 786, Summerland, CA 93067
Dennis and Diane Hotchkiss, 306 Mesa Avenue, Newbury Park, CA 91320

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County of Santa Barbara

BOARD OF SUPERVISORS

Minute Order

February 08, 2005

Present: Supervisor Carbajal, Supervisor Rose, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

PLANNING AND DEVELOPMENT

File Reference No. 05-00179

RE: Consider recommendations regarding California Coastal Commission certification of the Local Coastal Program Amendment with suggested modifications for the Mecay-Hotchkiss Rezone and Redesignation in the Summerland area, First District, as follows:

- a) Receive notice of the California Coastal Commission's certification of the Mecay-Hotchkiss Local Coastal Program Amendment (MAJ-I-03-B) with suggested modifications;
- b) Adopt a resolution to acknowledge receipt of the California Coastal Commission's certification and county action to adopt the LCP Amendment with the suggested modifications;
- c) Authorize Planning & Development to transmit the adopted resolution to the Coastal Commission.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Acted on as follows:

- a) Received and filed.
- b) Adopted.

RESOLUTION NO. 05-035

- c) Authorized.

The motion carried unanimously.

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

IN THE MATTER OF APPROVING AMENDMENTS)	
TO THE SANTA BARBARA COUNTY LOCAL)	RESOLUTION NO. 05-035
COASTAL PROGRAM TO AMEND THE COASTAL)	
LAND USE PLAN [SUMMERLAND COMMUNITY)	
PLAN] AND THE COASTAL ZONING MAPS TO)	County Case Numbers:
ADOPT THE MECAY-HOTCHKISS AMENDMENT)	00-GP-009
AS MODIFIED BY THE CALIFORNIA COASTAL)	00-RZ-007
COMMISSION)	
_____)	

WITH REFERENCE TO THE FOLLOWING:

- A. On March 18, 2003, the Board of Supervisors of the County of Santa Barbara approved an amendment to the County's Local Coastal Program to rezone and redesignate property in Summerland, and on the same day by Resolution No. 03-077 submitted this amendment for consideration by the California Coastal Commission; and
- B. On October 15, 2004, the California Coastal Commission approved a resolution of certification with suggested modifications for this Local Coastal Program Amendment (Coastal Commission Case No. MAJ-1-03-B); and
- C. Whereas the Board of Supervisors finds the suggested modifications to be changes that do not significantly alter the action previously approved by the Board and submitted to the California Coastal Commission by Resolution No. 03-077 on April 18, 2003; and
- D. Whereas the suggested modifications have been incorporated into the proposed Local Coastal Program Amendment.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

- 1. The above recitations are true and correct.
- 2. The Board acknowledges receipt of the Coastal Commission's resolution of certification with suggested modifications and accepts those modifications.
- 3. The Board will submit this acknowledgment to the California Coastal Commission to demonstrate satisfaction of the specific requirement of the Commission's certification order, pursuant to Section 13544(b) of the Commission's Administrative Regulations.
- 4. The Chair of this Board is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to show the above mentioned action by the Board of Supervisors.

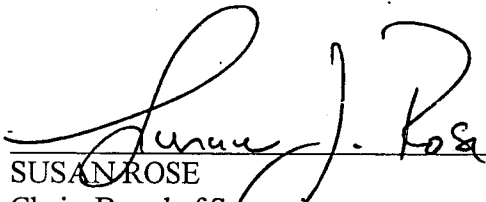
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 8th day of February 2005, by the following vote:

AYES: Supervisors Carbajal, Rose, Firestone, Gray and Centeno

NOES: None

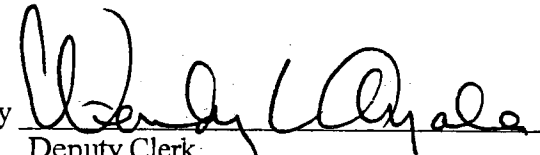
ABSTAINED: None

ABSENT: None


SUSAN ROSE
Chair, Board of Supervisors
County of Santa Barbara


ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

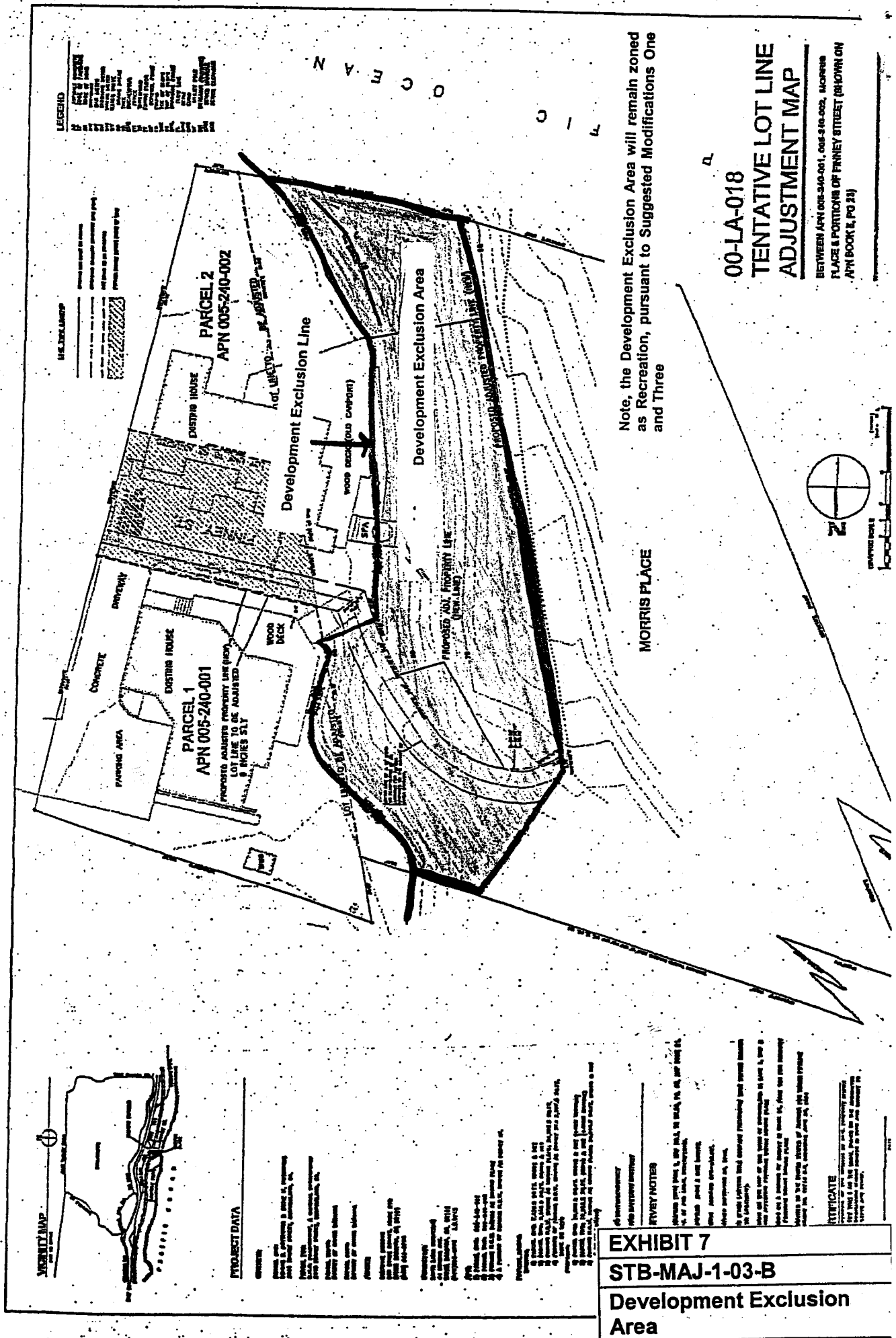
By 
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By 
Deputy County Counsel

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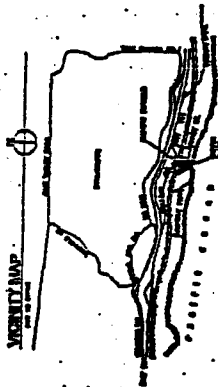


Note, the Development Exclusion Area will remain zoned as Recreation, pursuant to Suggested Modifications One and Three

MORRIS PLACE

00-LA-018 TENTATIVE LOT LINE ADJUSTMENT MAP

BETWEEN APN 005-240-001, 005-240-002, MORRIS PLACE & PORTIONS OF FINNEY STREET (SHOWN ON APN BOOK 1, PG 23)



PROJECT DATA

OWNER: [illegible]
APN: 005-240-001, 005-240-002
PROJECT: [illegible]

DATE: [illegible]
DRAWN BY: [illegible]
CHECKED BY: [illegible]

SCALE: [illegible]
NORTH ARROW: [illegible]

LEGEND: [illegible]

NOTES: [illegible]

EXHIBIT 7
STB-MAJ-1-03-B
Development Exclusion Area

EXHIBIT 7

STB-MAJ-1-03-B

Development Exclusion Area

CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that the foregoing is a true and correct copy of the original map on file in my office, and that the same has been duly recorded in the public records of the County of Los Angeles, California.