

**CALIFORNIA COASTAL COMMISSION**

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



# Th7a

**DATE:** November 20, 2012  
**TO:** Commissioners and Interested Persons  
**FROM:** Jack Ainsworth, Senior Deputy Director  
Steve Hudson, District Manager  
Amber Geraghty, Coastal Program Analyst

**SUBJECT:** Santa Barbara County Local Coastal Program Amendment No. MAJ-1-12-B (Affordable Housing Density Increase) for Public Hearing and Commission Action at the December 13, 2012, Commission Meeting in San Francisco.

## DESCRIPTION OF THE SUBMITTAL

Santa Barbara County is requesting an amendment to the Coastal Land Use Plan (LUP) and Coastal Zoning Ordinance/Implementation Plan (CZO/IP) portions of its certified Local Coastal Program (LCP) to: 1) amend the Goleta Planning Area Land Use Map of the Goleta Community Plan portion of the Coastal Land Use Plan by changing the land use designation of a 0.82 acre parcel (APN 075-020-005) from “*Multi-family Residential, 20 units per acre,*” to “*Multi-family Residential, 30 units per acre,*” 2) amend the text of CZO/IP Section 35-77, “*SR-H*” Zone District, to create a new zone district designated “*SR-H-30*” which would allow for a density of 30 units per acre and establish new criteria to apply to parcels rezoned to *SR-H-30*, which would be limited to 100 percent affordable housing projects, and 3) amend the zoning map for the parcel (APN 075-020-005) from “*SR-H-20*” to “*SR-H-30.*”

The County of Santa Barbara submitted Local Coastal Program Amendment to the Commission on May 4, 2012. After the submittal of additional information requested by Commission staff, the amendment proposal was deemed complete and filed on August 20, 2012. Pursuant to Section 30512 of the Coastal Act and California Code of Regulations, Title 14, Section 13522, an amendment to the certified LCP that combines changes to the LUP and IP/CZO must be scheduled for a public hearing and the Commission must take action within 90 days of a complete submittal. Pursuant to Section 30517 of the Coastal Act, the time limit for action on this amendment was extended for one year at the September 2012 Commission hearing.

## SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission **APPROVE** the proposed LUP component of Santa Barbara County LCP Amendment No. STB-MAJ-1-12-B, as submitted, and **DENY** the proposed IP/CZO component of Santa Barbara County LCP Amendment No. STB-MAJ-1-12-B, as submitted, and **APPROVE** the IP/CZO amendment with one suggested modification. The modification is necessary because the IP/CZO amendment, as submitted, does not conform with and is inadequate to carry out the provisions of the Land Use Plan. The motions and resolutions for Commission action can be found starting on **page 5**. The suggested modification can be found starting on **page 7**.

The proposed project-driven LCP Amendment would allow a density increase on a single 0.82 acre residentially zoned parcel, located in the Community of Isla Vista, from 20 units per acre to 30 units per acre, in order to facilitate the County's approval of a coastal development permit for an affordable housing development project ("Pescadero Lofts Apartment Project") proposed by the Housing Authority of Santa Barbara County. The increase in density on this particular urban infill development site from 20 units per acre to 30 units per acre for an 100% affordable housing development (LUP map change from Multi-family Residential, 20 units per acre, to Multi-family Residential, 30 units per acre) is consistent with Coastal Act policies encouraging new residential development to be located in existing developed areas and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. However, as proposed, the IP/CZO Amendment is not adequate to ensure that the provisions of the Land Use Plan are adequately implemented. The proposed IP/CZO Amendment does not include provisions to ensure that the proposed increase in density on the subject site would not result in adverse impacts to coastal access due to inadequate on-site parking if the provisions of the certified LCP, allowing for reduced parking standards pursuant to the density bonus incentives for affordable housing, were to be applied to the project. Although the purpose of the density bonus program is to provide incentives for development of affordable housing within the County, as a practical matter, such bonuses and incentives must be consistent with the other resource protection provisions of the LCP in order to avoid adverse impacts to coastal resources. Therefore, one modification is suggested to ensure that, for any potential affordable housing project that may be developed on the subject site, on-site parking standards will be adequate and will minimize adverse impacts to public access and recreation in the densely populated community of Isla Vista.

<p><b>Additional Information:</b> Please contact Amber Geraghty at the South Central Coast District Office of the Coastal Commission at (805) 585-1800 or 89 S. California St., Second Floor, Ventura, CA 93001</p>
---

## **TABLE OF CONTENTS**

<b>I. PROCEDURAL ISSUES.....</b>	<b>4</b>
A. STANDARD OF REVIEW .....	4
B. PUBLIC PARTICIPATION.....	4
C. PROCEDURAL REQUIREMENTS .....	5
<b>II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN AMENDMENT .....</b>	<b>5</b>
A. APPROVAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED.....	5
<b>III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO) AMENDMENT6</b>	<b>6</b>
A. DENIAL OF THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT AS SUBMITTED .....	6
B. CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT WITH SUGGESTED MODIFICATIONS.....	7
<b>IV. SUGGESTED MODIFICATION ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO) .....</b>	<b>7</b>
<b>V. FINDINGS FOR APPROVAL OF THE LUP AMENDMENT, AS SUBMITTED, AND DENIAL OF THE IP/CZO AMENDMENT, AS SUBMITTED, AND APPROVAL OF THE IP/CZO IF MODIFIED AS SUGGESTED .....</b>	<b>9</b>
A. AMENDMENT DESCRIPTION AND BACKGROUND.....	9
1. Description of LCPA Submittal.....	9
2. Background and Affordable Housing Project Description .....	10
B. CONSISTENCY ANALYSIS AND FINDINGS .....	11
1. Coastal Access and Recreation .....	11
2. Land Use, New Development, and Cumulative Impacts .....	18
C. CONCLUSION.....	22
<b>VI. CALIFORNIA ENVIRONMENTAL QUALITY ACT .....</b>	<b>22</b>

---

## **EXHIBITS**

- Exhibit 1. Vicinity Map**
- Exhibit 2. Parcel Map**
- Exhibit 3. Santa Barbara County Board of Supervisors Resolution 12-86**
- Exhibit 4. Santa Barbara County Board of Supervisors Resolution 12-63 (Goleta Community Plan Land Use Map Amendment)**
- Exhibit 5. Santa Barbara County Board of Supervisors Ordinance 4830 (SH-H Zone District Ordinance Amendment showing strikeout and underline)**
- Exhibit 6. Zoning Map (Proposed Change)**

## **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 30513)*

*The Commission may suggest modifications (Section 30513)*

The standard of review that the Commission uses in reviewing the adequacy of the Land Use Plan (LUP), as the County is proposing to amend it, is whether the Land Use Plan, as amended would remain consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Implementation Plan (IP) of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is whether the Implementation Plan, with the proposed amendment, would be in conformance with and adequate to carry out, the provisions of the Land Use Plan portion of Santa Barbara County's certified Local Coastal Program, as amended. 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 a series of public hearings (County Planning Commission Hearing 2/1/12, and Board of Supervisors Hearing 3/20/12) and received verbal comments regarding the project from project representatives and members of the public. The hearings were noticed to the public consistent with Sections 13515 of Title 14 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 Title 14 of the California Code of Regulations (“14 CCR”), the County resolution for submittal may specify that a Local Coastal Program Amendment 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 the proposed amendment pursuant to the staff recommendation, 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 (California Code of Regulations, Title 14, Sections 13544 & 13544.5; and Sections 13542(b) and 13537 (b)). Pursuant to Section 13544 of the Code of Regulations, 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. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the County.

## **II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN AMENDMENT**

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. APPROVAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED**

**MOTION:**        *I move that the Commission reject the County of Santa Barbara Land Use Plan Amendment STB-MAJ-1-12-B, as submitted.*

### **STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:**

Staff recommends a **NO** vote. Following this staff recommendation with result in failure of this motion and certification of the Land Use Plan Amendment as submitted 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 LAND USE PLAN AMENDMENT AS SUBMITTED:**

The Commission hereby certifies the Land Use Plan Amendment (STB-MAJ-1-12-B) for the County of Santa Barbara as submitted and adopts the findings set forth below on grounds that the Land Use Plan, as amended, conforms with and is adequate to carry out the provisions of the Coastal Act, and certification of the Land Use Plan Amendment will meet the requirements of 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 Amendment 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 Amendment.

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

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 OF THE IMPLEMENTATION PLAN/COASTAL ZONING  
ORDINANCE AMENDMENT AS SUBMITTED**

**MOTION I:**        *I move that the Commission reject the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-1-12-B, as submitted.*

**STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program 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 PLAN  
AMENDMENT AS SUBMITTED:**

The Commission hereby denies certification of the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-1-12-B, as submitted, and adopts the findings set forth below on grounds that the Implementation Program Amendment, 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 Plan 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 Plan Amendment as submitted.

**B. CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT WITH SUGGESTED MODIFICATIONS**

**MOTION II:**     *I move that the Commission certify County of Santa Barbara Implementation Plan/Coastal Zoning Ordinance Amendment STB-MAJ-1-12-B if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan 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 PLAN/COASTAL ZONING ORDINANCE AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the County of Santa Barbara Implementation Plan/Coastal Zoning Ordinance Amendment STB-MAJ-1-12-B, if modified as suggested, and adopts the findings set forth below on grounds that the Implementation Plan Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan 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 Plan Amendment 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 MODIFICATION ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO)**

Staff recommends the Commission certify the proposed IP/CZO amendment with the modification as shown below. The LCP number indicates the existing section in the certified Santa Barbara County LCP. The existing language in the certified LCP is shown in straight type. The language proposed by Santa Barbara County in this amendment to be inserted is shown underlined. Language proposed by Commission staff to be inserted is shown in double underline.

**Modification 1**

Article II, Sec. 35-77 shall be modified as follows:

5. All development on lots rezoned to the SR-H-30 zone district shall be in compliance with the following:

a. No permits for development, including grading, shall be issued except in conformance with a Final Development Plan approved in compliance with Section 35-174 (Development Plans).

b. All projects shall include 100 percent of all new units to be made available for purchase or for rent to affordable income households, subject to the County's Affordable Housing Program criteria and formulas established for very low, low, lower-moderate and upper-moderate income household categories.

c. All projects shall record an affordable housing agreement and resale and rental restrictive covenant, or such other document approved as to form by the County Counsel, which outlines (1) the sales and/or rental prices for the various types of units to be established, and (2) provision for the sale, resale, renting and restrictions that will be applicable to the project and which ensure the continued availability of units for purchase or occupancy by persons of very low, low, lower-moderate and upper-moderate incomes for a minimum of 30 years. The 30-year affordability term of the requirement shall re-start with each sale of an affordable unit, for a maximum period of 60 years.

d. Parking shall be required in accordance with Art. II, Sec. 35-77.12 (Parking) unless an exception to those standards is applicable pursuant to application of Density Bonus Program modification allowances under Art. II, Sec. 35-144C. At a minimum, one vehicle parking space per unit for studio units and one bedroom units and two vehicle parking spaces per two-bedroom unit shall be required for all new residential development. In addition, for each unit that does not meet the required parking standards under Article II, Sec. 35-77.12, the owner shall sign and record an automobile covenant restriction document, and a lease or rental agreement shall be required for all tenant(s), limiting automobile use and ownership to, no more than, one vehicle per unit for studio units and one bedroom units and two vehicles per two-bedroom unit. The property owner shall notarize and record a Notice to Property Owner or Lessee (NTPO) document which outlines the restriction provisions for each unit. Copies of the recorded covenant restriction document(s) and NTPO document(s) shall be provided to the Santa Barbara County Planning and Development Department and be kept on file.

## **V. FINDINGS FOR APPROVAL OF THE LUP AMENDMENT, AS SUBMITTED, AND DENIAL OF THE IP/CZO AMENDMENT, AS SUBMITTED, AND APPROVAL OF THE IP/CZO IF MODIFIED AS SUGGESTED**

The following findings support the Commission’s approval of the LUP, as submitted, and denial of the IP/CZO amendment, as submitted, and approval of the IP/CZO amendment if modified as indicated in Section IV (*Suggested Modifications*) above. The Commission hereby finds and declares as follows:

### **A. AMENDMENT DESCRIPTION AND BACKGROUND**

#### **1. Description of LCPA Submittal**

Santa Barbara County is requesting an amendment to the Coastal Land Use Plan (LUP) and Coastal Zoning Ordinance/Implementation Plan (CZO/IP) portions of its certified Local Coastal Program (LCP) to: 1) amend the Goleta Planning Area Land Use Map of the Goleta Community Plan portion of the Coastal Land Use Plan by changing the land use designation of a 0.82 acre parcel (APN 075-020-005) from “*Multi-family Residential, 20 units per acre*”, to “*Multi-family Residential, 30 units per acre*”; 2) amend the text of CZO/IP Section 35-77, “*SR-H*” Zone District, to create a new zone district designated “*SR-H-30*” which would allow for a density of 30 units per acre and establish new criteria to apply to parcels rezoned to *SR-H-30*, which would be limited to 100 percent affordable housing projects; and 3) amend the zoning map for the parcel (APN 075-020-005) from *SR-H-20* to *SR-H-30*.

#### Proposed Land Use Plan Amendment

Santa Barbara County proposes to amend the LUP portion of its certified LCP to amend the Goleta Planning Area Land Use Map of the Goleta Community Plan by changing the land use designation of one 0.82 acre parcel (APN 075-020-005) located at 761 Camino Pescadero in the community of Isla Vista from Multiple Family Residential, allowing 20 units per acre, to Multiple Family Residential, allowing 30 units per acre. (Exhibit 1)

#### Proposed Coastal Zoning Ordinance/Implementation Plan Amendment

Santa Barbara County also proposes to amend the text of CZO/IP Section 35-77, “*SR-H*” Zone District, to create a new allowable density of 30 units per acre and establish new criteria to apply to parcels rezoned to “*SR-H-30*”, limited to 100 percent affordable housing projects, and b) amend the zoning map for the parcel (APN 075-020-005) from “*SR-H-20*” to “*SR-H-30*”. (Exhibits 3 and 6)

Specifically, in addition to the new zone district designation of “*SR-H-30*”, allowing 30 dwelling units per gross acre, Coastal Zoning Ordinance, Article II, Section 35-77.6, adds the following standards that would apply in the “*SR-H-30*” zone district:

- A requirement that development on “SR-H-30” lots be accompanied by approval of a Final Development Plan,
- A requirement that 100 percent of all new units within a development on “SR-H-30” lots be made available for purchase or rent to affordable income households subject to the County’s Affordable Housing Program criteria, and
- A requirement that all projects record an affordable housing agreement and resale and rental restrictive covenant to ensure the affordability and continued availability of units for a minimum of 30 years, which re-starts with each sale of an affordable unit, for a maximum of 60 years. (Exhibit 3)

## **2. Background and Affordable Housing Project Description**

On April 10, 2012, Santa Barbara County approved a land use map change and zoning ordinance amendment to the certified LCP to allow the future approval of a multi-family residential affordable housing development on a 0.82 acre site (APN 075-020-005). The LCP Amendment request (STB-MAJ-1-12-B) was received by the Commission on May 4, 2012 and was deemed complete on August 20, 2012.

The proposed project-driven LCP amendment would facilitate the County’s approval of a coastal development permit for an affordable housing development project (“Pescadero Lofts Apartment Project”) proposed by the Housing Authority of Santa Barbara County, with a greater density, 30 units per acre, than would otherwise be allowable under the applicable provisions of the existing certified LCP, which currently allows 20 units per acre on the subject parcel. The subject site, previously owned by the County of Santa Barbara Redevelopment Agency, is under the ownership of the County of Santa Barbara due to the dissolution of the Redevelopment Agency. The subject site, approximately 0.82 acres (16,520 sq. ft.) parcel (APNs 075-020-005), is located in the densely populated Isla Vista community that borders the University of California, Santa Barbara. Isla Vista is a seaside residential community, approximately ½ square mile in area, located in an unincorporated area of Santa Barbara County immediately west of the University of California, Santa Barbara and immediately east of the Coal Oil Point Natural Reserve. Development in the community is generally characterized as high-density residential with some single-family residential neighborhoods and a small commercial “downtown” district. The subject parcel is three blocks from the downtown commercial core area of Isla Vista and approximately 8 blocks from coastal access. Under the certified LCP, the subject site currently has a land use designation of Multiple Family Residential, allowing 20 units per acre, and a zoning designation, allowing 20 units per acre. A fraternity house building and parking lot was previously located on the subject site, which has since been demolished. The project site is surrounded by residential uses, including multi-family and student apartment complexes and a retirement home (all designed SR-H-20 for 20 units/acre). The County has identified the site as an urban infill redevelopment site. (Exhibits 4 and 5)

The project proposed by the Housing Authority of Santa Barbara County for the subject site is a new 21,031 sq. ft., 35 ft. tall residential building consisting of 33 affordable residential apartments and common area facilities. The units will include 26 studio apartments, 6 one-bedroom apartments, and 1 two-bedroom apartment for the apartment property manager.

Common area facilities are proposed to include a lobby, meeting rooms, a community room, and a kitchen that will provide meeting space and space for training opportunities for the residents of the site. The proposed project includes 34 vehicle parking spaces and 34 enclosed bicycle parking spaces and 34 unenclosed bicycle spaces. Two oak trees would be removed and replaced with native oak plantings. The project would include approximately 469 cu. yds. grading (208 cu. yds. cut and 261 cu. yds. fill).

Santa Barbara County is proposing to increase the density on a number of parcels in the community of Isla Vista to allow 30 units per acre, including the subject parcel, through a comprehensive Local Coastal Plan Amendment, the Isla Vista Master Plan (“IVMP”). However, although the IVMP LCPA has been submitted to the Coastal Commission, the amendment application remains incomplete. Because the IVMP LCPA is pending, Santa Barbara County is proposing the focused project- specific amendment in the interim to accommodate the density envisioned by the County for the subject site to allow development of the Housing Authority’s affordable housing project.

## **B. CONSISTENCY ANALYSIS AND FINDINGS**

The standard of review for the proposed Land Use Plan (LUP) Amendment is whether the Land Use Plan, as amended, would remain consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Implementation Plan (IP) of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is whether the Implementation Plan, with the proposed amendment, would be in conformance with and adequate to carry out, the provisions of the Land Use Plan portion of Santa Barbara County’s certified Local Coastal Program, as amended.

The subject LCP amendment includes both LUP and IP components. The proposed amendment’s consistency with the Coastal Act and the certified LUP is detailed below. 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.

### **1. Coastal Access and Recreation**

Several policies of both the Coastal Act and the certified Santa Barbara County Local Coastal Program require the Commission to protect public beach and recreation access. All Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified County Local Coastal Program as guiding policies pursuant to Policy 1-1 of the Local Coastal Program.

#### **a. Coastal Act Policies**

Section 30210 Coastal Act, as incorporated in the LCP by Policy 1-1, states:

*In carrying out the requirements of Section 4 of Article X of the California constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211, as incorporated in the LCP by Policy 1-1, states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Coastal Act Section 30212(a), as incorporated in the LCP by Policy 1-1, states:

*Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources.*
- (2) adequate access exists nearby, or,*
- (3) agriculture would be adversely affected. Dedicated access shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Coastal Act Section 30212.5, as incorporated into the LCP by Policy 1-1, states:

*Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

Coastal Act Section 30213, as incorporated in the LCP by Policy 1-1, states:

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

Coastal Act Section 30214, as incorporated in the LCP by Policy 1-1, states:

*(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*

- (1) Topographic and geologic site characteristics.*
- (2) The capacity of the site to sustain use and at what level of intensity.*
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*

*(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

*(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.*

*(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.*

Section 30223 of the Coastal Act, as incorporated in the LCP by Policy 1-1, states:

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

Section 30252 of the Coastal Act, as incorporated in the LCP by Policy 1-1, states:

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

**b. Santa Barbara County Coastal Plan Policies**

LCP Policy 1-1 states:

*The County shall adopt the policies of the Coastal Act (PRC Sections 30210 through 30263) as the guiding policies of the land use plan.*

LCP Policy 1-2 states:

*Where policies within the land use plan overlap, the policy which is most protective of coastal resources shall take precedence.*

LCP Policy 1-3 states:

*Where there are conflicts between the policies set forth in the coastal land use plan and those set forth in any element of the County's Comprehensive Plan or existing ordinances, the policies of the coastal land use plan shall take precedence.*

LCP Policy 7-1 states, in relevant part, that:

*The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline.*

LCP Policy 2-23 states:

*The County shall work with property owners in Isla Vista to identify vacant sites for the potential development of parking to serve existing residential units. The County may also explore the possibility of acquiring or developing public parking.*

In addition to the Coastal Act and Land Use Plan policies above, parking standards of the County's certified Implementation Plan (Article II Zoning Ordinance) also protect public access and recreation indirectly by requiring on-site parking for residents, thereby preventing parking for residents from supplanting parking availability for the public.

### c. Discussion

The public possesses ownership interests in tidelands or those lands below the mean high tide line. These lands are held in the State's sovereign capacity and are subject to the common law public trust. The protection of these public areas and the assurance of access to them lies at the heart of Coastal Act policies requiring the provision of maximum public access, where applicable, through the regulation of development. To carry out the requirement of Section 4 of Article X of the California Constitution, Section 30210 of the Coastal Act, as incorporated into the certified LCP, requires that maximum public access and recreational opportunities be provided in coastal areas. In addition, Section 30211 of the Coastal Act, also incorporated into the certified LCP, requires that development not interfere with public access to the sea where acquired through use or legislative authorization. Furthermore, Section 30212 of the Coastal Act, as incorporated in the LCP, requires that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects with certain exceptions such as public safety, military security, resource protection, and where adequate access exists nearby. Finally, LCP Policy 7-1 further highlights the County's duty to "protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline."

Coastal access is generally viewed as an issue of physical supply, and is dependent not only on the provision of lateral access (access along a beach) and vertical access (access from an upland street, bluff or public park to the beach), but also the availability of public parking (including on-street parking). The *availability of public parking* (including on-street parking) constitutes a

significant public access and recreation resource and is as important to coastal access as shoreline accessways.

### Coastal Access and Parking Issues in Isla Vista

Development in the Isla Vista community is characterized as high-density residential with some single-family residential neighborhoods and a small commercial “downtown” district. There are more than approximately 3,000 existing on-street parking spaces in the community, all of which are available for public use. There are five existing vertical access ways that provide public access from the Del Playa Drive to the sandy beach. In general, users of on-street parking in the community include: residents, visitors to the area, customers to stores, shops, and restaurants, employees of businesses, students of the adjacent University; and beachgoers.

The on-street parking spaces within the Isla Vista community are heavily used. A parking survey was conducted by the Santa Barbara County Public Works Department on six separate weekdays over a two-week period in the months of September and October 2003. According to the County’s survey, an average of 86–96 percent of on-street parking spaces were occupied at any given time within the study area. The highest percentage rates of occupancy were found to exist on the eastern end of Isla Vista adjacent to the University and commercial district while significantly lower rates of occupancy (with a corresponding increase in the percentage of vacant spaces) occurred on the western end of Isla Vista. The proposed parcel to be rezoned to a higher density is located three blocks from the commercial core area in the eastern end of Isla Vista with the highest percentage rates of occupancy.

Section 30210 of the Coastal Act, as incorporated in the certified LCP, requires that new development be implemented in a manner consistent with the provision of maximum public access and recreational opportunities. In addition, Policy 7-1 of the LCP specifically requires that the County “take all necessary steps to protect and defend the public’s constitutionally guaranteed rights of access to and along the shoreline.” Further, Policy 2-23 of the LCP specifically addresses the problem of parking congestion in the community of Isla Vista and provides that the County shall work with property owners in Isla Vista to identify vacant sites for the potential development of parking to serve existing residential units. Policy 2-23 also states that the County should explore the possibility of acquiring or developing formal public parking facilities in Isla Vista which could include parking lots and structures. The provision of adequate public parking facilities would serve as a long-term solution to reduce on-street parking congestion in Isla Vista and this could be accomplished through a County LCP amendment. As discussed above, a LCP Amendment for the Isla Vista Community, the Isla Vista Master Plan, has been submitted to the Coastal Commission for certification, but remains in an incomplete status as the County is working to submit materials for filing. This amendment would ideally provide a comprehensive solution to ensure that future developments in Isla Vista either have adequate parking, or parking impacts are mitigated for through alternative transportation options.

Here, the project-driven LCP Amendment would re-zone a single parcel in Isla Vista to allow a higher density for an affordable housing project and does not involve a change to any other development standards, such as parking standards currently required by the LCP. Specifically, Santa Barbara County proposes to amend the Goleta Planning Area Land Use Map of the Goleta Community Plan by changing the land use designation of a 0.82 acre parcel (APN 075-020-005)

from “Multi-family Residential, 20 units per acre”, to “Multi-family Residential, 30 units per acre”, and to amend the text of CZO/IP Section 35-77, “SR-H” Zone District, to create a new allowable density of 30 units per acre and establish new criteria to apply to parcels rezoned to “SR-H-30”, limited to 100 percent affordable housing projects and amend the zoning map for the parcel (APN 075-020-005) from “SR-H-20” to “SR-H-30”. Although this amendment would not directly conflict with any land use plan policies, the 100% affordability requirement for new development in the “SR-H-30” zone district will allow the County to grant modifications to development standards, such as parking, pursuant to the density bonus program.

### Density Bonus Program

The proposed new land use plan designation and zone district would allow 30 units per acre on a parcel approximately 8 blocks from the closest coastal access. According to the County, the Pescadero Lofts affordable housing project would be entitled to a density bonus through eligibility under the State Density Bonus Program. The Density Bonus Program standards have been incorporated into Article II of the County’s Coastal Zoning Ordinance, Section 35-144C. According to Section 35-144C, the intent of the density bonus program is to provide incentives, including modification of development standards, to developers to construct lower income housing units. A project is eligible for the density bonus program, under Section 35-144C.2, if it is “a new housing development of five or more dwelling units (excluding any density bonus units).”

Coastal Zoning Ordinance, Article II, Section 35-144C.3. provides:

*When a developer proposes a qualifying housing development within the jurisdiction of the County, the County shall provide one of the two following development incentives:*

- a. A density bonus of 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use designation, plus at least one additional development incentive identified in Section 35-144.C.4. The additional incentive shall not be provided if the County makes the written finding as required by Government Code Sect. 65915 (B)(3).*
- b. Other incentives of equivalent financial value based upon the land cost per dwelling unit.*

Additionally, Section 35-144.C.4.3 states that the following development incentive may be allowed if it is found consistent with applicable policies and provisions of the LCP:

#### **ADDITIONAL DENSITY BONUS:**

*The approval of a density bonus which is greater than the maximum allowable density and may, when involved with standard density bonus projects, exceed the standard 25% density increase. This incentive shall be limited to a maximum density increase of no more than 50% above the base zoning density.*

The proposed LCP amendment includes a density increase on one parcel and applies affordable housing standards to that new zone district (SR-H-30). The proposed LCP amendment does not

directly modify the parking standards or any other development standards of Article II. However, the result of applying the density bonus incentives for affordable housing, in combination with an increased density of 30 units per acre from 20 units per acre on the subject site, will allow the County to grant some modifications of development standards that would otherwise be applicable to the site. According to the County, the Pescadero Lofts project would be entitled to a density bonus of 35% above the base density, which would equate to 33 residential units for the 0.82 acre site under the new proposed density of 30 units per acre. Additionally, the County has indicated that intend to apply additional development incentives to the proposed affordable housing project under the density bonus program, including reduced setbacks and reduced number of on-site vehicle parking spaces. Article II, Sec. 35-77 of the existing zoning code would require a 33 unit project to provide at least 68 vehicle parking spaces. Applying density bonus allowances, the County anticipates requiring only 34 on-site spaces for the Pescadero Lofts project (approximately 1 space per unit). The Pescadero Lofts project would conform with all other currently required zoning standards.

**Pescadero Lofts Affordable Housing Project - Proposed New Density Standards versus Existing Coastal Zoning Ordinance (Article II) Standards on the Subject Parcel :**

	Proposed Project under New Multi-Family LUP/CZO standards (30 units/acre)	Existing CZO Article II Multi-Family standards (20 units/acre)
Structural Floor Area	21,031 sq. ft.	N/A
Max. Structural Height	35 feet	35 feet
Building Footprint	8,508 sq. ft. = 24%	30%
Vehicle Parking	34 spaces	68 spaces
Bicycle Parking	34 enclosed & 34 unenclosed	34 enclosed & 34 unenclosed
# of Dwelling Units	33 units under Density Bonus Program	16 units
Bedrooms	34 bedrooms	29 bedrooms
Landscaping	20% (7,140 sq. ft. )	15%

Although the purpose of the density bonus program is to provide incentives for development of affordable housing within the County, such bonuses and incentives must be implemented in a manner consistent with the other resource protection provisions of the LCP in order to avoid adverse impacts to coastal resources. LUP Policy 2-12 specifically states that “density may be increased for affordable housing projects provided such projects are found consistent with all applicable policies and provisions of the Local Coastal Program.”

Applying the density bonus program to reduce on-site vehicle parking space requirements in the “SR-H-30” zone district could result in potential adverse impacts to coastal access and recreation, especially given the subject site’s close proximity to coastal access points. An inadequate number of on-site parking spaces may result in residents’ vehicles occupying nearby on-street parking spaces, resulting in displacement of public parking and impacts to public access as public parking becomes less available. Recognizing that tenants of affordable housing units may not have the financial ability to afford or maintain a vehicle, it is nevertheless reasonable to anticipate that tenants or owners of an affordable apartment unit may still be able

to own vehicles and need parking facilities. Therefore, **Suggested Modification 1** is necessary in order to ensure that potential impacts to off-site public parking and coastal access are minimized from any future development projects on the site where density will increase from 20 units per acre to 30 units per acre and where density bonus program incentives may be applied to reduce on-site parking requirements.

Specifically, for any new development in the proposed SR-H-30 zone district, **Suggested Modification 1** requires parking to be provided pursuant to Article II, Sec. 35-77.12 (Parking)), unless an exception to those standards is applicable pursuant to application of Density Bonus Program modification allowances under Art. II, Sect. 34-144C. At a minimum, one vehicle parking space per unit for studio units and one bedroom units and two vehicle parking spaces per two-bedroom unit shall be required for all new residential development. In addition, **Suggested Modification 1** requires that, for each unit that does not meet the required parking standards pursuant to Art. II, Sect. 35-77.12, the owner is required to sign and record an automobile covenant restriction document, and a lease or rental agreement is required for all tenant(s), limiting automobile use and ownership to, no more than, one vehicle per unit for studio units and one bedroom units and two vehicles per two-bedroom unit. Additionally, **Suggested Modification 1** requires the property owner to notarize and record a Notice to Property Owner or Lessee (NTPO) document which outlines the restriction provisions for each unit. Copies of the recorded covenant restriction and NTPO document(s) are required to be provided to the Santa Barbara County Planning and Development Department and kept on file. Adding these requirements will ensure that, even with the application of a menu of other density bonus incentives, any affordable housing development in the new SR-H-30 zone will provide at least a minimum number of on-site spaces in order to avoid and minimize adverse impacts to coastal access and recreation.

Therefore, the Commission finds that the proposed CZO/IP amendment, only as modified through the suggested modification, is consistent with the above referenced public access and recreation policies of the County's LCP and the Coastal Act.

## **2. Land Use, New Development, and Cumulative Impacts**

The following policies and provisions of the County of Santa Barbara Local Coastal Plan and the Coastal Act, as incorporated into the LCP, relate to land use, new development, and cumulative impacts.

### **a. Coastal Act Policies**

Section 30250(a) of the Coastal Act, as incorporated in the LCP by Policy 1-1, states:

*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.*

Section 30105.5 of the Coastal Act defines the term "cumulatively," as it is used in Section 30250(a), to mean that:

*[T]he incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.*

**b. Santa Barbara County Coastal Plan Policies**

LCP Policy 1-1 states:

*The County shall adopt the policies of the Coastal Act (PRC Sections 30210 through 30263) as the guiding policies of the land use plan.*

LCP Policy 1-2 states:

*Where policies within the land use plan overlap, the policy which is the most protective of coastal resources shall take precedence.*

LCP Policy 1-3 states:

*Where there are conflicts between the policies set forth in the coastal land use plan and those set forth in any element of the County's Comprehensive Plan or existing ordinances, the policies of the coastal land use plan shall take precedence.*

LCP Policy 1-4 states:

*Prior to the issuance of a coastal development permit, the County shall make the finding that the development reasonably meets the standards set forth in all applicable land use plan policies.*

LCP Policy 2-6 states:

*Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan. Where an affordable housing project is proposed pursuant to the Affordable Housing Overlay regulations, special needs housing or other affordable housing projects which include at least 50% of the*

*total number of units for affordable housing or 30% of the total number of units affordable at the very low income level are to be served by entities that require can-and-will-serve letters, such projects shall be presumed to be consistent with the water and sewer service requirements of this policy if the project has, or is conditioned to obtain all necessary can-and-will-serve letters at the time of final map recordation, or if no map, prior to issuance of land use permits. (amended by 93-GP-11)*

LCP Policy 2-12 states:

*The densities specified in the land use plan are maximums and shall be reduced if it is determined that such reduction is warranted by conditions specifically applicable to a site, such as topography, geologic or flood hazards, habitat areas, or steep slopes. However, density may be increased for affordable housing projects provided such projects are found consistent with all applicable policies and provisions of the Local Coastal Program. (amended by 93-GP-11)*

LCP Policy LUR-GV-1 provides:

*Consistent with the Housing Element, the County shall actively encourage the provision of a mix of affordable units on parcels designated for affordable housing, and on other parcels where affordable housing is proposed by private applicants.*

LCP Policy LUR-GV-3 provides:

*The County shall encourage the use of appropriate publicly-owned land as potential sites for affordable housing, with a prioritization of units affordable to low-income persons.*

LCP Policy 5-10 states:

*Because of Isla Vista's location adjacent to the University of California and the critical need to provide affordable housing opportunities for the student population, which forms the majority of the community's residents...*

### c. Discussion

The Coastal Act mandates, under Section 30250(a), that new residential development be located in existing developed areas and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, the above cited Land Use Plan policies encourage the development of affordable housing and allow increased density for affordable housing. Specifically, LCP Policy 2-12 allows density to be increased for affordable housing project provided that any such project is also found to be consistent with all applicable LCP policies and provisions. LCP Policy LUR-GV-3 provides that the County shall encourage the use of appropriate publicly owned-land as sites for affordable housing and Policy 5-10 encourages the provision of affordable housing in the community of Isla Vista.

As explained in the preceding section, the proposed LCP Amendment would allow a density increase on a single parcel, located in the Community of Isla Vista, from 20 units per acre to 30 units per acre. Specifically, Santa Barbara County proposes to amend the Goleta Planning Area Land Use Map of the Goleta Community Plan by changing the land use designation of a 0.82 acre parcel (APN 075-020-005) from Multi-family Residential, 20 units per acre, to Multi-family Residential, 30 units per acre, and to amend the text of CZO/IP Section 35-77, SR-H Zone District, to create a new allowable density of 30 units per acre and establish new criteria to apply to parcels rezoned to SR-H-30, limited to 100 percent affordable housing projects and amend the zoning map for the parcel (APN 075-020-005) from SR-H-20 to SR-H-30.

The proposed project-driven LCP amendment would facilitate the County's approval of a coastal development permit for an affordable housing development project ("Pescadero Lofts Apartment Project") proposed by the Housing Authority of Santa Barbara County on land owned by the County. The project proposed by the Housing Authority of Santa Barbara County for the subject site ("Pescadero Lofts Apartment Project") is a new 21,031 sq. ft., 35 ft. tall residential building consisting of 33 affordable residential apartments and common area facilities. The units will include 26 studio apartments, 6 one-bedroom apartments, and 1 two-bedroom apartment for the apartment property manager. Common area facilities are proposed to include a lobby, meeting rooms, a community room, and a kitchen that will provide meeting space and space for training opportunities for the residents of the site. The proposed project includes 34 vehicle parking spaces and 34 enclosed bicycle parking spaces and 34 unenclosed bicycle spaces. Two oak trees are proposed to be removed and replaced with native oak plantings. The project would include approximately 469 cu. yds. grading (208 cu. yds. cut and 261 cu. yds. fill).

LCP Policy LUR-GV-3 encourages the use of such appropriate publicly-owned land for low-income affordable housing development opportunities. Further, the 0.82 acre previously developed subject parcel (APNs 075-020-005), is located in the densely populated Isla Vista community and project site is surrounded by residential uses, including multi-family and student apartment complexes and a retirement home (all designed SR-H-20 for 20 units/acre). The County has identified the site as an urban infill redevelopment site. Therefore, the LUP Amendment will be consistent with Coastal Act Policy 30250(a), as incorporated into the County's LCP, requiring that new residential development be located in existing developed areas. Thus, the increase in density on this particular urban infill development site from 20 units per acre to 30 units per acre for an affordable housing development is consistent with the Coastal Act policies, as well as the County's LCP, and relating to new development, as cited above. Further, the proposed LUP change will encourage affordable housing in a location appropriate for such density increases.

However, as explained in Section B.1., above, the IP/CZO Amendment does not incorporate provisions to ensure that application of the County's density bonus incentives will not reduce on-site parking and result in adverse cumulative impacts to coastal resources, including public access and recreation, in the densely populated community of Isla Vista. Therefore, **Suggested Modification 1** is necessary in order to ensure that potential cumulative impacts to off-site public parking Isla Vista are minimized from any new affordable housing development projects, where density bonus program incentives may otherwise be applied to reduce on-site parking requirements. Specifically, for any new development in the proposed SR-H-30 zone district, **Suggested Modification 1** requires parking to be provided pursuant to Article II, Sec. 35-77.12

(Parking)), unless an exception to those standards is applicable pursuant to application of Density Bonus Program modification allowances under Art. II, Sect. 34-144C. At a minimum, one vehicle parking space per unit for studio units and one bedroom units and two vehicle parking spaces per two-bedroom unit shall be required for all new residential development. In addition, **Suggested Modification 1** requires that, for each unit that does not meet the required parking standards pursuant to Art. II, Sect. 35-77.12, the owner is required to sign and record an automobile covenant restriction document, and a lease or rental agreement is required for all tenant(s), limiting automobile use and ownership to, no more than, one vehicle per unit for studio units and one bedroom units and two vehicles per two-bedroom unit. Additionally, **Suggested Modification 1** requires the property owner to notarize and record a Notice to Property Owner or Lessee (NTPO) document which outlines the restriction provisions for each unit. Copies of the recorded covenant restriction and NTPO document(s) are required to be provided to the Santa Barbara County Planning and Development Department and kept on file. Adding these requirements will ensure that, even with the application of a menu of other density bonus incentives, any affordable housing development in the new SR-H-30 zone will provide at least a minimum number of on-site spaces in order to avoid and minimize cumulative adverse impacts to coastal access and recreation.

Therefore, the Commission finds that the proposed CZO/IP amendment, only as modified through the suggested modification, is consistent with the above referenced cumulative impacts, public access, and recreation policies of the County's LCP, and incorporated Chapter 3 policies of the Coastal Act, to prevent adverse cumulative impacts from new development.

## **C. CONCLUSION**

In conclusion, as proposed, the LUP amendment will be adequate to carry out the provisions of the Coastal Act. However, the proposed amendment to the CZO/IP will not be fully adequate to carry out the certified land use plan, and incorporated Coastal Act policies, for the above-stated reasons and is denied as submitted. With the suggested modification, the proposed CZO/IP amendment can be approved as being consistent with and adequate to carry out the certified land use plan.

## **VI. 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, as incorporated by reference into the Land Use Plan, 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 Implementation Plan component 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.

*Santa Barbara County  
Local Coastal Program Amendment 1-12-B*

**APPENDIX 1**

**Substantive File Documents**

Santa Barbara County Coastal Plan, as amended.

Santa Barbara County Coastal Zoning Ordinance, Article II, Chapter 35 of the County Code

*County of Santa Barbara Resolution No. 12-86, In the Matter of a Submittal to the California Coastal Commission for Certification of the Article II Coastal Zoning Ordinance Mobile Home Park Closure Ordinance Amendment, Coastal Land Use Plan/Goleta Community Plan Land Use Map Multi-Family Residential Land Use Designation Amendment, and Article II Coastal Zoning Ordinance High-Density Student Residential (SR-H) Zone District Amendment and Rezone, (Case No. 11ORD-00000-00018, Case No. 11GPA-00000-00004, Case No. 11ORD-00000-00034, and Case No. 11RZN-00000-00003), Board of Supervisors, passed, approved, and adopted on April 10, 2012.*

*County of Santa Barbara Resolution No. 12-63, In the Matter of Amending the Goleta Planning Area Land Use Map of the Goleta Community Plan, (Case No. 11GPA-00000-00004) of the Board of Supervisors, passed, approved, and adopted on March 20, 2012.*

*County of Santa Barbara Ordinance No. 4830, An Ordinance Amending Article II, the Santa Barbara County Coastal Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, By Amending the Text of Section 35-77, SR-H Zone District, to Establish a New Density of 30 Units per Acre and Establish New Criteria to Apply to Parcels Rezoned to Said Density, and By Amending the Goleta Community Plan Zoning Southern Section Zoning Map for Assessor's Parcel Number 075-020-005 from SR-H-20 to SR-H-30, (Case No. 11ORD-00000-00034), Board of Supervisors, passed, approved, and adopted on March 20, 2012.*

Santa Barbara County Board of Supervisors Minute Order, dated March 20, 2012

Santa Barbara County Board of Supervisors Agenda Letter (staff report), dated March 20, 2012

Santa Barbara County Planning Commission Action Letter, including Resolution and Findings for Approval, dated February 1, 2012.

Santa Barbara County Planning Commission Hearing Staff Report, dated January 13, 2012.

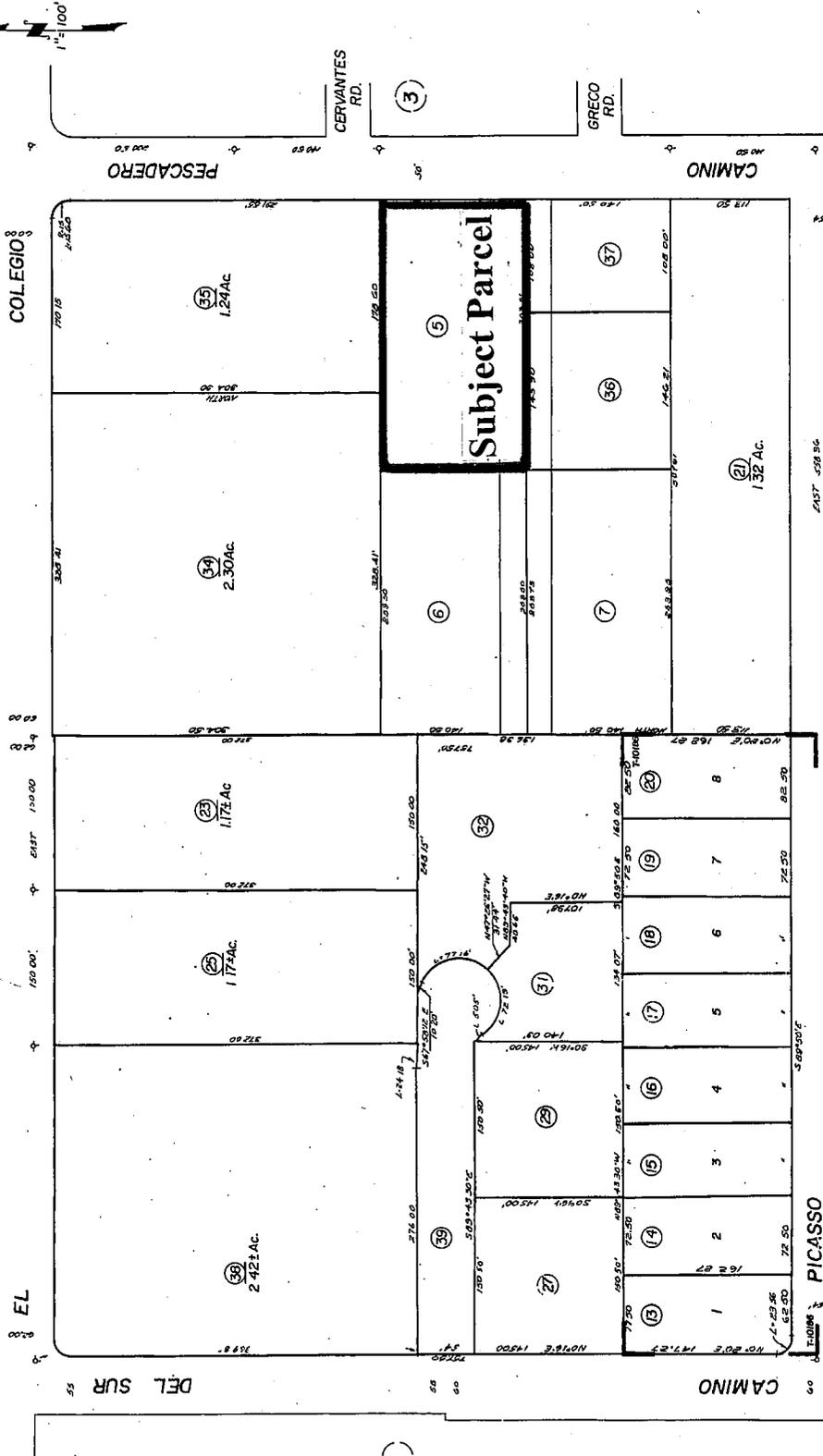
*County Planning Commission Resolution No. 12-04, In the Matter of Recommending to the County Board of Supervisors the adoption of amendments to the certified Local Coastal Program of Santa Barbara County, (Case Nos. 11GPA-00000-00004, 11ORD-00000-00034, and 11RZN-00000-00003), County Planning Commission, County of Santa Barbara, passed, approved, and adopted on February 1, 2012.*



RANCHO LOS DOS PUEBLOS

75-02

Bk. 73



5

Assessor's Map Bk. 75 - Pg. 02  
County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

5/16/61 R. M. Bk. 56, Pg. 3 - Track 10186

EXHIBIT 2  
Santa Barbara County  
LCPA 1-12-B  
Parcel Map

11/71

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

IN THE MATTER OF A SUBMITTAL TO THE )  
CALIFORNIA COASTAL COMMISSION FOR )  
CERTIFICATION OF THE ARTICLE II )  
COASTAL ZONING ORDINANCE )  
MOBILEHOME PARK CLOSURE ORDINANCE )  
AMENDMENT, COASTAL LAND USE PLAN/ )  
GOLETA COMMUNITY PLAN LAND USE )  
MAP MULTI-FAMILY RESIDENTIAL LAND )  
USE DESIGNATION AMENDMENT, AND )  
ARTICLE II COASTAL ZONING ORDINANCE )  
HIGH-DENSITY STUDENT RESIDENTIAL )  
(SR-H) ZONE DISTRICT AMENDMENT AND )  
REZONE )

RESOLUTION NO: 12-86  
CASE NO. 11ORD-00000-00018  
CASE NO. 11GPA-00000-00004  
CASE NO. 11ORD-00000-00034  
CASE NO. 11RZN-00000-00003

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.
- B. On July 19, 1982, by Ordinance No. 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.
- C. On March 13, 2012, by Ordinance No. 4829, the Board of Supervisors, having found it to be in the interests of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, amended the Local Coastal Program by adopting:

**11ORD-00000-00018: Mobilehome Park Closure Ordinance Amendment, attached as Exhibit A:**

An Ordinance (Case No. 11ORD-00000-00018) amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code by amending definitions, general regulations, and administration to implement new regulations and make other minor clarifications, corrections, and revisions regarding mobilehome park closures.

- D. On March 20, 2012, by Resolution No. 12-63, 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, amended the Local Coastal Program by adopting:

**11GPA-00000-00004: Coastal Land Use Plan/Goleta Community Plan Land Use Map Multi-Family Residential Land Use Designation Amendment, attached as Exhibit B:**

A Resolution (Case No. 11GPA-00000-00004) to amend the Co  
an amendment to the Goleta Planning Area Land Use Map of

<b>EXHIBIT 3</b>
<b>Santa Barbara County</b>
<b>LCPA 1-12-B</b>
<b>Resolution No. 12-86 (submittal)</b>

changing the land use designation on Assessor Parcel Number 075-020-005 from Multi-Family Residential, 20 units per acre, to Multi-Family Residential, 30 units per acre.

- E. On March 20, 2012, by Ordinance No. 4830, the Board of Supervisors, having found it to be in the interests of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, amended the Local Coastal Program by adopting:

**11ORD-00000-00034 and 11RZN-00000-00003: High-Density Student Residential (SR-H) Zone District Amendment and Rezone, attached as Exhibit C:**

An Ordinance (Case No. 11ORD-00000-00034) and Rezone (Case No. 11RZN-00000-00003) amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code by amending the text of Section 35-77, SR-H Zone District, to establish a new density of 30 units per acre and establish new criteria to apply to parcels rezoned to said density, and by amending the Goleta Community Plan Zoning Southern Section Zoning Map to rezone Assessor Parcel Number 075-020-005 from SR-H-20 to SR-H-30.

- F. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the County Planning Commission on the proposed amendments in duly noticed public hearings pursuant to Section 65353 and Section 65854 of the Government Code, and the County Planning Commission has sent their written recommendations to the Board pursuant to Section 65354 and Section 65855 of the Government Code.
- G. The Board of Supervisors held duly noticed public hearings, as required by Section 65355 and Section 65856 of the Government Code, on the proposed amendments, at which hearings the amendments were explained and comments invited from the persons in attendance.
- H. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, and the requirements of State Planning and Zoning laws as amended to this date.
- I. The Board now wishes to submit these amendments to the California Coastal Commission for review and certification.

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 Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes are adopted as amendments to the Santa Barbara County Local Coastal Program.
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.

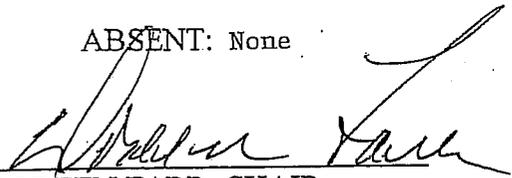
PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 10<sup>th</sup> day of April, 2012, by the following vote:

AYES: Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,  
Supervisor Lavagnino

NOES: None

ABSTAIN: None

ABSENT: None



DOREEN FARR, CHAIR  
Board of Supervisors, County of Santa Barbara

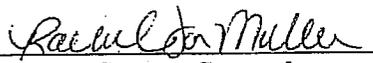
ATTEST:

CHANDRA L. WALLAR  
Clerk of the Board of Supervisors

By:   
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL  
County Counsel

By:   
Deputy County Counsel

EXHIBITS:

- A. Mobilehome Park Closure Ordinance Amendment (Case No. 11ORD-00000-00018)
- B. Coastal Land Use Plan/Goleta Community Plan Land Use Map Multi-Family Residential Land Use Designation Amendment (Case No. 11GPA-00000-00004)
- C. High-Density Student Residential (SR-H) Zone District Amendment and Rezone (Case Nos. 11ORD-00000-00034 and 11RZN-00000-00003)

EXHIBIT 1

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

IN THE MATTER OF AMENDING THE )  
GOLETA PLANNING AREA LAND USE MAP )  
OF THE GOLETA COMMUNITY PLAN. )

RESOLUTION NO. 12- 63

CASE NO.: 11GPA-00000-00004

WITH REFERENCE TO THE FOLLOWING:

- A. On July 20, 1993, by Resolution No. 93-402, the Board of Supervisors of the County of Santa Barbara adopted the Goleta Community Plan Land Use Map.
- B. It is now deemed 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 to amend the Coastal Land Use Plan by adopting an amendment to the Goleta Planning Area Land Use Map of the Goleta Community Plan (Case No. 11GPA-00000-00004), by changing the land use designation of Assessor Parcel Number 075-020-005 from Multi-family Residential, 20 units per acre, to Multi-family Residential, 30 units per acre.
- C. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on said proposed amendment in a public hearing in compliance with Section 65353 of the Government Code, and the Planning Commission has sent its written recommendations to the Board in compliance with Section 65354 of the Government Code.
- D. This Board has held a duly noticed public hearing, in compliance with Section 65355 of the Government Code on the proposed amendment where the amendment was explained and comments invited from the persons in attendance.

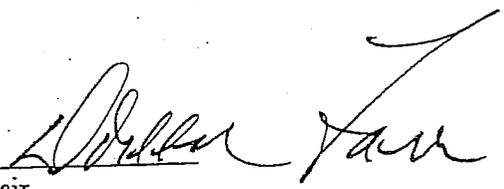
NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with Section 65356 of the Government Code, the above described change is hereby adopted as an amendment to the Goleta Planning Area Land Use Map of the Goleta Community Plan portion of the Coastal Land Use Plan.
- 3. The Chair 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.
- 4. In compliance with Government Code Section 65357 the Clerk of the Board is hereby authorized and directed to send endorsed copies of said maps to the planning agency of each city within this County.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 20th day of March, 2012, by the following vote:

AYES: Supervisor Wolf, Supervisor Far, Supervisor Gray, and Supervisor Lavagnino  
 NOES: None  
 ABSTAINED: None  
 ABSENT: Supervisor Carbajal

<b>EXHIBIT 4</b>
<b>Santa Barbara County</b>
<b>LCPA 1-12-B</b>
<b>Resolution No. 12-63 (LUP)</b>



DOREEN FARR, Chair  
Board of Supervisors  
County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR  
Clerk of the Board of Supervisors

By Russ Barber  
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL  
County Counsel

By Will C. Hy  
Deputy County Counsel

EXHIBIT 2

ORDINANCE NO. 4830

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING THE TEXT OF SECTION 35-77, SR-H ZONE DISTRICT, TO ESTABLISH A NEW DENSITY OF 30 UNITS PER ACRE AND ESTABLISH NEW CRITERIA TO APPLY TO PARCELS REZONED TO SAID DENSITY, AND BY AMENDING THE GOLETA COMMUNITY PLAN ZONING SOUTHERN SECTION ZONING MAP FOR ASSESSOR'S PARCEL NUMBER 075-020-005 FROM SR-H-20 TO SR-H-30.

Case No. 11ORD-00000-00034

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

SECTION 1:

DIVISION 4, Zoning Districts, of the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Subsection 77.6 (Lot Size/Density), of Section 35-77 (SR-H High Density Student Residential), to read as follows:

*Sec. 35-77.6 Lot Size/Density.*

1. The maximum density for each lot zoned SR-H shall be specified by a number following the SR-H on the lot on the applicable Santa Barbara County Zoning Map and said number represents the maximum number of dwelling units per gross acre permitted on such lot, as follows:

District Designation	Dwelling Units Per Gross Acre
SR-H-20	20
<u>SR-H-30</u>	<u>30</u>

2. The proposed development shall be located upon a lot having a minimum net lot width of 65 feet and a minimum net lot area of 7,000 square feet.
3. A building or structure may be located upon a smaller lot if such lot, either:
  - a. Is eligible for a Certificate of Compliance, or a Conditional Certificate of Compliance with all conditions satisfied, and such lot was, at the time of its creation, in conformity with the zoning ordinance then in existence, except for fraction lots; or
  - b. Was approved under provisions of the State Subdivision Map Act and/or local ordinances adopted pursuant thereto.
4. For lots which have 100 feet or more of street frontage, buildings shall be sited in such a manner so as to avoid a continuous stretch of buildings along the street frontage by clustering the buildings on one side of the lot, breaking up the development into more than one building, or through other architectural design features to reduce the visual impact of the building(s).
5. All development on lots rezoned to the SR-H-30 zone district shall be in compliance with the following:
  - a. No permits for development, including grading, shall be issued except in conformance with a Final Development Plan approved in compliance with Section 35-174 (Development Plans).

<b>EXHIBIT 5</b>
<b>Santa Barbara County</b>
<b>LCPA 1-12-B</b>
<b>Ordinance No. 4830 (CZO/IP)</b>

- b. All projects shall include 100 percent of all new units to be made available for purchase or for rent to affordable income households, subject to the County's Affordable Housing Program criteria and formulas established for very low, low, lower-moderate and upper-moderate income household categories.
- c. All projects shall record an affordable housing agreement and resale and rental restrictive covenant, or such other document approved as to form by the County Counsel, which outlines (1) the sales and/or rental prices for the various types of units to be established, and (2) provisions for the sale, resale, renting and restrictions that will be applicable to the project and which ensure the continued availability of units for purchase or occupancy by persons of very low, low, lower-moderate and upper-moderate incomes for a minimum of 30 years. The 30-year affordability term of the requirement shall re-start with each sale of an affordable unit, for a maximum period of 60 years.

### SECTION 2:

All zoning maps and zoning designations previously adopted under the provisions of Section 35-54, "Adopting Zoning Ordinances and Maps and Uncertainties District Boundaries," of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby repealed as they related to Assessor's Parcel Number 075-020-005, shown on the map attached hereto as Exhibit A and incorporated by reference.

### SECTION 3:

In compliance with Section 35-54, "Adopting Zoning Ordinances and Maps and Uncertainties District Boundaries," of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, the Board of Supervisors hereby adopts by reference the Zoning Map identified as Board of Supervisors Exhibit A, dated March 20th, 2012, which amends the zoning designation of Assessor's Parcel Number 075-020-005 from SR-H-20 to SR-H-30, and which is made a part of said Section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

### SECTION 4:

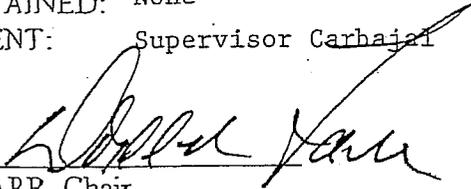
Except as amended by this Ordinance, DIVISION 1, In General, and DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

### SECTION 5:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 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 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together 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.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 20th day of March, 2012, by the following vote:

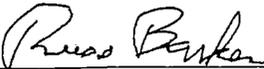
AYES: Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino  
NOES: None  
ABSTAINED: None  
ABSENT: Supervisor Carhaja



DOREEN FARR, Chair  
Board of Supervisors  
County of Santa Barbara

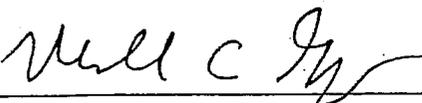
ATTEST:

CHANDRA L. WALLAR  
Clerk of the Board of Supervisors

By   
Deputy Clerk

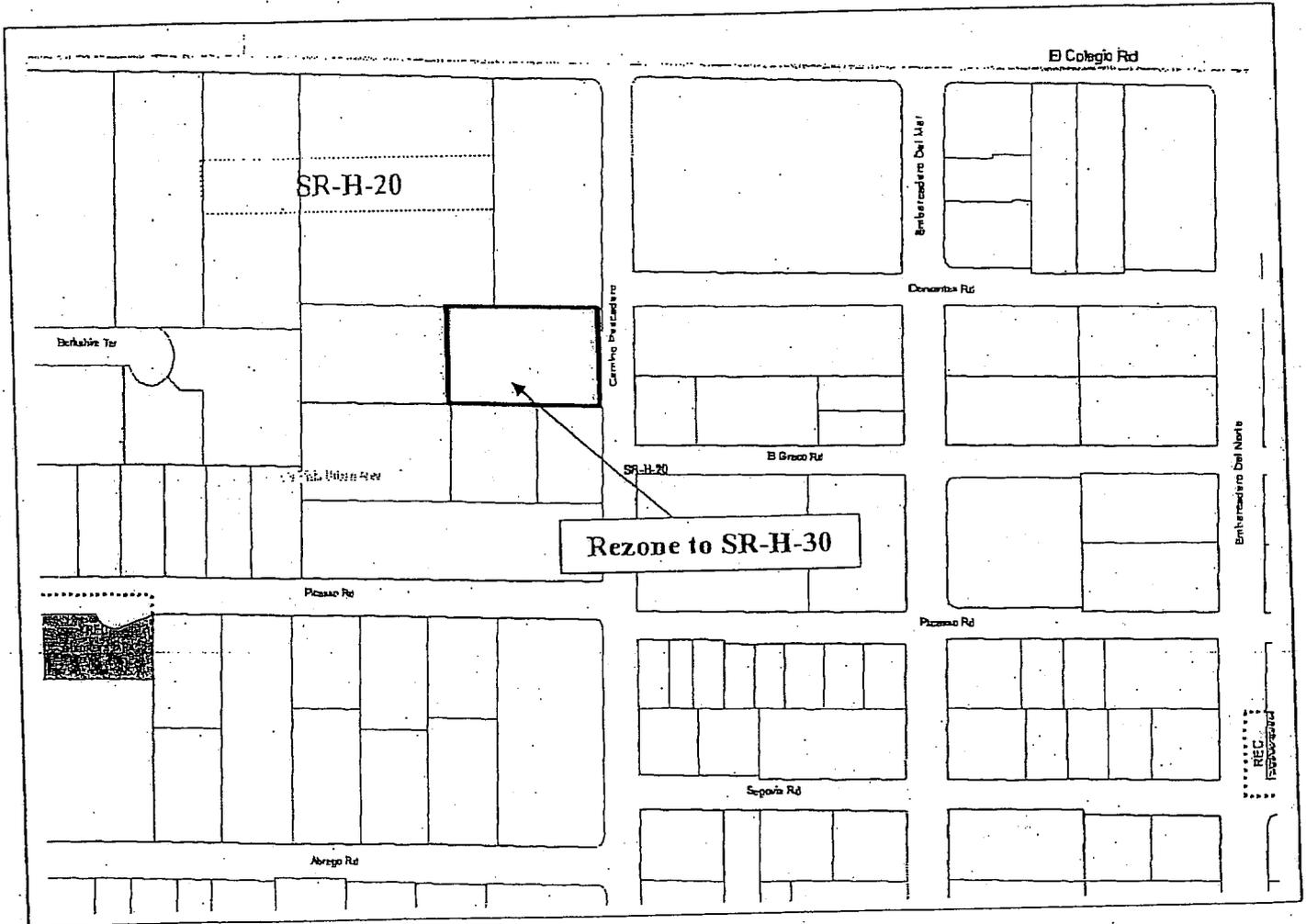
APPROVED AS TO FORM:

DENNIS A. MARSHALL  
County Counsel

By   
Deputy County Counsel

### ZONING MAP

Case No. 11ORD-00000-00034



**EXHIBIT 6**

**Santa Barbara County  
LCPA 1-12-B**

**Proposed Zoning Map Change**